

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 15, 1993, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 9 a.m.

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

STAFF PRESENT:	John Berkich	City Manager
	Kiyoshi Nishikawa	Clerk-Recorder
	Paul McGrath	Sheriff
	Ted P. Thornton	Treasurer
	Gary Kulikowski	Internal Auditor
	Jack Fralinger	Public Health Director
	Basil "Butch" Moreto	Purchasing Agent
	Mike Suglia	Deputy District Attorney
	Sheila Clement	Emergency Management Coordinator
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/15/93 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 Teixeira called the meeting to order at 9:05 a.m. Rev. Bruce Henderson of the Airport Church of Christ gave the Invocation. Supervisor Smith lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

**APPROVAL OF MINUTES - March 4, 1993 (1-0045)** - Supervisor Tatro moved to approve. Supervisor Smith seconded the motion. Motion carried 5-0.

## 2. SPECIAL PRESENTATION

**A. RECOGNITION OF "NATIONAL VOLUNTEER WEEK", APRIL 18-24, 1993 (1-0055)** - Supervisor Bennett explained the purpose of the proclamation and requested a plaque recognizing the volunteers be installed in the Sierra Room. She read the proclamation into the record. No action was taken or required.

**B. ACTION ON PROCLAMATION FOR EARTHQUAKE PREPAREDNESS WEEK, APRIL 18-24, 1993 (1-0138)** - Mayor Teixeira explained the purpose of the proclamation.

**LIQUOR AND ENTERTAINMENT BOARD (1-0145)** - Mayor Teixeira recessed the Board of Supervisors session and immediately reconvened the hearing as the Liquor and Entertainment Board. The entire Board was present, including Sheriff McGrath, constituting a quorum.

## 3. TREASURER - Ted P. Thornton

**B. ACTION ON BUSINESS LICENSE REINSTATEMENTS** - To be considered under the Board of

Supervisors rather than the Liquor and Entertainment Board.

**C. ACTION ON A LIQUOR LICENSE FOR WILLIAM C. KROYUER FOR THE BUSINESS JEZEBEL'S ROADHOUSE, LOCATED AT 1500 HOT SPRINGS ROAD (1-0165)** - As the revocation list included the prior owner of this establishment, the agenda order was modified. Member McGrath explained that the Sheriff's investigation was favorable and recommended approval. Mr. Kroyuer explained his residence address and his work schedule. Member Smith moved to approve the Liquor License for William C. Kroyuer, doing business as Jezebel's Roadhouse located at 1500 Hot Springs Road. Member Bennett seconded the motion. Motion carried 6-0.

**A. ACTION ON REVOCATION OF ALL DELINQUENT LIQUOR LICENSES (1-0223)** - The only outstanding establishment was the Hot Springs Bar and Grill, the location for which Mr. Kroyuer had just been licensed. All other licenses had been brought current. Therefore, no action was required or taken.

Mayor Teixeira then adjourned the Liquor and Entertainment Board and immediately reconvened the Board of Supervisors. The entire Board was present constituting a quorum.

## **BOARD OF SUPERVISORS**

**B. ACTION ON BUSINESS LICENSE REINSTATEMENTS (1-0245)** - A copy of the updated reinstatement list had been distributed to the Board and Clerk prior to the meeting. All penalties and fees had been paid. Supervisor Tatro moved that the Board approve the Business License reinstatement list as presented by the Treasurer's Office, fiscal impact \$7,967.50 plus an additional \$707.00 for the five businesses that paid on the last day before this meeting. Supervisor Smith seconded the motion. Motion carried 5-0.

**CITIZEN COMMENTS (1-0289)** - None.

## **4. CONSENT AGENDA (1-0290)**

### **A. CLERK-RECORDER**

- i. ACTION ON DISPOSAL OF PERSONNEL RECORDS**
- ii. ACTION ON DISPOSAL OF COURT CASE FILES AND EXHIBITS**

### **B. PUBLIC WORKS DIRECTOR**

**i. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR DANNY RASNER, ASSESSOR'S PARCEL NO. 9-261-06, LOCATED AT 400 WEST ROVENTINI WAY FOR WATER MAIN IMPROVEMENTS**

**ii. ACTION ON DEDICATION OF STREET RIGHT-OF-WAY AT THE NORTHEAST CORNER OF FALL STREET AND LONG STREET FROM GENE F. AND JANET H. EMPEY**

### **C. PURCHASING AGENT**

- i. ACTION ON CONTRACT NO. 9293-165 - CONSTRUCTION PROJECT MANAGER**
- ii. ACTION ON CONTRACT NO. 9293-148 - CONTAMINATED SOIL REMOVAL - SHERIFF'S DEPARTMENT**
- iii. ACTION ON CONTRACT NO. 9293-174 - DISPOSAL OF SURPLUS VEHICLES**

### **D. COMMUNITY DEVELOPMENT DIRECTOR**

- i. ACTION ON M-92/93-26 - AN ABANDONMENT REQUEST FROM GENE AND JANET**

**EMPEY AND JOHN AND LILLIAN MILLER TO ABANDON AN APPROXIMATELY 8 FOOT BY 180 FOOT PUBLIC RIGHT-OF-WAY (CONTAINING APPROXIMATELY 1,529 SQUARE FEET), LOCATED ON THE EAST SIDE OF NORTH FALL STREET, BETWEEN LEE STREET AND LONG STREET, ADJACENT TO ASSESSOR'S PARCEL NO. 2-098-09 AND 13 (PLANNING COMMISSION APPROVED 7-0-0-0)**

**ii. ACTION ON M-92/93-27 - AN ABANDONMENT REQUEST FROM RICHARD SCOTT (RINS DEVELOPMENT COMPANY, INC.) TO ABANDON AN APPROXIMATELY 60 FOOT BY 293 FOOT ACCESS, DRAINAGE AND PUBLIC UTILITY EASEMENT (CONTAINING APPROXIMATELY 17,150 SQUARE FEET), LOCATED AT THE EAST END OF PHEASANT DRIVE ACROSS FROM ASSESSOR'S PARCEL NO. 10-351-22 (PLANNING COMMISSION APPROVED 5-2-0-0)**

**iii. ACTION ON S-90/91-4 - A REQUEST FROM RICHARD SCOTT FOR A ONE YEAR EXTENSION TO FILE A FINAL MAP FOR SHADOW VALLEY SUBDIVISION ON PROPERTY LOCATED ON THE EAST SIDE OF BIGELOW DRIVE AND RUNNING APPROXIMATELY 1,300 FEET EAST TO THE PROPOSED EXTENSION OF SALIMAN ROAD, BETWEEN APPION WAY AND BENNETT AVENUE, ASSESSOR'S PARCEL NO. 9-215-02 AND 9-211-03 (PLANNING COMMISSION APPROVED 7-0-0-0)**

**iv. ACTION ON P-90/91-1 - A REQUEST FROM M. G. STAFFORD FOR A ONE YEAR EXTENSION TO FILE A FINAL MAP FOR DOUBLETREE, PHASE III, PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED NORTH OF STAFFORD WAY AND EAST OF AUSTIN LANE, ASSESSOR'S PARCEL NO. 9-605-01 (PLANNING COMMISSION APPROVED 7-0-0-0) (1-0299) -** Supervisor Smith requested Item C. i. be pulled. Supervisor Bennett requested Item C. ii. be pulled. Public requests were solicited but none made. Resolution No. 1993-R-32 was assigned to the request for authorization to dispose of personnel records and Resolution No. 1993-R-33 was assigned to the request to dispose of court case files and exhibits. Supervisor Tatro then moved that the Board approve the Consent Agenda as shown on the Agenda with modification of removing Contract 9293-165 and Contract 9293-148 under the Purchasing Agent's portion of the Consent Agenda and that the Resolution Numbers for disposal of personnel records be 1993-R-32 and for disposal of court case files be 1993-R-33. Supervisor Bennett seconded the motion. Motion carried 5-0.

**i. ACTION ON CONTRACT NO. 9293-165 - CONSTRUCTION PROJECT MANAGER -** Discussion ensued among the Board, Public Works Director Dan O'Brien, and Purchasing Agent Basil "Butch" Moreto justifying the reasons for having a project manager rather than have staff serve in this position, the qualifications of the individual selected, and the wage. Supervisor Bennett requested future contracts of this nature include a list of the other bidders and their bids. Supervisor Smith then moved that the Board of Supervisors accept the Purchasing Department's recommendation and award Contract 9293-165 to Jerry K. Schwartz, Consultants, 7145 Pembroke Drive, Reno, Nevada 89502, as the lowest responsive and responsible bidder pursuant to the requirements of Chapter 332 and authorize the Mayor to execute Contract No. 9293-165 with Jerry K. Schwartz, Consultant, for Project Manager of the Headquarters Fire Station at a rate of \$40 per hour with a not to exceed amount of \$40,000, funding source is the Headquarters Fire Station Construction Account. Supervisor Tatro seconded the motion. Motion carried 5-0.

**ii. ACTION ON CONTRACT NO. 9293-148 - CONTAMINATED SOIL REMOVAL - SHERIFF'S DEPARTMENT (1-0520) -** Discussion ensued among Public Health Director Jack Fralinger, the Board, Mr. Moreto, and Mr. Berkich on the bids, the need to keep the communication/utility lines in service during excavation, the amount of contamination, engineer's estimate, the need for an outside engineer to perform the estimate, the City's financial exposure for rectifying the problem, the State's portion of the cost, testing which had already occurred, and the second phase of the project--cleaning up the contaminated ground water. Comments emphasized that the contract would only cleanup the contaminated soil. Supervisor Tatro moved that the Board accept the Purchasing Department's recommendation and award Contract No. 9293-148 to L. M. Munns General Engineering, Carson City, as the lowest responsive and responsible bidder pursuant to the requirements of NRS

Chapter 332, 338, 339, and 624 for a contract amount of \$33,000 and a contingent amount of \$3,300, funding source will be from the Contingency Fund with reimbursement from the State Petroleum Fund in the amount of \$30,248.79; the City's share is \$6,051.21. Supervisor Bennett seconded the motion. Motion carried 5-0.

**AGENDA MODIFICATIONS (2-0776)** - Item 13. B. Fire Chief - Action on Adoption of 1991 Uniform Fire Code and Item 15. C. District Attorney - Action on an Ordinance Amending Section 8.12.010 (Discharge of Firearm Unlawful--Bonfires at Night) were deferred.

**5. TREASURER** - Ted P. Thornton

**A. ORDINANCE - FIRST AND SECOND READING - ACTION ON AN ORDINANCE SPECIFYING THE DETAILS FOR THE ISSUANCE OF A SHORT-TERM NOTE IN THE AMOUNT OF \$345,000 (1-0805)** - Mr. Thornton reviewed previous Board direction on bond considerations, reasons for considering both the first and second reading at the same time, and previous action/discussion by the Board on the proposed loan. Supervisor Bennett then moved that the Board approve Bill No. 117, AN ORDINANCE CONCERNING SHORT-TERM FINANCING; SPECIFYING THE DETAILS FOR THE CARSON CITY, NEVADA, SHORT-TERM NOTE IN THE PRINCIPAL AMOUNT OF \$345,000; SPECIFYING THE INTEREST RATES ON AND OTHER TERMS AND CONDITIONS OF SUCH SHORT-TERM NOTE, THE METHOD OF PAYING THE NOTE AND ITS FORM; PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS. Supervisor Smith seconded the motion. Clarification indicated the motion should have been an introduction which did not require a second. Therefore, Supervisor Bennett withdrew her motion and Supervisor Smith withdrew his second. Mr. Thornton then explained Page 12. Supervisor Bennett moved that the Board of Supervisors authorize the Mayor to sign the note as presented to the Board. Supervisor Smith seconded the motion. Mr. Thornton then explained Page 22. Supervisor Bennett again moved that the Board of Supervisors approve Ordinance No. 1993-16, Bill No. 117, AN ORDINANCE CONCERNING SHORT-TERM FINANCING; SPECIFYING THE DETAILS FOR THE CARSON CITY, NEVADA, SHORT-TERM NOTE IN THE PRINCIPAL AMOUNT OF \$345,000; SPECIFYING THE INTEREST RATES ON AND OTHER TERMS AND CONDITIONS OF SUCH SHORT-TERM NOTE, THE METHOD OF PAYING THE NOTE AND ITS FORM; PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS. Supervisor Ayres seconded the motion. Motion was voted by roll call with the following results: Smith - Yes; Tatro - Yes; Ayres - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

At Supervisor Bennett's request, Mr. Thornton explained the purpose of the note.

**B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 116 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1, 1993, AND PROVIDING OTHER MATTERS RELATED THERETO (1-0979)** - Mr. Thornton explained the bid opening conducted in his office. Bond Counsellor Jennifer Stern then reviewed the bids, the successful bidder, and the bank's intent to hold the bonds in its portfolio rather than sell them on the open market. The bonds are insured and triple A rated. She then explained the actions required by the Board. Supervisor Bennett then moved that the Board adopt Bill No. 116, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1993 HOSPITAL REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1, 1993; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER AND TERMS OF THEIR ISSUANCE, THE USE OF THEIR PROCEEDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THEM, THE SECURITY THEREFOR AND PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION

PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Tatro seconded the motion. Following a request for an amendment, Supervisor Bennett amended her motion to be for the Board to adopt Ordinance No. 1993-17, the title having already been read. Supervisor Tatro concurred with the amendment. The motion was voted by roll call with the following results: Smith - Yes; Ayres - Yes; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

**C. ACTION ON RESOLUTION AWARDING THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1, 1993, TO THE BEST BIDDER AND PROVIDING FOR VARIOUS DETAILS OF SUCH BONDS (1-1145)** - Following Bond Counsellor Jennifer Stern introduction, Supervisor Bennett moved that the Board adopt Resolution No. 1993-R-34, A RESOLUTION DESIGNATED BY THE SHORT TITLE "1993 HOSPITAL REFUNDING BOND AWARD RESOLUTION"; PROVIDING FOR THE AWARD OF THE CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL REFUNDING BONDS, SERIES MAY 1, 1993, TO THE BEST BIDDER; PROVIDING FOR THE AGGREGATE PRINCIPAL AMOUNT, MATURITY DATES, THE PRINCIPAL AMOUNTS MATURING AND THE INTEREST RATES FOR EACH MATURITY OF THE BONDS; PROVIDING FOR THE FUNDING OF AN ESCROW FUND IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following results: Ayres - Yes; Smith - Yes; Tatro - Yes; Bennett - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

**6. PUBLIC WORKS DIRECTOR - City Engineer Tim Homann - ORDINANCE - FIRST READING - ACTION ON A WATERLINE REIMBURSEMENT ORDINANCE AND AGREEMENT FOR JOSE CERVANTES, JR., ON ASSESSOR'S PARCEL NO. 8-293-03 (2319 DARLA WAY) (1-1209)** - Supervisor Smith moved that the Board adopt Bill No. 118, AN ORDINANCE APPROVING A WATERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND JOSE CERVANTES, JR., REGARDING ASSESSOR'S PARCEL NO. 008-293-3 LOCATED AT 2319 DARLA WAY, CARSON CITY, NEVADA, fiscal impact is a 15 percent administrative fee to the City upon reimbursement to Applicant. Supervisor Tatro seconded the motion. Discussion ensued on the reasons this item was not considered as part of the Consent Agenda. Motion was voted and carried 5-0.

**7. SHERIFF - Paul McGrath - ACTION ON A RESOLUTION AUTHORIZING THE CARSON CITY SHERIFF'S DEPARTMENT TO EMPLOY ONE DEPUTY SHERIFF FOR ASSIGNMENT WITH THE TRI-AGENCY NARCOTICS ENFORCEMENT TEAM (TRINET) (1-1265)** - Discussion between Sheriff McGrath and Mayor Teixeira clarified the administrative costs. Supervisor Ayres moved that the Board adopt Resolution No. 1993-R-35 A RESOLUTION AUTHORIZING THE CARSON CITY SHERIFF'S DEPARTMENT TO EMPLOY ONE DEPUTY SHERIFF FOR ASSIGNMENT WITH THE TRI-AGENCY NARCOTICS ENFORCEMENT TEAM (TRINET). Supervisor Bennett seconded the motion. Motion carried 5-0.

**8. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan and Principal Planner Rob Joiner - ORDINANCE - FIRST READING - ACTION ON M-92/93-29 (A-92/93-6) - AN ORDINANCE PER RESOLUTION BY CARSON CITY REDEVELOPMENT AUTHORITY TO AMEND CARSON CITY MUNICIPAL CODE, TITLE 18 (ZONING) BY ADDING PROVISIONS FOR ALTERNATE PARKING REQUIREMENTS WITHIN THE REDEVELOPMENT DISTRICT (PLANNING COMMISSION APPROVED 7-0-0-0) (1-1339)** - Discussion noted this proposal had been discussed several times during the last year. Supervisor Tatro moved that the Board introduce Bill No. 119 on first reading, AN ORDINANCE AMENDING SECTION 18.05.022 OF THE CARSON CITY MUNICIPAL CODE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 5-0.

**9. FINANCE DIRECTOR - Mary Walker**

**A. ACTION ON APPROVAL OF CARSON CITY TENTATIVE BUDGET FOR FISCAL YEAR 1993-94 (1-1398)** - Ms. Walker's introduction included the budget totals which also contained the Hospital's budget. Mr. Berkich read his budget message into the record. (A copy is contained in the budget document.) Ms. Walker then distributed copies to the Board and Clerk and explained the report on the City's personnel costs since 1981. Historically these costs had been in the 71 to 77 percentile. Reasons for the fluctuation were provided. The 94 budget is at a 76.58 percent, however, a saving of two or three percent has occurred annually and is projected for 1994 as well due to employee turnover. This savings is dedicated toward capital expenditures as has been the Board's policy. Mayor Teixeira then iterated his concern that the personnel costs were outstripping and would soon utilize more than 50 percent of the revenue. The tentative budget would allow the tax rate to remain at its current level. It was a conservative, hold-the-line budget. The Board would consider all budgets later. Supervisor Smith requested a report be provided before those hearings indicating the amount of revenue provided for the General Fund during the same period of time. Discussion ensued between Ms. Walker and the Board on the \$500,000 in "cuts" made in the tentative budget--elimination of two positions, the lower than anticipated health insurance premium, the lower Workers' Compensation rate-- and the budget procedures. Discussion indicated the Board's desire to see its goals and objectives within the budget documents. Mr. Berkich indicated a final goals and objectives session would be held soon so that priorities could be established. Supervisor Bennett requested information on the number of General Fund employees in 1988 as well as the ad valorem rate last year. Copies of the report on the tax rate were given to the Board and Clerk. She then reviewed the report which delineated the various tax rates assessed in Carson City and pointed out the maximum levy allowed as found on page six of the budget. Reasons some of the maximums were not utilized were noted. Supervisor Smith moved that the Board approve the Carson City Tentative Budget for fiscal year 93-94 and per NRS 354, submit that budget to the Department of Taxation today. Supervisor Bennett seconded the motion. Motion carried 5-0.

**B. ACTION ON APPROVAL OF SIERRA FOREST FIRE PROTECTION DISTRICT BUDGET FOR FISCAL YEAR 1993-94 (1-2565)** - Supervisor Bennett moved that the Board approve the Sierra Forest Fire District Tentative Budget for Fiscal Year 93-94 per NRS 354 and submit it to the Department of Taxation today. Supervisor Tatro seconded the motion. Motion carried 5-0.

**10. REDEVELOPMENT AUTHORITY (1-2595)** - 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.

**11. ACTION ON APPROVAL OF REDEVELOPMENT AUTHORITY TENTATIVE BUDGET FOR FISCAL YEAR 1993-94 (1-2910)** - Supervisor Smith moved that the Board of Supervisors approve the Carson City Redevelopment Authority Tentative Budget for the Fiscal Year 1993-94 and, per NRS 354, submit that budget to the Department of Taxation today. Supervisor Tatro seconded the motion. Motion carried 5-0.

**12. EMERGENCY MANAGEMENT COORDINATOR - Sheila Clement - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE MAKING A MAJOR REVISION TO TITLE 6 BY REVOKING THE EXISTING PROVISIONS OF TITLE 6 OF THE CARSON CITY MUNICIPAL CODE (EMERGENCY OPERATIONS) AND ADDING A NEW TITLE 6 (EMERGENCY MANAGEMENT) TO PROVIDE FOR DECLARATION OF AN EMERGENCY OR A DISASTER; USE OF EMERGENCY POWERS AND CONTINUITY OF GOVERNMENT; CREATION OF EMERGENCY MANAGEMENT COORDINATOR AND DUTIES; INCORPORATION OF STATE LAW IMMUNITY AND EXEMPTIONS FROM LICENSING; ESTABLISHMENT OF CURFEWS, RATIONING AND SUSPENSION OF ORDINANCES; REMOVAL OF STRUCTURES, DEBRIS AND OTHER HAZARDS;**

**PROTECTION OF CITY DOCUMENTS AND OTHER MATTERS PROPERLY RELATED THERETO (1-2928)** - Ms. Clement reviewed the purpose of the ordinance and noted that fallout shelters are not included in the ordinance. Discussion noted an unnamed concern from a Mr. Horton, who was not present, and had not submitted a letter. He allegedly had strong concerns about including fallout shelters in the plan and ordinance. Additional comments were solicited but none made. Mayor Teixeira pointed out that this is the first reading on the ordinance and that the public hearing would be held at the second reading. Supervisor Ayres then moved that the Board introduce on first reading Bill No. 120, AN ORDINANCE MAKING A MAJOR REVISION TO TITLE 6 BY REVOKING THE EXISTING PROVISIONS OF TITLE 6 OF THE CARSON CITY MUNICIPAL CODE (EMERGENCY OPERATIONS) AND ADDING A NEW TITLE 6 (EMERGENCY MANAGEMENT) TO PROVIDE FOR DECLARATION OF AN EMERGENCY OR A DISASTER; USE OF EMERGENCY POWERS AND CONTINUITY OF GOVERNMENT CREATION OF EMERGENCY MANAGEMENT COORDINATOR AND DUTIES; INCORPORATION OF STATE LAW IMMUNITY AND EXEMPTIONS FROM LICENSING; ESTABLISHMENT OF CURFEWS, RATIONING AND SUSPENSION OF ORDINANCES; REMOVAL OF STRUCTURES, DEBRIS AND OTHER HAZARDS; PROTECTION OF CITY DOCUMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0. Mayor Teixeira directed Ms. Clements to contact Mr. Horton and request the documents.

**13. FIRE CHIEF** - Louis Buckley

**A. ACTION ON SALE OF FIRE ENGINE NO. 10 TO WARREN ENGINE CO. NO. 1 (2-0065)** - Discussion ensued among the Board and Chief Buckley concerning the potential sale value of the engine, its value in the training program, its salvage value, its potential historic value, and the stipulation agreeing to sell the vehicle back to the City if Warren Engine Co. decides to dispose of the engine at some future date. Supervisor Tatro noted that the value of the equipment was less than \$2,000 and the Board's previous action donating an engine analyzer to the School District with a similar value. Supervisor Tatro then moved that the Board approve the sale of a surplus fire engine, Engine No. 10, to Warren Engine Co. No. 1 for the sum of \$1.00 in accordance with the letter of request submitted by Warren Engine Co. No. 1 which is attached to the staff report. Supervisor Bennett seconded the motion. Motion carried 5-0.

**14. PUBLIC UTILITY DIRECTOR** - Dorothy Timian-Palmer, Environmental Control Supervisor Ken Arnold, and Water Utilities Superintendent Tom Hoffert

**A. ACTION ON AN AGREEMENT BETWEEN CARSON CITY AND KLEINFELDER, INC., 3189 MILL STREET, RENO, NEVADA, REGARDING THE DRILLING OF TWO MONITORING WELLS AT THE CARSON CITY SANITARY LANDFILL (2-0230)** - Discussion among the Board, Mr. Arnold, and Ms. Timian-Palmer emphasized that the wells were mandated by the Federal Clean Water Act, the proposed well sites, the cost, work involved, and reasons bids were not requested. Supervisor Ayres moved that the Board approve and authorize the Mayor to sign an agreement by and between Carson City and Kleinfelder, Inc., regarding the drilling of two monitoring wells at the Carson City Sanitary Landfill in the amount of \$56,200. Supervisor Bennett seconded the motion. Supervisor Ayres continued her motion to include fiscal impact of \$56,200, funding source is the Landfill Account - Professional Services. Supervisor Bennett continued her second. Motion carried 5-0.

**B ACTION ON THE ADOPTION OF A RESOLUTION, PER SECTION 12.01.130 OF THE CARSON CITY MUNICIPAL CODE, EXTENDING THE NON-WATERING TIME PERIODS FOR THE SUMMER OF 1993 (2-0410)** - Supervisor Smith moved that the Board adopt Resolution No. 1993-R-36, A RESOLUTION EXTENDING THE NON-WATERING PERIODS FOR THE SUMMER OF 1993 from 10 a.m. to 7 p.m. Following a request for a modification, Supervisor Smith amended his motion to include that the summer season is defined as June 1 through October 1, 1993. Supervisor Tatro seconded the motion. Discussion indicated

the desire to have a permanent ordinance rather than have to consider a resolution annually. This proposal is being evaluated and may be considered at some future time. Flexibility in the resolution was noted. The motion to adopt the Resolution as indicated was voted and carried 5-0.

**C. ACTION ON A MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY AND CYRIL OUILLETTE REGARDING CARETAKER'S QUARTERS AT QUILL TANK (2-0495)** - Discussion among the Board, Mr. Hoffert, Mr. Berkich, and Mr. Suglia included who the caretaker is when Mr. Ouilette is absent, the need for other memorandums of understanding to be brought to the Board for consideration in the future, reasons for bringing the matter to the Board's attention at this time and previous practice, and commended staff on the facility. Supervisor Smith moved that the Board authorize the Mayor to sign the Memorandum of Understanding between Carson City and Cyril Ouilette, Senior Water Treatment Plant Operator, regarding caretaker's quarters at the Quill Tank Reservoir. Supervisor Ayres seconded the motion. Motion carried 5-0.

**D. ORDINANCE - SECOND READING - ACTION ON BILL NO. 115 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.06 TO DEFINE THE ENVIRONMENTAL CONTROL AUTHORITY; TO ESTABLISH ADDITIONAL ENFORCEMENT OPTIONS AND CORRESPONDING APPEALS PROCEDURES; TO REQUIRE SECONDARY CONTAINMENT OF TANKS AND DRUMS; AND, TO UPDATE LANGUAGE (2-0628)** - Supervisor Smith requested appropriate documentation be included with future ordinances on second reading. Supervisor Bennett moved that the Board adopt on second reading Ordinance No. 1993-19, AN ORDINANCE AMENDING CHAPTER 12.06 OF THE CARSON CITY MUNICIPAL CODE TO DEFINE THE ENVIRONMENTAL CONTROL AUTHORITY; TO PERMIT THE ISSUANCE OF ADMINISTRATIVE VIOLATIONS AND CITATIONS FOR THE VIOLATION OF WASTEWATER DISCHARGE ORDINANCES; TO PROVIDE FOR APPEALS OF NOTICES OF VIOLATION AND CITATIONS; AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 5-0.

**15. DISTRICT ATTORNEY - Deputy District Attorney Mike Suglia - ORDINANCES - FIRST READING**

**A. ACTION TO APPROVE AN ORDINANCE AMENDING SECTION 2.34.100 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE FOR REMOVAL FROM OFFICE OF ELECTED OFFICIALS IN THE PROCEDURE ESTABLISHED BY STATE LAW (2-0675)** - SUPERVISOR Tatro moved to introduce on first reading Bill No. 121, AN ORDINANCE AMENDING SECTION 2.34.100 OF THE CARSON CITY MUNICIPAL CODE TO PROVIDE FOR REMOVAL FROM OFFICE OF ELECTED OFFICIALS IN THE PROCEDURE ESTABLISHED IN STATE LAW (NRS 283.300 TO NRS 283.430 INCLUSIVE) AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Supervisor Bennett questioned the reasons the Statute had not been included in the Board packet. Due to this failure and her feeling of its importance, she indicated she would vote against the proposal. The motion was then voted and carried 4-1. Mr. Suglia agreed to furnish the information prior to the second reading.

**B. ACTION ON FORMAL RECOGNITION OF THE CLASSIFIED CHIEF OFFICERS AS THE EXCLUSIVE BARGAINING AGENT FOR ITS MEMBERS (2-0788)** - Mr. Suglia submitted Charles Cockerill's opinion as the Board's Management Negotiator to the Board. (A copy was not given to the Clerk.) He then outlined his reasons for recommending the Board deny the request based upon the fact that some of the employees are confidential employees who serve on the negotiation team. The NRS allows for this exclusion. If denied, the request may be submitted to the NRB who will render a ruling. Fire Division Chief Steve Mihelic explained the reasons the Division Chiefs had elected to form a bargaining unit. They are classified employees, however, not represented by the Firefighters' Association. Management Negotiator Charles Cockerill iterated his reasons for recommending denial based on legal issues allowed under the Statutes and not their job performance. Fire Division Chief Mihelic reiterated the reasons for requesting unionization. Supervisor Smith applauded the



reasons for the request. Supervisor Smith then moved that the Board deny formal recognition of the Classified Chief Officers as the exclusive bargaining agent for its members based upon the grounds that a majority of its members are confidential employees. Supervisor Tatro seconded the motion. Motion was voted by roll call with the following results: Yes - Bennett, Ayres, Tatro, Smith, and Mayor Teixeira. Nays - None. Motion carried 5-0.

**D. ACTION ON APPROVAL OF THIRD ADDENDUM TO THE CITY MANAGER'S 1990 AGREEMENT (2-1110)** - Supervisor Smith requested the Board defer action on this matter until a Personnel Session could be held with the City Manager. Supervisor Tatro requested the District Attorney's office prepare a memo delineating the parameters of such a session. Supervisor Smith emphasized that his request was not an attempt to cloud the issues but rather an attempt to discuss issues with the City Manager which can be discussed in a closed personnel session. Supervisor Smith then moved that the issue of the Third Addendum to the City Manager's 1990 Agreement be postponed to the first meeting in May and that a Personnel Session be agendized directly before that item. Supervisor Bennett seconded the motion. Mr. Berkich agreed and welcomed the opportunity. Motion carried 5-0.

**16. CITY MANAGER** - John Berkich and Deputy City Manager Pat Sorensen

**A. PRESENTATION OF A REPORT FROM THE UNCLASSIFIED EMPLOYEES COMPENSATION COMMITTEE (2-1210)** - Mr. Berkich distributed a report to the Board and Clerk. He reviewed his memo which explained the Compensation Committee and the status of its review of the Unclassified's compensation package and recommendations. District Attorney Noel Waters elaborated on his feelings about the intensity of the unclassified issue, their desire to re-examine the entire compensation package, justification for the management leave benefit, the Board's desire to reduce service costs, and urged the Board to not "piece meal" the benefits but to wait for the committee to complete its work. Potential alternatives were briefly noted in his comments. Sheriff Paul McGrath urged the Board to allow the committee to complete its review. He felt that the unclassified employees earned the management leave, which was part of the employment package when hired. Supervisor Smith then explained his reasons for wishing to have the issue reagendized for the May 6th meeting for action and his reasons for wanting to finalize the issue. His main concern was related to the continual spiraling of employee costs as indicated by various salaries which he quoted. The management leave pay was in addition to the salary. The spiraling employee costs was reducing the Board's ability to allocate proper funding for additional services and supplies with which the \$50,000 in management leave could assist. The unclassifieds' feelings that they were being used unjustly to provide this may have some validity. His main concern was with the additional check which was for unused management leave. He preferred removing this benefit and welcomed any unclassified individual to meet with him on his position. Mayor Teixeira noted that it had been his motion that had "killed the COLA" last year. The Anderson study had established a personnel program in the City and had been necessary. It had never been his intent to penalize any class of employees nor use any class as a model. He emphasized his feeling that the system was broken and needed to be addressed. He, too, supported an overall review and not piecemealing. Time needed to be taken to do the correct thing for the betterment of all employees and the community. Supervisor Ayres stressed that the Board needed to determine where the funding should be allocated. If salaries are funded, additional services should be provided. Her employment under the City while the City was RSVP's sponsor was explained. She was surprised at the comment that the Board had been taking unfair advantage of the unclassifieds. She hoped that this was not the general feeling of the unclassified employees. She had been one of those affected by the COLA cut. Her original comment about being able to fund those items with the money available was again stressed as well as her feeling that the policy needed to be addressed before the budget is finalized. Additional comments were solicited but none made.

**B. ACTION ON A REQUEST FROM THE GOLF PROFESSIONAL TO EXTEND HIS EXISTING CONTRACT AND INCREASE HIS COMPENSATION THROUGH CONTRACT AMENDMENT (2-**

**2369)** - Mr. Sorensen's introduction included the Golf Committee's recommendation and comments related to the Bond Counsel's concerns about the original draft proposal's fee structure on the west course. Staff, therefore, was recommending that the fee structure on the west course remain at a fixed amount plus an additional 3 percent or \$38,000. This would place a \$76,000 cap on the west course. Exhibits C, D, and G were then noted. Discussion ensued among the Board and Mr. Sorensen on the \$3 per player per tournament fee, the incentive for increased play on both courses, the letters from tournament sponsors, and the percentage increase on the east course.

Attorney Jim Cavilia, representing Gary Bushman, stressed the feeling that it was not in truth a "wash" on the west course as Mr. Bushman was losing the \$3 which would have been spent in the clubhouse. He did not feel that this proposal was an increase. Concern was expressed regarding the compensation as indicated on the west course even though he acknowledged the Bond issue. Mr. Bushman felt that the current four percent should remain. Mr. Sorensen responded by explaining his intent as being to provide a reasonable increase as well as cover the merchandise loss from the three dollars. The pros and cons of each position were debated. Mr. Bushman purportedly recommended a varying percentage which Mr. Cavilia delineated. These percentages and recommendations were discussed with the Board. Bond Counsel had recommended a straight percentage rather than a varying percentage.

(3-0145) Internal Auditor Gary Kulikowski explained that the current cap was \$31,000. The proposed \$38,000 would allow for growth and that the three percent figure was the "wash".

Golf Course Advisory Board Vice Chairperson Gary Sheerin explained the Committee's involvement and the "win-win-win" situation created by the agreement. Reasons for granting the four percent maximum were also given. He suggested that Paragraph 2 be modified. Mr. Sorensen supported a change in this paragraph. Bond Counsel had recommended that the agreement include a provision whereby the City could cancel the agreement at the end of the third year, if so desired, without any grounds. Mr. Sheerin elaborated on his feeling that the terminology as written mandated termination at the conclusion of the third year. His modification was read. Mr. Sorensen supported the modification. A written copy of Mr. Sheerin's amendment was given to the Board (and ultimately the Clerk).

Discussion ensued among the Board, Mr. Sorensen, and Mr. Bushman on the term of the contract. Messrs. Sorensen and Sheerin felt that the current contract would terminate in December 31, 1994, and the two year extension would terminate December 31, 1996. Mr. Suglia recommended the beginning date be included in the amendment and that the "without penalty" clause for cancellation be included in the contract. He felt the contract was for five years. He stressed that the original contract allowed for a two year renewal at the same terms as the original contract. He also felt that the three dollar fee had been a pass through held by the golf pro rather than additional compensation. If it was to have been additional compensation, it would have been included in paragraph six. Mayor Teixeira felt that it had been part of the compensation package. He stressed the need for the contract to be a "win-win-win" on all sides. He reviewed the proposal to increase the tournament play fee by three dollars. No other fees were being increased. The issue of the percentage rate had not been considered by the Committee and had only been discussed after Bond Counsel had been contacted. Supervisor Bennett then explained that her comments did not have any reflection on Mr. Bushman, his work, level of service provided, or the satisfaction exhibited by the players and tournament bookers. Her comments were based on the principal discussed originally. She felt that the City should have the ability to go to competitive bid at the termination of a contract. She felt that the current contract should include language that at the end of 1996 and the term of the extension, that the City and Mr. Bushman would open the position to competitive bid. She felt that the courses were a valuable asset and it was in the City's best interest to evaluate the management of that asset. Mayor Teixeira felt that the Board could request an RFP without inclusion in the contract. Supervisor Bennett responded by explaining the clause included in the agreement whereby in 1995 negotiations could be undertaken for a second two year extension. She felt that the amendment had extended the contract for two years which was a significant

benefit to the golf pro and had not been offset by other terms. She urged the Board to include language in the contract reflecting her desire to seek competitive bids and that Mr. Bushman should submit a bid as well. Supervisor Tatro responded by explaining his feeling that in 1996 the services would be put out for competitive bids. The Board was gaining an ability to cancel at the end of the two year term without cause. He also noted his original reluctance to award the original contract, however, felt that the current contract had resulted in a very effective operation as indicated by the various users. Due to this "smooth running operation", he urged the Board to approve the amendment. He also noted that the clause seeking RFP's in 1996 could be included in the amendment, however, questioned whether a different Board would recognize this clause. Mr. Cavilia questioned whether the "cancellable term" would in effect provide Mr. Bushman with the security he was seeking by requesting the extension at this time. He felt that Bond Counsel had wanted the contract to be cancellable at the end of three years from the date finalized. Discussion ensued among the Board, Mr. Sorensen, and Mr. Suglia on the type of action requested which indicated the contract would return for finalization by the Board May 6. **Supervisor Tatro then moved that the Board direct staff to return at the next meeting with a revised amendment to the contract with the Golf Professional with the changes to be as outlined in the staff report with the exception that a cap on the west course remain at four percent and that the language in the cancellation be replaced in the staff report with "That the City reserves the right to cancel this amended contract without cause or penalty at any time after three years of that of the amended contract." and that Bond Counsel be contacted to determine what the appropriate date will be, whether it will be the original adoption of the contract or the amendment of the contract for that three year period to commence, and that the balance of the staff's recommendations as contained in the staff report be entered into the contract. Supervisor Smith seconded the motion.** Comments were solicited but none made. **Motion was voted by roll call with the following result: Bennett - I will have to reluctantly vote no, not because of all of the representation that has been presented to us, not because of I have any reason to question the performance of our golf professional but by virtue of our ability to maintain a degree of independence and based upon the concerns that I have expressed earlier in the testimony; Ayres - Yes; Smith - Yes; Tatro - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.**

**C. ACTION TO INCREASE GREEN FEES BY \$3.00 FOR AN 18-HOLE ROUND OF GOLF AT BOTH THE EAGLE VALLEY EAST AND WEST GOLF COURSE BEGINNING ON AND AFTER APRIL 16, 1993 (3-0942)** - Mr. Sorensen's introduction stressed that the only rate affected by the proposed change was the 18-hole play on both courses for non-resident users. Discussion among the Board and Mr. Sorensen indicated the late rate was not affected. Golf Pro Gary Bushman requested whether the contracts for tournaments already booked needed to be increased. Mr. Sorensen supported the rate which had been negotiated and not the increase. Mayor Teixeira felt that the rate should affect any tournaments for 1994. Supervisor Tatro moved that the Board adopt Resolution No. 1993-R-37, A RESOLUTION ESTABLISHING FEES FOR PLAY AT EAGLE VALLEY GOLF COURSES EAST AND WEST ON AND AFTER APRIL 16, 1993, in accordance with the fee listing as provided in the staff report with the modification that tournament play for calendar year 1993 be excluded from the fee increase. Mayor Teixeira suggested that it be restricted to only scheduled tournament play. Supervisor Tatro continued his motion to include fiscal impact is approximately \$150,000. Supervisor Smith seconded the motion. Motion carried 5-0.

**17. LEGISLATIVE MATTERS - DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (3-1056)** - Nevada State Public Defender James J. Jackson explained the latest financial information concerning the cost of his operation which is allocated to the City. At this time it appears that the cost for Fiscal Year 94 would be \$279,600 and for Fiscal Year 95 would be \$282,000. A copy of Mr. Hataway's memo was given to the Board and Clerk. Discussion noted the Legislature's delay in closing budgets.

(3-1148) Mayor Teixeira then explained the status of the Motor Vehicle Privilege Tax fiscal note and questioned the latest figures indicating the City would gain \$150,000 from the proposal. He felt that the proposal would

remain in Committee.

Mayor Teixeira then explained the supporters of Senate Bill 142. Clarification noted that Mr. Suglia had written a memo to Community Development Director Walter Sullivan concerning the legal issues involved with this proposal. Copies had not been provided to the Board or Clerk. Mr. Sullivan highlighted the memo which indicated the proposal would impede the zoning process, inhibit reasonable planning for growth and land uses, and increase public litigation costs. His comments applied equally to SB 384. Mr. Sullivan then explained the proposal and his concerns which he supported by citing the Supreme Court ruling on the recent Lucas Case. Under the proposal, purportedly anyone whose property value either increases or decreases by 50 percent could force the City to purchase the property. Mayor Teixeira felt that the Legislature would have to resolve this legal conflict, however, felt that the proposal was a result of "takings" which had occurred. He did not wish to testify against the proposal. Discussion ensued among Mr. Sullivan and the Board on the proposal and the need for the Supreme Court to interact and Douglas County District Attorney's position on the proposal. Supervisor Bennett indicated a desire to contact Gary Owes, a nationally recognized expert on land use issues. She urged all to review the proposal carefully. Mayor Teixeira also indicated that the bill would fail based on legal merits, however, would pass the Legislature due to the abuse which had occurred in the past. Supervisor Bennett expressed her feeling that land use legal proceedings were extremely expensive. Mr. Suglia also expressed a feeling that the proposal may not be unconstitutional but his comments had been made as the City's attorney. It would definitely increase planning, zoning and litigation costs.

No formal action was taken on these proposals.

**18. A. 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 AGENDA ITEMS FROM THE BOARD OF SUPERVISORS, STAFF COMMENTS AND STATUS REPORTS (3-1685)** - Supervisor Bennett explained that Carson Pride and Revitalization volunteer programs will be commencing the end of the month. Volunteers were solicited to participate between April 23 and May 1. Several of its endeavors were also noted. The Neighborhood Beautification Program had established a recognition program for homes, industries, and commercial establishments within the community which are felt to be good examples of of the Program's respect for the environment and the quality of life. AMTRACK will begin May 2. This bus service from Carson City to Sacramento via South Lake Tahoe was explained. (3-1825) Supervisor Smith did not have a report. (3-1828) Supervisor Ayres announced the RSVP Spring Fair scheduled for April 28 through May 2 at Mills Park. (3-1871) Supervisor Tatro explained that the Convention and Visitors Bureau had approved its budget. It is based on the same amount of revenue as had been generated when the Ormsby House was open. If the Ormsby House reopens, then the \$85,000 in restricted expenditures could be dispersed. A contract with Road Shows and a contract for the management of the Pony Express Pavilion were also explained. (3-1935) Mayor Teixeira iterated his reasons for having a special meeting with the Convention and Visitors Bureau and Parks and Recreation Commission on April 29 at 6 p.m. He also outlined a request to become a "sister city" to Laem Chabang, Thailand. There will be no financial impact on Carson City. He was interested in visiting the City and they were interested in having other businessmen visit as well. ISTE A grant funding for the V&T Railroad project had been authorized for \$1.5 million. Supervisors Tatro and Bennett commended him on his efforts to obtain the ISTE A funding. Supervisor Tatro then outlined the plans for a grand opening ceremony scheduled for June 19 at the Pony Express Pavilion.

(3-2225) Mr. Berkich briefly outlined the explosion at the Corporate Yard, the status of Bruce Yomtob's condition, and the internal and OSHA investigations on the cause of the explosion. He commended all of the employees who had responded to the explosion as well as those involved with the cleanup on their efforts. He felt that the debriefing and investigation would help address the cause and perhaps eliminate a potential problem in the future. A benefit fund has been established and contributions can be made through the City Manager's office. The

computer malfunction was then discussed at length including the backup system and the lack of an ability to determine when a disk may fail. The system was back on line this morning at 8 a.m.

**B. ACTION ITEMS: RESOLUTIONS, PROCLAMATIONS, AND OTHER ACTION ITEMS REQUESTED BY MEMBERS OF THE BOARD OF SUPERVISORS - None.**

BREAK: There being no other issues for consideration before 6 p.m., a recess was declared at 1:20 p.m. When the meeting was reconvened at 6 p.m., Mayor Teixeira and Supervisors Smith, Ayres, Tatro and Bennett were present constituting a quorum. Capital Projects Advisory Committee members present were: Chairperson Sheerin, Bacigalupi, Baker, Honkump, Moran, Mullet, and Swirczek. Roll call was taken. A quorum was present. Staff present included City Manager Berkich, Clerk-Recorder Nishikawa, District Attorney Waters, District Judge Fondi, Justice of the Peace Willis, Juvenile Master Nielson, Administrative Services Director/Controller Walker, Community Services Director Sullivan, Undersheriff Freeman, Assistant Sheriff Curtis, and Recording Secretary McLaughlin.

**19. JOINT MEETING WITH THE CAPITAL PROJECT ADVISORY COMMITTEE (4-0035)**

**A. DISCUSSION REGARDING CAPITAL PROJECTS ADVISORY COMMITTEE WORK SCHEDULE**

**B. DISCUSSION REGARDING POSSIBLE FACILITY SITES AND ANALYSIS MATRIX**

**C. DISCUSSION REGARDING RECOMMENDED LAND ACREAGE REQUIRED FOR FACILITIES AND NUMBER OF EMPLOYEES**

**D. DISCUSSION REGARDING REVIEW OF DOWNTOWN AND PRESENT SHERIFF'S OFFICE SITES BY CAPITAL PROJECTS ADVISORY COMMITTEE MEMBERS AND ASSESSOR'S OFFICE STAFF** - Mayor Teixeira thanked all for attending the session and outlined the session's purpose. He commended the Committee on its accomplishments, enthusiasm, and efforts on behalf of the community.

Chairperson Sheerin began by explaining the issues originally considered by the Committee. He then reviewed the different criteria utilized to establish the amount of property required for a public safety complex, jail, and administrative complex. (Copies of his material were given to the Board and Clerk.) His figures included the 1988 consultant figures, the figures determined after attending a PONI seminar, projected jail population, and flexibility in the jail population figures. He hoped that any error in the figures would result in an over-estimation rather than under. The Commission estimated the maximum lot size of 20 acres for an administrative and jail complex. A five acre site should be adequate for the administrative complex if it stands alone. Thirteen acres should be adequate for a public safety complex. The acreage includes parking and a 50 percent expansion factor. PONI's estimated lot size was 25 acres for the administrative and jail complex. A compromise between the Committee's estimate and PONI's estimate including a reconfiguration of the designs indicated that the Committee's estimates were valid. Therefore, the Committee's totals were used in the search for potential sites. Public contacts utilized to solicit these sites were explained. Eighteen sites were ultimately identified.

(4-0625) Community Development Director Walter Sullivan then reviewed the matrix on the eighteen sites. (A copy was given to the Board and Clerk.) A map displaying the sites was used to assist in locating the sites. Discussion ensued among the Board and Mr. Sullivan on the Anderson site, the Newman site, the Boyer site, and the Northgate west site. Mr. Sheerin then explained Committee Member Bacigalupi and Assessor Kit Weaver's assignment to analyze the economics involved with each of the following sites: 2 - Sierra Technology site; 5 - Capital Plaza site; 6 - Downtown site; 7 - present Sheriff's Office site; 8 - Lompa site; 9 - Anderson site; 12 -

Edmonds site -- State of Nevada; and, 17 - Northgate east site. Discussion ensued among Juvenile Master Nielsen and Chairperson Sheerin on Site 7. Chairperson Sheerin then outlined some of the reasons why the courts and jail need to be in the same complex and accessible to the public. Judge Fondi supported his comments. If the public cannot be provided access, then he was willing to split the functions. This would, however, increase costs for transportation and processing inmates. Chairperson Sheerin noted that if the courts and jail are tied together, the site needed to be at least 13 acres in size. He questioned whether it was economically feasible to locate such a facility in the downtown core. Judge Fondi responded by explaining that the Anderson site was an "appealing, acceptable downtown" location. Clarification of the site occurred. Chairperson Sheerin elaborated on Site 12 which could be for the jail only as well as Site 13 which was large enough but across from the wastewater treatment plant. Judge Willis expressed his feeling that the public needed better access than this site would provide. Discussion ensued among Judge Fondi, Mr. Sullivan, Chairperson Sheerin, and Mayor Teixeira on the Capital Plaza site and available property surrounding that site.

Discussion ensued among the Board, Committee, and guests on the violative nature of the jail population estimates, impacts which various alternative sentencing programs have on the jail population, the need for a clear understanding of such alternative sentencing programs and the type of individual utilized in these programs, the need for Carson City to have a probation/parole office to handle Justice Court clientele, communication and assignment problems with the current alternative sentencing program, the PONI presumption that alternative sentencing programs were being utilized by the community as well as pre- and post-sentencing programs, the City's current alternative sentencing program and the inability to monitor individuals involved in this program, and projected period needed to complete the analysis of the structural needs.

Undersheriff Freeman then outlined the Carson Detox Center's concerns if the jail is located away from its facility. Supervisor Smith suggested that the overall plan include a facility for the Center within a close proximity to the new location. Undersheriff Freeman explained the need for the facility to be located where the general public could have access. If the facility is too close to the jail, such public participation may not occur. Colorado Springs' detox facility is across the parking lot from the jail. Participation in the process by the Sheriff's office was outlined.

(5-0028) Mr. Sullivan then reviewed his "general work schedule". (A copy was given to the Board and Clerk.) His comments stressed the need to have two RFP's prepared--one seeking private funding/construction and leasing of a facility to the City and one for the City to undertake the funding and construction of a facility. The desire to have the site selected and approved this summer by the Supervisors and the need for a consultant to analyze the jail population and its alternatives were discussed.

Chairperson Sheerin then elaborated on the current Juvenile Probation/Detention facility, Health Division and Purchasing's spatial needs, which he felt were "sub items" which the Committee should review. His comments also pointed the need to carefully analyze creative financing methods. He also requested the Board's clarification as to the Committee's direction. Board comments complimented the Committee on its endeavors. Discussion ensued on whether there were additional sites which should be considered and the desirability of the Anderson site. Mayor Teixeira expressed his desire that the Judges interact in the selection site. Judge Willis stressed the need for public accessibility. Judge Fondi noted several factors involved in the selection process including the separation of the jail and court facilities. He felt that personnel/facility costs involved with such a split should not be the primary considerations involved in the ultimate selection. His comments also stressed the economical and political issues involved in the jail site selection process. Justice Court could utilize electronic arrangements but District Court could not.

Judge Willis also indicated that the information Supervisor Ayres was seeking concerning the sentence individuals assigned to the alternative sentencing program had been given was public information and that he would be sure she receives it in the future.

No formal action was taken nor required on any of these items.

**E. DISCUSSION REGARDING A POTENTIAL RFP FOR THE SELECTION OF A CONSULTANT TO ASSIST THE SHERIFF'S OFFICE IN DETERMINING OPTIMUM JAIL POPULATION SIZE AND OTHER TASKS RELATED THERETO** - Chairperson Sheerin then detailed the reasons the Board was being asked to consider issuing an RFP for jail facility consultant services at this time. Mayor Teixeira felt it was too early in the process for the RFP. Administrative Services Director/Controller Walker explained the PONI inquiry at the beginning of the seminar which had stressed the need for a complete analysis of the jail needs. Issues which the consultant would evaluate were discussed in depth. Mr. Waters detailed his concern about having a consultant establish policies for the community. He also felt that the need to evaluate the current facility was unnecessary and costly. Mayor Teixeira urged all of the participants to put their concerns in writing to the Committee which Chairperson Sheerin felt would be very beneficial. Chairperson Sheerin elaborated further on the need for a consultant unless an architect with the same expertise could be located. He was willing to have his Committee reconsider the proposal. The pros and cons of the proposal were debated at length. Judge Fondi felt that the proposal restricted the RFP to the jail and not a combined facility. Supervisor Bennett felt that consideration should be given of the alternatives available in the planning. Supervisor Tatro expressed his concern that the bidding on the ultimate project would fall at the same time as the next election. He urged anyone thinking of running in that election to make their concerns/ideas known at this time. Chairperson Sheerin noted that the Committee's meetings are open to the public and a press release on the jail which should appear soon. He invited all to participate. Mayor Teixeira expressed a desire to have the best facility which would fit the need appropriately at the least cost and be correct the first time. He urged the Committee to slow the procedure and allow participation.

(5-0955) Discussion ensued among the Committee and Board on the violability of the numbers. Committee Member Honkump solicited input and names of any jail experts.

Additional comments were solicited but none made. Mayor Teixeira again commended the Committee on its endeavors. Chairperson Sheerin and Supervisor Bennett also commended City staff on its efforts. Mayor Teixeira thanked the guests for their participation and the audience for attending.

No formal action was taken nor required on this item.

Member Moran moved to adjourn the Capital Projects Advisory Committee. Member Honkomp seconded the motion. Motion carried 7-0. Chairperson Sheerin adjourned the Capital Projects Advisory Committee.

Supervisor Ayres moved to adjourn. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:10 p.m.

The Minutes of the April 15, 1993, Carson City Board of Supervisors session

ARE SO APPROVED ON \_\_\_\_\_ June 3 \_\_\_\_\_, 1993.

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

ATTEST:

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