

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 15, 1996, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 15, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 1 p.m.

PRESENT:	Marv Teixeira	Mayor
	Greg Smith	Supervisor, Ward 1
	Janice Ayres	Supervisor, Ward 2
	Tom Tatro	Supervisor, Ward 3
	Kay Bennett	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Rod Banister	Sheriff
	Al Kramer	Treasurer
	Steve Kastens	Parks & Recreation Director
	Jay Aldean	Public Works Director
	Basil "Butch" Moreto	Purchasing & Contrs. Director
	John Iratcabal	Dep. Purchasing & Contrs. Dir.
	Paul Lipparelli	Deputy District Attorney
	Jay Ahrens	Deputy Utilities Director
	Sheila Clements	Emergency Mgmt. Coordinator
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 2/15/96 Tape 1-0001.5)	

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. Any other individuals who spoke are listed immediately following the item 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 normal business hours.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE, AND ROLL CALL - Mayor Teixeira convened the meeting at 1 p.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Sheriff Banister lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. APPROVAL OF MINUTES - 12/21/95 and 1/4/96 Regular Sessions and 1/11/96 Special Session (1-0024.5) - Supervisor Tatro moved to approve. Supervisor Ayres seconded the motion. Motion carried 5-0.

CITIZEN COMMENTS (1-0032.5) - None.

LIQUOR AND ENTERTAINMENT BOARD MATTERS - Mayor Teixeira recessed the Board of Supervisors meeting and immediately reconvened the session as the Liquor and Entertainment Board. The entire Board was present including Sheriff Banister, constituting a quorum.

3. TREASURER - Al Kramer

A. ACTION ON A FULL BAR LIQUOR LICENSE FOR LINDA HUFFAKER, DOING BUSINESS AS LUMINARIES (1-0038.5) - Linda Huffaker explained the location. Member Banister recommended approval. Member Smith moved that the Liquor and Entertainment Board approve a full bar liquor license for Linda Huffaker, doing business as Luminaries at 1750 South Roop Street, Carson City, Nevada. Member Ayres seconded the motion. Motion carried 6-0. Chairperson Teixeira wished her well in the endeavor. Ms. Huffaker explained the response she had had to her opening.

B. ACTION ON A BEER AND WINE LICENSE FOR WILSON WONG, DOING BUSINESS

AS WONG'S GENGHIS KHAN KITCHEN (1-0075.5) - Wilson Wong, through an unidentified interpreter, explained his lease and awareness of the Liquor Laws. Member Banister indicated there had not been any problems at this location and expressed his hope that it would remain trouble free. The Sheriff's Department recommended approval. Member Tatro moved that the Liquor and Entertainment Board approve a beer and wine license for Wilson Wong, doing business as Wong's Genghis Khan Kitchen, Fiscal Impact - \$500 Investigation Fee, \$500 New Fee, and \$150 per Quarterly Fee. Member Bennett seconded the motion. Motion carried 6-0. Chairperson Teixeira wished him success in his endeavor.

BOARD OF SUPERVISORS - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the hearing as the Board of Supervisors. The entire Board was present constituting a quorum.

2. SPECIAL PRESENTATIONS - Personnel Manager Judie Fisher

A. ACTION ON RETIREMENT RESOLUTION FOR PATRICIA MCHUGH (1-0107.5) - Mayor Teixeira noted Ms. McHugh had been with the City for 23 years. Supervisor Bennett moved to adopt Resolution No. 1996-R-10, A RESOLUTION COMMENDING RETIREMENT for Patricia McHugh and read the entire Resolution into the record. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira thanked her for her dedication and service.

B. ACTION ON RETIREMENT RESOLUTION FOR CHARLES COLEMAN (1-0145.5) - Supervisor Ayres moved to adopt Resolution No. 1996-R-11, A RESOLUTION COMMENDING RETIREMENT for Charles Coleman and read the entire Resolution into the record. Supervisors Smith and Bennett seconded the motion. Motion carried 5-0. Mayor Teixeira wished him success in his future endeavors.

4. CONSENT AGENDA (1-0178.5)

- A. TREASURER**
 - i. ACTION TO REVOKE DELINQUENT BUSINESS LICENSES FOR 1996**
 - ii. ACTION ON TREASURER'S REPORT FOR THE MONTH OF JANUARY 1996**
- B. UTILITY DIRECTOR - ACTION ON RENEWAL OF RECREATION AND PUBLIC PURPOSES LEASE N-298 FOR THE CARSON CITY SANITARY LANDFILL**
- C. PARKS AND RECREATION DIRECTOR - ACTION ON APPROVAL OF COOPERATIVE AGREEMENT WITH THE NEVADA DIVISION OF WILDLIFE FOR PITTMAN-ROBERTSON HUNTER EDUCATION FEDERAL AID MATCHING FUNDS FOR THE CARSON CITY RIFLE AND PISTOL RANGE**
- D. PUBLIC WORKS DIRECTOR**
 - i. ACTION ON DEDICATION OF AN EASEMENT FOR WATER, SEWER AND MAINTENANCE FROM JOHN C. SERPA ON APN 08-206-01**
 - ii. ACTION ON DEDICATION OF A DRAINAGE EASEMENT FOR THE FLOW AND MAINTENANCE OF STORM WATER FROM THE CLARK G. AND JEAN RUSSELL FAMILY TRUST ON APN 08-152-15 AT 2171 HIGHWAY 50 EAST**
- E. PURCHASING DIRECTOR**
 - i. ACTION ON CONTRACT NO. 9596-157 - ROAD BASE AGGREGATE**
 - ii. ACTION ON CONTRACT NO. 9596-019 - TRANSIT MANAGEMENT SERVICES, CONTRACT APPROVAL** - Parks and Recreation Director Steve Kastens pulled Item C. Mayor Teixeira explained staff's request to pull Item E. ii. Treasurer Kramer gave the Board and Clerk a copy of the Business License revocation list. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with the deletion of the Item under Parks and Recreation Director for approval of the cooperative agreement with the Nevada Division of Wildlife and with deletion of Contract 9596-019. Supervisor Ayres seconded the motion. Motion carried 5-0.

C. Mr. Kastens explained a typographical error on Page 2 of the agreement which would require all work to be completed and vouchers submitted prior to June 30, 1996. He requested the date be corrected to be June 30, 1997. The Department of Wildlife was aware of the change and agreed to it. Supervisor Tatro moved that the Board approve the Cooperative Agreement, and authorize the Mayor to sign same, with the Nevada Division of Wildlife for the Pittman-Robertson Hunter Education Federal Aid Matching Funds for the Carson City Rifle and Pistol Range, fiscal impact is \$10,000, funding source is the Residential Construction Tax, with the change on Page 2 Line 5 of the agreement to correct the date to be June 30, 1997. Supervisor Ayres seconded the motion. Motion carried 5-0.

E. ii. Public Works Director Jay Aldean explained the funding, contract terms, PSC problems encountered in attempting to get the full transit program operating, and need for a business plan. Discussion indicated the original contract had been reduced through negotiations and elimination of services. The contract had not been considered by the Regional Transportation Commission due to the timing concerns. Supervisor Bennett voiced her objection to this oversight and repeated her request for monthly status reports. Her comments emphasized the need for this service and support for a solid business plan and program. She felt that unless monthly accounting is provided, a great disservice is made to the general public. Supervisor Smith supported her comments. He also noted that the original funding level had been provided to give the program time to work. He felt that the few sparse reports which had been provided would indicate that the public had accepted the program and was using it. He, too, felt that the RTC should have considered the request first. Supervisor Ayres explained her involvement in public transportation and feeling that the City needed the service. She, too, supported having a business plan and felt that the City would not be able to eliminate the service now that it has begun. Supervisor Tatro moved that the Board accept the Purchasing Department's recommendation on Contract No. 9596-019 and authorize the Mayor to sign the Amendment with Paratransit Services for a not to exceed amended total cost of \$49,564 with the funding source being Capital Acquisition Fund. Supervisor Bennett seconded the motion. Lloyd Leadman supported the program and stressed the need for public transportation in Carson City. He encouraged the Board to approve a regular system. The motion to approve the contract was voted and carried 5-0.

ORDINANCES, RESOLUTIONS, AND OTHER MATTERS

5. TREASURER - Al Kramer - ORDINANCES - FIRST READING

A. ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 HOSPITAL BOND ORDINANCE"; CONCERNING THE HOSPITAL FACILITIES FOR CARSON CITY, NEVADA, AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL BONDS (ADDITIONALLY SECURED WITH PLEDGED REVENUES), SERIES MARCH 1, 1996A," FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING THE CITY'S HOSPITAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; PROVIDING THE FORM, TERM AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THEM AND THE SECURITY THEREFOR, AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF NET REVENUES DERIVED FROM THE OPERATION OF SUCH FACILITIES; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH FACILITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0378.5) - Supervisor Bennett explained the Hospital Board's action on the request and referenced a program which will address the Medicare concerns created by the financing program. Mr. Kramer felt that the interest rate would be under five percent. Supervisor Smith moved that the Board of Supervisors introduce Bill No. 103 on first reading, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 HOSPITAL BOND ORDINANCE"; CONCERNING THE HOSPITAL FACILITIES FOR CARSON CITY, NEVADA, AUTHORIZING THE

ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) HOSPITAL BONDS (ADDITIONALLY SECURED WITH PLEDGED REVENUES), SERIES MARCH 1, 1996A," FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING THE CITY'S HOSPITAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; PROVIDING THE FORM, TERM AND CONDITIONS OF THE BONDS, THE METHOD OF PAYING THEM AND THE SECURITY THEREFOR, AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL AD VALOREM TAXES FOR THE PAYMENT THEREOF; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF NET REVENUES DERIVED FROM THE OPERATION OF SUCH FACILITIES; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH FACILITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 VARIOUS PURPOSE REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES MARCH 1, 1996B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS 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 TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0435.5) - Supervisor Tatro moved to introduce on first reading Bill No. 104, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 VARIOUS PURPOSE REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS, SERIES MARCH 1, 1996B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS 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 TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Smith seconded the motion. Motion carried 5-0.

C. ACTION ON AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 PARK REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MARCH 1, 1996C, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING THE FORM, TERM AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THEM AND THE SECURITY THEREFOR; AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONAL SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF CERTAIN RECREATIONAL FACILITIES AND BY A PLEDGE OF OTHER FUNDS LEGALLY AVAILABLE THEREFOR DERIVED FROM CERTAIN LICENSE TAXES FIXED AND IMPOSED BY CARSON CITY; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH RECREATIONAL FACILITIES AND SUCH LICENSE TAXES; PROVIDING FOR THE ISSUANCE OF ADDITIONAL SECURITIES PAYABLE FROM SUCH REVENUES; PROVIDING OTHER COVENANTS, AGREEMENTS AND

OTHER DETAILS AND MAKING OTHER PROVISIONS CONCERNING THE BONDS, SUCH FACILITIES, THE GENERAL TAX PROCEEDS AND THE REVENUES PLEDGE FOR THE PAYMENT OF SUCH PROPOSED SECURITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-0452.5) - Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 105, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1996 PARK REFUNDING BOND ORDINANCE"; AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK REFUNDING BONDS (ADDITIONALLY SECURED BY GROSS PLEDGED REVENUES), SERIES MARCH 1, 1996C, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING THE FORM, TERM AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THEM AND THE SECURITY THEREFOR; AND OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY AND COLLECTION OF THE GENERAL (AD VALOREM) TAXES FOR THE PAYMENT THEREOF; ADDITIONAL SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE OPERATION OF CERTAIN RECREATIONAL FACILITIES AND BY A PLEDGE OF OTHER FUNDS LEGALLY AVAILABLE THEREFOR DERIVED FROM CERTAIN LICENSE TAXES FIXED AND IMPOSED BY CARSON CITY; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES TO BE DERIVED FROM THE OPERATION OF SUCH RECREATIONAL FACILITIES AND SUCH LICENSE TAXES; PROVIDING FOR THE ISSUANCE OF ADDITIONAL SECURITIES PAYABLE FROM SUCH REVENUES; PROVIDING OTHER COVENANTS, AGREEMENTS AND OTHER DETAILS AND MAKING OTHER PROVISIONS CONCERNING THE BONDS, SUCH FACILITIES, THE GENERAL TAX PROCEEDS AND THE REVENUES PLEDGED FOR THE PAYMENT OF SUCH PROPOSED SECURITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Smith seconded the motion. Motion carried 5-0. Mr. Kramer felt that the refunding would provide approximately \$300,000 in savings.

6. CHIEF JUVENILE PROBATION OFFICER - Bill Lewis

A. ACTION ON APPROVAL OF THE CARSON CITY JUVENILE PROBATION DEPARTMENT TO RECEIVE \$7600 IN FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION OF THE REGIONAL JUVENILE JUSTICE CHALLENGE GRANT PROJECT (1-0495.5) - Supervisor Ayres moved that the Board of Supervisors approve the Carson City Probation Department's request to receive \$7,600 in Federal Grant Funds during the 1996-97 Year for the Regional Juvenile Justice Challenge Grant Project, fiscal impact is \$7,600 and funding source is the Office of Juvenile Justice and Delinquency Prevention and the Nevada Juvenile Justice Commission. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ACTION ON APPROVAL OF RESOLUTION RECOMMENDING THAT CARSON CITY, DOUGLAS COUNTY, LYON COUNTY AND CHURCHILL COUNTY COMBINE RESOURCES THROUGH THE SHARED USE OF THE CARSON CITY JUVENILE DETENTION CENTER AS A REGIONAL FACILITY AND FURTHER THAT THE FOUR JURISDICTIONS HEREBY JOIN TOGETHER IN A COOPERATIVE EFFORT TO PLAN FOR THE NONSECURE JUVENILE JUSTICE RESOURCE NEEDS IN WESTERN NEVADA (1-0538.5) - Discussion explained the need to support regional facilities and share the operational costs. This avoids duplication of services and provides better services overall. Counties currently contracting for City services as well as others who had expressed an interest in contracting for the services were noted. Mr. Lewis is working with NACO on the regional program. Supervisor Bennett cautioned Mr. Lewis against relieving other Counties of their financial burden to provide a regional facility at the expense of Carson City youth, needs, and taxpayers. She requested a master plan to provide guidelines for the future growth and financing mechanisms. Mr. Lewis indicated Carson City needs are first in line for service. The

other Counties alternative programs were noted. Carson City's alternative sentencing and surveillance programs were also explained. Mr. Berkich expressed his support for the program. Supervisor Bennett expanded on her request for a master plan. Mr. Lewis explained the Department's expansion plans and the proposal to hire an architect to analyze the former Purchasing/Building Maintenance facility for expansion. This program will be considered by the Board of Supervisors in the future and will include potential court modifications which may increase the detention demands. Supervisor Smith moved that the Board of Supervisors adopt Resolution No. 1996-R-12, A RESOLUTION RECOMMENDING THAT CARSON CITY, DOUGLAS COUNTY, LYON COUNTY AND CHURCHILL COUNTY COMBINE RESOURCES THROUGH THE SHARED USE OF THE CARSON CITY JUVENILE DETENTION CENTER AS A REGIONAL FACILITY AND FURTHER THAT THE FOUR JURISDICTIONS HEREBY JOIN TOGETHER IN A COOPERATIVE EFFORT TO PLAN FOR THE NONSECURE JUVENILE JUSTICE RESOURCE NEEDS IN WESTERN NEVADA. Supervisor Ayres seconded the motion. Motion carried 5-0.

Discussion indicated Douglas County had voiced a desire to have its own facility, however, funding for such an undertaking was questionable. Mayor Teixeira requested Mr. Berkich provide a brief note on the status of the Resolution when approved by the other Counties.

7. PUBLIC WORKS DEPARTMENT - Director Jay Aldean - ORDINANCE - FIRST READING

A. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LANDMARK HOMES AND DEVELOPMENT REGARDING ASSESSOR'S PARCEL NO. 9-124-02 LOCATED ON KOONTZ LANE, CARSON CITY, NEVADA (1-0835.5) - Mayor Teixeira and Landmark Homes Representative Ron Kipp discussed the detention facility, its multi-use plan, its landscaping and irrigation system, and the 30 inch drainage pipe which will carry runoff along Koontz to a site approximately 60 feet east of Bigelow. Mr. Kipp stated that the basin required to handle the runoff from his development would have to be only 40 feet square. This basin is designed to take the impact off of all the flows which come down Koontz from Eagle Station. Supervisor Bennett requested the record reflect this statement. Reasons for this request were based on the residents' lack of ability to redirect the present flows along Koontz and the flooding problems encountered as a result. Mayor Teixeira explained that these mitigation efforts were not required for Landmark's development. Previous Boards had failed to require mitigation measures from other developers. This Board was attempting to "fix the problem with this developer". Mr. Kipp indicated he was "happy with the agreement" in response to Mayor Teixeira's question. Mayor Teixeira then expressed his pleasure at the program. Supervisor Ayres moved that the Board of Supervisors introduce on first reading Bill No. 106, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LANDMARK HOMES AND DEVELOPMENT, REGARDING APN 09-124-02, LOCATED ON KOONTZ LANE, CARSON CITY, NEVADA, fiscal impact not to exceed \$30,000, funding source Public Works Street Maintenance Miscellaneous Storm Drainage Projects. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON AN ORDINANCE AMENDING CHAPTER 10.24 OF THE CARSON CITY MUNICIPAL CODE (STOPPING, STANDING AND PARKING) TO INCREASE CERTAIN FINES TO FIFTEEN DOLLARS, TO PERMIT STACKING OF CITATIONS, TO AUTHORIZE COMPENSATION FOR THE HEARING OFFICER, TO AUTHORIZE THE ADMINISTRATIVE WAIVER OF CERTAIN PENALTIES FOR PERSON WITH HANDICAPPED PARKING PERMITS OR PERMIT ELIGIBILITY, TO PROVIDE FOR THE CITATION OF VEHICLES EXCEEDING THE SIZE OF A PARKING SPACE, TO PROVIDE FOR THE CITATION OF A PERSON WHO REMOVES A TIRE MARK, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0966.5) - The Chamber of Commerce and the Sheriff's Department were purportedly aware of the proposal. Discussion included the fee increase; the Chamber of Commerce, Sheriff, and staff's support for the modifications; reasons for the penalty for removal of the tire mark; the State's constant change in the handicapped parking sign location; the \$10 processing fee for failing to display the handicapped parking sign in the correct location; (1-1075.5) staff's efforts to locate handicapped parking signs; Washoe County's procedure; the proposal to cite vehicles exceeding the size of a parking space; staff's leniency when enforcing this citation; the compact stall locations; and safety concerns when full-sized vehicles park in

compact stalls. (1-1050.5) Supervisor Ayres suggested a warning for the first failure to post the handicapped parking sign in the correct location. The processing fee should be assessed for the second violation. Mr. Aldean explained that this would be a nightmare to track. (1-1142.5) Supervisor Smith voiced his objection to the requirement to prohibit vehicles from parking in stalls for compacts or exceeding the size of a parking space unless the compact vehicles can be forced to park only in compact stalls. (1-1175.5) Mayor Teixeira voiced his opposition to the compact modification as it is impossible to determine the size of compacts, sub-compacts, etc. Supervisor Bennett responded by explaining her support for the regulation.

(1-1225.5) Pat Walsh voiced his opposition to the fine increase and the modification allowing stacking of tickets as it placed an unfair burden on the downtown businesses. He urged the Board to look elsewhere for this revenue and to consider removing the two hour parking restriction from the downtown area. (1-1269.5) Frank Page from Carsonite supported Mayor Teixeira and Supervisor Smith's comments concerning the need to force compact vehicles to use compact spaces. If approved, there should be designations for standard sized vehicles. He cited the 1989 parking study to support his contention that the two hour parking restriction should be completely eliminated in the downtown area. He suggested converting several of the "short blocks" to diagonal parking in the area between the Nugget and the north side of the State buildings. Clarification indicated this area is designated for a parking lot. (1-1314.5) Art Hannafin felt that there is adequate space available in the downtown area and explained his efforts to not stay longer than the two hours. He also felt that it is common for the downtown businessmen to receive tickets when they have overstay the two hour limit, however, did not feel that stacking was justified. It was penalizing beyond reason, ludicrous, and counterproductive to the environment being created in the downtown area. The ordinance would not help the downtown area. (1-1348.5) Chamber of Commerce Executive Vice President Larry Osborne noted the Chamber's involvement with the City and downtown merchants on parking. The Chamber supports the fine increase to \$15, which was the original level. The Chamber opposed stacking unless an individual was deliberately parking all day in a spot close to his/her office. The Chamber's survey on the adequacy of parking in the downtown area indicated 90 percent of the respondents felt it is adequate. A larger response opposed replacing the parking meters. Support for the two hour restriction in the downtown area was explained. Businesses could, as indicated earlier, pay for a customer's parking ticket. The parking fund is broke which should be corrected. He did not feel that the residents and taxpayers should support ordinance violators. (1-1401.5) Al Kramer, as a private citizen, explained his knowledge of a Wyoming, handicapped individual who had used a rental car while in town on business. Wyoming's handicapped permit is not transferable. The individual received two citations for parking in a handicapped space, which he paid before leaving town. The appeal process does not work for out-of-town individuals. Clear designation of a space is not provided when there is snow on the ground. If the first individual does not park correctly, a second individual, believing he is parked correctly, could be cited for failure to park in a designated area. He also felt that he should be able to remove the tire mark if the vehicle has been ticketed for parking longer than two hours.

Discussion ensued among the Supervisors and staff on the fine increase, the fund shortfall since 1993, and justification for having the parking violator pay for parking enforcement. Mr. Lipparelli explained the need to change the effective date to April 1, 1996. Examples of the new signs indicating the City policy to stack and the fine increase were displayed by Mr. Aldean. He also suggested, if the Board desired, removal of the stacking provisions which were on Page 4 at Line 21. Supervisor Smith moved that the Board of Supervisors introduce Bill No. 107 on first reading, AN ORDINANCE AMENDING CHAPTER 10.24 OF THE CARSON CITY MUNICIPAL CODE (STOPPING, STANDING AND PARKING) TO INCREASE CERTAIN FINES TO FIFTEEN DOLLARS, TO AUTHORIZE COMPENSATION FOR THE HEARING OFFICER, TO AUTHORIZE THE ADMINISTRATIVE WAIVER OF CERTAIN PENALTIES FOR PERSONS WITH HANDICAPPED PARKING PERMITS OR PERMIT ELIGIBILITY, TO PROVIDE FOR THE CITATION OF A PERSON WHO REMOVES A TIRE MARK, AND OTHER MATTERS PROPERLY RELATED THERETO, WITH THE FOLLOWING CHANGES, on Page 4, change Line 21 to read "time limit designated on the sign." and strike the remaining words "and for each like period." and strike Lines 22 and 23 and on Page 5, Lines 1 and 2, and on the last page of the ordinance, Page 8, Line 11, change August 1, 1995 to April 1, 1996. Supervisor Bennett seconded the motion. Supervisor Smith explained that his motion would eliminate the clauses on stacking and the section on compact spaces. Mr. Lipparelli indicated the motion would eliminate the policy permitting stacking. Also, elimination of the compact parking space verbiage would make it legal for a vehicle to parallel park across four

parking spaces. Mr. Aldean indicated that the ordinance had only added the underlined section to the current ordinance. Supervisor Smith explained that it had not been his intent to make it legal for an individual to parallel park. Supervisor Smith modified his motion to reinstate Lines 22 and 23 on Page 4 and the beginning portion of Line 1 on Page 5 which read "or markings." and delete the remainder of Paragraph 3 which had been underlined. Supervisor Bennett continued her second. Mayor Teixeira indicated that the ordinance would increase the fine by \$5 and remove stacking. Mr. Lipparelli noted there were also provisions included for handicapped waivers. Mr. Aldean stated there are provisions included on removal of tire markings. The motion to introduce Bill 103 on first reading as modified was voted by roll call with the following result: Ayres - Yes, with the fact noted that I do not like the \$10 fee the handicapped, I think \$5 will cover it; Bennett - Yes; Smith - Yes; Tatro - No; and Mayor Teixeira - No. Motion carried 3-2.

BREAK: A five minute recess was declared at 2:40 p.m. Mayor Teixeira reconvened the session at 2:45 p.m. The entire Board was present constituting a quorum.

AGENDA MODIFICATIONS (1-1608.5) - Mr. Berkich advised the Board that Item 13. A. Planning Commission Review and Appeal Matters regarding Special Use Permits U-95/96-19 and U-95/96-20 from Carson-Tahoe Hospital had been continued. Mr. Sullivan explained that the request to continue the item had been based on new information and the Board's policy to return items to the Planning Commission when new information is presented. Discussion also indicated Item 14, a request for approval of funds for the preparation of an open space master plan element and for additional tasks and meetings to complete the land use master plan element, had been continued.

8. AIRPORT AUTHORITY - Chairperson Neil Weaver and Member Bill Wallace - STATUS REPORT ON AIRPORT PROJECTS (1-1645.5) - Chairperson Weaver expressed a desire to make annual reports on the Airport and its activities and introduced Member Wallace. Member Wallace presented plaques acknowledging contributions to the Airport and explained their activities and contributions to Yesterday's Fliers, Sheriff's Aero Squadron, Experimental Aircraft Association, and the Civil Air Patrol. (1-1685.5) Ron Kitchen commended the Board on the Airport Authority efforts and composition. Chairperson Weaver then introduced Member Louis Buckley and explained the Airport's history, growth, improvements, funding, and future expansion plans. He invited the Board to tour the facilities. A parcel map was used to detail the location and improvements plans. Leases and revenue sources were briefly noted. Above ground fuel storage tanks will be installed. Current fueling is being handled from fuel trucks. Mayor Teixeira suggested that the detention basin proposed on the Airport be used to assist with the Arrowhead mitigation measures and be a multi-purpose facility. Yesterday's Fliers' plans for a museum/educational facility were noted. An open house has been tentative scheduled for September 7th although it may be conducted as a joint effort with Yesterday's Fliers on May 30th. Chairperson Weaver felt that the aviation community has noticed Carson City and, as appropriate media advertisements will be given, the airport usage for that weekend may be increased.

(1-1986.5) Discussion ensued on Runway 9-27 and the dirt taxiway. Supervisor Bennett expressed her concern about the use of this taxiway as a runway and specifically the inability to see aircraft on Runway 9-27. Chairperson Weaver responded by explaining that the FAA Operational Manuals clearly indicate Carson City has only one runway. The taxiway is not to be used as a runway. The hump in Runway 9-27 may be eliminated when it is rebuilt in five years. Supervisor Bennett then explained her concerns about the use of the north/south taxiway when wind conditions prohibit the use of 9-27. The two proposed buildings at the end of this taxiway create a visibility hazard to pilots. Member Wallace and Chairperson Weaver explained that the expansion plans had addressed this situation as it would offset the two buildings. Chairperson Weaver reiterated the comments concerning FAA designation of Carson City as a one runway airport. During adverse weather conditions alternative airports should be used. The Airport would encourage use of only Runway 9-27. FAA will not grant funds for another runway due to the normal wind factors. Supervisor Bennett encouraged the Authority to continue to apply pressure against those individuals who are using the taxiways as runways. Chairperson Weaver responded by explaining that Title 19 addresses these concerns and that the Rules and Regulations are in place to

encourage safety. The FAA, the individual's insurance company, and peer pressure are used to enforce the rules.

(1-2115.5) Chairperson Weaver then explained the land acquisitions and expansion plans west of Goni. Supervisor Bennett commended the Authority on its efforts and improvements. Supervisor Smith thanked him for the tour and stressed the need for the Airport to continue to be viewed as a City asset. He commended the Authority Members on their efforts, dedication, professionalism, and enthusiasm. Additional comments were solicited. Mayor Teixeira then expressed his feeling that the 1987 legislature had provided the correct path and commended the volunteers and the two paid employees on their efforts. He also indicated that the request for assistance from the District Attorney's office would be forwarded.

9. EMERGENCY MANAGEMENT COORDINATOR - Shiela Clemments - ACTION ON APPROVAL OF RECEIPT OF STATE AND FEDERAL HAZARDOUS MATERIALS GRANT AND BRIEFING ON THE 1995 LOCAL EMERGENCY PLANNING COMMITTEE ACTIVITIES AND CITY EMERGENCY OPERATIONS TRAINING (1-2210.5) - Ms. Clemments introduced EPA Chief of Planning and Assessment Section of Region IX Betsy Kernel and EPA Chemical Accident Prevention Coordinator for Region IX Sandy Carroll. Discussion clarified the grant. Copies of the incident evaluation report were distributed to the Board and Clerk. Ms. Carroll highlighted the training incident lessons and responded to Board questions concerning its type, location, and the participants. Ms. Carroll thanked Mr. Berkich for his support and the community for its willingness to participate. Discussion noted the program is coordinated with the State. Mayor Teixeira thanked them for their funding and emphasized the cost to the City to allow staff to participate. He hoped that an incident does not happen but felt that the training was justified. Supervisor Bennett then explained that a critical issue facing the community by the year 2005 will be the movement of spent nuclear fuels to the various depositories. She encouraged staff and EPA to consider an incident of this type. Ms. Carroll felt this was a valid point and that the community could undertake it. Supervisor Bennett moved that the Board of Supervisors approve the receipt of State and Federal hazardous material grants in the approximate amount of \$98,241 for those items that are asterisked on the sheet which was supplied with the report. Supervisor Tatro seconded the motion. Motion carried 5-0.

10. UTILITY DIRECTOR - Deputy Director Jay Ahrens

A. ACTION ON WELL SITE AND WATER LINE EASEMENT AGREEMENT BY AND BETWEEN CARSON CITY AND LARRY BURTON, GENERAL PARTNER OF THE BURTON FAMILY HOLDING (1-2625.5) - Discussion explained the benefits to the raceway and the well which the City will drill. Supervisor Tatro moved that the Board approve and authorize the Mayor to sign the well site and water line easement agreement by and between Carson City and Larry Burton, General Partner of the Burton Family Holdings, fiscal impact is \$23,755 and the funding source is the 520 Carson Valley Well Site. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND FIFTH AND ROOP PARTNERSHIP (1-2689.5) - Supervisor Ayres moved that the Board approve the additional expenditure of \$21,582.73 pertaining to the Development Agreement between Carson City and Fifth and Roop Partnership, Ordinance No. 1995-13, passed on April 6, 1995, funding source is 520 Main Replacement and Participation, funding providing in Fiscal Year 95/96 Budget. Supervisor Tatro seconded the motion. Motion carried 5-0.

C. ACTION ON DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND VICTOR L. MCDONALD AND THE WIPFLI FAMILY AGREEMENT OF FEBRUARY 17, 1993 (1-2727.5) - Discussion noted the need to supplement the original funding amount due to problems encountered in the field which were not on the as-builts. Supervisor Bennett suggested similar funding be provided for the new Public Safety Complex. Mr. Ahrens indicated the estimate given originally had included the "worst case scenario". As-builts are being developed for any construction sites. Discussion explained the Wipfli Family Trust's origination date of February 17, 1993, and the differences between this agreement and the following Item. Supervisor Ayres

moved that the Board of Supervisors approve the additional expenditure of \$17,593.29 pertaining to the Development Agreement between Carson City and Victor L. McDonald and the Wipfli Family, Ordinance No. 1995-21, passed on April 20, 1995; funding source is 515 Replacement provided for in the Fiscal Year 95/96 Budget. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AND A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND VICTOR L. MCDONALD AND THE WIPFLI FAMILY TRUST DATED FEBRUARY 17, 1993 (1-2828.5) - Supervisor Bennett moved to introduce on first reading Bill No. 108, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND VICTOR L. MCDONALD AND THE WIPFLI FAMILY TRUST, DATED FEBRUARY 17, 1993 REGARDING ASSESSOR'S PARCEL NO. 1-176-01 LOCATED AT 1177 NORTH DIVISION STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT. Supervisor Tatro seconded the motion. Motion carried 5-0.

11. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON APPROVAL OF CARSON CITY PLAN OF CORRECTIVE ACTION FOR FISCAL YEAR 94-95 AUDIT RECOMMENDATIONS (1-2868.5) - Supervisor Tatro moved that the Board approve the Carson City's Plan of Corrective Action for Fiscal Year 94-95 Audit Recommendations. Supervisor Ayres seconded the motion. Supervisor Tatro pointed out how insignificant the recommendations are. Mayor Teixeira indicated it was a compliance audit and commended staff on their work. The motion to approve the Plan of Corrective Action was voted and carried 5-0.

12. CARSON-TAHOE HOSPITAL - Project Coordinator Roger Sedway - ACTION ON A RESOLUTION TO APPROVE THE MASTER PLAN OF DEVELOPMENT OF THE CARSON-TAHOE HOSPITAL (1-3045.5) - Mr. Sedway distributed copies of the Master Plan Update memo to the Board and Clerk. Discussion noted the Board had previously reviewed the plan in depth. Mr. Sedway explained the request to zone the property north of Fleischmann as RO or if a zoning designation is created for medical offices using it. He also pointed a potential need at some future date to acquire property from the Andersons. Mayor Teixeira noted there were wetlands involved on that particular parcel. Mr. Sedway then explained the plan to request, at some future date, the closure of John Street west of Minnesota. Supervisor Bennett pointed out the medical complex located at the Hospital and its surrounding area. She suggested the Board consider designating it a medical office zone when considering the Master Plan. Supervisor Tatro moved that the Board adopt Resolution No. 1996-R-13, A RESOLUTION TO APPROVE THE MASTER PLAN OF DEVELOPMENT OF THE CARSON-TAHOE HOSPITAL. Supervisor Bennett seconded the motion. Motion carried 5-0.

BREAK: At 4 p.m. a five minute recess was declared. Mayor Teixeira reconvened the meeting at 4:05 p.m. The entire Board was present constituting a quorum.

13. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. PLANNING COMMISSION REVIEW AND APPEAL MATTERS - ACTION ON U-95/96-19 AND U-95/96-20 - AN APPEAL OF A SPECIAL USE PERMIT CONDITION OF APPROVAL NUMBER SEVEN, U-95/96-19, FROM CARSON-TAHOE HOSPITAL TO ALLOW A PARKING LOT TO BE DEVELOPED ON PROPERTY PRESENTLY ZONED SINGLE FAMILY 6000 (SF6000), LOCATED ON FLEISCHMANN WAY, APPROXIMATELY 120 FEET EAST OF LANE CIRCLE, APN 1-141-64 AND U-95/96-20 FROM CARSON-TAHOE HOSPITAL (PROPERTY OWNERS: JAMES AND MAY LOU NOEL) TO ALLOW A PARKING LOT TO BE DEVELOPED ON PROPERTY PRESENTLY ZONED SINGLE FAMILY 6000 (SF6000), LOCATED 73 FEET NORTH OF FLEISCHMANN WAY, EAST OF LANE CIRCLE, APN 1-141-54 (SOUTH PORTION) (PLANNING COMMISSION APPROVED 6-0-0-1) (1-3204.5) - Continued.

E. ACTION ON V-95/96-5 - AN APPEAL OF A VARIANCE FROM WILLIAM AND SCHIKO

CLARK TO VARY FROM THE MINIMUM SIDE YARD SETBACK REQUIREMENT FOR A DETACHED ACCESSORY STRUCTURE ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6000), LOCATED AT 905 LEXINGTON AVENUE, APN 1-223-14 (PLANNING COMMISSION APPROVED 4-2-0-1) (1-3208.5) - Clarification by Mr. Sullivan indicated the Planning Commission motion had been to deny the request and that the vote had carried 4-2 with one absent. Associate Planner Tara Hullinger reviewed the staff report. William Clark explained his request and reasons the building could not be relocated as indicated by the Planning Commission. Discussion elaborated on the unique circumstances found with the property which could not be determined from the street. Four residents had supported and one had opposed the request. Possible reasons for the opposition were noted. Discussion indicated the height of the structure was within Code, however, the building encroached into the sideyard setback. Ms. Hullinger used the parcel map to explain the location and the resident who had opposed the request. Public comments were solicited but none made. Supervisor Smith moved that the Board approve V-95/96-5, a variance from William and Sachiko Clark to vary from the minimum sideyard setback requirement for a detached accessory structure on property zoned Single Family 6,000 located at 905 Lexington Avenue, Assessor's Parcel Number 1-223-14 subject to the five findings and eight conditions that are contained in the staff's original recommendation. Supervisor Ayres seconded the motion. Ms. Hullinger felt that two of the Commissioners' votes against the request had been based on their feeling that the property lacked the required unique circumstances even though staff had attempted to point out that its recommendation for approval had been based on its feeling that there were unique circumstances associated with this property. Additional comments were solicited but none given. The motion to approve the variance based on five findings and eight conditions was voted and carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON Z-95/96-3 AND Z-95/96-4 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 30,368 SQUARE FEET OF LAND FROM SINGLE FAMILY 6,000 (SF6000) TO PUBLIC ON PROPERTY LOCATED ON THE NORTH SIDE OF FLEISCHMANN WAY, BETWEEN LANE CIRCLE AND NORTH DIVISION STREET, ASSESSOR'S PARCEL NUMBERS 1-141-54 (PORTION) AND 1-141-64 AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1); C. ACTION ON MPA-95/96-3 - A MASTER PLAN AMENDMENT REQUEST FROM CARSON-TAHOE HOSPITAL TO AMEND THE MASTER PLAN USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO PUBLIC ON PROPERTY PRESENTLY ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED ON FLEISCHMANN WAY APPROXIMATELY 120 FEET EAST OF LANE CIRCLE, APN 1-141-64 (PLANNING COMMISSION APPROVED 6-0-0-1); AND, D. ACTION ON MPA-95/96-4 - A MASTER PLAN AMENDMENT REQUEST FROM CARSON-TAHOE HOSPITAL (PROPERTY OWNERS: JAMES AND MARY LOU NOEL) TO AMEND THE MASTER PLAN LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO PUBLIC, ON PROPERTY PRESENTLY ZONED SINGLE FAMILY 6,000 (SF6000) LOCATED APPROXIMATELY 73 FEET NORTH OF FLEISCHMANN WAY, EAST OF LANE CIRCLE, APN 1-141-54 (PLANNING COMMISSION APPROVED 6-0-0-1) (2-0042.5) - Supervisor Bennett moved that the Board of Supervisors introduce on first reading Bill No. 109, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 30,368 SQUARE FEET OF LAND FROM SINGLE FAMILY 6,000 (SF6000) TO PUBLIC (P) ON PROPERTY LOCATED ON THE NORTH SIDE OF FLEISCHMANN WAY, BETWEEN LANE CIRCLE AND NORTH DIVISION STREET, ASSESSOR'S PARCEL NUMBER 1-141-54 (PORTION) AND 1-141-64, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett moved that the Board of Supervisors approve the Master Plan Amendment from Carson-Tahoe Hospital to amend the Master Plan Land Use Designation from Low Density Residential to Public on property presently zoned Single Family 6,000 located on Fleischmann Way approximately 120 feet east of Lane Circle, APN 1-141-64. Supervisor Tatro seconded the motion. Motion carried 5-0.

Supervisor Bennett then moved that the Board of Supervisors approve a Master Plan amendment request from Carson-Tahoe Hospital, property owners: James and Mary Lou Noel, to amend the Master Plan Land Use Designation from Low Density Residential to Public on property presently zoned Single Family 6,000, located

approximately 73 feet north of Fleischmann Way, east of Lane Circle, APN 1-141-54. Supervisor Tatro seconded the motion. Motion carried 5-0.

14. CITY MANAGER AND COMMUNITY DEVELOPMENT DIRECTOR - Messrs. Berkich and Sullivan - ACTION ON APPROVAL OF FUNDS (\$20,000) FOR THE PREPARATION OF AN OPEN SPACE MASTER PLAN ELEMENT AND (\$3,000) FOR ADDITIONAL TASKS AND MEETINGS TO COMPLETE THE LAND USE MASTER PLAN ELEMENT (2-0088.5) - Mr. Sullivan noted Mr. Meierdierck's memo. (A copy is included in the file.) Mr. Sullivan explained the request for an additional \$3,000 for six more meetings. He felt that the Land Use Master Plan Element could be completed in approximately 120 days, Outside assistance had been provided by the Builders Association. Mayor Teixeira questioned the use of Capital Acquisition funds. Mr. Berkich agreed to use the ending fund balance. Supervisor Ayres moved that the Board of Supervisors approve an expenditure not to exceed \$20,000... Clarification indicated this portion of the motion was continued. Supervisor Ayres withdrew her motion and moved that the Board of Supervisors approve an expenditure not to exceed \$3,000 for additional tasks and meetings to complete the Land Use Master Plan Element, funding source is the ending fund balance. Supervisor Bennett seconded the motion. Motion carried 5-0.

16. BOARD OF SUPERVISORS

B. PRESENTATION ON THE CAPITAL IMPROVEMENT PROGRAM FOR THE TAHOE BASIN BY JAMES W. BAETGE, EXECUTIVE DIRECTOR OF THE TAHOE REGIONAL PLANNING AGENCY (TRPA) (1-0129.5) - Mr. Berkich introduced Mr. Baetge. Mr. Baetge briefly outlined his request and introduced his staff. His comments stressed the Agency's need to work with the Counties and communities involved at the Lake in order to maintain a good economic balance. TRPA projects need support from both governmental entities and the community to become a reality. He felt it will be possible to control all of the urban runoff along the southern shore within two or three years. There will be a \$20 million bond issue on the November ballot. Public education will be required to get the electorate to approve the bond. Highway 28 and Highway 50 issues are being analyzed at this time. Efforts were being made to obtain more Federal assistance and involvement. He displayed a list of agencies/individuals who had "signed" on to the program including the League to Save Lake Tahoe, the Forest Health Consensus, etc. This allows a united front to be made to the Congressional Members. He felt certain a bike trail could be established around the Lake by the year 2000. Efforts to create an affordable housing program were noted. The adversarial positions encountered in the past were rapidly dissipating. Procedures utilized to accomplish this were outlined. A coordinated transportation system is being developed for South Shore, which was briefly outlined. Highway 28 improvements by NDOT were noted. The next Highway 28 segment will include drainage and erosion controls from Incline to approximately Sand Harbor. The following phase will reach Spooner Summit. The bike trails will be included in the plans. A study on parking is almost completed and will include parking alternatives. A \$50,000 FHWA and scenic byways grant has been obtained which will fund a coordinated erosion study. Supervisor Bennett detailed Mr. Joiner's role in obtaining this grant. Public comments will be a part of the program.

(2-0336.5) Public Information Coordinator Pam Drum explained the proposed statewide \$20 million bond ballot question. The California ballot will not include a similar bond question although one was passed by the electorate in the late 1980s. Discussion ensued on the recent land trade/acquisition for property in Washoe County with property located in Clark County. If this acquisition is completed, it will have an impact on Highway 28 as it will create more public property and an increased demand for access. This may eventually create/require a mass transportation system.

(1-0386.5) Mayor Teixeira explained his receipt of a "stack of material" pertaining to dredging. Mr. Baetge explained that the shore zone issues were being analyzed and a coordinated effort is being undertaken to mitigate the question on having structures in the shore zone.

Supervisor Bennett then expressed her pride at being the Board's representative to TRPA and having the opportunity to work with its professionals. The staff is creating a higher level of coalition and understanding. She

commended him and his staff on these efforts and expressed the hope that it would become the most important legacy for the Basin and its solutions. She also noted TRPA staff member Carl Hasty's involvement with the Carson River Advisory Committee and expressed the hope that a more detailed presentation could be made to the Board on TRPA at a future meeting. Mr. Baetge introduced Mr. Hasty and explained his functions. Mayor Teixeira thanked them for their presentation. No formal action was required or taken on this Item.

15. CITY MANAGER - John Berkich - ACTION ON THE REVISED PURCHASE AGREEMENT WITH THE BANK OF AMERICA ON THE PROPERTY LOCATED AT 201 NORTH CARSON STREET (2-0445.5) - Mr. Lipparelli detailed the revisions and reasons for them. Before the meeting he had given the Board Members copies of a memo defining these revisions. (The Clerk did not have a copy.) One issue is the extension of the closing date to February 22. A second issue is an adjustment in the money which the City must pay the Bank. The purchase price is \$1.275 million but the escrow account will adjust the final check amount. An offset of the amount is allowed for the old tank which the Bank was not aware of and had not used. It had been filled approximately ten to 15 years ago and is still full. The City wants it removed. EPA's estimated cost to remove it, test the soil, dispose of the tank, and patch the site is approximately \$14,000. The State petroleum fund can cover 90 percent of the cost to mitigate any contamination which is discovered. The Bank will establish an escrow account with \$15,000 to cover any cost which the City may incur as part of the remaining portion of the cleanup costs. If these funds are not required, they will be returned to the Bank. The HVAC or the heating and air conditioning unit will require some major maintenance. The Bank has agreed to recognize this potential cost and will give the City a \$10,000 credit for this maintenance. The Bank requested the drive-up ATM machine remain and be operable by the public. The City felt this could be an added bonus for it and is willing to lease this area. The Bank will credit the City \$24,000 and be given the right to keep the machine there for ten years. Reasons the wall unit will not be maintained were explained. There will be three drive-up facilities left which the City will utilize for its purposes. Mr. Lipparelli then explained the typographical error on Page 3 at Line 8 and requested "by" be removed and "but" inserted. He also indicated that the addendum included a provision which referenced a "more substantial" agreement on the ATM machine. The ATM agreement will include a clause giving the City the right to terminate the agreement with the Bank if traffic flow reasons, etc., develop. The City will credit the Bank with any pro-rata share of the fee. The \$24,000 includes funds to patch/repair the wall area when the ATM is removed. Supervisor Tatro moved that the Board approve the addendum to the agreement for the purchase and sale of the joint escrow instructions by and between the Bank of America and the City of Carson City as presented by the District Attorney with the change on Page 3, Line 8, that the sentence begin "...Tank costs include but may not be limited to...". Supervisor Bennett seconded the motion. Motion carried 5-0.

16. A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0630.5) - Continued until later in the meeting.

(2-3069.5) Supervisors Bennett and Tatro did not have a report. Supervisor Smith announced the RTC February 21st meeting at 8:30 a.m. in Room 59 would consider the priorities for the next budget. He urged anyone with concerns to attend this meeting or contact the Commission. Copies of the current priorities could be obtained from the City Manager's office. The subcommittee on signs had held two meetings and progress is being made. Staff was commended on its efforts to furnish the materials as well as to support and help the committee. He felt that this proposal should be to the Board in 90 days. Supervisor Ayres announced the V&T Railway Commission would hold its next regular meeting on February 22 at the Virginia City Senior Center. The operating agreement with Bob Gray will be considered at that meeting. She invited the public to attend. Mr. Berkich announced the Board's strategic planning workshop to be held on Saturday, February 17, in the Sierra Room beginning at 9 a.m. The purpose of this meeting was defined and the public was cordially invited to attend. Mayor Teixeira explained that legal counsel had informed him that his challenge to Supervisor Smith to join in an effort to develop a proposal for the golf course should not be done due to the appearance of an impropriety as it would circumvent the Open Meeting Law as only two Board Members would be involved. Another issue on this topic is that the proposal would restructure the operation which could be considered illegal as the program had gone to public bid. He disagreed with this opinion and had requested an Attorney General's opinion. This resulted in a 20 page document from the District Attorney's office, which he displayed. As the RFP will be out before the Attorney

General's opinion could be obtained, he felt it would be an exercise in futility. He would wait until the RFPs are submitted before seeking a different process. Mr. Berkich indicated the RFP would be to the Board in March. Mayor Teixeira had not been aware of the research which would be created by his request. Mayor Teixeira then expressed his feeling that each individual should be responsible for his/her comments and actions. He felt that Alan Rogers' recent Nevada Appeal news article had not been responsible reporting as it had been a personal attack on several individuals. He indicated he had responded to it. He then detailed the private endeavors undertaken to raise money for the V&T.

BREAK: Mayor Teixeira recessed the meeting at 4:55 p.m. When Mayor Teixeira reconvened the meeting at 6 p.m. Board Members present were: Mayor Marv Teixeira, Supervisors Greg Smith, Janice Ayres, Tom Tatro, and Kay Bennett, constituting a quorum. Capital Projects Advisory Committee Members present were: Vice Chairperson Jenny Bacigalupi and Members Richard Baker, Kevin Honkomp, Ed Moran, Craig Mullet, and Ron Swirczek, constituting a quorum. Committee Chairperson Gary Sheerin was absent. Staff members present included: City Manager John Berkich; District Court Judges Michael Griffin and Michael Fondi; Justices of the Peace Robey Willis and John Tatro; Clerk-Recorder Alan Glover; District Attorney Noel Waters; Sheriff Rod Banister; Community Development Director Walter Sullivan; Public Works Director Jay Aldean; Undersheriff Barney Dehl; Lieutenant Dwight Dimit; Chief Deputy District Court Clerk Colleen Glover; and Recording Secretary Katherine McLaughlin.

17. JOINT MEETING WITH CAPITAL PROJECTS ADVISORY COMMITTEE - ACTION REGARDING APPROVAL OF THE SCHEMATIC DESIGN PHASE OF THE PUBLIC SAFETY (JAIL)/COURTHOUSE COMPLEX AND STATUS REPORT OF COMPLETED WORK (1-0632.5) - Vice Chairperson Bacigalupi convened the Committee at 6 p.m. Roll call was taken and a quorum was present. Vice Chairperson Bacigalupi provided a brief summary of the Committee's activities since its inception and the purpose of this meeting. She indicated the design is preliminary only and had not been finalized. The facility will be located in the two block area adjacent to the present jail and meets or exceeds requirements. Community Development Director Sullivan elaborated on the various issues considered by the Committee including the site selection process, schematic designs, and the construction timetable. He explained Paul Danna's absence and introduced Bruce Fullerton. Mr. Fullerton introduced his team--Dan Allen and Dan Carne. Mr. Fullerton explained the model, the proposed location for the Detox Center, the schematic including the security measures and areas which could be constructed in phases, the artist's renderings, the decisions to reduce the original amount of exterior glass and brick, and the plan to include a paving heat element at the north entrance to address the snow and ice problems. Mayor Teixeira suggested the use of jail trustees to keep this area cleared. Mr. Fullerton felt that this option could be considered. His review of the project included comments on the ultimate design, potential facades, and the landscaping included in the plan. (2-1102.5) Supervisor Bennett expressed a desire to include sandstone fascia in the design and the window treatment. She suggested the square entrance also be re-evaluated and the building's rectangular treatment be reduced. She also requested space be provided in the landscaping for sculptures/art work. Discussion ensued between the Board and Mr. Fullerton on the allocated staffing areas including the ability to adjust the allotments and provide for an alternative sentencing program. Clerk-Recorder Glover explained the legal prohibition against having a marriage chapel in a courthouse. Ceremonies could be conducted in the judges' chambers. Construction should take 18 months. The architectural design documents should be completed and out to bid in December 1996. Supervisor Ayres noted that the building was functional and not a "country club". She stressed her desire to use any extra funds for improvements on the inside to be sure that it is functional from staff's viewpoint.

District Court I Judge Griffin complimented the Committee on its work. He felt that the building made a lot of sense from his viewpoint. The designers were experienced and understood the actions of the different groups who would use the building. He then explained the space which had been provided for the alternative sentencing program. He indicated that the schematic did not specifically designate this area for that purpose.

Mayor Teixeira polled the audience and determined unanimous support for the facility. Mayor Teixeira commended the Committee on its efforts and the project. He indicated that he would hold the Architects to the

December 15th date. Supervisor Ayres suggested the dedication plaque include the names of the Committee members. She did not feel that the Board could have completed the project without the Committee. Mayor Teixeira supported her comments and noted staff's involvement.

(2-1338.5) Frank Page reminded the Board of the neighborhood's support and applauded staff and the Committee on their efforts.

Supervisor Ayres moved that the Board of Supervisors approve the Schematic Design of the City's Public Safety Jail/Courthouse Complex. Supervisor Tatro seconded the motion. Motion carried 5-0.

Committee Member Moran noted the built-in safety feature which would provide for complete separation and distance from the public, inmates, employees, etc.

Committee Member Swirczek recognized Member Baker and Chairperson Sheerin's efforts on the project. Mayor Teixeira noted Member Baker's experience in this field. Member Baker briefly explained his efforts and expressed his feeling that it had been an enjoyable experience which had given him something to do during his retirement.

Member Baker then moved to adjourn the Capital Projects Advisory Committee. Members Honkomp, Swirczek and Moran seconded the motion. Motion carried unanimously and Vice Chairperson Bacigalupi adjourned the Committee meeting at 6:50 p.m.

BREAK: A ten minute recess was declared at 6:50 p.m. Mayor Teixeira reconvened the meeting at 7 p.m. The entire Board was present constituting a quorum.

18. SHERIFF - Rod Banister and Public Works Director Jay Aldean - ACTION ON THE TRANSFER OF PARKING ENFORCEMENT FROM PUBLIC WORKS TO THE SHERIFF'S OFFICE (2-1408.5) - Sheriff Banister's comments stressed that the current Parking Enforcement Officers were and had been doing a good job. The downtown businesses need the parking turnover. The intent was to provide additional law enforcement in the area who could address other problems as well as provide parking enforcement. This may reduce the number of parking tickets issued. Advantages of "community policing" were noted. Neither of the two current parking enforcement officers were interested in transferring to the Sheriff's Department or becoming Sheriff's Deputies. The bicycle patrols had been very effective and were used throughout the City. Sheriff Banister could not justify restricting the bicycle patrols to the downtown core based on this effectiveness. These patrols should not be compared to the proposed "community policing" program which would be restricted to the downtown corridor and not used for "regular patrol" elsewhere. As the Board had eliminated stacking from the parking enforcement program, it is not critical for the officers to cycle every two hours. They should be able to cycle every three hours. There could be a savings in personnel costs due to the difference between Deputies' wages and the current Parking Enforcement Officers'. Reno's community policing program illustrated the business community's willingness to support additional law enforcement in a restricted area. The Chamber of Commerce survey was noted. It had had 82 inquiries mailed but only 16 were returned opposing the program. Sheriff Banister's personal contact with the businesses indicated support for the program. Discussion ensued between the Board and Sheriff Banister on how his program would emphasize the need for parking enforcement. Sheriff Banister agreed that the officer may become involved in other law enforcement activities during his round which may cause the cycle to be more than two hours apart and reduce the number of tickets issued. The benefits of the interaction between the officers and the business community were stressed to support the change. Procedures currently used to contact the Sheriff's Department when transient/vandalism problems are encountered were used to illustrate the benefits of the community policing program. Mr. Aldean was unsure of the number of tickets issued daily, however, the estimated annual revenue was \$83,000. This figure included the \$100 handicapped tickets. Mayor Teixeira computed the figure to indicate approximately 16 tickets are issued daily if none of the revenue is from handicapped parking fines. He also pointed out that with more compliance, fewer tickets would be issued. This may occur now that the fine has been increased to \$15. As more and more businesses have been added to the area, compliance has increased as the revenue has decreased. Sheriff Banister felt that some of this compliance could be

from individuals who had received more than one ticket. Mayor Teixeira felt that there was a growing need for law enforcement in the downtown area even though the previous Sheriff had opposed the transition. Political ramifications of having parking enforcement under the Sheriff were noted. Sheriff Banister felt that it would only be politically acceptable when the officers are involved in "community policing" activities. Supervisor Bennett illustrated the benefits of the "community policing" activities by comparing it to the use of RN's in the hospital. Sheriff Banister did not feel that it would be necessary to maintain the parking enforcement enterprise account if "community policing" activities are provided by the officers. He suggested the General Fund receive the revenue. The "community policing" program was explained. The uniform would be required in order to present a law enforcement presence. As the officers interact with the community, they would become less of a threat. "Community policing" is being undertaken by more and more communities nationwide. This is creating an atmosphere of trust between the law enforcement and the community. Mr. Berkich explained that the Charter would have to be amended to remove parking enforcement from an enterprise fund. Discussion noted the General Fund is currently subsidizing the operation. Sheriff Banister expressed his feeling that as the stacking ability had been removed, more individuals would not move their cars as it would only cost them \$15 for the one ticket. He also suggested an ordinance modification which would prohibit on the street parking for seven days and for the removal of inoperable vehicles in less than 24 hours. This would open some parking spaces. Supervisor Smith expressed his feeling that tourists may view a law enforcement officer as providing security and safety. Supervisor Ayres pointed out the threats encountered by the present parking enforcement officers which the law enforcement officers would be able to counter. Crime problems in the downtown area were illustrated. She would only go downtown at night when there is valet parking available. Her first experience with a Carson City parking ticket was explained to illustrate that not all communities have non-law enforcement officers writing parking citations.

(2-1975.5) Chamber of Commerce President John McKenna expressed the Chamber's gratitude for considering the downtown security needs, however, the Chamber felt that the parking turnover was more vital. The program would become a management problem as the law enforcement officers may be spending more and more time involved in law enforcement and less and less on the parking enforcement problems. The businesses are not open in the evenings when the law enforcement problems occur. The Chamber was interested in working with the Sheriff on "community policing" and/or providing additional deputies for the downtown area. These issues should be discussed during the budget process. Law enforcement needs during the night were stressed to illustrate the point that the officers would not be present when needed.

Chamber of Commerce Past-President and Mainstreet Council Chairperson Shelly Nahas-Aldean commended Sheriff Banister on his sincere efforts and innovativeness, however, the officers would not be available after parking enforcement hours. The majority of the law enforcement problems occur after business hours. She cited the Chamber of Commerce survey to support her contention that parking enforcement is a high priority. (A copy of the survey was distributed to the Board and Clerk.) The respondents did not consider the law enforcement needs or increase in crime significant enough to warrant the proposed change. Comments attached to the survey expressed the desire to maintain the status quo or increase the bike patrol. Commitments made during implementation of the bike patrol were explained. She felt that these commitments had not been maintained and were a "source of a sore spot" with her and other downtown merchants. The current parking enforcement officers are involved in many other issues outside of their normal duties which she felt illustrated the need for these two individuals. She then introduced Jim Heath, doing business in the Atrium, and presented a letter to the Board and Clerk from Kari Jones, doing business as the Bristlecone, opposing the proposal.

(2-2141.5) Jim Heath, Washoe Turquoise Cutlery, presented a letter/petition of opposition to the Board and Clerk. Mr. Heath outlined his parking needs and stressed the importance to have the parking turnover. His experience in Virginia City emphasized the need for turnover. The parking ticket encourages employees and business people to move their cars. He suggested additional parking spaces in the 300 Curry Street lot be restricted to two hour parking. This would force the bank employees to move their vehicles and provide additional parking for customers. He then read the letter/petition into the record. He explained for Mayor Teixeira his feeling that as the bicycle patrol had not been maintained as promised, parking enforcement would lose its edge and employees would begin to use the spaces.

(2-2222.5) Finance and Redevelopment Director Mary Walker applauded Sheriff Banister's innovative "community policing" program, however, felt it would deteriorate an important and necessary function in the downtown area. The benefits of the Redevelopment Incentive Program were explained to illustrate the changes which have occurred in that area. This had attracted approximately 30 new businesses to the area and three more have indicated they will be moving in soon. This had created a significant increase in the demand for parking. Former Undersheriff Freeman had indicated that the number of law enforcement calls for assistance had dropped from 99 to seven when the bus depot became "The Depot". A similar change had occurred at the St. Charles Hotel. She felt that the renovation program had caused a decrease in crime and increased the parking demand. She urged the Board to maintain the parking enforcement to provide assistance in meeting this need. Interest had been expressed in acquiring the Spur, however, financial institutions will not invest if the parking is deemed to be inadequate. She expressed a desire to work with Sheriff Banister and provide funding for the "community policing" program. She then outlined her reasons for feeling that the current parking enforcement officers' salaries would not provide a savings as indicated.

Supervisor Ayres commended her on her efforts to change the downtown area. She felt that the concerns being expressed by the downtown businesses were that the parking enforcement program would suffer due to law enforcement needs. She requested a stipulation from the Sheriff that these individuals would not be called away for other law enforcement duties. Ms. Walker noted that the Sheriff's Department has many more important duties than writing parking tickets and that this would create a deterioration in parking enforcement. The parking needs are vital to keeping a business open.

Sheriff Banister indicated for Supervisor Smith that the officers would be on foot. Supervisor Smith indicated he understood the concern was that the individuals would be taken out the area to handle calls in another section of the City, which had just been mitigated. He then explained that the current parking enforcement officers are not dedicated 100 percent of the time to parking enforcement in the downtown area. The question was the benefit derived from having additional law enforcement in the downtown area versus the benefit of having parking enforcement. He could agree that parking is the number one concern of the businesses. Sheriff Banister agreed that the current enforcement officers are doing other items than writing tickets. The vast majority of the law enforcement officers' time would be dedicated to parking enforcement, however, they could respond instantly to shoplifters. Ms. Walker felt that the current services overlap as there are two parking enforcement officers and law enforcement officers in same area. The proposal would eliminate the parking enforcement and decrease the level of service provided in the downtown area. Discussion between Supervisor Bennett and Sheriff Banister indicated the law enforcement officers would work the same hours as parking enforcement does now. Supervisor Bennett suggested the program be undertaken on a one-year trial basis. Sheriff Banister agreed to do it as it would provide a clear indication of the benefits. Supervisor Bennett supported the program. Sheriff Banister agreed that the burden would be on the two officers assigned to the area to prove the benefits. Discussion indicated that criminal activities occur in the downtown area during the daytime as well as at night although a majority of it occurs at night.

(2-2572.5) Ms. Nahas-Aldean questioned whose needs were being responded to. She felt that there had been a clear indication from the proprietors opposing the proposal and maintaining the status quo. The majority of the crimes occur at night when the foot patrol officers would not be available. She urged the Board to maintain the status quo unless the crime statistics could prove a need to change. She questioned how the program could be implemented for one year and what would happen to the present employees and the new deputies if it fails. These irreversible decisions would impact two fine, capable, City employees.

(2-2615.5) Mr. Aldean explained that parking enforcement in other communities is under a separate department, Public Works, or a special Code Enforcement Department. It is not under the Police Department due to the inefficiencies created when trying to do both functions. He agreed that the proposal was creative. Parking Enforcement Hearing Officer considerations when an appeal is made of a ticket includes the timeliness of the cycles. If they are untimely, the ticket is thrown out. He emphasized the need for the Board to recognize the cost involved with the change and need for the enterprise fund to be modified. He was willing to accept the Board's direction.

Mr. Berkich voiced his concerns about the pilot program proposal. Mayor Teixeira expressed his feeling that if the parking enforcement program would be impacted by 30 or 40 percent then he could support the opposition. He felt that the proposal would provide added law enforcement protection for the businesses. Crime does not occur just at night. He did not feel that the survey had asked the correct question as businesses would oppose any perceived threat. He felt that the current employees were valuable and should be transferred to another Department. The transition would not be overnight. It would place the City in a pro-active mold and not allow a problem to grow. He felt that the proposal was valid and would stand the test of time. He accepted the Sheriff's word that parking enforcement would be the officers' primary responsibility. **Mayor Teixeira then passed the gavel to Mayor Pro-Tem Smith and moved that the Carson City Board of Supervisors approve the Sheriff's recommendation to return parking enforcement to fully deputized Sheriff's Deputies with their primary responsibility to enforce parking and as added to all of the other values that the Sheriff brings up, that this be a program to be coordinated with Mr. Aldean and the City Manager with special attention being given to the correct placement of the two employees who are presently employed in the Public Works Department. Supervisor Bennett seconded the motion.** Supervisor Tatro explained that his original impression of the presentation had been that the opposition had been based on the personalities of the two individuals who were holding the positions; that they got along with those individuals and were pleased with their job performance; and that it was not the structure which was in place. This opposition had supported retention of the two employees. This had created an analogy similar to the golf course operation in his mind. The Men's Club had stated that Gary Bushman does a good job and we should leave everything alone. The business owners and the Chamber of Commerce had said that these individuals were doing a good job and we should leave them alone. He had boiled the entire matter down in his mind as being an issue of personalities as he had considered much of the golf course discussions to be. As he had sat here this evening, it dawned on him that there is one more level of personalities involved here that comes into play and while he had been on the Board of Supervisors we have had two elected Sheriffs. He would feel comfortable with turning the program over to the current elected Sheriff because he believed that he would honor a commitment which he would make and would continue to enforce parking. He did not believe that this would necessarily have been the case with the previous Sheriff. He did not know who would follow the present Sheriff. If the City had a chief of police, he would support doing this as he had said earlier this afternoon when he did not have any questions in his mind about the proposal. Because the City's Sheriff is elected and is not accountable to this Board and a future Sheriff would not have to honor a commitment made by the present Sheriff, he would vote no. Supervisor Ayres then explained that she felt strongly, as everyone knows sitting here. She hated to see two individuals who are doing an excellent job, lose their jobs. Then, she noted it is a quandary for her as she was very pleased with the Sheriff and what he has been doing. He has kept his word on everything that he has said but she must support Supervisor Tatro as maybe sometime down the road we will come back and look at it but right now she would vote no. Additional comments were solicited.

(2-2891.5) Mr. Heath expressed his feeling as a downtown merchant that it did not matter for whom the individuals worked. He was only interested in being sure that the job they were doing is continued. Most of the merchants in the downtown area felt that the bicycle patrol was going to be more or less primarily in the downtown area. They are now called out for special events and other activities. This is fine. He was worried that this could happen with the Deputies downtown who are assigned to parking. He did not know that to be a fact but wanted the parking enforcement to continue as efficiently as it is now or better.

(2-2913.5) Frank Page explained his original concern was the discussion on the pros and cons as expressed by both sides, but the discussion had not included any indication that the revenue problem would be addressed. If the program is only \$2,000 in the black now, regardless of who performs it, will there be more revenue generated? He could not see that there would be a positive change. It is more than a problem of how it would be enforced. He encouraged the Board to look at the other issues. There is a traffic engineer. Mayor Teixeira noted that the City had always had one. Mr. Page suggested a study be conducted and see what can be done to increase the parking. He questioned whether this had been done. Mayor Pro-Tem Smith reminded Mr. Page that the fine had been increased from \$10 to \$15. Mr. Page continued to suggest the need to study the problem further than just the revenue.

The motion to approve the Sheriff's program was voted by roll call with the following result: Bennett - Yes, for this reason, I think that, I am really surprised, one of the things that I feel Sheriff Banister is doing, is attempting to reach out to the community in different and many ways, I'm surprised by the business community in the downtown area who have to be innovative, who have to look for ways to do much more with less and less, that when presented with an opportunity to add value to the service that is provided to them at the taxpayer's cost, that they are not willing to look at it, in my view I have enough confidence in the Sheriff to know and to feel that he would in deed be responsive to the primary need and that is the parking enforcement, albeit a Code enforcement, and so I think it is a good idea, I wish that the members of the business community who he was thinking of would be more supportive of it, I think given some time and transition, they would be; Mayor Teixeira - It is my motion and I guess I should vote for it, Yes, okay, I'll put a Yes, of course, do I get to comment? Supervisor Tatro noted that every word said during the vote becomes a verbatim part of the Minutes of this meeting. Mayor Teixeira then indicated for the record, once again, we struggle as we make changes in the downtown, the Farmer's Market, how great it would be to have those people right there with uniformed assistance, there are so many areas. Ms. Walker responded by explaining that the area has already paid for the bicycles. Mayor Teixeira continued that that is right in the parking area, it is an added value, for crying out loud, it makes sense and it is the right thing to do for the good of the community, you know, I will just take a short one and support it. Continuing the roll call, Mayor Pro-Tem Smith indicated he would vote last on this one; Supervisor Ayres - My vote, I just want to say, has nothing to do with my confidence in the Sheriff, I have every confidence in him and what he has done has been excellent all the way along, but he might get tired of being the Sheriff after a while, and then we might have someone come in who doesn't want to do the same thing, and I would like to comment that it is not a wonderful thing to have to handle, I'm sure, but I have no doubt that he would do a good job, but I think that for right now, it is doing just fine the way it is and so I am going to vote No, No; Supervisor Tatro - No; and Mayor Pro-Tem Smith - It is fun to go last, I will be very candid and tell you that I came in here tonight perfectly believing in this program, I don't see the deterioration of the parking enforcement being a major concern, the initial value that I think it puts on the streets, I think is a tremendous benefit to the people of this community, and I believed that way right up until Supervisor Tatro made his remarks, if Sheriff Banister was the Police Chief, I agree with you wholeheartedly, that is something I had not considered, the commitment that he gives to us and that he gives to the people of this community, although I hope he has his position for a long, long time, really is renewed every four years, and this is a situation that people's livelihoods depend on in the downtown area that far outlast any commitment that Sheriff Banister, as good a heart as he has, is able and reasonably obligated to commit, with that being said, I'm not sure that this is such a good idea at this time, so I will vote No. The motion failed on a 2-3 vote. Mayor Pro-Tem Smith returned the gavel to Mayor Teixeira. Mayor Teixeira noted that the imput had been received, a decision made, and that the program would maintain the status quo.

(2-3352.5) There being no other matters for consideration, Supervisors Bennett and Ayres moved to adjourn. Mayor Teixeira seconded the motion. Motion carried unanimously and Mayor Teixeira adjourned the meeting at 8:25 p.m.

The Minutes of the Carson City Board of Supervisors February 15, 1996, meeting

ARE SO APPROVED ON _____March_21_____, 1996.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder