

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 16, 1995 Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 16, 1995, 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
	Al Kramer	Treasurer
	Mary Walker	Finance Director
	Louis Buckley	Fire Chief
	Judie Fisher	Personnel Manager
	Jay Aldean	Public Works Director
	Dorothy Timian-Palmer	Utilities Director
	Paul Lipparelli	Deputy District Attorney
	Tim Homann	City Engineer
	John Mayes	Risk Manager
	Ken Arnold	Environmental Control Manager
	Bill Barker	Street Superintendent
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 2/16/95 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. 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.

Mayor Teixeira called the meeting to order at 1 p.m. Rev. Roy Parker of the Full Gospel Church gave the Invocation. Supervisor Bennett lead the Pledge of Allegiance. Roll call was taken. The entire Board was present constituting a quorum.

1. APPROVAL OF MINUTES - 1/19/95 and 2/2/95 Regular Sessions and 1/23/95 Special Session (1-0049) - Supervisor Smith moved to approve all three sets of Minutes. Supervisor Tatro seconded the motion. Motion carried unanimously.

11. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - SPECIAL PRESENTATIONS (1-0057) - Mr. Berkich explained the successful tree recycling program and introduced Sanitary Landfill Operator Julius Ballardini. Mr. Ballardini indicated there had been 51 tons of trees picked up at the curbs. The free mulch is available for anyone wishing to take it by bringing their own containers or bags/boxes to the Corporate Yard. Mr. Ballardini was given a plaque recognizing his participation. He felt that it would not be a successful program without the community's support and thanked the City staff for its participation. Plaques were also given to Ron Bowman of Boy Scout Troop 145, which was accepted by Alice Magdallino, Senior Citizen's Center Executive Director Pat Blake, Kiwanis Club President Louis Buckley, Nevada Division of Forestry Bob Sabatini, Super K-Mart Store Manager Joe Hopper, Walmart Store Manager Chuck Salby, and Street Superintendent Bill Barker. Recognition was also given verbally to Utility Director Dorothy Timian-Palmer, Environmental Control Supervisor Ken Arnold, and Debbie Wiggins. The role each played in the

success of the operation was explained. Comments recognized the efforts and expressed the feeling that next year's efforts would be even more successful.

CITIZEN COMMENTS (1-0205) - None.

2. BOARD OF SUPERVISORS - CONSENT AGENDA

A. FINANCE DIRECTOR - ACTION ON APPROVAL OF CENTRALIZED GRANT ADMINISTRATION POLICY

B. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9495-144 - UTILITIES LABORATORY REMODEL

ii. ACTION ON CONTRACT NO. 9495-103 - VOLTAIRE CANYON BOOSTER PUMP

STATION

iii. ACTION ON CONTRACT NO. 9495-161 - DEER RUN ROAD SEWER EXTENSION (1-0208) -

Supervisor Bennett requested Item B. iii. be pulled for an in depth discussion. Supervisor Tatro moved to approve the Consent Agenda as presented including Policy No. 1995-P-1 for the Centralized Grant Administration Policy and deleting from the Consent Agenda the action on Contract No. 9495-161. Supervisor Bennett seconded the motion. Motion carried 5-0.

B. iii. Utilities Director Dorothy Timian-Palmer explained the location of the extension and the approximate distance. Supervisor Bennett moved that the Board accept the Purchasing Department's recommendation and award Contract 9495-161 to Bidder No. 6, Ron Holcomb and Sons on McClellan Street in Reno as the lowest responsive and responsible bidder pursuant to the requirements of NRS 332, 338, 338, and 624 for a contract amount of \$81,810 and a contingency amount of \$12,271.50; funding source is the Sewer Line Extension as provided in fiscal year 9495; and the total allocation is \$100,000. Supervisor Tatro seconded the motion. Motion carried 5-0.

3. TREASURER - Al Kramer

A. ACTION TO REVOKE DELINQUENT BUSINESS LICENSES FOR 1995 (1-0308) -

Discussion noted the number of delinquencies, the notification procedures, and the reinstatement procedures. Supervisor Bennett moved to approve the request to revoke all business licenses that are delinquent for 1995 as presented to us by the Treasurer. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ACTION ON REQUEST FOR PENALTY WAIVER (1-0418) - Discussion noted the uniqueness of the reasons for the delinquency and the request. Supervisor Ayres explained her knowledge of the individual and supported the request. Supervisor Ayres moved to approve the request for penalty waiver for Dr. Migliozi Kulik; fiscal impact is \$51 in Business License Fees. Supervisor Bennett seconded the motion. Motion carried 5-0.

C. ACTION TO AWARD CONTRACT TO BANK OF AMERICA FOR MERCHANT CREDIT CARD SERVICES (1-0495) - Discussion noted the cost to provide the service, the normal fee, the plan to expand the service from the Golf Course and Ambulance Service to other areas, and the equipment rental charge. Supervisor Bennett moved that the Board of Supervisors approve a contract allowing the Bank of America to provide merchant services for the golf course and ambulance fee collection which will allow patrons of the golf course and ambulance service to use credit cards for payment; fiscal impact is \$60 per month and 1.92 percent of all charged transactions; credit card fee to be offset at the golf course by setting up a reservation system which will have a nonrefundable charge. Supervisor Ayres seconded the motion. Motion carried 5-0.

D. ACTION ON TREASURER'S REPORT FOR THE MONTHS OF DECEMBER 1994 AND JANUARY 1995 (1-0645) - Discussion noted the change in format for the report and the difference between the book value and market value. Supervisor Tatro moved to accept the Treasurer's Report for months of December 1994 and January 1995. Supervisor Ayres seconded the motion. Motion carried 5-0.

Mayor Teixeira requested cursory quarterly reports detailing the investment status/financial updates.

E. ORDINANCE - FIRST READING - ACTION ON BILL NO. 104 - AN ORDINANCE CONCERNING CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 (GRAVES LANE ROAD); AMENDING ORDINANCE NO. 1994-37 WHICH LEVIED ASSESSMENTS AGAINST THE PROPERTY IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE (1-0712) - Due to a desire to have Mr. Kramer obtain clarification as to the purpose of this request, the item was continued until later in the meeting. (1-1245) Mr. Kramer indicated the ordinance merely corrected the first due date for the interest payment. It will now be due in October rather than the incorrect April. Supervisor Tatro moved to introduce on first reading Bill No. 107, AN ORDINANCE CONCERNING CARSON CITY, NEVADA, IMPROVEMENT DISTRICT NO. 1 - GRAVES LANE ROAD; AMENDING ORDINANCE NO. 1994-37 WHICH LEVIED ASSESSMENTS AGAINST THE PROPERTY IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE. Supervisor Ayres seconded the motion. Motion carried 5-0.

F. ORDINANCE - SECOND READING - ACTION ON BILL NO. 104 - AN ORDINANCE AMENDING CHAPTER 4.04 OF THE CARSON CITY MUNICIPAL CODE TO ADD SECTION 4.04.175 REQUIRING PAWNBROKERS TO OBTAIN AN ADDITIONAL LICENSE IF MOTOR VEHICLES ARE ACCEPTED AS PLEDGED PROPERTY, CHARGING AN ADDITIONAL FEE AND OTHER MATTERS PROPERLY RELATED THERETO (1-0810) - Supervisor Smith moved that the Board of Supervisors adopt on second reading Ordinance No. 1995-7, AN ORDINANCE AMENDING CHAPTER 4.04 OF THE CARSON CITY MUNICIPAL CODE TO ADD SECTION 4.04.175 REQUIRING PAWNBROKERS TO OBTAIN AN ADDITIONAL LICENSE IF MOTOR VEHICLES ARE ACCEPTED AS PLEDGED PROPERTY, CHARGING AN ADDITIONAL FEE AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Ayres seconded the motion. Mr. Lipparelli noted for the record that the second reading ordinance version included the \$100 figure directed by the Board at the last meeting. The motion to adopt the Ordinance on second reading was voted and carried 5-0.

9. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli

A. ACTION ON CONTRACT WITH ORMSBY SANITARY LANDFILL, INC., FOR THIRD ADDITIONAL TERM OF THREE YEARS FOR OPERATION OF SANITARY LANDFILL (1-0875) - Mr. Lipparelli reviewed the extension and exhibits. Environmental Control Supervisor Ken Arnold briefly reviewed the Federal landfill requirements for tires. Discussion noted the recycling fee assessed when purchased in Washoe and Clark Counties. Concern was expressed that this charge not be assessed at the landfill as the tires would wind up in the River. Carson City has purportedly never received any direct funding from this tax. Mr. Arnold also explained the landscape material recycling program. This material will be used at some future date to close no longer usable sections of the landfill. The City's refrigerator and freezer recycling program was also noted. Mr. Lipparelli then explained Mr. Ballardini's computerized fee assessment plans which would use a scale and the vehicle's weight to establish the fee. Ormsby Sanitary Landfill Attorney George Allison indicated the current contract would be extended until the end of the third term which is July 20, 1996, and that it would be renewed then until July 20, 1999. Mr. Lipparelli indicated this was included in the contract. Mr. Arnold then explained the public notification procedures and the funding for this program including the company's participation in the program. Supervisor Ayres moved to approve the contract with Ormsby Sanitary Landfill, Inc. for a third additional term of three years for operation of the sanitary landfill, fiscal impact is positive - continued receipt of revenues. Supervisor Tatro seconded the motion. Motion carried 5-0.

4. UTILITIES DIRECTOR - Dorothy Timian-Palmer

A. ACTION ON A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JUDY

A. AUSTIN (1-1292) - Discussion noted the City does not have a reimbursement policy for extending services past adjacent undeveloped properties to reach the impacted property. Supervisor Smith noted his involvement and support for the request. He commended staff on its professionalism in resolving the situation. Supervisor Smith moved to introduce Bill No. 108 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JUDY A. AUSTIN REGARDING ASSESSOR'S PARCEL NO. 002-137-05 LOCATED AT 104 CORBETT STREET, CARSON CITY, NEVADA, FOR SEWER MAIN REPLACEMENT. Supervisor Tatro seconded the motion. Supervisor Smith continued his motion to include fiscal impact \$13,778.12; funding source is 515 - Replacement. Supervisor Tatro continued his second. The motion was voted and carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 12.12 OF THE CARSON CITY MUNICIPAL CODE BY ADDING SECTION 12.12.065 - ASBESTOS ABATEMENT (1-1405) - Environmental Control Supervisor Ken Arnold - Builders' Association Representative Lorna Millard did not have a problem with the proposal. Supervisor Ayres moved to introduce Bill No. 109 on first reading, AN ORDINANCE AMENDING CHAPTER 12.12 OF THE CARSON CITY MUNICIPAL CODE BY ADDING SECTION 12.12.065, ASBESTOS CONTROL, TO PROVIDE FOR PROPER TRACKING AND ENFORCEMENT OF ASBESTOS RELATED BUILDING DEMOLITIONS, RENOVATIONS, REMODELS, AND ADDITIONS AND PROPER DISPOSAL REQUIREMENTS. Supervisor Bennett seconded the motion. Motion carried 5-0. Mr. Berkich commended Ms. Timian-Palmer and Mr. Arnold on their efforts, specifically related to the tree recycling and this program. Discussion also noted the commitment to using recycled paper.

5. PERSONNEL MANAGER - Judie Fisher - ACTION ON APPOINTMENT AND REAPPOINTMENT TO THE SHADE TREE COUNCIL (1-1585) - Supervisor Smith moved to reappoint Ann Nunnemaker for a period of three years and Liza Lombardo for three years to replace Tom Henderson on the Carson City Shade Tree Council. Supervisor Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira suggested this type of appointment be on the Consent Agenda.

6. PUBLIC WORKS DIRECTOR - Jay Aldean

A. ACTION ON RTC SHARE OF FUNDING FOR CARSON CITY DRAINAGE STUDY AND DRAINAGE DESIGN OF ELEVATED FREEWAY (1-1635) - Supervisor Ayres moved that the Board of Supervisors accept the recommendation from the Regional Transportation Commission to approve in concept a Drainage Study for Carson City to be done jointly with NDOT and establish it as a priority project and authorize an amount not to exceed \$10,000 for the City's share for accelerating the mapping phase of the study; fiscal impact - decrease the RTC Construction Account in the amount of \$10,000. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING AMENDMENT NO. 1 TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND M. G. STAFFORD, INC., REGARDING THE DEVELOPMENT OF THE SKYRIDGE SUBDIVISION LOCATED NEAR SONOMA STREET AND SALIMAN ROAD, CARSON CITY, NEVADA (1-1695) - City Engineer Tim Homann - Discussion explained that Sonoma had not been constructed and that Colorado had been constructed to Edmonds but was not the full paved street required for a subdivision. Mr. Lipparelli indicated the Board could consider the ordinance, however, the request to allocate the \$15,000 would have to be considered at the next meeting. Supervisor Tatro moved that the Board approve Bill 110 on first reading, AN ORDINANCE APPROVING AMENDMENT NO. 1 TO A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND M. G. STAFFORD, INC., REGARDING THE DEVELOPMENT OF THE SKYRIDGE SUBDIVISION LOCATED NEAR SONOMA STREET AND SALIMAN ROAD, CARSON CITY, NEVADA; fiscal impact is revenue to the City of \$15,000; funding source is a contribution to the City from the Developer. Supervisor Bennett seconded the motion. Motion carried 5-0.

10. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. PLANNING COMMISSION REVIEW AND APPEAL MATTERS - ACTION ON P-92/93-1A - A REQUEST FROM RYDER HOMES OF NEVADA (PROPERTY OWNER: J. S. DEVELOPMENT) TO AMEND THE PREVIOUSLY APPROVED TENTATIVE PLANNED UNIT DEVELOPMENT, LONG RANCH ESTATES, BY MODIFYING THE APPROVED SETBACK REQUIREMENTS ON PROPERTY ZONED SINGLE FAMILY 12,000 AND SINGLE FAMILY ONE ACRE (SF12000/SF1A) LOCATED NORTH OF KINGS CANYON ROAD, SOUTH OF WASHINGTON STREET, EAST OF LONGVIEW WAY AND APPROXIMATELY 1,000 FEET WEST OF ORMSBY BOULEVARD, APN 7-391-01 (PLANNING COMMISSION APPROVED 6-1-0-0) (1-1945) - Comments were solicited but none given. Supervisor Tatro moved that the Board of Supervisors approve a request from Ryder Homes of Nevada, property owner: J. S. Development, P-92/93-1a, to amend the previously approved tentative Planned Unit Development Long Ranch Estates by modifying the approved setback requirements on property zoned Single Family 12,000 and Single Family One Acre located north of Kings Canyon Road, south of Washington Street, east of Longview Way and approximately 1,000 feet west of Ormsby Boulevard, Assessor's Parcel Number 7-391-01, based on the findings and subject to the conditions of the staff report and the Planning Commission recommendation. Supervisor Smith seconded the motion. Motion carried 5-0.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 106 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY A TWO BLOCK AREA PLUS ONE PARCEL (29 PARCELS TOTAL) FROM RESIDENTIAL OFFICE (RO) TO GENERAL OFFICE (GO) ON PROPERTY LOCATED BETWEEN EAST SECOND STREET, SOUTH ROOP STREET, EAST FIFTH STREET AND SOUTH HARBIN AVENUE PLUS ONE PARCEL ON THE WEST SIDE OF SOUTH ROOP STREET BETWEEN EAST SECOND STREET AND EAST FIFTH STREET, APNS 4-091-1, 2, 3, 5, 8, 9, 10, 11, 12, 15, 16, 17, 4-092-5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, AND 4-083-02 AND OTHER MATTERS PROPERLY RELATED THERETO (1-2065) - Mayor Teixeira noted his conflict of interest, passed the gavel to Mayor Pro-Tem Smith, and left the room. (A quorum was still present.) Following Mr. Sullivan's introduction, Mayor Pro-Tem Smith requested comments, however, none were made. Supervisor Ayres moved that the Board of Supervisors approve on second reading Bill No. 106, Ordinance No. 1995-8, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY A TWO BLOCK AREA PLUS ONE PARCEL (29 PARCELS TOTAL) FROM RESIDENTIAL OFFICE (RO) TO GENERAL OFFICE (GO) ON PROPERTY LOCATED BETWEEN EAST SECOND STREET, SOUTH ROOP STREET, EAST FIFTH STREET AND SOUTH HARBIN AVENUE PLUS ONE PARCEL ON THE WEST SIDE OF SOUTH ROOP STREET, BETWEEN EAST SECOND STREET AND EAST FIFTH STREET, APNS 4-091-1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 4-092-5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, AND 4-083-02 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Tatro seconded the motion. Motion carried 4-0-1. Mr. Lipparelli noted for the record that Mayor Teixeira had abstained from the vote and was not present during the discussion/action.

C. COMMUNITY DEVELOPMENT ITEMS - ACTION ON APPROVAL OF CONTRACT WITH SE&A FOR CONSULTING SERVICES FOR THE CARSON CITY MASTER PLAN UPDATE, SPECIFICALLY THE LAND USE ELEMENT (1-2185) - During Mr. Sullivan's introduction Mayor Teixeira returned and took back the gavel. Purchasing Director Basil "Butch" Moreto was also present. Mr. Sullivan felt that the contract would be complete in six to nine months. SE&A Representative Randal Water felt the Second Task should take one or two months and should be completed by May 1. Mayor Teixeira stressed the importance of this task. Supervisor Ayres moved that the Board of Supervisors approve the contract with SE&A for consulting services for the update of the Carson City Land Use Element of the City's Master Plan in an amount not to exceed \$49,000; funding source: Master Plan Update General Fund 220-0000-413-0311, Utilities Enterprise Fund 520 Water and 510 Sewer for a total of \$49,000. Supervisor Bennett seconded the motion. Comments were solicited but none made. Motion carried 5-0.

Mr. Sullivan thanked the Utilities Departments, Ms. Timian-Palmer, Public Works and RTC for their contributions

to make the full scope of the plan come to fruition. Mayor Teixeira also commended staff on its ability to work together for a better product.

8. CLERK-RECORDER - Alan Glover - ACTION ON NOTIFICATION OF THE GENERAL OBLIGATION BOND COMMISSION'S AT-LARGE MEMBER APPOINTMENTS (1-2465) - Mr. Glover explained the notification of appointments. No formal action was required or taken.

9. B. ACTION TO APPROVE VERSION "C" OF AN INDEMNITY AGREEMENT INDEMNIFYING THE OWNER OF PARCEL NOS. 07-061-19, 07-061-26, 07-051-03, 07-051-08, AND 07-051-06 FROM LIABILITY FOR CERTAIN POTENTIAL ENVIRONMENTAL CLEANUP COSTS, AND TO REVOKE THE DECEMBER 15, 1994, APPROVAL OF AN EARLIER VERSION OF THE AGREEMENT (1-2477) - During Mr. Lipparelli's introduction, Supervisor Ayres stepped for the room. (A quorum was still present - 2:14 p.m.) Supervisor Smith moved that the Board approve Version "C" of an indemnity agreement indemnifying the owner of parcel numbers 07-061-19, 07-061-26, 07-051-03, 07-051-08, and 07-051-06 from liability for certain potential environmental cleanup costs and revoke its December 15, 1994, approval of an earlier version of the agreement; at this time there is no fiscal impact envisioned although there is a potential for some liability. Supervisor Tatro seconded the motion. Motion carried 4-0.

10. RISK MANAGER - John Mayes - ACTION ON APPROVAL OF THE CARSON CITY AMERICANS WITH DISABILITIES ACT ACTION PLAN (1-2608) - (Supervisor Ayres returned at 2:16 p.m. A quorum was present as previously noted.) Mr. Mayes reviewed his report on compliance, the original action plan, the improvements which had been accomplished, the outstanding items, and the action plan to complete the outstanding items and estimated costs, and reasons the Sheriff's Office and Courthouse had not been fully addressed. Mr. Mayes publicly thanked John Butterworth and Candy Roper for their assistance. He stressed that the plan could be changed if needed and would be updated annually. Mayor Teixeira acknowledged the dynamics of the document and stressed the need to address the plan during the budget process. He also emphasized the need to bring the community up to standards as quickly as possible within the budget constraints. Discussion ensued between the Board and staff on the cost to bring the Courthouse into compliance including the State purchase agreement for it. Supervisor Ayres expressed her concern about the time it has taken to make any improvements and feeling that total compliance may not occur. Mayor Teixeira noted the constant changing requirements which make it difficult to be in compliance. Supervisor Smith commended Mr. Mayes on his role and efforts. He also pointed out the difficulty in achieving the deadline for the plan as well as compliance. He expressed concern about the priorities and failure to comply with the Act. He questioned the length of time that the Courthouse would remain as a temporary facility before the handicapped realize it may never be replaced. Reasons the public had not forced the issue were noted. Mr. Mayes, again, acknowledged the Board's support and action. Supervisor Tatro moved that the Board approve the Carson City Americans with Disabilities Act Action Plan as presented by Risk Management. Supervisor Bennett seconded the motion. Motion carried 5-0.

11. BOARD OF SUPERVISORS

B. ACTION ITEMS - DISCUSSION AND ACTION ON CARSON CITY'S LEGISLATIVE AGENDA (2-0310) - Airport Authority Representative Louis Buckley explained the Authority's and Assessor's desire to seek a legislative amendment to the requirement which would tax the land under the FBO's. He felt that such a tax would have a detrimental impact on the leases. The Authority was also questioning the reasons the City's staff member is restricted to one - four year term of office. The Authority strongly urged the Board to remove the term restriction. Supervisor Bennett cautioned the Board about acting without seeing the draft. Supervisor Smith explained the term restriction was only against the individual who was serving as the Board's representative. Supervisor Bennett indicated she had misunderstood the proposal. Mr. Buckley then re-explained the request. Supervisor Bennett requested an opportunity to have a joint meeting with the Airport Authority to discuss the successes and problems with the facility. Mayor Teixeira noted that the law on taxation is inconsistent and that the proposal would balance the requirements more equally and remove the term restriction for the Board's appointee. Supervisor Smith then moved that the Carson City Board of Supervisors support the Carson City

Airport Authority and the Carson City Assessor's Office with the proposed legislation as presented. Supervisors Tatro and Ayres seconded the motion. Motion carried 5-0. Mayor Teixeira commended Mr. Buckley and the Authority on its efforts.

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD (2-0622)

- Supervisor Tatro explained that the Community Council on Youth was in the process of receiving applications which will be evaluated and submitted as authorized by the recent Resolution indicating all youth activity grants were to be submitted as one package to the Board for funding during the budget process. Redevelopment Authority Citizens Committee had approved several small sidewalk projects which included some of the 500 sidewalk curb cuts required by ADA. He also announced the opening of the Ormsby House and its "V&T Burger". The Convention and Visitors Bureau had held its monthly meeting on Monday evening. Supervisor Bennett explained the Lake Tahoe Transportation District's approval of the first stage of the bus system which will circumvent the Lake. An individual could ride around the Lake for \$5. Funding from a fee assessed against taxicabs was being used to support this program. The plans for the Highway 28 Corridor were impressive and included both an overlay and erosion control measures. She had also reviewed the RFP for a shuttle study between Spooner Summit and Incline Village. The Carson-Tahoe Hospital Finance Committee will be analyzing financial alternatives to the medical mall facility for Douglas County. The Court hearing on this proposal will be conducted in March. The Committee will also be considering the expansion project for the second floor of the Hospital. Legislative actions are still being watched very carefully. Supervisor Smith explained the Tri-County Railroad Association's ad hoc finance committee had submitted several interesting financial alternatives/proposals which will be researched. They do not involve taxing the residents of the three counties. Supervisor Ayres reported on her legislative lobbying efforts, the progress which had been achieved by the cooperative Carson Transit Service, and the Parks and Recreation Commission's review of the Residential Construction Tax allocations. The Commission has abandoned its proposal to use some of these funds for park maintenance. Another proposal to use some of the park fees for this purpose had received a split vote. She also reported on the Governor's Corporation for National Community Services meeting in Las Vegas, and her opposition to President Clinton's consolidation of agencies program. She then commended the Legislative Finance Committee for allowing her time to make a presentation regarding the funding needs to keep handicapped individuals in their homes rather than in an institution. Supervisor Bennett reported on the Carson River Advisory Committee meeting on safety issues along the River. She also requested the City Manager agendize the status of the maintenance building for the Parks Department. Mr. Berkich indicated this would be at a March meeting and very briefly noted the problems which had occurred with this project. Supervisor Bennett then explained that Barton Memorial had applied to the State Department of Finance for Industrial Development Bonds for the Douglas County project. The impact this would have on Carson-Tahoe was inferred. The Hospital Board of Trustees is drafting a protest. Supervisor Ayres stressed the impact the Nevada's aging population was having on the health care needs.

BREAK: There being no other matters for discussion until 6 p.m. Mayor Teixeira recessed the hearing at 3:05 p.m. When the meeting reconvened at 6:05 p.m. the entire Board was present constituting a quorum. Capital Projects Advisory Committee Members present were: Chairperson Gary Sheerin, Vice Chairperson Jenny Bacigalupi, and Members Richard Baker, Kevin Honkump, Ed Moran, Richard Mullet, and Ron Swirczek. Staff members present included: City Manager Berkich, District Judge Griffin, District Judge Fondi, District Attorney Waters, Clerk-Recorder Glover, Sheriff Banister, Community Development Director Sullivan, Finance Director Walker, Public Works Director Aldean, Undersheriff Dehl, Deputy District Attorney Lipparelli, City Engineer Homann, Chief Deputy Callahan, Commander Dimit, and Recording Secretary McLaughlin.

12. JOINT SESSION WITH THE CAPITAL PROJECTS ADVISORY COMMITTEE - ACTION ON THE PRIORITY RANKING OF JAIL/PUBLIC SAFETY, COURTHOUSE, AND ADMINISTRATIVE OFFICES FACILITIES AND APPLICABLE STAFFING (2-1136) - A roll call of the Committee was conducted. The entire Committee was present constituting a quorum. Mayor Teixeira reviewed the history of the funding source allocated to a new facility, the Committee, its assignment, and the Courthouse and old Fire Station sale to the State. He thanked the Committee for its dedication and efforts. The question under discussion this

evening was the size and cost of the facility which could be construction to meet future needs. Ms. Walker reviewed the financial recap including the State change in sale tax reporting standards and its impact on the revenue for this year only. She felt that the revenue stream could support a \$12.5 million bond.

Chairperson Sheerin then explained the Committee's frustration at not being able to proceed and the need to seek direction from the Board regarding the priority for the Jail/Courthouse. Direction given in the Ordinance set the Jail as the number one priority. He questioned the plans for the existing Courthouse if the Jail uses the funding and whether the funding source is to include operating expenses for the new facility. He then noted the preliminary staffing figures for the new Jail indicate the City needs 46 new employees. This will not provide any funding for the new facility. The Lumos Report indicated the current Jail is structurally sound and could continue to be used. The Consultant's report indicates the optimum jail facility would have 156 beds and cost \$10 million to construct. The Sheriff's Administrative Facility would cost \$3.9 million. The Courthouse would cost \$11 million. His figures were compared to the cost of the Henderson's facility. Using Henderson's construction costs the estimated cost was \$18 million. Discussion between Mr. Sheerin and Mayor Teixeira indicated the Henderson jail had 144 beds. Chairperson Sheerin then reviewed the Consultant's options for both the Jail and Courthouse and projected cost for each option. Sheriff Banister had submitted additional options and had indicated that a 106 bed facility with room for double bunking would be adequate, however, 42 employees would be required to staff this facility. The cost to staff this facility would also eliminate any funding for construction. Clarification indicated this would require adding 27 employees. Chairperson Sheerin distributed to the Board and Clerk a copy of his options and then discussed it with the Board. These options would: build a 106 bed facility, remodel the current Sheriff's building, and hire ten employees; or build a new court facility and add a new wing to the Sheriff's building. He also emphasized the need to address the Detox Center and suggested using General Fund monies for additional employees rather than the AB 104 funds and acquisition of other buildings for a Justice Court/offices, e.g., the Credit Union.

Mayor Teixeira then expressed his feeling that the City needed both a jail and a courthouse. He also noted the commitment which had been made at the time five Deputies were hired with a Federal grant. Discussion among Mayor Teixeira, Chairperson Sheerin, and Undersheriff Dehl explored, at the Henderson cost figures, the cost for a 100 bed facility and four courtrooms. Ancillary offices would not be included. Judge Fondi noted that the figures would not include rooms for jury service. Discussion indicated that the Henderson cost per square foot figure could be used to determine a cost if the consultant's suggested square footage figure is used for the size of the facility. The estimated cost for this facility was set at \$13 million. Mayor Teixeira then suggested that the Board allocate funding for five deputies from both the 95-96 and 96-97 fiscal years General Fund budgets. This would provide ten positions for the jail. Undersheriff Dehl indicated this cost could be reduced if the jail is "civilianized" rather than using sworn deputies. These individuals would be "correctional officers". Clarification indicated this \$200,000 per year figure would not include fringe benefits. In 97-98 the amount would be \$300,000 due to the Federal grant. The remainder of the funds would be utilized for renovation of the current Sheriff's office and jail. Clarification indicated this suggestion would require the Board of Supervisors to establish as its number one priority funding for the Sheriff's Department personnel for more than one fiscal year. Mayor Teixeira continued to explain his suggestion and stressed that the fringe benefits would not be added until 97-98 as the deputies would not be hired until that time.

Ms. Walker felt that the City would need to bond for \$9.2 million in construction costs. She urged the Board to also fund from the AB 104 monies the utilities as experience with the new Fire Station had indicated these costs were triple the estimate given by the consultant. Also, the use of the General Fund to support additional Deputies could force the Board to make cuts in other Department's funding.

Mayor Teixeira stressed the importance of having a combined jail and courthouse and the need to address them before a lawsuit forces the City to do something.

Undersheriff Dehl explained the need for a 106 bed facility which could provide for double bunking. This would provide bunks for 141 individuals. Mayor Teixeira agreed to his figures. Undersheriff Dehl then explained his contact with several jail facilities which may reduce the staffing numbers, however, until Sheriff Banister and he

have had an opportunity to investigate their facilities, he was not positive that they should be adopted as the City's plan. This facility was explained.

Concern was expressed concerning whether the allocation for jail personnel would be subject to Collective Bargaining. Ms. Walker felt that as the jail is the City's number one health, welfare, and safety need, the funds would not be subject to Collective Bargaining. Mayor Teixeira's proposal would provide a \$13 million facility with approximately 100 beds and a 60,000 square foot courthouse as well as funding for 10 new jail positions. Mr. Dehl felt 25 positions would be adequate for staffing of the "right facility". Discussion ensued on the need for the facility to provide for double bunking and alternative sentencing programs and reasons Washoe County needed a larger facility before its new jail was ever opened. Staffing needs for both the "podular" and "shoe" units, the City's incarceration rate versus the national figures, status of the alternative sentencing program/community service program, and staffing needs for a new court facility were discussed. Comments stressed the desire to have a facility which would not be outdated or beyond capacity the day it is opened. Undersheriff Dehl requested an opportunity to analyze the new podular system before a firm commitment is made that 25 or 30 positions could handle the 106 bed facility, which is a new, innovative procedure as the ratio nationwide is three inmates per deputy.

Mayor Teixeira elaborated on the ordinance allocating the AB 104 funds to the new public safety complex. Member Moran recommended revising the ordinance if operational expenses are funded with the AB 104 monies. Member Mullet supported the direction but questioned the adequacy of the manning at 25 or 30 jail personnel. He felt that "open bunks" would require additional personnel. Member Bacigalupi stressed the need for additional jail personnel regardless of the action taken on the facility. Discussion between Mayor Teixeira and Ms. Walker indicated the City would need to bond for \$9.2 million and that there will be \$4 million in cash available at the time of construction. Mayor Teixeira felt that the discussion had directed the Committee to use these figures as well as the 106 bed jail facility with double bunking ability to a maximum of 142 and 60,000 square feet for a four courtroom facility. Ms. Walker stressed her desire to use the remaining \$350,000 for operational expenses. Mayor Teixeira emphasized the need for the Board to establish a funding allocation for personnel costs from the General Fund. "Additional revenue" could be used for this purpose. Ms. Walker also stressed that the allocation of these funds may force the Board to cut other Department services/personnel. Comments reiterated the need to address the jail, the history of funding a facility from AB 104 funds, and potential funding for other amenities, e.g., the Detox Center, youth, additional construction costs, etc., due to the conservative figures used in the estimates. Mayor Teixeira expressed his feeling that the electorate would not approve a tax override. Member Bacigalupi suggested the AB 104 funds allocated to the Fire Station Bond repayment be withdrawn and the electorate approved tax imposed. This would provide additional funding for the Public Safety Complex. Mayor Teixeira indicated this question would be addressed by the Board in the future. He opposed it at this time. Ms. Walker reviewed the financial plan. Mr. Lipparelli explained that the electorate had voted on a tax for a Fire Station and not on the jail. The Board had elected to use AB 104 monies to repay the bond rather than implement the tax. He did not feel that the question of using these AB 104 monies rather than imposing the tax would be abandoned until the bonds are completely repaid. Ms. Walker then explained that her review of the ad valorem rate indicates a rate of 3.37 cent tax is required to to repay the Fire Station Bond. Next year the ad valorem rate would drop more than four cents. It would be the correct time to implement this tax if desired as the tax rate would decrease but by a smaller amount.

Judge Fondi commended the Committee on its hard work and efforts. He cautioned the Board about trying to make the facility fit the need and not provide for expansion. He urged the Board to incorporate programs which will assist in pre-trial evaluation of the individuals and utilize alternative sentencing programs. Empty rooms do not mean poor planning but rather better future planning. A courthouse is the face of the community and should reflect that position to the visitors. The needs should include consolidation of all of the City administrative offices. This may require funding for the Credit Union site which is not part of the equation at this time. These realities must be considered. Mayor Teixeira agreed with his points but also noted that the other choice is to do nothing and maintain the status quo which is not realistic.

Discussion ensued on the potential of remodeling the Courthouse and Fire Station, which would mean getting out

of the sale to the State, and the cost to do the remodeling including ADA requirements. Supervisor Bennett requested a review of the original figures including an update and the feasibility of such a proposal. Judge Griffin felt that it would be in the range of \$4 million and would not be beneficial, have adequate parking, nor meet the current space needs of the Departments. State remodeling plans include removal of the Fire Station. Chairperson Sheerin questioned whether the cost for such a review was warranted. As the general consensus indicated this request should be abandoned, Supervisor Bennett agreed to its withdrawal.

Judge Griffin also commended the Committee on its efforts and Sheriff Banister on his cooperation and willingness to retrofit the old facility and continue using it for administrative purposes. He also iterated his and Judge Fondi's intent to cooperate with both the City and Committee. Sheriff Banister stressed the need to analyze the new confinement proposal and that the staff level requested was contingent upon a favorable review of that facility. He also indicated that if the Courts and Jail are not together, two or three transport individuals will be required. He noted that the Hollister jail design was being purchased and used in other communities. Discussion ensued on whether the City may wish to do the same as a method of reducing the architectural costs. Sheriff Bannister indicated he would also check into this potential. He elaborated on his intent to reduce the costs if possible. Chairperson Sheerin commended him on this responsible approach. Mayor Teixeira also commended him on his willingness to compromise. Sheriff Banister also expressed his feeling that the present facility should not be expanded.

District Attorney Waters also commended the Committee and expressed his concerns about the liability continued use of the present facility at its current staffing level creates. He urged the Board to fund adequate staffing of the jail.

Chairperson Sheerin then expressed his desire to have the District Attorney's office in the new Courthouse, however, questioned the feasibility of doing this if the building is restricted to 60,000 square feet. Mayor Teixeira felt that this could be considered in the discussion and decisions on upgrades to the Sheriff's facility.

Chairperson Sheerin then commended Member Mullet on his work on acquisition of the Credit Union building. The State has expressed a desire to lease the Credit Union building. He requested an opportunity to analyze the facility and for Mr. Berkich to be given direction to "hold off the State" during this evaluation. Mayor Teixeira stressed his feeling that the State was very interested in the Courthouse.

(3-2929) Frank Paige thanked everyone for trying to work together. He felt that the taxpayers would support the concept. (3-2975) Jon Springmeyer felt that the public's initial reaction would be one that would commend the Board on its foresight in reserving the funds and creating a committee to analyze the options. He felt that the Board was not looking toward future needs in its evaluation. He urged the Board to seek a tax override for a consolidated facility large enough to meet future demands. The public would respond specifically if the Committee was willing to discuss the alternatives. Public safety is the public's number one priority. Mayor Teixeira responded by explaining his feeling that the problem needed to be addressed now and not in two years when a question could be placed on the ballot.

(3-3165) Mayor Teixeira then passed the gavel to Mayor Pro-Tem Smith and moved that the Carson City Board of Supervisors direct the CPAC Committee in coordination with the Judges, Sheriff's Office, and the City operations to instruct the architects to design a jail for approximately 100 beds, with double bunking up to approximately 140, and to also design a courthouse to accommodate four courts in a number not to exceed \$13 million, that part of the condition of the motion is that we, the Board of Supervisors, within the legal bounds, is to put a priority of a minimum of, giving myself some slack on this because it depends upon how much--, a minimum of \$200,000 a year over the next two fiscal years to accumulate funds for the staffing of such a facility. Supervisor Ayres seconded the motion. Discussion between Mayor Teixeira and Ms. Walker indicated that once the funds are reserved for the jail personnel, they could be used for staffing at a time when the Board and Sheriff's discretion indicate the positions are warranted. Mayor Teixeira indicated his motion was to be amended to include this proviso. Supervisor Ayres continued her second. Mr. Waters expressed his feeling that the motion would have to be brought back as the Agenda did not allow this flexibility. Mr. Lipparelli felt that the budget consideration

portion of the motion and the ordinance amendment would be addressed at a future meeting. The Committee's direction would be fine tuned. He urged the Board to consider a motion which would establish the priority for the Jail and Courthouse and staffing of those facilities. Mayor Teixeira then withdrew his motion. Supervisor Ayres withdrew her second. **Mayor Teixeira then moved that the Board of Supervisors establish as an equal priority to CPAC and for the Committee to instruct its architect to design a "Jail and Courthouse" within the \$13 million parameter with the intent for the Board of Supervisors to provide the review of staff for such a facility from the General Fund. Supervisor Ayres seconded the motion.** Supervisor Tatro expressed his gratitude at being able to construct a facility within the indicated revenue stream. He felt that the General Fund commitment, however, was being understated as it would ultimately be 15 jail positions, three security positions for the courts, \$100,000 in utilities, five deputies which are now a part of a Federal grant, and an impact on the 98 fiscal budget of \$1.3 million. This is approximately five percent of the overall budget. He expressed his concern about the other supplemental requests which may be submitted at that time. This may mandate removal of items from the budgets rather than adding and cautioned the Board about the size of the commitment which was being made. Supervisor Ayres expressed her feeling that the Board was aware of the commitment but lacked alternatives. Mayor Pro-Tem Smith supported Supervisor Tatro's statement. **The motion to establish as an equal priority to CPAC and for the Committee to instruct its architect to design a "Jail and Courthouse" within the \$13 million parameter with the intent for the Board of Supervisors to provide the review of staff for such a facility from the General Fund was voted and carried 5-0.**

Mayor Pro-Tem Smith returned the gavel to Mayor Teixeira. Mayor Teixeira again thanked the Committee, Judges, Elected Officials, Staff, and the public on their participation and cooperation.

Member Honkomp then reminded the Board that the consultant had suggested establishing a criminal justice council which he explained. He urged the Board to establish this committee posthaste. Mayor Teixeira advised him to have it agendized for the Board and directed the City Manager to work with him on the concept.

Chairperson Sheerin indicated the next CPAC meeting would be held on March 28 which would be after Undersheriff Dehl had visited the California prison. A meeting would also be held with the architect the last of February. Member Honkomp moved to adjourn. Member Baker seconded the motion. Motion carried 7-0. Chairperson Sheerin adjourned the Capital Projects Advisory Committee at 8:19 p.m.

Supervisor Ayres then moved to adjourn the Board of Supervisors. Mayor Teixeira seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 8:20 p.m.

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The Minutes of the February 16, 1995 Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___March_16_____, 1995.

_____/s/_____
Marv Teixeira, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder