

C. RECOGNITION OF CITIZENS WHO PARTICIPATED IN THE "SYMBOLS AND EMBLEMS" PROGRAM (1-0220) - Mr. Berkich explained the program and introduced Vern Adler and former Historic Commissioners Laura Adler and Joe Di Lonardo. Mayor Teixeira displayed a plaque which contained the Emblem and read the names of all of the individuals who had worked on the Program. He thanked all for their dedication and efforts. Ms. Adler elaborated on identification procedures used to establish the City's characteristics. No formal action was required or taken.

3. LIQUOR AND ENTERTAINMENT BOARD - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum was present including Member McGrath, however, Members Ayres and Bennett were absent.

TREASURER - Ted P. Thornton - ACTION ON A BUSINESS SHORT-TERM PERMIT FOR THE CARSON CITY MAINSTREET GROUP FOR THEIR FOURTH ANNUAL CHILI COOKOFF HELD ON OCTOBER 16, 1993, IN DOWNTOWN CARSON CITY ALONG WITH A WAIVER OF THE \$50 PROMOTION FEE (1-0352) - Promotion Committee Co-Chairperson Maxine Nietz explained the location and program. Member Smith moved that the Board approve a Business Short-Term Permit for the Carson City Mainstreet Group along with a waiver of the \$50 Promotion Fee. Member Tatro seconded the motion. Motion carried 4-0.

Chairperson Teixeira adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum was present although Supervisor Ayres had not yet arrived and Supervisor Bennett was absent as previously noted.

CITIZEN COMMENTS (1-0445) - None.

4. CONSENT AGENDA (1-0435)

A. TREASURER - ACTION ON CARSON CITY TREASURER'S REPORT FOR THE MONTH OF AUGUST 1993

B. CLERK-RECORDER - ACTION ON RESOLUTIONS AUTHORIZING THE DESTRUCTION OF ORIGINAL RECORDS - COURT CASE FILES

C. PUBLIC WORKS DIRECTOR - ACTION ON FUNDING IMPROVEMENTS ON EAST GRAVES LANE BETWEEN NORTHGATE LANE AND ROOP STREET

D. PURCHASING AGENT

i. ACTION ON CONTRACT NO. 9394-46 - STREET SWEEPER, THREE WHEEL

ii. ACTION ON CONTRACT NO. 9394-66 - FORK LIFT, CLARK, GPX 20E OR EQUAL, 4000 LBS. CAPACITY GASOLINE ENGINE

iii. ACTION ON CONTRACT NO. 9394-75 - UTILITY BILLING DATA MAILERS

iv. ACTION ON CONTRACT NO. 9394-88 - DISPOSAL OF SURPLUS DUMP TRUCK

v. ACTION ON CONTRACT NO 9192-234 - MILLS PARK CONSTRUCTION

vi. ACTION ON CONTRACT NO. 9394-27 - CORPORATE YARD EFFLUENT FILLING STATION

vii. ACTION ON CONTRACT NO. 9394-73 - CARSON CITY VEHICLES - No item was pulled. Supervisor Tatro moved to approve the Consent Agenda as presented including Resolution No. 1993-R-87 and 88 to the Resolutions authorizing the destruction of original records - Court Case Files. Supervisor Smith seconded the motion. Motion carried 3-0.

5. MAYOR TEIXEIRA - DISCUSSION AND POSSIBLE ACTION ON THE DEPARTMENT OF WILDLIFE'S PROPOSAL TO ALLOW LIMITED FISHING AT MARLETTE LAKE (1-0475) - Mayor

Teixeira's introduction indicated the State hearing on this issue was scheduled for later this morning. Chief of Fisheries for the Nevada Department of Wildlife Jim Curran reviewed the proposal, its history, and reasons for recommending that Lake Marlette be opened from September 1 to October 31 for "Catch and Release" fly fishing. He repeatedly compared Marlette to Heenan Lake above Markleville, California, to support the proposal. He responded to Board questions concerning the type of license required for this fishing activity, public concerns about the increased use of the area, the Department's ability to patrol the area, and economic benefits of the proposal. (1-0995) Don Quilici expressed his opposition to the proposal based on the uniqueness of Marlette. He challenged the Department to open both Topaz and Hobart Lakes and Five Mile Reservoir to year round fishing if additional sites are needed. He felt that increased littering, poaching, and fire hazards would occur at Marlette. Also, there are other lakes in the vicinity which could be used without creating a negative impact on the area. Mayor Teixeira read Supervisor Bennett's letter of opposition into the record. Supervisor Smith expressed his appreciation of Mr. Quilici's comments and noted that he has not had an opportunity to tour all of the State's scenic sites. He had, however, toured the area with the Board and felt that it was a scenic area. He could not support increasing the demand on the area. Supervisor Smith then moved that the Board oppose the Department of Wildlife's proposal to allow limited fishing at Marlette Lake. Supervisor Tatro seconded the motion. Comments were solicited but none made. Motion carried 3-0. Mayor Teixeira noted this action was only advisory to the Wildlife Board and his reasons for bringing it to the Board of action. He thanked Mr. Curran and Mr. Quilici for their presentations.

6. JUSTICE COURT - ACTION ON APPOINTMENT OF PARKING ENFORCEMENT HEARING OFFICER (1-1235) - City Manger John Berkich - Supervisor Tatro moved that the Board approve the appointment of Christopher Van Duesen as Parking Enforcement Hearing Officer to replace Patrick Sorenson. Supervisor Smith seconded the motion. motion carried 3-0.

7. CHIEF PROBATION OFFICER - Bill Lewis - **ACTION ON APPROVAL OF THE CARSON CITY JUVENILE PROBATION DEPARTMENT TO RECEIVE \$8,855 IN FEDERAL FUNDS FROM THE STATE OF NEVADA BUREAU OF ALCOHOL AND DRUG ABUSE (1-1285) -** Reasons for the decrease in funding were noted. Supervisor Tatro moved that the Board approve Carson City Juvenile Probation Department to receive \$8,855 in Federal grant funds during the fiscal year 1993-94 for the Juvenile Offender Substance Abuse Program, funding source is the State of Nevada Bureau of Alcohol and Drug Abuse. Supervisor Smith seconded the motion. Motion carried 3-0.

8. PUBLIC WORKS DIRECTOR - Dan O'Brien- **ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON DETOXIFICATION CENTER REGARDING ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 4-174-05, LOCATED AT 105 NORTH ROOP STREET, CARSON CITY, NEVADA (1-1365) -** Discussion noted the location and purpose of the facility.. Supervisor Smith moved that the Board introduce on first reading Bill No. 150, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND CARSON DETOXIFICATION CENTER REGARDING ASSESSOR'S PARCEL NUMBERS 4-174-01 AND 4-174-05, LOCATED AT 105 NORTH ROOP STREET, CARSON CITY, NEVADA. Supervisor Tatro seconded the motion. Motion carried 3-0.

REDEVELOPMENT DIRECTOR (1-1505) - Mary Walker - **Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Tom Tatro. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Chairperson Tatro passed the gavel to Mayor Teixeira who reconvened the Board of Supervisors. A quorum was present as noted.**

10. BOARD OF SUPERVISORS - REDEVELOPMENT DIRECTOR - Mary Walker - **DISCUSSION AND**

ACTION ON THE CARSON CITY CHILDREN'S MUSEUM PROJECT APPLICATION FOR REDEVELOPMENT INCENTIVES (1-1927) - Supervisor Smith moved that the Board of Supervisors approve the Carson City Children's Museum application for incentives in the amount not to exceed \$50,000 subject to the Application meeting the Committee's requirements that the signage be compatible with the historic character of Carson City, the Museum present at status report of the project and project funding at the January Redevelopment Citizen's Committee meeting and all other funding be at hand by February 1, 1994, and Phase 1 be completed by May 1, 1994; further the Board hereby finds this project meets the requirements of NRS 279.486 in that the project is of benefit to the redevelopment area and the immediate neighborhood in which the redevelopment area is located and that no other reasonable means of financing this rehabilitation is available; the Board further determines the incentive amount paid by the Redevelopment Authority shall be on a reimbursement basis only after the work has been completed and as tax collections are available; fiscal impact not to exceed \$50,000; and the funding source is the Redevelopment Authority Incentives Program. Supervisor Tatro seconded the motion. Comments were solicited but none made. The motion was voted and carried 3-0.

BREAK: A ten minute recess was declared at 10 a.m. When the meeting reconvened at 10:10 a.m., a quorum of the Board was present although Supervisor Ayres had not yet arrived and Supervisor Bennett was absent.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan - ACTION ON ADOPTION OF VISUAL PREFERENCE SURVEY PROGRAM GOALS (1-1986) - Tony Nelessen and Associates Senior Associate Jim Constantine - Mr. Sullivan and Mr. Constantine responded to Board and Mr. Berkich's questions on the public hearings, efforts to obtain public participation, Mr. Constantine's experience use of the goals in the process, and community support/excitement about the proposal. Tom Feticc and Chamber of Commerce Executive Director Larry Osborne expressed their support for the program. Mr. Feticc urged the Board to not use it to create another level of bureaucracy. Mr. Osborne delineated several areas of concern which had been resolved. He also cautioned that the visions may be unaffordable but urged the Board to adopt those which could be done. Mr. Berkich felt that it would involve the community in the City's TQM efforts. Mayor Teixeira urged the High School students to participate in the survey. Supervisor Smith moved that the Board of Supervisors adopt the Regional Planning Commission's recommended visual preference survey program goals. Supervisor Tatro seconded the motion. Comments were solicited but none made. Motion carried 3-0. Mayor Teixeira wished Mr. Constantine and staff well in their endeavors to involve the community in the process.

12. PERSONNEL MANAGER - Judie Fisher - ACTION ON A RESOLUTION AMENDING FORMER RESOLUTION NO. 1989-R-13, ADDING CRITERIA ON THE PERSON SERVING ON THE GOLF COURSE ADVISORY COMMITTEE FOR CARSON CITY (1-2735) - Ms. Fisher pointed out the modifications which had been made to the Resolution by the Committee since the Board first considered this issue. Supervisor Tatro suggested other Committees consider the criteria and moved that the Board adopt Resolution No. 1993-R-89, A RESOLUTION AMENDING FORMER RESOLUTION NO. 1989-R-13 ADDING CRITERIA ON THE PERSON SERVING ON GOLF COURSE ADVISORY COMMITTEE FOR CARSON CITY. Supervisor Smith seconded the motion. Motion carried 3-0.

13. HEALTH DIRECTOR - Jack Fralinger - DISCUSSION AND POSSIBLE ACTION REGARDING THE OVERCROWDED CONDITIONS AT KINDERLAND CHILD CARE FACILITY (1-2845) - Rosetta McFadden - Comments noted the need to increase the facility, current enrollment, the Planning Commission's recommendation, and the expansion and fund raising plans. Mayor Teixeira commended Ms. McFadden on their activities. (1-3255) Dennis Shriner expressed his feeling that the Board had acted in error in granting an exception to the rules to one firm at the expense of others who were abiding by the laws. Mayor Teixeira thanked him for his comments and expressed his understanding of Mr. Shriner's position. He pointed out that the survey requested would have taken time and that issues often must be resolved faster than survey can be accomplished. He acknowledged Mr. Shriner's point that the decision may have been arbitrary, however, was based on the

information available at the time. Mr. Shriner felt that this attitude would encourage others to violate the law. Additional comments were solicited but none made. Supervisor Smith then moved that the Board approve the addition to the building as the means to correct the problem of exceeding the licensed number of children and set a time limit when the additional shall be completed, which discussion indicated was to be 12 months. Supervisor Smith then amended his motion to include and further concur with the Planning Commission's decision to allow 12 months for this to take place. Supervisor Tatro outlined his reasons for feeling the motion was not needed. Mr. Lipparelli supported his position and Supervisor Smith withdrew his motion. Discussion stressed that the work is to be completed prior to school's summer vacation/

14. UTILITIES DIRECTOR - Environmental Control Supervisor Ken Arnold and Water Utility Supervisor Tom Hoffert

A. UPDATE ON GROUNDWATER MONITORING WELLS AT THE CARSON CITY SANITARY LANDFILL (2-0154) - Discussion among the Board and Mr. Arnold noted the federally mandated monitoring program and that the same conditions are required of all landfills regardless of the annual rainfall. No formal action was required or taken.

B. ACTION ON CHANGE ORDER NO. 1 TO AGREEMENT WITH KLEINFELDER, INC., 3189 MILLS STREET, RENO, NEVADA, FOR GROUNDWATER MONITORING WELLS AT THE CARSON CITY SANITARY LANDFILL (2-0255) - Discussion among the Board, Mr. Arnold, and Mr. Berkich included the reasons the City had to drill beyond 300 feet even though water had not been reached, the federal mandated unfunded monitoring requirements, the need to increase fees to cover the costs related to the monitoring requirements, other mandated requirements which have been accomplished, future improvements which are mandated, and that Carson City's landfill site is in good condition at this time and will not be forced to close although some of the surrounding counties are having to close. Supervisor Smith moved that the Board approve and authorize the Mayor to sign Change Order No. 1 to the agreement with Kleinfelder, Inc., for the drilling and testing of groundwater monitoring wells at the Carson City Sanitary Landfill in the amount of \$14,790, fiscal impact is \$414,700, funding source is Professional Services - Landfill Account. Supervisor Tatro seconded the motion. Comments were solicited but none made. Motion was voted and carried 2-1 with Mayor Teixeira voting "No, I'm voting just for drill and it passes."

C. ACTION ON AN EASEMENT AGREEMENT BETWEEN CARSON CITY AND NEVADA BELL (2-0510) - Discussion between Mr. Hoffert and Mayor Teixeira clarified Nevada Bell's need for the site and location of the cabinet. Supervisor Tatro moved that the Board approve an easement agreement between Carson City and Nevada Bell as presented and authorize the Mayor to sign same. Supervisor Smith seconded the motion. Motion carried 3-0.

15. CLERK-RECORDER - Kiyoshi Nishikawa - ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE TO AMEND TITLE 17 OF THE CARSON CITY MUNICIPAL CODE TO SET THE CITY RECORDER'S FEE FOR RECORDING MAPS AND PLATS AT THE RATE REQUIRED OR AUTHORIZED BY NEVADA REVISED STATUTES AND OTHER MATTERS PROPERLY RELATED THERETO (2-0578) - Discussion noted the fee increase. Supervisor Tatro moved that the Board introduce on first reading Bill No. 151, AN ORDINANCE TO AMEND TITLE 17 OF THE CARSON CITY MUNICIPAL CODE TO SET THE CITY RECORDER'S FEE FOR RECORDING MAPS AND PLATS AT THE RATE REQUIRED OR AUTHORIZED BY NEVADA REVISED STATUTES AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Smith seconded the motion. Motion carried 3-0.

AGENDA MODIFICATIONS (2-0638) - Mr. Berkich requested Item 16 be delayed until Larry Beller of Becker and Bell arrived. Mayor Teixeira directed the discussion on potential ballot questions be heard this afternoon

when Supervisor Bennett could be present.

17. BOARD OF SUPERVISORS

A. SUPERVISORS' COMMENTS AND REPORTS (2-0665) - Supervisor Smith updated the Board on the Tri-County Railway's progress included the right-of-way tour. The Commission's goals and objectives will be established on Saturday at the Storey County Community Center beginning at 9 a.m. Discussion will include the V&T Historical Society and its role. Benefits of the tour were discussed. Supervisor Tatro explained the Convention and Visitors Bureau consideration of the Pony Express Pavilion policies and procedures for 1994. This included a reduction in rates, an increased promotional campaign, and the Bureau's intent to sponsor or co-sponsor an event every month. Benefits of these proposal were noted. The Bureau's involvement in the "Ghost Walk on the Kit Carson Trail" was also explained. He also explained the "Ghost Train" activities in Mills Park. Discussion ensued on the Recreation's ability to use the Pavilion which will be considered by the Board at some future date. Mayor Teixeira announced a meeting to discuss the winter usage of the Pavilion which will be held on October 20 at 7 p.m. in the Community Center Bonanza Room. The ice skating rink proposal had fallen through due to the contractor's failure to sign the agreement. Potential uses were noted. Mr. Berkich announced that CAT 10 would televise the V&T Tour on Tuesday and Wednesday. Mayor Teixeira commended Mr. Thorpe on his filming activities.

16. DISTRICT ATTORNEY - Mr. Berkich, Deputy District Attorney Paul Lipparelli and Consultant Larry Beller representing Becker and Bell

A. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 2.04 OF THE CARSON CITY MUNICIPAL CODE BY ADDING THERETO A NEW SECTION TO REQUIRE THE CITY TO FORMULATE WRITTEN POLICIES FOR THE COMPENSATION AND BENEFITS OF UNCLASSIFIED EMPLOYEES AND OTHER MATTERS PROPERLY RELATED THERETO (2-1250) - Mr. Berkich's introduction included an explanation of the committee. He introduced Mr. Beller. Mr. Beller reviewed the issues which the proposals were attempting to resolve, the ordinance, and resolution. Discussion among Mr. Beller, Mr. Lipparelli, the Board and Mr. Berkich included reasons for the 14 day noticing requirement, wording required in the noticing, reasons for 14 days instead of a shorter period, and whether the ordinance should be part of Section 2.04 or a separate Section 2.06. Mayor Teixeira expressed his feeling that the proposal were an attempt to mandate communication which were rather onerous and may, in fact, destroy any potential for an open, honest communication. He suggested the ordinance be modified to indicate that the Board would not take any action on employee compensation/benefit issues without noticing the employees two weeks prior to consideration. Mr. Beller agreed that the ordinance volume could be reduced and still achieve the same thing. Supervisor Smith explained his support for the proposal based on the intent to establish a fair and open procedure and "level the playing field". (2-2685) Supervisor Tatro expressed his support for the proposals. (Supervisor Ayres arrived during his comments--11:50 a.m. A quorum was present as previously noted.) Mayor Teixeira reiterated his feeling that the ordinance was destroying any attempts to establish trust and cooperation. Mr. Beller responded by pointing out that the proposals were an attempt to establish guidelines for requesting compensation increases. Mayor Teixeira also felt the terms indicating any action taken without the 14 day notice were null and void should be removed from the ordinance. Mr. Berkich and Supervisor Smith pointed out that the proposal were an attempt to address future Boards, not restricted to the current body, establish a "minimal level" for discussions, and eliminated personalities. Mr. Lipparelli attempted to justify the ordinance's language and repeatedly stressed that it was not an attempt to make the procedure onerous. Mayor Teixeira reiterated his position and recommended removal of the timetable and void clause. Supervisor Ayres expressed her support for the proposals. Additional comments were solicited but none made. Supervisor Tatro then moved to introduce on first reading Bill No. 152, AN ORDINANCE AMENDING CHAPTER 204 OF THE CARSON CITY MUNICIPAL CODE BY ADDING THERETO A CHAPTER TO REQUIRE THE CITY TO FORMULATE

WRITTEN POLICIES FOR THE COMPENSATION AND BENEFITS OF UNCLASSIFIED EMPLOYEES AND OTHER MATTERS PROPERLY RELATED THERETO, as presented in the staff report with the following changes: That Section 2.04 on Page 1 at Line 13 not be amended to add the words "And Unclassified" but instead a line be inserted "2.06 Unclassified Service", that Section II be changed to read "That Chapter 2.06 is added as follows:", Line 21 be changed to Chapter 2.06, actually Section II would be deleted in its entirety, Section III would become Section II and be headed Policies for Compensation and Benefits for Unclassified Employees, and on Page 2, Line 2, "That Section 2.06 of the Carson City Municipal Code is hereby added as follows:", Line 3 would be 2.06.010, that on Page 3, Line 4 where it says at least 14 calendar days be changed to ten calendar days, and Section IV be changed to Section III and that Section III be amended to read: "That no other provisions of Title 2 of the Carson City Municipal Code are affected by this ordinance.". Supervisor Smith seconded the motion. Comments were solicited but none made. The motion was then voted by roll call with the following results: Ayres: Yes; Smith - Yes; Tatro - Yes; and Mayor Teixeira - No. Motion carried 3-1.

ACTION ON RESOLUTION ESTABLISHING THE CARSON CITY POLICY FOR THE COMPENSATION AND BENEFITS OF UNCLASSIFIED EMPLOYEES (3-0052) - Mr. Berkich, Mr. Beller, and Mr. Lipparelli - Discussion among the Board, staff, and Mr. Beller included reasons classified employees were not included in the procedure. The policy implementation is to be established after a workshop is held which is planned for late November/early December. Reasons for including "equity with comparable private sector jobs" requirement in the Resolution were discussed. Mr. Lipparelli requested the Resolution title be amended if a motion is made. Supervisor Smith then moved that the Board adopt Resolution No. 1993-R_90, A RESOLUTION ESTABLISHING THE CARSON CITY POLICY FOR THE COMPENSATION AND BENEFITS for unclassified employees. Supervisor Tatro seconded the motion and requested a correction to Line 6. Supervisor Smith amended his motion to correct Line 6 that Section 2.04.420 be changed to read: "2.06". Supervisor Tatro continued his second. Additional comments were solicited but none made. The motion was voted by roll call with the following results: Ayres - Yes; Tatro - Yes; Smith - Yes; and Mayor Teixeira - No. Motion carried 3-1. Mayor Teixeira explained that his no vote was based on his desire to have everything work in unison and not separately.

BREAK: A lunch recess was declared at 12:20 p.m. When the meeting reconvened at 1:30 p.m. a quorum was present although Supervisor Bennett was absent as previously noted.