A special meeting of the Carson City Board of Supervisors was held on Wednesday, July 13, 1988, and Thursday, July 14, 1988, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 7 p.m.

PRESENT:	Dan Flammer	Mayor
	Ron Swirczek	Supervisor, Ward 1
	Tom Fettic	Supervisor, Ward 2
	Marilee Chirila	Supervisor, Ward 3

STAFF PRESENT:	L. H. Hamilton	City Manager
	Kit Weaver	Assessor
	Alan Glover	Clerk-Recorder
	Noel Waters	District Attorney
	Paul McGrath	Sheriff
	Ted P. Thornton	Treasurer
	Gary Kulikowski	Internal Auditor
	Mike Rody	Deputy City Manager
	Pam Case	Automation Services Director
	Mary Walker	Finance Director
	Jack Fralinger	Health Director
	Steve Kastens	Parks and Recreation Director
	Dan O'Brien	Public Works Director
	Ron Wilson	Purchasing Agent
	Vic Freeman	Undersheriff
	Ted Berrum	Deputy Fire Chief
	Bob Auer	Deputy District Attorney
	Jeanette Sullivan	Admin. Asst. to the City Manager
	Katherine McLaughlin	Recording Secretary
	(S.B.O.S. 7/13/88 Tape 1-0001)	

Mayor Flammer called the meeting to order at 7 p.m. by leading the Pledge of Allegiance. Roll call was taken and a quorum was present although Supervisor Scrivner was absent.

A. REVIEW AND POSSIBLE ACTION ON SETTLEMENT AGREEMENT REGARDING JOHN SERPA VERSUS CARSON CITY LAWSUIT (1-0025) - Attorney George Allison reviewed the settlement release language. Benefits from the negotiated compromise were noted. John Serpa's Attorney Bill Crowell stated Mr. Serpa was willing to sign the agreement if the Board approves it this evening. Mr. Allison estimated the value of the lands which were to be appraised prior to the trade at approximately $78 to $110,000. Public Works Director Dan O'Brien felt that the improvements which the City would make should be included in the appraisal cost which would increase the estimate by approximately $20,000. The settlement included the City's ability to purchase additional land for a detention basin. If the City can reduce the effluent coliform count, the buffer zone around the golf course may be reduced. Public comment was solicited but none made. Supervisor Fettic moved that the Board accept and authorize the Mayor to sign the settlement agreement between Carson City and Mr. John Serpa as presented by Mr. Allison. Mr. Auer noted that the agreement would settle a lawsuit which the Board had the power to do. Mr. Allison noted that the final agreement would have to be prepared and would require the signatures of Ted Thornton, Pete Supera, and Joe Laird, which would delay the process somewhat. Supervisor Chirila seconded the motion to accept the agreement and authorize the Mayor to sign same. Mr. Allison then reviewed all of the changes to be made in the settlement. Mr. Crowell agreed to accept all of the changes indicated. Mr. Auer also supported the agreement as modified. Mr. Hamilton commended staff and Mr. Allison on the settlement. The motion to accept the agreement and authorize the Mayor to sign same as voted by roll call with the following result: Ayes - Fettic, Chirila, Swirczek, and Mayor Flammer. Nayes - None. Absent - Scrivner. Motion carried 4-

0-1.

BREAK: At 7:30 p.m., a fifteen-minute recess was taken. When the meeting reconvened at 7:45 p.m., the entire Board was present constituting a quorum.

B. CONTINUATION OF DISCUSSION WITH POSSIBLE ACTION CONCERNING ELECTION RESOLUTIONS SETTING A TAX RATE ON AD VALOREM TAXES (TAX OVERRIDE) TO SUPPORT CARSON CITY CONSOLIDATED MUNICIPALITY SERVICES - ALL ALTERNATIVES INCLUDING THE NEW PUBLIC SAFETY COMPLEX (SHOULD THE BOND ISSUE PASS AND EXCLUDING IT SHOULD THE BOND ISSUE FAIL TO PASS), AND GENERAL OPERATIONS AND MAINTENANCE, CAPITAL EQUIPMENT ACQUISITION, AND EMPLOYEE COMPENSATION (1-0742) - Mr. Hamilton briefly explained the staff's reasons for bringing the request to the Board and read staff's memo (a copy was not given to the Clerk) requesting the Board adopt the necessary resolution(s) to place these issues before the electorate for a determination of the service level wished. Finance Director Mary Walker explained the City's finances including the cuts made in the 1988-89 budget, the reduced personnel, and used an overhead projector to show how the City uses its tax revenue. (A copy was given to the Clerk.) She then explained the City's "deficit" 1981 budget, the 1981 Legislative tax bill, its impact on Carson City's revenue, the fiscal impact created by the SCCRT being extremely under the Department of Taxation estimate, which the City has not been able to make up, the ending fund balance since 1980, the need to begin a capital replacement program, and personnel needs. Long-term resolutions included Legislative changes in the tax law and the proposed tax overrides. The personnel and equipment needs indicated in the proposed resolution was a result of a meeting of Department Heads and were supported by staff. The personnel, vehicle replacement, automation and miscellaneous equipment needs were outlined. The total request was $1,899,185. She then explained that the increased ad valorem tax for an average $80,000 home in Carson City would be approximately $6 per month. Even with this increase, the City would maintain one of the lowest tax rates in the State. Supervisor Swirczek used a study to indicate the purpose of the SCCRT funds and stressed that it had not been to replace all of the monies lost under the 1981 Legislative package nor would it replace a deficit spending policy. He commended Ms. Walker on her presentation on this issue. Discussion ensued on the reasons for needing a two-prong approach to correct the City's financial position. The Legislature had indicated that it is unwilling to provide Carson City any relief until it first helps itself by increasing its tax rate. Mr. Hamilton felt that Elko, NACO, and NLC would join the effort to seek legislative changes. The SCCRT disbursement process was discussed at length. Mayor Flammer directed Mr. Hamilton to work with the other counties and entities and seek legislative changes to the tax laws.

Mr. Hamilton then noted the support for each resolution and reviewed them including the fiscal impacts of each. Resolution numbered One was for City General Operations. Number Two was for a two percent increase in employee compensation. Number Three combined the two issues into one ballot question. He felt that the ballot question could be structured in such a fashion as to restrict the questions so that funding could be restricted to a set percentage or amount of the funds generated by a set tax rate. Supervisor Chirila expressed her feeling that the funds generated should be restricted to specific purposes within reason. (2-0026) The pros and cons of such restrictions were discussed. NRS 354.592 was read to support the need for restricting the funding. It was pointed out that the City had the option to reduce the tax rate if it should discovery more funds were being generated than necessary for these items.

BREAK: A fifteen-minute recess was taken at 9:00 p.m. When the meeting reconvened, a quorum was present as noted earlier.

(2-0525) Dick Waiton commended Ms. Walker on her presentation and expressed his feeling that in 1980 the Board and staff had made a conscious effort to trim its budget. He then questioned the amount of revenue generated by the ad valorem rate. He noted the new personnel positions authorized by the Board in the last two years and the costs devoted to consultants which he felt were excessive. He questioned the amount of revenue generated by the operating funds. He urged the Board to seek legislative assistance before requesting the electorate to approve an ad valorem increase. He reminded the Board that the majority of the residents were retired and living on fixed incomes. Supervisor Swirczek responded by explaining that any action taken by the Board would allow the electorate an opportunity to determine priorities. Legislative changes could not be made without proper preparation. Consultant fees were not paid by the General Fund. Mr. Waiton noted that the majority of the residents were "non-productive" as they were government employees. He felt this placed an unnecessary burden on the private employees and his feeling that the City should have approached the Legislature concerning this uniqueness. He questioned whether the tax could ever be eliminated. Supervisor Swirczek pointed out the terminology which would terminate the tax. Mr. Hamilton explained that the resolutions were worded similar to the Senior Citizens tax override and would only increase based upon new construction.

(2-0993) Pete Bachstadt expressed his feeling that the Legislative avenue should be pursued and volunteered to help. He urged the Board to restrict the use of the funds and requested clarification of the criteria used to establish the items as priorities. Mr. Hamilton invited him to stop in either his or Ms. Walker's office and they would show him the criteria.

(2-1075) District Attorney Noel Waters explained the ballot deadline for the resolutions and cautioned the Board about restricting the use of funds so tightly that contingencies mandated by the courts, etc., could not be met.

Board consensus indicated that the Board wished to pose ballot question(s) to the electorate before Legislative action is sought. Discussion on how restrictive the ballot questions should be were discussed at length. Discussion with staff indicated that the personnel increases would merely meet the immediate needs. Funds generated by the increase would only hire that personnel and meet their annual salaries. It could not be used for other personnel. Throughout the discussion, Supervisor Swirczek maintained his desire to have the ballot question itself spell out the funding uses, however, he was willing to have it indicate that "In the first year, we would hire five Sheriff personnel, three Firefighter personnel, one Juvenile Probation Officer, etc." The budget process would handle any increase/decrease in the number of employees. Consensus supported this change in No. 1. Mr. Auer emphasized the need to narrow the proposals down as much as possible due to the ballot deadline. Board direction indicated that the personnel for the first year would be spelled out, the needs would be assessed annually thereafter, and the capital replacement for vehicles and automation would be addressed also.

(2-2215) Earl Milliken suggested that the public safety personnel include terminology which would stipulate that when the population increases, for example, by 2,000 one more fireperson, one more policeperson, etc., would be added. He did not feel that the annual review would address this issue.

Mr. Rody explained the reasoning behind Question No. 3 which combined both questions. All of the Employee Association supported a two percent compensation increase. The two percent would be applicable to all classified or unclassified employees. The two percent increase was supported by the Board. Reasons to split the increase from the other issue were discussed. Mr. Rody explained that the three employee associations wanted the issue of compensation separated for each association unless all the issues (wages, personnel, etc.) are tied together in one ballot question. Concerns were expressed about a proposal to separate the association increases but allow the electorate to establish the percentage of increase to be given as it may unfairly penalize some workers over others.

(2-2595) Carson City Sheriff's Association Representative Rod Cullen expressed his opposition to having the pay increases negotiated in the media, etc. He supported a consolidated ballot proposal, however, did not feel that the two percent was a fair increase. He urged the Board to combine the issues.

(2-2686) Carson City Employees Association President Pat Glick explained the Association's support for one ballot question for the employee increase. Supervisor Fettic expressed his opposition to having three ballot questions address the employee compensation. Ms. Glick also emphasized her reasons for feeling that the employee compensation question should be added to the other ballot question.

(2-2754) Mr. Cullen felt that the compensation question would have to be sold by all three groups and could not fairly address the reasons for each wanting the increase. He felt the Sheriff's should be given five percent. Board consensus indicated that the increase would not be separated by Association.

Discussion ensued on the number of ballot questions to address the compensation and capital improvements/replacements. Consensus indicated two questions with the increase being for two percent across the board. Ms. Walker noted that the Associations may request an opportunity to discuss with the Board a higher increase.

(2-2916) Automation Services Director Pam Case expressed her concern about allowing the taxpayers to evaluate the pay increases given her employees. The Board responded by acknowledging the fact that the employees deserve more, however, funding is not available to meet the needs. Mayor Flammer suggested that the question be worded to allow a cost-of-living increase. Mr. Hamilton felt this could be done.

There being no other matters for discussion at 10:30 p.m., Mayor Flammer recessed the meeting until 7 p.m. on Thursday, July 14, 1988. At 7 p.m. on July 14, 1988, Mayor Flammer reconvened the meeting at the Community Center Sierra Room by leading the Pledge of Allegiance. Other Board members present were: Supervisors Swirczek, Fettic, and Chirila. Roll call was taken. A quorum was present although Supervisor Scrivner was absent. Staff members present included: City Manager Hamilton, Clerk-Recorder Glover, Sheriff McGrath, Treasurer Thornton, Automation Services Director Case, Health Director Fralinger, Librarian Herman, Purchasing Agent Wilson, Deputy Fire Chief Berrum, Deputy District Attorney Auer, Administrative Assistant to the City Manager Sullivan, and Recording Secretary McLaughlin. (S.B.O.S. 7/14/88 Tape 1-0001)

B. CONTINUATION OF DISCUSSION WITH POSSIBLE ACTION CONCERNING ELECTION RESOLUTIONS SETTING A TAX RATE ON AD VALOREM TAXES (TAX OVERRIDE) TO SUPPORT CARSON CITY CONSOLIDATED MUNICIPALITY SERVICES - ALL ALTERNATIVES INCLUDING THE NEW PUBLIC SAFETY COMPLEX (SHOULD THE BOND ISSUE PASS AND EXCLUDING IT SHOULD THE BOND ISSUE FAIL TO PASS), AND GENERAL OPERATIONS AND MAINTENANCE, CAPITAL EQUIPMENT ACQUISITION, AND EMPLOYEE COMPENSATION (1-0020) - Following Mr. Hamilton's introduction, CCEA President Pat Glick and Firefighters Association President Stacy Giomi verified his statement withdrawing the employee compensation ballot proposal. Both supported seeking Legislative relief. Comments noted that the Sheriff's Association had stated its position yesterday. Mr. Auer then reviewed the Resolution addressing the remaining ballot question. Supervisor Swirczek read from a Humboldt County ballot question to support his reasons for requiring the proposal allow the tax rate to be reduced if funding is such that it could be done. Supervisor Swirczek then moved that the Board adopt Resolution No. 1988-R-43, A RESOLUTION DECLARING THE NECESSITY OF AN ADDITIONAL LEVY OF TAXES AD VALOREM TO PROVIDE OPERATIONAL FUNDS TO PERFORM BASIC CITY SERVICES TO THE PUBLIC, PROPOSING A BALLOT QUESTION TO THE REGISTERED VOTERS OF CARSON CITY CONCERNING SUCH ADDITIONAL LEVY OF TAXES AD VALOREM, SPECIFYING THE AMOUNT AND DURATION OF SUCH LEVY AND PROVIDING AN EXPLANATION OF SUCH QUESTION TO ACCOMPANY SAMPLE BALLOT MATERIALS. Supervisor Fettic seconded the motion. Motion was voted by roll call with the following result: Ayes - Swirczek, Fettic, Chirila, and Mayor Flammer. Nayes - None. Motion carried 4-0.

Discussion indicated that it was not necessary to obtain a statement from the Sheriff's Association. Mr. Hamilton purportedly had a written statement indicating its desire to withdraw the ballot question.

(1-0318) Mr. Giomi noted for the record that his Association had not suggested the ballot question. Management had made a presentation to his Association and requested its support. Mayor Flammer explained the Board's desire to have a clear record on the withdrawal of the ballot salary increase proposal.

There being no other matters for discussion, Supervisor Fettic moved to adjourn. Supervisor Swirczek seconded the motion. Motion carried unanimously. Mayor Flammer adjourned the meeting at 7:15 p.m.

Tape recordings of these proceedings are on file in the Clerk-Recorder's Office. These tapes are available for review and inspection during the normal business hours.

The Minutes of the Special July 13 and 14, 1988 Carson City Board of Supervisors meeting

ARE SO APPROVED ON September 6, 1990.

__/s/_______________________________________
MARV TEIXEIRA, Mayor

ATTEST:

__/s/________________________________
ALAN GLOVER, Clerk-Recorder