A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, May 15, 2003, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Pete Livermore	Supervisor, Ward 3
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	Andrew Burnham	Acting City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Larry Werner	City Engineer
	Steve Mihelic	Assistant Fire Chief
	Cheryl Adams	Deputy Purchasing Director
	Melanie Bruketta	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Contracts Coordinator
	(B.O.S. 5/15/03 Tape 1-0085)	

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, ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present constituting a quorum. Capital Christian Center Youth Pastor Pat McConville gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0108) -John Wagner of the Burke Consortium of Carson City indicated that he had given Mr. Burnham his comments on the budget. Additional comments will be made on Monday. Mayor Masayko indicated that the budget would not be reopened on Monday. Additional comments were solicited but none were given.

1. APPROVAL OF MINUTES - FEBRUARY 6 AND 20, 2003 (1-0125) - Mayor Masayko noted for the record that amended pages 5 and 13 were on dias this morning. The amendments were in bold type. Supervisor Williamson moved to approve the Minutes of February 6, 2003, and February 20, 2003, as corrected on Page 5 which clarified the discussion regarding the employees Christmas event coordination and on Page 13 which corrected "repeated" to be "repeatedly". Supervisor Livermore seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0153) - None.

LIQUOR AND ENTERTAINMENT BOARD (1-0155) - Mayor Masayko recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. The entire Board was present including Sheriff Furlong, constituting a quorum.

3. TREASURER - Al Kramer

B. ACTION TO APPROVE A FULL BAR LIQUOR LICENSE FOR SILVER OAK DEVELOPMENT CO., LIMITED PARTNERSHIP, DOING BUSINESS AS SILVER OAK GOLF CLUB LOCATED AT 1251 COUNTRY CLUB DRIVE, MR. GARTH RICHARDS, PRESIDENT, AS THE LIQUOR MANAGER (1-0165) - Chairperson Masayko explained the requirement mandating Mr. Richards' attendance at the meeting and reminded him of the Statutes/Codes prohibiting the sale of liquor to minors and to obviously intoxicated individuals. Mr. Richards introduced Robert Mejias and indicated that he is familiar with the Codes/Statutes. Mr. Richards acknowledged the Code requirement allowing the Sheriff's office access to the business at all reasonable times. Discussion indicated that some of the limited partners were withdrawing from the partnership. Silver Oaks is still intact and will complete its obligations. Member Livermore moved to approve a full bar liquor license for Silver Oak Development Company, LP, dba Silver Oak Golf Club located at 1251 Country Club Drive, Mr. Garth Richads, President, will be the Liquor Manager under CCMC 4.13, fiscal impact is $1,000 original new fee, $500 investigation fee, and $200 quarterly fee. Member Williamson seconded the motion. Motion carried 5-0. Mr. Richards thanked the Board for expediting the application. Chairperson Masayko thanked him for the comments.

A. ACTION TO APPROVE YONG ZHANG CHEN AS AN ADDITIONAL LIQUOR MANAGER FOR DYNASTY CHINESE RESTAURANT LOCATED AT 2747 SOUTH CARSON STREET (1-0245) - Yong Zhang Chen was present. Comments acknowledged the language barrier. An interpreter was present who indicated that he did not work at the establishment. Later in the discussion he indicated that he is a cook at the establishment. Chairperson Masayko explained that having a liquor license is a privilege in Carson City, the need to adhere to the Statutes and Codes regarding the prohibition of sales to minors and intoxicated individuals, and the requirement that the Sheriff's office be allowed access to the establishment at all reasonable hours. Mr. Chen agreed to the conditions and that he would provide adequate training for his employees who serve liquor. Member Furlong noted the favorable Sheriff's Investigative Report. Discussion corrected the address of the restaurant to be 3747 South Carson Street. Board discussion noted previous Board comments regarding the need to have an interpreter present during the meetings. Clarification indicated that Mr. Chen will be the liquor manager and that his partner speaks English. Member Staub suggested that the license be conditioned to require someone who speaks English to be present at the establishment during all business hours. Clarification indicated that this individual should be able to examine an individual's identification and determine that they are eligible to purchase liquor. This individual should also understand the Statutes and Codes. Discussion pointed out that Chen Xue Bao speaks English and that the request is to add Yong Zhang Chen to the license. Chairperson Masayko suggested that the condition include spot checks to determine that the interpreter requirement is being followed. Clarification explained that the application form had listed the applicant's last name first without a comma. Member Staub moved to approve Yong Zhang Chen as an additional liquor manager for Dynasty Chinese Restaurant located at 3747 South Carson Street upon the condition that someone must be present during open business hours who can speak and understand English and verify the legal age of anyone purchasing liquor or alcohol. Member Livermore seconded the motion. Chairperson Masayko requested the interpreter advise Mr. Chen that the Sheriff's Office may make a spot check to verify compliance with the condition. Discussion between Members Williamson and Furlong indicated that Sheriff Furlong was not aware of any problems at the establishment. Chairperson Masayko indicated for the record that it is an on premise beer and wine liquor license. The motion to approve the license as conditioned was voted and carried 6-0.

BOARD OF SUPERVISORS (1-0475) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned it and immediately reconvened the session as the Board of Supervisors. The entire Board was present, constituting a quorum.

4. CONSENT AGENDA (1-0477)

4-1. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO APPROVE A NOTICE OF SATISFACTION OF DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND LORRAINE H. WEIKEL REGARDING ASSESSOR'S PARCEL NO. 008-133-18 (FORMERLY 008-133-11) TO CONSTRUCT ROADWAY AND INTERSECTION IMPROVEMENTS

B. ACTION TO APPROVE A NOTICE OF SATISFACTION OF DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND THE WIPFLI FAMILY TRUST AND GARY AND RHONDA KILTY REGARDING APN 004-231-05 LOCATED AT 514 EAST SPEAR STREET, APN 004-231-06 LOCATED AT 512 EAST SPEAR STREET, AND APN 004-231-07 LOCATED AT 508 EAST SPEAR STREET, CARSON CITY, NEVADA, FOR SEWER LINE AND WATER LINE REPLACEMENT

4-2. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE CARSON CITY FREEWAY RELOCATION PROJECT PHASE 1B, EAST COLLEGE PARKWAY TO GENOA LANE PROJECT, CONTRACT NO. 2002-116 TO (BIDDER NO. 6) RAPID CONSTRUCTION INC., 355 GENTRY WAY, SUITE A, RENO, NV 89502 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 332, 338, 339, AND 624 FOR A CONTRACT AMOUNT OF $389,089 AND A CONTINGENCY AMOUNT OF $38,908.90

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON CARSON CITY FREEWAY PHASE 2 UTILITY RELOCATIONS, CONTRACT NO. 2002-002, AND AUTHORIZE PAYMENT TO THE LOUIS BERGER GROUP, INC., 500 AMIGO COURT, SUITE 100, LAS VEGAS, NEVADA 89119 FOR A CONTRACT AMOUNT OF $291,730.16 AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF $30,000

4-3. PURCHASING AND CONTRACTS

A. ACTION TO APPROVE THE EXTENSION OF CONTRACT NO. 0102-066 TO CONTRACT WITH IKON OFFICE SOLUTIONS BY JOINDER BID THROUGH NEVADA STATE PURCHASING TO PROVIDE COPIERS AND AUTHORIZE ALL CITY DEPARTMENTS TO BE

ABLE TO UTILIZE THIS CONTRACT THROUGH APRIL 30, 2004, PROVIDING THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES

B. ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0203-114 RENTAL EQUIPMENT FOR CARSON CITY SANITARY LANDFILL TO KOMATSU EQUIPMENT COMPANY AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332 AND PURSUANT TO THE BOARD'S FINDINGS THAT IT IS IN THE PUBLIC'S BEST INTEREST TO ACCEPT THE BID EXCEPTIONS FOR A TOTAL COST OF $17,850 PER MONTH FOR THE RENTAL OF A KOMATSU D375A-3 TRACK TYPE DOZER ON AN AS-NEEDED BASIS THROUGH MAY 14, 2005, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL YEARS SUBJECT TO NEGOTIATIONS

C. ACTION TO APPROVE CONTRACT NO. 0304-001, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY FORENSIC PATHOLOGY SERVICES, A DIVISION OF SIERRA PATHOLOGY ASSOCIATES, INC., FOR THE SHERIFF'S DEPARTMENT THROUGH JUNE 30, 2004, FOR A NOT TO EXCEED COST OF $48,050

D. ACTION TO APPROVE CONTRACT NO. 0304-004, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY JOSEPH E. MCELLISTREM, PH.D., FOR THE CARSON CITY JAIL FROM JULY 1, 2003, THROUGH JUNE 30, 2004, FOR A NOT TO EXCEED COST OF $48,000

4-4. FIRE - ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN CARSON CITY, CENTRAL LYON COUNTY FIRE PROTECTION DISTRICT, EAST FORK FIRE PROTECTION DISTRICT, MASON VALLEY FIRE PROTECTION DISTRICT, STOREY COUNTY, AND TAHOE DOUGLAS FIRE PROTECTION DISTRICT FOR THE CONTINUATION AND IMPROVEMENT OF HAZARDOUS MATERIALS EMERGENCY RESPONSE SYSTEM

4-5. DISTRICT ATTORNEY - ACTION TO APPROVE A REVISED AGREEMENT BETWEEN THE CONSOLIDATED MUNICIPALITY OF CARSON CITY AND MAXIMUS JUSTICE SOLUTIONS, INC., APPROVED BY THE BOARD OF SUPERVISORS ON APRIL 3, 2003, FOR THE PURPOSE OF CONVERTING EXISTING CRIMINAL AND CIVIL CASE DATA OF THE CARSON CITY DISTRICT COURTS FROM AUTOMATED GOVERNMENT SYSTEMS (AGS) DATA STRUCTURES AND DATA TO MAXIMUS JUSTICE SOLUTIONS' COURT VIEW SYSTEMS

4-6. PARKS AND RECREATION - ACTION TO APPROVE THE USE AGREEMENT BETWEEN THE CITY, THE CAPITOL CITY GUN CLUB, AND THE NEVADA TRAPSHOOTING HALL OF FAME - Supervisor Livermore moved to approve the Consent Agenda with 11 different items from six different Departments. Supervisor Staub seconded the motion. Motion carried 5-0.

5. BOARD OF SUPERVISORS (1-0502)

A. ACTION ON A REQUEST BY MAXINE NIETZ, REPRESENTING CARSON CITY RENDEZVOUS FOR A WAIVER OF PARK USE AND EQUIPMENT FEES AT MILLS PARK - Rendezvous Representatives Maxine Nietz, Convention and Visitors Bureau Representative Joy Evans, Parks and Recreation Director Steve Kastens - Ms. Nietz described the activity and the funding struggle encountered with the event. The waiver was requested as it is a nonprofit event. Sponsors are solicited to support it. A written request for reduction/waiver of fees was distributed to the Board and Clerk. (A copy is in the file.) Ms. Nietz explained that individuals from other States come to Carson City specifically for the event. Mayor Masayko pointed out that the event takes over the entire park. It has a significant impact on the facility. The taxpayers have been supporting the event through the fee waivers. Ms. Evans felt that the taxpayers enjoy the event. Ms. Nietz acknowledged that the event required a lot of time and created stress for everyone who is involved. They were given an opportunity to apply for a fee waiver and took advantage of the offer. Mayor Masayko assumed that the event would occur without the waiver. He disclosed his long-standing participation in the event. Supervisor Livermore explained the Parks and Recreation Commission's direction to staff to develop a calendar of events and identify the service costs and fees associated with them. Two years ago it was determined that the events pay approximately 25 percent of the associated costs. If the fees are waived, it will mean that 100 percent of the costs incurred at the park will be covered by the taxpayers. Mr. Kastens explained the need to use a generator to provide electricity for the area used by the Rendezvous. The Department pays for the gas to operate the generator. Supervisor Aldean expressed her concerns with having the City pay for the gas. She felt that it was less of a concern to waive the park fees as the facility is not seriously impacted. Supervisor Staub pointed out that during the budget hearings Mr. Kastens had requested seasonal employees. The fee waiver could pay for some of this personnel. Supervisor Staub could support the fee waivers which had already been granted but was hesitant to waive these fees. Mr. Kastens explained that staff had looked at methods of reducing services to the events if the seasonal employees were not included in the budget. He acknowledged that other communities do not provide the service level given events by his Department. The Department also understands the value and importance of the events to the community, however, the users should pay for the services. He also pointed out that the City has a lot of good facilities that are not provided by other communities. Supervisor Staub indicated that the Board also supports the events and is a 75 percent partner in the event. He also understood the need for nonprofit funding but the fees do add up as indicated in the budget discussions. Mr. Kastens indicated that other fee waivers were being requested today and will be in the future. Mayor Masayko noted that the RSVP carnival has always paid its fees. He also felt that the soft costs were not the concern. The overtime costs and the cost of the part-time seasonal employees' services for the event are a concern when the event is already subsidized by the City as indicated by the 25 percent fee structure. The Board needed to determine when the events should pay their way. Until it does, waivers will continue to be requested. Mr. Kastens explained that there are different in rates for commercial and noncommercial users. Supervisor Williamson felt that paying the fee this year could be difficult for the event. Next year they could increase their fees to handle the additional costs. The vendors should expect to shoulder the cost of inflation, etc. Incremental increases do not normally pose a problem for providers. Supervisor Livermore explained the Commission's policy to break out the soft and hard costs. The generator had been purchased. Its maintenance and operation are minimal. The manpower to set it up should be paid by the users. He also indicated that there is a difference between profit and nonprofit users' fees as well as resident and nonresident fees. Mr. Kastens was unsure whether the City collects 100 percent of the costs from nonresident users. Supervisor Livermore explained that the Reno kennel club(s) use Carson City facilities due to the cost of the Reno facilities. Mr. Kastens indicated that the promoters are checked and charge nonresidential fees for the use. Supervisor Livermore explained that the event is a mainstay for the community and provides an opportunity to obtain additional funding from the tourists. The services provided by the Sheriff's office for this event were noted. The need to reduce the overtime and holiday budgets costs were stressed. Discussion indicated that the Sheriff's office is attempting to determine whether the impact should be assessed against the user and if the impact could be afforded by the City. If it is determined that the City cannot afford it, the Department may have to stop participating. Mayor Masayko indicated for the record that he had a similar discussion with the Fire Department and the need to be on standby at school functions, etc. He also felt that it was appropriate that the record indicate the taxpayers are footing a good sum of money in support for such events. He noted that nonprofit community support agencies had their funding reduced during the budget process as the City did not have the funds to provide 100 percent of their requests. He could not fault the Rendezvous for asking. He also disclosed that he is a Convention and Visitors Bureau Board Member. He felt that Bureau was not facing a similar budget crisis as the City is. He indicated his support for payment of the park fees by the Bureau as it gets its funds from the room taxes. The City receives some of its taxes from the sales tax. He indicated that the Board should begin asking the Sheriff's Office and Fire Department to establish the cost for such events. The Board needs to know this as the taxpayers are currently paying for the service. Ms. Nietz indicated for the record that the Rendezvous has, since her tenure on the Committee, donated hundreds of dollars to the Sheriff's Posse. She understood the Board's comments and would approach the Bureau. Mayor Masayko reiterated his suggestion that they seek funding from it. Ms. Evans agreed that the out-of-town tourists are renting rooms during their stay in Carson City for the event. All of the rooms are booked during the event. The Bureau advertises the event outside of the area. They had not obtained a State Tourism Grant this year. She books the entertainers. The encampments provide some entertainment to reduce their costs. The event has a rippling effect on the City. It is a premier event attracting lots of people from out-of-town who are entertainers, participants, and tourists. These individuals utilize the restaurants. Funds from the event are "turned over seven times". The Bureau receives the "first count". Mayor Masayko explained his preference that the fees be submitted for funding during the budget process with the community support organizations' funding requests. Discussion noted Supervisor Williamson's consistency in voting against such fee waivers. Ms. Nietz invited the public to attend the event and indicated that there will not be a parade this year. Public comments were solicited but none were given. Supervisor Williamson moved to deny the request by Maxine Nietz representing Carson City Rendezvous for a waiver of park use and equipment fees at Mills Park. Supervisor Livermore seconded the motion. Motion carried 5-0. Ms. Nietz expressed her appreciation of the comments and again invited the public to attend the event.

B. ACTION ON A REQUEST BY VINCENT VERNAZA, REPRESENTING PREMIERE PRODUCTIONS, FOR A WAIVER OF PARK USE FEES AT MILLS PARK (1-1001) - Neither Mr. Vernaza nor his representative was present. Supervisor Livermore moved to deny the request by Vincent Vernaza, representing Premiere Productions, for a waiver of park use fees at Mills Park. Supervisor Williamson seconded the motion. Public comments were solicited but none were given. Motion carried 5-0.

C. ACTION ON A REQUEST BY ELEANOR STILLINGS FOR A WAIVER OF FACILITY AND EQUIPMENT FEES AT THE COMMUNITY CENTER FOR A FUND RAISER FOR THE CLEMENTI FAMILY (1-1023) - Ms. Stillings described the event and its purpose. The food and volunteers' time will be donated. There will be raffles and blind auctions. Mayor Masayko expressed his sympathy to the Clementi family. He suggested that the Board pay the facility rental costs from its budget savings and noted that the cleanup fee is reimbursed. This will enable the Board to maintain its policy of eliminating fee waivers. Mr. Kastens indicated that the majority of the setup work is done by the applicant, however, staff does do some setup. Board comments indicated that Ms. Stillings and her volunteers should do all of the setup. Supervisor Aldean pointed out that there is a difference between this group and other established groups. The request is for a new group and could be beneficial to the community. She supported the group. Discussion indicated that the Clementi Family resides in Carson City and that Ms. Stillings resides in Jacks Valley. Mayor Masayko felt that the Stillings' residence should not be included in the discussion. Ms. Stillings indicated that the weather caused the need for an indoor location. Fuji Park is occupied on the proposed date. Therefore, they had chosen the Community Center gym and kitchen. Supervisor Staub felt that each application should be analyzed separately and that they should not all be lumped together. The function is different from the Rendezvous. It will not obtain funds from fees assessed the participants. He did not see a problem with providing them with assistance. His pet peeve, which he wanted on the record, relates to the use of City facilities and the City's liability when such use occurs and its insurability against that liability. Mr. Kastens indicated that the applicant would have to furnish liability insurance for the event and the Health Department will have to give them a permit in order to serve food. Ms. Stillings indicated that they were willing to provide this coverage. Supervisor Aldean felt that it would be a commendable event and wished her success. Mayor Masayko explained that by using the Board's fees, the funds are not "buried". The Parks Department was not being forced to absorb the costs. Mr. Burnham indicated that the Board had approximately $6700 in savings within its budget as of the end of April. Supervisor Staub explained the Little League scholarship program for families who cannot afford the program. He suggested that the Parks Department/Board establish a similar program with a minimal funding level. Discussion reiterated that the end of the budget year is near and that there are funds which could pay for the use. Supervisor Staub moved to approve the request by Eleanor Stillings for waiver of the facility and equipment fees at the Community Center for a fund raiser for the Clementi Family who are residents of Carson City; fiscal impact is the cost of the facility $303 and the cost of the equipment is $147 and refundable cleaning deposit is $200 for a total of $650. The motion died for a lack of a second. Supervisor Aldean then moved to approve a request by Eleanor Stillings for the waiver of facility and equipment fees for the Community Center for a fund raiser for the Clementi Family for a total of $650, $303 of which is the cost of the facility and $147 for the cost of the table and chairs, and a cleaning deposit of $200; source of funding is the Board of Supervisors budget for a total of $650. Following discussion, Supervisor Aldean amended her motion to be for a total of $450 as the cleaning deposit is refundable. Supervisor Williamson seconded the motion. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko wished her success and indicated that the decision will be sent back to Gail Schroeder at the Recreation Department for processing.

D. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-1330) - None.

E. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-1333) - None.

F. STAFF COMMENTS AND STATUS REPORT (1-1335) - None.

RECESS: A recess was declared at 9:45 a.m. The entire Board was present when Mayor Masayko reconvened the session at 9:55 a.m., constituting a quorum.

6. CARSON WATER SUBCONSERVANCY DISTRICT (1-1338)

A. ACTION ON THE FOLLOWING REGARDING THE STATE BOND ACT QUESTION 1 FUNDING FOR THE CARSON RIVER CORRIDOR: A. ACCEPTANCE OF THE GENERAL GUIDELINES AND CRITERIA; B. AUTHORIZATION TO ALLOW THE CARSON WATER SUBCONSERVANCY DISTRICT TO COORDINATE PROJECT SUBMITTALS TO THE

DIVISION OF STATE LANDS; AND C. ASSIGNMENT OF AN INDIVIDUAL OR A SPECIFIC COMMITTEE TO COORDINATE THE DEVELOPMENT OF PROJECT LISTS ON BEHALF OF CARSON CITY - Subconservancy Executive Director Ed James, Tom Keeton - Mr. James described the State Lands' request for the Subconservancy to develop the guidelines and criteria for use of the Question 1 funds on the Carson River. The process used to develop the guidelines and the issues which had been addressed were limned. The corridor was defined in the guidelines. The trails will use other funding sources. It was felt that there is approximately $10 million range in initial funding. This means that $2.5 million is available for each County. The Act requires a 50 percent match by the County. This will provide $5 million for work on the City's river corridor. It is a six-year bond. If a County cannot utilize all of its funds, the other partners will be allowed to use them so that they will not be lost. State Lands will have the ultimate say over the projects that will be done. Funding for 30 years of operation and maintenance will be required. A request has been made that the maintenance and operational costs be used as an offset for the match. Mr. James agreed for the record that the City's contributions could be in-kind services and not cash. The City was not being asked to make a financial commitment at this time. The present definition did not include the V&T Railroad extension through the Brunswick Canyon. Mr. James was asked to consider its potential. Clarification by Mr. James indicated that other funding sources could be used for this project under the preservation of historical or recreational sites and restoration of historical sites/uses programs. Mayor Masayko indicated that the V&T committees/Commission are working to obtain these funds. Supervisor Williamson supported having the Subconservancy District involved in the program. She limned the attempt to obtain Army Corps of Engineers funding for stream bank restoration that would not have required the City to foot the bill. This program could be used as a match for some of the funds. Supervisor Aldean also felt that the program should include the V&T Railroad due to the definitions within the guidelines that she cited, e.g., land redevelopment, vista preservation, etc. She also expressed concerns that the guidelines for allocation of funding on Page 3 would discourage multi-phased projects. Mr. James explained that State Lands will issue 11 bonds over a six-year period. Long issue periods could discourage projects. Individuals with projects waiting to start construction should be given funding. Mayor Masayko wished him luck in this endeavor. It may be necessary for the guidelines to be reconsidered in the future if problems arise. Mr. James encouraged the Board to submit its comments regarding the railroad and vistas to State Lands as they have the ultimate say on it. The Subconservancy will support the Board if possible. State Lands is presently conducting hearings on the guidelines. Those guidelines have included some of the Subconservancy's suggestions. State Lands' guidelines are tighter than the Subconservancy's. The Subconservancy planned to comment on those items, i.e., the denial of there being an operational and maintenance costs required for the projects. He felt strongly about having credits given for these costs. Supervisor Williamson explained the need for the County to support any project undertaken with the $10 million. This requirement is not included in the $15 million nor the $20 million pots. Some of the neighbors who have heavy reliance on agriculture are concerned that outside entities who have promoted the $200 million Bond Act will buy up all of the water rights and retire them which will negatively impact the agricultural lands and water tables. She suggested that the guidelines include the ability for each County to have a veto power over any project or expenditure of State Lands' funds within its jurisdiction. Mayor Masayko did not feel that this would be accepted but agreed that it should be placed on the table for discussion.

Mr. Keeton reminded the Board that there are other pots of money which the City is participating in and attempting to obtain. The requirement for matching funds could create a huge bill for the City in the future. He also felt that the City did not have the ability to maintain the structures. He urged the City to remember this commitment and to stay "coordinated". At this time everyone working on Open Space is working together and represents more than one group of individuals.

Mayor Masayko questioned whether Question 18 funds could be used for maintenance and operation. He also indicated another option would be to approach the Legislature and change the Act.

Supervisor Livermore moved that the Board of Supervisors, regarding the State Bond Act Question 1 funding for the Carson River, accept the general guidelines for the criteria; authorize to allow the Carson Water Subconservancy District to coordinate project submittals to the Division of State Lands, and the assignment of an individual or a specific committee to coordinate the development of project lists on behalf of Carson City. Supervisors Williamson and Aldean seconded the motion. Mayor Masayko indicated that the policy can be amended in the future. Discussion indicated that the coordinators would be the Open Space Advisory Committee and the Parks and Recreation Commission. The motion was voted and carried 5-0.

B. ACTION ON A MEMORANDUM OF UNDERSTANDING SUPPORTING THE CARSON WATER SUBCONSERVANCY DISTRICT AS THE SECTION 208 FEDERAL CLEAN WATER ACT PLANNING ENTITY (1-1703) - Subconservancy Executive Director Ed James, Acting City Manager Andrew Burnham - The purpose of the Section 208 Clean Water Act was described. The original plan was developed in 1982. The history of the regional program's coordination effort was limned. When the effort disbanded, NDEP took over the program. The original plan included a requirement that no discharge be allowed into the river. Douglas County now wishes to discharge into the river; therefore, the plan needs to be revised. NDEP has indicated that it does not have either the staff or the funds to do the revision. If an entity is nominated to receive funding, it is possible to obtaining planning funds. At this time only TRPA, Washoe and Clark Counties are eligible for these funds. He then indicated that Carson City could receive 208 funds for its water plant expansion program; however, to do this, the 208 plan needs to be revised. NDEP recommended the appointment of the Subconservancy District as the leader under this program. The District is not a regulatory agency. It will be involved only as a planning tool for the region. Justification for NDEP's recommendation was limned. Mr. James felt that funding could not be received for the planning this year but may receive funds the following year.

Mr. Burnham indicated that the City will have to meet Section 208 requirements in order to discharge the freeway runoff and storm drainage into the river. Mayor Masayko directed that the record indicate this connection. Supervisor Aldean noted the plan to address nonpoint sources of pollution and the City's aggressive storm water management program. Mayor Masayko suggested that the Board may want to advance funding for the permit subject to reimbursement from the planning grants. Mr. Burnham indicated that, depending on the timing of the funding need, it may make good business sense to front the funds. Discussion indicated that this will update the 208 plan and could save money in the long run for the City. Supervisor Williamson moved to approve the Memorandum of Understanding supporting the Carson Water Subconservancy District as the Section 208 Federal Clean Water Act Planning Entity. Supervisor Livermore seconded the motion. Motion carried 5-0.

7. HUMAN RESOURCES - Director Ann Beck **- ACTION ON APPROVAL OF ST. MARY'S HEALTHFIRST AND STANDARD INSURANCE COMPANY AS THE MEDICAL AND DENTAL INSURANCE CARRIERS FOR CITY EMPLOYEES AND RETIREES FOR THE PERIOD JULY 1,**

2003, THROUGH JUNE 30, 2004 (1-1835) - Insurance Committee Member Bob Shreihans - Ms. Beck's introduction included thanking the insurance company for its work. The recommendation is to change carriers and reduce the number of programs to two. The open enrollment period will last five weeks and commences tomorrow. Meetings have been scheduled to explain the program to the employees. It was an open competitive bidding process which had reduced the City's insurance costs. The Committee had recommended that the City consider increasing its share of the dependent and retirees' subsidies. Ms. Beck's reasons for not supporting this recommendation were limned. The recommended program is less than the State retirees' programs. Mayor Masayko supported Ms. Beck's position regarding this recommendation. The Board should consider this issue later. The Board's policy of holding the total compensation package increase to five percent was also noted. Separating the funds could create a larger impact on the City budget than the five percent target. It is a one year plan. Experience may increase the rates for next year. Supervisor Livermore felt that cost containment will be possible in the future. He also supported Ms. Beck's recommendations and thanked the Committee for their work. Carson-Tahoe Hospital can be used by the employees due to its alliance with St. Mary's. St. Mary's is recognized as one of the top 100 hospitals in the United States. The proposal is the best that is available at this time. Although he could not argue with the care he had personally received in the past, he was excited about the opportunity to keep insurance costs down while providing the best care possible for the employees and their dependents. Supervisor Williamson complimented the Committee and Ms. Beck on their efforts to contain costs while retaining all of the benefits. Her personal knowledge of the State programs was limned to indicate that the City's program is better. She urged the employees to attend the meetings. She hoped that the program is user friendly and that this is a beginning of a good relationship.

Mr. Shreihans indicated that the Hometown Health Program had done a good job and was a good service provider. It had been outbid by St. Mary's. They will be back with a competitive price in the future. Justification for the recommendation that the City provide an additional subsidy for dependent and retiree coverage was provided. He thanked St. Mary's for its competitive bid and was glad to see that Carson-Tahoe Hospital was back in the insurance picture. Mayor Masayko reiterated his intent to consider the dependent and retiree coverage after the final figures are known. Additional public comments were solicited but none were given.

Supervisor Livermore moved to approve St. Mary's Healthfirst as the new Group Medical Insurance Carrier and to renew Standard Insurance Company as the Group Dental Insurance Carrier for the City employees and retirees for the period July 1, 2003, through June 30, 2004, and to authorize the City Manager or his/her designee to enter into an agreement with these carriers; fiscal impact is that there is no increased cost to the City based on the estimated FY 2003-2004 budget. Supervisor Williamson seconded the motion. Motion carried 5-0.

8. INTERNAL AUDITOR - I. Steve Wolkomir **- ACTION TO APPROVE THE INTERNAL AUDIT REPORT OF THE CARSON CITY SHERIFF'S DEPARTMENT, REPORT NO. CALENDAR YEAR 2003-1 (1-2185) -** Mayor Masayko indicated that the entire 82 page document is available for anyone who wants a copy. Mr. Wolkomir indicated that, after the Board acts on the report, it will be placed on the City's website. His review of the report included an explanation of the need to address root causes for the identified audit concerns. As neither he nor Sheriff Furlong had been on staff when the policies/procedures were developed, this had been difficult to ascertain on occasion. He felt that Sheriff Furlong had embraced the audit as indicated from his acceptance and responses to its points. The staff had provided a great environment and assistance to him during his audit. It appears that NRS 248 is being complied with. CompStat Management Initiative was described and should be completed by July. It may result in asset reallocation. Productivity and efficiencies were created. Some of them have been identified and quantified. They are investing heavily in technology which he had suggested they track. Mr. Wolkomir summarized his findings, the Sheriff's responses, and status of the recommendations. The time taken to complete the audit was limned. Seventy-three of the 92 recommendations had been accepted and agreed to. The Department is in the process of establishing target dates for their implementation. Mr. Wolkomir proposed doing quarterly follow-ups. Some of the recommendations impact other Departments as indicated by his examples. He repeated his belief that the Statutes had been complied with and that there are no "show stoppers". The Department is pro-actively attempting to correct the deficiencies and that CompStat will allow long term success although there are risks remaining. The Department is well aware of these risks and the levels which they are willing to accept. Unacceptable risk levels will be brought to the Board for mitigation. This process will reduce the lawsuit potential(s). Both the Department and Mr. Wolkomir will look for efficiencies created by the audit. The audit had not included the blanks in the investment in technology areas which could be the subject for future audits.

Mayor Masayko thanked Sheriff Furlong for his and the Department's cooperation. It felt that it was a joint endeavor which could result in the Board's granting the resources to accomplish the recommendations and goals. The change in administration had brought a new dimension to the Department and its management. He thanked Mr. Wolkomir for the audit and his professionalism. There were 92 recommendations. Some of them have an associated level of risk avoidance or reduction. Others have efficiencies, funding needs, compliance, and/or effectiveness issues. The public needs to know that there are steps which can increase effectiveness or reduce risks. A measurement of outcome including reduced risk and funding needs should be indicated. A condensed report providing this information should be provided. Mr. Wolkomir proposed that the request information be provided in the followup report by indicating the implementation under risk, costs, and cost savings "buckets". Mayor Masayko reiterated his request for a condensed three page report. Mr. Wolkomir agreed to distill the information as requested. It would have been difficult to condense all of the information in the audit for today's report into such a short document.

Supervisor Livermore congratulated him on the report and expressed his appreciation to the Sheriff for his support and cooperation. Discussion between Mr. Wolkomir and Supervisor Livermore explained the audit conducted on the jail's medical services. Supervisor Livermore explained the mental health coalition's efforts to determine and address the jail needs. He invited Mr. Wolkomir to attend a meeting and explain his findings. He briefly noted Douglas County's efforts in this area and expressed his belief that it may be interested in Mr. Wolkomir's report. Mr. Wolkomir indicated that there were detailed findings contained in the report regarding medical prescriptions. Supervisor Livermore indicated that "Dr. Joe" is working to get some of the eligible inmates qualified for Medicare. Comments indicated that this is a result of the audit.

Supervisor Aldean also complimented Mr. Wolkomir on the report and suggested that an acronym dictionary be included. Mr. Wolkomir agreed to provide one. Supervisor Aldean explained her desire to have a cost benefit ratio included in the report. Mr. Wolkomir agreed and indicated that it should be there when another Department is involved.

Supervisor Staub also commended Mr. Wolkomir on the report and suggested that it include tabs for easier reading.

He had attempted to get to the crux of the findings and suggested that they be reduced to two sentences with the recommendations. He had also considered the fiscal impact involving personnel and facility or equipment improvements. He looked forward to the followup reports on implementations and hoped that it will quantify time savings created by automation. He felt that more efficient and less costly and lower risks methods of handling the records, jail and civil divisions may occur as a result of the audit. He then explained his pet peeve about the civil division and belief that the Sheriff should optimize its income potential. Attorneys are not using it to serve documents. He had not seen anything in the report regarding dispatch, patrol, or investigations. Mr. Wolkomir explained the reasons he had commenced with the jail. It had been a difficult audit to do but had been a starting point. Discussion pointed out the need for a process flow and internal controls in the civil division. The audit had not addressed the vehicles or fleet which should be added. Reasons for not including it were noted including the study conducted by Maximus. Mayor Masayko suggested that cross references also be included in the report. He also hoped that the next report would be less complex. Mr. Wolkomir agreed that it is a learning curve and for this reason had felt that "nothing should be left to the reader's imagination" in the first report. There should be a clear understanding of what was audited and the results. Supervisor Livermore supported Supervisor Staub's recommendation that tabs be included and suggested that hard copies of the report be made available at the City Manager's office. Mayor Masayko indicated that the audit is a work in progress and that the Board is satisfied with the results.

Sheriff Furlong thanked Mr. Wolkomir for the report and explained his desire to have it. He indicated that it does not have all of the answers nor will they be able to find all of the funds necessary to implement the plans. Many of the recommendations had already been identified. They have already begun making changes and will continue to do so. The report is both his and the Board's. He felt that it is his responsibility to use the document as a tool to better the Department. Areas that were felt to be critical to the community or involve high risks are being addressed. Mayor Masayko thanked him for his cooperation and indicated that the record should show that there is a separation of powers between the Board and Sheriff. The Board cannot control his Department. It does have oversight. He had felt that with the "change of the guard" some of the problems will be addressed. Discussion noted that prior to his election as Sheriff, Sheriff Furlong had indicated his support for having a citizen's oversight committee. Mr. Wolkomir and Mayor Masayko complimented the Sheriff and his Department on their attitude and assistance. Public comments were solicited but none were given.

Supervisor Aldean moved to approve the Internal Audit Report of the Carson City Sheriff's Department, Report No. Calendar Year 2003-1; fiscal impact is potential monetary benefits in amounts to be determined based on cost savings, cost containment, cost avoidance, and revenue enhancements. Supervisor Livermore seconded the motion. Mayor Masayko thanked both Sheriff Furlong and Mr. Wolkomir for the professional report and work that had been accomplished. Motion carried 5-0.

9. COMMUNITY DEVELOPMENT - Senior Planner Lee Plemel

A. ACTION REGARDING A REQUEST FROM DANNY R. RASNER, ET AL., FOR AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY, SPECIFICALLY A PORTION OF THE SOUTHERLY RIGHT-OF-WAY OF WEST SEVENTH STREET, NORTH OF WEST EIGHTH STREET, WEST OF SOUTH DIVISION STREET, AND EAST OF SOUTH MINNESOTA STREET, APPROXIMATELY EIGHT FEET BY 170.40 FEET, AND ALL OF THE ALLY OF BLOCK 54 OF THE

SEARS, THOMPSON, SEARS DIVISION, BEING 10 FEET BY 169.98 FEET, LOCATED AT 703 SOUTH MINNESOTA STREET, APN 003-106-01; 709 SOUTH MINNESOTA STREET, APN 003-106-13; 700 SOUTH DIVISION STREET, APN 003-106-02; AND 710 SOUTH DIVISION STREET, APN 003-106-04 (AB-02/03-5) (2-0100) - Mr. Plemel indicated that the applicant was not present. He then explained his contact with Darren Selby who had been concerned that the conditions of approval were as indicated in the packet. Discussion explained Conditions 6 and 7. Mayor Masayko explained that area is part of the original townsite and one of the remaining areas with alleys. The abandonment of the alleys should be handled and hoped that they could be done in an expeditious manner. Public comments were solicited but none were given. **Supervisor Williamson moved that the Board approve AB-02/03-5, a request from Danny R. Rasner, et al., for abandonment of public right-of-way, specifically a portion of the southerly right-of-way of West Seventh Street, north of West Eight Street, west of South Division Street, and east of South Minnesota Street, approximately eight feet by 170.40 feet, and all of the alley of Block 54 of the Sears, Thompson, Sears Division, being 10 feet by 169.98 feet, located at 703 South Minnesota Street, Assessor's Parcel Number 003-106-01; 709 South Minnesota Street, Assessor's Parcel Number 003-106-03; and 700 South Division Street, Assessor's Parcel Number 003-106-04 with no fiscal impact. Supervisor Staub seconded the motion**. Discussion between Mr. Plemel and Mayor Masayko indicated for the record that the alley is located in the original townsite and that the Courts had ruled that the City could not charge for its abandonment. Mayor Masayko also directed that in the future the Board packets include information indicating whether the area is or is not in the original township so that appropriate findings can be made. He did not wish to have an attorney's full employment act created to handle abandonments. If the location is part of the original township, the findings should be on the record. **Supervisor Williamson amended her motion to include the finding that the abandonment is in the public's interest. Supervisor Staub concurred with the amendment. The motion was voted and carried 5-0.**

B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.04.190, RESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, AND AMENDING THE CARSON CITY DEVELOPMENT STANDARDS DIVISION I, LAND USE AND SITE DESIGN, RESIDENTIAL SITE DEVELOPMENT STANDARDS, TO ALLOW AN INCREASE IN THE PERMITTED HEIGHT OF STRUCTURES WITHIN ALL RESIDENTIAL ZONING DISTRICTS BY SPECIAL USE PERMIT APPROVAL, AND TO REQUIRE A MINIMUM STREET FRONTAGE OF 54 FEET FOR ALL NEWLY CREATED RESIDENTIAL PARCELS LOCATED AT THE END OF A CUL-DE-SAC STREET, AND OTHER CLERICAL CORRECTIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE NO. A-02/03-13) (2-0219) - Discussion explained the enforcement process used for Special Use Permits, the billboard height restrictions and its ten-year review process. Supervisor Livermore explained his concern with cul-de-sacs which have pie shaped lots with 54 foot wide street frontages. This type of lot lacks adequate curbside parking areas. He asked staff to review this section of the Code and make appropriate amendments, if possible. Acting City Manager Burnham indicated that the proposed modifications were the first of several that the Board will see in the near future. Mr. Plemel explained the reasons for doing them piecemeal. Supervisor Staub moved to introduce on first reading Bill No. 112, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.04.190, RESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, AND AMENDING THE CARSON CITY

DEVELOPMENT STANDARDS DIVISION I, LAND USE AND SITE DESIGN, RESIDENTIAL SITE DEVELOPMENT STANDARDS, TO ALLOW AN INCREASE IN THE PERMITTED HEIGHT OF STRUCTURES WITHIN ALL RESIDENTIAL ZONING DISTRICTS BY SPECIAL USE PERMIT APPROVAL, AND TO REQUIRE A MINIMUM STREET FRONTAGE OF 54 FEET FOR ALL NEWLY CREATED RESIDENTIAL PARCELS LOCATED AT THE END OF A CUL-DE-SAC STREET, AND OTHER CLERICAL CORRECTIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (File No. A-02/03-13); and that there is no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

REDEVELOPMENT AUTHORITY (2-0380) - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment authority, see its folder.

BOARD OF SUPERVISORS (2-0513) - Following adjournment of the Redevelopment Authority, Chairperson Williamson returned the gavel to Mayor Masayko who reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

10. COMMUNITY DEVELOPMENT - ACTION TO APPROVE THE RETURN OF $42,646.30 TO COSTCO WHOLESALE FROM THEIR LANDSCAPING BOND AS THE PROJECT'S LANDSCAPING HAS BEEN COMPLETED TO CITY STANDARDS; AND. 11. DISTRICT ATTORNEY - ACTION TO APPROVE AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN COSTCO AND CARSON CITY TO CHANGE THE DATE OF THE CLOSE OF ESCROW FOR THE PHASE II CONVEYANCE FROM JULY 25, 2003, TO JULY 25, 2008, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0515) - Mayor

Masayko explained that Item 10 had been tabled and Item 11 had been withdrawn. He ruled that action by the Board was unnecessary at this time.

12. CITY MANAGER - UPDATE OF FISCAL YEAR 2002-03 FINANCIAL ACTIVITY AS OF APRIL 2003 - Finance Director David Heath - A spreadsheet showing the expenditures as of April 30, 2003, was distributed to the Board and Clerk. (A copy is in the file.) The to-date revenue picture was explained. Auto sales had addressed the retail sales tax revenue shortage. Sales tax revenue for March and April may be down even further as K-mart has closed. Mr. Heath then reviewed the spreadsheet. A savings of $884,000 has been achieved and "is in the bank". Acting City Manager Burnham indicated that there are controls in place to reduce spending and that additional savings may occur. Supervisor Williamson complimented staff on its efforts to conserve funding. Mayor Masayko indicated the need for staff's support in holding the line and cutting expenses as much as possible. Such reductions are investments in the City's future.

BOARD COMMENTS (2-0606) - Supervisor Williamson announced this evening's unveiling of the "First Light" at the Western Nevada Community College observatory. The public was invited to visit the observatory tomorrow. She and Mayor Masayko indicated that the entire lunar eclipse could be observed from the observatory tomorrow for free. Supervisor Williamson also announced that she would not be able to attend the next meeting as she will be in Italy visiting her daughter. Supervisor Staub announced the Airport Authority meeting to be held in the Bonanza

Room tomorrow evening. Supervisor Livermore announced the district Hospital meeting scheduled for tomorrow evening in Silver Springs.

There being no other matters for consideration Supervisor Williamson moved to adjourn the Board meeting. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 12:05 p.m.

The Minutes of the May 15, 2003, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _August 21_______, 2003.

_/s/_______________________________________
Ray Masayko, Mayor

ATTEST:

_/s/_______________________________________
Alan Glover, Clerk-Recorder