

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 16, 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
Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:

John Berkich	City Manager
David Dawley	Assessor
Alan Glover	Clerk-Recorder
Ken Furlong	Sheriff
Andrew Burnham	Development Services Director
William Naylor	Information Services Director
Ann Beck	Human Resources Director
Larry Werner	City Engineer
Tom Minton	Deputy Finance Director
Ken Arnold	Environmental Manager
John Flansberg	Street Operations Manager
Melanie Bruketta	Deputy District Attorney
Liz Teixeira	Administrative Assistant
Katherine McLaughlin	Recording Secretary
Beth Huck	Business License Compliance Officer
Janet Busse	Management Assistant
Scott Royal	GIS Coordinator
Justine Chambers	Contracts Coordinator
Rose Gardner	Management Assistant
Amy Charles	Office Support Technician

(B.O.S. 1/16/03 Tape 1-0015)

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. (Ward 2 Supervisor's seat was vacant.) Captain Steve Mitchell of the Salvation Army gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0021) - None.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 2

- 1. APPROVAL OF MINUTES (1-0026)** - Supervisor Williamson moved to approve the Minutes of August 15, 2002. Supervisor Livermore seconded the motion. Motion carried 4-0.
- 2. AGENDA MODIFICATIONS (1-0039)** - Liquor and Entertainment Board Item 3-B was deferred as the Sheriff's background information had not been received and Item 3C was deferred as all of the license fees have been paid.
- 3. SPECIAL PRESENTATIONS - ACTION TO ADOPT A RESOLUTION IN RECOGNITION OF JOHN BERKICH DURING HIS TENURE AS CITY MANAGER OF CARSON CITY, MARCH 1990 - JANUARY 2003 (1-0053)** - Mayor Masayko introduced and read the resolution into the record. Supervisor Livermore indicated that Mr. Berkich would be missed as City Manager and at community functions. Supervisor Livermore moved to adopt Resolution 2003-R-3, A RESOLUTION IN RECOGNITION OF JOHN BERKICH DURING HIS TENURE AS CITY MANAGER OF CARSON CITY, MARCH 1990 - JANUARY 2003. Supervisor Williamson seconded the motion. Board comments expressed regret at seeing Mr. Berkich leave his post as City Manager, described their personal relationships, and noted the numerous projects he had worked on and/or accomplished during his tenure with the City. They commended him on his community vision, willingness to take a risk, work ethic and dedication to the community. They wished him success in his new position and in the future. The motion to adopt Resolution 2003-R-3 was voted and carried 4-0. Mayor Masayko presented Mr. Berkich a framed and signed copy of the resolution. He then read the appreciation plaque commemorating his service and presented it to him. Mr. Berkich thanked the audience for attending and the Board, staff, volunteers, and community for their support. The projects the community had undertaken for the betterment of the area were cited as examples of the talent found here and the community's desire to be the best that is possible. He was certain that this dedication would continue to support the community for many years to come. He personally thanked his office staff, wife, and children for their support. The "celebration report" is a good indication of where the community has been and is going. The community is strong and has a sustainable economy which is dedicated to the best quality of life possible. He was certain that the community will continue to be a leading model community in the west and expressed his best wishes to its success in the future. He also indicated that he will remain a resident of the community and thanked the Board for "the great run". Mayor Masayko thanked Mr. Berkich for his comments and the audience for attending.
- LIQUOR AND ENTERTAINMENT BOARD (1-0414)** - Mayor Masayko recessed the Board of Supervisors and immediately convened the Liquor and Entertainment Board. The entire Board, including Sheriff Ken Furlong, was present, constituting a quorum. (Ward 2 Supervisor's seat was vacant.)

- 4. TREASURER** - Business License Compliance Officer Beth Huck

- B. ACTION TO APPROVE A FULL BAR LIQUOR LICENSE FOR PARMINDER B. CHHINA, DOING BUSINESS AS FANS AND FUN LOCATED AT 1914 NORTH CARSON STREET; AND, C. ACTION TO APPROVE THE REVOCATION OF ALL DELINQUENT LIQUOR LICENSES NOT PAID FOR BY JANUARY 15, 2003, FOR NON-PAYMENT OF THE QUARTERLY FEE (1-0039) (1-0418) (1-0505)** - Deferred.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 3

A. ACTION TO APPROVE A CHANGE OF LIQUOR LICENSE MANAGERS FOR LONGS DRUG STORES, CALIFORNIA, INC., LOCATED AT 3240 HIGHWAY 50 EAST WITH THE NEW LIQUOR MANAGER BEING ALAN J. POPE (1-0418) - Longs' Attorney Michael Alonso was also present. Chairperson Masayko explained the Statute granting law enforcement access to the premises at all reasonable times. Mr. Pope acknowledged his intent to be knowledgeable about the liquor laws and to adequately train his employees in them. Member Furlong noted the favorable Sheriff's Investigative report. Member Livermore moved to approve a change in Liquor License Managers for Longs Drug Stores California, Inc., located at 3240 Highway 50 East, the new Liquor Manager will be Alan J. Pope, under Carson City Municipal Code 4.13, fiscal impact is a \$75 investigation fee. Member Staub seconded the motion. Motion carried 5-0. Mayor Masayko thanked them for their financial commitment to the community. Mr. Alonso, on behalf of Longs, congratulated Mr. Berkich on his tenure with the City and wished him success in his future endeavors.

BOARD OF SUPERVISORS (1-0503) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Board and immediately reconvened the session as the Board of Supervisors. A quorum of the Board was present.

5. CONSENT AGENDA (1-0509)

5-1. ASSESSOR - ACTION TO APPROVE THE PARTIAL REMOVAL AND REFUND OF TAXES FOR THE 2002/2003 FISCAL YEAR ON APN 2-652-05, 06, AND 07, WHICH WERE PURCHASED BY THE ST. TERESA OF AVILA CATHOLIC COMMUNITY ON OCTOBER 1, 1999, AND ARE NOW BEING USED FOR OVERFLOW PARKING PER NRS 361.125

5-2. DEVELOPMENT SERVICES - CONTRACTS - ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THE RELEASE OF FINAL PAYMENT ON "CARSON CITY 2002 PRODUCTION WELL INSTALLATION", CONTRACT NO. 2001-102 AS SUBMITTED BY DEVELOPMENT SERVICES TO HUMBOLDT DRILLING AND PUMP, INC., 4675 WEST WINNEMUCCA BLVD., WINNEMUCCA, NV 89445 FOR A FINAL PAYMENT AMOUNT OF \$38,679 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

5-3. DEVELOPMENT SERVICES - ENGINEERING - ACTION TO APPROVE A NOTICE OF CANCELLATION FOR A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND STEINER GROUP, LLC (PREVIOUSLY SUPPLY ONE), APN 9-153-03 (PREVIOUSLY APN 9-151-44), LOCATED AT 3800 SOUTH CARSON STREET FOR IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY ON CARSON STREET AND CURRY STREET

5-4. FINANCE

A. ACTION TO APPROVE THE CARSON CITY PLAN OF CORRECTIVE ACTION FOR FISCAL YEAR 01-02 AUDIT RECOMMENDATIONS

B. ACTION TO RATIFY THE EXPENDITURE APPROVAL LISTING FOR THE MONTH OF DECEMBER 2002

5-5. GEOGRAPHIC INFORMATION SERVICES

A. ACTION TO APPROVE THE NAME CHANGE OF A PORTION OF WEST NYE LANE, WEST OF WESTERN NEVADA COMMUNITY COLLEGE, TO VANPATTEN AVENUE

B. ACTION TO APPROVE THE NAME CHANGE OF NYE CIRCLE TO FREE-DOM COURT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 4

5-6. CARSON CITY AIRPORT AUTHORITY - ACTION TO APPROVE THE ASSIGNMENT OF AIRPORT LEASE FROM SHADE TREE AVIATION, INC., TO ITS OWNER, JAMES WICKERSHAM AND APPROVAL OF SUBLEASE FROM JAMES WICKERSHAM TO SHADE TREE AVIATION, INC - GIS Coordinator Scott Royal explained the process for changing a street's name. The staff or the residents' could choose a name. The residents/property owners did not object to the staff's selection of Freedom Court. The procedures are being rewritten to eliminate any street names which can

sound alike, are spelled alike, and/or duplicate the name of another street due to safety concerns. Supervisor Livermore moved to approve the Consent Agenda with the eight items referenced by the Mayor as presented today. Supervisor Staub seconded the motion. Motion carried 4-0.

6. BOARD OF SUPERVISORS

A. DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT TO THE

VACANCY IN WARD 2 (1-0565) - Mayor Masayko explained that a special Board meeting had been agenized for January 24 for the selection and appointment. He hoped that the individual could be sworn into office on the same date. Discussion explained the Charter requirements regarding the amount of time that is allowed for the replacement process. It was felt that the selection process would take at least three hours to complete. A majority of the Board must vote for the applicant in order to seat an individual. Residents living in Ward 2 were encouraged to submit their applications. A map illustrating the Wards is located at the City Hall and could be used to determine an individual's Ward. Considerable discussion ensued on the method in which to conduct the interviews. Mayor Masayko felt that they should all be interviewed at once in an informal discussion type setting. Supervisor Staub supported having them interviewed individually. This would avoid the possibility that a candidate would be able to formulate a response before the question was asked of him/her. He felt that it was important that the Board be able to watch the individual's thinking process and response to questions. Discussion also noted that the applicants are required by the Charter to be paying property taxes. It was hoped that this requirement is not a problem for any applicant. Supervisor Williamson suggested that the interviewing process rotate the first individual to respond to a question. This may allow the Board to observe their thinking process. Supervisor Livermore felt that the process should be more formal than that of a friendly discussion. He felt that the structured setting observed at various election forums would be more appropriate. It is important that the selection process be open and provide equal opportunities to all of the candidates. He also supported rotating the individual who answers the question first. The same question should be asked of each candidate so that the process is fair. Mayor Masayko reiterated his objection to a structured one person interview as is used to select appointees for the various Boards/Committees/Commissions. Supervisor Livermore suggested that each candidate give a short resume of his/her qualifications. Then the Board could ask its questions. Supervisor Williamson felt that the candidates should have five minutes to make an initial presentation/resume. Supervisor Staub supported having the five minute explanation of why the individual wanted the position and a summary of his/her qualifications. He reiterated his desire to have the applicants then wait outside the room and for them to be interviewed one at a time. The pros and cons of having the applicants present while other candidates are responding to the questions were discussed. Supervisor Livermore suggested that four or five written questions be given to each candidate and that they read their responses at the meeting. The Board could then ask other questions of each candidate. Mayor Masayko reiterated his desire to keep the process open and

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 5

unstructured. Supervisor Livermore pointed out that the process will establish the procedure for future Boards and noted that the Board had used a different process in 1988. Supervisor Staub reiterated his desire to watch the candidates "think on their feet". Mayor Masayko felt that by rotating the first individual to respond to the questions, adequate latitude will be provided to allow this to occur. Discussion ensued on the time that the meeting should commence. Mayor Masayko indicated that meeting will be agenized for 9 a.m. No formal action was taken.

B. ACTION TO CALENDAR A SPECIAL MEETING ON JANUARY 24, 2003, TO APPOINT A MEMBER TO THE BOARD OF SUPERVISORS TO FILL THE VACANCY IN WARD 2 AND ON JANUARY 30, 2003, FOR A JOINT MEETING WITH THE DOUGLAS COUNTY COMMISSION (1-1214) - Discussion indicated that the applicants should attend the January 24th meeting. If they do not, the Board could disqualify the applicant. The application process cannot be closed until after the appointment is made. Individuals can submit their applications to the Board during the meeting and must be considered. A lunch break will be scheduled for one hour somewhere between 12 noon and 12:30 p.m., if needed. The meeting is to start at 9 a.m. It will be held in the Sierra Room. The only item agenized will be the selection and appointment to fill the Ward 2 vacancy. Supervisor Livermore moved that the Board of Supervisors select the date of January 24, 2003, at 9 a.m. in the Sierra Room for the process of selecting and appointing to fill the vacancy for Supervisor Ward 2 under the process as agreed upon and discussed. Supervisor Williamson seconded the motion. Mayor Masayko suggested that the Board be seated at the table across from the candidates. Supervisors Williamson and Livermore agreed. Discussion indicated that the January 30th meeting will be discussed following the vote. Mayor Masayko reiterated his intent to agenize a lunch recess. The motion was voted and carried 4-0.

(1-1311) Supervisor Livermore disclosed his discussion with two of the Douglas County Commissioners at a Subconservancy meeting which indicated that they were looking forward to meeting with the Board on the 30th. The agenda is still fluid and has not been finalized. He hoped that the meeting will be successful in opening the communication lines and establishing a working relationship. Supervisor Williamson explained the discussions she and Supervisor Livermore have been having with the Commissioners in an effort to explain the reasons Carson City had protested BLM's land sale. She also hoped that the meeting would provide an opportunity to build on past relationships and move forward. She acknowledged that the proposed agenda at this time included items which were in retribution for the City's protest. If the discussion can focus on similarities and address the impacts, it could be beneficial to both Counties. Supervisor Staub welcomed the opportunity to open the lines of communication and clear the air regarding the future. He disclosed a meeting he had with Commissioner Kite and his hope that they could discuss each other's strengths and weaknesses. He also felt that both Chambers of Commerce are actively involved in the process. He acknowledged that the meeting may not resolve all of the problems. He then voiced his strong objection to listing Agenda Item 4C in the middle of the agenda. He hoped that concrete results would be possible so that the protest could be addressed. If not, he was uncertain as to whether he would/could support a motion withdrawing the protest. He also indicated that he was appalled at Agenda Items D, E, and F. These issues are related to only Carson City. Douglas County should not be involved in them. Douglas County should not be involved with the decision regarding open space along Carson River Road. Douglas County could support the freeway but has no standing in the issues related to it. The freeway will allow their residents to pass through Carson City quicker and better. Douglas County should not use the freeway as a bargaining chip. He also questioned the reasons Douglas County was interested in the proposed project using forest products. The issue is the economic development and social issues created by the development of Northern Douglas County and how to reduce/mitigate

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 6

those impacts. He did not want to support having the other items on the agenda. Mayor Masayko retorted that he had left them on in an attempt to eliminate “fighting over the agenda” and to move the process forward. He pointed out that the order in which the items are agenized does not necessarily mean that is how, when, or if they will be discussed. Supervisor Livermore explained that his discussion with the Commissioners had indicated that the protest had been moved to the top of the agenda. He also felt that the agenda was established so as to allow for discussion with or without action being taken. They should be able to discuss the impacts and reach an understanding of the concerns. The first order should not be to lift the protest before any discussion occurs. Supervisor Williamson felt that the Board should have the opportunity to discuss the concerns. It is most important that the discussion occur. The agenda listing did not necessarily mean that the Board would have to act to withdraw the protest before discussion could occur on the other items. A working relationship is needed as they have identical issues. She hoped that the meeting will be the beginning of the dialogue and the finding of solutions. Supervisor Staub stressed the importance that the Board understand that he endorses the process but is concerned that the perceptions of what may occur or be accomplished may be misunderstood. He was also concerned that the record should be clear regarding his feelings related to the agenda and what he felt might or might not be accomplished on January 30th. Mayor Masayko indicated that he understood his position. The agenda is fluid and can be changed. Supervisor Williamson moved that the Carson City Board of Supervisors calendar a special meeting on January 30 at 1:30 p.m. with the Douglas County Commission for a joint meeting to discuss the proposed agenda. Supervisor Livermore seconded the motion. Mayor Masayko indicated that the agenda will include items of mutual interest. Motion carried 4-0.

C. DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CARSON CITY'S BILL DRAFT REQUESTS AND NEVADA ASSOCIATION OF COUNTIES (NACO) LEGISLATIVE AGENDA (1-1658) - Mayor Masayko briefly introduced the item. Mr. Berkich explained that the City is limited to two BDRs. The ones that were proposed had been discussed previously. Additional questions and comments were solicited but none were given. Supervisor Williamson moved that the Carson City Board of Supervisors approve and endorse BDR S-264, which is the recommendations from the Carson City Charter Review Committee, and BDR 22-263 which is Carson City Redevelopment's draft concerning when the State purchases private property. Supervisor Livermore seconded the motion. Motion carried 4-0.

Mayor Masayko indicated that the NACO items are fluid due to the long-term care issues and may be back for reconsideration. Reasons for seeking support at this time were noted. Board and public comments were solicited but none were given. Mayor Masayko directed that a standing item be carried on future agendas so that legislative issues could be discussed/acted upon. Supervisor Williamson moved that the Carson City Board of Supervisors endorse Nevada Association of Counties' legislative agenda. Supervisor Livermore seconded the motion. Motion carried 4-0.

Mayor Masayko announced that the Legislative welcome is scheduled for Tuesday, February 4, between 5 p.m. and 6:30 p.m. at the City Hall. No liquor will be served. The public and Board were invited to attend. Invitations will be sent to the State Officials, the surrounding Counties' officials, and the NACO officials.

D. NON-ACTION ITEM - STAFF COMMENTS AND STATUS REPORT - CITY MANAGER'S REPORT 1990-2003 (1-1792) - Mr. Berkich reviewed the “Report of Achievements”. (A copy

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 7

is in the file.) He indicated that it had been a “great ride”. Mayor Masayko pointed out that he had glossed over the organizational culture portion of the report. He felt that in his position he is able to observe how other governmental entities function. Carson City has focused on its organizational culture and dedicated staff toward it. Mr. Berkich’s leadership had been inspirational. His finesse had made it happen. This, in turn, made the City/Board look fine. He complimented Mr. Berkich on his leadership abilities. He felt that the Board would be hard pressed to find someone to replicate his efforts. No formal action was required or taken.

RECESS: A recess was declared at 10:30 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:45 a.m.

7. FINANCE - Deputy Finance Director Tom Minton - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AUTHORIZING AN INSTALLMENT PURCHASE AGREEMENT, LEASE OR OTHER TRANSACTION DESCRIBED IN NRS 350.800 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING CAPITAL IMPROVEMENTS FOR THE CITY; AUTHORIZING THE FINANCE DIRECTOR TO EXECUTE THE AGREEMENT AND OTHER DOCUMENTS RELATED TO THE AGREEMENT; GRANTING A SECURITY INTERESTIN CERTAIN PROPERTY OF THE CITY AND MAKING CERTAINDETERMINATIONS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-2287) - Discussion explained that the bond will borrow money from La Salle Bank to finance the improvement which will create Viron’s guaranteed energy savings. These savings will repay the bond. The improvements will cost approximately \$780,000. Clarification indicated that the exhibits will be added to the “bond form” later. Comments were solicited but none were given. Supervisor Livermore moved to introduce on first reading Bill No. 101, **AN ORDINANCE AUTHORIZING AN INSTALLMENT PURCHASE AGREEMENT, LEASE OR OTHER TRANSACTION DESCRIBED IN NRS 350.800 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING CAPITAL IMPROVEMENTS FOR THE CITY; AUTHORIZING THE FINANCE DIRECTOR TO EXECUTE THE AGREEMENT AND OTHER DOCUMENTS RELATED TO THE AGREEMENT; GRANTING A SECURITY INTEREST IN CERTAIN PROPERTY OF THE CITY AND MAKING CERTAIN DETERMINATIONS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF**, fiscal impact is that the proposed bond will provide funding for approximately \$779,956 in energy conservation measures as outlined in the energy conservation agreement with CMS Viron Energy Services. Supervisor Staub seconded the motion. Motion carried 4-0.

8. PARKS AND RECREATION - Open Space Manager Juan Guzman - ACTION TO CONSIDER THE PURCHASE OF THE GILBERT PROPERTY, CONSISTING OF FOUR 9.93 PLUS OR MINUS ACRE VACANT LOTS, TOTALING APPROXIMATELY 40 ACRES LOCATED APPROXI-MATELY 1300 FEET SOUTHEAST OF THE TERMINUS OF THE PAVED PORTION OF KINGS CANYON ROAD, APNS 7-061-72, 73, 74, AND 75, BYTHE CARSON CITY OPEN SPACE PROGRAM (1-2390) - Mr. Guzman agreed that an access easement would have to be removed from the property if it is acquired. Mayor Masayko indicated that the proposed use of the land will remain passive open space. It should require zero management effort. The appraised value was more than that paid by the hospital for its site at the northern edge of the City. Mr. Guzman indicated that the record should indicate that the Open Space Advisory Committee had determined that the preservation of the property justified the cost. Mr. Gilbert has agreed to accept the offer even

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 8

though he believes it is worth more than that offered. The two parcels to the south of the site are not for sale. They have houses on them. The four parcels will establish the price for the two parcels located to the northwest. The appraisal and the calculation process were described and discussed. Mr. Guzman also requested that the record indicate that they had applied for funds from the Public Land Management Act which will allow the Forest Service to purchase the property from Carson City. Mayor Masayko suggested that they not count on receiving these funds. Supervisor Williamson moved that the Board approve the purchase of the Gilbert Property consisting of four 9.93 plus or minus acre vacant lots totaling approximately 40 acres located approximately 1300 feet southeast of the terminus of the paved portion of Kings Canyon Road, APNs 7-061-72, 73, 74, and 75 by the Carson City Open Space Program; fiscal impact is \$740,000 with the funding source of the Open Space Acquisitions 254-5047-452-74-01. Supervisor Livermore seconded the motion. Motion carried 4-0.

9. DEVELOPMENT SERVICES - CONTRACTS - STATUS REPORT ON THE COMPLETION OF THE JUVENILE JUSTICE PHASE II PROJECT (1-2745) - City Engineer Larry Werner explained that an augmentation had been requested previously for \$23,000. They were returning \$21,388.46 as the project had been less than estimated. Mayor Masayko indicated that they had already had the open house for the Murphy-Bernardini Center. He also noted that Juvenile Probation Service Program Coordinator John Simms was present and that the improvements had been needed. No formal action was required or taken.

10. DEVELOPMENT SERVICES - ENGINEERING - City Engineer Larry Werner

A. ACTION TO APPROVE AN AGREEMENT BETWEEN CARSON CITY AND THE HON FAMILY TRUST DATED 9/21/93 REGARDING ASSESSOR'S PARCEL NO. 7-102-06 LOCATED AT 1855 BRUSH DRIVE, CARSON CITY, NV, FOR SEWER LINE PARTICIPATION (1-2829) - Discussion explained that the agreement only covers the sewerline. An ordinance is not required. Mayor Masayko expressed his satisfaction with the process as it streamlines the procedure. He also suggested that it be placed on the Consent Agenda in the future. Mr. Werner explained the location of the sewerline and the reasons staff recommended bringing it in from that direction rather than as originally envisioned. The reason the sewerline had stopped in the middle of the adjacent parcel was unknown. The policy now requires the lines to be extended to the far edge of the parcel. Mr. Werner was unsure whether there were other individual parcels with the same conditions as the Hon property. Mayor Masayko felt that the proposal was reasonable and that it would be unfair to the Hon property owners to require them to extend the line from the middle of the adjacent parcel. Clarification indicated that the property owners on Alfred Way will not connect to the line on Brush Drive due to topography problems. Supervisor Williamson moved to approve an agreement between Carson City and the Hon Family Trust dated 9/21/93 regarding Assessor's Parcel Number 007-102-06 located at 1855 Brush Drive, Carson City, Nevada, for sewerline participation; fiscal impact is \$15,409, and the funding source is Account 515 Participation. Supervisor Livermore seconded the motion. Motion carried 4-0.

B. PRESENTATION ON THE PROGRESS OF THE STORM WATER MANAGEMENT PLAN RATE STUDY AND THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PHASE II STORM WATER PERMIT APPLICATION BY DEVELOPMENT SERVICES STAFF (1-3042) - Copies of the slides which Mr. Werner explained were given to the Board and Clerk. (A copy is in the file.) Under the program every property owner will pay for the system. NDOT's share will be offset by the amount of

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 9

drainage improvements it has made for the community. State Public Works Director Dan O'Brien allegedly supported this concept. The Feds had indicated that if the program is reasonable and equitable, they will pay their share. Public meetings are now being held with the top 100 rate payers. Their comments will then be analyzed and any modifications returned to those same rate payers for additional comments. This process should end by February 1. They then plan to have a public hearing in mid-March and bring the proposal to the Board in April. The rate will be implemented in July or August 2003. Discussion indicated that the storm water management rate will be included in the plan check fee. This rate has yet to be established. A portion of the street maintenance budget currently includes weed abatement and regional detention pond maintenance. The proposed program covers a five-year period. The total program will require 20 years to complete. The first five to seven years is totally dedicated to maintenance. If the capital improvements are not included, the program will be extended. This will provide a lower initial rate. The program was phased in order to provide a reasonable rate. Discussion indicated that the proposed \$3.18 eru rate will not address the 1997 flood damage. Additional funding opportunities will be needed to mitigate it which may include a 1/8 cent tax increase. The proposal only maintains what we have, meets the EPA requirements, and stops allocating road maintenance funds for work on drainage facilities. Justification was provided for granting the School District and WNCC an offset was provided. Mayor Masayko felt that their credit should equal what the City would have to spend for public involvement/information/education for the program. Mr. Werner agreed. Discussion then explained that the City could charge the State and Feds a utility charge, however, the City does not have any enforcement capabilities that will ensure collection of the fees. As the charge will be a line item on the water and sewer bills and is being fairly and equitably assessed to all of the properties, it was felt that they will pay the fee. Discussions have been held with the Airport staff. The Airport has a huge opportunity for credits. An error in calculating the fee for the Airport was explained. Once these calculations have been revised, another presentation will be made to the staff and Authority. Supervisor Staub encouraged staff to make the presentation soon. Clarification indicated that WNCC will participate in the program. Supervisor Livermore cautioned staff to be careful about the amount of credits issued as it impacts the eru value for the homeowners.

(2-0189) Mr. Werner then explained the NPDES - Phase 2 program including examples of the Federal changes which seem to be occurring faster than the plan can be developed. (A copy of these slides is included in the file.) The overall Federal mandate is to reduce the pollutants in the storm water. Discussion indicated that the Conservation District's stream conservation information should be included in the information given to the students/parents. The "Notice of Intent" to apply for the NDEP permit will be presented to the Board in February. All of the communities in the nation are now working on their programs. The Federal and State NDEPs are developing the rules and regulations as they go. The current draft notice of intent will fill 35 pages with information. The final application will contain several hundred pages. Copies of the intent notice will be distributed to different Federal, State and local entities as well as the Chambers of Commerce, BAWN, and any interested private citizens. The permit covers the urban area and any waters that drain into it. This includes the area from Lakeview to Minden and east to Moundhouse. The unique requirement mandating that Douglas County's permit be identical to Carson City's was explained. Indian Hills can file its own permit or join either Douglas County or Carson City. Indian Hills has elected to join Carson City so Carson City must include its area in the noticing process. Mr. Werner was unsure how the program will be carried out as no one has completed the process yet. Its enforcement has yet to be developed. He then referenced the task outline which was felt to contain the necessary information required to comply with each phase of the program. Mayor Masayko pointed out that this is another example of a Federal unfunded mandate as there are no funds for the implementation costs. Supervisor Livermore felt that it was the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 10

beginning of Federal intrusion under the guise of the clean water act. Eventually, it will be necessary to have a permit for a person to wash his/her own car in the street. Although he liked the idea of clean water and air, they should not intrude on each other's lives. He also explained that the Subconservancy has been unable to obtain financial support from the Tribes. He questioned whether they will support this program. Mr. Werner indicated that they had been included but he was unsure how the funding will be handled. NDOT will pay for the City to develop its program. He also indicated that staff is unsure whether the GIDs will pay for any services that are provided. Discussion indicated that the Feds were forcing the program on local communities and the City has no choice but to comply. Discussion indicated that the program was being developed as a result of the 1973 Clean Water Act, repeated court challenges, and compromises which may never make anyone happy. Mayor Masayko stated for the record that part of the program is federally mandated and part of it is for our own storm water process. The Board can determine the amount of funding which should be provided, i.e., the minimal NDEP requirements or more. Public comments were solicited but none were given. Formal action was not required or taken.

11. COMMUNITY DEVELOPMENT - Senior Planner Lee Plemel

B. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.035, COMMISSION/BOARD APPLICATIONS, TO PROVIDE FOR REVISED APPLICATION SUBMITTAL PROCEDURES AND DEADLINES FOR PLANNING COMMISSION AND BOARD OF SUPERVISORS APPLICATIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0582) - Mayor Masayko indicated for the record that the ordinance had been proposed by the Planning Commission due to concerns regarding the number and reasons for continuances. The Commission held a public hearing on the concept. The ordinance requires specific responses from the applicant and/or staff within specified timeframes in order for an item to be agenized for consideration by the Commission and Board. Neither Mayor Masayko nor Mr. Plemel had received any comments concerning the proposed ordinance. Both were certain that the builders in the community were aware of the proposal. Clarification explained the reasons for the proposed ordinance were due to the continual last minute requests for a continuation as well as incomplete applications. The applicants may have used the staff as a barometer to learn how the public felt about a project. The ordinance complies with the Statute time restrictions and had been reviewed by the District Attorney's office. Supervisor Williamson moved to introduce Bill No. 102 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.035, COMMISSION/BOARD APPLICATIONS, TO PROVIDE FOR REVISED APPLICATION SUBMITTAL PROCEDURES AND DEADLINES FOR PLANNING COMMISSION AND BOARD OF SUPERVISORS APPLICATIONS, and no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, BY ADDING A DEFINITION FOR TEMPORARY ON-SITE AGGREGATE FACILITY/PRODUCTION; AND AMENDING CHAPTER 18.14, EXTRACTION OPERATIONS, SECTION 18.14.030, TO ALLOW OFF-SITE SALES OF MATERIALS IN CONJUNCTION WITH A TEMPORARY ON-SITE AGGREGATE FACILITY/PRODUCTION FOR PUBLIC WORKS

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 11

PROJECTS ONLY, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0755) - Jim Rankle, John Tanzi, Mark Kruger - The proposed ordinance allows the sale of aggregate material for public works projects only. A special use permit is required and will designate the public works project. Discussion indicated that the distance to and type of public works project are not restricted. The specifics of time, when, where, how, etc., will be addressed under the special use permit process. Board comments directed that the time period for and distance to the project must be included in the ordinance. Concern was also expressed about the advantage being given to the temporary site versus that of permanent aggregate operations. Mr. Plemel explained that at the last Board meeting a representative had indicated that Mr. Bawden's temporary operation on Mr. Bernhard's property will be completed within 60 to 90 days. Board comments also indicated the need for a definition of the term "temporary". Mr. Plemel explained the reasons this term had not been defined and that the special use permit will establish the period during which the operation will be allowed.

Mr. Rankle indicated that the proposed ordinance only amends the present Code. It will allow the sale of material to a public works project. The Code currently allows for its removal and processing. Sections one and two establish what is temporary and allow the transport to a distance of five miles. The special use permit can address the other concerns. Mayor Masayko pointed out that the sections he had referenced will allow the operation to proceed for a five-year period. He found this unacceptable. Mr. Rankle explained that the delivery point must be within five miles. The permits will restrict the period of time the operation will be allowed. Following considerable discussion it was felt that the section indicated that it would be possible to remove and transport the material to a processing site within five miles. The material could then be trucked to any public works site as there is no restriction on the distance between the processing site and the public works site. Staff was directed that the material should be processed at the site of removal or immediately adjacent to that site and that the trucking distance should be restricted to a five-mile radius from that point. This prevents the material from being trucked throughout the community which is a public health, safety, and welfare issue. Discussion supported returning the proposal to staff for clarification/rewriting. Mr. Rankle explained that the Northridge site is not part of the project envisioned/requesting the ordinance. Mayor Masayko requested that Mr. Rankle remind Mr. Heaton that he had advised the Board that the Northridge operation will be completed within 60 to 90 days. Supervisor Staub referenced a letter to the Board from a resident who indicated that nothing is going on at that site. Mr. Rankle explained that he could not address the Northridge matter as he was only versed on the ordinance amendment. Board comments stressed a concern that the Northridge project could be waiting for the ordinance amendment. Mr. Rankle indicated that he would relay the Board's concern to Mr. Heaton and his client. He also indicated that he would work with staff to draft a revision as the Board had directed. Mayor Masayko indicated that the Board wanted to be reasonable in providing flexibility with the overburden issues, however, if the Northridge material is waiting for the ability to sell the material to a public works project, that could be a concern. Onsite sales are prohibited. The hauling of the material is an obligation which Mr. Bernhard must address. Mr. Rankle explained the desire to use the material from the hill for the Airport project. Mayor Masayko pointed out that if the Northridge project was not involved with the process, it may have been possible to allow the process to proceed. It was felt, however, that there was a connection between the ordinance and the Northridge project. Mr. Rankle felt that all of the concerns could be mitigated with the special use permit. Mayor Masayko pointed out that if the matter is returned to the Commission it may take six weeks before it is returned to the Board. That is after the expiration of the 90-day period in which the material is to be completely removed from the Bernhard site. Mr. Rankle asked that the ordinance be approved on first reading and amended between first and second reading. Mayor Masayko explained the Board's policy which requires the applicant to give the Commission its best/most complete pitch for

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 12

the application. This provides the same information to the Board that the Commission has considered. Ms. Bruketta supported his explanation of the policy and indicated that the issues which had just been discussed had not been considered by the Commission. Mr. Rankle reiterated his request that the ordinance be approved as submitted and that revisions be provided in the future. Ms. Bruketta reiterated that the Commission had not discussed the issues raised by the Board. Mayor Masayko expressed a willingness to reschedule the matter for consideration at the earliest possible date. Discussion between Mr. Rankle and Mayor Masayko indicated for the record that the item had been agenized for a specific purpose, e.g., the removal of the hill at the end of the Airport property. Mayor Masayko reiterated his willingness to conduct a special hearing if the Commission expedited it and noted the Board's desire to eliminate the Northridge aggregate operation.

Mayor Masayko indicated that the Board had received Mr. Tanzi January 16 letter which had been stamped as received on January 15. (A copy of this letter was given to the Clerk and is in the file.) Mr. Tanzi explained that at the Commission meeting they had discussed the five-mile radius. Mr. Heaton had allegedly indicated that it will not change. He asked that the amendment be denied and that a separate section dealing with only the hill at the end of the Airport be developed. He felt that the ordinance as written would allow separate operations throughout the City. This concept could be a conflict of interest as the City owns both the Airport and the hill. He supported the proposed Airport improvement but opposed allowing aggregate operations throughout the community. Mayor Masayko pointed out that to do something for only the Airport may appear to be a conflict of interest. There could be other situations which would benefit from the proposed ordinance. The special use permit process will allow the Planning Commission to describe the use as much as is possible. Mr. Tanzi felt that once the use is allowed, it would be found throughout the community. He also pointed out to allow a restricted use would be to create additional competition for the fixed base operators.

Mr. Kruger supported Mr. Tanzi's concerns. He asked that the proposed ordinance be denied. The original intent had not been addressed. The original ordinance was not for sales. The amended ordinance provides a huge incentive to do projects that are not considered for public works. He urged the Board to deny the request and have staff start the process over. He also felt that the entire propose of the ordinance was to allow a special use permit for the removal of the Northridge material. Mayor Masayko felt that the process should be fair. There should be one section of the ordinance revised. Mr. Kruger indicated that they had started with three changes. He had not seen the revised ordinance. He also explained that there had been aggregate operators and individuals from the public at the first meeting in opposition to the amendments. He reiterated his request for a copy of the ordinance. Mayor Masayko explained that he could obtain a copy of the entire packet from the City Manager's office and encouraged him to call it. Mr. Kruger reiterated his belief that the process was convoluted and encouraged the Board to deny it and start over. Additional public comments were solicited but none were given.

Mayor Masayko suggested that the Board take no action on the ordinance and return it to the Commission to address the issues. Supervisor Staub moved to refer the ordinance back to staff, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, BY ADDING A DEFINITION FOR TEMPORARY ON-SITE AGGREGATE FACILITY/PROCESSING AND AMENDING CHAPTER 18.14, EXTRACTION OPERATIONS, SECTION 18.14.030, TO ALLOW OFF-SITE SALES OF MATERIALS FOR PUBLIC WORKS PROJECTS ONLY with specific instructions to staff to consider Section 18.03.010 defining what temporary means and a temporary on-site

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 13

aggregate facility production and, secondly, under Page 3 Section 18.14.030 Subsection 1, by adding the word 'development' after the and before project in both the first sentence and the second sentence which will, I think, carry out the original intent of the section and under Section 3 by adding the following language to the end of the new language which is the black print by deleting the period and adding language to the effect that said which is planned to begin within a time period, which I have written down as six months but am not sure what the Board's pleasure is, within six months of the material's removal and sale. Mayor Masayko felt that the motion had covered the issues. The motion asked for a definition of a temporary aggregate facility and focused the entire attention of the Board on 18.14.030 which is the section under discussion. Supervisor Livermore seconded the motion. Comments indicated that the ordinance should be referred back to the Planning Commission. Motion carried 4-0. Mayor Masayko expressed his hope that the record is clear about their concerns. He also indicated for the record that he was willing to expedite the process after the Commission has considered the item and if there are reasons to do so for the Northridge development.

RECESS: A recess was declared at 1:05 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 2:10 p.m. (Ward 2 Supervisor's seat was vacant.)

12. INTERNAL AUDIT DEPARTMENT - Internal Auditor I. Steve Wolkomir - ACTION TO APPROVE THE ESTABLISHMENT OF AN AUDIT COMMITTEE TO OVERSEE THE INTERNAL AUDIT FUNCTION (2-1712) - Deputy District Attorney Melanie Bruketta - Mayor Masayko expressed his appreciation for Mr. Wolkomir initiative, research, and work on the proposal. He could not argue with the guiding principles. He was concerned, however, with some of the details including those dealing with the Open Meeting Law. The Board has the ability to transfer its accountabilities and responsibilities to others, e.g., the search for a City Manager. This approach had to comply with the Open Meeting Law requirements, which he limned. Mr. Wolkomir's proposal will have to adhere to the Open Meeting Law with its agenda publications, posting, open meetings, etc. He questioned whether Mr. Wolkomir was aware of this requirement when the proposal was drafted. He also pointed out that for the Committee to have any authority, it would be necessary for the Board to provide it. In order for the Committee to act as proposed, it would have to meet with the Board and obtain its blessing on the budget, its usage, etc. Mr. Wolkomir explained his research on audit committees. He did not propose to have the committee function in a vacuum. The Board would know about its plan. Its list of duties had been suggestions for discussion. He had hoped that the committee will provide faster and easier communication and make him more accountable to the City. He agreed to follow the Open Meeting Law if necessary. Ms. Bruketta agreed that the committee is subject to the Open Meeting Law. Mayor Masayko questioned what would happen if two Board members, who are on the committee, the Finance Director and City Manager accept the committee's recommendations and three Board members, who are not on the committee, do not. He did not feel that the committee would be able to have the level of decision making as proposed. The electorate looks to the Board for its accountability during public meetings. This requires the Board to discuss the strategies, resource requirements, make decisions, etc., without having to count the City Manager, Finance Director, and Internal Auditor's votes in the tally. He was not comfortable with the concept and the transfer of that accountability. The internal auditor's position is one with high ranking which gives it the ability to have access to the Board without filtering. The idea has merit and should be considered, however, should be structured in another manner that may provide the same results. He also pointed out that Mr. Wolkomir's audits will require sensitivity and isolation. Mr. Wolkomir indicated that he found it interesting that some of the audit committees included internal management members on the committees.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 14

The private sector does not allow for these members to be on the committee. Mayor Masayko suggested that he have a technical advisory group to sort through things, provide advice, and trade ideas. In the public sector, the internal auditor makes his reports to the Board and not through someone else or a committee. He acknowledged the need for Mr. Wolkomir to have input and discussion. The current process may be "messy", however, there is no other manner in which it can be handled due to the Open Meeting Law. A technical advisory committee established by Mr. Wolkomir with "three outsiders" who are sworn to secrecy may be possible and will provide the feedback he wants. The Board will not appoint the committee nor have a Board member serve on it. He reiterated his discomfort with the proposed concept.

Supervisor Williamson explained her concern regarding the committee. The City Manager and Internal Auditor are their employees. She was not willing to relinquish the Board's control over these individuals. She pointed out that Supervisors Staub and Livermore had been working more closely with him than she cared to do and asked to see the work plan for the next 11 months. The Board sets his budget. She did not support changing this process. If additional personnel or resources are needed, Mr. Wolkomir should return to the Board once the audit plan is established to request it/them.

(2-2418) Supervisor Staub expressed his belief that the Board had never seen any audits which had been performed by the former Internal Auditor during his 13-year tenure with the City. The committee concept was an effort to provide a performance level and guidance without coming to the Board. The former Internal Auditor had lacked the necessary guidance and resources to successfully fulfill his position. He agreed that there were items within the proposal which should not be included such as the appointment and removal of the Internal Auditor and the audit budget. The committee is not to be a stopgap between the Board and the Auditor. The committee is to meet with Mr. Wolkomir and decide the audit universe, functions, departments, activities and divisions to be audited, the cost, whether Mr. Wolkomir could perform it or it should be outsourced, and set an audit plan into motion by recommending it to the Board. The Board then decides the portions of the plan which are to be carried out and commits the funding for it. Mr. Wolkomir then carries out the plan with quarterly reports to the committee. The committee will provide him with feedback. In December the completed audits will be submitted to the Board for review. The committee will not correct or purge them before presentation to the Board. At the end of the year Mr. Wolkomir will report by and through the committee on the accomplishments and what will be carried forward. The committee will not impede/impair the flow of information but will provide guidance on an ongoing basis on the audit plan and budget. There was no intent to violate the Open Meeting Law. If it is required, they will adhere to it. The proposal was the beginning and is needed in order for Mr. Wolkomir to know where to start. Accountability is needed and as suggested the program carries out the function as required. The suggestion that two Board members serve on the committee was to provide influence on its direction without having to have the entire Board present. As the Board is comprised of part-time members, the process will provide Mr. Wolkomir with ongoing guidance. It had not been developed to usurp the Board's responsibilities.

Supervisor Livermore further delineated the reasons for pursuing a different venue for guiding the Internal Auditor. The committee will be able to work more closely with Mr. Wolkomir and provide guidance as needed. It will provide the "best bang for the dollar". Justification for having performance audits was provided. He felt that Mr. Wolkomir needed someone to help create the audit plan, carry it out and provide direction on it. He may require some supporting information regarding City functions. This is the reason for having the City Manager and Finance

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 15

Director on the committee. It had not been their intent to create a subcommittee to remove authority from the Board. He did not want to give up any of his authority. It was hoped that the committee would make Mr. Wolkomir more efficient and effective. As one Board member he could not direct Mr. Wolkomir. As the Hospital has a committee who directs its Internal Auditor, he felt that the City should also have one.

Mr. Wolkomir then explained that he had already created a draft plan containing four projects. He needed someone to prioritize the Departments/functions to create a doable, measurable, and an attainable annual plan.

He felt that the committee, Risk Management, and other sources could be used as a sounding block. He reminded the Board that he was conducting the first internal audit. He needed to have this plan sanctioned at some level.

Mayor Masayko indicated that his first reaction had been that the Internal Auditor expectations had been changed. This created a change in Mr. Wolkomir's work universe. He was not averse to having him seek advice and consent from others below the Board level. His direction to Mr. Wolkomir, had he been asked, would have been to agenize the priorities and functions and allow the Board to pare down the list to four manageable audits. Internal audits have been conducted in the past. Examples were limned. Their focus had been more financial than procedural. The Board had desired to change this focus to include both financial and performance. Mr. Wolkomir works for the Board. His policy, procedures, and directional matters are considered by the Board as a whole. He also felt that the Board could reduce Mr. Wolkomir's audit plan to four if Mr. Wolkomir submits a list containing more items. Mr. Wolkomir should be self-motivated and self-directed. Discussion between Mr. Wolkomir and Mayor Masayko explained the Board's role in Mr. Wolkomir's work program and that Board decisions will be made at a public meeting. Sensitive items will have to be discussed in closed sessions but the final decision will be made in an open meeting.

Supervisor Staub reiterated his reasons for feeling that a committee is needed to help Mr. Wolkomir establish his work parameters and guidelines. It would not impair/impede his reports to the Board. The Board should set forth the resources and his direction. Guidance that he needs could be provided by the committee without having to come to the Board. It will be more efficient and effective and ensure that he is doing his job as established by the Board. Supervisor Livermore explained that Mr. Wolkomir had followed the suggestions given by Supervisor Staub and himself. They had been based on the challenges facing the City/Board. He felt that the committee should understand the Finance Department and its accounting procedures. The Grand Jury had supported the concept. He did not believe that the Internal Auditor should have as a priority handling of the construction accounts. This is not a key element to him, personally. There are larger accounts that need to be watched.

Supervisor Williamson suggested that Mr. Wolkomir rework the procedure and develop a resolution estab-lishing a technical advisory committee comprised of two Board members and two "qualified" residents. The resolution and his audit plan should be presented to the Board for consideration at its next meeting. Mayor Masayko explained that he was not convinced that another committee with its staffing and Open Meeting Law requirements was necessary. There is a committee already established to handle this function. It is the Board. He urged Mr. Wolkomir to meet with the District Attorney's office and develop a technical advisory com-mittee, if desired. If, after meeting with the District Attorney's office, a standing committee is still desired, he should develop a resolution and bring it to the Board for action. If a technical committee will serve the same function, he should look at other models and develop one. If the audit plan is ready, it should be agenized and acted upon. Mr. Wolkomir will have access to the Board

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 16

as needed. Mayor Masayko ruled that action had been deferred on the Item and that Mr. Wolkomir should bring forward his audit plan and any proposals in two weeks. He also indicated that it had been a good and necessary discussion.

13. HUMAN RESOURCES - Director Ann Beck

A. DISCUSSION AND POSSIBLE ACTION REGARDING THE PROCEDURES FOR

THE SELECTION OF A NEW CITY MANAGER (2-3204) - Mayor Masayko indicated for the record that the established steering committee, that had been established at the last meeting, had not yet met and will not. Ms. Beck limned her draft proposal. Mayor Masayko disclosed his discussion with Ms. Beck relating to the timeline and the Board's two interviews. The April 7 deadline was considered a typographical error. The meeting was actually scheduled for April 17. A determination will be made on April 3 regarding the number that are to be interviewed. The final interview will be made on April 20. The draft description of the job duties had been amended to indicate that the Risk Management and Redevelopment Director were appointed positions under the City Manager. He commended Ms. Beck on the announcement. Discussion between Ms. Beck and Mayor Masayko indicated that the internal and external evaluation committees were to conduct their meetings in compliance with the Open Meeting Law requirements. Discussion indicated that the Board will make the appointments for these committees at the February 20th meeting. The number to be on each committee had not been established although Ms. Beck recommended between five and eight members. An evaluation form will be created and a training session for these individuals will be held. Supervisor Livermore described the process used to hire Mr. Berkich. Volunteers for the committees were solicited. The external committee would be comprised of individuals from the community who do not have a direct connection to staff or any Department. The internal committee would be comprised of City staff members and members of the Board's committees and commissions. The size of the committees will be established when the Board considers the applications on February 20. Notices will be posted soliciting volunteers for the committees. All applications should be given to Ms. Beck. Mayor Masayko read the timeline and duties as indicated on page 5 of the draft proposal. Discussion also noted the estimated cost of \$20,300. Its funding source will be determined along with that needed to pay Mr. Berkich for his unused sick leave and vacation, etc. Mayor Masayko did not feel that the City should hold the position open until these costs are "made up". Ms. Beck was directed to agenize this issue for Board action. Public comments were solicited but none were given. Supervisor Williamson moved that the Board of Supervisors approve the memorandum and attachments 1 through 5 presented by Director of Human Resource Ann Beck concerning the recruitment and the selection process for the City Manager with the following corrections on the last line of Attachment No. 1 of examples of duties on Page 1 that the City Manager assures that appointments are made to the positions of Risk Management and manager and executive director of Redevelopment Authority and on Attachment 3 that the dates are corrected as indicated in the conversation with April 7 becoming April 3 for the selection of the top three candidates by the evaluation panels ranking and April 3 to 18 for background references and that April 17 will be the date for the Board to conduct its interviews and make a selection. Supervisor Livermore seconded the motion. Motion carried 4-0.

B. ACTION TO ADOPT A RESOLUTION AMENDING THE CARSON CITY PERSON-

NEL RULES AND REGULATIONS AT 2.04.460 REGARDING THE ADMINISTRATION OF THE MERIT AWARD PROGRAM (3-0174) - The Merit Award Program is to be replaced with the Savings Without End Award Program (SWAP). Benefits of the program were discussed. Supervisor Williamson explained the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 17

research conducted regarding the program and the proposal to provide a cash incentive for any documented ongoing savings created by it. Management employees will not be allowed to participate as it is part of their responsibilities to develop savings. The award will be based upon documented savings at the end of the year. The Board will distribute the awards. Supervisor Livermore felt that the Board should be the one to select the recipient rather than have the committee do it. The program's structure and process were discussed. Mr. Berkich explained that the program had been discussed as a result of the Board's goal setting workshop. Mayor Masayko cautioned against the creation of a complex program which creates a full-time position that tries to describe the idea/procedure. This type of a program discourages participation. Ms. Beck felt that the program was such that it is "simple" for the employees to submit suggestions. The Committee helps flush the ideas and can provide additional implementation assistance. Supervisor Williamson moved to adopt Resolution No. 2003-R-4 amending the Carson City Personnel Rules and Regulations at 2.04.460 regarding the administration of the Merit Award Program to reflect a new Savings Without End suggestion program; the fiscal impact is an initial investment of some resources for program administration, otherwise, the program will become self-funded. Supervisor Livermore seconded the motion. Ms. Beck felt that it would cost approximately \$10,000 to commence the program, develop the forms, train the committee, educate the employees, and coordinate the program. If the program is unsuccessful, the funds will not be needed. Supervisor Livermore felt that the CIP funds returned to the General Fund should support the program and explained his reasons for the suggestion. The motion to adopt Resolution No. 2003-R-4 was voted and carried 4-0.

RECESS: A recess was declared at 3:35 p.m. Mayor Masayko reconvened the meeting at 3:46 p.m. A quorum of the Board was present. (Ward 2 Supervisor's seat was vacant.)

14. DISTRICT ATTORNEY - CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (3-0365) - Supervisor Williamson moved to recess into Closed Session pursuant to NRS 288.220 to meet with management representatives. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Masayko immediately recessed the Open Session. Mayor Masayko reconvened the Open Session at 4:56 p.m.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 4:57 p.m.

The Minutes of the January 16, 2003, Carson City Board of Supervisors meeting

ARE SO APPROVED ON April 17, 2003.

/s/

Ray Masayko, Mayor

ATTEST:

/s/

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 16, 2003, Meeting

Page 18

Alan Glover, Clerk-Recorder