

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 2, 2002, Meeting

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, May 2, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Jon Plank	Supervisor, Ward 2
	Robin Williamson	Supervisor, Ward 1
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	William Naylor	Information Services Director
	Mark Forsberg	Chief Deputy District Attorney
	Cheryl Adams	Deputy Purchasing Director
	Katherine McLaughlin	Recording Secretary
	Joel Dunn	Recreation Supervisor - Sports
	Mary McAlister	Personnel Analyst Trainee
	Justine Chambers	Contract Coordinator
	(B.O.S. 5/2/02 Tape 1-0012)	

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. Pastor Marvin Dennis of the Good Shepherd Wesleyan Church gave the Invocation. Mayor Masayko led the Pledge of Allegiance. Mayor Masayko also announced the National Day of Prayer activities scheduled for 12 noon at the Capitol Building and his plans to attend it.

CITIZEN COMMENTS (1-0045) - None.

1. APPROVAL OF MINUTES - 3/7/02 (1-0046) - Supervisor Plank explained the corrections which had been made to the Minutes prior to the meeting. Supervisor Plank then moved to approve the Minutes of the Carson City Board of Supervisors meeting minutes of March 7, 2002. Supervisor Livermore seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0096) - None.

3. SPECIAL PRESENTATION - ACTION TO ADOPT A RESOLUTION COMMENDING DONALD R. DAVIS FOR HIS SERVICE AS FLEET MANAGER (1-0098) - Personnel Analyst Trainee

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Mary McAlister - Mayor Masayko expressed his feeling that Mr. Davis would be missed and wished him success in his future endeavors. Mr. Davis indicated that he would attend the employees' Christmas party. Mayor Masayko read the resolution into the record. Supervisor Livermore also felt that the City would miss him and moved to adopt Resolution No. 2002-R-24, A RESOLUTION COMMENDING DONALD R. DAVIS ON HIS RETIREMENT. Supervisor Plank seconded the motion. Board and Mr. Berkich's comments complimented Mr. Davis on his dancing abilities, his expertise in his field, his dedication and commitment to the City. They all wished him success in his future endeavors. The motion to adopt Resolution No. 2002-R-24 was voted and carried 5-0. Mayor Masayko read a retirement plaque into the record and presented it to him. He thanked him for his years of service, wished him success in his retirement, and congratulated him on his retirement. Mr. Davis thanked the Board for allowing him to work for the City for 27 years and indicated that he would be "around to help out". Mayor Masayko noted that his family and co-workers were present to wish him well.

4. CONSENT AGENDA (1-0212)

4-1. TREASURER - AFFIDAVIT OF DELINQUENT NOTICE MAILING FOR REAL PROPERTY TAXES

4-2. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON WASTEWATER TREATMENT PLANT OPERATIONS BUILDING - HVAC REPLACEMENT, CONTRACT NO. 2001-036 AS SUBMITTED BY DEVELOPMENT SERVICES TO APPLIED MECHANICAL, INC. 1100 MARIETTA WAY, SPARKS, NV 89431, FOR A FINAL PAYMENT AMOUNT OF \$14,576.39 AND ACCEPT THE CONTRACT SUMMARY

B. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE MOFFET SHADE STRUCTURE AND SITE IMPROVEMENTS PROJECT, CONTRACT NO. 2001-044 AS SUBMITTED BY DEVELOPMENT SERVICES TO PERATA EXCAVATION COMPANY, INC., 12111 CHANDELLE WAY, TRUCKEE, CA 96161 FOR A FINAL PAYMENT AMOUNT OF 46,521 AND ACCEPT THE CONTRACT SUMMARY

C. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE CEMETERY ADMINISTRATIVE OFFICE MODULAR UNIT PROJECT, CONTRACT NO. 2001-108 TO (BIDDER No. 2) US MODULAR GROUP, INC., 1640 E. BRAEMERE ROAD, BOISE, ID 83702 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 332, 338, 339, AND 624 FOR A CONTRACT AMOUNT OF \$92,968 AND A CONTINGENCY AMOUNT OF \$4,500

4-3. PURCHASING AND CONTRACTS

A. ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0102-100 INDUSTRIAL LIFT TRUCK TO ADD CUBE EQUIPMENT 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 TO PROVIDE ONE (1) 2002 DAEWOO G-20E FORKLIFT FOR \$15,502

B. ACTION TO APPROVE THE INTRASTATE INTERLOCAL CONTRACT BETWEEN THE STATE OF NEVADA DEPT. OF INFORMATION TECHNOLOGY (DOIT), AND CARSON CITY INFORMATION SERVICES FOR TELECOMMUNICATIONS SERVICES

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THROUGH JUNE 30, 2003

C. ACTION TO APPROVE CONTRACT NO. 0203-012 A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY THE NEVADA NATIONAL SOFTBALL ASSOCIATION TO PROVIDE QUALIFIED SOFTBALL UMPIRES FOR THE RECREATION DIVISION THROUGH DECEMBER 31, 2002, AT \$21.50 PER GAME FOR A NOT TO EXCEED TOTAL COST OF \$30,000

4-4. FINANCE

A. ACTION TO RATIFY THE EXPENDITURE APPROVAL LISTING FOR THE MONTH OF APRIL 2002

B. ACTION TO APPROVE A RESOLUTION CREATING AN INTERNAL SERVICE FUND FOR THE OPERATION OF CARSON CITY'S FLEET MAINTENANCE SERVICES

4-5. DISTRICT ATTORNEY - ACTION TO APPROVE REVISED ADDENDUM B TO INTERLOCAL AGREEMENT CONTRACT NUMBER 0001-070, WHICH EXTENDS THE AGREEMENT BETWEEN THE BUREAU OF SERVICES TO THE BLIND AND VISUALLY IMPAIRED ("BUREAU") AND CARSON CITY PERMITTING THE BUREAU TO OPERATE CENTENNIAL PARK CONCESSION STANDS IN EXCHANGE FOR \$15,333 FOR A TERM FROM APRIL 1, 2002, THROUGH SEPTEMBER 30, 2002, AND OTHER MATTERS PROPERLY RELATED THERETO - Supervisor Plank moved for approval of each of the ten items on the Consent Agenda as well as Item 4-4B, a resolution creating an internal service fund for the Carson City Fleet Maintenance Services to be known as Resolution No. 2002-R-25. Supervisor Staub seconded the motion. Motion carried 5-0.

5. BOARD OF SUPERVISORS - NON-ACTION ITEMS (1-0249)

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - Supervisor Plank thanked the Nevada Appeal for publishing the three winning essays from the Fifth Grade classes for the Sertoma Club's National Heritage contest. He then reported on his attendance/participation in the following meetings/activities: TRPA meeting, Farm Days at the Fuji Park Exhibit Hall, the Republicans Central Committee meeting, Sertoma Club, and the first membership meeting of the Health System. He announced his plans to attend the TRPA Local Government Committee meeting tomorrow, to visit the Carson Middle School on the 8th, and the RTC meeting on 12th and highlighted its agenda. He also reported on the progress of the community garden. Final signups have been requested. There were 24 individuals who had signed up to participate.

Supervisor Williamson reported on her attendance/participation in the following meetings/activities: Strategic Planning meetings, Carson Advocates for Cancer Care and Health Smart's efforts to obtain additional funding from the tobacco money, Organization Development Team meeting, the Downtown Carson City Business Association Committee meeting, Carson River Advisory Committee meeting, and the success of the Comstock Soccer Shootout Program. Mayor Masayko felt that it was a successful event and remarked that the weather had almost held together for them.

Supervisor Staub reported on his attendance/participation in the following meetings/activities: a trip to Laughlin and the impact the motorcycle event has on that community, the Debt Management Committee meeting, and his Little League activities. He announced that T-Ball opens on Saturday and invited the public

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to attend the opening ceremonies and games.

Supervisor Livermore reported on his attendance/participation in the following meetings/activities: the Hospital's volunteer appreciation ceremony; the Chamber of Commerce's Transportation Committee meeting; the Charter Review Committee meeting; Economic Development Committee meeting and complimented the Downtown Committee and Art Hannafin on his draft proposal for the Tenth Street area which he hoped would become a reality; the Youth Sports Organization and its youth model car racing activities which will race at the south end of Edmonds Sports Complex parking lot on Sunday afternoons; Hospital meetings; and his Arbor Day activities including the Shade Tree Council's receipt of the Shade Tree Award from the U. S. Forestry. Mayor Masayko thanked him for attending the Shade Tree Council's Arbor Day activities for him. Supervisor Livermore continued his report by explaining the Hospital's recognition of the community members who were on the committee to consider the affiliation of the Hospital and the Managers and Department Heads who had worked on the transition. He also described an email that City Hall had received regarding the "miracle baby" which he had presented to Mr. Epperson at the recognition. This message had set the tone for the meeting and the facility. He highlighted the document for the Board. He, as both a Board member and as Hospital Board member, thanked Mayor Masayko for his remarks to that individual about the benefits of having a well equipped hospital. Mayor Masayko indicated that his comments had been from his heart and represented his true feelings regarding the Hospital. Supervisor Livermore then reported that 47 of the 57 members who had been selected for the Hospital Committee had attended the first meeting. There are still three vacancies on the Committee.

Mayor Masayko thanked Supervisor Livermore for the compliment and congratulated the Hospital on its moving forward. He then reported on his activities/participation in the following meetings/activities: the Boy Scouts and Scout Master Guy Perry of Troop 143 tour of City Hall and presentation of a special cake on Flag Day; the special Board meeting on April 23; a Legislative meeting which Supervisor Williamson had also attended; Senior Service Network's fourth anniversary ceremony and the reception/attendance it had received; public service announcements for the MS walk which will occur on Saturday at Mills Park; St. Teresa's Catholic Church walk/jog-athon fundraiser with Clerk-Recorder Alan Glover, Senator Amodei and Assemblyperson Bonnie Parnell; and the Fritsch School Earth Day activities including Environmental Health's presentation. He thanked Supervisor Livermore for handling his duties at the Shade Tree Council's Arbor Day activities. He also noted that the Council had received the Shade Tree Award for eight straight years and hoped that it would continue to receive it. He also commended the Council and the City Parks Department on their work to obtain the award. He continued his report with the March of Dimes Walk America activities which he had participated in with Governor Guinn and congratulated Sonic on its successful motocross fundraiser for two local charities. He announced that the City received the federal register indicating Carson City is officially recognized as an urbanized area which is another step in the process of becoming an MPO. He hoped that it will be possible to obtain Management and Planning's attention and obtain additional grants for housing and transportation. A celebration will occur when the designation is obtained and funds start coming. He repeated his announcement on the National Day of Prayer activities scheduled for 12 noon at the Capitol Building. He urged the public to participate in/attend it and the MS Walk in Mills Park. He then explained his plans to be out of town through next Thursday. Supervisor Plank was asked to set the agenda for the next meeting if he has not returned by that time.

B. STAFF COMMENTS AND STATUS REPORTS (1-0870) - None.

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RECESS: A recess was declared at 9:25 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 9:30 a.m., constituting a quorum.

6. TREASURER - Al Kramer - ACTION TO APPROVE ON SECOND READING OF BILL NO. 115 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.14 GAMING LICENSES AND REGULATIONS TO SPECIFY THE APPEAL PROCESS AND TO ESTABLISH THE DATE BY WHICH AN APPLICANT MUST HAVE AN APPLICATION FOR AN UNRESTRICTED GAMING LICENSE PENDING WITH THE STATE OF NEVADA FOR THE PURPOSE OF QUALIFYING FOR AN EXEMPTION TO THE 100 ROOM REQUIREMENT OF THIS CHAPTER AND OTHER MATTERS PROPERLY RELATED THERETO (1-0875) - Mayor Masayko indicated for the record that he had not received any comments regarding the ordinance since the first reading. Mr. Kramer pointed out that Deputy District Attorney Bruketta's clarification statement had been added in Section 4.14.047a and b. Supervisor Staub iterated that, for reasons which he had already stated, he would be abstaining on this issue. Supervisor Williamson moved to adopt on second reading Bill No. 115, Ordinance No. 2002-12, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE (CCMC) TITLE 4 LICENSES AND BUSINESS REGULATIONS AMENDING CHAPTER 4.14 GAMING LICENSES AND REGULATIONS TO SPECIFY THE APPEAL PROCESS AND TO ESTABLISH THE DATE BY WHICH AN APPLICANT MUST HAVE AN APPLICATION FOR AN UNRESTRICTED GAMING LICENSE PENDING WITH THE STATE OF NEVADA FOR THE PURPOSE OF QUALIFYING FOR AN EXEMPTION TO THE 100 ROOM REQUIREMENT OF THIS CHAPTER AND OTHER MATTERS PROPERLY RELATED THERETO with no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 4-0-1 with Supervisor Staub abstaining.

7. COMMUNITY DEVELOPMENT - Director Walter Sullivan - ACTION TO ADOPT BILL NO. 116 ON SECOND READING, AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM PUBLIC (P) TO SINGLE FAMILY ONE ACRE (SF1A) ON PROPERTY LOCATED ON THE EAST SIDE OF HILLVIEW DRIVE, APPROXIMATELY 700 FEET SOUTH OF CLEARVIEW DRIVE, APNS 010-191-06 AND 010-191-16; AND FROM PUBLIC (P) TO LIMITED INDUSTRIAL (LI) ON PROPERTY LOCATED ON THE WEST SIDE OF EDMONDS DRIVE, APPROXIMATELY 1,600 FEET NORTH OF FAIRVIEW DRIVE, APN 010-051-35, IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0928) - Mayor Masayko explained the purpose of the ordinance and indicated for the record that he had not received any comments on the ordinance between first and second readings. Supervisor Plank moved to adopt Bill No. 116, Ordinance No. 2002-13, on second reading, AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM PUBLIC (P) TO SINGLE FAMILY ONE ACRE (SF1A) ON PROPERTY LOCATED ON THE EAST SIDE OF HILLVIEW DRIVE, APPROXIMATELY 700 FEET SOUTH OF CLEARVIEW DRIVE, APNS 010-191-06 AND 010-191-16; AND FROM PUBLIC (P) TO LIMITED INDUSTRIAL (LI) ON PROPERTY LOCATED ON THE WEST SIDE OF EDMONDS DRIVE, APPROXIMATELY 1,600 FEET NORTH OF FAIRVIEW DRIVE, APN 010-051-35, IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO, which is in reference to Z-01/02-5 and there is no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 5-0.

8. DEVELOPMENT SERVICES - UTILITIES - Utilities Operations Manager Tom Hoffert

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A. UPDATE ON THE WATER SUPPLY FORECAST FOR THE 2002 IRRIGATION

SYSTEM (1-0997) - Mr. Hoffert distributed copies of the water supply forecast for 2002 to the Board and Clerk. (A copy is in the file.) He then highlighted the report. He felt that the snow pack was in better condition than it had been last year. The Carson River may go on regulation the end of June or first part of July. The system is built to meet peak demand levels and should be able to meet the demand with its storage capacity. Staff had improved the production capacity from 22.3 million gallons per day to 23.5 million gallons per day. Coordination activities with the State Buildings and Grounds were noted. The status of Wells 48, 49, and 50 and the rehabilitation of Wells 9 and 45 were limned. He also explained that if the temperature is higher or remains high for long periods the system will be stressed to meet demand. Concerns regarding the amount of effluent available for irrigation was limned. Staff is working with the golf courses to reduce the demand. Contracts may be submitted to the Board to authorize work to reduce the reservoir seepage. Discussion indicated that the City's water rights will not be exceeded. During the summer time the system must provide seven to eight times the amount of water needed during other periods. Outside irrigation and usage stress the system during high usage periods. The City has elected to restrict water usage during the summertime rather than provide a system to meet the higher demand on a year-round basis. The City is unable to use all of its water rights from the Marlette-Hobart system due to the lack of equipment/supply system to bring it to where it can be processed. Discussion pointed out the reduce amount of funding being provided by Congress and the mandated requirement to reduce the arsenic content of the water. Discussion also noted the proposed regional water system. This concept is continuing to move forward without a funding program. Mr. Hoffert explained that the Army Corps of Engineers is looking at boring a hole in the mountain to get the Marlette water down the hill, however, they have not guaranteed that they will pay for this work. Mayor Masayko pointed out the need for environmental permits to do this. He supported efforts to bring the water to Hobart and the Quill treatment plant regardless of what happens with the regional program. The rate study now underway should include this project in addition to new wells and well improvements. Mr. Hoffert explained the issues which were being considered by the water rate committee including the Marlette-Hobart system. He also indicated that Carson City will continue to do whatever it can to obtain/guarantee that the City will continue to have water from the Marlette-Hobart system. Mayor Masayko explained his concern that the State has the water rights. Some of them should be available for the City to use if we have the delivery system and can meet the water requirements for treating the water. Mr. Hoffert indicated for the record that the City has 17,000 acre feet in water rights. Last year the City used just over 12,000 acre feet. The City is equipping the wells and attempting to pump to stay ahead of the demand increases on an annual basis. Mayor Masayko explained that the public should understand that we are not in a crisis situation. The need is to be able to use the water rights which requires having the appropriate equipment to obtain it. The City currently has 5,000 acre feet of water rights available which are not being used. Delivery during peak periods is the concern. Supervisor Livermore pointed out that the difference between this year and last is the fact that there is a backup pump available for the Marlette-Hobart system. He also supported the City having a backup pump for that system in case the State's breaks down. Supervisor Livermore complimented Mr. Hoffert on his coordination efforts with the State and the recharge efforts. It will help during the peak demand periods and should be able to enhance the aquifer. These two programs enhance the City's ability to meet peak demands and should be continued. Mr. Hoffert explained the reasons the recharge program had not been continued until recently. The system is now working and will be used. Discussion indicated that the Carson River is expected to flow at 58 percent of the average and may be regulated in July. When that happens the diversion amounts will be reduced. It may be that the Riverview Park flow will be stopped in August unless late spring rains occurs which could

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make it flow longer. This will impact the Riverview Park wetlands. Mayor Masayko thanked him for the report and indicated that a followup report may be given in the future. He also pointed out that part of the peak day management recognizes the need for voluntary community support for maintaining the watering restrictions. The production problems were related to the production capacity. Voluntary compliance with watering on the appropriate days and times will help the community get through the summer irrigation season. He also pointed out that 99 percent of the public cooperate. The remainder are the problem causers. He hoped that people will continue to support the program. Citizen comments were solicited but none given. No formal action was required or taken.

B. PROCLAMATION PROCLAIMING MAY 5 TO 11, 2002, AS CARSON CITY DRINKING WATER AWARENESS WEEK (1-1525) - Mr. Hoffert described the Carson City water conservation/education program and the purpose of the blue water droplets which he distributed to the Board and Clerk. The team members were introduced. The droplets emphasized the need for the community to adopt a water ethic of: "every drop counts, be water smart". Water conservation should become a part of our daily lives. Benefits of the educational program were limned. Public service announcements will be run on the local stations. A public service announcement video was played. Mr. Hoffert thanked Dave Morgan for his work on the video. Additional public service announcements will be created. The goal is to make the community aware of the need to be "water smart" and conserve year-round. Demonstration programs for outdoor irrigation and landscaping will be provided. The public was invited to attend the Drinking Water Awareness Week celebration at the Scape Garden on May 11 from 10 a.m. to 2 p.m. The poster contest was described. It was hoped that by getting the community to think about water conservation, water could be saved for other drought conditions as they arise. Mayor Masayko thanked staff for being proactive in the approach. The public should be reminded to use water wisely and to conserve for the future. Comments were solicited but none were given. Supervisor Livermore moved to adopt the Proclamation proclaiming May 5 to 11, 2002, as Carson City Drinking Water Awareness Week. Supervisor Plank seconded the motion. Motion carried 5-0.

9. NEVADA DEPARTMENT OF TRANSPORTATION (1-1755) - Director Tom Stephens - Mr. Stephens introduced his staff members who were present. Discussion pointed out that the census figures had been certified. Mr. Stephens indicated that the City must develop a transportation improvement program before it can move forward. Mayor Masayko explained that the City had been working on it for several years. It is necessary to obtain the Governor's designation at which time Carson City will be the fourth MPO in the State. Mr. Stephens then described the restriping program which should be completed in 60 days and contains no weekend work. He asked that if any problems/concerns arise that his staff be informed about them. The contract had been let for the second phase of the freeway. The proposed highway projects for fiscal years 2003 and 2004 were described. Clarification indicated that the bridge to be replaced is the Deer Run Road bridge and not the Brunswick Canyon bridge. The City must provide a match of 20 percent/\$600,000 for it. Mayor Masayko felt that the State should commence work on the bridge and get it replaced. He also indicated for the record that the fiscal year 04 commences October 1, 2004. Discussion also pointed out Governor Guinn's program of turning city streets back to the community and his desire to do so when the freeway is completed. Mayor Masayko thanked him for the report and attending the meeting. He also noted that Carson City is slated to receive \$255 million dollars in improvements to the State and Federal highway transportation system. There is \$106 million for Phase 1 of the freeway. The community is anxious to see this project move forward as quickly as possible. The proposal to revert the street ownership will be taken one step at a time. This may not occur until some of the traffic is removed from the local streets. The City should also get its five cents back

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at that time. Comments indicated that the City may have reached the halfway point on the freeway payment program. Discussion also explained that the delay in constructing an access to upper Clear Creek Road from Highway 50 West was due to a developer driven project. The developer wanted a different configuration for the interchange and was willing to pay for it but not the truck escape ramp. Discussions with this individual are continuing. Until the funding/plans are presented, nothing will be done, however, NDOT will not wait forever for progress to occur.

Mayor Masayko complimented Mr. Stephens and his staff on their efforts to keep the Congressional delegates informed about the growth and needs of Nevada. Northern Nevada is the third fastest growing area in the United States. He hoped that some of the \$10 million in federal highway funds will be restored. Mr. Stephens explained his testimony on this topic and belief that approximately half of the funds will be restored. He then explained the impact and legislation which had reduced the funding. He did not feel that any of the other States were willing to accept the reduction but may be willing to accept a status quo. His argument regarding the nation's growth placed Clark County as the fastest in the nation followed by Arizona and Northern Nevada. He also pointed out that the State Transportation Board makes the decisions where the funds are allocated. His staff only makes recommendations. The funding level will not allow all of the needs to be fulfilled.

Discussion ensued concerning the time line for submitting offers for the Lompa property. Mr. Stephens was firm that the final offer date would be in June. Assistant Director of Engineering Susan Martinovich indicated that they had all of the property necessary to move forward. An agreement had been signed with the Children's Home yesterday. Carson City is acquiring some additional property. The project will be advertised in December and it will be moved forward. The Children's Home and the Lompa property were the largest parcels. Supervisor Livermore encouraged NDOT to maintain the schedule and keep the progress moving even if the right of entry process must be used. Ms. Martinovich explained NDOT's desire to work with the property owners.

Supervisor Staub asked NDOT to look into having a right turn lane at Clear Creek for north bound Highway 395 traffic as he felt the traffic was making an unsafe turning movement there. Mr. Stephens agreed to have staff look into it.

Supervisor Plank pointed out the need for Carson City's RTC to set its priorities at its next meeting as failure to do may cause problems for NDOT. Mr. Stephens indicated that there had been problems with another community in processing its MPO status which he hoped would not be repeated.

Mayor Masayko explained the telephone calls and letters he receives regarding the uncontrolled crosswalks found on Carson Street/Highway 395. He urged NDOT to improve them with additional signage, noticing, or, where deemed appropriate, the elimination of some crosswalks. Mr. Stephens explained a Los Angeles study which indicated that pedestrians crossing without crosswalks do so more safely than those using sidewalks. He agreed that additional signage may help, however, the drivers become accustomed to them and do not see them. Mayor Masayko indicated that he would inform the individual(s) to contact RTC and to work through it. Mayor Masayko thanked Mr. Stephens and his staff for the report. He also indicated that once the City becomes an MPO it may not be necessary for them to return to the Board. Mr. Stephens thanked the Board for its support over the years and expressed his appreciation for the cooperation received from City staff. Mayor Masayko indicated that, although he may not be a member of the RTC, his main agenda item will remain as

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the freeway and that RTC will be there supporting it. Public comments were solicited but none were given. Supervisor Plank moved to approve the Nevada Department of Transportation's proposed annual work program for Fiscal Year 2003 for Carson City and accept the fiscal 2003 to 2005 statewide transportation improvement program, better known as "STIP", and the fiscal 2004-2012 short and long-term range plan for Carson City. Supervisor Staub seconded the motion. Motion carried 5-0. Mayor Masayko again thanked Mr. Stephens and his staff for the report.

RECESS: A recess was declared at 10:55 a.m. Mayor Masayko reconvened the meeting at 11 a.m. The entire Board was present, constituting a quorum.

10. DEVELOPMENT SERVICES - ENGINEERING - Senior Engineer Rob Fellows - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE APPROVING AN AMENDED DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF SILVER OAK DEVELOPMENT, APN 8-062-09, APN 8-062-06, 8-062-08, 7-461-28, AND 8-062-10, LOCATED IN CARSON CITY, NEVADA, FOR CONSTRUCTION OF CERTAIN OFF-SITE PUBLIC STORM DRAINAGE IMPROVEMENTS (1-2502) - The bill corrects technical errors in the original ordinance related to the Assessor's Parcel Numbers. Supervisor Williamson moved to introduce Bill 118, AN ORDINANCE APPROVING AN AMENDED DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND SILVER OAK DEVELOPMENT COMPANY, A LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF SILVER OAK DEVELOPMENT, APN 8-062-09, APN 8-062-06, 8-062-08, 7-461-28, AND 8-062-10, LOCATED IN CARSON CITY, NEVADA, FOR CONSTRUCTION OF CERTAIN OFF-SITE PUBLIC STORM DRAINAGE IMPROVEMENTS. Supervisor Livermore seconded the motion. Motion carried 5-0.

11. DISTRICT ATTORNEY - ACTION TO ADOPT ON SECOND READING BILL NO. 117, AN ORDINANCE ADDING SECTION 8.04.127 WHICH PROVIDES FOR THE PENALTY OF A PERSON CONVICTED FOR THE POSSESSION OF 1 OUNCE OR LESS OF MARIJUANA AND OTHER MATTERS PROPERLY RELATED THERETO (1-2555) - Mayor Masayko indicated for the record that he had not received any comments on the ordinance between first and second readings. Supervisor Plank moved to adopt Bill No. 117 on second reading, Ordinance No. 2002-14, AN ORDINANCE ADDING SECTION 8.04.127 WHICH PROVIDES FOR THE PENALTY OF A PERSON CONVICTED FOR THE POSSESSION OF 1 OUNCE OR LESS OF MARIJUANA AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact is an increase in collected fines. Supervisors Livermore and Staub seconded the motion. Motion carried 5-0.

12. CITY MANAGER - John Berkich

A. ACTION TO APPROVE AN AMENDED AND RESTATED AGREEMENT TO PROVIDE PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS PROGRAMMING BETWEEN CARSON CITY AND CARSON ACCESS TELEVISION FOUNDATION (CATF) (1-2617) - Administrative Assistant Liz Teixeira, CATF Executive Director Craig Swope - Mr. Berkich reviewed the revised portions of the contract and explained that the funds are a pass through from Charter Communications. He described the negotiation efforts with both Charter Communications and CATF regarding the programming

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and air time which had been increased over the previous contract. Channel 10 is dedicated to education and public programming. Channel 26 is dedicated to governmental programs. A replay policy was included on Page 5. The contract had been compared to other public access television contracts and revisions were made as a result. Mr. Swope explained that the 100 hours of increased programs would come from production support for products which result from meetings with the public information team. A video subcommittee team will work on the 90 seconds to five minute pieces which are dated. Examples of the concept and airing times were provided. Mr. Berkich described a program which allows the viewing public to call in with comments/questions which had been done on a limited basis. This type of interactive program will be undertaken in the future. It is hoped that Channel 26 will become an active arm of communication from the Board to the community. Training will also be undertaken on how to create local programming. This is to be an on-going program rather than a quarterly program.

Supervisor Livermore suggested a revision to Page 5 at Section 9 k which would require replays to be played "in their entirety" and not cut them off. His concern was described. Mr. Swope agreed. He also acknowledged the problems with the quality of the color and provided reasons for its deterioration at certain sites. He suggested that the negotiations with the vendor include response and accountability which will provide better quality control. He then described the current schedule for replaying the Board meetings. He also agreed to the amendment suggested by Supervisor Livermore. The majority of the City committees/commissions' meetings are approximately two hours in length. They should not pose a problem for replaying. The School Board and Planning Commission, however, could pose a problem. He indicated that their best effort would be made to not cut a meeting off in the middle of the replay. Supervisor Livermore felt that these meetings had periods which could be eliminated without hurting the replay if done selectively and appropriately as illustrated by his example. Mayor Masayko felt that editing could be considered although CATF has finite resources and is a small organization. He was concerned about the failure to follow the schedule as advertised. Mr. Swope explained that the website and the Nevada Appeal carry the schedule. Changes can be made if done before the Tuesday deadline for the Appeal.

Mr. Berkich pointed out the capital equipment funding list on Page 16. Mayor Masayko noted the funding source is the General Fund. He also disclosed his involvement with the CATF Governing Board. He pointed out the funding needs and community desire for this type of a program. The Board provides \$110,000 for this purpose. The contract also allows CATF to negotiate for capital equipment from Charter Communications. This funding is not guaranteed. Mr. Berkich explained the location of this paragraph which provides \$300,000 in capital equipment from Charter Communications.

Supervisor Plank disclosed his discussion with Mr. Swope regarding the need for the City to provide fillers when the meetings fail to last the designated two hour period. Mr. Berkich indicated that they had discussed this issue and that Mr. Swope and his team are working on some ideas. Discussion ensued concerning the quality of the programing when aired live versus that of the videos. Mr. Swope felt that the problem was between Charter or the former cable franchise operator AT&T and CATF. Discussion described several of the problems and indicated that the airings should be more consistent. Mayor Masayko felt that some of the problems were created by the wide range lenses used by CATF and until they take closer shots, the problem will remain.

Supervisor Staub reminded CATF that to "edit is devine" and to be careful about the personality and decisions

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to remove things. Reasons for having Mr. Berkich's office be the contact person were discussed. Discussion also suggested that the camera not stay on the three middle members of the Board/Commission and that air time be given to the other members. Mr. Swope agreed that each person on a committee/commission needed to have equal airing time. Mr. Swope also urged the Board to contact him when there are concerns and suggestions even if it means calling him at home. Discussion indicated that when the room had been redone, it had improved the pictures.

Supervisor Williamson explained that she resides in an area which does not have cable television. As \$110,000 of City funding is being committed to the programing, it should be done as well as possible. The goals were lofty. It may be necessary to contract some of the items or work with the college and high school so that the same individuals are not doing all the talking. She hoped that Charter Communications would assist and provide additional equipment. She felt that CATF was "limping along without adequate equipment or staffing". Mr. Swope pointed out that Channel 10 could be a resource for others.

Discussion indicated that airing of the Planning Commission needed restructuring as the wide camera angles do not allow you to determine who is speaking. Outside filming and videos need to be taken to give a more "alive" appearance. The studio also needs some improvements. Mr. Swope explained that the individual doing the program decides on the studio view. There are 40 independent producers using the studio and creating their own programs. They bring their own backgrounds. Supervisor Plank suggested that street attractions also be considered. Public comments were solicited but none were given.

Supervisor Livermore moved to approve an amendment and restated agreement to provide public, educational and government access programming between Carson City and Carson Access Television Foundation with the noted amendment to Page 5 of the amended document at Number 9 k which will place on the third line of k "will be replayed in its entirety". He also explained his search for a term to fit in this amendment due to the feeling that "time of the essence" does not fit. Mayor Masayko expressed his support for the motion as indicated as it will be conducted on a best effort basis and we know that if it is a five hour meeting, it will not fit into a four hour time slot. He reiterated his request that the schedule be followed. Supervisor Plank suggested that the break periods be cut and seconded the motion. Motion carried 5-0. Mayor Masayko thanked the CATF Board members/supporters who were present for their service and contributions to the community.

B. ACTION TO APPROVE A SECOND LEASE AGREEMENT WITH THE CARSON CITY MUNICIPAL GOLF CORPORATION FOR THE OPERATION OF THE EAGLE VALLEY GOLF COURSES (2-0030) - Corporation President Mark Sattler, General Manager Mike Magehee - President Sattler explained the delay in the negotiations and thanked City staff for its work on the agreement. The contract is for a five year period with a 90 day cancellation clause. Mayor Masayko explained the reasons for feeling that the Board had a comfort level with the Corporation and could grant the five year rolling contract. He also pointed out that the contract does not make any representations on the capital facilities. They hope that the cash flow follows the business success that will allow you to make the proposed changes. The Corporation and its Board had worked hard to make the courses successful. He complimented them on their efforts. Comments he had heard indicate that they are doing a good job. He hoped that the rounds and funding will remain. President Sattler explained that the revenue had increased, however, the number of rounds were less. Efforts are being pursued to increase the rounds. Rates are analyzed routinely. They hope to reach a point where the reserves will allow bonding for the irrigation improvements. Mayor Masayko pointed out the

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financial stability of the operation and its ability to repay its bonds. It may be possible to issue more bonds for the irrigation improvements.

Supervisor Plank thanked him for the tour of the facility. President Sattler urged the Board to tour the facility at any time. Supervisor Plank also complimented them on the rounds of golf which had been given to charities. Supervisor Staub complimented Mr. Berkich and the Corporation on the improvement to the insurance liability, which is now above the minimum. Discussion explained that a new golf ball is to be tried at the courses this weekend. Supervisor Staub commend the Corporation and staff on its efforts to bring the course back into the limelight of the community. Supervisor Livermore described the apprehension he had regarding the operation four years ago and complimented them on their changing it into a successful operation. He also indicated that he now receives compliments from the public about the courses and not criticism. Mr. Berkich explained the golf course's commitment to the community as indicated by its youth golf programs which includes a scholarship program. It is hoped that this program could be expanded to two scholarships next year.

Mayor Masayko corrected President Sattler's name on Page 21. President Sattler introduced the Board members who were present and explained the seasonal employee retention rate. Mayor Masayko also recognized former Mayor E. M. "Doc" Scrivner who was in attendance.

Supervisor Plank moved, with the correction to the spelling of Mr. Sattler's name on Page 21 of the contract, to approve a second lease agreement with the Carson City Municipal Golf Corporation for operation of the Eagle Valley Golf Courses, fiscal impact is not applicable. Supervisor Livermore seconded the motion. Discussion indicated the contract terminates on December 31, 2006. The motion was voted and carried 5-0.

There being no other matters for consideration, Supervisor Livermore moved to adjourn. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 12 noon.

The Minutes of the May 2, 2002, Carson City Board of Supervisors meeting

ARE SO APPROVED ON August 15, 2002.

/s/
Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder

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