

CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 4, 2001, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 4, 2001, 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
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Judie Fisher	Personnel Manager
	Rob Joiner	Redevelopment Director
	Mark Forsberg	Chief Deputy District Attorney
	Cheryl Adams	Purchasing & Contracts Manager
	Mark Brethauer	Senior Engineer
	Ray Saylo	Lieutenant
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 10/4/01 tape 1-0001)	

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. A quorum of the Board was present although Supervisor Williamson was absent. Rev. Ken Haskins of the First Christian Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0028) - None.

1. APPROVAL OF MINUTES - AUGUST 16, 2001 (1-0031) - Supervisor Plank moved to approve the Minutes for the Carson City Board of Supervisors meeting held on August 16, 2001. Supervisor Livermore seconded the motion. Motion carried 4-0.

2. AGENDA MODIFICATIONS (1-0046) - None.

LIQUOR AND ENTERTAINMENT BOARD (1-0048) - Mayor Masayko recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum of the Board was present including Sheriff's Representative Ray Saylo. Member Williamson was absent.

3. TREASURER - Al Kramer

A. ACTION ON APPROVAL OF A FULL BAR LIQUOR LICENSE FOR NEVADA RESTAURANT SERVICES, INC., DBA DOTTY'S, LOCATED AT 2260 HIGHWAY 50 EAST, RICHARD AND KATHRINE ESTEY AS LIQUOR MANAGERS (1-0050) - Chairperson Masayko noted the location. He reminded the Esteys that a liquor license is a privilege and stressed the importance of not selling liquor to minors. The Esteys responded affirmatively that they would train their employees in the liquor laws and would refrain from selling to minors. Member Saylo noted the favorable Sheriff's Investigative Report. Chairperson Masayko noted that the establishment will have 30 gaming machines and be open 24 hours a day. Member Livermore

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welcomed them to Carson City and complimented them on their renovation efforts. The Esteys indicated they have an operation in Sparks. Discussion explained that the Esteys will have a manager who will be trained in the liquor laws. Member Livermore moved to approve the full bar liquor license for Nevada Restaurant Services, Inc., DBA Dotty's, located at 2260 Highway 50 East, Richard and Kathrine Estey as liquor managers, under Carson City Municipal Code 4.13; fiscal impact is \$1,000 original new fee, \$575 investigation fee, and \$200 per quarter. Member Plank seconded the motion. Discussion indicated the restaurant is under construction and should open in approximately 30 days. The motion to grant the liquor license was voted and carried 5-0.

B. ACTION ON APPROVAL OF AN ASSEMBLY PERMIT WITH WAIVER OF THE \$25 APPLICATION FEE AND THE \$300 LICENSE FEE FOR NEVADA DAY, INC. (1-0128) - Nevada Day Representatives Joe Di Lonardo and Ron Bowman described the activities planned for Nevada Day weekend. Chairperson Masayko felt that there would be warm weather over the weekend. The parade is scheduled for Saturday, October 27. Comments indicated that the U.S. Marine Band from 29 Palms will participate and are "good". Member Plank moved to approve an assembly permit with waiver of the \$25 application fee and the \$300 license fee for Nevada Day, Incorporated, under Carson City Municipal Codes 4.28.030 and 4.28.050. Member Livermore seconded the motion. Motion carried 5-0.

BOARD OF SUPERVISORS (1-0220) - There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. A quorum of the Board was present although Supervisor Williamson was absent.

4. CONSENT AGENDA

- 4-1. TREASURER - ACTION ON THE TREASURER'S AUGUST 2001 REPORT**
- 4-2. ASSESSOR - ACTION TO APPROVE REMOVAL OF TAXES FOR APN 2-061-34 FROM THE 2001/02 FISCAL YEAR TAX ROLL PER NRS 361.765**
- 4-3. FINANCE - ACTION ON RATIFICATION OF THE AUGUST 2001 EXPENDITURE APPROVAL LISTINGS**
- 4-4. DEVELOPMENT SERVICES - CONTRACTS - ACTION ON AWARD OF THE ASH CANYON FLOW METER (RE-BID) PROJECT, CONTRACT NO. 2001-159 TO (BIDDER NO. 1) LANDMARK CONSTRUCTION COMPANY AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR A CONTRACT AMOUNT OF \$49,000 AND A CONTINGENCY AMOUNT OF \$5,000**
- 4-5. PURCHASING AND CONTRACTS**
 - A. ACTION ON CONTRACT NO. 0102-058 - A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY**
 - B. ACTION ON CONTRACT NO. 0102-065 - A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY RESEARCH AND CONSULTING SERVICES, INC., FOR THE CARSON CITY CONSOLIDATED PLAN AND FAIR HOUSING IMPEDIMENTS STUDY THROUGH AUGUST 30, 2002, FOR A NOT TO EXCEED COST OF \$30,000**
 - C. ACTION ON CONTRACT NO. 0102-066 TO CONTRACT WITH DANKA OFFICE IMAGING, IKON OFFICE SOLUTIONS, RICOH CORPORATION, AND XEROX CORPORATION BY JOINDER BID THROUGH NEVADA STATE PURCHASING TO PROVIDE COPIERS AND AUTHORIZE ALL CITY DEPARTMENTS TO BE ABLE TO UTILIZE THIS CONTRACT THROUGH APRIL 30, 2003, PROVIDING THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES**
- 4-6. PERSONNEL - ACTION TO APPOINT MATTHEW DAVIS TO THE POSITION OF ARCHITECT FOR A TWO YEAR TERM EXPIRING MAY 2003 ON THE BOARD OF APPEALS UNIFORM BUILDING/FIRE CODE** - Supervisor Plank moved for approval of each of the eight items on today's Consent Agenda. Supervisors Livermore and Staub seconded the motion. Motion carried 4-0.

5. BOARD OF SUPERVISORS

A. ACTION ACCEPTING A DEED FOR CERTAIN DESCRIBED LANDS SITUATED IN CARSON CITY, NEVADA, BETWEEN THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT, NEVADA STATE OFFICE, AND CARSON CITY, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA - MOUNTAIN DIABLO MERIDIAN; T.15N., R.20E, SEC. 8, LOT 1; CONTAINING 4.48 ACRES, MORE OR LESS. THIS PROPERTY IS ASSIGNED CARSON CITY ASSESSOR'S PARCEL NUMBER 2-121-09 (BOOK 2, PAGE 12), AND IS LOCATED SOUTH OF BEVERLY DRIVE, APPROXIMATE 215 FEET EAST OF THE INTERSECTION OF NORTH ROOP STREET AND BEVERLY DRIVE (1-0240) - BLM District Manager John Singlaub explained BLM's original acquisition of the site which, at that time, was located on the edge of the city. BLM had administratively given the City all but this one piece to the City for the Senior Center. An act of Congress was obtained to give the City the remaining portion. The Senior Center proposes to use the property for an assisted living center. Mayor Masayko thanked the following representatives for attending and their efforts to obtain the parcel - Carson City Senior Center Inc. Representative Tom Baker and Center Director Janice McIntosh; Congressman Gibbons' Representative Jean Wright; Senior Center Advisory Council Representative Les Groth; Senator Reid's Representative Yolanda Garcia; and Senator Ensign's Representative Debaire Powell. Ms. Garcia expressed Senator Reid's pleasure at having been able to assist in the effort. Ms. Powell read her prepared statement into the record noting Senator Ensign's efforts and pointing out the benefits which would be provided by the cooperative effort. Ms. Wright expressed Congressman Gibbons' pleasure at having been of assistance with the united effort. The commitment to the community and the Senior Center was noted. Mr. Baker thanked the Congressional Delegation for its assistance. Receipt of the deed at this time will help the Center's expansion and planning for the future. Center Governing Board Chairperson Bruce Scott was unable to attend the meeting today. He thanked all of the participants who had worked to obtain the property and, specifically, John Singlaub from BLM. Mr. Singlaub's efforts in obtaining the parcel now used by the Rehab Center was noted. Mr. Baker also thanked BLM for its planning and relocation efforts which made the land available for the Center. Mr. Groth indicated this is an important date for the Center. The architect's plans for the property had been developed ten years ago. He thanked the Congressional delegation for its efforts to make the plans possible. It will be one of the most beautiful areas in Carson City. Ms. McIntosh pointed out the cooperation which had occurred to make the dedication possible. The property will allow the Center to be expanded correctly as a one stop shopping area for seniors. She thanked all for their efforts and looked forward to the Center's "next greatest adventure". Mayor Masayko noted that Carson City was one of the communities indicated by the recently completed census whose senior citizen population had grown at a rate of almost 100 percent during the last decade. He thanked all of the participants including the Governing Board, Board of Supervisors, Carson City and its electorate for providing the resources to make the facility one which will meet the needs of the community and the seniors. Mr. Singlaub indicated that the marketable title was being transferred to the City and handed the Deed to Mayor Masayko. Mayor Masayko, in turn, handled it to Clerk-Recorder Alan Glover for filing. Supervisor Plank moved that the Board of Supervisors approve the acceptance of certain described lands situated in Carson City, Nevada, between the United State of America, acting by and through the Department of Interior, Bureau of Land Management, Nevada State Office, and Carson City, a political subdivision of the State of Nevada; Mountain Diablo Meridian; Township 15N, R.20E., Sec. 8, Lot 1, containing 4.48 acres, more or less; this property is assigned Carson City Assessor's Parcel Number 002-121-09, Book 2, Page 12, and is located south of Beverly Drive, approximately 215 feet east of the intersection of North Roop Street and Beverly Drive; no fiscal impact. Mayor Masayko noted that the property was deeded back to Carson City at no cost. Supervisor Livermore seconded the motion. Motion carried 4-0.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0455) - Mayor Masayko thanked Mayor Pro-Tem Plank for filling in during his absence at the last meeting. He then described the Nevada Association of Counties annual conference activities. The plans dealing with the next legislature are moving forward. The new slate of officers was listed. Next year's conference will be at South Lake Tahoe. He had offered to assist Douglas County in preparing for this conference. He urged the Board to attend. Supervisor reports included the following meetings/activities: Mayor Masayko - groundbreaking

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for the Senior Center expansion; Computer Corps Volunteer Recognition event; a meeting with the Sacramento Mexican Consul General Silveranos and announced that Nevada will soon have its own Mexican consulate in Las Vegas; American Planning Association conference; Supervisor Plank and Mr. Upton regarding water quality infrastructure funding issues; Supervisors Livermore and Williamson at the Regional Summit which needed better attendance by the surrounding counties; the Sikh event at Carson High School; Nevada Department of Transportation Board of Director meeting; "Walk Your Children to School Day"; U.S. Conference of Mayors meeting on keeping minors alcohol free; Yucca Mountain Nuclear Waste hearing in Carson City; discussions with unnamed individuals regarding speeding on Saliman and the DARE program. Supervisor Plank - Senior Center expansion project groundbreaking; interview with Dave Morgan; TRPA Governing Board; Nevada TRPA Governing Board; luncheon with Bob Kennedy; a discussion with a resident and later with Parks and Recreation Director Steve Kastens regarding fencing needs and wild horse concerns; "Walk Your Child to School Day"; Messrs. Berkich, Minton, and Upton and Mayor Masayko on water quality projects and funding for maintenance which may require a federal gasoline tax for the Tahoe Basin; RTC Engineer Harvey Brotzman and Street Operations Manager John Flansberg and the agenda for the next RTC meeting; Parks and Recreation Commission; and Senior Engineer Rob Fellows presentation at the Carson Sertoma Club. Supervisor Staub - Senior Citizens expansion project groundbreaking; Debt Management Commission; Little League Board of Directors elections; his work on Open Spaces issues in the Carson River corridor; Public Transit Advisory Committee (PTAC); a partisan function at which Mayor Masayko, Senator Mark Amodei, and Senator Randolph Townsend had attended; "Walk Your Child to School Day" which he hoped would be expanded to include private schools next year; UNR football scores and announced its next game against Las Vegas. Supervisor Livermore - Senior Center expansion groundbreaking; Hospital Board of Trustees meetings including its recruitment program and the problems encountered with the employee lease arrangement with Hawthorne and the change to Battle Mountain; Youth Sports Organization; Carson River Subconservancy District; One Vision, One Region workshop and complimented Supervisor Williamson on her leadership of that function; and "Walk Your Child to School Day".

Mayor Masayko congratulated the Carson City Open Space Committee, Parks and Recreation Department, the City Manager's office and City staff on their efforts to develop the Open Space Plan. It had been recognized by the American Planning Association. He announced his plans to be out of town tomorrow through Tuesday. Mayor Masayko complimented Supervisor Williamson on her coordination efforts related to the "Walk Your Child to School Day". Comments indicated that the water quality federal gasoline tax should be administered by someone other than TRPA and that it not create another bureaucracy. Supervisor Plank had suggested that El Dorado County be considered for this role and explained his reasons for this suggestion. Supervisor Plank announced that tomorrow's TRPA Local Government Committee meeting had been cancelled and that the City's MPO status may be held up another year due to funding problems. Supervisor Staub's report on the PTAC meeting included comments regarding the MPO delay and his suggestion that the City's congressional delegation be contacted. He also announced a special Airport Authority meeting with the residents in Supervisor Plank's neighborhood, the Library Oktoberfest activities, and the coming RTC meeting including the discussion regarding Hillview Drive and welcomed an opportunity to have this discussion. He then described the City's firefighters efforts to extinguish a fire at Little Lane. He challenged the community civic groups to develop a program to glean apples and other fruit from the numerous fruit trees in the community. This program could become our "Apple Day" or provide food for service organizations. He volunteered to assist with contacting the numerous property owners in an effort to avoid wasting the fruit. If this program cannot be developed this year, he hoped that it would be for the future. Mayor Masayko indicated that he had donated a lot of apples to his neighbors, friends, FISH, and the Boys and Girls Club from his own trees. An apple festival should be considered. Supervisor Livermore felt that if the sale of the land for the Rehab Center moves forward, the City can be assured that the City does in fact hold the deed for that land. Comments noted the need to do a parcel split before that could happen. Discussion also noted the problems encountered by Alpine County in getting and keeping its County Commissioners. Supervisor Livermore announced that free flu shots would commence on October 13. The shots will given to high risk individuals only. Shots will be available for other individuals in November. Supervisor Livermore explained the generous donations made by former Marines which will bring the Marine Band to Carson City for the Nevada Day Parade. The Marine Band will also provide a concert at the Legislature's amphitheater after the parade. The public was invited to attend.

C. STAFF COMMENTS AND STATUS REPORTS (1-1471) - City Manager John Berkich explained his attendance at the NACO workshop on the CDBG program that indicated the City's MPO status is "up in the air". There are several other cities who have also reached the 50,000 population but may not be classified as entitlement communities. Senators Reid and Ensign are working with the City to resolve this problem. The agreement reached at the workshop will allow Carson City to fall back into the statewide competitive program if the MPO status is not granted. If the State receives an increase in its appropriation, these funds will be allocated to Carson City and the City will not compete for the statewide funding. He also announced that the Library Oktoberfest will be held in the Pony Express Pavilion on Saturday from 12 noon to 6 p.m. The public was invited to attend.

(1-2225) - Mr. Sullivan congratulated the Open Space Committee, Parks and Recreation Department, and Open Space Manager Juan Guzman on the APA award. He also thanked the media for its coverage.

BREAK: A recess was declared at 10 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:10 a.m. Supervisor William-son was absent as previously indicated.

6. CARSON-TAHOE HOSPITAL - C. E. O. Ed Epperson - ACTION ON THE RECOMMENDATION FROM THE SEPTEMBER 13, 2001, MEETING OF THE BOARD OF HOSPITAL TRUSTEES FOR CARSON-TAHOE HOSPITAL TO THE CARSON CITY SUPERVISORS FOR THE APPROVAL OF A CONTRACT FOR THE PURCHASE OF PROPERTY FOR THE NEW REGIONAL MEDICAL CENTER CAMPUS SITE (1-1535) - Mr. Epperson explained the need for approximately 50 acres of "buildable" land for the regional facility. The proposed acquisition includes an area NDOT wishes to have as an easement. The parcel abuts the Nevada Children's Home parcel which will provide enough area for the regional facility. Mayor Masayko noted for the record that the purchase price is \$3.37 a square foot, which he felt was reasonable. Hospital Legal Counsel Mike Pavlakis indicated the agreement covers 19.05 acres. Approximately 3.78 acres are the subject of negotiations among Carson City, NDOT, and Silver Oaks development for retention basins for the 100 year floods. The proposal is to reduce the purchase price of this agreement by the end result of that agreement due to NDOT's payment for the detention basin(s) of approximately \$656,000. This will make the net purchase price for the Hospital to be \$2.2 million rather than the \$2.8 million. The appraisal process is now underway. Mayor Masayko indicated that NDOT is going to provide the funds to Carson City for the acquisition of the basin. City Engineer Larry Werner explained the discussions regarding the value of the basin. The original appraisal was \$500,000, however, this has increased to \$656,000. NDOT has not yet agreed to pay the additional amount. He was unsure whether NDOT's final payment would impact the Hospital's agreement. Discussion ensued concerning the assignment clause in the agreement and the need to include a clause indicating that the property may be transferred to the non-profit corporation. The purchase price will be paid in cash. Mr. Pavlakis agreed to discuss the inclusion with the seller. The property should close before the transfer occurs. Therefore, the property ownership should not impact the seller. Supervisor Staub explained his reasons for wanting the change in governance included in the assignment. Mr. Pavlakis indicated he would work with the District Attorney's office on the language. Supervisor Livermore moved for approval of the agreement for purchase of sale of real property between Carson-Tahoe Hospital and Silver Oaks Development Company for the purchase of property for the new regional medical center campus site that includes 19.2 acres--19.5 acres for a total amount of the purchase price of \$2.8 million. Following discussion Supervisor Livermore amended his motion to correct the total acreage to be 19.05 acres. Supervisor Plank seconded the motion. Motion carried 4-0.

7. SHERIFF - Undersheriff Bill Callahan - ACTION TO ACCEPT FISCAL YEAR 2001 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) IN THE AMOUNT OF \$58,683 TO BE SHARED WITH THE CARSON CITY SCHOOL DISTRICT WITH THE AGREEMENT OF MATCHED FUNDS IN THE TOTAL AMOUNT OF \$6,520 (1-1705) - School District Director of Operations Mike Mitchell - Discussion explained the grant's purpose and the match. The funds will be used to implement the "Safer Schools" program. The equipment that will be acquired was described. Additional staff will not be required to monitor the cameras. The better camera system should reduce the vandalism experienced over the summer. Mr. Mitchell thanked the City and the Sheriff's Office for making the funds available for this purpose. School Superintendent Mary

Pierczynski was unable to attend the meeting but supported the program wholeheartedly. Her letter to this effect was included in the packet. Undersheriff Callahan then explained the loss of funding for the "Cops for 2000" Program. He asked for permission to keep the patrolperson on for a couple of months by allocating \$16,500 for the position. He committed to providing the match from "Operations". The final request was for video enhancements in the booking area. He also committed to providing the match for these funds. Mayor Masayko noted the fiscal impacts created by the "Cops for 2000" Program which need to be addressed during the budget sessions. Supervisor Plank expressed his support for the programs and moved to accept the Fiscal Year 2001 Local Law Enforcement Block Grant, better known as LLEBG, in the amount of \$15,683 to be shared with the Carson City School District with the agreement of matched funds in the total amount of \$6,520; funding source to accept the \$58,683, the Carson City School District needs to contribute a matching amount of \$3,500 and the City, which is the Sheriff's Department, needs to contribute a matching amount of \$2,368. Supervisor Staub seconded the motion. Mayor Masayko indicated the motion would accept the grant in the amount of \$58,683. The motion was voted and carried 4-0.

8. ALTERNATIVE SENTENCING - Chief Matthew Fisk - ACTION TO APPROVE CHANGES TO USE OF 2000 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (1-1826) - Mayor Masayko complimented Chief Fisk on the change in direction which allowed more efficient use of personnel and funds. Supervisor Livermore moved to approve the changes to the use of the 2000 Local Law Enforcement Block Grant Funds as presented. Supervisor Staub seconded the motion. Discussion indicated that these are last year's grant funds. The motion was voted and carried 4-0.

9. DEVELOPMENT SERVICES - UTILITIES - City Engineer Larry Werner - ACTION TO APPROVE DEVELOPMENT SERVICES' PROCEDURE FOR PURCHASING DEMONSTRATION EQUIPMENT PER NRS 332.146 WITHOUT COMPETITIVE BIDDING (1-1905) - Utility Operations Manager Tom Hoffert, Development Services Director Andrew Burnham - Although the Statutes allow the procedure to be used, staff felt that Board direction on the policy should be obtained before moving forward with the procedure. Mayor Masayko disclosed his discussion with Mr. Burnham about City policies and the possible acquisition of equipment to clean sewer and storm drains. The proposal makes sense as long as equipment is being replaced. He urged staff to continue analyzing the cleaning needs and the pros and cons of outsourcing. The Statutes include specific criteria restricting the process including Board consideration above a specified amount. The Statutes were described including the process mandated for use outside the competitive bidding process. A hypothetical example was discussed which indicated that the equipment dealer was in Reno and not a local vendor. Supervisor Livermore voiced his objection to a process which would eliminate local suppliers/retailers from having an opportunity to bid on the equipment. Supervisor Staub supported the concept although he agreed with Supervisor Livermore. He encouraged staff to avoid such conflicts if at all possible. He agreed that good purchasing opportunities should not be overlooked. Abuses could, however, occur. Mr. Werner indicated that this had been staff's concerns. He wished to use the competitive bidding process whenever possible except when significant savings and opportunities are provided under this process. Mayor Masayko also felt that Mr. Berkich should submit a memo indicating that the funding for the equipment had been included within the budget. He would object to its acquisition if not within the budget. Discussion indicated that the savings which could be generated would remain within the enterprise fund. Mr. Berkich agreed that the savings would not become part of the CQI program. Funding for Capital Acquisitions under the General Fund supported Departments is normally from the CIP program and is not subject to the CQI savings program. Salary savings are used for the CQI program. Supervisor Plank expressed his support for the program and his confidence that staff would not abuse the program. An example was provided. Supervisor Staub explained his concern for the potential competitive vendors about the process. Mr. Werner agreed that staff could submit a request for bids, find that the bids were too high, and wait for a trade show with the hope that a negotiated bid could be lower. Current procedures allow staff to negotiate with bidders. The proposal would include a 20 to 30 day period for staff to make a presentation to the Board before finalizing the acquisition which will occur only after the Board approved the purchase. Staff would not be able to renegotiate with the local bidders as this would require the competitive bidding process to be followed. Mr. Hoffert explained the homework staff would have to do before soliciting Mr. Berkich to write the memo seeking permission to acquire the equipment. This will include spelling out the cost for the new equipment, the local bids,

the marketing area, the trade show where the equipment be demonstrated, and the projected savings which may be obtained. Supervisor Plank moved to approve Development Services' procedures for purchasing demonstration equipment per NRS 332.146 without competitive bidding; no fiscal impact and funding is not to exceed budget approved amounts. Following discussion, Supervisor Plank amended his motion to make the policy citywide. Mr. Berkich indicated that this would allow the City to take advantage of all opportunities which arise. Mayor Masayko agreed that this will provide the advantages, procedures and controls. Supervisor Livermore seconded the motion and asked that the process be reconsidered in one year to ensure that the advantages and opportunities supported the policy. He also pointed out that there could be outsiders who do not understand what the process is attempting to do. Mr. Berkich agreed to provide a summary sheet on the process. The motion to approve the policy as indicated was voted and carried 4-0.

10. COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION ON MPA-01/02-1 - ADOPTION BY RESOLUTION 2001-PC-5 OF AN AMENDMENT TO THE CARSON CITY LAND USE ELEMENT MASTER PLAN AND MAP AMENDING THE DESIGNATION OF LAND FROM INDUSTRIAL (I) TO PUBLIC COMMUNITY (PC) ON PROPERTY LOCATED AT 741 NORTH EDMONDS DRIVE, APN 10-032-31 (MOFFAT PROPERTY) AND C. ORDINANCE - FIRST READING - ACTION ON Z-01/02-1 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM GENERAL INDUSTRIAL (GI) AND SINGLE FAMILY 21,000 (SF21000) TO PUBLIC (P) ON PROPERTY LOCATED AT 741 NORTH EDMONDS DRIVE, APN 10-032-31, AND OTHER MATTERS PROPERLY RELATED THERETO (1-2232) - Discussion pointed out that the zone change would not allow the property to be developed beyond that allowed in other Public zoned areas. A special use permit was obtained for the improvements which will be made to the parcel. Supervisor Plank moved that the Board of Supervisors approve Resolution 2001-PC-5, an amendment to the Carson City Land Use Element Master Plan and Map, amending the designation of land from Industrial, I, to Public Community, PC, on property located at 741 North Edmonds Drive, Assessor's Parcel Number 010-032-31, better known as the Moffat property. Supervisor Livermore seconded the motion. Motion carried 4-0.

Supervisor Plank moved that the Board of Supervisors approve Z-01/02-1 and introduce Bill No. 115, a first reading of AN ORDINANCE EFFECTING A CHANGE OF LAND USE FROM GENERAL INDUSTRIAL, GI, AND SINGLE FAMILY 21,000, SF21000, TO PUBLIC, P, ON PROPERTY LOCATED AT 741 NORTH EDMONDS DRIVE, ASSESSOR'S PARCEL NUMBER 010-032-31, AND OTHER MATTERS PROPERLY RELATED. Supervisor Livermore seconded the motion. Discussion noted that publicly owned property could retain the original land use designation. Mr. Sullivan also indicated that the City did not have an Open Space zone at this time. He envisioned creation of such a zone and placement of property owned by the Open Space Committee in that classification. The City's Northgate property was cited as an illustration of zoning which had been retained. Discussion indicated that the Borda Ranch is owned by BLM. Its conservation reserve designation has not been changed. Mr. Sullivan expressed his hope that all land owned by either BLM or the Forest Service will become publicly zoned. The motion to introduce Bill 115 on first reading was voted and carried 4-0.

B. ORDINANCE - FIRST READING - ACTION ON A-00/01-4(A) - AN ORDINANCE AMENDING TITLE 17, SUBDIVISIONS, BY DELETING THE CURRENT CODIFIED ORDINANCE IN ITS ENTIRETY, RENAMING THE TITLE TO TITLE 17, LAND DIVISION, ADOPTING NEW TEXT IN ITS ENTIRETY, AND OTHER MATTERS PROPERLY RELATED THERETO (1-2428) - Mr. Sullivan's introduction included thanking the citizens committee, participants, and City staff for their work on the revisions. He hoped to have Title 18 revisions and the Development Standards to the Board in one or two months. Mayor Masayko felt that the revisions clarified the Code requirements and disclosed for the record a telephone call he had received expressing concerns about the amount of latitude being given to the Community Development Director related to the lot line adjustments and minor variances. Mr. Sullivan explained that lot line adjustments are currently handled at the staff level. There are proposals in Title 18 which are in compliance with the newly revised NRS 278 which provide staff with administrative procedures for variances. These revisions are still being discussed with the Planning Commission. Mayor Masayko felt that such variances made sense as it will shorten

the process. Discussion indicated that appeals to the variances will be heard by the Planning Commission and Board of Supervisors. Mayor Masayko also requested that a procedure be included which would allow the variance to be heard by the Planning Commission if requested by the applicant. Public comments were solicited but none given. Mayor Masayko complimented staff and the committee on their ability to have resolved the issues before bringing the revisions to the Board. Supervisor Livermore disclosed a telephone call he had received from a developer who had supported the revisions. He also complimented staff on the dynamics of the document. It had been well thought out and is supported by the developers and citizens of the community. Supervisor Plank felt that his only contact had been from the same individual Supervisor Livermore had referenced. Mayor Masayko also indicated for the record that Title 17 is a very technical document which the majority of the residents of Carson City would have little reason to use. It deals with land divisions and the creation of subdivisions. The development community including private property developers will use it and were involved in the process. Supervisor Plank moved to approve A-00/01-4(a), and introduce Bill No. 116, on first reading, AN ORDINANCE AMENDING TITLE 17, SUBDIVISIONS, BY DELETING THE CURRENT CODIFIED ORDINANCE IN ITS ENTIRETY, RENAMING THE TITLE TO TITLE 17, LAND DIVISION, ADOPTING NEW TEXT IN ITS ENTIRETY, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 4-0. Mr. Sullivan thanked his clerical staff for their efforts to provide updated copies of the Code at the various meetings. Mayor Masayko directed that all staff members be thanked for their work. He also hoped that the Code will be digitalized and put on the City's website.

11. FINANCE - Director David Heath

A. ACTION ON A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING SEWER PROJECTS AND WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES THEREOF; AUTHORIZING THE CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-2795) - The bonds will be part of the State Bond Bank offering in December or January. The projected interest rate is 4.3 percent. The bonds will provide for two years of capital needs. Staff is also considering reissuing the December 2000 Water and Sewer Bonds through the bond bank. This will provide an estimated \$90,000 savings due to the lower interest rate. Discussion indicated that the bonds are to coincide with buildout. The proposed bonds are to be issued for 15 years. Mr. Heath also advised the Board that he would be bringing forward a contract for a study of the water and sewer rates and briefly described the reasons for needing this study. Mayor Masayko also noted that the City water users are currently outstripping the peak day capacity water delivery and a need for those users to make a decision regarding the restricted watering periods. Mr. Heath then explained the capital equipment and improvements which would be acquired or made with the funds. Supervisor Plank moved to adopt Resolution No. 2001-R-54, A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING SEWER PROJECTS AND WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES THEREOF; AUTHORIZING THE CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Staub seconded the motion. Motion carried 4-0.

B. ACTION ON CONTRACT NO. 0102-056 - A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY MAXIMUS TO PREPARE TWO (2) COST ALLOCATION PLANS THROUGH JANUARY 31, 2002, FOR A NOT TO EXCEED COST OF \$18,000 (1-2982) - The purpose of the study and its uses were discussed. Supervisor Plank moved to approve Contract No. 0102-056, a request for professional

services to be provided by Maximus to prepare two cost allocation plans through January 31, 2002, for an amount not to exceed \$18,000. Supervisor Livermore seconded the motion. Supervisor Plank amended his motion to include for the record the funding source is Financial Professional Services 101-0701-415-0309 as provided in Fiscal 01 and 02. Supervisor Livermore concurred. Motion carried 4-0.

C. ACTION ON CONTRACT NO. 0102-057, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY MAXIMUS TO PREPARE A COST OF SERVICE/USER FEE STUDY FOR PLANNING THROUGH MARCH 30, 2002, FOR A NOT TO EXCEED COST OF \$17,000 (1-3140) - Mr. Heath explained that if both contracts are approved, the overall cost will drop \$2,000 as the expenses will be less. The City's planning fees are less than those assessed by the surrounding Counties. The study will conduct a time and motion analysis to determine the fees which should be assessed for services provided by Community Development. The Board will then determine the policy on the fee which is to be charged for the services. The Finance Department will use the plan as a model to study the other fees which are assessed by the City. Mayor Masayko expressed his concerns regarding a static study and expressed his hope that it would be a dynamic document which could be revised as needed over time as technology and requirements are changed. He encouraged staff to look at the dynamics and include data capture streams. Mr. Heath indicated his intent to include the developers and users in the fee discussions. Staff has the ability to provide timed documentation of the work. Mayor Masayko expressed his willingness to support an approach which includes collateral support and different approaches to make the program work that have the user Department's support. Clarification indicated that the One Stop Shop was not included in this study. Mr. Sullivan explained that the study would be conducted for the Special Use Permit, Variances, Subdivisions, Change of Land Use fees and other Planning Commission items. It has been 12 years since these fees were last reviewed. Mayor Masayko noted for the record and in defense of what is needed to be done for the enterprise fund that those other funds and tax supported entities are in fact charging enterprise funds for their services. Mr. Heath is looking at the overhead charges for all tax and enterprise supported funds which should be shared. The issue is, is the process fairly allocating costs based on the service levels. Mr. Sullivan explained the staffing which will be included in the fee assessments. Mayor Masayko also expressed his willingness to consider a plan that does not include his suggestions if they are too costly, time consuming, etc. Comments indicated that it should not take 3-1/2 years to complete the project. The cost allocation plan is to be completed by February 1st. Planning's review should be completed within a few months after that. Mayor Masayko indicated that they should both be completed by June of next year. Mr. Heath agreed. Mayor Masayko also expressed a willingness to include adding additional time and money if additional value can be provided. Supervisor Plank moved to approve Contract No. 0102-057, a request for professional services to be provided by Maximus to prepare a cost of service/user fee study for Planning through May 30, 2002, for a not to exceed cost of \$17,000; fiscal impact is \$17,000; and funding source is Finance Professional Services 101-0702-415-0309 as provided in Fiscal 0102. Supervisor Livermore seconded the motion. Mayor Masayko thanked the Finance Department for funding both contracts. The motion to approve the contract was voted and carried 4-0.

12. BOARD OF SUPERVISORS - CONTINUATION OF NON-ACTION ITEMS (1-3588) - None.

BREAK: A lunch recess was declared at 11:30 a.m. A quorum of the Board was present when Mayor Masayko reconvened the session at 1:30 p.m. although Supervisor Williamson was absent.

13. CHAMBER OF COMMERCE - Chief Executive Officer Larry Osborne and Chamber Manufacturing Assistance Partnership Chairman Bob Blank - **PRESENTATION ON CITY-CHAMBER BUSINESS CONTACT PROGRAM (2-0001)** - Discussion explained the intent to make it an ongoing program which will survey all segments of the economic community. Quarterly summaries will be provided to the Board. No hard cost funding will be requested from the City, however, the City's participation in the partnership is appreciated. A seventh team is being developed to represent the utilities. The Chamber will absorb all of the costs as part of its economic development program. Corrective measures will be taken to address negative information. The volunteers' meeting was limned. The survey will contact 35 to 40 percent of each economic sector. The seven volunteer teams will survey one or two firms a week. Retailers will not be surveyed during December. Monthly meetings will be held with the teams to address any problems which may arise. Mr. Osborne agreed to furnish the

number of surveys in the quarterly report. The largest concern at this time appears to be the national situation. This is something that the community cannot address. Services provided by the Chamber will be explained if the survey indicates assistance is needed. The list of resources at the Chamber has been expanded since the survey was conducted ten years ago. Mayor Masayko volunteered his assistance as well as the City staff's. City personnel is actively participating in the survey. Mayor Masayko thanked unnamed staff members who were present for volunteering to assist. The process points out to the businesses that "someone cares" and provides a person to talk to. Supervisor Livermore explained his support for the program to retain existing businesses in the community. He hoped that the survey would provide information regarding any retention issues which should be addressed. He also offered his assistance. Mayor Masayko thanked the team members for their service. No formal action was required or taken.

14. PERSONNEL - Manager Judie Fisher - ACTION TO APPOINT THREE MEMBERS TO THE AIRPORT AUTHORITY (2-0205) - Discussion noted residency and registration to vote concerns. The Board interviewed Harlow Norvell; William Mally (2-0475); William Hartman (2-0552); Gene Martin Green (2-0787); Dennis Buehn (2-0897); Malcom Redwine (2-1070); and Robert Brogan (2-1218). Guy Williams had submitted a letter as he was not able to attend the meeting. Rick Clemens did not arrive before the interviews were completed. Discussion noted that he was the only applicant for the industrial category. He was not a registered voter. The Board directed that this position be readvertised.

The round-robin process was used to indicate each Board member's candidate for the fixed base operator position. Comments noted the quality of the applicants. Supervisor Plank expressed the importance that the decision be unanimous and moved to appoint Bob Brogan as the FBO member to the Airport Authority. Supervisor Livermore seconded the motion. Motion carried 4-0.

The same process was used to select the Citizen-at-Large candidate. Supervisor Staub moved to appoint Harlow W. Norvell as the Citizen-at-Large member of the Airport Authority with a term ending in October 2005. Supervisor Livermore seconded the motion. Supervisor Plank encouraged Mr. Hartman to apply again. Mayor Masayko felt that he is eligible to apply as a pilot and that there will be a vacancy in this category next year. The manufacturer's position is still open. The motion was voted and carried 4-0. Discussion indicated that Mr. Clemens may not have received the message regarding the meeting.

AGENDA MODIFICATIONS (2-1610) - Discussion deferred action on Items 15 and 16 until after the Closed Session for Item 17.

BREAK: A recess was declared at 3:05 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 3:15 p.m. although Supervisor Williamson was absent as previously noted.

17. DISTRICT ATTORNEY

A. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO THE NEVADA OPEN MEETING LAW TO MEET WITH ATTORNEYS REGARDING PENDING OR THREATENED LITIGATION (2-1630) - Mr. Forsberg explained that the Statute enacted by the 2001 Legislature enables the Board to conduct meetings with attorneys in Closed Sessions. Supervisor Livermore moved to enter a Closed Session to meet with attorneys regarding pending or threatened litigation. Supervisor Plank seconded the motion. Motion carried 4-0. Mayor Masayko immediately recessed the Open Session at 3:16 p.m.

B. RECESS INTO OPEN SESSION (2-1650) - Mayor Masayko recessed the Closed Session at 4:10 p.m. and immediately reconvened the Open Session. (A quorum of the Board was present although Supervisor Williamson was absent as indicated.)

C. ACTION TO DIRECT ATTORNEYS WITH REGARD TO PENDING OR THREATENED

LITIGATION (2-1665) - Mayor Masayko indicated that the discussion with the Deputy District Attorney and the Consulting Attorney had included the options and advice. **Supervisor Plank moved to reapproach the Supreme Court for reconsideration of its decision. Supervisor Livermore seconded the motion.** Mayor Masayko explained that counsel had indicated there are quizzical issues related to the decision given by the Supreme Court which the Board would like to bring to the Court's attention. It was felt that the case the Court had cited was not synonymous, specifically, when dealing with the issue of whether the land was owned in fee or was dedicated from the Federal government to a Judge who then dedicated it to purchasers and/or occupants who were on the land. The chain of title in our case began with the Federal government as opposed to an individual. Hopefully, the Justices will listen to this possibility and understand the reason for reconsideration. The reconsideration should be handled quickly. The request is being made to protect the taxpayers as well as the other 13 Federal townsites in Nevada who may have similar concerns. If further action is required, the same process will be followed. Supervisor Staub disclosed for the record that he had informed the Board and legal counsel that his firm had purchased East Tenth Street for the Copper Point Plaza. Due to this acquisition and the potential impact the ruling may have on that purchase he had secluded himself from the Closed Session. He also indicated that he would abstain from voting on this item in the Open Session. Mayor Masayko then explained that the motion would submit the "expedited ruling from the Supreme Court panel" for reconsideration based on the submittal of additional information. He also noted the need for a super majority vote based on recent Legislative revisions to the Open Meeting Law for the motion to be approved. **The motion to reapproach the Supreme Court was voted and carried 3-0-1-1 with Supervisor Staub abstaining and Supervisor Williamson absent.**

16. CITY MANAGER - John Berkich - **PRESENTATION ON PROJECT IMPACT (2-1778)** - Mr. Berkich noted that the program is under the Federal Emergency Management Agency and had been underway for some time. Mayor Masayko noted that the program is funded by a Federal grant which makes the program more effective. Contract Project Impact Director Liz Watson limned the Safer Schools Program. The grant had provided funding for the buckets which will contain the First Aid Kits and safety equipment for each classroom. The buckets should be in the classrooms by the end of the month. The Safer Schools Task Force will continue working to make the schools safer and to bring the private schools online with the program. Discussion explained that the School District's Safer Schools Program had been presented to the other Project Impact participants. It was a well accepted, low cost program. Sparks' program places all of its school campuses on video disks for emergency information at any school incident. The disks will eliminate the need to look at blue prints. Carson City is interfacing with Sparks on this program. Ms. Watson then explained the status of the flood management program including an emergency management animal sheltering program and the need to develop an outreach education program for pet owners regarding the program and its preparedness needs. She then explained the establishment of a fourth program for assessment, education, and awareness of all hazards including earthquake, weather threats, flood hazards, weapons of mass destruction and terrorism, and wildland fires. This includes earthquake retrofitting work-shops which will be held January through March and a business continuity planning workshop. Mass mailings to the local businesses and residents as well as presentations to social organizations will be done in an attempt to get the public to attend the workshops and obtain the crucial information which is being provided. Efforts will be made to partner with either Lowes or Home Depot on the home retrofitting program. Board comments suggested that the material be revised to use Lowes rather than Home Depot and that contacts also be made with Meeks and Copeland regarding the program. Ms. Watson indicated that anyone wishing to participate in the program was more than welcome to join. Mayor Masayko asked Mr. Berkich to make sure that the public assembly buildings are prepared for earthquakes and noted concerns regarding bookcases and windows without shades, etc. Ms. Watson indicated that a public building would be video taped for the workshop to illustrate the concerns under the "train the trainer" portion of the workshop. Ms. Watson also indicated that the Hospital will be contacted regarding the program. Press releases, CAT-10, direct mailings and advertising will be used to educate the public. "Living With Fire" had been included in the Nevada Appeal as part of its participation in the program. Names are being taken for individuals wishing to attend the workshop. Dates for the workshops should be finalized next week. Discussion also indicated that power point will be used during the workshops. Her display had been

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developed with power point. Mayor Masayko complimented her on it. Comments also pointed out that although individuals are aware of the dangers, they continue to put off becoming prepared. The workshops are a source of information on how to be prepared. The project ends July 11, 2002. The direct marketing and presentation programs will commence at the end of October and will run through February. The first workshop may be in November. The second workshop will be in January or February. Open House for Fire Prevention Week will be on Sunday at Fire Station #1 from 11 a.m. to 2 p.m. Douglas County and Sparks are also participating in the program. Mr. Berkich and Mayor Masayko thanked Health Director Darin Winkelman for taking on the program. Discussion explained that the total grant had covered the \$211,000 costs for the program. The program began last April even though the program documents were not signed until July. The total grant had been for \$400,000. A majority of the funding is for flood management. Mayor Masayko thanked Ms. Watson for the presentation. Mr. Berkich thanked the Board for its support and indicated an intent to continue networking with the Board on its progress. Mayor Masayko noted that Project Impact is a beginning. It is hoped that the programs will become part of how the City does business in the future and keeps the preparedness situations in place and current. No formal action was required or taken.

15. PARKS AND RECREATION - ACTION ON APPROVAL OF ADDENDUM TO THE CONTRACT BETWEEN CARSON CITY AND THE BUREAU OF SERVICES TO THE BLIND AND VISUALLY IMPAIRED FOR THE OPERATION OF THE CONCESSION STANDS AT CENTENNIAL PARK (2-2303) - Deputy District Attorney Mark Forsberg - Discussion noted problems which had been encountered at the concession stands and the program to mitigate those issues. Supervisor Livermore moved to approve Addendum A to the contract between Carson City and the Bureau of Services to the Blind and Visually Impaired for the operation of the concession stands at Centennial Park. Supervisor Plank seconded the motion. Motion carried 4-0.

There being no other matters for consideration, Supervisor Plank moved to adjourn. Supervisor Livermore seconded the motion. Mayor Masayko noted for the record that Supervisor Plank would be absent from the next Board meeting. Motion carried 4-0. Mayor Masayko adjourned the meeting at 4:45 p.m.

The Minutes of the October 4, 2001, Carson City Board of Supervisors meeting

ARE SO APPROVED ON__November_15__,
2001.

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder