

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 18, 2001, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 18, 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
	Robin Williamson	Supervisor, Ward 1
	Pete Livermore	Supervisor, Ward 3
	Richard Staub	Supervisor, Ward 4

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Rod Banister	Sheriff
	Andrew Burnham	Development Services Director
	Walter Sullivan	Community Development Director
	William Naylor	Information Services Director
	David Heath	Finance Director
	Louis Buckley	Fire Chief
	Sally Edwards	Library Director
	Steve Kastens	Parks and Recreation Director
	Judie Fisher	Personnel Manager
	Mark Forsberg	Chief Deputy District Attorney
	Phil Herrington	Building Official
	Larry Werner	City Engineer
	Tom Minton	Deputy Finance Director
	Steve Mihelic	Deputy Fire Chief
	Traci Haakinson	Deputy Library Director
	Tom Hoffert	Utility Operations Manager
	Kevin Ikehara	Sewer Operations Chief
	Neil Rombardo	Deputy District Attorney
	Juan Guzman	Senior Planner
	Katherine McLaughlin	Recording Secretary
	Beth Huck	Business License Compliance Officer
	Justine Chambers	Contract Coordinator
	(B.O.S. 1/18/01 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. The entire Board was present constituting a quorum. Rev. Stan Friend of the Capital Assembly of God Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0026) - None.

1. APPROVAL OF MINUTES - September 7 and 21, 2000 - Supervisor Plank moved to approve the Minutes of the Carson City Board of Supervisors meetings for September 7 and September 21 with the correct spelling of Overman Pit on Page 6 in the September 7th Minutes and the name correction to the Plaza Hotel on Page 3 of the September 21 Minutes. Supervisor Livermore seconded the motion. Motion carried 5-0.

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2. **AGENDA MODIFICATIONS (1-0052)** - The Board's interviews of the Nevada-Tahoe Conservation District applicants was continued to the next meeting. Discussion will occur on Item 8 under Community Development regarding the right-of-way abandonment request, however, additional work is required and action will not be taken.

3. **SPECIAL PRESENTATIONS (1-0075)**

A. **ACTION ON RETIREMENT RESOLUTION COMMENDING GEORGE GERLACH FOR SERVICE AS A DEPUTY SHERIFF** - Personnel Manager Judie Fisher - Mayor Masayko read the Resolution into the record. Supervisor Livermore moved to approve the presentation of retirement resolution number 2001-R-1 commending George Gerlach for his service as Deputy Sheriff. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko read and presented a plaque to him commemorating his retirement. A signed copy of the resolution is to be presented to him in the future. Mayor Masayko thanked him for his service to the community. Mr. Gerlach thanked the Board for the plaque.

B. **PRESENTATION OF LONGEVITY AWARDS TO CITY EMPLOYEES (1-0142)** - Mayor Masayko presented the longevity awards to and congratulated each of the recipients. Awards for ten years of service were given to: John "Jay" Ahrens; James M. Better; Louis Buckley; Cynthia Clark; Maxine J. Cotton; William Keith; Robert F. Meitzner; Kenneth G. Steel, Jr.; Sandra Tschumperlin; Johnnie T. Tuttle; Charles M. Voight, Jr.; Leann K. Warne; and Elaine J. Werlinger. Fifteen year awards were presented to: Thomas Case; Shannon D. Evans; Michael A. Faisy; Dianna J. Fusano; Curtis W. Horton; Bartley J. Jackson; Royal Johnson; Dana J. McKelvey; and Janis Smerdon. Twenty year awards were presented to: James P. Asa; Harold B. Bowen; Dennis Howard; Susan Orsbern; and David Stultz. A 25 year award was presented to Kenneth E. Engles.

LIQUOR AND ENTERTAINMENT BOARD (1-0265) - Mayor Masayko recessed the Board of Supervisors session and convened the meeting as the Liquor and Entertainment Board. The entire Board was present including Sheriff Rod Banister, constituting a quorum.

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

C. **ACTION TO REVOKE ALL DELINQUENT LIQUOR LICENSES NOT PAID FOR BY JANUARY 17, 2001, FOR NON-PAYMENT OF THE QUARTERLY FEE (1-0272) (1-0434)** - All of the delinquent licenses had been paid. No action was required or taken.

A. **ACTION ON A FULL BAR LIQUOR LICENSE FOR PAUL AND SHARLING SOONER, OFFICERS AND LIQUOR MANAGERS FOR BULLY'S SPORTS BAR AND GRILL, INC., LOCATED AT 3530 NORTH CARSON STREET (1-0275)** - Paul Sooner assured the Board that he would abide by all of the State and local liquor laws and appropriately train his employees in them. Chairperson Masayko welcomed Bully's Sports Bar and Grill to the community. Member Banister noted the favorable Sheriff's Investigative Report. Member Staub cautioned him against serving minors and overly intoxicated individuals. Mr. Spooner explained that he owns three bars in Reno and Sparks. He had paid for "countless" taxi rides for his patrons. He was aware of the liability created by serving an overly intoxicated patron. Member Williamson welcomed him to the community. Mr. Spooner indicated that the bar should open the last week of March. The location of the establishment was noted. Member Plank moved to approve a full bar liquor license for Paul and Sharling Spooner, officers and liquor managers for Bully's Sports Bar and Grill, Inc., located at 3530 North Carson Street under Carson City Municipal Code 4.13; fiscal impact is \$1,000 original new fee, \$575 investigative fee, and \$200 quarterly fee. Member Williamson seconded the motion. Motion carried 6-0

B. **ACTION ON A PACKAGED LIQUOR LICENSE FOR BALWINDER THIND AND BAKHSHISH HANDA, OFFICERS AND LIQUOR MANAGERS OF CARSON CITY PARTNERS, LLC, DOING BUSINESS AS FRONTIER MOTEL AND MINI-MART, LOCATED 1718 NORTH CARSON STREET (1-0345)** - Both Mr. Thind and Mr. Handa were present. Chairperson Masayko explained the

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requirement that they attend the meeting, the location, and that the liquor license is considered a privilege in Carson City. He cautioned them against selling liquor to minors and to overly intoxicated patrons. He asked them to adequately train the employees in the liquor laws. Mr. Handa indicated that they understood the liquor laws and that they had a large investment in the business. Member Banister noted the favorable Sheriff's Investigative Report. Discussion indicated for the record that Mr. Handa would be living in Roseville, Calif., and that Mr. Thind would be living in Carson City at the motel. The rooms would be rented on a daily and weekly basis so long as problems are not encountered. Member Plank moved to approve a packaged liquor license for Balwinder Thind and Bakhshish Handa, officers and liquor managers of Carson City Partners, LLC, doing business as Frontier Motel and Mini-Mart, located at 1718 North Carson Street, under Carson City Municipal Code 4.13; fiscal impact is \$1,000 original new fee, \$575 investigative fee, and \$200 quarterly fee. Member Williamson seconded the motion. Motion carried 6-0.

BOARD OF SUPERVISORS (1-0440) - There being no other matters for consideration as the Liquor and Entertainment Board, Mayor Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present, constituting a quorum.

5. CONSENT AGENDA (1-0442)

A. PERSONNEL MANAGER - ACTION TO APPOINT "OWNER OF LESS THAN 20 ACRES" MEMBER TO THE CARSON RIVER ADVISORY COMMITTEE

B. COMMUNITY DEVELOPMENT - ACTION ON U-00/01-24 - A REQUEST FROM RAMONA HAYES ON BEHALF OF THE MEETING PLACE TO WAIVE THE SPECIAL USE PERMIT APPLICATION FEES IN ACCORD WITH CARSON CITY MUNICIPAL CODE 18.02.039

C. DEVELOPMENT SERVICES - ENGINEERING

i. ACTION TO APPROVE THE NOTICE OF CANCELLATION AND RELEASE OF A WATER MAIN REIMBURSEMENT OBLIGATION REGARDING ASSESSOR'S PARCEL NO. 09-143-14 AND A RELEASE OF THE WATER MAIN REIMBURSEMENT OBLIGATION ON ASSESSOR'S PARCEL NUMBER 09-143-05 AND 09-144-02 PLACED BY ORDINANCE NO. 1989-38, AN ORDINANCE APPROVING A WATER MAIN REIMBURSEMENT AGREEMENT BETWEEN PETE RASNER AND CARSON CITY FOR ASSESSOR'S PARCEL NO. 009-143-14 LOCATED AT 1020 VALLEY VIEW DRIVE

ii. ACTION TO APPROVE THE NOTICE OF CANCELLATION AND RELEASE OF A SEWER MAIN REIMBURSEMENT OBLIGATION REGARDING ASSESSOR'S PARCEL NUMBER 09-137-13 AND A RELEASE OF THE SEWER MAIN REIMBURSEMENT OBLIGATION ON ASSESSOR'S PARCEL NUMBERS 09-332-01 AND 09-332-11 PLACED BY ORDINANCE NO. 1990-8, AN ORDINANCE APPROVING A SEWER REIMBURSEMENT AGREEMENT BETWEEN JOE FRAGA AND CARSON CITY FOR ASSESSOR'S PARCEL NUMBER 09-137-13 LOCATED AT 1074 VALLEY VIEW DRIVE

D. DEVELOPMENT SERVICES - CONTRACTS

i. ACTION ON REQUEST FOR CONTRACT APPROVAL FOR THE UTILITY RELOCATION FOR FREEWAY PHASE 1A PROJECT, CONTRACT NO. 9900-032 TO PBS&J FOR APPROVAL OF AMENDMENT NO. 2 WHICH INCLUDES AN EXTENSION OF TIME FOR CONTRACT COMPLETION, ACCEPTANCE OF NEW FEE SCHEDULES, AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO RETAIN THE ORIGINAL AMOUNT OF \$11,000 FOR ADDITIONAL AMENDMENTS AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO GRANT EXTENSIONS OF TIME THAT MAY BE NECESSARY TO COMPLETE THIS PROJECT

ii. ACTION ON A REQUEST FOR CONTRACT APPROVAL FOR THE ASH AND KING'S CANYONS STORM DRAIN ANALYSIS AND PRELIMINARY ENGINEERING DESIGN PROJECT, CONTRACT NO. 9900-027 TO LUMOS AND ASSOCIATES, 800 EAST COLLEGE PARKWAY, CARSON CITY, NEVADA 89706, FOR AMENDMENT NO. 1 WHICH INCLUDES A REVISED SCOPE OF WORK, A NEW CONTRACT COMPLETION DATE, AND AUTHORIZATION FOR THE CONTRACTS DIVISION TO GRANT EXTENSIONS OF TIME THAT MAY BE NECESSARY TO COMPLETE THIS PROJECT

iii. ACTION ON REQUEST FOR CONTRACT APPROVAL ON THE COMBS CANYON TIMBERLINE WATERSHEDS DRAINAGE DESIGN PROJECT, CONTRACT NO. 9899-048 TO RESOURCE CONCEPTS, INC., 340 NORTH MINNESOTA STREET, CARSON CITY, NEVADA 89703-4152 ON AMENDMENT NO. 2 FOR A NOT TO EXCEED COST OF \$14,000 AND AUTHORIZATION TO GRANT AN EXTENSION OF TIME THAT MAY BE NECESSARY TO COMPLETE THIS PROJECT - Supervisor Williamson acknowledged David Johnson for volunteering to serve on the Carson River Advisory Committee. Mr. Johnson had been the only applicant. She also indicated he is a very active member on the Committee. Supervisor Plank supported her comments and disclosed his personal relationship with Mr. Johnson. Mayor Masayko noted that Mr. Johnson was not present. Supervisor Plank moved to approve all of the seven items included on today's Consent Agenda as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. BOARD OF SUPERVISORS

A. ACTION TO APPOINT ONE MEMBER TO THE NEVADA-TAHOE CONSERVATION DISTRICT (1-0052) (1-0477) - Pulled.

B. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-0483) - Mr. Berkich explained the health coalition's intent to discuss its legislative concerns with the Legislators. Mayor Masayko asked that, if a bill draft is developed for the coalition, it be agendaized so that the Board could discuss/support it. Mr. Berkich indicated it would be agendaized for the next Board meeting.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0503) - Supervisor Plank reported on his attendance at/participation in the following meetings/events: Local Government Committee at TRPA on affordable housing; former Supervisor Bennett's retirement dinner; Outdoor Partners event at the Silver Saddle Ranch; State Transportation Board; Builders Association of Western Nevada (BAWN) installation banquet; Regional Transportation Commission (RTC); with Supervisor Livermore and Development Services Director Burnham regarding the decision to relocate the Wellington Crescent trail access to Ash Canyon to access route used for the Ash Canyon water tank; Parks and Recreation and RTC's joint session; Senior Center Advisory Council; and Northern Nevada Railway Foundation. He announced the Seelinger School open house on the bicycle plan and his intent to meet with Bruce Scott, President of the Senior Center Board; attend Governor Guinn's "State of the State" address on the 22nd, and the TRPA Governing Board meeting on the 26th. Changes which occurred on the Senior Center Board were noted. Marc Reynolds had attended the Tahoe Transportation Committee meeting for him. He highlighted the decisions made at that meeting. The bids had been let on the College Parkway soundwall. He urged the Board to check out the new tile which is being installed at the Community Center. Mayor Masayko thanked him for his work on this flooring.

Supervisor Williamson reported on her participation in/attendance at the following events/meetings: former Supervisor Bennett's retirement dinner; the Outdoor Partners event at the Silver Saddle Ranch; Carson City Caroling and Chimes Committee and thanked all of the participants for their support and efforts to keep the chimes functioning; organizational development team and urged City employees to respond to the "Why" survey; Goni Road residents and Senator Mark Amodei regarding the installation of a manufactured home in their area; and the Cancer Advocates wine tasting event. She announced the Redevelopment Authority Citizens Committee (RACC) meeting scheduled for Saturday and invited the community to attend and participate in the development of its vision plan and implementation strategy. She also explained RACC's grant application process and solicited applications. She highlighted several of the projects/programs which are being developed in the downtown area. She announced that the Carson-Tahoe Hospital Auxiliary's Cowboy Poetry tickets are now available and urged everyone to attend.

Supervisor Staub expressed his intent to attend the Auxiliary's Cowboy Poetry. He then reported on his

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participation in/attendance at the following events/meetings: BAWN's installation of officers; Public Transit Advisory Committee; with Mary Keating regarding the Wellington Crescent concerns regarding the bicycle path; with Judy Lepire regarding Item 8 on today's agenda; and with Richard Moore regarding the Hospital affiliation process.

Supervisor Livermore reported on his attendance at meetings regarding the Carson-Tahoe Hospital including its discussions on affiliation/reorganization, Don Carlson's survey, its physician recruitment efforts, and its attempts to address its nursing shortage. He explained the Veterans' Administration contract that utilizes a portion of the Minden medical mall one day a week to provide medical services to the veterans of the community. He then advertised the Cowboy Poetry Western Barbeque and urged the public to obtain tickets as soon as possible. He also announced the Hospital Auxiliary's Hospitality Home's open house scheduled for January 24 from 1 to 4 p.m. and invited the public to attend. He then reported on his participation in/attendance at the following events/meetings: Mental Health Coalition including its position paper; BAWN's installation of officers; Carson Water Subconservancy District; and with Development Services Director Burnham and Supervisor Plank regarding the bicycle master plan element. During his report on the Coalition's position paper, Supervisor Williamson offered to assist with the efforts to obtain Legislative support for the program. Supervisor Livermore also announced the next Health Smart community meeting and described its agenda.

Mayor Masayko reported on his attendance at/participation in the following meetings/events: Economic Development Team; Convention and Visitors Bureau; Governor's Commission on Aging meeting in Las Vegas; BAWN's installation of officers; "Directions 2001" which had been sponsored by the Reno-Sparks Greater Chamber of Commerce and EDawn; Airport Authority including the status of its master plan element and cellular telephone concerns; with Carson City's Thailand sister city representatives; RSVP Advisory Committee; and with Clerk-Recorder Glover, Information Services Director Naylor, and Sheriff's Chief Deputy Bureau concerning reapportionment and proposals which should be presented to the Legislature. He indicated he would not be available for the Hospital affiliation or reorganization meeting scheduled for January 22 as there is a Convention and Visitors Bureau meeting that evening. He also suggested that the meeting be agendaized for a possible quorum of the Board. He thanked Supervisor Plank for attending the State-wide Transportation Board meeting for him. He reminded the Board and public that he is in the process of giving his annual "State of the City" speech to service organizations and asked that any service organization wishing to hear it to contact him. He restated his intent to allow discussion regarding the abandonment requests under Item 8 and that no action would be taken on these issues.

BREAK: A recess was declared at 10 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:15 a.m., constituting a quorum.

**7. DEVELOPMENT SERVICES - Contract Coordinator Justine Chambers - PRESENT-
ATION AND DISCUSSION ON THE DEMANDSTAR.COM PROGRAM, A PROGRAM USED TO HELP
FACILITATE THE BIDDING PROCESS (1-1512) -** Ms. Chambers indicated that the service would cost the City a handling fee. DEMANDSTAR.COM Representative Tobey Ward described the history of his membership bidding program and function which distributes governmental bid documents to his subscribers who are located throughout the United States. The distribution process uses the internet, fax on demand, and document fulfillment outsourcing and/or a combination of these procedures. The program allows information to be shared between members, i.e., procurement costs, bidding information, specifications, etc. The firm does not develop the spec documents nor award the bids. Feedback and tracking information provided by the firm was limited. The program provides greater outreach to both large and small bidders and specifically, ones with small budgets who cannot track all of the different types of bids open to their services. Benefits provided by the program were noted. A sample page of the computer program illustrating the amount and type of information which could be obtained was shown. The proposed contract indicated that the City would submit all formal bid requests items estimated to be over \$20,000 to the firm for distribution or handling. The City could continue to seek bids under the previous program as well as through DEMANDSTAR.COM. Ms. Chambers felt that the City's staff costs would equal

\$250 per document due to the need to convert the document to the firm's format. The subscribers' services and fees were limned. The City's handling fee was explained. Ms. Chambers committed to notifying all of the City's bidders, including BAWN, about the service. They could then subscribe for the service. Plan centers are included in the membership. The City's web page would include information regarding the status of City projects which had been placed on the program. Carson City does not pre-qualify its bidders. The current bidder listing program was described. Mr. Ward compared his service to a newspaper ad and indicated that the contract should include the need to pre-qualify in order to have the bid accepted by the City. The information is available to subcontractors who wish to submit bids to the contractor who has a set of plans for the project. This eliminates the need for City staff to provide the information. The fax on demand system also provides this information. Clarification indicated that the State does not use the service. Washoe County and Carson City's Purchasing Department and Development Services are members. There are other Nevada purchasing agencies who are members. Mr. Ward did not have the number of local subscribers available for discussion.

The process used to increase the number of subscribers was described. It utilizes the City's list of vendors to advertise the program/service. Ms. Chambers indicated the intent to commence the service on February 5th. A notice will be sent to all vendors who have expressed an interest in any City contract for the next three bid opportunities. Ms. Chambers then limned the reasons the City does not pre-qualify the bidders and DEMAND-STAR.COM's efforts to notify all Nevada licensed contractors of the service.

A copy of the notification is to be provided to the Board after the meeting.

After April 6, the City will no longer provide documents and all requests will be referred to DEMANDSTAR.COM. The concept eliminates the need for the vendor to pay the City for a plan. One-and-a-half plans will pay for the DEMANDSTAR.COM subscription. This also reduces the copying costs incurred by the City when plans are not taken by potential bidders. A survey of the bidders indicates that they look for bid opportunities and study plans after business hours. The program will allow them access to plans when City offices are closed. Mayor Masayko expressed his concern that the process could arbitrarily eliminate some bidders. Ms. Chambers indicated that the bids which would be opened by Deputy Purchasing Director Adams would not require subscribing to the service. Mr. Ward indicated that the firm allows for this type of flexibility in bidding programs. Ms. Chambers stated that the program could be modified if experience indicates the need to do so in the future. Newspaper advertising will still occur. Copies of the document will be available from her office. The bid announcement also has to be posted as is currently done. Supervisor Plank suggested that the newspaper ads include a notice that the documents could be obtained from the firm as well as from the City. Ms. Chambers indicated that the "bulletin board" listing of City jobs will still be available for contractors to peruse and that this program would continue to be maintained. Mr. Ward felt that his service provided additional notification to a wider circle of individuals or firms and does not reduce the number. Mayor Masayko felt that the program will expand the service, however, did not feel that 100 percent of the contractors will utilize it. Ms. Chambers then explained how she had heard about the firm. Brochures were left with Supervisor Livermore, at his request, for the Hospital. Mr. Ward asked that anyone with questions contact his firm. The numbers/addresses were available from Ms. Chambers. No formal action was required or taken.

8. COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION ON AB-00/01-5 - A REQUEST FROM CARSON CITY (PROPERTY OWNER: CARSON CITY) TO ABANDON A PUBLIC RIGHT-OF-WAY (IRREGULARLY-SHAPED AREA APPROXIMATELY 1.9 ACRES PLUS OR MINUS (86,000 PLUS OR MINUS SQUARE FEET) ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT THE NORTHWESTERN PORTION OF THE INTERSECTION OF OLD CLEAR CREEK ROAD AND U.S. HIGHWAY 395, APN 9-302-13; AND B. ACTION ON AB-00/01-6 - A REQUEST FROM CARSON CITY (PROPERTY OWNER: CARSON CITY) TO ABANDON A PUBLIC RIGHT-OF-WAY (AN IRREGULARLY-SHAPED AREA APPROXIMATELY 29,373 SQUARE FEET) ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT THE SOUTHWESTERN PORTION OF THE INTERSECTION OF OLD CLEAR CREEK ROAD AND U.S. HIGHWAY 395, APN 9-303-40 (1-2417) - Gene Lepire - Mr. Sullivan distributed a memo to the Board and Clerk. (A copy is in the file.) He then explained the memo

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requesting continuance of the requests to allow Bodine's Representatives an opportunity to discuss with NDOT its right-of-way restrictions and to give staff an opportunity to develop the public benefit list which would support the abandonments without fees. Mr. Sullivan felt that the requests should be back to the Board during February. Mayor Masayko disclosed his brief discussion with Mr. Sullivan regarding the continuance requests. Discussion noted that NDOT had abandoned the rights-of-way to the City with the clause that they could take the property back at no cost.

Mr. Lepire voiced his concerns about the length of time it had taken to complete all of the items contained in the June agreement. He read the terms on Page 6 commencing with Line 18 regarding the amount of property which was to have been abandoned. As Carson City had owned the property, he had never negotiated with NDOT. He felt that he should not be required to negotiate with NDOT. He then read from Page 4 commencing with Line 5 which indicated that the contract terms were to have been completed by October 2000 and that the sewer and water lines were to be connected at no cost to the Lepires. Page 6 repeated the no cost clause for connecting the water and sewer lines. He asked that the terms of the contract be completed at the Board's February 1 meeting so that he could pursue his legal recourse, if so desired. He offered to sell his property to the City at fair market value. Mayor Masayko explained that these subjects had not been agendized. He also wanted the issues resolved as quickly as possible. He asked Mr. Lepire to continue working with staff on these issues. Mr. Lepire indicated that he had documented everything since October when the terms of the document had not been fulfilled. Mayor Masayko asked that he allow staff time to work with NDOT. He also indicated that Mr. Burnham and Mr. Berkich needed to deal with the water and sewer issues. If it is necessary to discuss it at the February 1 meeting, it should be agendized. Mr. Lepire reiterated his request that all of the issues be considered at the same meeting so that he could proceed as is deemed necessary. He indicated that he is leaving town on Saturday and would return on the 31st for the February 1 meeting. Mayor Masayko indicated that staff would let him know as soon as is possible if that is the correct date. He asked that all of the information be furnished so that the Board could make a decision when it is agendized.

Discussion between Supervisor Williamson and Mr. Sullivan indicated the Planning Commission had considered the matter on December 20. The NDOT clause was noted at that time.

Mr. Lepire indicated that he had asked the Planning Commission to postpone the matter until it was corrected. The Commission had overruled him and the matter was brought to the Board today.

Mr. Sullivan explained that Mr. Lepire had made a similar presentation to the Commission. The Commission had not been involved in the agreement. This was pointed out during the Commission's meeting. Mr. Sullivan explained his statement at the Commission meeting that, as there is approximately one month between the Commission and Board meetings, there was adequate time for staff to obtain the answers to his questions. He had not had any contact with Mr. Lepire but would follow-up on the matter.

Discussion between Mayor Masayko and Mr. Sullivan disclosed for the record that Mr. Lepire had received the necessary City assurances that he would be able to enter onto the land and commence any level of construction desired even though the finalized document had not been processed. A description of the right-of-entry permit process was described.

Mr. Lepire indicated that he had not been told that a request had to be made in writing in order to install his fence. The fence is being installed today. The permit is not required as the fence will not be over six feet high. Mr. Sullivan agreed that a fence six feet or less in height did not require a building permit. The letter should be submitted as the fence is on City property. Mr. Lepire indicated that he had received a letter from the City regarding it which he had discussed it with Senior Planner Juan Guzman. He felt that the matter should have been completed before now as it had been going on since June or July. The fence was to have been up before Costco received its final permit. They obtained a permit in July. Mayor Masayko indicated that he was on the record notifying the City that the fence is going up. He relied upon Mr. Sullivan's presentation that as long as the City is aware of the work, the City would have no objections to it.

Supervisor Livermore questioned the number of abandonment parcels involved with Bodines. He noted that Mr. Lepire's settlement agreement was included in the packet, however, a settlement agreement for Bodine's had not been included. Mr. Sullivan felt that an agreement had not been developed with Bodines. He also felt that Bodine's representative had concurred with moving the abandonment request forward. Informational packets had been distributed yesterday to both the Bodines and the Lepires. Reasons for this distribution and for Supervisor Livermore's question were provided. Mayor Masayko indicated he recalled seeing the plans for Bodines before a meeting of either the Board or Redevelopment. Mayor Masayko directed that the items be continued to a future meeting which he hoped would be the first meeting in February. No formal action was taken.

C. PRESENTATION REGARDING MAXIMUM PROJECTED POPULATION OF CARSON CITY BASED UPON ANALYSIS OF THE BUILDOUT OF ALL AVAILABLE VACANT RESIDENTIAL PARCELS OF LAND WITHIN CARSON CITY (1-2782) - Comments indicated that the 2000 census would verify the estimate and assist in developing models for the future. Mayor Masayko encouraged staff to annually develop the population estimate figures. Discussion explained the allowed uses in the conservation reserve designated areas. Some of the property under this designation may not be developable due to the hillside ordinance restrictions. Other sites may be rezoned in the future as development expands outwards. Comments also explained the reasons Mr. Sullivan had not allowed for a lot of residential development at Carson City's part of Lake Tahoe. Mayor Masayko felt that there was approximately 60 square miles of land still available for development. Mr. Sullivan agreed to reconsider the conservation reserve property. Mayor Masayko also asked that the glossary include the terms and abbreviations. He indicated that in 18 years the City will not receive any more hookup fees. Population estimates at that time are in the 76 to 78,000 range. This figure has been used for years. The need for the estimate was also noted. The team who had worked on developing the estimate was introduced. No formal action was required or taken.

REDEVELOPMENT AUTHORITY (1-3235) - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Redevelopment Chairperson Robin Williamson. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS (2-0005) - Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

9. REDEVELOPMENT DIRECTOR - Rob Joiner - ACTION ON RIP-00/01-1 - A REQUEST FROM JUNE HARTMAN, APPLICANT, (BORTOLIN, ET AL., PROPERTY OWNERS) FOR REDEVELOPMENT PROGRAM INCENTIVE FUNDING FOR IMPROVEMENTS TO THE HISTORIC COMMERCIAL STRUCTURE LOCATED AT 312 SOUTH CARSON STREET, APN 3-113-11, FOR AN AMOUNT NOT TO EXCEED \$5,000 (2-0008) - Supervisor Williamson moved that the Board of Supervisors approve RIP-00/01-1, a request from June Hartman, applicant, Bortolin, et al., property owners, for Redevelopment Program Incentive Funding for improvements to the historic commercial structure located at 312 South Carson Street, APN 3-113-11, for an amount not to exceed \$5,000; funding source is the Redevelopment Revolving Account. Supervisor Livermore seconded the motion. Motion carried 5-0.

10. FINANCE DIRECTOR - David Heath

A. ACTION ON RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FISCAL YEAR 00-01 BUDGET (2-0032) - Supervisor Williamson moved that the Board of Supervisors adopt Resolution No. 2001-R-2, A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FISCAL YEAR 00-01 BUDGET IN THE AMOUNT OF \$444,510. Supervisor Plank seconded the motion. Motion carried 5-0.

B. ACTION ON APPROVAL OF RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY FY 00-01 BUDGET (2-0045) - Discussion noted that auto sales are up; the estimated figures for

interest earned by the Fuji Park funds; the funding source for the CIP program; the funding allocations in the Capital Acquisition and Development Fund Balance; the Qualify of Life Fund Balance; the funding source for the Building Permits Enterprise Fund; the tax on fuel is per gallon and its restricted uses. Mr. Heath volunteered to meet with any Board member who desired more details regarding the summary. He then explained his summary sheet detailing the expenditures which had been made from the Contingency Account. Discussion also indicated that the Sheriff's Department is spending the Commissary Funds as directed by the Grand Jury. The account still contains \$147,000. It is now being used for inmate medical services. Mayor Masayko encouraged Mr. Heath to avoid as many audit violations as possible by doing augmentations for any and all accounts which may incur a problem. Mr. Heath indicated that he would talk to the Departments and encourage them to avoid over-expenditures which had occurred in the past. Supervisor Livermore moved to adopt Resolution No. 2001-R-3, A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY FISCAL YEAR 00-01 BUDGET IN THE AMOUNT OF \$14,928,115. Supervisor Plank seconded the motion. Motion carried 5-0.

11. PARKS AND RECREATION DIRECTOR - Steve Kastens

A. ACTION ON A RESOLUTION TO ADOPT A NEW POLICY REGARDING THE BUYING BACK OF GRAVE PLOTS LOCATED IN LONE MOUNTAIN CEMETERY (1-0224) - Cemetery Sexton David Stultz, Clerk-Recorder Alan Glover, Chief Deputy District Attorney Mark Forsberg - Discussion explored the justification for the proposed policy. Legal concerns regarding the documents currently used to document the sale and ownership as well as the requirement that a notarized letter from the original purchaser supporting the resale were discussed. Supervisor Staub suggested that the policy allow the executor of the estate to provide the letter even though this individual may not have been the original purchaser. He also suggested that, if an affidavit of death is used to show that the individual has died, it be notarized. Mr. Glover described a discussion held among County Recorders regarding cemetery plots and questioned whether the sale of the plots should be recorded like other land transactions. This would address the estate problem raised by Supervisor Staub. Mr. Forsberg questioned whether the plots were easements, fee titles, or licenses and volunteered to work with staff on developing the necessary documents and procedures. The final document will reconvey whatever interest the buyer may have acquired. He also agreed to present that document to the Board for consideration. Discussion noted that the policy could create a financial burden on the enterprise account. Staff recommended that the plots be purchased at the same price as originally paid minus a 25 percent administrative fee. Ownership records, including problems which had been encountered in attempting to determine the ownership, and the current program to assist those desiring to sell their plots were described. The buy-back policy used at other cemeteries in the area was noted. Funding needs may require assistance from the Board. Supervisor Plank suggested that a document similar to that used for automobile titles be used. Consensus supported establishing a policy allowing buy-backs. Comments also expressed the feeling that once the City acquires the plots, it will not be difficult to determine future ownership. Mr. Kastens agreed to obtain copies of other cemeteries' buy-back policies. Mr. Stultz also agreed to attempt to issue the final document for all the other plots which have been sold by the City. Discussion further described the problems encountered by the City in attempting to determine plot ownership. Supervisor Staub voiced his opposition to any effort to borrow funds to repurchase the plots particularly in lieu of the fact that the policy indicates "the City may". This does not require it to do so. He supported the acquisition as long as there are funds available within the Cemetery's enterprise account with which to acquire the plots. He pointed out that the owners could sell the plots to other individuals. Public comments were solicited but none were given. Supervisor Livermore moved to adopt Resolution No. 2001-R-4, A RESOLUTION ADOPTING A NEW POLICY REGARDING THE BUYING-BACK OF GRAVE PLOTS LOCATED IN THE LONE MOUNTAIN CEMETERY as presented by staff with the recommendations and considerations or comments made to modify the legal document to address the Board's concerns. Supervisor Williamson seconded the motion. Mayor Masayko indicated that the policy matter indicates the City may buy-back the plots if the working capital is adequate to do so. Motion carried 5-0. Mayor Masayko noted that the Board's action had adopted the general policy and that Mr. Glover had offered to work with them on the document. This will, hopefully, make the process better.

B. ACTION ON A RESOLUTION TO ADOPT NEW FEES FOR NICHES HIGHER THAN TWO ROWS AND COMPANION NICHES LOCATED AT LONE MOUNTAIN CEMETERY (2-0616) -

Mayor Masayko indicated that the buy-back policy may also impact this policy. Mr. Kastens agreed. Ownership documentation for the niches is currently based upon having a receipt. Supervisor Staub requested that this policy also be addressed. Mr. Kastens agreed. The proposed fees were felt to be in line with those charged at other cemeteries. Staff had not considered extending the buy-back policy to the niches. Mayor Masayko and Supervisor Livermore encouraged staff to do so. Market competition was discussed. Space is also available to bury the urns, if desired. Supervisor Staub suggested that the fee structure be compared to the competitors. Comments indicated that staff had received direction during the previous item. Supervisor Plank moved to adopt Resolution No. 2001-R-5, A RESOLUTION ADOPTING NEW FEES FOR NICHES HIGHER THAN TWO ROWS AND COMPANION NICHES LOCATED AT THE LONE MOUNTAIN CEMETERY. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko indicated that if it is necessary for the Board to reconsider the issues, they should be agendaized.

6. D. STAFF COMMENTS AND STATUS REPORTS (2-0748) - Cemetery Sexton Stultz asked for a volunteer to participate in the Memorial Day activities. Supervisor Livermore volunteered.

BREAK: A lunch recess was declared at 12:25 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:40 p.m., constituting a quorum.

12. WESTERN NEVADA COMMUNITY COLLEGE - Vice President of Institutional Advancement Helaine Jesse - **PRESENTATION AND DISCUSSION REGARDING THE WESTERN NEVADA COMMUNITY COLLEGE JACK C. DAVIS OBSERVATORY AND COMMENTS REGARDING "DARK SKIES" POLICIES (2-0755)** - Adjunct Facility Member Red Sumner, Builders Association of Western Nevada (BAWN) President Ron Kipp - A model of the observatory was displayed illustrating the concept which Ms. Jesse described. Funding was explained. Educational opportunities and programs provided by the concept were limned. The April 18th fund raising event including the guest speaker, Dr. Buzz Aldrin, was described. Although she acknowledged that the topic had not been agendaized for action/direction, the need for "Dark Skies" were noted. She agreed to work with the community, the developers, Community Development, and the Chamber of Commerce to develop an awareness of light pollution. She acknowledged that the College is a major offender, however, could not change the lighting program due to the lack of funds. Recent projects had included the correct lighting mechanisms. She did not support legislation mandating these lighting fixtures or light pollution controls. Mayor Masayko felt that Community Development had been working to eliminate light pollution wherever possible. Ms. Jesse indicated that the groundbreaking would occur in March and that the opening is scheduled for September. Discussion indicated that the Southern Nevada Community College of Las Vegas has an observatory. It is a smaller facility. Board comments complimented her on the dynamic program and concept. The facility may be used as a tourist attraction. Comments also indicated that the V&T Bicycle Path would provide access to the facility. The junior high and high school essay contest was described.

Ms. Jesse introduced Dr. Sumner and Mr. Kipp. Dr. Sumner described his support of the project. He also explained the community support for the summer astrology classes. Changes to modern technology were cited to illustrate the features which would be provided by the facility making it the current state of the art. These same technological changes warranted the use of controlled lighting. Controlled lighting can fulfill the same lighting purposes now provided with a great deal of light pollution. He gave the Board and Clerk a copy of a news article from the Observer's Handbook entitled "Light Pollution" by David L. Crawford. (A copy is in the file.) He read the article's definition of light pollution and its contention that antiquated lighting fixtures reduced the security potentials desired and wasted energy. Mayor Masayko thanked him for his presentation.

Mr. Kipp indicated that the building would be the second privately funded facility constructed at the College. BAWN's role in this effort was described. The building will be an asset to the community. Mayor Masayko thanked him for his and BAWN's efforts and Ms. Jesse for the presentation. No formal action was required or taken.

13. PERSONNEL MANAGER - Judie Fisher

C. ACTION ON A RESOLUTION UPDATING THE FRINGE BENEFIT PACKAGE TO BE CONSISTENT WITH GENERAL CITY EMPLOYEE CONTRACTS AND MAKE ADDITIONS AND DELETIONS DUE TO DEPARTMENTAL REORGANIZATIONS (2-1138) - Discussion noted the clause regarding pay ranges which includes the ability to adjust the unclassified range annually by the CPI or the amount contained in the negotiated contract for the employees they supervise. This clause may address future compaction problems at the Fire and Sheriff's Departments. Revisions will be made in the future to the public officers section of the Code. Discussion indicated that the employee at the collections unit is in a classified position. The proposal is for the unclassified positions only. Comments also noted that the collections unit position is temporary and that the Department will be abolished if it does not produce the desired results. The position was part of an internal reorganization. Supervisor Plank then moved to adopt Resolution No. 2001-R-6, A RESOLUTION UPDATING THE FRINGE BENEFIT PACKAGE TO BE CONSISTENT WITH GENERAL CITY EMPLOYEE CONTRACTS AND TO MAKE ADDITIONS AND DELETIONS DUE TO THE DEPARTMENTAL REORGANIZATIONS. Supervisor Livermore seconded the motion and requested an amendment. Supervisor Plank amended his motion to include unclassified in the resolution's title. (A Resolution updating the Unclassified Fringe Benefit Package....) Supervisor Livermore concurred. The motion was voted and carried 5-0.

OTHER MATTERS (2-1295) - Mr. Berkich and Mr. Forsberg were excused from the meeting. Discussion between Mr. Forsberg and Supervisor Livermore disclosed that Supervisor Livermore's relative, Laura Bird, had applied for the Open Space Advisory Committee vacancy. Supervisor Livermore expressed his intent to participate in the interviews and the decision making process. Mr. Forsberg did not feel that there would be a conflict of interest as it is a voluntary, unpaid position. Mr. Berkich and Mr. Forsberg then left the meeting.

A. ACTION TO APPOINT ONE MEMBER TO THE REGIONAL PLANNING COMMISSION (2-1325) - The Board interviewed the following applicants: Verne Horton; (2-1566) Tom Keeton; (2-1845) James Kiley; (2-2146) Wayne Pedlar; (2-2470) John Peery; (2-2850) Jesse Olsen; and (2-3130) Albert Le Balch; and (3-0079) Diane Dixon. Kenneth Brown had withdrawn his application. Each applicant was given an opportunity to give either an opening or closing statement. The Board thanked each for applying. (3-0385) Discussion noted the quality of the applicants. Each Board member then nominated his/her choice for the Commission. Supervisor Livermore moved that the Board of Supervisors appoint Wayne Pedlar to the seat that was vacated by Keith Larkin and that the term will expire in June 2003. Supervisors Plank and Staub seconded the motion. Supervisor Plank explained his ranking for the position and indicated that Mr. Pedlar lives in Ward 2. Supervisor Williamson noted her ranking and that Mr. Pedlar had a link with the manufacturers. She hoped that he could be a mediator as he knows and understands some of the concerns but would not allow them to impact his decisions. Mayor Masayko disclosed that he had had a similar conversation with Mr. Pedlar which he felt had made him a "little more informed". He reiterated the Board's appreciation for the other applications. It was a great group of candidates. The motion to appoint Mr. Pedlar was voted and carried 5-0.

BREAK: A recess was declared at 4:05 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 4:18 p.m., constituting a quorum.

B. ACTION TO APPOINT FOUR MEMBERS TO THE OPEN SPACE ADVISORY COMMITTEE (3-0475) - Mayor Masayko noted Supervisor Livermore's disclosure. The Board interviewed the following applicants: Laura Bird; (3-0615) Margaret Robinson; (3-0785) Charles Kuhn; (3-0925) Patrick Anderson; (3-1334) Kenneth Brown; (3-1465) Bruce Scott; (3-1735) Steve Hartman; and (3-2034) Kathleen Jordan. An opportunity was provided for the applicant to give either an opening or a closing statement. Mr. Anderson indicated that he was not related to the Anderson family who owns property on Mountain Street and on the east side of the Carson River. He also distributed to the Board copies of news articles which he referenced in his closing statement. (A copy was not given to the Clerk.) The Board thanked each of the applicants for applying. Discussion among the Board indicated that the policy of appointing alternates would be discontinued and that Mayor Masayko would agendize, for a future meeting, the ordinance abolishing this program. Discussion indicated that both of the current alternates had applied for the vacancies. Comments also thanked the previous members, i.e., Messrs. Hartman, Scott, and Quilici and Ms. Uhart-Merrill, for their time and dedication on the

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Committee. Term lengths were to be established with the appointments. The round-robin selection process was then explained and used to select the three appointees for the four year terms. (3-2605) Supervisor Livermore then moved that the Board of Supervisors appoint Margaret Robinson, Bruce Scott, and Steve Hartman to four year terms on the Open Space Advisory Committee. Supervisor Plank seconded the motion. Motion carried 5-0.

Each Board member then nominated his/her applicant for the two year term. Supervisor Livermore moved that the Carson City Board of Supervisors appoint Laura Bird to the term which expires in January 2003 to the Carson River Advisory Committee. Supervisor Plank seconded the motion. Discussion noted that Ms. Bird resides in Ward 2. Supervisor Williamson voice her support for Ms. Bird and expressed her feeling that another position would be found for Ms. Jordan. Mayor Masayko suggested that she apply for a position on the Tri-County Railway Commission or one of its subcommittees. Ms. Jordan expressed a willingness to serve on any committee. Mayor Masayko again thanked her for applying. The motion to appoint Ms. Bird to the term expiring in 2003 was voted and carried 5-0.

Mayor Masayko directed Ms. Fisher to return with the ordinance revision. Discussion explained the number of appointments which the Board would consider at its next two meetings. Supervisor Plank explained his efforts to recruit applicants for the various Committees and Commissions. Mayor Masayko pointed out that Ward 1 contained more registered voters and should have twice the number Ward 2 has on Committees and Commissions.

There being no other matters for consideration, Supervisor Plank moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 6:12 p.m.

The Minutes of the January 18, 2001, Carson City Board of Supervisors meeting

2001. ARE SO APPROVED ON _____April_4_____,

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder