

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the December 2, 1999, Meeting  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, December 2, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:                   Ray Masayko                   Mayor  
                                  Kay Bennett                   Supervisor, Ward 4  
                                  Robin Williamson           Supervisor, Ward 1  
                                  Jon Plank                    Supervisor, Ward 2  
                                  Pete Livermore             Supervisor, Ward 3

STAFF PRESENT:   John Berkich                   City Manager  
                                  Alan Glover                 Clerk-Recorder  
                                  Judie Fisher                 Personnel Manager  
                                  John Iratcabal             Purchasing Director  
                                  Cheryl Adams               Deputy Purchasing Director  
                                  John Mayes                 Risk Manager  
                                  Fred Schoenfeldt         Sergeant  
                                  Katherine McLaughlin     Recording Secretary  
                                  (B.O.S. 12/2/99 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. Patrick Propster of the Carson City Christian Fellowship gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

**CITIZEN COMMENTS (1-0044)** - None.

**1. ACTION ON APPROVAL OF MINUTES - 9/17/99 Regular Meeting, 8/18/99 Budget Workshop, and 8/26/99 Breakfast with Senator Bryan (1-0048)** - Discussion noted a correction to the September 17 Minutes which had been made prior to the meeting. Supervisor Plank moved to approve acceptance of the Minutes for the Carson City Board of Supervisors Special August 18th Workshop, August 26 Breakfast with Senator Bryan, and the September 17 meeting, all for 1999. Supervisor Livermore seconded the motion. Motion carried 5-0.

**2. AGENDA MODIFICATIONS (1-0077)** - None.

**3. SPECIAL PRESENTATIONS - Personnel Manager Judie Fisher - ACTION ON RETIREMENT RESOLUTION FOR BARBARA SANDERS (1-0079)** - Ms. Fisher described Ms. Sanders duties during her tenure and commended her on them. Mayor Masayko described her community service activities and read the Resolution into the record. Supervisor Livermore moved to award and adopt Resolution No. 1999-R-52, A RESOLUTION COMMENDING BARBARA SANDERS ON HER RETIREMENT from 25 years of service at the Fire Department. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Masayko read and gave her a plaque commending her on her service. He wished her the best in her retirement. Ms. Sanders expressed her enjoyment of the position and briefly described her retirement plans.

**LIQUOR AND ENTERTAINMENT BOARD (1-0151)** - The Board of Supervisors was recessed and the Liquor and Entertainment Board convened. The entire Board was present including Sheriff's Representative Fred Schoenfeldt, constituting a quorum.

**4. TREASURER - Al Kramer - ACTION TO ADD JORGE MENDEZ TO THE EXISTING BEER AND WINE LICENSE HELD BY MARTINA FUENTES, DOING BUSINESS AS TAQUERIA LUPITA (1-0158)**  
- Jorge Mendez indicated he was familiar with the Carson City and the State Liquor Laws. All of his employees will be trained in them. Member Schoenfeldt noted the favorable Sheriff's Report. Member Williamson moved to approve adding Jorge Mendez to the existing beer and wine license by Martina Fuentes, doing business as Taqueria Lupita located at 933 Woodside Drive #102 and wished him luck in his new venture. Member Plank seconded the motion. Motion carried 6-0.

**BOARD OF SUPERVISORS (1-0210)** - There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Masayko adjourned the Board and immediately reconvened the hearing as the Board of Supervisors. The entire Board was present constituting a quorum.

**5. CONSENT AGENDA (1-0210)**

**A. TREASURER - ACTION ON TREASURER REPORT FOR THE MONTH OF OCTOBER 1999**

**B. DEVELOPMENT SERVICES - ENGINEERING**  
**i. ACTION ON THE REQUEST FROM THE SAUSAGE FACTORY LOCATED AT 259 SAGE STREET (APN 2-072-05) TO WAIVE THE 24 FOOT MINIMUM DRIVEWAY WIDTH FOR A TWO-WAY AISLE AND THE TEN FOOT DRIVEWAY SETBACK FROM THE SIDE PROPERTY LINE AS REQUIRED BY CHAPTER 15.20.010 OF THE CARSON CITY MUNICIPAL CODE**

**ii. ACTION ON A DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION FOR HOT SPRINGS CENTER ASSOCIATES LOCATED AT 2460 NORTHGATE LANE (APN 2-061-14) FOR LANDSCAPING AND IRRIGATION IMPROVEMENTS ON THEIR PARKING LOT**

**C. FINANCE DIRECTOR - ACTION ON RATIFICATION OF THE EXPENDITURE APPROVAL LISTINGS FOR THE MONTH OF OCTOBER 1999**

**D. PURCHASING DIRECTOR**  
**i. ACTION ON CONTRACT NO. 9900-137 - REQUEST TO CONTRACT WITH XEROX CORPORATION BY JOINDER BID WITH THE STATE OF NEVADA PURCHASING DIVISION TO PROVIDE COPIERS**

**ii. ACTION ON CONTRACT NO. 9899-174 - LINEAR PARK BIKE PATH PHASE II DESIGN SERVICES, APPROVAL OF ADDITIONAL FUNDS AND AMENDMENT NO. 1, REQUEST FOR CONTRACT APPROVAL**

**iii. ACTION ON CONTRACT NO. 9900-118 - EQUIPMENT REPLACEMENT PROGRAM TRAILER MOUNTED VACUUM EXCAVATION UNIT AND STAINLESS STEEL TANK TRAILER**

**iv. ACTION ON CONTRACT NO. 9798-112 - TRANSPORTATION ELEMENT OF THE MASTER PLAN, REQUEST APPROVAL FOR CONTRACT AMENDMENT III** - Supervisor Williamson requested Contract No. 9798-112 be pulled for discussion. Supervisor Plank moved to approve the first seven items on the Consent Agenda excluding the eighth item. Supervisor Livermore seconded the motion. Motion carried 5-0.

**D. iv. (1-0240)** Supervisor Williamson requested the public hearing dates be coordinated with the Open Space Committee's neighborhood meetings on trails to allow discussion on the bicycle and pedestrian elements. Deputy City Manager St. John agreed. Mayor Masayko delineated the commitment on the Transportation Master Plan element which required updating the trails, bicycle, and pedestrian elements. Supervisor Bennett suggested that the Public Transit Advisory Committee and the Planning Commission review the plans before it is brought to the Board. Mr. St. John agreed and emphasized the importance of having public participation on the plan. Mayor Masayko requested a schedule of meetings be provided to the Board. Supervisor Plank expressed a desire for the Regional Transportation Commission to review the elements and the hope that unnecessary meetings could be eliminated by coordination. Supervisor Livermore felt that the discussion indicated the need to keep a Supervisor on the Open Space Committee's board as a liaison with the Board of Supervisors.

Supervisor Williamson moved to accept the Purchasing Department's recommendation on Contract No. 9796-112 and approve Amendment III to the existing Contract to DKS Associates for an increased amount of \$57,330 for a not to exceed total cost of \$154,148.55, funding source RTC Capitol Outlay as provided for in FY99/2000. Supervisor Plank seconded the motion. Motion carried 5-0.

**6. BOARD OF SUPERVISORS (1-0341)**

**A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS** - Supervisor Livermore described the demand for the Convention and Visitors Bureau millennium coin and that it would be available until February 2001. Order forms are available at several sites in the community, including the City Manager's office. He then reported on the Convention and Visitors Bureau meeting and its discussion on the influence recreational activities have on the tourist trade. Another meeting is planned on this topic. He then reported on the Board's strategic goal setting workshop, the Clear Creek camp study, and City staff meeting on parking surrounding the Hospital. He presented a copy of the Hospital's 1999 annual community supplement report to the Board. A copy of the report will be mailed to all Carson City residents. (A copy was not given to the Clerk.) He then reported on a Hospital meeting on the interior design of its warehouse and meeting rooms and the status of its life health study and the Chamber of Commerce Transportation Committee meeting. He announced the Family-to-Family presentation and open house scheduled for Friday between 5:30 and 9 p.m. and its Saturday conference and training seminar. He invited the Board to attend the conference. He expressed his pleasure in seeing the Christmas decoration on mainstreet. He hoped that a successful conclusion could be reached regarding the Golden Spike and that something could be done with the former Penguin drive-in. Discussion ensued on a Hospital advertisement concerning its domestic violence class and the enrollment restrictions. Supervisor Bennett complimented the Fire Department on its response to the "C" hill fire. She reported on her personal Thanksgiving holiday activities; the Healthy Communities 501c3 standing and grant/funding search; the Team Tahoe meeting and urged the public to participate in its planning process for access to the beaches and the parking lots; the Nevada Tahoe Conservation District meeting; and the Public Transit Advisory Committee activities. She invited the public to attend the tree lighting ceremonies and City open house scheduled for this evening. Supervisor Williamson reported on her attendance at the Board's goal setting workshop; the National Best Sellers holiday party fundraiser; the chimes steering committee meeting and solicited song requests/comments; a Chamber of Commerce meeting regarding painting another mural on a building in the downtown area; a meeting with Glen Martel regarding a proposed development in the Lakeview Hills area; her family's Thanksgiving activities; her tour of the Carson River corridor from Deer Run to the Lyon County line; a meeting on Clear Creek camp; the Convention and Visitors Bureau meeting on recreational activities and tourism; the Carson River Advisory Committee meeting and solicited applications for its property owner vacancies; the Open Space Advisory Committee meeting; and her tour of the City Hall with Girl Scout Troop 498 and their concerns regarding crime, weapons at school, traffic volumes and unsafe pedestrian walks, drunk drivers, teen gangs and drugs. The scouts had indicated they liked the City's schools, the Children's Museum, the downtown aesthetics, the train museum, our special events, the swimming pool, our fireworks, and City safety. She complimented all of the workers on their efforts to decorate the downtown corridor for Christmas. She invited the public to participate in the Christmas Tree lighting ceremonies and open house this evening as well as the Landmark Society's home tour on Sunday from 1 to 3. Supervisor Plank reported on his meeting with Street Operations Manager John Flansberg on the Senior Center parking problems; a meeting with Mary Fischer, Anne MacQuery, Parks and Recreation Director Steve Kastens, and Parks Planner Verne Krahn regarding a multi-use path along the freeway; and a meeting of the governing board for the Senior Center. He announced the Regional Transportation Commission's Wednesday meeting and explained the reasons the Graves Lane opening had been delayed. Mayor Masayko expressed his appreciation for Supervisor Plank and Mr. Berkich's attendance at the Senior Center's governing board meeting and his feeling that the board had taken the appropriate steps to address the public concerns. He delineated the City tree lighting ceremony and open house and urged the public and Board to participate. He also complimented the Downtown Mainstreet Council and the Chamber of Commerce on the downtown Christmas decorations. He explained his request that the former Courthouse decorations be installed at that location and feeling that this practice should continue in the future. He complimented City staff on the City Hall decorations and the youth who had participated in the holiday art contest. He also explained his and Mr.

Berkich's plans to attend a FEMA Project Impact Summit on December 12 through the 14th and its grant.

**B. STAFF COMMENTS AND STATUS REPORTS (1-1015) - None.**

**7. FINANCE DIRECTOR - David Heath - ACTION TO APPROVE THE CARSON CITY PUBLIC TRANSIT ADVISORY COMMITTEE (PTAC) RECOMMENDATION TO DISPLAY ADVERTISING ON THE CARSON CITY COMMUNITY TRANSPORTATION SYSTEM VEHICLES AND USE THE PROCEEDS FROM ADVERTISING SALES TO EXPAND TRANSPORTATION SERVICES TO THE COMMUNITY (1-1017)** - Discussion indicated the lack of knowledge about the success of this endeavor and the location for these advertisements. Approval of the concept will allow the issuance of an RFP for advertisers. PTAC is going to develop policies concerning the content of the advertisements. This policy will be presented to the Board in the future.

Jay Meierdierck felt that the proposal would create a moving bill board and should be disallowed. Even though the idea was innovative, it will contaminate the community's aesthetics and the amount of revenue it will generate was not adequate to warrant the contamination. Additional public comments were solicited but none given.

Supervisor Plank acknowledged Mr. Meierdierck's concerns and requested that the RFP be designed in a fashion which would address his concerns. He could not support a bill board. Supervisor Bennett asked Mr. Meierdierck to submit his written comments to her so that she could pass them on to the Committee. Supervisor Williamson acknowledged the need for guidelines and suggested that the interior of the buses be used as a starting point. She was concerned about the modest amount of money which may be generated particularly if it visually pollutes the highways. Mayor Masayko pointed out that billboards, business signs, and the proposed advertising have standards and regulations. It could be done in a manner which does not interfere with an individual's free speech rights while remaining tasteful and reasonable. For this reason he could support the concept. Supervisor Bennett moved that the Board of Supervisors approve the Carson City Public Transit Advisory Committee's recommendation to display advertising on the Carson City Community Transportation system vehicles and use the proceeds from advertising sales to expand transportation services to the community. Supervisor Livermore seconded the motion. Motion carried 5-0.

**8. DEVELOPMENT SERVICES - ENGINEERING** - Senior Engineer John Givlin and Deputy City Manager Dan St. John

**C. ORDINANCES - FIRST READING**

**i. ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND HERMAN K. BAUER REGARDING ASSESSOR'S PARCEL NO. 8-816-69 LOCATED AT 5055 METRIC WAY (1-1340)** - Discussion explained the request to defer installation of the sidewalk and the location of the project. Staff is working on a policy regarding similar infrastructure improvements in the air industrial park which the Board will consider in the future. Mayor Masayko encouraged staff to establish a date for installation of these improvements. Supervisor Bennett supported his comments. Mr. Givlin indicated that the agreement would not restrict the City's ability to require the improvements when the decision is made to mandate their construction. Comments also noted that it would not prohibit implementation of future infrastructure standards. Mayor Masayko indicated that both Mr. Bauer and the following applicant, Mr. Torres, were aware of the changing standards and would be able to participate in their development. Supervisor Plank moved to introduce Bill No. 131 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND HERMAN K. BAUER REGARDING ASSESSOR'S PARCEL NO. 08-816-69 LOCATED AT 5055 METRIC WAY, CARSON CITY, NEVADA. Supervisor Livermore seconded the motion. Following discussion, Supervisor Plank amended his motion to include allowing release of the bond which the applicant had previously posted if the development agreement is approved. Supervisor Livermore concurred. The motion was voted and carried 5-0.

ii. **ACTION ON AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND T&D MACHINE PRODUCTS REGARDING ASSESSOR'S PARCEL NUMBER 8-402-15 LOCATED AT 4859 CONVAIR DRIVE (1-1532)** - T&D President Larry Torres explained his location and indicated he was familiar with the process discussed previously. He felt that when the air industrial park is closer to buildout, it may be determined that the curb, gutter, and sidewalk requirements are not necessary. Adequate parking is provided by the light industrial developers in the park which should eliminate the need for on-street parking. Supervisor Plank and Mayor Masayko disclosed contacts with Mr. Torres. Discussion explained the reasons Mr. Torres had not been required to post a bond. Supervisor Plank moved to introduce Bill No. 132 on first reading, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND T&D MACHINE PRODUCTS REGARDING ASSESSOR'S PARCEL NO. 08-402-15 LOCATED AT 4859 CONVAIR DRIVE, CARSON CITY, NEVADA, no fiscal impact. Supervisor Williamson seconded the motion. Supervisor Livermore expressed his concern that the development agreements may be sending out a message that they will never be completed. His involvement with the manufacturers had indicated that there is a long list of development agreements without an ability to mandate the infrastructure requirements. Mayor Masayko felt that the direction given to Mr. St. John indicated the Board's desire to develop a policy and mandate the requirements at a future date. Five development agreements had been approved by previous Boards. Mr. Givlin agreed that there are seven agreements, including the previous one and this item, and that the policy will establish the date for calling them. Mayor Masayko directed that if it is determined that the date for calling these seven indicates that they will be the exceptions in the area, the Board should discuss the issue before they are called. The motion to introduce Bill 132 on first reading was voted and carried 5-0.

BREAK: A recess was declared at 10:10 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:23 a.m., constituting a quorum.

A. **ACTION ON INTERLOCAL COOPERATIVE AGREEMENT WITH THE NEVADA DEPARTMENT OF TRANSPORTATION RELATIVE TO FUNDING AND OTHER CONSIDERATIONS FOR CITY DRAINAGE IMPROVEMENTS BENEFITTING THE CARSON CITY FREEWAY (1-1690)** - NDOT Assistant Director of Engineering Susan Martinovich - Supervisor Bennett stepped out of the room during Mr. St. John's introduction--10:24 a.m.--and returned during it--10:26 a.m. (A quorum was present the entire time.) Mr. St. John explained the \$1.2 million difference in the cost of the improvements as being part of NDOT's improvements which will be constructed under its contract. Benefits of the program were described. Copies of the contract were given to the Clerk and Board.

Ms. Martinovich limned the purpose and terms of the contract. The project is scheduled for advertising in February 2001. Comments stressed the importance of coordinating and correlating the City and State work. Phase 1A will be advertised next week. Phase 1B will not be advertised until the City completes the work required in the subject contract. Ms. Martinovich committed to assisting the City in acquiring the additional right-of-way. Board comments thanked her for this offer. Justification for allowing the City to contract its portion of the work were based on statutory public works contractual requirements. Ms. Martinovich also indicated that no contaminated/sterile soil would be used for infill. Soil which will sustain life would be used. Requirements for reimbursement include a monthly invoice, a description of the work which was completed, the funding expenses and supporting documentation. Supervisor Bennett requested an opportunity to discuss with City staff the accounting procedures mandated by this requirement. Discussion pointed out the agreement concerning the cost over-runs which make the City initially responsible for the overage, however, if the bids are over the estimate and can be justified, an amendment may be made. Mr. Berkich indicated that the City should not be responsible for the over-run as it will not change the scope of the work. NDOT and the City may have to revise the project to fit the funding or change the funding allocation. Carson City should not be forced to find additional funding. Information is to be shared between the City and State so that no surprises occur at the end. The City is to be responsible for the basins including their maintenance. The project is to be completed and functioning by December 1, 2001. Ms. Martinovich then went to the next item.

(1-2414) Discussion reiterated the State's financial commitments totaling \$6.504 million. NDOT's commitment of

\$1.25 million is for the Eagle Valley detention basin, the NDOT portion of the Arrowhead project, and Watershed 18 improvements. These elements are included in the NDOT project scope of work. Mayor Masayko requested her statements be included in the record. Comments indicated that the work should address the storm drain problem at Highway 50 and Lompa. Ms. Martinovich indicated that additional work must be done south of Highway 50 at Lompa to handle the drainage. This is the reason the project will "start south and work north".

Discussion ensued between Mr. St. John and the Board concerning the five to ten remaining parcels in the University Heights PUD that may have to be acquired if the homeowners association does not grant an easement to the City. Mr. St. John also described the culvert's design which uses a blend of natural channels and materials, e.g., rocks, gravel, etc. In other cases when requested by the property owners, landscaping and flood plain enhancements have been added at the City's expense. There will be a lot of concrete pipe downstream in undeveloped areas, at highway crossings, in commercial areas, etc. The Open Space Advisory Committee will be involved in the process including during consideration of multi-use opportunities/passive recreational uses. FEMA will be asked to re-evaluate the area and may, as a result, reduce the flood insurance costs. This process will commence in January. Mr. St. John then indicated that the City had just hired John Benzing as a senior engineer. He will dedicate his time to the freeway and utility projects. Outsourcing of technical expertise items will occur, e.g., appraisers. Project management and construction management will occur in-house. Street Operations Manager John Flansberg will be responsible for the O&M report. The Parks Department has also been involved due to the potential multi-use park. The City could do the project. The land acquisitions will include NDOT support. He volunteered to furnish the Board with a team diagram delineating the duties and personnel commitment. Comments stressed the importance of the project's timing and need to meet FHWA requirements. Mayor Masayko committed to providing the State with periodic status reports. Supervisor Plank stressed the importance of and immediate need for the drainage program. Supervisor Plank moved to approve and authorize the Mayor to execute the Interlocal Cooperative Agreement with the Nevada Department of Transportation relative to funding and other considerations for City drainage improvements benefitting the Carson City Freeway; fiscal impact is \$6,504,000, and the funding source is NDOT but only \$5,290,000 will be for reimbursement to the City for the cost of construction and design and land acquisition with \$1.215 million for construction of the identified elements of the project with an approximate value as just read. Supervisor Livermore seconded the motion. Mayor Masayko requested that the record indicate the Board was dealing with the yellow covered copy of the amended agreement and that it had been used throughout the discussion. The motion to approve the agreement as indicated was voted and carried 5-0.

Mayor Masayko thanked all of the participants on the cooperative effort between Carson City and NDOT.

**B. ACTION ON INTERLOCAL COOPERATIVE AGREEMENT WITH THE NEVADA DEPARTMENT OF TRANSPORTATION RELATIVE TO PHASE 1A OF THE CARSON CITY FREEWAY (1-2360)** - NDOT Assistant Director of Engineering Susan Martinovich - Ms. Martinovich then began describing this agreement. Mayor Masayko requested comments on this item be held until after the first agreement had been handled and discussion returned to the previous item.

(1-2867) Mr. St. John distributed a new contract to the Board. (A copy was not given to the Clerk.) Ms. Martinovich continued her description of the agreement including the amendments which had been made in the new contract. Mayor Masayko noted for the record that the flows which are to be handled by the drainage system are those handled by the freeway. Inter-connecting agreements between the City and private property owners will be required to allow drainage into the system from private property. Supervisor Livermore encouraged Mr. St. John to commence work on these agreements immediately. The bridge over Highway 50 will be part of Project 1B. Discussion noted the overlay project proposed for College Parkway which will be constructed next year. It will cover the area from Roop to North Carson Street. The bridge contract includes removal of the Arrowhead "hump" at Hot Springs Road. The accidents at this intersection have been minimized with the "worm". Supervisor Bennett felt that all of the roadway construction warranted having a City information officer. Ms. Martinovich indicated that the State information officer would work with the City. Supervisor Plank felt that City staff and the Board should transmit any issues to NDOT Public Information Officer Scott Magruder so that the issues can be

addressed posthaste and accurately. Communication between the City and State will be most important during this period to eliminate any appearance of conflicts or confusion. Ms. Martinovich also indicated that Project Manager Jim Gallegos could respond to questions/comments. Supervisor Plank then moved to approve and authorize the Mayor to execute the interlocal cooperative agreement with the Nevada Department of Transportation relative to Phase 1A of the Carson City Freeway; a fiscal impact is not anticipated. Mayor Masayko indicated that there may be a fiscal impact but it is not anticipated at this time. Mayor Masayko also indicated that the Board was working off of a revised yellow copy. Supervisor Livermore seconded the motion. Mr. St. John indicated that copies of the contract were available for the public to review and would be kept at the City's project office as part of the freeway project. The motion to approve the agreement was voted and carried 5-0.

**6. B. STATUS REPORTS (1-3345)** - Ms. Martinovich gave the Board a brief verbal report on the status of the southern portion of the freeway. As a result of the Serpa lawsuit, a Single Point Urban Interchange is now proposed for Highway 50 West and the freeway interchange. This concept will tie the freeway into Highway 50 West and require 395 traffic to use the three off-ramps to access 395 south toward Gardnerville. A signal at Clear Creek will be installed. Signals at Topsy and Jacks Valley Road are being analyzed. The State has acquired all of the right-of-way required for this interchange. A copy of the value engineering report had been sent to the Board. Mayor Masayko indicated that the frontage roads south of Highway 50 will no longer be required unless Douglas County or Carson City wish to construct them. He also indicated that Project Manager Jim Gallegos was in attendance. Mr. Gallegos will provide a status report in one or two months.

**9. DEVELOPMENT SERVICES - UTILITIES** - Utility Operations Manager Tom Hoffert - **ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 12.04 OF THE CARSON CITY MUNICIPAL CODE TO ADD A DEFINITION OF "DIRECTOR" AND TO MODIFY THE DEFINITION OF "SENIOR CITIZEN" TO SECTION 12.04.020 DEFINITIONS; AND TO MODIFY SECTION 12.04.030 REBATE SO THAT THE AMOUNT OF REBATE IS REFLECTIVE OF THE SCHEDULE PROVIDED IN NRS 361.833 HOMEOWNER'S REFUND: ENTITLEMENT; LIMITATION AND OTHER MATTERS PROPERLY RELATED THERETO (1-3442)** - Discussion between the Board and Mr. Hoffert explained the portion of the water and sewer bills which could be rebated. Mr. Hoffert agreed to include an explanation with the application to assist the applicants in completing the form(s). A copy will be furnished to the Board. Information on the program is provided at the Senior Center and in the utility bill. Supervisor Bennett suggested that such information be played when telephone callers are put on hold. The income definition is included in the Code and applications and is verified by requiring a copy of the IRS tax records. Comments indicated that it is possible for an individual to obtain a rebate who has a high net worth but a very minimal income level. Justification for maintaining the program was based on the need to provide assistance to the vast majority of the participants. Supervisor Williamson moved to introduce on first reading Bill No. 133, **AN ORDINANCE AMENDING CHAPTER 12.04 OF THE CARSON CITY MUNICIPAL CODE TO ADD A DEFINITION OF "DIRECTOR" AND TO MODIFY THE DEFINITION OF "SENIOR CITIZEN" TO SECTION 12.04.020 DEFINITIONS; AND TO MODIFY SECTION 12.04.030 REBATE SO THAT THE AMOUNT OF REBATE IS REFLECTIVE OF THE SCHEDULE PROVIDED IN NRS 361.833 HOMEOWNER'S REFUND: ENTITLEMENT; LIMITATION AND OTHER MATTERS PROPERLY RELATED THERETO.** Discussion indicated the fiscal impact is unknown. Supervisor Plank seconded the motion. Supervisor Livermore reiterated his concern as he felt it would be possible for him to show on the IRS form 1040 through the use of depreciation that he is eligible to receive the rebate. The motion was voted and carried 5-0.

**10. COMMUNITY DEVELOPMENT** - Director Walter Sullivan

**A. ORDINANCE - FIRST READING - ACTION ON A-99/00-2 - AN ORDINANCE AMENDING SECTION 18.03.261 OF THE CARSON CITY MUNICIPAL CODE ADDING MANUFACTURED HOUSING TO THE DEFINITION OF SINGLE-FAMILY DWELLING AND OTHER MATTERS PROPERLY RELATED THERETO (2-0105)** - Supervisor Bennett indicated that she would support the bill only because she must uphold the law. She philosophically opposed the mandate. Supervisor Plank noted Ron Kipps' comments concerning this matter which had been made during a meeting held when the

Legislature was in session. Supervisor Plank also believed philosophically in obeying the law. Supervisor Plank moved to introduce Bill 134 on first reading, AN ORDINANCE AMENDING SECTION 18.03.261 OF THE CARSON CITY MUNICIPAL CODE ADDING MANUFACTURED HOUSING TO THE DEFINITION OF SINGLE-FAMILY DWELLING AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Bennett reluctantly seconded the motion. Supervisor Livermore noted his original opposition and the Board's letter urging the Governor to veto the legislation. He understood their duty and oath regarding the laws of the State. Although he would vote for the ordinance, his heart supported the Board's previous acts. Mayor Masayko acknowledged his comments. The motion was voted and carried 5-0.

**B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 130 - AN ORDINANCE AMENDING TITLE 18 OF THE CARSON CITY MUNICIPAL CODE (ZONING) BY AMENDING CHAPTER 18.02.110 (MASTER PLAN AMENDMENTS), SECTIONS 18.02.111 (PURPOSE), 18.02.112 (ADOPTION OF THE MASTER PLAN ELEMENT), 18.02.113 (ELEMENTS OF THE CITY'S MASTER PLAN), 18.02.114 (INTEREST IN MASTER PLAN), 18.02.115 (BOARD OF SUPERVISORS PLACE CITY'S MASTER PLAN INTO EFFECT), 18.02.116 (REQUIREMENTS FOR AMENDMENTS TO THE CITY'S MASTER PLAN APPLICATION), 18.02.117 (REVIEW PROCEDURES), 18.02.118 (NOTICE), 18.02.119 (APPEAL OF DENIAL), 18.02.120 (ACTION BY BOARD), AND OTHER MATTERS PROPERLY RELATED THERETO (2-0165)** - Mr. Sullivan's introduction included a response to Mr. Meierdierck's letter. (A copy is in the file.) The typographical corrections were highlighted. The corrected copies had been distributed in the packet. Supervisor Plank supported the proposal to return Board modifications to the Planning Commission's master plan amendments to the Commission for consideration. Clarification indicated that the School District process would reference the Statutes rather than repeat it. The School District will be involved in the process to allow appropriate planning for future school sites. Mayor Masayko encouraged staff to distribute enlarged copies of the Statute in the application packet rather than the smaller print used by the Legislature. The modification will allow changes to the master plan throughout the year if standards are met. Mayor Masayko thanked Mr. Meierdierck for his technical corrections. Mr. Sullivan explaining the reasons the ordinance had not followed his Department's normal procedures for processing ordinance amendments which had resulted in overlooking the typographical errors. He indicated an intent to return to the process. Supervisor Williamson explained her involvement in the process and further delineated the need to expedite the amendments. She thanked Mr. Meierdierck for taking the time to edit the document and comment. Mayor Masayko indicated an intent to move forward with the modified amendments. Supervisor Plank moved that the Board of Supervisors adopt on second reading Bill No. 130, Ordinance No. 1999-31, AN ORDINANCE AMENDING TITLE 18 OF THE CARSON CITY MUNICIPAL CODE (ZONING) BY AMENDING CHAPTER 18.02.110 (MASTER PLAN AMENDMENTS), SECTIONS 18.02.111 (PURPOSE), 18.02.112 (ADOPTION OF THE MASTER PLAN ELEMENT), 18.02.113 (ELEMENTS OF THE CITY'S MASTER PLAN), 18.02.114 (INTEREST IN MASTER PLAN), 18.02.115 (BOARD OF SUPERVISORS PLACE CITY'S MASTER PLAN INTO EFFECT), 18.02.116 (REQUIREMENTS FOR AMENDMENTS TO THE CITY'S MASTER PLAN APPLICATION), 18.02.117 (REVIEW PROCEDURES), 18.02.118 (NOTICE), 18.02.119 (APPEAL OF DENIAL), 18.02.120 (ACTION BY BOARD), AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 5-0.

**11. DISTRICT ATTORNEY - Chief Deputy District Attorney Mark Forsberg**

**A. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES (2-0445)** - Mayor Masayko indicated that the Board would recess for lunch after the closed session. Action on the contract would occur after the Board acts on agenda items 12 and 13. Supervisor Livermore moved that the Board of Supervisors recess into Closed Session pursuant to NRS 288.220 to meet with Management Representatives. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Masayko then recessed the Open Session at 12:20 p.m.

**BREAK:** The Closed Session was adjourned at 12:55 p.m. A lunch recess was declared. The meeting was reconvened in Open Session at 1:50 p.m. The entire Board was present constituting a quorum.

**12. PERSONNEL MANAGER - Judie Fisher - ACTION TO APPOINT SEVEN MEMBERS TO THE RE-ESTABLISHED REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE (2-0531)** - The Board interviewed (2-0580) Ronald Allen and (2-0826) Joe McCarthy. (2-1149) Fred Nietz indicated that he and his wife own property in the Redevelopment District. (2-1240) Art Hannafin explained his reasons for wishing to be reappointed and his vision for the area. Mayor Masayko thanked each for applying. Reasons the other applicants were not interviewed were iterated. Discussion ensued on the term limits and recommended appointments by the Chamber and Mainstreet. Consensus supported having Supervisor Williamson continue as the Chairperson. Supervisor Plank moved for the reappointment or appointment of Robin Williamson from the Board of Supervisors; Morey Tresnit as the Mainstreet Board member for a three year term; Chamber of Commerce Board member for a three year term - Steve Browne; architect, planner, or engineer for a two year term - Art Hannafin; and two business owners or property owners in the Redevelopment District for three year terms - Linda Johnson and Fred Nietz. Supervisor Williamson seconded the motion. Supervisor Livermore suggested revising the title of Chairperson to Chair. Clarification indicated that the Committee's bylaws indicate the title is "Chairman". The bylaws will have to be amended to allow the suggested change. The motion to make the appointments as indicated was voted and carried 5-0.

Supervisor Plank then explained his rationale for the appointment and moved to appoint Ron Allen as the Citizen-at-Large with no financial interest in the Redevelopment District. Additional justification for the motion was explained. Mayor Masayko expressed a willingness to second the motion, however, in view of the lack of support felt it would not be a successful motion. The motion died for lack of a second.

Supervisor Bennett then explained her rationale for appointing Mr. McCarthy and moved to appointment Joe McCarthy to fill the citizen-at-large position for a two year term. Supervisor Plank expressed a willingness to support the motion and seconded it. Justification for the appointment was provided by the other Supervisors and the Mayor. The motion to reappoint Mr. McCarthy to a two year term was voted and carried 5-0. Mayor Masayko congratulated the new appointees and thanked the applicants for applying.

Discussion ensued on the need to maintain continuity on the Committee, the need for appointees to unexpired terms to reapply if they wish to continue serving, and the need to maintain staggered terms. Clarification indicated that at the end of the two year terms, the new appointments will be for three year terms.

**BREAK:** A ten minute recess was declared at 2:50 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3 p.m., constituting a quorum.

**10. B. ACTION TO APPROVE COLLECTIVE BARGAINING AGREEMENT WITH THE CARSON CITY EMPLOYEES ASSOCIATION (2-1593)** - Chief Deputy District Attorney Forsberg indicated that the Association had ratified the agreement. Mayor Masayko summarized the Closed Session by noting the Board's preference to have a longer contract period, however, understood the Associations' desire to have a shorter period. He requested that the record indicate the Board's desire to seek additional information regarding the parity study, which will be undertaken after July 1, 2000. Supervisor Livermore complimented the employees for attending and supporting the agreement. The agreement will be beneficial to all during its three year tenure. Supervisor Livermore then moved that the collective bargaining agreement with the Carson City Employees Association be approved as presented with a funding amount as indicated in the attached paperwork of \$82,500 in fiscal year 99-00 in two categories which are broken down as: the shift differential pay increase from \$.50 and \$.65 an hour to \$1 is estimated to amount to \$30,000 annually and the one-time parity adjustment of \$150 per employee is estimated to amount to \$52,500 to be the financial impact of \$82,500. Supervisors Plank and Williamson seconded the motion. Mr. Berkich indicated that the fiscal impact should include the two percent cost-of-living adjustment and any bonus given to top of the range employees. The cost-of-living amount had been included in this year's budget. Clarification indicated that Mr. Heath had issued two memos regarding the fiscal impact and that the Board had only received one. (The Clerk only received one memo.) Mayor Masayko indicated that the amount should be \$95,250. Supervisor Livermore amended the motion to clarify fiscal impact dollars to be \$95,250 additional. Supervisor Plank concurred. Motion carried 5-0. Mayor Masayko

complimented the Association on the three year contract. Mr. Berkich thanked the team for its dedication and effort on the contract.

**13. CITY MANAGER - John Berkich - STATUS REPORT ON CARSON CITY MUNICIPAL GOLF CORPORATION (2-1758)** - Chairperson Mark Sattler thanked the Board for its assistance and support of the financing program and reviewed the history of the corporation and its activities. Infrastructure improvements for 1999 were described. Marketing efforts had made it a financially successful year and now allows the courses to send players to the casinos and hotel/motels. A strong net profit should be realized for 1999. The customers are the local players and the groups and players sent by the casinos or recruited by the course. The survey of the players had been used to develop the capital improvement program for next year. The program was reviewed. Discussion between the Board and Chairperson Sattler noted the current financial position and described the irrigation problems. Comments stressed that the facility is providing affordable recreational play for local residents. Supervisor Plank complimented him on the appearance of the fairways last summer. Chairperson Sattler hoped that the "patches and fixes" which had been made to the irrigation system will enable the courses to get through the coming summer. Supervisor Bennett also complimented him on their efforts and wished him continued success. She suggested that the irrigation improvements be phased. Chairperson Sattler described the alternatives which had been analyzed and reasons for the recommended approach--a 20 year EPA loan--which will be undertaken when revenue sources allow. Supervisor Bennett described a Natural Resources Conservation Service (NCRS) at Lake Tahoe water saturation program and suggested the Corporation contact NCRS. Chairperson Sattler welcomed the opportunity to work with NCRS and described the current computer program which needed upgrading. Mr. Berkich and Corporation Treasurer Mike Williams described the rounds of play, the current revenue status, and the benefits created by the refinancing. Treasurer Williams was certain that all of the financial obligations would be met on schedule. Mr. Berkich referenced the memo describing the off-season projects which have been undertaken in-house. (A copy is in the file.) Treasurer Williams emphasized that the rounds of play were only down four percent when compared to last year. There had been 189 rounds of free play in October which is provided to players age 80 and over. Supervisor Livermore asked Mr. Berkich, as the Board's liaison to the Corporation, to enhance the communications so that he could respond to public questions. Discussion then indicated that when the courses were the only ones in the area, 105,000 rounds had been played. In the last five years the rounds had dropped 40,000. It was felt that more than 105,000 rounds are now being played in the area. Chairperson Sattler introduced the corporate officers and staff members who were present. Treasurer Williams indicated that rates will be the same for the west course. The pass rates will be increased eight percent for next year. This is the only rate increase. Chairperson Sattler described the junior programs. Board comments noted the dedication of the officers and congratulated them on their efforts. No formal action was required or taken.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Mayor Masayko seconded the motion. Motion carried unanimously. Mayor Masayko adjourned the meeting at 3:35 p.m.

The Minutes of the December 2, 1999, Carson City Board of Supervisors meeting

2000. ARE SO APPROVED ON \_\_\_February\_17\_\_\_,

\_\_\_\_\_/s/\_\_\_\_\_

Ray Masayko, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_

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Alan Glover, Clerk-Recorder