

CARSON CITY BOARD OF SUPERVISORS
Minutes of the April 1, 1999, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 1, 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
	Dan St. John	Deputy City Manager
	Steve Kastens	Parks and Recreation Director
	John Iratcabal	Purchasing Director
	Paul Lipparelli	Chief Deputy District Attorney
	Kelvin Ikehara	Utilities Wastewater Superintendent
	Kyle Menath	Asst. Wastewater Superintendent
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 4/1/99 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. Pastor Al Tilstra of the Seventh Day Adventist Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0026) - Janice Switzer explained a groundwater problem her family was encountering in the basement of her home on Pat Lane. They are pumping eight gallons of water every three minutes. They had acquired the home 30 years ago and had never encountered this problem before. Mold is now growing in the basement. City staff had been to the residence and drilled test holes in the street. This survey will not be completed until some time next week. She questioned what else could be done now. Mayor Masayko indicated that the process is continuing. A number of experts are involved in the evaluation process. A public hearing will be conducted as soon as adequate information is available so that the problem can be addressed. He hoped that this would be in two weeks. Supervisor Williamson thanked her for coming and presenting the problem. She hoped that the process could be expedited as much as possible. Supervisor Bennett explained her visit to the residences and expressed her hope that the public discussion could occur at the next meeting. Mayor Masayko indicated that staff was working diligently on the problem, however, before a solution could be found the facts must be known. Additional comments were solicited but none given.

1. ACTION TO APPROVE MINUTES - 8/20/98, 9/3/98, AND 2/4/99 (1-0112) - Mayor Masayko noted his absence on September 3 and indicated that he would refrain from determining whether there were corrections or additions to those Minutes. Supervisor Livermore noted that he had not been present at either the August or September meetings. He felt that his reading of the Minutes indicated that there are no facts in them which are incorrect. With this in mind, Supervisor Livermore moved to approve the Minutes of August 20, 1998, September 3, 1998, and February 4, 1999, as presented. Supervisors Bennett and Plank seconded the motion. Motion carried unanimously.

2. **AGENDA MODIFICATIONS (1-0135) - None.**

3. **CONSENT AGENDA (1-0138)**

A. DEVELOPMENT SERVICES

i. ACTION ON A NOTICE OF SATISFACTION OF DEVELOPMENT AGREEMENT FOR CARSON CITY TOYOTA, APN 9-122-04, LOCATED AT 3659 SOUTH CARSON STREET, CARSON CITY, NEVADA, FOR SEWER MAIN INSTALLATION

ii. ACTION ON A NOTICE OF SATISFACTION OF DEVELOPMENT AGREEMENT FOR TAHOE FRACTURE PROPERTIES, LLC, APN 1-175-04, LOCATED AT 1104 NORTH DIVISION FOR SEWER MAIN REPLACEMENT

B. COMMUNITY DEVELOPMENT DEPARTMENT - ACTION ON M-98/99-10 - A REQUEST FROM VICTORY CHRISTIAN FELLOWSHIP CENTER TO WAIVE THE SPECIAL USE PERMIT APPLICATION FEES IN ACCORD WITH CCMC 18.02.039

C. PURCHASING DEPARTMENT

i. ACTION ON CONTRACT NO. 9899-227 - SLUDGE DEWATERING PROJECT, SPECIAL INSPECTION AND TESTING, REQUEST FOR CONTRACT APPROVAL

ii. ACTION ON CONTRACT NO. 9899-133 - STREETS AND RTC BUILDING REMODEL (REBID), APPROVAL OF CHANGE ORDERS NO. 4-6 AND REQUEST FOR FINAL PAYMENT

iii. ACTION ON CONTRACT NO. 9899-213 SODIUM HYPOCHLORITE SOLUTION, AWARD

iv. ACTION ON CONTRACT NO. 9899-234 - AMATEUR SOFTBALL ASSOCIATION AGREEMENT

v. ACTION ON CONTRACT NO. 9899-235 - SURPLUS AND DISPOSAL OF THREE PICKUPS AND ONE SEDAN

vi. ACTION ON CONTRACT NO. 9899-236 - JOINDER CONTRACT WITH WASHOE COUNTY SCHOOL DISTRICT TO PURCHASE IRRIGATION PARTS

vii. ACTION ON CONTRACT NO. 9899-237 - JOINDER CONTRACT WITH WASHOE COUNTY PURCHASE DEPARTMENT TO PURCHASE OFFICE SUPPLIES

viii. ACTION ON CONTRACT NO. 9899-138 - FREEWAY EVALUATION OF DETENTION AND FLOW ALTERNATIVES, REQUEST FOR APPROVAL OF CONTRACT AMENDMENT

ix. ACTION ON CONTRACT NO. 9899-239 - PURCHASE OF A USED ELECTRIC GENERATOR, REQUEST FOR CONTRACT APPROVAL - Supervisor Bennett pulled Contract 9899-213 for discussion. Supervisor Plank moved that the eleven items on the Consent Agenda be approved as presented, which excludes the award of Contract 9899-213 for the Sodium Hypochlorite Solution. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. iii. (1-0169) - Discussion between Supervisor Bennett and Purchasing Director John Iratcabal explained the funding commitment from future budget allocations. The contract locks in the price for next year. Supervisor Bennett felt that the concept was commendable. Chief Deputy District Attorney Paul Lipparelli explained that the contract is valid for only one year. It can be renewed for two years thereafter. The Statutes allow a Board to bind future Boards even if the contract includes a non-appropriation clause. Mayor Masayko pointed out that the chemicals would be purchased to the amount funding allows. Future purchases would be contingent upon the funding. Supervisor Plank pointed out that the mosquito abatement program had been handled in a similar fashion two years ago. Parks and Recreation Director Steve Kastens explained his desire to recognize the employees who had proposed the joint venture--Utility Wastewater Superintendent Kelvin Ikehara and Assistant Superintendent Kyle Menath. He considered the savings which the swimming pool would receive substantial. Mayor Masayko felt that this is an illustration of smart business practices and principals. Supervisor Plank moved to accept the Purchasing Department's recommendation and award Contract No. 9899-213 to Bidder NO. 1, All-Pure Chemical Company, 2185 North California Boulevard, Suite 500, Walnut Creek, California 94596, as the lowest responsive and responsible bidder pursuant to the requirements of Nevada Revised Statutes Chapter 332 for an as needed contract, based on the prices indicated in the bid document and to authorize those

Department to expend funds after they are approved by the Board of Supervisors during the budget process for Fiscal Year 99-2000; the FY 98-99 budgeted allocation is: \$75,000 for the Wastewater Plant Chemicals, \$70,000 for the Water Maintenance Chemicals and \$10,000 for the Swimming Pool Chemicals; there is approximately \$70,000 remaining in these accounts for Fiscal Year 98-99; these Departments will submit budget requests for Fiscal Year 99-00; funding source is provided for in Fiscal Year 98-99; and if approved the above referenced accounts could be decreased accordingly. Supervisor Bennett seconded the motion. Motion carried 5-0.

4. BOARD OF SUPERVISORS

A. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-0275) - Mr. Berkich explained the legislative process mandating bills be moved from the Assembly to the Senate, or vice versa on April 19. Any bills remaining in the originating house will be considered dead. The City's sewer bill is in Senate Finance. It will be heard on Monday at 8 a.m. The status of the Silver Springs Juvenile Detention Facility funding bill; the Carson City Charter amendment bill; the Douglas County Purchasing bill; the NACO bills including the ones on indigent care and the ad valorem rate; the assessed property utility bills; Senate Bill 323 regarding mobile home zoning, as well as planning and zoning bills and their notification requirements were explained by Mr. Berkich and Mayor Masayko. Supervisor Bennett distributed copies of AB 403 to the Board. (A copy was not given to the Clerk.) This bill relates to fees paid by taxi services and the distribution of those monies. Supervisor Bennett felt that, if these fees are not considered part of the gas tax, they should be used for transit. She had provided Ms. Walker with a copy. Mayor Masayko pointed out the complexity of the bill. He agreed that the good point of the bill is that the funds could be used for transit. He agreed to add it to the bills which staff is tracking.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0498) - Supervisor Williamson reported on meetings she had attended regarding the freeway and bicycle paths with NDOT, City staff, and residents. She hoped that the paths would be included as part of the freeway design. She then reported on the Redevelopment Authority Citizens Committee meeting and its traffic and parking issues; her involvement as a judge of the children's art work at the Carson-Tahoe Hospital; the Carson River Advisory Committee meeting; the meeting with Supervisor Plank and Western Nevada Development District Executive Director Marylou Bentley regarding EDA funding for street improvement projects; a meeting regarding future plans for the Washington Street Post Office Building; the Open Space Advisory Committee meeting; communications on the Arrowhead substation and the search for options; the Youth Sports activities which are starting. She indicated that she has a long sleeved T-shirt for Senator Amodei in recognition of his snack booth activities and announced the Carson High School Ski Team awards. Supervisor Plank reported on his meeting with Ms. Walker regarding legislative issues; a staff meeting on the City's participation in the HOME Consortium program; the meeting with Supervisor Williamson, WNDD Executive Director Marylou Bentley and Deputy City Manager Dan St. John on Economic Development Grants for street improvements to the manufacturing/industrial areas; his tour of the golf course; relayed aquatic facility Clerk of the Works Bill Sexton's comments commended City staff on its team work approach to projects; announced the construction date for Graves Lane as being May 3 and expressed the hope that it will be completed in "early fall"; and his involvement with the FFA and its convention and thanked the Board, the community, the Nevada Appeal, and the Community Center staff for their support. He presented a plaque which he had accepted from the FFA, which he read it into the record. Mayor Masayko indicated that it would be hung at the City Hall. He thanked the FFA for its recognition. Mayor Masayko announced the V&T Summit meeting would be held on April 22nd and explained his work on the State of the V&T message. He reported on his speaking engagement at the Reno-Sparks Convention and Visitors Authority Board of Directors, his plan to make a speech regarding the V&T marketing plan to them on April 9, and his hope that they would participate; his involvement in the FFA convention; commended the FFA youths on their participation and pointed out the benefits of their involvement and relayed Ormsby House General Manager Bob Cashell's comments about the positive impact they had had on the City and the Board for its financial support; and his meetings with General Services Administration about the future of the Post Office building which indicated that other Federal agencies may be interested in the first floor of that building. Supervisor Livermore reported on a meeting with Supervisor Williamson, Fire Chief Buckley, and

Battalion Chief Stacy Giomi on the Carson City Emergency Preparedness Plan; a Community Council on Youth meeting; meetings with the Hospital Finance and Budget Committee and the Hospital Board of Trustees; displayed the Hospital's 50th Anniversary lapel pin and announced its kickoff luncheon scheduled for April 1. He urged the Board to participate in the celebration on May 8th. He completed his report with the Youth Sports activities. He urged the public to support their fundraising activities. Supervisor Bennett reported on the American Hospital Association Regional Policy Board meeting and its concern about the impact of the balanced budget act on Medicare coverage, the nursing shortage, and health care compliance issues; her meeting with Paratransit Representative Marc Reynolds and their work on a public transit advisory committee; her tour of the Switzer residence and discussions with staff regarding their groundwater flooding problem; a Nevada-Tahoe Conservation District meeting and its work on erosion issues at Lake Tahoe; her Healthy Communities Initiative activities; and her meeting with Supervisor Williamson and staff regarding the North Carson Street medians.

5. NEVADA DEPARTMENT OF TRANSPORTATION - STATUS REPORT ON THE CARSON CITY FREEWAY (1-0950) - Mayor Masayko welcomed Senator Mark Amodei. Senator Amodei briefly noted his involvement with the freeway project and commended the participants on their efforts to make it happen. His concern is that the second phase become a reality. He urged the Board to commence the dialogue with NDOT on it now and establish milestones for when its phases should be completed, such as right-of-way acquisition, construction phases, etc. He realized that the Department could not at this time develop ironclad deadlines for funding and construction. He felt that there had been a commitment to the community when the financial partnership had been developed that continuity and priority for the second phase would occur. Funding commitments are made based upon the readiness of projects. This is the reason for needing to establish the dialogue and milestones. He emphasized that his comments were not to be taken as a north versus south project or an our versus your project. Competition may occur if and when the acquisition and designs are completed. He felt that if the project ever slips off the priority list that it would never be completed as growth in other areas of the State may keep it off of the list. A timetable will keep the project in the limelight and force questions and answers if they are not maintained. He then suggested that Mr. Gallegos be required to provide bimonthly status reports. Delay or surprises will have a devastating impact on the project and its competition for funding. He also urged the Board to have a member at the Transportation Board meetings. Active, aggressive participation will help get the project through as quickly as possible. Mayor Masayko thanked him for his assistance. He felt that NDOT Director Stevens and the City had been focused on the second phase for some time. Senator Amodei's assistance will be greatly appreciated. He agreed that clearly defined milestones need to be developed and maintained to make sure that the entire project is completed. Senator Amodei pointed out the concern raised at the last meeting with Mr. Gallegos regarding how to handle the traffic from the first phase. These issues should be addressed by NDOT and City staff and are important to the overall well-being of the community. Good reasons must be established if the second phase is not underway at the time the first phase is completed. The community must be proactive and create a "domino" effect to keep the program going. Supervisor Livermore supported his comments, expressed his hope that the domino would occur, and thanked Senator Amodei for his comments.

(1-1175) Mayor Masayko welcomed NDOT Director Tom Stevens. Mr. Stevens referenced his packet of information which had been distributed to the Board and Clerk. (A copy is in the file.) The cover sheet discussed the super projects which he described. All major projects constructed in the last several decades have been phased. An example was provided and illustrated with photographs. Carson City's freeway had been in the works for many years. The City's five cent gas tax had moved it from the planning and acquisition stages to the design phase. This only related to the northern one-third of the freeway. Discussion today relates to the southern remainder. A recent decision had been made which will construct the entire bridge over Highway 50 even though it will be known as the "bridge to no where" for a while. Reasons for this decision, for having project managers, and their duties were provided. The project is proceeding on the assumption that funding will be available for the project when it is time to construct it. The Board and Carson City will have control over the project and its design as the Board must approve the final design. Funding is limited and all of the community desires may not be included in the design. Reasonable accommodations will be provided if possible. A luxurious landscaping plan or extensive bicycle paths may not be possible due to the funding restrictions. Construction plans may need to consider removing dirt from one area and its transport to another lower area of the project. Other phasing

potentials were explained including the need to acquire additional rights-of-way for the Highway 50/395 interchange before development occurs. Timing and design restrictions were also noted. He agreed with the need to establish milestones and to commence the communication process on the southern leg. A map illustrating the right-of-way which had been acquired, that on which offers had been made, the area still needed, and questions related to the southern interchange were explained. Mr. Stevens suggested consideration be given to having bicycle paths elsewhere as well as their design. An informational packet was distributed to the Board and Clerk. (A copy is in the file.) He reiterated his comments concerning the need for Board and RTC communication and support of the project.

Mayor Masayko felt that the Board and community were prepared to participate in the process and to act upon any issues NDOT proposes. The timing of and questions which must be answered need to be established by NDOT. He agreed that the Board could not provide everything to everyone all the time. Mutual planning and communication will help develop the plan as quickly as possible. Both Mayor Masayko and Mr. Stevens agreed that the process will develop controversy. Mr. Stevens used the Spooner Summit barriers to illustrate the kind of controversy which could be created and the reasons NDOT wanted the barriers while emergency response crews opposed them.

Supervisor Williamson thanked Mr. Stevens for the presentation and for assigning Mr. Gallegos as Project Manager. Mr. Stevens explained to her that the five cent gas tax committed by Carson City had purchased the first phase of the freeway construction and its funding commitment. An agreement delineating the five cent funding commitment had been signed and was available for her to review. The southern phase is being considered as a super project for the next century. The Arrowhead intersection and the bridge over Highway 50 had been added since that agreement had been approved. Clarification indicated that this funding had been included as part of the basic cost. Washoe and Clark Counties' support for highway projects was explained. Carson City's five cent commitment had signaled to the State transportation committee a commitment to participate and it had moved the freeway higher in the priority listing. Additional efforts should be dedicated toward continuing to educate/pressure the committee into funding the southern leg.

Supervisor Livermore explained his concern about the length of time it had taken to get the freeway moving and the need for it. He committed to working on the southern portion. He volunteered to help advance the collaboration necessary between the Board and NDOT to move the project forward.

(1-1735) Supervisor Bennett briefly described the history of the decision to allocate five cents of the gas tax for the project. She emphasized the need for a partnership between the City and NDOT. She felt that NDOT had always been there for the City. This relationship had made a huge, huge difference to the community. She felt that the discussion will provide the community with hope that something would really happen on the southern leg. She urged NDOT to "nail down" the southern interchange design as soon as possible due to the increase in commercial development now occurring in that area. The design will help the community provide a better design for the necessary infrastructure required to service this area. Mr. Stevens responded by explaining that his staff is struggling with this issue and evaluating various concepts for the interchange at this time. Design problems with this interchange and the residential/commercial streets were described. Supervisor Bennett expressed her appreciation for being included in this decision. She then explained that the City had already begun the process to establish the City as an MPO. Mr. Stevens volunteered the services of Kent Cooper of the Program Development office to assist with this process. This office had recently helped Lake Tahoe meet its MPO requirements. He also pointed out that his local plans must be a part of the City's plan in order to be developed. He felt confident that by working together in a partnership role the project would be developed.

Supervisor Williamson explained that the bicycle paths had been adopted as part of the bicycle master plan element by both the City and State. Its importance to the community was described. She was willing to work with NDOT on its design.

Mr. Stevens did not feel that the bicycle paths would be ignored. He then described his decision to light only the freeway intersections and not the entire freeway. He was willing to consider the bicycle paths but indicated that it

may not have all of the "bells and whistles" desired.

Mayor Masayko felt that the decisions just explained were the type his Department should make and that the remainder should be presented to the Board with appropriate guidelines. He also pointed out that bicycle paths could have ramifications elsewhere. He was certain that the community would be willing to analyze these issues and reach a decision. He expressed his willingness to agendize these issues and conduct the public hearings as necessary.

Project Manager Jim Gallegos committed to being with the project to its end. A portion of the handout which had been distributed previously included a listing of the issues related to the southern leg of the freeway. Construction of the frontage road along South Carson Street is one of the first issues which they must finalize. Issues related with this effort were briefly described. Mayor Masayko felt that the interchange design should be developed before the frontage road questions were resolved. Board participation in this process was encouraged. Right-of-way acquisitions could then be undertaken. Mr. Gallegos agreed that the interchange should be discussed. The time for development of the frontage road was discussed. The traffic impact of Highway 395 South of the interchange was pointed out. He suggested that this discussion occur in January 2000. He then explained hydrologic concerns with the southern leg. These issues must be determined as the second milestone so that additional unnecessary right-of-way not be required. He did not feel that the environmental issues were as substantial along the southern leg as had been encountered on the northern leg. The Native American impact will be addressed. The remaining rights-of-way will take approximate four to six years to acquire. Discussion indicated that "Q" funding is no longer available.

(1-2184) Nevada Department of Transportation Program Development Representative Kent Cooper explained the reasons "Q" funds are no longer available. Payback of the "Q" funds is now occurring. This is part of the freeway costs. The repayment of these funds for the freeway was described. Acquisition of additional right-of-way is now occurring with Federal and State gas tax monies. Mayor Masayko did not feel that the lack of these funds would stop the project, however, the design and amenities must be developed to meet Federal requirements. This requirement is the reasons a firm design must be agreed upon and maintained.

Mr. Gallegos explained the need to phase the project in order to obtain these funds.

Mayor Masayko thanked Mr. Stevens for assigning Project Managers and Mr. Gallegos for his participation in various meetings and his resourcefulness. This had expedited the process and opened the lines of communication. Additional comments were solicited but none given. Mr. Berkich also thanked Mr. Stevens and his staff for their cooperation. Comments felt that the quarterly reports were working. Mr. Stevens expressed a desire to have monthly reports. The Board agreed. Mayor Masayko also expressed a willingness to schedule evening sessions when necessary. No formal action was taken or required.

4. C. STAFF COMMENTS AND STATUS REPORTS (1-2370) - Mr. Berkich explained a Builders Association meeting on the Pat Lane drainage situation which Supervisors Bennett and Plank had attended. Hydrology experts had also attended that meeting. An action plan has been developed. A report may be provided on the process at the next meeting.

BREAK: A ten minute recess was declared at 10:42 a.m. The entire Board was present when Mayor Masayko reconvened the session at 10:52 a.m., constituting a quorum.

6. ANIMAL SERVICES - Director Michael Conklin - ACTION ON A RESOLUTION ESTABLISHING FEES FOR SERVICES PROVIDED BY THE CARSON CITY ANIMAL SERVICES DEPARTMENT FOR THE OPERATION OF THE PET CEMETERY (1-2358) - Discussion indicated that the fees would not be applicable to any plots which had already been purchased. The Board's consideration was to serve as the public hearing on the rate increases. The fees are posted at the Animal Services Office. Supervisor Williamson explained the notes she had received complimenting Mr. Conklin and his staff on their services. Supervisor Williamson

moved that the Board of Supervisors approve a Resolution establishing fees for services provided by the Carson City Animal Services Department for the operation of the pet cemetery, Resolution No. 1999-R-21, which will increase the revenue for the fiscal impact. Supervisor Bennett seconded the motion. Motion carried 5-0.

7. FIRE DEPARTMENT - Battalion Chief Dan Shirey - ACTION TO ADOPT AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA TO ALLOW CARSON CITY FIRE DEPARTMENT PERSONNEL TO TRAIN IN CERTAIN BUILDINGS THAT ARE TO BE DEMOLISHED BY THE NEVADA DEPARTMENT OF TRANSPORTATION (1-2482) - The exercise will include other Departments from surrounding Counties and Agencies. A live fire will not be set in the buildings. The exercise will be a search and rescue type. The neighbors will be notified about the training activities. Supervisor Bennett commended Battalion Chief Shirey on the Fire Department's annual report. Comments indicated that Administrative Assistant Dan Nevin had prepared that document. Supervisor Bennett moved to approve the interlocal cooperative agreement between Carson City and the State of Nevada to allow Carson City Fire Department personnel to train in certain buildings that are to be demolished by the Nevada Department of Transportation, the addresses of those buildings was listed in the interlocal agreement. Supervisor Livermore seconded the motion. Motion carried 5-0.

10. PERSONNEL MANAGER - Judie Fisher - ACTION TO APPOINT TWO APPLICANTS TO THE CARSON CITY PUBLIC TRANSIT ADVISORY COMMITTEE (1-2608) - The Board interviewed the following applicants: John Peshek, (1-2950) Robert Foster, (1-3300) Paul Gowins; and (2-0042) Janice Ayres. Mayor Masayko thanked each for applying. The Board then discussed the applicants, their strengths and weaknesses, nominated two candidates, and expressed reasons for these nominated. From this process John Peshek and Paul Gowins were selected. Supervisor Bennett moved that the Board of Supervisors appoint John Peshek and Paul Gowins to the Carson City Public Transit Advisory Committee. Supervisor Plank seconded the motion. Motion carried 3-2 with Supervisors Williamson and Livermore voting Naye. Ms. Fisher expressed her feeling that the two remaining applicants would participate in the process. Mayor Masayko asked her to advise them that they would be considered if a resignation or vacancy occurs.

BREAK: A five minute recess was declared at 12:15 p.m. The entire Board was present when Mayor Masayko reconvened the session at 12:20 p.m., constituting a quorum.

9. COMMUNITY DEVELOPMENT - Senior Planner Juan Guzman - ORDINANCE - FIRST READING - ACTION ON Z-98/99-4 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 36.27 ACRES FROM MOBILE HOME PARK/PLANNED UNIT DEVELOPMENT (MHP/PUD) TO MOBILEHOME 6,000/PLANNED UNIT DEVELOPMENT (MH6000/PUD) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SALIMAN ROAD AND FAIRVIEW DRIVE, CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBERS 9-769-03; 9-752-07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28; 9-753-01, 02, 03, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31; 9-754-01, 02, 03, 04, 05, 06, 07, 28, 29, 30, 31, 32, 33; 9-756-16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27; 9-757-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 18, 19, 20, 21, 22, 23, 24, 26; 9-758-01, 02, 03, 04, 05, 06, 07, 08 AND 25; AND OTHER MATTERS PROPERLY RELATED THERETO (2-0580) - Mayor Masayko noted that the Board's additional stipulation had been added to the conditions and is part of the record. Jim Bawden indicated he was present to answer any questions the Board may have had. Supervisor Plank moved to introduce on first reading Bill 102, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 36.27 ACRES FROM MOBILE HOME PARK/PLANNED UNIT DEVELOPMENT (MHP/PUD) TO MOBILEHOME 6,000/PLANNED UNIT DEVELOPMENT (MH6000/PUD) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SALIMAN ROAD AND FAIRVIEW DRIVE, CARSON CITY, NEVADA, ASSESSOR'S PARCEL NUMBERS 9-769-03; 9-752-07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28; 9-753-01, 02, 03, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31; 9-754-01, 02, 03, 04, 05, 06, 07, 28, 29, 30, 31, 32, 33; 9-756-16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27; 9-757-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 18, 19, 20, 21, 22, 23, 24, 26; 9-758-01, 02, 03, 04, 05, 06, 07, 08 AND 25; AND OTHER MATTERS PROPERLY

RELATED THERETO. Supervisor Bennett seconded the motion. Dick Murray thanked the Board for the zoning change and indicated that the residents were looking forward to the things proposed by Landmark Homes. The motion to introduce Bill 102 on first reading was voted and carried 5-0.

8. REGIONAL TRANSPORTATION COMMISSION - Deputy City Manager Dan St. John, Chief Deputy District Attorney Paul Lipparelli - **ACTION TO APPROVE A RIGHT OF ENTRY AGREEMENT WITH ANGUS MCLEOD AND CAROLYN MCLEOD FOR A PORTION OF PROPERTY KNOWN AS APN 8-291-01 TO GAIN THE RIGHT OF ENTRY FOR THE CONSTRUCTION OF A PORTION OF THE GRAVES LANE EXTENSION BETWEEN SHERMAN LANE AND U.S. HIGHWAY 50 EAST (2-0705)** - Mr. St. John noted that the bids which had been received on Graves Lane had been \$650,000 under the engineers' estimate. Staff had asked if all of the construction requirements had been included in the bid documents and had been assured that they were. Mayor Masayko expressed his pride in finally seeing an bid under the estimate as the City had had many over it. The parcel is the last significant deal. Mr. Lipparelli then explained the corrections which were to be made in the agreement--Page 4, Paragraph 23, Line 19, which removed reimbursement of reasonable attorney fees to the prevailing party, and a minor change to Page 4, Line 15 to correct "an" to be "and". Supervisor Plank pointed out staff's comments indicating that the McLeods had been cooperative with the City and did not wish to hold up construction. Supervisor Williamson expressed her concern about the lack of knowledge as to the cost and with entering an agreement without that knowledge. Mr. Lipparelli then described the eminent domain process and the right of entry agreement which would start the legal process if an agreement cannot be reached by a specified date. At this time there is approximately a \$150,000 difference in the price. This amount is included in the project. The legal process may take as much as two years to complete. Supervisor Bennett requested a final report on the total construction and acquisition costs. Mr. Lipparelli explained that the Board will ultimately have to approve the acquisition price. Supervisor Plank noted that the property is the final piece required for the project. As the bids are so far under the estimate, his heartburn with approving the agreement was very mild. Supervisor Plank then moved to approve the right of entry agreement for Angus McLeod and Carolyn McLeod for a portion of property known as Assessor's Parcel Number 8-291-01 to gain the right of entry for the construction of a portion of the Graves Lane extension between Sherman Lane and U.S. Highway 50 East with the change to Page 4, Line 15, to change the word "an" to "and" and Lines 19 and a portion of Line 20 to delete the following: "The prevailing party to any dispute involving this agreement is entitled to reasonable attorney fees and costs."; fiscal impact on this is none. Mayor Masayko seconded the motion. Motion carried 4-1 with Supervisor Williamson voting Naye.

11. CITY MANAGER - John Berkich - **STATUS REPORT ON THE PUBLIC SAFETY COMPLEX (2-0890)** - Mr. Berkich indicated that Justice Court had moved into the building. Inmates will be moved into the new jail during the first week of April. Changes to the building were described and amounted to \$235,000. Several of these changes had been removed from the original contract due to funding concerns. The exterior landscaping had been deferred. Parks Planner Vern Krahn has revised the landscaping plan. This plan will be presented to the Board in two to four weeks. The District Court Judges' benches are being reinstalled in the courtrooms today. The Justice Court benches should be retrofitted by the end of April. In order to complete these tasks, the City had entered into agreements with various subcontractors. Due to the emergency nature of the need to complete the building, these contracts had been issued without the Board's approval. Board ratification of staff's action will be requested at a future meeting. Justification for issuing the contracts at this time was described. The ending fund balance will be used to pay for these contracts. The total budget summary, which will be presented to the Board in two to four weeks, will include these costs. Efforts are being made to close all of the contracts. Dedication and ribbon cutting is scheduled for April 30. The public was invited to tour the building on that date and to participate in the ceremony. Discussion indicated that with the landscaping, the total amount of the change orders is \$470,000. Ninety-five percent of the \$235,000 in change orders had been either unanticipated or deferred. Supervisor Livermore expressed his feeling that the City should either do the landscaping or have a development agreement as is required for all the other projects. Mr. Berkich indicated that there is an agreement. Supervisor Livermore requested that the report on the \$235,000 include any other items which need to be addressed. He then pointed out the State landscaping project across from the Public Safety Complex. The State had used the downtown historic district lighting in its project. The City should have considered this feature in its program. He

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then questioned the Board's accessibility to different offices in the Complex which he felt should be the same as City employees are able to do. Mr. Berkich indicated that access accommodations will be provided as directed by the Board. Mr. Berkich then described the ending fund requirements for the building. The original budget had been at \$1.1 million and is now at \$2 million. Additional funding will be requested for the landscaping. Comments indicated that some of the contingency funding is still available. Discussion also pointed out the impact that using the ending fund balance will have on next year's CIP funding. Mr. Berkich suggested that any remaining ending fund amounts be used for the Sheriff's Administrative Building improvements. Supervisor Plank explained his personal experience with security cards and concerns. Supervisor Plank also expressed his hope that the City would complete the landscaping plan as required of other developers under the development agreement terms. His concern was due to the lack of activity on the former outdoor swimming pool area west of the Community Center. Mr. Berkich reiterated his comments concerning Mr. Krahn's landscape plans. Mr. Krahn had included in his plans the space and irrigation capabilities and species which are acclimated to the area. The project has been broken into three phases. The plans should be bid in May with a June contract award date. Reasons for having a fall planting date were explained. Mayor Masayko voiced his objection to a fall planting date. The pros and cons of the fall planting were discussed. No formal action was taken or required on this item.

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 1 p.m.

The Minutes of the April 1, 1999, Carson City Board of Supervisors meeting

1999. ARE SO APPROVED ON June 3,

/s/ _____

Ray Masayko, Mayor

ATTEST:

/s/ _____
Alan Glover, Clerk-Recorder