

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 3, 2005, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 3, 2005, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Andrew Burnham	Development Services Director
	Larry Werner	City Engineer
	Mark Forsberg	Chief Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 2/3/05 Tape 1-0043)	

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.

ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. by requesting a moment of silence to recognize Supervisor Williamson's mother and Sparks Mayor Tony Armstrong's deaths. Roll call was taken. A quorum was present although Supervisor Williamson was absent. Supervisor Staub led the Pledge of Allegiance. Rev. Chuck Nichter of Wellspring Church gave the Invocation.

- 1. CITIZEN COMMENTS (1-0079)** - None.
- 2. AGENDA MODIFICATIONS (1-0081)** - Treasurer Al Kramer had requested Item 3C be deleted.

LIQUOR AND ENTERTAINMENT BOARD (1-0088) - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. (For action by the Liquor and Entertainment Board, please see its file.)

BOARD OF SUPERVISORS (1-0242) - Mayor Teixeira reconvened the Board of Supervisors session. A quorum of the Board was present although Supervisor Williamson was absent.

- 1. APPROVAL OF MINUTES - SPECIAL MEETINGS OF 5/17/04, 1/3/05 AND 1/13/05 AND REGULAR SESSIONS OF 7/15/04 AND 1/6/05 (1-0245)** - Supervisor Livermore moved that the Minutes of the 1/13/05 Workshop be approved. Supervisor Aldean seconded the motion. Following discussion,

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Supervisor Livermore amended his motion to include the Minutes of 1/3/05. Supervisor Aldean concurred and requested a correction to the January 6, 2005, Minutes on Page 3 under Item 4-6C at Line 4 as her concern was that the resolution was unilateral and was, therefore, not binding on Charter Communications. (1-0276) The motion to approve the Minutes of 1/13 and 1/3/05 was voted and carried 4-0.

OTHER MATTERS (1-0271) - Treasurer Al Kramer explained that the Applicant for Item 3A had gone to the City Hall and is being sent to the Sierra Room. She should arrive shortly. Mayor Teixeira indicated that the Liquor and Entertainment Board would be reconvened when she arrives.

4. CONSENT AGENDA (1-0282)

4-1. JUSTICE COURT - ACTION TO APPROVE THE APPOINTMENT OF CHERYL LAU TO THE PANEL OF SUBSTITUTE JUSTICES OF THE PEACE

4-2. SHERIFF - ACTION TO APPROVE THE REALLOCATION OF CAPITAL IMPROVEMENT FUNDS TO PURCHASE A FREEZER AND REFRIGERATOR FOR THE CARSON CITY SHERIFF'S EVIDENCE/PROPERTY ROOM

4-3. DEVELOPMENT SERVICES - ENGINEERING - ACTION TO APPROVE A POLICY ADOPTING THE PROCEDURES OF NRS CHAPTER 342 AND 49 CFR PART 24 TO ENSURE THAT UNIFORM, FAIR AND EQUITABLE TREATMENT IS AFFORDED TO PERSONS DISPLACED FROM THEIR HOMES OR BUSINESSES AS A RESULT OF THE CITY'S ACQUISITION OF REAL PROPERTY FOR PUBLIC PURPOSES

4-4. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE REUSE MASTER PLAN UPDATE PROJECT, CONTRACT NO. 2004-075, AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO BERRYMAN AND HENIGAR, 720 THIRD AVENUE, SUITE 1200, SEATTLE, WA 98104, FOR A CONTRACT AMOUNT OF \$113,468

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE WATERFALL FIRE - BOUNDARY MARKING PROJECT, CONTRACT NO. 2004-074 AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO TRI-STATE SURVEYING, LTD., 4825 CONVAIR DRIVE, CARSON CITY, NV 89706, FOR A CONTRACT AMOUNT OF \$29,000

4-5. FINANCE - ACTION TO ALLOW THE FINANCE DEPARTMENT TO DELETE FIXED ASSETS FROM THE GENERAL FUND FIXED ASSET LISTING

4-6. CITY MANAGER

A. ACTION TO APPROVE PAYMENT OF AN ADDITIONAL \$1,673.75 TO ROGER MOELLENDORF FOR REIMBURSEMENT OF MOVING EXPENSES

B. ACTION TO ADOPT A RESOLUTION APPOINTING AL KRAMER, CARSON CITY TREASURER, AS CARSON CITY'S REPRESENTATIVE ON THE NEVADA-WORKS BOARD AND TO APPOINT LISA ROTH, CARSON CITY HUMAN RESOURCES DIRECTOR, AS THE ALTERNATE- Supervisor Livermore moved that the Board of Supervisors approve the Consent Agenda that includes one item from Justice Court, one item from the Sheriff, one item from Development Services - Engineering; two items from Development Services - Contracts, one item from Finance and two items from the City Manager as presented. Supervisors Aldean and Staub seconded the motion. Motion carried 4-0.

(1-0365) Supervisor Aldean pointed out the need to include a Resolution Number with Item 4-6B. Clerk-

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Recorder Glover pointed out the need to include Policy No. 2005-P-1 with Item 4-3 and indicated the Resolution No. is 2005-R-4. Supervisor Livermore moved to amend his motion approving the Consent Agenda to include the Resolution (and Policy) Numbers as reflected by Mr. Glover as he just placed on the record. Supervisor Staub seconded the motion. Motion carried 4-0.

LIQUOR AND ENTERTAINMENT BOARD RECONVENED (1-0294) - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. (For action of the Liquor and Entertainment Board, please see its file.)

5. BOARD OF SUPERVISORS (1-0296) - Mayor Teixeira reconvened the Board of Supervisors session. A quorum of the Board was present although Supervisor Williamson was absent.

A. DISCUSSION AND UPDATE ON 2005 LEGISLATIVE MATTERS (1-0386) - Mary Walker noted the Coalition's luncheon with its Legislators. The number of bills she normally monitors, the number of bill drafts introduced last session, and the slow pace at which bills are being printed were described. Taxes and water were felt to be the key issues. The process for review of the bills was limned. Ideas/bill drafts regarding property taxes under consideration at this time were briefly summarized. No formal action was required or taken.

B. ACTION TO APPROVE THE 2005 TRI-COUNTY LEGISLATIVE COALITION LISTING OF BILL DRAFT REQUESTS AND LEGISLATIVE PRIORITIES (1-0412) - Mary Walker, Chief Deputy District Attorney Mark Forsberg, Bruce Kittess - Discussion between Ms. Walker and the Board included BDR 815 - Tax Increment Financing Implementation and its consideration during the last session; BDR 853 - 1/4 Cent Sales Tax for Libraries, Parks, Recreation, and Senior Centers with Voter Approval; BDR 845 - Rural Counties Property Tax Abatement for Economic Development; BDR 447 - Carson City Group Homes and reasons it may not meet the Fair Housing Act; and BDR 838 - Property Tax for Wildland Fire Suppression and Prevention. Supervisor Staub suggested that BDR 815 be amended to allow the funding to be used for residential roads. Ms. Walker pointed out the ability to use general or special improvement districts for this purpose. Reasons for using improvement districts were limned. Ms. Walker indicated that Douglas and Lyon Counties had not considered BDR 215 - Carson City Redevelopment Bill. Public comments were solicited.

(1-0691) Mr. Kittess espoused his support of BDR 447 and his belief that the bill should be approved. He believed that the Fair Housing Act was wrong and failed to protect his property rights. Group homes are a business and should not be allowed in residential districts. He indicated that he would be at the Legislature supporting the bill draft. Mayor Teixeira explained that the Legislative Council Bureau is checking the bill draft and the Fair Housing Act. It will determine the legality of the bill draft and, if possible, submit it to the legislature for consideration. Ms. Walker indicated that if it is determined that the proposed bill is not legal, it will not be drafted or submitted for debate. Additional comments were solicited but none were given.

Mayor Teixeira asked Ms. Walker to "check the temperature" of the Legislature about Clark County's bill draft on an 1/8th cent tax for cops. Ms. Walker felt that if the bill draft included electorate approval, it would not pose a problem. She also indicated that such a bill may impact an approach for another bill under consideration but not yet drafted. She agreed to let Ms. Ritter know what the Legislature's "temperature" is on the tax for cops. Additional comments were solicited but none were given. Supervisor Aldean moved to

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approve the 2005 Tri-County Legislative Coalition listing of Bill Draft Requests and Legislative Priorities. Supervisor Livermore seconded the motion. Motion carried 4-0.

Ms. Walker indicated that the “wounds/temperatures” created during the last session are slowly healing although there are occasional remarks and legislative problems. Mayor Teixeira concurred.

RECESS: A recess was declared at 9:21 a.m. A quorum of the Board was present when Mayor Teixeira reconvened the meeting at 9:25 p.m. Supervisor Williamson was absent.

C. PRESENTATION OF THE NEVADA COMMUNITY WILDFIRE RISK/HAZARD ASSESSMENT RESULTS FOR CARSON CITY (1-0815) - Resource Concepts Inc. Principal John McClain, Nevada Safe Fire Council Executive Director Elwood Miller, Bruce Kittess, David Morgan, Fire Chief Stacy Giomi, Cooperative Extension Director JoAnn Skelly - Mr. Miller’s introduction summarized the purpose of the assessment including requirements of the Healthy Forest Act and its mandated development of a community wide protection plan, benefits of the program including potential funding opportunities, the need for the Board to approve the plan, and State Forester Pete Anderson’s support of the plan. Mr. McClain highlighted the assessment factors and used slides to illustrate the City’s historical burn areas and the wildfire hazard ratings for Carson City, the Carson Indian Colony, the Stewart Indian Colony, and the Clear Creek area. Maps illustrating the current and needed fuel break lines were shown and explained. His summary included areas containing noxious weeds and stressed the need to address these sites. Justification for their eradication was provided. Recommendations for Carson City were listed. Examples of things which had already been done to reduce the wildfire risk/hazard included establishment of a Clear Creek fire safe council, the defensible space brochure, coordination and public education efforts. Other individuals who had worked on the assessment and were in attendance were introduced. Board comments complimented them on their efforts. Discussion explained that the Extension Service’s coordinators are working to establish a fire safe council in Lakeview and then will begin the process of establishing a council in Timberline. Reluctance/resistance of some homeowners to take steps to reduce the risk/hazard was noted. The need to maintain long term management of the fuel breaks was stressed. Public comments were solicited.

Mr. Kittess explained the location of his home and indicated that he receives lots of information from different agencies regarding wildfire risks/hazards. He then explained the number of trees found on his property that had been killed by the Waterfall Fire and the number that he had already removed. He requested help reducing the remainder and, specifically, the trees on City property due to the safety hazards they pose. Additional comments were solicited.

Mr. McClain explained for Mr. Morgan that the information will soon be on the BLM website. Mr. McClain also explained that the City’s fuel management program had played a significant role in protecting homes when the Waterfall Fire occurred. He thanked Ed Smith and Steve Mihelic for their work on this program.

Fire Chief Giomi explained that the Department had reviewed the plan and that it contains up to the minute information on the work that the City, the Forest Service, and BLM had done. He also noted that it had been used to support the ordinance which the Board adopted in December regarding wildland fuel management. He felt that the ordinance had included all of the items recommended in the plan. He complimented the Fire Safe Council and Resource Concepts for their work on the plan. He also assured the Board/City that the Fire Department, Fire Safety Council, and the Extension Service are working diligently to make the program

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happen in Carson City. He felt that the City was leading the charge in this effort. He thanked the Board for its support of this effort.

Ms. Skelly introduced her staff members who were present. She indicated that the Extension Service has worked diligently to establish the Fire Safe Councils. A brief status report on the councils was provided. A demonstration project on defensible space will be developed in the Lakeview area so that professionals and community members will be able to see and know what can be done. She hoped to help make the City safer.

Discussion ensued between Supervisor Aldean and Mr. McClain on the funding potential created as a result of having the plan. It was felt that without the plan none would be received. The actual funding potential could not be determined until Congress approves the appropriation. It was felt that the State of Nevada is ahead of the process. The State should be in a good competitive position for federal funding and will be looked to as a leader by other States who are still working on their plans. Mayor Teixeira thanked them for the plan. No formal action was required or taken.

6. DEVELOPMENT SERVICES - PLANNING AND ZONING - ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT OF WAY FROM CHRISTIAN FUNK (PROPERTY OWNER: NEVADA WEST LAND LLC) TO ALLOW ABANDONMENT OF A PORTION OF LEPIRE DRIVE TOTALING APPROXIMATELY 2,111 SQUARE FEET ON PROPERTY ZONED SINGLE FAMILY 12,000 (SF12) LOCATED AT 4041 AND 4045 LEPIRE DRIVE, APNS 010-352-23 AND 010-352-24, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT AND TO AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT, FILE AB-04-226 (1-1535) - Senior Planner Jennifer Pruitt - Discussion corrected the Planning Commission's meeting date in the abandonment order to be January 26, 2005. Supervisor Livermore moved to approve an abandonment of public right-of-way application from Christian Funk, property owner: Nevada West Land LLC, to allow abandonment of a portion of Lepire Drive totaling approximately 2,111 square feet on property zoned Single Family 12,000 (SF12) located at 4041 and 4045 Lepire Drive, APNs 010-352-23 and 010-352-24, subject to the conditions of approval contained in the staff report and to authorize the Mayor to sign the order of abandonment. Supervisor Aldean seconded the motion. Motion carried 4-0.

REDEVELOPMENT AUTHORITY (1-1612) - Mayor Teixeira then recessed the Board of Supervisors session and convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS (1-1625) - Following adjournment of the Redevelopment Authority, Mayor Teixeira reconvened the Board of Supervisors session. A quorum of the Board was present although Supervisor Williamson was absent.

7. FINANCE DIRECTOR - Tom Minton

A. ACTION TO ADOPT A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FISCAL YEAR 2004-2005 BUDGET (1-1628) - Supervisor Aldean moved to adopt Resolution No. 2005-R-5, A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FY 2004-2005 BUDGET in the amount of \$1,424,462. Supervisor Livermore seconded the motion. Motion carried 4-0.

B. ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF DRAINAGE PROJECTS AND WATER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSALS TO ISSUE GENERAL OBLIGATIONS THEREFORE; PROVIDING CERTAIN DEALS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-1645) - Supervisor Livermore moved to adopt Resolution No. 2005-R-6, A RESOLUTION CONCERNING THE FINANCING OF DRAINAGE PROJECTS AND WATER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSALS TO ISSUE GENERAL OBLIGATIONS THEREFORE; PROVIDING CERTAIN DEALS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF. Supervisor Staub seconded the motion. Motion carried 4-0.

C. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005", FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, DEVELOPING, CONSTRUCTING, IMPROVING AND EQUIPPING PROJECTS FOR PARKS, TRAILS AND RECREATIONAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-1675) - Discussion indicated the City will use other funding to pay for the Governors Field lighting project. The fiscal impact is \$13.193 million. The previous per forma was \$13.777 million. The par amount of the bonds is \$7 million. Supervisor Aldean moved to introduce on first reading Bill No. 103, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005", FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING, DEVELOPING, CONSTRUCTING, IMPROVING AND EQUIPPING PROJECTS FOR PARKS, TRAILS AND RECREATIONAL FACILITIES; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECT; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact is \$13,193,030 including principal and interest. Supervisor Livermore seconded the motion. Motion carried 4-0.

8. DISTRICT ATTORNEY - Chief Deputy District Attorney Mark Forsberg

A. ACTION TO APPROVE AN AGREEMENT BETWEEN CITY CENTER, A NEVADA GENERAL PARTNERSHIP, AND CARSON CITY SETTLING LITIGATION REGARDING THE ABANDONMENT OF A PORTION OF VALLEY STREET (1-1725) - Finance Director Tom Minton, City Manager Linda Ritter - A representative from City Center was not present. Mr. Forsberg indicated that they will sign the agreement when it is delivered and executed by the Mayor. Supervisor Staub recused himself due to a potential conflict of interest. Supervisor Aldean explained her participation with Supervisor Livermore in the settlement negotiations. She believed that the agreement was fair, specifically, in view of

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the attorney fees which could have been added to the cost if the City lost in court. She then gave Mr. Forsberg some changes to the agreement which she felt were not substantial. Discussion explained that the City had budgeted \$500,000 for lawsuits. When this settlement offer is taken from the account, it will be almost out of money. Ms. Ritter indicated that additional funding will be provided in the budget for fiscal year 2006. Supervisor Livermore moved to approve the agreement between City Center, a Nevada general partnership, and Carson City settling litigation regarding the abandonment of a portion of Valley Street and the fiscal impact is \$156,000 and the funding source is the insurance fund. Supervisor Aldean seconded the motion. Motion carried 3-0-1-1 with Supervisor Staub abstaining and Supervisor Williamson absent.

B. ACTION TO ADOPT ON SECOND READING BILL NO. 102, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 TRAFFIC SIGNS, SIGNALS AND MARKINGS, SECTION 10.08.020 TRAFFIC CONTROL SIGNAL LEGEND, BY AMENDING SUBSECTION 7(C) TO PROVIDE THAT TRAFFIC FACING A RED SIGNAL MUST STOP PRIOR TO MAKING A RIGHT TURN AND ADDING SECTION 7(D) WHICH PROHIBITS A DRIVER FROM USING PUBLIC OR PRIVATE PROPERTY TO AVOID STOPPING AT A RED LIGHT AND OTHER MATTERS PROPERLY RELATED THERETO (1-1830) - Supervisor Aldean explained Doug Hone's comments regarding drivers who will utilize private property to avoid stopping at a red light. The ordinance addresses his concern. Discussion noted specific examples of traffic movements. Supervisor Livermore moved to adopt Bill No. 102 on second reading, Ordinance No. 2005-4, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 TRAFFIC SIGNS, SIGNALS AND MARKINGS, SECTION 10.08.020 TRAFFIC CONTROL SIGNAL LEGEND, BY AMENDING SUBSECTION 7.C TO PROVIDE THAT TRAFFIC FACING A RED SIGNAL MUST STOP PRIOR TO MAKING A RIGHT TURN AND ADDING SECTION 7.D WHICH PROHIBITS A DRIVER FROM USING PUBLIC OR PRIVATE PROPERTY TO AVOID STOPPING AT A RED LIGHT AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Staub seconded the motion. Motion carried 4-0.

9. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-1940) - Mayor Teixeira complimented City Manager Ritter's staff on is coordination efforts for the legislative reception. This is the first time that Douglas, Lyon, and Storey Counties have joined the City in putting on the reception. Its importance was indicated. He expressed the hope that the Board and public will join him at the legislative reception on February 8 from 5:30 p.m. to 8 p.m. at the Nugget. Supervisor Livermore reported on his participation in the Chamber of Commerce Transportation meeting with NDOT Freeway Project Manager Jim Gallegos; the Youth Sports Association meeting and its grant application for a new rookie baseball facility; neighborhood meetings and notices to surrounding businesses regarding Energy Nevada's lighting program at Governors Field; a meeting with HealthSmart, Assemblywoman Leslie, and Supervisor Aldean on homeless issues; a meeting on water issues; and the Parks and Recreation Commission meeting. Supervisor Staub reported on the Old Clear Creek Road meeting. Supervisor Aldean reported on her participation at TRPA meetings that included burning/disposal of forest slash, development in the Lake Tahoe basin, and a workshop on its new regional plan. She urged the public to donate blood and described her WNCC promotional activities called "Walking to Las Vegas". No formal action was required or taken.

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B. STAFF COMMENTS AND STATUS REPORTS - None.

10. CITY MANAGER - Linda Ritter

C. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES REGARDING LABOR NEGOTIATIONS (1-2239) - Supervisor Livermore moved to recess into closed session pursuant to NRS 288.220 to meet with management representatives regarding labor negotiations. Supervisor Aldean seconded the motion. Motion carried 4-0. Mayor Teixeira recessed the Open Session at 10:40 a.m.

D. OPEN SESSION (1-2268) - Mayor Teixeira reconvened the Open Session at 1:30 p.m. A quorum of the Board was present, although Supervisor Williamson was absent.

A. ACTION TO APPOINT THREE MEMBERS TO THE OPEN SPACE ADVISORY COMMITTEE FOR FOUR YEAR TERMS EXPIRING JANUARY 1, 2009 (1-2275) - Mayor Teixeira thanked each of the applicants for offering their services. The Board interviewed: Gene Munning; (1-2595) Steve Hartman; (1-2900) Wayne Perock; (1-3335) Neil Rombardo; (2-0075) Jay Meierdierck; and (2-0312) Bruce Scott. Comments noted that Patricia Lincoln and Valerie Silensky-Lowe had submitted letters in addition to their applications. They were unable to attend the meeting. The quality of the applicants was noted. The Board was polled and selected Messrs. Hartman, Scott, and Perock. Supervisor Livermore moved to appoint Steve Hartman, Bruce Scott, and Wayne Perock to four year terms on the Open Space Advisory Committee expiring January 1, 2009. Supervisor Aldean seconded the motion. Motion carried 4-0.

RECESS: A recess was declared at 3:05 p.m. A quorum of the Board was present when Mayor Teixeira reconvened the meeting at 3:11 p.m. Supervisor Williamson was absent.

B. ACTION TO APPROVE A RECRUITING PLAN FOR THE POSITION OF INTERNAL AUDITOR (2-0659) - The pros and cons of having a fiscal internal auditor as required by the Charter, the need for an auditor to conduct performance audits, whether a part-time internal auditor could be hired for the suggested sum, whether a private firm could conduct the performance audits as desired and its learning curve were discussed at length. Consensus supported a part-time fiscal internal auditor. Supervisor Staub suggested that a plan be developed which would engage private firm(s) to conduct performance audits on a regular basis that included annual audits with a defined budget. Comments indicated that, until the charter is amended, a part-time or full-time fiscal internal auditor is required. Ms. Ritter explained that both Reno and Sparks have internal auditors. His duties require him to contract with outside agencies who do the performance audits. She agreed to submit annual audit plans. The Board will determine which areas should be audited. Concern was expressed regarding the length of time contracted individuals will remain with the firm and conduct the audits. Ms. Ritter also indicated that the same firm may not be employed to do all of the performance audits. Mr. Wolkomir's work had established performance indicators which will allow the Department Heads to perform self-evaluations. Supervisor Aldean moved to approve the development of a recruiting plan for a part-time internal financial internal auditor with the understanding that performance audits will be performed throughout the year by contracting with firms that specialize in particular functional areas of city government; fiscal impact is to be determined. Supervisor Livermore seconded the motion. Discussion between Supervisor Livermore and Ms. Ritter explained that the process to seek applicants would begin with advertising for a part-time auditor. Hiring of this individual will comply

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with the Charter. Staff will immediately provide the Board with a list of audit areas. The Board will be solicited for its list of ideas. The Board's list will be added to staff's list. A plan will be developed from the combined listing that will indicate the areas to be audited and the priority for the audits. An RFP will be sent to firms who perform audits in those areas. A part-time auditor will be for ten to 20 hours a week. The hours will depend upon the candidate and the number of hours he/she is willing to dedicate to the position. It will definitely be less than part-time as no benefits will be provided. If the individual works 1040 hours annually, PERS will be required. Supervisor Livermore felt that the process may create a "turnstile" of auditors for this position if it is part-time. Ms. Ritter indicated that if recruitment is unsuccessful, the concept will be brought back to the Board for direction/discussion as the person works for the Board. Supervisor Livermore pointed out that during the budget process, funding for the position must be considered. He asked that Ms. Ritter verify the cost of the position during the last five years. It may be that the position is being underfunded. Ms. Ritter indicated that the preliminary budget for next year contained the same allocation as last year's budget for this position at a full-time capacity. This was done so that if a part-time person cannot be found, funding would be available for a full-time person. Recruitment will be for a part-time person first. Supervisor Staub reiterated his request that the auditor report to the Board at least quarterly and that he/she develop an annual audit plan. The individual is to continue reporting to the Board. The individual must continue to address the performance audits that need to be done and be in control of outsourcing that process. It may become necessary for the Board to evaluate whether a part-time position can address all of these duties. He felt that, if the Board does not require the auditor to perform these duties, it would not be able to require the City Manager to do it. For this reason he believed that it was necessary that the auditor report to the Board on all of these processes even though he may not be the one conducting the performance audits. Mayor Teixeira indicated that his point was valid and the only way that he could support the concept. It may be possible that a local individual is interested in the position and has a sound background and the necessary knowledge required for the position. If the person cannot be found, then they will revert back to the original program with a full recruitment process that will hire an individual from some other locale and hope that he/she will work out and remain. Supervisor Staub expressed his concern that a part-time position will eliminate a lot of qualified individuals. This will limit the scope of opportunity. Mayor Teixeira agreed that this is possible, however, there would not be a large effort spent to recruit that individual. It must be someone local. He did not believe that an individual would want to come from Reno daily to do the work. It will take time to complete the recruitment process for a full-time position. Supervisor Livermore indicated that he could support the part-time concept so long as everyone understood what was occurring. He hoped that the internal auditor's office location would remain at the City Hall. His need to have the person located where he/she is readily accessible by the Board was explained. He requested that the person be required to fulfill his/her part-time hours at the City Hall rather than somewhere else. Ms. Ritter agreed. The motion was voted by roll call with the following results: Aldean - Yes; Staub - Yes; Livermore - Yes; and Mayor Teixeira - Yes. The motion carried 4-0-1 with Supervisor Williamson absent. Mayor Teixeira complimented the Board members on their willingness to compromise and work together.

E. ACTION TO APPROVE TENTATIVE AGREEMENT TO AMEND CARSON CITY FIREFIGHTERS' ASSOCIATION, IAFF LOCAL 2251, COLLECTIVE BARGAINING AGREEMENT ARTICLES 21 AND 25, RELATING TO PAYMENT OF PREMIUMS FOR DEPENDENT INSURANCE AND RETIREMENT INSURANCE FOR RETIREES AND THEIR DEPENDENTS (2-1195) - Association President Robert Schreihans thanked Ms. Ritter for her participation in the agreement and the Board for its support. Supervisor Aldean moved to approve the tentative agreement to amend Carson City Firefighters' Association, IAFF Local 2251, Collective Bargaining Agreement Articles 21 and 25 relating to

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payment of premiums for dependent insurance and retirement insurance for retirees and their dependents; fiscal impact: No impact in the current fiscal year with \$50,000 fiscal impact over the life of the agreement which expires on June 30, 2006. Supervisor Livermore seconded the motion. Motion carried 4-0.

11. ADJOURNMENT (2-1250) - Supervisor Livermore moved to adjourn. Supervisor Aldean seconded the motion. Motion carried unanimously. Mayor Teixeira adjourned the meeting at 3:40 p.m.

The Minutes of the February 3, 2005, Carson City Board of Supervisors meeting

ARE SO APPROVED ON March 3, 2005.

/s/

Marv Teixeira, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder