

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 15, 2004, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 15, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Pete Livermore	Supervisor, Ward 3
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	JoAnn Skelly	Cooperative Extension Director
	Lisa Roth	Human Resource Director
	Steve Albertson	Undersheriff
	Larry Werner	City Engineer
	Stacy Giomi	Acting Fire Chief
	Merlene Alt	Chief Deputy Treasurer
	John Flansberg	Deputy City Engineer
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Contracts Coordinator

(B.O.S. 7/15/04 Tape 1-0036)

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. Rev. Ken Haskins of the First Christian Church gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0066) - None.

1. APPROVAL OF MINUTES (1-0068) - None.

2. AGENDA MODIFICATIONS (1-0070) - RTC requested a deferral of Items 6A and B until after the Commission has had an opportunity to consider them. Public comments on the items will be accepted but no action will be taken by the Board.

3. LIQUOR AND ENTERTAINMENT BOARD (1-0078) - Mayor Masayko then recessed the Board of Supervisors and immediately convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

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4. BOARD OF SUPERVISORS (1-0302) - Following adjournment of the Liquor and Entertainment Board, Mayor Masayko immediately reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

B. STAFF COMMENTS AND REPORTS (1-0305) - Acting Fire Chief Stacy Giomi gave the Board an oral report on the Waterfall Fire. Meteorologists predict the weather conditions will be the same as yesterday. This includes high winds. The fire keeps jumping the containment lines. Efforts are being made to keep the fire out of Timberline and Lakeview. The Sierra Front is fighting the fire. City fire crews are helping the residents. The resources fighting the fire were listed. When it is safe, City fire crews will help the Kings Canyon residents return to their homes. Nine homes in Kings Canyon and one business and one home in the Indian Colony were lost to the fire. He had not released the names of the property owners who had lost their homes. A community meeting is scheduled for 9 a.m. Safety issues in the burned out areas were noted. Residents who are unable to attend the meeting should contact the City Manager's office for information. Evacuated residents should sign in at the Red Cross shelter so that the response team will know if individuals are missing. Lakeview and Timberline residents are not allowed into the subdivisions at this time. Discussion indicated that only five percent of the residents had gone to the shelter and described the size of the fire crew on the fire line. The Board indicated that it was impressed with and appreciated the response to the call for assistance. Justification for having mutual aid agreements was stressed. Board comments also commended the local firefighters on their efforts to quickly respond to the fire. Acting Fire Chief Giomi explained the initial response and the unexpected problems that were encountered including the terrain; lack of access to the fire site; the drought conditions; the inability to use air tankers at night; reasons for removing the hand crews; the condition of the two firefighters who were hurt; the loss of one Lyon County Fire Truck, a news media vehicle, and a pickup that was either privately owned or owned by the Forest Service; the damage to the City's water tender and an ambulance; and the reasons the fire is now being fought by the Sierra Front. Information will be provided at the High School and City Manager's office. Acting Fire Chief Giomi also asked that the public be patient as it takes time to send messages up and down the chain of command. The officers at the roadblocks may not be aware of any status changes. They are following their orders and the residents' safety are their paramount concern. Acting Fire Chief Giomi indicated that to the best of his knowledge no civilians have been hurt by the fire. Comments stressed the volatility of the fire conditions. The Board thanked the fire fighters for the efforts.

Development Services Director Andrew Burnham explained that the water supply is holding its own at this time. Sierra Pacific got power back up for the Quill Treatment Plant last night. The City had used a generator to keep it operating. The turbidity of the water is very high. This increases the time need to clean the water. Debris protection efforts will commence as soon as possible. City equipment lost to the fire was listed. Supervisor Livermore explained that the generator had been obtained when the threat of Y2K had occurred. The importance of having such backup equipment was stressed. Comments indicated that power is still out at Lakeview. It has been restored along Curry Street. It will take time to replace the poles/lines in Kings Canyon due to the amount of damage that has been incurred. Generators will be needed to operate private wells in Kings Canyon. Mayor Masayko pointed out that the fire is still burning. He thanked everyone for their help/assistance and cooperation. The residents were encouraged to be proactive and prepare to evacuate if necessary. Their cooperation is needed. Public comments were solicited.

Manuel Diaz explained that yesterday he had taken tacos from his business to the shelter and planned to do the same today. The Board thanked him for his donation and indicated that such donations are occurring

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throughout the community. No formal action was taken or required.

(2-1275) City Manager Linda Ritter explained the status of the Waterfall Fire and that Lakeview and Timberline are under mandatory evacuation at this time. There are 11 fire engines in Lakeview to protect residential property and evacuate the residents. The wind is blowing hard and embers are everywhere. No formal action was taken or required.

(2-1450) City Manager Linda Ritter explained that the command center for the Waterfall Fire had been moved to the Lompa Ranch due to the growth in firefighters and equipment arriving from other areas. She also indicated that the Sierra Front has become a Federal strike force.

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0617) -

Supervisor Staub explained that the Regional Transportation Commission meeting had moved yesterday's meeting to July 29. It will be in the Sierra Room. He also announced that NDOT will conduct a public forum at Fuji Park this evening on Phase 2 of the freeway, sound wall, and its multi-use path. He urged the public to attend the forum. Mayor Masayko explained that the RTC items scheduled for today's Board meeting will be deferred. Public comments will be taken on the items. Supervisor Livermore explained a request from a group of individuals in the southeastern portion of the City to have equestrian access from Valley View to the area on the east side of the freeway. He also noted the *Reno Gazette Journal's* report on the mental health issues which were being seen in Clark County. The Carson-Tahoe Hospital has been dealing with these problems for five years. The attempts and need for the mental health coalition to find answers to these issues were indicated. Mayor Masayko explained that a formal announcement will be forthcoming regarding TRIAD's program to have individual's medical information available in case of an emergency at the dispatch center. An identification bracelet will inform emergency response teams/individuals about the program. He also explained the Governor and Mrs. Guinn's offers of State facilities, if needed, during the current emergency. He described several telephone calls he had received regarding the availability of resources which he had passed on to the City Manager. He then indicated that he may not be in Carson City when the City's Civil War Memorial is dismantled. He urged the public and Board to attend this ceremony. His intent to attend the National Association of County Officers was explained. These plans are contingent upon the status of the fire. His memo regarding his intent to be out of town had been distributed prior to the fire. Supervisor Aldean noted the Sheriff's outreach effort with the Boys and Girls Club. She also reported on her tour with Supervisors Williamson and Staub and unnamed individuals from the public sector of the Marlette-Hobart water system. She volunteered to assist the Subconservancy when it makes its presentations to TRPA and noted that there are environmental concerns with the proposed upgrades. Supervisor Staub gave some photographs to the other Board members illustrating the system. Supervisor Williamson announced that the Redevelopment Authority Citizens Committee meeting had been rescheduled. She also stressed the need and importance of having the community work together to get through the current fire emergency in a safe manner. She urged the residents to evacuate when asked to do so rather than stay and fight it. She assured the public that "Carson City will shine again". No formal action was required or taken.

5. CONSENT AGENDA (1-0775)

5-1. PURCHASING AND CONTRACTS

A. ACTION TO RENEW CONTRACT NO. 0102-008 WITH MARSH USA, INC., (FORMERLY KNOWN AS MARSH, INC.) TO BE THE BROKER OF RECORD FOR THE CITY'S PROPERTY, LIABILITY, WORKERS COMPENSATION, AND BOND PROGRAMS THROUGH

AUGUST 1, 2006

B. ACTION TO RENEW CONTRACT NO. 0102-011 WITH GREAT WESTERN PARK AND PLAYGROUND (FORMERLY KNOWN AS RICH BOYCE RECREATION, INC.) TO PROVIDE GAME TIME PRODUCTS AND TO DALE GREEN ASSOCIATES TO PROVIDE MIRACLE RECREATION EQUIPMENT COMPANY PRODUCTS THROUGH AUGUST 1, 2006, PURSUANT TO THE DISCOUNT PERCENTAGES AND TERMS AND CONDITIONS AS ORIGINALLY AWARDED BY THE BOARD OF SUPERVISORS ON AUGUST 2, 2001

C. ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0304-111 TRUCK MOUNTED SECTIONAL SEWER RODDER TO JONES-WEST FORD AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332 AND PURSUANT TO THE BOARD'S FINDINGS THAT IT IS IN THE PUBLIC'S BEST INTEREST TO ACCEPT THE BID EXCEPTIONS TO PROVIDE ONE (1) 2004 SRECO-FLEXIBLE HRSR516TM/PTO MOUNTED ON A 2005 FORD F450 FOR A TOTAL COST OF \$77,308

D. ACTION TO APPROVE CONTRACT NO. 0405-019 - A REQUEST FOR THE PUBLIC SAFETY CENTER - VIDEO SECURITY UPGRADE/EXPANSION PROJECT TO BE COMPLETED BY DESERT HILLS ELECTRIC INC. FOR A NOT TO EXCEED COST OF \$70,604.55 EXEMPT FROM COMPETITIVE BIDDING

5-2. DEVELOPMENT SERVICES

A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT BETWEEN DONALD L. GILLINGHAM AND CARSON CITY WHEREBY DONALD L. GILLINGHAM AGREES TO: 1. SELL AND CONVEY A PORTION OF CERTAIN REAL PROPERTY DESCRIBED AS APN 002-122-07; 2. GRANT TWO PERMANENT PUBLIC UTILITY EASEMENTS UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 002-122-07; 3. GRANT A PERMANENT SIGHT EASEMENT UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 002-122-07; AND 4. GRANT TWO TEMPORARY CONSTRUCTION EASEMENTS UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 002-122-07 FOR THE PURPOSE OF ROADWAY CONSTRUCTION RELATED TO THE WIDENING OF A PORTION OF ROOP STREET

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE FUJI PARK/FAIRGROUNDS PHASE 2 - URBAN FISHING POND PROJECT, CONTRACT NO. 2004-007, AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO LUMOS AND ASSOCIATES, INC., 800 EAST COLLEGE PARKWAY, CARSON CITY, NV 89706, FOR A CONTRACT AMOUNT OF \$45,674

C. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE FUJI PARK/FAIRGROUNDS PHASE 2 - IMPROVEMENT PROJECT, CONTRACT NO. 2004-008, AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO LUMOS AND ASSOCIATES, INC., 800 EAST COLLEGE PARKWAY, CARSON CITY, NV 89706, FOR A CONTRACT AMOUNT OF \$122,534, AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$12,000

D. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE CARSON CITY SEWER COLLECTION SYSTEM MASTER PLAN - PHASE 3 PROJECT, CONTRACT NO. 2004-001, AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO CAPITAL ENGINEERING, INC., P.O. BOX 2750, CARSON CITY, NV 89702, FOR A CONTRACT AMOUNT OF \$148,964, AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$10,000

5-3. PARKS AND RECREATION - ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS TO AUTHORIZE MAYOR MASAYKO TO SIGN A LETTER TO BE DIRECTED TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT EXECUTIVE BOARD AND THE SECRETARY OF INTERIOR IN SUPPORT OF THE ROUND 5 NOMINATIONS FOR ACQUISITION OF ENVIRONMENTALLY SENSITIVE LANDS

5-4. CITY MANAGER - ACTION TO REAPPOINT DAN GREYTAK TO THE CARSON RIVER ADVISORY COMMITTEE FOR A THREE YEAR TERM ENDING JULY 1, 2007 - Mayor Masayko noted for the record that Mr. Greytak was not present. He was seeking reappointment to the Carson River Advisory Committee. He congratulated and thanked him for applying and for his service to the community. Supervisor Aldean pulled Item 5-3 for discussion. Discussion also pointed out that the temporary easement in Item 5-2A had expired and Supervisor Aldean's original unnamed concern regarding this matter is no longer an issue. City Engineer Larry Werner had indicated that the wrong year contained in the document will be addressed. Supervisor Livermore moved to approve the nine remaining Consent Agenda items, four from Purchasing and Contracts, four from Development Services, and one from the City Manager. Supervisor Staub seconded the motion. Motion carried 5-0.

5-3. (1-0814) Acting Parks and Recreation Director Scott Fahrenbruch was unsure about the status of the Long and Darling properties. He acknowledged that there were only six parcels listed even though the documentation references seven. He listed the ones he knew. He will discuss it with Open Space Manager Juan Guzman. Discussion noted the need for the regional committee to approve the ranking. If the property is not approved by this committee, it is not moved forward. Only the properties approved in January should be moved forward at this time. Public comments were solicited but none were given. Supervisor Aldean moved to recommend to the Board of Supervisors to authorize Mayor Masayko to sign a letter to be directed to the Southern Nevada Public Land Management Act Executive Board and the Secretary of the Interior to support the Round 5 nominations for acquisition of environmentally sensitive lands. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. DEVELOPMENT SERVICES

A. ACTION TO ACCEPT THE REGIONAL TRANSPORTATION COMMISSION'S RECOMMENDATION ON THE ROOP STREET WIDENING PROJECT, CONTRACT NO. 2003-108 (1-0872) - Deputy City Engineer John Flansberg recommended that the Board reject the bid. The Commission will consider the contract at its July 29 meeting. The Board's meeting is scheduled for August 3. This is after the contract acceptance deadline of 60 days expires. Mayor Masayko felt that the Commission should act first and then the Board will take appropriate action. Discussion indicated that the lack of action within the 60-day acceptance period is a pocket veto. Public comments were solicited but none were given. Mayor Masayko noted for the record that the two bids were: \$8.476 million from A&K Earthmovers and \$7.164 million from Granite Construction for a project that was estimated at \$4.8 million. He again asked for public comments. He also indicated that the contract will be considered by the RTC on July 29 and encouraged the public to attend and provide comments. No public comments were given. Action was deferred on this item.

B. ACTION TO ACCEPT THE CARSON AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) RECOMMENDATION TO AWARD THE SHORT RANGE TRANSIT PLAN (SRTP) FOR CARSON CITY PROJECT, CONTRACT NO. 2003-111 (1-0932) -

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Deputy City Engineer John Flansberg - Funding for the contract was described. Justification for completing the project as quickly as possible was provided. The process to evaluate the bids was limned. Discussion explained the funding for the plan and the funding currently provided for the dial-a-ride system. Mr. Flansberg's funding explanation also noted the funding provided for PRIDE and DART. Public comments were solicited. None were given. No formal action was taken. The item was deferred until after CAMPO/RTC consider it.

C. ACTION TO ADOPT A RESOLUTION AMENDING RESOLUTION NO. 2004-R-24 ADOPTING THE STORM WATER MANAGEMENT PROGRAM ADVISORY QUESTION FOR THE NOVEMBER 2, 2004 GENERAL ELECTION WHICH ALLOWS THE RESIDENTS OF CARSON CITY TO HAVE INPUT REGARDING THE FUNDING OF THE PROGRAM, SETS FORTH THE ARGUMENTS IN FAVOR OF THE ADVISORY QUESTION AND AGAINST THE ADVISORY QUESTION AND THE RESPECTIVE REBUTTAL ARGUMENTS, ESTABLISHES THE FISCAL NOTE AND ENVIRONMENTAL ANALYSIS AND STATES THAT THE RESULT OF VOTING ON THE QUESTION DOES NOT PLACE ANY LEGAL REQUIREMENT ON THE CARSON CITY BOARD OF SUPERVISORS OR ANY OFFICER OF THE POLITICAL SUBDIVISION AND THAT CARSON CITY MUST COMPLY WITH NRS 293.481(1)(a) AND NRS 293.482 AND OTHER MATTERS PROPERLY RELATED THERETO (1-1014) - City Engineer Larry Werner - Mayor Masayko explained the lack of authority to use the 1/8th of a cent for flood control including capital, operations and maintenance. The proposal will allow the use of some of the funds for capital and some for operations and maintenance. Not all of the proposed funding will be used for operations and maintenance. He hoped that the voters understand the proposal. Discussion pointed out that the pro argument included a sentence indicating the proposal was environmentally sound. The arguments' contents have been provided by the writers. The Board cannot change it. Comments were solicited but none were given. Supervisor Aldean moved to adopt Resolution No. 2004-R-26, A RESOLUTION AMENDING RESOLUTION NO. 2004-R-24 ADOPTING THE STORM WATER MANAGEMENT PROGRAM ADVISORY QUESTION FOR THE NOVEMBER 2, 2004, GENERAL ELECTION WHICH ALLOWS THE RESIDENTS OF CARSON CITY TO HAVE INPUT REGARDING THE FUNDING OF THE PROGRAM, SETS FORTH THE ARGUMENTS IN FAVOR OF THE ADVISORY QUESTION AND AGAINST THE ADVISORY QUESTION AND THE RESPECTIVE REBUTTAL ARGUMENTS, ESTABLISHES THE FISCAL NOTE AND ENVIRONMENTAL ANALYSIS AND STATES THAT THE RESULT OF VOTING ON THE QUESTION DOES NOT PLACE ANY LEGAL REQUIREMENT ON THE CARSON CITY BOARD OF SUPERVISORS OR ANY OFFICER OF THE POLITICAL SUBDIVISION AND THAT CARSON CITY MUST COMPLY WITH NRS 293.481(1)(a) AND NRS 293.482 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Staub seconded the motion. Motion carried 5-0. (See Page 11 for reconsideration of this Item.)

7. DEVELOPMENT SERVICES - PLANNING AND COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE SELECTION OF A GROWTH MANAGEMENT RATE AND NUMBER OF RESIDENTIAL BUILDING PERMIT ENTITLEMENTS - FILE NO. GM-04-073 (1-1095) - Senior Planner Jennifer Pruitt - Discussion pointed out that the process only establishes the number of building permits that will be issued. It does not establish the population rate. The housing market has been growing at less three percent for many years. The State

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Demographer has indicated that the three percent rate will not be reached for some time. Supervisor Livermore questioned the need to establish the number if the usage does not justify the limit. The growth is occurring in Douglas and Lyon Counties. Mayor Masayko responded by explained that to change the process would create unpredictability and unsettlement in the community and reduce people's ability to plan their future. He felt that the process provided predictions regarding the infrastructure needs and natural resource usage. Neither the actual number of permits that will be used nor the market conditions in 2005, 2006, or 2007 can be accurately predicted at this time. The process does, however, establish a process that cannot be considered arbitrary or capricious. Community support for the program was noted. Supervisor Livermore reiterated his belief that growth and the marketplace are providing the control rather than the ordinance. Mr. Sullivan explained that during the history of the ordinance only once had the number of permits taken been close to the established three percent cap. Only 180 homes/apartments were constructed last year. The water usage has increased more than three percent. It was felt that the Carson City residents are using more water than before. A water report will be provided to the Board in August. Mayor Masayko pointed out the development standard demanding the creation of "green belts" rather than xeroscape. He urged the Board to reconsider this policy. Mr. Sullivan explained that the landscape point system gives turfed areas the least amount of points. This process encourages xeroscape. Comments stressed that the area is in a desert and that water is a precious commodity. Ms. Pruitt indicated that approximately nine percent of the permits allocated for this year have been taken. Mayor Masayko pointed out that the 70 permits taken to date is an accurate number and that the policy allowing apartments and mobile homes at the rate of two for each residential home is no longer allowed. It was also apparent that the number of permits is less than those taken last year by this date. Seven hundred and forty-three permits were approved and are available for issuance this year but only 70 have been taken so far. Additional comments were solicited but none were given. Supervisor Aldean moved to adopt Resolution No. 2004-R-27, Option I, three percent, A RESOLUTION IN SUPPORT OF THE SELECTION OF A GROWTH MANAGEMENT RATE AND NUMBER OF RESIDENTIAL BUILDING (PERMIT) ENTITLEMENTS; File No. GM-04-073A. Supervisor Staub seconded the motion. Mayor Masayko pointed out that the resolution tentatively establishes the entitlements for two future periods. Motion carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTIONS 18.04.190 RESIDENTIAL AND 18.04.195 NONRESIDENTIAL DISTRICT INTENSITY AND DIMENSIONAL STANDARDS AND AMENDING CARSON CITY DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, RESIDENTIAL AND NONRESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, BY MODIFYING THE PERMITTED SETBACKS WITHIN THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT AND DELETING VARIED SETBACKS IN THE SINGLE FAMILY 6000 (SF6) ZONING DISTRICT, MAKING CLERICAL AND CONSISTENCY CORRECTIONS IN THE DEVELOPMENT STANDARDS DIVISION 1.13 FENCES, WALLS AND HEDGES, DEVELOPMENT STANDARDS DIVISION 2.2.C. COMMERCIAL USES, DEVELOPMENT STANDARDS DIVISION 3.13.1 MAINTENANCE, AND CARSON CITY MUNICIPAL CODE SECTION 18.02 ADMINISTRATIVE PROVISIONS, INCLUDING INDEX, 18.02.035 COMMISSION/BOARD APPLICATIONS, 18.02.040 APPLICATION LIMITATIONS, 18.02.045 NOTICE OF COMMISSION HEARINGS, 18.02.050 REVIEW, 18.02.052 HEARING EXAMINERS, 18.02.060 APPEALS, 18.02.075 CHANGE OF LAND USE DISTRICT AND CODE AMENDMENTS, 18.02.080 SPECIAL USE PERMIT (CONDITIONAL USES), 18.02.085 VARIANCES, 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE

PERMIT, 18.02.095 SHOW CAUSE PROCEDURE OF VARIANCE OR SPECIAL USE PERMIT, 18.02.110 ADMINISTRATIVE PERMITS AND OTHER MATTERS PROPERLY RELATED THERETO (1-1405) - Discussion explained the term “unique” property owners and the noticing intent. The codifier had requested the change from written value to a numeric value. Justification was provided for putting the fees in a resolution rather than continue having them in the Code. Public comments were solicited but none were given. Supervisor Aldean moved to introduce on first reading Bill No. 111, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTIONS 18.04.190 RESIDENTIAL AND 18.04.195 NONRESIDENTIAL DISTRICT INTENSITY AND DIMENSIONAL STANDARDS AND AMENDING CARSON CITY DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, RESIDENTIAL AND NONRESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, BY MODIFYING THE PERMITTED SETBACKS WITHIN THE RESIDENTIAL OFFICE, RO, ZONING DISTRICT AND DELETING VARIED SETBACKS IN THE SINGLE FAMILY 6000, SF6, ZONING DISTRICT, MAKING CLERICAL AND CONSISTENCY CORRECTIONS IN THE DEVELOPMENT STANDARDS DIVISION 1.13 FENCES, WALLS AND HEDGES, DEVELOPMENT STANDARDS DIVISION 2.2.C. COMMERCIAL USES, DEVELOPMENT STANDARDS DIVISION 3.13.1 MAINTENANCE, AND CARSON CITY MUNICIPAL CODE SECTION 18.02 ADMINISTRATIVE PROVISIONS, INCLUDING INDEX, 18.02.035 COMMISSION/BOARD APPLICATIONS, 18.02.040 APPLICATION LIMITATIONS, 18.02.045 NOTICE OF COMMISSION HEARINGS, 18.02.050 REVIEW, 18.02.052 HEARING EXAMINERS, 18.02.060 APPEALS, 18.02.075 CHANGE OF LAND USE DISTRICT AND CODE AMENDMENTS, 18.02.080 SPECIAL USE PERMIT (CONDITIONAL USES), 18.02.085 VARIANCES, 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT, 18.02.095 SHOW CAUSE PROCEDURE OF VARIANCE OR SPECIAL USE PERMIT, 18.02.110 ADMINISTRATIVE PERMITS AND OTHER MATTERS PROPERLY RELATED THERETO, File No. ZCA-04-096. Supervisor Williamson seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10 a.m. The entire Board was present, constituting a quorum, when Mayor Masayko reconvened the meeting at 10:22 a.m.

8. INTERNAL AUDITOR - I. Steve Wolkomir

A. PRESENTATION OF THE INTERNAL AUDIT QUARTERLY STATUS REPORT FOR THE SECOND QUARTER 2004 (1-1562) - Discussion pointed out that some of the Boards, Commissions, and Committees included in his report were clearly statutorily mandated, i.e., the Airport Authority and the Convention and Visitors Bureau. They are not accountable to the City Manager. Mr. Wolkomir indicated that they were to be handled separately from the other Boards, Commissions, and Committees that are under the City Manager. Mayor Masayko indicated that the Board should be the responsible party for these Boards, Commissions, and Committees. Discussion indicated Mr. Wolkomir’s intent to complete five audits before the end of the year. Mr. Wolkomir’s review of the status report included a discussion regarding the number of open and closed recommendations contained on the spread sheet and pointed out the accumulative monetary benefits of the recommendations. It was felt that the City Manager would agree to and implement recommendations that were of monetary benefit. It was also felt that the “line manager” would indicate whether or not Mr. Wolkomir’s estimated monetary benefits were over or under stated. Discussion also indicated that future reaudits of an agency would be accomplished at the request of the Board, a recommendation of the audit committee, or if the risk factors change. Mayor Masayko directed that Mr. Wolkomir’s status report include any indication that languishing is occurring in implementation of

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the recommendations. Mr. Wolkomir indicated that his audit/study of a centralized warehouse had indicated that it would not be economical, therefore, it was eliminated. Justification for the accumulative ongoing benefits report was provided. Comments complimented staff and the City Manager for being willing to consider and participate in looking for changes to make the process of doing things better. Justification for including suggestions that would increase inmate fees without defining the actual amount was provided. Mayor Masayko felt that unless the revenue increase is more than \$10,000, implementation of the increase may not be warranted or justified. Mr. Wolkomir agreed to work with Finance to determine if the fee increases would be justified and warrant implementation. Mayor Masayko directed him to use annual revenue estimates in the report. Reasons for the request were provided. Discussion ensued on Mr. Wolkomir's ability to complete the remaining audits before the end of the year. Mayor Masayko explained that he had not "visited" the website. He appreciated the quarterly status reports. He asked that the changes be quantified and modified to show that the City is getting better at what it does. The time period for quantification, however, should be restricted to two years. Mr. Wolkomir explained that when the monetary benefit reaches full benefit each and every year, it is considered to be at its top. It should then be dropped. He agreed to provide information on any one time savings. He also indicated that the "TBD"s would be revised whenever a savings is determined. Mayor Masayko encouraged him to compare "apples to apples" when making his determinations. Mr. Wolkomir agreed. Public comments were solicited but none were given. No formal action was required or taken.

B. ACTION TO APPROVE THE INTERNAL AUDITOR'S PAY FOR PERFORMANCE PLAN FOR CALENDAR YEAR 2004 (1-2275) - Mayor Masayko explained that when the Board had granted a COLA increase to exempt employees, the City Manager and Internal Auditor's salary lines were not to have been exempted from the increase. The implementation of the increase was, however, to have remained with the Board. This would have moved their ranges with the other City employees. It had not increased the salary. Discussion explained that the Board had implemented its pay for performance bonus in the middle of the fiscal year which had required an augmentation to the budget. The current budget included \$5,000 for a bonus. Any amount over that will require an augmentation to the budget. Mr. Wolkomir's review included noting that he should inform the Board if it is not possible for him to complete his audit assignments within the timeframe indicated. This will allow the Board an opportunity to determine whether a change is need in the assignments or the priorities. Mayor Masayko felt that funding for training should be included within the budget. Discussion indicated that the Internal Auditor's base budget had not included training funds. Comments also indicated that Mr. Wolkomir will continue to submit his weekly time sheet based on a 40-hour work week. Supervisor Williamson explained her support for inclusion of funding for training within the budget, however, the funding for training should not be used for training which is basic for a professional standing. Mayor Masayko expressed his hope that the City Manager includes this restriction on all employee training. Discussion also indicated that items listed within the plan with the higher percentages had more priority than lesser rankings. Mr. Wolkomir should tailor his work plan to match this ranking. Also, the plan and its evaluation should occur in February. Discussion ensued among the Board on the bonus amount, the rankings that should be given to various items on the plan, the bonus amount given last year, his eligibility for a COLA, and when a COLA should be given. It was felt that a bonus in the range of 10 to 15 percent was appropriate. Bonuses should be achievable without having to have a commendable or outstanding ranking. It should not be achievable with a less than a standard ranking. Justification for not giving bonuses to classified employees was provided. Supervisor Williamson indicated that she understood the pay for performance program and was opposed to it. Public comments were solicited but none were given. Supervisor Livermore moved to approve the Internal Auditor's Pay for Performance Plan for calendar

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year 2004 with the eight areas so specified and the amounts designated to 15 percent for the total amount of \$9,945.00. Supervisor Aldean seconded the motion. Motion carried 4-1 with Supervisor Williamson voting Naye.

RECESS: A recess was declared at 11:24 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m., constituting a quorum.

9. CITY MANAGER - Linda Ritter

A. ACTION TO APPOINT ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES FOR A FOUR YEAR TERM EXPIRING JUNE 2008 (1-3030) - Mayor Masayko welcomed each of the applicants and explained the purpose of the interview. He thanked each for applying and described the interview protocol. The Board interviewed (1-3075) Stan Bauman; (1-3413) Dr. Brett Bellard; and (2-0224) Jane Smedes. Mayor Masayko explained that Randall Snyder could not make his appointed interview time but wished to be considered. Comments complimented the community on the quality of the applicants. The Board was polled to select the applicant to be appointed. Supervisor Aldean moved to appoint Dr. Brett Bellard to the Carson City Library Board of Trustees for a four-year term ending June 2008. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE POTENTIAL LEGISLATION FOR SUBMISSION TO THE 2005 NEVADA STATE LEGISLATURE TO INCLUDE MATTERS RELATED TO: ENACTMENT OF AN 1/8TH CENT SALES TAX FOR OPERATIONS AND MAINTENANCE OF A STORM DRAINAGE SYSTEM; LOCATION OF GROUP HOMES IN RELATION TO CODES, COVENANTS, AND RESTRICTIONS (CC&R'S); TAX INCREMENT FINANCING FOR ECONOMIC DEVELOPMENT; AND REDEVELOPMENT OFFICER AND EMPLOYEE PROPERTY OWNERSHIP WITHIN A REDEVELOPMENT DISTRICT (2-0536) - Mary Walker - The timeframe for submitting bills to the legislature was described. The bill listing provided within the Board packet was reviewed. Mayor Masayko indicated that BDR-147, the 1/8th cent sales tax proposal, will be withdrawn if a majority of the electorate votes against the proposal. Justification for using 30% of the funding for operation and maintenance was limned. The City already has the ability to implement the tax for construction of facilities. He also felt that a second question on the concept should not be included on the ballot. Ms. Walker indicated a need to revise the bill draft to mirror the advisory ballot question. Justification for using 1/8th of a cent sales tax for operations and maintenance was limned. Reasons for not including construction of facilities were noted. Ms. Walker repeatedly stressed the need for the intent to be very clear and encouraged the Board to create a bill draft mirroring the ballot question. Mayor Masayko stressed the importance of having 1/8th of a cent sales tax for the operation and maintenance of the drainage facilities. Justification for removing infrastructure from the ballot question was discussed at length. Supervisor Staub suggested that the terminology be to allow up to 1/8th of a cent sales tax for operations and maintenance. He felt that this would allow the flexibility desired while meeting the actual funding needs. Mayor Masayko stressed the need for flexibility and to create an additional funding source rather than increase the burden on the users. Ms. Walker supported the "up to" terminology so long as both the ballot question and the bill draft included the same language.

RECESS: A recess was declared at 2:42 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 2:55 p.m., constituting a quorum.

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Mayor Masayko then explained a proposal to reconsider Resolution No. 2004-R-26 and to defer action on BDR-147 until after deliberation on the other bill drafts.

Ms. Walker continued her review of the other bill drafts. Justification for each was provided. Discussion indicated that the bill draft to prohibit group care homes in subdivisions when prohibited by CC&Rs would not be retroactive if implemented. The difficulty encountered implementing a CC&R change prohibiting the use in already developed subdivisions was also noted. It was felt that it will be at least a year before the bill is effective. (See Page 14 for formal action on the bill draft.)

Board consensus supported the bill draft for tax increment financing for economic development. Justification for having the "557 Committee" support the bill was indicated. Mayor Masayko suggested that Hobbs and Ong be retained to lobby for the bill. Ms. Walker suggested that a letter of support be given to Senator O'Connell. Comments also indicated that funding for economic development is needed by both large and small counties. (See Page 14 for formal action on the bill draft.)

Ms. Walker explained her desire to work with those individuals/communities who oppose the redevelopment officer and employee property ownership within a redevelopment district concept to mitigate their concerns. The concept requires written disclosure of such ownership. Mayor Masayko supported having a public hearing on such ownership. Supervisor Aldean felt that the concept will limit an individual's ability to use redevelopment incentives until after the individual leaves the agency. (See Page 14 for formal action on the bill draft.)

Ms. Walker explained the proposal to have NACO sponsor the proposed fuel tax indexing concept for communities with a population less than 100,000. (See Page 14 for formal action on the bill draft.)

Mayor Masayko then indicated that Items 9 C and D will be considered before reconsideration of Item 6 C occurs. (See Page 13 for final action on this Item.)

9. C. ACTION TO APPROVE THE "TEAM" PROGRAM WHICH REPLACES THE PREVIOUS CQI PROGRAM AND INCLUDES THE INNOVATIONS PROGRAM, SAVINGS INCENTIVE PROGRAM AND "CAUGHT IN THE ACT" EMPLOYEE INCENTIVE PROGRAM (2-1290) - Ms. Ritter described each of the current programs, the proposed "TEAM" Program, and the proposed funding for each. Mayor Masayko expressed his support for the "Savings Without End" Program. Discussion corrected a typographical error in Item 2 in the Staff Summary on the Agenda Report to read: "A department incentive that provides a small amount of funding, based directly on the previous year's savings, which can be used to fund enhancements to department operations." Efforts to prevent "padding" were noted. Mayor Masayko expressed his opposition to allowing Department to maintain vacancies in order to create a savings. Needed positions should be filled. Failure to aggressively recruit should be addressed. Ms. Ritter explained that Departments are encouraged to find the necessary funds within their budget to payoff any employee and to replace the individual as quickly as possible. She indicated that 70% of the City's general fund budget is for personnel. A majority of the Departments cannot handle a vacancy. Mayor Masayko felt that if a Department can handle a long-term vacancy, it may have too many positions. He also expressed his belief that having a \$1 million savings in a \$57 million budget is to high. Discussion explained the Organizational Development Team's composition and duties. Reports on its activities are provided during the Board Reports. (2-1605) (2-1845) Mayor Masayko directed that the discussion on this Item be suspended

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and that the matter be reagenized.

6. C. RECONSIDERATION OF ACTION TO ADOPT A RESOLUTION AMENDING RESOLUTION NO. 2004-R-24 ADOPTING THE STORM WATER MANAGEMENT PROGRAM ADVISORY QUESTION FOR THE NOVEMBER 2, 2004 GENERAL ELECTION WHICH ALLOWS THE RESIDENTS OF CARSON CITY TO HAVE INPUT REGARDING THE FUNDING OF THE PROGRAM, SETS FORTH THE ARGUMENTS IN FAVOR OF THE ADVISORY QUESTION AND AGAINST THE ADVISORY QUESTION AND THE RESPECTIVE REBUTTAL ARGUMENTS, ESTABLISHES THE FISCAL NOTE AND ENVIRONMENTAL ANALYSIS AND STATES THAT THE RESULT OF VOTING ON THE QUESTION DOES NOT PLACE ANY LEGAL REQUIREMENT ON THE CARSON CITY BOARD OF SUPERVISORS OR ANY OFFICER OF THE POLITICAL SUBDIVISION AND THAT CARSON CITY MUST COMPLY WITH NRS 293.481(1)(a) AND NRS 293.482 AND OTHER MATTERS PROPERLY RELATED THERETO (2-1610) - Supervisor Aldean moved to revisit Item 6-C, the adoption of Resolution 2004-R-26. Supervisor Williamson seconded the motion. Mayor Masayko indicated that the motion allows the Board to rehear the issue. Motion carried 5-0.

Mayor Masayko indicated that the Board was aware of the Legislative issue. He felt that any language change would work so long as it referenced construction. He warned them against making the issue too convoluted as they could “win the battle but lose the war” at the Legislature. Supervisor Staub explained his belief that adding construction to the resolution would give away a right already allowed. He was not willing to do away with the Board’s ability to use the current law to fund construction of the storm drainage infrastructure if the ballot question fails. He suggested that the amendment to the ballot question read to allow imposition of up to 1/8 of a percent sales tax to support storm water operations and maintenance. The legislation could then mirror the resolution and will provide the necessary flexibility to impose a sales tax of up to 1/8 of a cent for operations and maintenance and allow construction funding under the current laws of 1/4 of a cent sales tax. The legislation should include “up to 1/4 of a cent for construction and up to 1/8 of a cent for operations and maintenance”. The Board could then determine the percentage amounts accordingly based on staff’s recommendations at the time. Mayor Masayko felt that his proposal was “splitting hairs” as it will require a petition and electorate support for each action taken. He felt that the residents would support the proposal. If not, the Board could prevail on the 1/4 cent for construction. Transparency at the Legislative level is required, otherwise, the battle will be lost. Reasons for Supervisor Staub’s suggestion that the resolution be for “up to 1/8th of a cent” were explained. Supervisor Staub moved to amend Resolution 2004-R-26 by deleting the word “a” in the third line of the question and inserting “up to”. Supervisor Livermore seconded the motion. Mayor Masayko indicated that the amendment is in Line 2 of Page 2. Motion carried 5-0.

9. B. CONTINUATION OF ACTION TO APPROVE POTENTIAL LEGISLATION FOR SUBMISSION TO THE 2005 NEVADA STATE LEGISLATURE TO INCLUDE MATTERS RELATED TO: ENACTMENT OF AN 1/8TH CENT SALES TAX FOR OPERATIONS AND MAINTENANCE OF A STORM DRAINAGE SYSTEM; LOCATION OF GROUP HOMES IN RELATION TO CODES, COVENANTS, AND RESTRICTIONS (CC&R’S); TAX INCREMENT FINANCING FOR ECONOMIC DEVELOPMENT; AND REDEVELOPMENT OFFICER AND EMPLOYEE PROPERTY OWNERSHIP WITHIN A REDEVELOPMENT DISTRICT (2-1773) - Discussion indicated that it will take some finessing to accomplish the goal. Board direction indicated that both paragraphs a and b should be changed to allow up to 1/8th of a cent sales tax without exceeding the 1/4

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cent sales tax cap. Ms. Walker indicated that she will meet with both City Manager Ritter and Supervisor Staub and, if necessary, bring the bill draft back for consensus. Mayor Masayko encouraged her to seek guidance from the Legislative Council Bureau. Ms. Walker agreed to do so and bring the final draft back to the Board. Public comments were solicited but none were given. Supervisor Aldean moved that the legislation to be submitted to the 2005 Nevada State Legislature include matters related to the enactment of up to 1/8th cent sales tax for operation and maintenance of the storm drainage system, the location of group homes in relationship to Codes, Covenants, and Restrictions, CC&Rs, tax increment financing for economic development, and redevelopment officer and employee property ownership within a redevelopment district. Discussion indicated that she had amended the legislation in her motion. Supervisor Livermore seconded the motion. Motion carried 5-0.

D. ACTION TO RELEASE FUNDS CURRENTLY IN THE CQI FUND UNDER THE PROVISIONS OF THE CONTINUOUS QUALITY IMPROVEMENT PROGRAM (2-1850) - Mayor Masayko directed that this Item be suspended to allow evacuation due to the fire. The Item should be reagenized for a future meeting.

There being no other matters for consideration, Supervisor Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 3:40 p.m.

The Minutes of the July 15, 2004, Carson City Board of Supervisors session

ARE SO APPROVED ON February 17, 2005.

/s/
Marv Teixeira, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder