

CARSON CITY BOARD OF SUPERVISORS  
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A regularly scheduled session of the Carson City Board of Supervisors was held on Thursday, December 18, 2003, 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
	Al Kramer	Treasurer
	Larry Werner	City Engineer
	Cheryl Adams	Purchasing/Contracts Manager
	Melanie Bruketta	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Lara Mather	Sheriff's Office Management Assistant IV
	Christine Paige	Sheriff's Service Technician
	Alana Herek	Sheriff's Service Technician

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

**CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE** - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Rev. Bruce Henderson of the Airport Church of Christ gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

**CITIZEN COMMENTS (1-0037)** - None.

**1. APPROVAL OF MINUTES - August 7 and 21, 2003 (1-0041)** - Supervisor Livermore moved for approval of the Minutes of the August 7, 2003, Regular Board of Supervisors Meeting and the August 21, 2003, Regular Board of Supervisors Regular Meeting as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. AGENDA MODIFICATIONS (1-0055)** - None.

**3. BOARD OF SUPERVISORS**

**A. ACTION TO SUSTAIN OR REVERSE THE DECISION OF THE CARSON CITY**

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**SHERIFF'S DENIAL OF A WORK PERMIT FOR JASON ALT (1-0059)** - Sheriff Ken Furlong - Mayor Masayko summarized the Board packet of information. He felt that it would be helpful to have part of the original packet of information included in the Board's information, e.g., the original application, Mr. Alt's recent activities, etc. The Board recognized the fact that some people can mend their ways and change their lifestyles. His message to such individuals is that they should put such information in writing and submit to the Board. The Sheriff's Office does not have the discretion that the Board has. The Board needs a complete record and will ask the Hearings Officer to grant leniency whenever possible. Sheriff Furlong indicated that Mr. Alt had not provided any additional information. Reasons for the Sheriff's Office decision to deny the application was limned. The Department had talked with both Mr. Alt's family and his employer. He applauded their support of Mr. Alt. Although such support helps an individual change, the individual himself is the only one who can truly cause a change. He felt that the original application was the main document on which the denial was based. The form is neither vague nor difficult to understand. It attests to the individual's ethics. He acknowledged that Mr. Alt had been doing well and had not had an encounter with law enforcement during the application period. He is involved in counseling but has not completed it. Sheriff Furlong felt that the original application contained misleading information. The employment position was described. He asked the Board to deny the appeal. He commended Mr. Alt on his intent to appeal the application. He agreed that it is possible for individuals to change their behavior. The Department believed that Mr. Alt will succeed in the future particularly if the Board's vote supports the integrity of the system and supports the system that allows individuals who have earned the right, trust and respect to have a workcard. Mayor Masayko felt that the message was that an individual should layout the entire process and divulge all the information. An individual's history is under review by the process. Public comments were solicited but none were given. Supervisor Aldean moved to sustain the decision of the Carson City Sheriff to deny a work permit for Jason Alt. Following a request for an amendment, Supervisor Aldean amended the motion to be to sustain the decision of the Carson City Sheriff's Office which was affirmed by the Hearing Officer to deny a work permit for Jason Alt. Supervisor Staub seconded the motion. Motion carried 5-0. Mayor Masayko indicated that the Sheriff's Office will advise Mr. Alt of the decision. The Board's decision does not prejudice his ability to apply again in the future.

**B. NON-ACTION ITEMS**

**I. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0208)** - Supervisor Livermore complimented the individuals who had worked on the tree lighting and City Hall Open House. He also described the Chamber of Commerce membership drive and awards for the best dressed individuals. He then reported on his Board activities including the Advocates canned food drive; the Parks and Recreation Commission meeting; problems he had encountered with CAT-10 programming and asked that communication with the operators follow-up on the issue; and the Subconservancy meeting. He referenced a media report indicating that Walmart is planning to return to Carson City. He announced his plans to meet with Bridgeport/Mono County officials and discuss their medical needs. Supervisor Staub reported on the RTC meeting; the Community Council on Youth meeting; and an Airport Authority meeting. He indicated that he had been very busy with holiday functions. He also noted the media report indicating that a Walmart store will be relocated in Carson City. He limned other media coverage indicating that Walmart type stores hurt small entrepreneurs and that other communities are passing laws aimed at such operations. He wished everyone a Merry Christmas and a Happy New Year. Supervisor Williamson report on her activities including the Western Nevada Economic Development's 20<sup>th</sup> anniversary celebration; meetings with Western Nevada Community College on an athletic program; Redevelopment Authority

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Citizens Committee meeting; and a Western Nevada RC&D meeting in Dayton on Carson River issues. She announced Western Nevada Community College's athletic program fundraiser scheduled for March 31. She complimented the Carson Historical Society on its historical home tours that were held on Sunday. She thanked all of the individuals who had participated in the Christmas tree lighting and City Open House and wished the community happy holidays. Supervisor Aldean reported on her attendance at the Harley Davidson groundbreaking for its new building; the CAMPO and RTC meetings; the Chamber of Commerce membership drive; Carson City Leadership Program; and the TRPA meetings. Mayor Masayko reported on the Christmas Tree Lighting and City Open House ceremonies and complimented the individuals who had worked on it; a Citizens for Affordable Housing fundraiser; a Commission on Tourism conference in Las Vegas; the status of the V&T Railroad reconstruction project including its bonds issuance; and the Chamber of Commerce membership drive. He announced that the Seeliger Carolers will be at City Hall at 10 a.m. tomorrow and the City Hall Christmas pot luck luncheon scheduled for noon. The next Board meeting will be held on Friday, January 2.

ii. **STAFF COMMENTS AND STATUS REPORTS (1-0550)** - City Manager Linda Ritter wished everyone Merry Christmas and Happy New Year.

4. **TREASURER - Al Kramer - ACTION TO AMEND THE BENCOR DEFERRED PAY 457 PLAN TO COMPLY WITH FINAL AND TEMPORARY REGULATIONS SET FORTH BY THE INTERNAL REVENUE SERVICE CODE (1-0574)** - Mr. Kramer explained that this program is for the part-time temporary employees and replaces Social Security. Public comments were solicited but none were given. Supervisor Aldean moved to amend the Bencor Deferred Pay 457 Plan to comply with final and temporary regulations set forth by the Internal Revenue Code. Supervisor Livermore seconded the motion. Motion carried 5-0.

5. **FIRE DEPARTMENT - Chief Louis Buckley - ACTION TO ACCEPT THE FFY 02 OFFICE OF DOMESTIC PREPAREDNESS (ODP) EQUIPMENT GRANT IN THE AMOUNT OF \$219,724.36, FFY 03 ODP PHASE I EQUIPMENT GRANT IN THE AMOUNT OF \$748,652.83, AND FFY 03 ODP PHASE II EQUIPMENT GRANT IN THE AMOUNT OF \$48,601 AWARDED TO THE CARSON CITY FIRE DEPARTMENT, FOR A TOTAL OF \$1,016,978.19 (1-0619)** - Tom Keeton - Discussion indicated that the mobile command post will be parked at the Fire Station 1 and described how the City had obtained the vehicle. Mayor Masayko urged staff to keep the needs for a State Capitol in the limelight when seeking funding for homeland security items as local government is the first line of defense for the State offices. He had suggested to Governor Guinn that Chief Buckley and/or Environmental Manager Ken Arnold be considered for the Homeland Security Commission. Discussion indicated that the Fire Department maintains records on the grants it receives. Supervisor Aldean encouraged staff to develop and maintain a similar accounting method for the other grants received by the City. Mayor Masayko noted the audit item regarding the need to maintain records and accounting for grants. Supervisor Staub congratulated Chief Buckley on receiving the grant/unit and pointed out that the mobile air power unit was not as successful. Mayor Masayko remarked that the City has lots of extra generators and expressed the hope that they will start when needed. Chief Buckley explained how the priority listing was established and the grant process. Supervisor Livermore congratulated him on his success. He suggested that all of the units be painted the same color(s). He also expressed the hope that when the Public Health Board is established it will receive funding to support the entire community including the State prisons and facilities, the community's regional nature, etc. He suggested that staff begin amassing the information necessary to establish this linkage. He

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indicated that the Hospital is in the middle of developing this information. He also expressed his intent to report to the Hospital Board of Trustees about the City's successful ability to obtain the unit. Chief Buckley explained that

the Hospital, Sheriff's Office, and other entities had assisted with drafting the grant application. Supervisor Williamson complimented them on their successful effort.

Chief Buckley explained for Mr. Keeton that the City is expected to foot the bill for the equipment's operation and maintenance costs. Mayor Masayko indicated that the current budget should pay for its operation and maintenance. He reiterated the need to have the equipment to meet the community's health, safety and welfare needs.

Supervisor Williamson moved to accept the FFY 02 Office of Domestic Preparedness Equipment Grant in the amount of \$219,724.36, Fiscal Year 03 ODP Phase I Equipment Grant in the amount of \$748,652.83, and Fiscal Year 03 ODP Phase II Equipment Grant in the amount of \$48,601.00 awarded to the Carson City Fire Department, for a total of \$1,016,978.19; and that it is a positive fiscal impact of a million dollars to the City. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Masayko directed that email letters of appreciation be sent to the State agencies.

**6. DEVELOPMENT SERVICES - ENGINEERING - City Engineer Larry Werner**

**A. ACTION TO ACCEPT THE CARSON CITY FLEET ASSESSMENT FINAL REPORT PREPARED BY MAXIMUS, INC., AND APPROVE THE RECOMMENDATIONS DESCRIBED IN THE MEMORANDUM FROM THE CITY ENGINEER DATED NOVEMBER 14, 2003 (1-0945) -** City Manager Linda Ritter, School District Director of Operations Mike Mitchell - Discussion explained an automation problem which has been addressed. Examples were cited illustrating the success of the program. If this program continues to function as envisioned, staff may recommend keeping it. If not, a change will be requested. Mayor Masayko agreed that without management information, cost criteria, and performance criteria, a complete status report is not possible. Mr. Werner explained that it is possible to obtain this information as well as customer service and management reports. This allows staff to obtain cost analysis and make decisions regarding outsourcing and/or doing business in a different fashion. Mayor Masayko indicated that, if the Board adopts the report, the fleet manager's position will be refilled if there is no fiscal impact. If there is a fiscal impact, the Board needs to decide whether to refill the position. Ms. Ritter indicated that staff had accepted all of the recommendations but had decided not to implement 100 percent of them. Only those recommendations contained in the staff summary are being implemented at this time. Comments indicated that discussions are occurring with the School District and Carson City Transit regarding bus issues and joint use potentials. Mayor Masayko noted School District Director of Operations Mike Mitchell's presence. He also expressed his belief that combining resources for vehicle maintenance is a unique concept and should be done if funding can be saved. He thanked the Boards for considering it. Justification for having an outside consultant conduct the audit was provided. Supervisor Aldean pointed out the warehouse recommendations were similar to those recommended by the Board's Internal Auditor. Ms. Ritter agreed to evaluate the recommendation(s). Mr. Werner indicated that the City currently contracts and uses tow truck services. This eliminates the need to send two employees to retrieve a vehicle and increases efficiency. Contracted tow truck services also move vehicles from the yard to the warranty shop for warranty work. Staffing will be evaluated and, if deemed needed, brought to the Board through the normal budget

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process. The consolidated warehouse concept may eliminate the need for an additional position. It is also possible that the analysis will determine some different job criteria for the individual than recommended by Maximus. Mayor Masayko directed that the Internal Auditor be provided a copy of the report and participate in the discussions on implementation. Justification for not billing the user department for vehicle maintenance was discussed. It may take 12 to 18 months to develop a program which will allow the user departments to be billed for abuse of equipment. Supervisor Livermore supported implementation of the program and cautioned against allowing any of the funds for vehicle maintenance to be used in the CQI program. Mr. Werner indicated his goal is to develop a funding program which will support 100 percent of the services and not create a hidden surplus. Mayor Masayko also pointed out the discussion on sinking funds for replacements and maintenance cost components. He also cautioned against establishing a program which will allow the acquisition of 100 percent of the equipment needs when it may be less expensive to rent the item(s) than to purchase. The acquisition program should include checks and balances to justify the purchases. Mr. Werner explained the analysis which will be conducted regarding when to turnover police vehicles. Justification for the analysis was provided. He also explained that type and use of equipment is a City Manager decision. The Board's role is to provide the funding. Mayor Masayko felt that the patrol vehicles should be replaced when the cost benefit is there and not before. Discussion indicated that the radios and lights on patrol vehicles have a five-year life span. Mayor Masayko thanked staff for evaluating the report and implementing those items which should be done at this time. He also thanked them for salvaging the computer program rather than starting over. Even though it was an effort to salvage it, it has saved the City some funds. Mr. Werner agreed that it is always possible to repackage a program. Public comments were solicited.

(1-1291) Mr. Mitchell supported the program to take better care of the vehicles and indicated that this is the School District's desire as well. They were also willing to consider joint use of personnel, playgrounds, etc. Consideration of other areas where joint uses makes sense is encouraged and supported by School Superintendent Pierczynski. The reasons the warehouse joint use concept had failed were noted. He suggested that they look at similar uses whenever possible. Mayor Masayko thanked him for his comments and attitude. He was certain that there are systems which will make each entity accountable for its uses. He also encouraged staff to look at how business is conducted and determine if there is a better way to do it.

Supervisor Aldean moved to accept the Carson City Fleet Assessment Final Report prepared by MAXIMUS, Inc., and approved the recommendations described in the memorandum from the City Engineer dated November 14, 2003, based on the understanding the acceptance of these recommendations does not constitute approval of any specific expenditures. Supervisor Staub seconded the motion. Motion carried 5-0.

**B. ACTION TO ADOPT ON SECOND READING BILL NO. 131, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 12 WATER, SEWERAGE, AND DRAINAGE BY ADDING CHAPTER 12.17 STORM WATER SERVICE CHARGES, SECTION 12.17.010 DEFINITIONS WHICH ADDS A SECTION FOR DEFINING TERMS USED IN THIS ORDINANCE, SECTION 12.17.020 RATE POLICY WHICH DESCRIBES THE GENERAL POLICY OF ASSIGNING CHARGES AGAINST DEVELOPED PROPERTY, SECTION 12.17.030 UNDEVELOPED REAL PROPERTY WHICH STATES THAT UNDEVELOPED PROPERTY WILL NOT BE CHARGED, SECTION 12.17.040 SERVICE CHARGE RATES, WHICH SETS THE CHARGE FOR EACH PROPERTY BASED ON ZONING CLASSIFICATION, SECTION 12.17.050 COLLECTION WHICH DEFINES THE PROCESS FOR COLLECTING DELINQUENT CHARGES,**

**SECTION 12.17.060 PROTESTS TO RATES AND CHARGES WHICH SETS UP THE PROCEDURE FOR A CUSTOMER TO PROTEST THE STORM WATER SERVICE CHARGE, SECTION 12.17.070 ANNUAL REVIEW OF CHARGES AND FEES WHICH STATES THAT THE FINANCE DIRECTOR AND THE DEVELOPMENT SERVICES DIRECTOR WILL REVIEW THE CHARGES ANNUALLY AND REPORT TO THE BOARD OF SUPERVISORS AND OTHER MATTERS PROPERLY RELATING THERETO (1-1360)** - School District Director of Operations Mike Mitchell -

Discussion indicated that the ordinance will be implemented on March 1. Mayor Masayko stated for the record that during the two weeks between readings he had not received any formal comments beyond the manufacturers and business groups. The proposed ordinance is better than the original concept. It is more reasonable and easier to understand. The business costs were counted.

Mr. Mitchell expressed the District's desire to recognize the positive efforts undertaken in developing the ordinance. The School Board is aware of the ordinance and concur with the direction provided in it. They recognize and thank Mr. Werner and the City for working out a positive ending to a complicated and volatile issue. The District could not have afforded the original program. Mayor Masayko asked Mr. Mitchell to pass on the Board's appreciation of the District's support. He emphasized that this is only the beginning. The need to obtain the electorate's support for an 1/8th of a cent sales tax was explained. Revenue gleaned from this tax will be used for construction, operation, and maintenance. The second item is the educational component. It may require assistance from the School District. The District should be compensated for its assistance. He thanked Mr. Mitchell for his comments.

Board discussion indicated that the advisory question on the sales tax was for 0.125 percent. The current sales tax percentage is 7.00 percent. An advisory vote will help obtain Legislative support for the program. Funding will include operations, maintenance, and capital. Supervisor Aldean moved to adopt Ordinance No. 2004-32, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 12 WATER, SEWERAGE, AND DRAINAGE BY ADDING CHAPTER 12.17 STORM WATER SERVICE CHARGES, SECTION 12.17.010 DEFINITIONS WHICH ADDS A SECTION FOR DEFINING TERMS USED IN THIS ORDINANCE, SECTION 12.17.020 RATE POLICY WHICH DESCRIBES THE GENERAL POLICY OF ASSIGNING CHARGES AGAINST DEVELOPED PROPERTY, SECTION 12.17.030 UNDEVELOPED REAL PROPERTY WHICH STATES THAT UNDEVELOPED PROPERTY WILL NOT BE CHARGED, SECTION 12.17.040 SERVICE CHARGE RATES, WHICH SETS THE CHARGE FOR EACH PROPERTY BASED ON ZONING CLASSIFICATION, SECTION 12.17.050 COLLECTION WHICH DEFINES THE PROCESS FOR COLLECTING DELINQUENT CHARGES, SECTION 12.17.060 PROTESTS TO RATES AND CHARGES WHICH SETS UP THE PROCEDURE FOR A CUSTOMER TO PROTEST THE STORM WATER SERVICE CHARGE, SECTION 12.17.070 ANNUAL REVIEW OF CHARGES AND FEES WHICH STATES THAT THE FINANCE AND THE DEVELOPMENT SERVICES DIRECTOR WILL REVIEW THE CHARGES ANNUALLY AND REPORT TO THE BOARD OF SUPERVISORS AND OTHER MATTERS PROPERLY RELATING THERETO; fiscal impact is \$660,000 in storm water fees that will be collected. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko encouraged staff to commence the public awareness program.

**7. DEVELOPMENT SERVICES - PUBLIC WORKS - City Engineer Larry Werner - ACTION TO ADOPT AND AUTHORIZE THE MAYOR TO SIGN A RESOLUTION URGING THE STATE ENGINEER'S OFFICE OF THE DIVISION OF WATER RESOURCES TO CONSIDER THE POTENTIAL ADVERSE EFFECTS OF NEVADA DEPARTMENT OF TRANSPORTATION**

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**DEWATERING AND TEMPORARY CONSTRUCTION WELLS ON CARSON CITY PRIVATE WELL OWNERS (1-1497)** - Tom Keeton - Mayor Masayko felt the “dewatering” is for the surface ground water found between 15 and 20 feet of the surface. There may be some applications for additional ground water to supplement the treated effluent used for dust control and compaction. Concerns expressed to him related to the impact a 200 foot well will have on the northeastern and northwestern sections of the City. Mr. Werner indicated the resolution is an attempt to remind the State Water Engineer to be cognizant of the wells and not create a problem for other users. Mayor Masayko agreed that the State Water Engineer’s duties require him to be cognizant of the other users. The proposal is for a temporary dewatering program. At other times, it may be possible to conduct seasonal dewatering without an impact. The City’s intent is not to force these private well users to have to deepen their wells during the temporary dewatering period for the freeway. The need for 250,000 gallons of effluent was noted. Mayor Masayko felt that if the effluent is managed and metered it may be able to help alleviate some of the concerns. He also noted that the Brunswick Canyon Reservoir continues to leak/seep. Mr. Werner pointed out that the State has full discretionary authority over the dewatering project. Mayor Masayko hoped that NDOT will help the City mitigate any issues.

Supervisor Staub indicated that he had received a number of calls and personal contacts with residents in the northern section of the City whose wells have gone dry. A well on Bigelow was cited as an example. The concerns are about the impact additional drilling could cause. He was certain that Utility Operations Manager Hoffert will be telling the Board that the water table is dropping and not recharging as adequately as the ground water table should. He suggested that the resolution also be addressed to NDOT. The freeway is an NDOT project and NDOT/its contractor will be submitting an application for the water. The resolution is not an attempt to adversely impact the freeway progress. He asked if other options have been considered, i.e., using water from Washoe Valley from a site that was drilled for the portion of the freeway that was built there. His contact with Mr. Hoffert and Development Services Director Burnham has indicated that the wells will be sunk 500 feet. This is below the residential wells and should not impact their aquifers. Mr. Werner agreed it should not and that the groundwater table involved many things including the site’s location. He had not discussed this issue with anyone. Supervisor Staub felt that the resolution should be adopted with the suggested amendment and that a report should be provided indicating the monitoring that will occur and options if wells go dry. Both Mr. Werner and Mayor Masayko agreed. Mayor Masayko suggested that staff include a letter with the resolution to the State Water Engineer/NDOT recognizing the applications, their control over the situation, and the expectation that they will be part of the solution. Mayor Masayko also suggested that there may be groundwater tables in upper strata that could be dewatered without impacting the domestic wells. He also pointed out that a 500 foot well will impact the City wells and increase the City’s pumping costs. Mr. Werner indicated that he will work with the State Engineer on the depth and impacts. Discussion pointed out that the key is temporary and that other options should be analyzed during the three to six-year construction period. The withdrawal should not become permanent. A large snow pack will lessen the withdrawal impact.

Supervisor Livermore pointed out the ordinance mandating connection to City service if the waterline is within 200 feet. This is a huge expense for the resident. He urged City staff to consider options now. A resident on Valley View Drive was used to illustrate his concern. He was also concerned about the term “temporary” and what the long term cost is to the residents. He encouraged staff to monitor and continue to report to the Board on the situation so that he will be able to respond to residents’ questions. Mr. Werner felt that City staff should/had met with NDOT and its contractor Ames Construction and will develop a program before the problem arises. Mayor Masayko requested that the record clearly reflect that there is nothing in

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the resolution to indicate any subversive attempt to drive residents to connect to the City's water system. This is not what the Board/resolution is about. He reiterated that no one should be driven to connect to the City's system as a result of the dewatering program. The City/Board will work with the residents. Staff should make sure that the ordinances/rules do not overrule reason nor should a hidden attempt to drive people to connect exist. The residents should come to the Board if this happens.

Supervisor Aldean pointed out that the resolution is nonbinding. It asks the State Engineer to cooperate. She asked that they take a more proactive approach to monitoring. She acknowledged the plan to have the City closely monitor the impacts. She suggested that the resolution ask the State Engineer to monitor on an ongoing basis the impact the use of the water for freeway construction projects has on private and municipal wells. The impact is unknown at this time. The City/Board needs to know what the impact will be in advance of a well going dry. The well logs will provide this information.

Supervisor Williamson requested that Item 4 be amended to include NDOT. She also suggested that the State Engineer's name, Hugh Ricci, be included in the resolution. Mr. Werner explained that the normal practice is to refer to the office, however, if desired, he will make the change. Supervisor Williamson also suggested that, if the meeting among the City staff, NDOT, the State Water Engineer, and Ames Construction develops a program, a neighborhood meeting be held. Mr. Werner agreed. Mayor Masayko urged the public to contact the City Manager's office to have their names placed on the list of people wishing to be contacted/attend the meeting(s). Public comments were solicited.

Mr. Keeton explained that he is representing his son who had advised him that there is a dry well in his vicinity. He urged the Board/staff to implement an aggressive monitoring program. The dewatering program may create problems for others. Mayor Masayko indicated that he understood the concern. He asked that the record show that, to his knowledge, not a single well has been drilled that would have caused anyone's well to fail. Supervisor Staub felt that a well had been constructed and is currently pumping. Mayor Masayko reiterated the intent to monitor it. Mr. Keeton reiterated the need for the monitoring to be done aggressively. Mayor Masayko directed that the City Engineer and City Manager's offices work together on a public information program to control rumors and give out facts. He felt that the City should be able to determine what NDOT and Ames Construction are doing. He reiterated that the problem is the City's and not just one person's. He also asked Supervisor Aldean to provide the Clerk/City Engineer with her written corrections.

Supervisor Aldean moved to adopt and authorize the Mayor to sign A RESOLUTION URGING THE STATE ENGINEER'S OFFICE OF THE DIVISION OF WATER RESOURCES TO CONSIDER THE POTENTIAL ADVERSE EFFECTS OF NEVADA DEPARTMENT OF TRANSPORTATION DEWATERING AND TEMPORARY CONSTRUCTION WELLS ON CARSON CITY PRIVATE WELL OWNERS subject to the following modifications: after "now, therefore, at the end of Paragraph No. 1, add the following: 'to monitor on an ongoing basis the impact the use of water for the freeway construction project on private and municipal wells and to provide copies of the well logs to the Carson City Utility Department on a regular basis'" and at the end of Paragraph No. 4 add the words "and the Nevada Department of Transportation". Following a request for an amendment, Supervisor Aldean amended her motion to include Resolution No. 2003-R-42. Supervisor Williamson and Livermore seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10:20 a.m. The entire Board was present when Mayor Masayko



reconvened the meeting at 10:30 a.m., constituting a quorum.

**8. DEVELOPMENT SERVICES - PLANNING - Director Walter Sullivan**

**D. A JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE HISTORIC RESOURCES COMMISSION (HRC) TO DISCUSS HRC CERTIFIED LOCAL GOVERNMENT GRANTS AND THE HISTORIC PRESERVATION AWARDS PROGRAM (1-1922)** - Mayor Masayko welcomed the Commission and thanked the Commissioners for their service. Commission Chairperson Michael Drew convened the December 18 HRC meeting and introduced Commissioners Peter Smith, Rebecca Ossa, Robert Darney, and Dick Baker. Commissioners Louann Speulda and Mark Lopiccolo were absent. He indicated that there will be no modifications to the agenda. Public comments were solicited but none were given. Disclosures were none. He then explained the HRC grant and awards programs. He expressed a desire to have an annual meeting with the Board of Supervisors on grant funding and future HRC programs. Public response to the preservation awards program was noted. The purpose and \$12,500 grant for inventorying the historical properties on the east side of the City were explained. He indicated that it is not necessary for the properties to be contiguous. Last year's grant was used to develop a GIS program that allows integration of the architectural and the spacial data on the location of historical resources. This program alerts Community Development to notify the Commission when projects are submitted at these historical sites. Western Nevada Community College partnered with HRC/City on this project and provided a student who worked with the Assessor's records and historical documents to develop the necessary information on the properties. The inventorying project is the next step in developing the program. A grant request has been submitted for consideration in March or April and funding in June for new handouts on the district and its guidelines. Examples of the educational material, justification for, and benefits of providing the handouts were limned. Efforts to work with Redevelopment/Economic Development Manager Joe McCarthy to obtain additional grants/funding and coordinate the projects were explained.

Associate Planner Jennifer Pruitt explained that Mr. McCarthy had obtained a grant which will be combined with the HRC grant to enhance its projects. Staff and HRC has been working with Mr. McCarthy and the State Historic Preservation Office to seek additional grants for HRC's projects. It was felt that inventory on the east side of the City will be accomplished in 2004 through the use of a consultant. The funding for 2004 will be used for educational handouts which will be developed in 2005.

Chairperson Drews explained future projects could include re-inventorying the west side and adding to the data base; inventory, research, and documentation of an old toll road that starts at the first tee at the golf course and includes portions of Centennial Park; seismic studies of unreenforced historical buildings; assistance programs for maintaining/improving the exteriors of low and middle class homeowners' properties; historic preservation awards; etc. Preservation week is in May which would be a good time to do the historic preservation awards. A potential recipient was noted. Examples of awards that have been given in the past were cited. Grant seeking ideas and awards were solicited. Mayor Masayko supported the concept. Board comments complimented the Commission on its efforts to preserve the community's historical culture. Supervisor Williamson explained that there is \$80,000 in housing rehab funds available through the Western Nevada Home Consortium. Mr. Sullivan indicated that its application process will soon commence. Discussion explained the open space tax deferral program for historical houses, the City building permit process and the reasons the City staff is not aware of a private party's plans for historical sites before a permit application is submitted. Chairperson Drews felt that knowledge about historical structures within

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the core downtown area is not the problem. The problem is found with satellite areas outside the core. For this reason he suggested that a grant be used to look at a larger area. Once the inventory on the east side is completed, the balance of the community should be inventoried. There may be a lot of buildings that were not considered historical 20 years ago but are historical today. This includes structures that were built in the 1940s. Supervisor Aldean urged them to expand the awards program. Some people have gone to great lengths to build a structure that is historically compatible. A program could encourage others to do the same. Chairperson Drews felt that this program would assist with infill as well as restoration. Mayor Masayko pointed out that the program does not preserve buildings for the sake of preservation as positive interior changes can be made while retaining the historical exterior. Adaptive uses should be encouraged. Chairperson Drews indicated that efforts are ongoing to keep the community's historical efforts in the forefront and encouraged the Board to observe/attend a meeting. The Commission attempts to be nonconfrontational, to work with and to assist the property owners/developers. Mayor Masayko felt that the Commission is successfully achieving these goals. Chairperson Drews pointed out that the Board's support has shown a united front.

Mr. Sullivan indicated that only two of the more than 700 applications have been appealed to the Board. The Commission/Board's willingness to work with the applicants makes the program work. He noted that the awards program and the historic preservation forum are in a very preliminary stage at this time. Both programs support the comments that the City's program is a leader in the State. Mayor Masayko also felt that the program is a proper expenditure for grants and City resources. Chairperson Drews pointed out that having realtors' board discussions on the district has assisted the effort. It also provides positive feedback when new property owners purchase in the district. Mayor Masayko noted the educational value of the brochures. He thanked the Commission for its time, talents, expertise, and proactive efforts.

Mayor Masayko called for public comments but none were given. Chairperson Drews indicated that the Commission had completed its agenda item. Commissioner Smith moved for adjournment of the Commission. Commissioner Ossa seconded the motion. Motion carried 5-0. Chairperson Drews adjourned the Commission. Mayor Masayko complimented them on their report and wished them Merry Christmas. No formal action was required or taken by the Board.

**A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, CHAPTER 18.09, RELATING TO RECREATIONAL VEHICLE PARKS, TO AMEND SECTIONS 18.09.030, DEFINITIONS, 12. TRANSIENT DWELLING PURPOSES, TO INCREASE THE NUMBER OF DAYS FOR TRANSIENT DWELLING FROM 14 TO 180, AND TO AMEND SECTION 18.09.040 MAJOR PROJECT REVIEW/SPECIAL PERMIT/FINAL PLAN APPROVAL, SUBSECTION 2, SPECIAL USE PERMIT, TO DELETE TOURIST COMMERCIAL (TC), AND TO AMEND SUBSECTION 3.B. FEES, DELETING THIS SECTION ENTIRELY AND RELISTING SUBSECTION C AS B., AND OTHER MATTERS PROPERLY RELATED THERETO (File A-03/04-3) (1-2541) -** Comments indicated that the changes had been discussed previously and justified changing the definition for transit rental periods. The fees were increased. Don Langson's participation in the Title 18 revisions regarding these Codes was noted. Supervisor Williamson moved to introduce on first reading Bill No. 132, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, CHAPTER 18.09, RELATING TO RECREATIONAL VEHICLE PARKS, TO AMEND SECTIONS 18.09.030, DEFINITIONS, 12. TRANSIENT DWELLING PURPOSES, TO INCREASE THE NUMBER OF DAYS FOR TRANSIENT

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DWELLING FROM 14 TO 180, AND TO AMEND SECTION 18.09.040 MAJOR PROJECT REVIEW/SPECIAL PERMIT/FINAL PLAN APPROVAL, SUBSECTION 2, SPECIAL USE PERMIT, TO DELETE TOURIST COMMERCIAL, TC, AND TO AMEND SUBSECTION 3.B. FEES, DELETING THIS SECTION ENTIRELY AND RELISTING SUBSECTION C AS B., AND OTHER MATTERS PROPERLY RELATED THERETO, File No. A-03/04-3. Supervisor Aldean seconded the motion. Motion carried 5-0.

**B. ACTION TO ADOPT A RESOLUTION ADOPTING AN INCREASE IN FEES FOR RECREATIONAL VEHICLE PARK PLAN REVIEWS BY THE PLANNING COMMISSION AND PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (FILE NO. A-03/04-4) (1-2643)** - Comments pointed out the need for the applicants to pay for their services and justified periodic increases. Supervisor Williamson moved to adopt Resolution No. 2003-R-43, A RESOLUTION ADOPTING AN INCREASE IN FEES FOR RECREATIONAL VEHICLE PARK PLAN REVIEWS BY THE PLANNING COMMISSION AND PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT, FILE NO. A-03/04-4. Supervisor Aldean seconded the motion. Motion carried 5-0.

**C. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030 RELATED TO TRAILERS, MOBILE HOMES, RECREATIONAL VEHICLES AND COMMERCIAL COACHES, STORAGE CONTAINERS, TO REMOVE THE REQUIREMENT THAT ALL RECREATIONAL VEHICLES BE PARKED BEHIND THE FRONT YARD SETBACK REQUIREMENT AND OTHER MATTERS PROPERLY RELATED THERETO (FILE NO. A-03/04-5) (1-2690)** - Gil Yanuck, Tom Keeton, David Morgan - Mayor Masayko pointed out that vehicles can be parked on the street for 72 hours and then moved a short distance. The Sheriff's Office lacks the ability to enforce the ordinance. Storage of vehicles creates a neighborhood problem. Although he understood the concerns and reasons for the ordinance, he was unsure of the answer. Public comments were solicited.

Mr. Yanuck indicated that he represented the residents who are not aware of the Board's intent to revise the Code. They put up with RVs that are blocking the sidewalks, views, etc. Nothing is done about them unless a formal complaint is filed with the Sheriff's Office. Elimination of the ordinance will allow the vehicles to be parked behind the property line. It is an accident waiting to happen. The number of complaints was not high enough to justify elimination of the ordinance. He urged the Board to make enforcement of the Code a priority for public safety reasons. The ordinance is the only "stick the residents have". Not all of the parcels in the City are large enough to provide an area for parking recreational vehicles behind the property lines. They should not allow the vehicles to be parked on the sidewalk. Mayor Masayko indicated that he understood Mr. Yanuck's point, however, a staff error had been created the Code revision. This created the Code without public input. Discussion on the revision should occur before a Code revision is made. The current program allows the Code to be used as a hammer to settle neighborhood disputes. City staff should not be involved with such items. Mr. Yanuck acknowledged that enforcement had been discretionary at times. He indicated that Mr. Sullivan had purportedly stated that a modification may be possible that would be more palatable for the City and more enforceable. The concept is valid. The law is cumbersome and difficult to enforce. Public debate should be allowed to reach a consensus. Mayor Masayko indicated that the discussion should include storage facilities, on and off street parking, parking vehicles in the sideyard setbacks, etc. The issue should be considered holistically rather than piecemeal. The discussion should commence at the Planning Commission. Mr. Yanuck urged the Board to commence the discussion today.

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Mr. Keeton supported Mr. Yanuck's comments. He felt that there is nothing beautiful about having a RV in the driveway. He did not have a problem with visitors/guests parking their vehicles for 72 hours or a week. Houses with vehicles in the driveways or RVs that don't move create an impact on the neighborhood. He hoped that the ordinance will be considered by the Planning Commission soon.

Additional public comments were solicited but none were given. Supervisor Williamson voiced her support for Messrs. Yanuck and Keeton's comments. She urged consideration of the nuisance ordinance as well as ordinances indicating what can be parked, when and where. Supervisor Livermore felt that the concern is the nuisance ordinances. Staff is working on it at this time. He suggested that it include RV uses and parking arrangements. RVs on one acre parcels were cited to illustrate the need to be fair in the process. He also questioned whether the term "RV" is correct for boats, trailers, and other recreational amenities used in today's world. He challenged staff to consider the entire issue and to develop an ordinance that is reasonable and enforceable. Supervisor Aldean indicated that she is sympathetic with the comments, however, one must also be pragmatic in the enforcement and consideration of the liability issues created by failing to enforce the Code. Small lots cannot hide the equipment. She did not wish to be too restrictive. The Code should be reasonable and enforceable at a neighborhood comfort level. Supervisor Staub felt that individuals acquiring recreational vehicles do not consider the parking issue. The enforcement issue is not a reason for having an ordinance. The ordinance should be discussed by the public and be comprehensive. It should go beyond consideration of driveway parking. RVs can be found parked on streets throughout the City. There are issues regarding business vehicles and huge trucks that are parked on the streets. A comprehensive approach must be undertaken. It should be reasonable and options should be included.

Mr. Morgan briefly noted the Sheriff's volunteer program. He felt certain that these individuals will be effective and will provide the enforcement necessary. They have been observed "red tagging" vehicles everywhere in the community. He did not believe that enforcement is the problem.

Mr. Sullivan explained that the ordinance being deleted had been on the books for only a year. Mayor Masayko agreed and indicated that the Board will consider the revision when it is presented. Mr. Sullivan also indicated that any vehicle blocking a sidewalk is illegally parked and enforcement should occur. It is not necessary for the Sheriff's Office to measure the front yard setbacks to provide this enforcement.

**Supervisor Livermore moved to introduce Bill No. 133 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030 RELATED TO TRAILERS, MOBILE HOMES, RECREATIONAL VEHICLES AND COMMERCIAL COACHES, STORAGE CONTAINERS, TO REMOVE THE REQUIREMENT THAT ALL RECREATIONAL VEHICLES BE PARKED BEHIND THE FRONT YARD SETBACK REQUIREMENT AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Staub seconded the motion. Motion carried 3-2 with Supervisors Aldean and Williamson voting Naye.** Board comments encouraged staff to address the ordinance in a comprehensive manner as quickly as possible. Mr. Sullivan agreed and indicated that portions of the Code regarding this item are found under the Sheriff, Engineering, and his duties. Mayor Masayko indicated that the Code should be found in one location and be enforced under one Department.

**11. DISTRICT ATTORNEY - Deputy District Attorney Melanie Bruketta - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE**

**CHAPTER 10.22 (RECKLESS DRIVING–PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS), SECTION 10.22.021 (VIOLATION OF SECTION 10.22.020–PENALTIES) AND SECTION 10.22.022 (VIOLATION OF SECTION 10.22.020 FIRST OFFENSE–TREATMENT FOR ALCOHOLISM OR DRUG ABUSE) BY CONFORMING THEM TO STATE LAW AND ADDING SECTION 10.22.023 (VIOLATION OF SECTION 10.22.020 SECOND OFFENSE–TREATMENT FOR ALCOHOLISM OR DRUG ABUSE) TO CONFORM TO STATE LAW AND OTHER MATTERS PROPERLY RELATED THERETO (1-3380)** - Supervisor Staub moved to introduce on first reading Bill No. 134, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 10.22 (RECKLESS DRIVING–PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS), SECTION 10.22.021 (VIOLATION OF SECTION 10.22.020–PENALTIES) AND SECTION 10.22.022 (VIOLATION OF SECTION 10.22.020 FIRST OFFENSE–TREATMENT FOR ALCOHOLISM OR DRUG ABUSE) BY CONFORMING THEM TO STATE LAW AND ADDING SECTION 10.22.023, VIOLATION OF SECTION 10.22.020 SECOND OFFENSE–TREATMENT FOR ALCOHOLISM OR DRUG ABUSE, TO CONFORM TO STATE LAW AND OTHER MATTERS PROPERLY RELATED THERETO, no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

**9. FINANCE** - Director Tom Minton - **ACTION TO ACCEPT THE CARSON CITY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2003 (2-0020)** - Kafoury Armstrong Representative Felicia O'Carroll gave a computerized slide presentation summarizing the City's financial position. (A copy is included in the file.) Federal requirements of GASB-34 were pointed out. The report had used these standards for the General Fund, the Water and Sewer funds. The Board could designate other funds. Ms. O'Carroll summarized Pages 3, 4, 5, 6, and 7. Her comments pointed out General Fund subsidies for various programs. Public safety is the largest general government expense. Charts illustrating the City's revenues, expenses and net assets and their comparisons to previous years were limned. General Fund charts by revenue source were reviewed. It was felt that the economic depression made the City's revenue picture appear as though the City is losing funds. When capital contributions are added, it makes the City appear to be at a break even point. The final chart illustrated all of the activities with all of the revenue and expenditures, with the exception of the sewer fund, which indicates the City is earning more than it is spending. The sewer fund is negative. Page 32 contained two statute violations which were expenditures needing to be augmented. She urged the City to try and keep this from occurring. Augmentations should be made whenever a deficit is forecast. She then described the federal fund reporting requirements and the violation they had discovered regarding the failure to identify a capital asset which had been acquired with Federal funds. Management has corrected this failure. Discussion indicated that the item was included on the asset listing, however, had not indicated that it was acquired with Federal funds. Ms. O'Carroll felt that the City had adequate financial resources to complete the fiscal year. Revenue concerns regarding next year's finances were hinted. The concern parallels the City/Board's expectations. A clean opinion was issued. The financial statements as prepared fairly present the City's operations. Pages 178 and 179 and the Independent Auditor's Report were summarized. She introduced Kafoury Armstrong Project Manager Christian Berges and Representative Sherry Russell who had worked on the audit. She complimented City staff's talent.

Mayor Masayko indicated that the Board takes the apparent violations seriously. A report will be made to the Board addressing these items. Legislation on long term indigent care and welfare will address one of the issues. Outside auditors are retained in order to have independent reports. The reports are considered in public. Kafoury Armstrong has been the consultant for some time. GASB will create more forms for the

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annual audit and with time the Board/City will become familiar with their format and information. The report is an attempt to show that the City is operated like a business.

Ms. O'Carroll then explained Mr. Minton's recommendation that the Board consider including the Street Maintenance Fund and the Quality of Life Fund in the GASB-34 reports. These funds have restricted and specific purposes. Discussion supported the recommendation. Ms. O'Carroll then reported on the status of the RTC funds and the Ambulance fund. Discussion noted the impact Medicare write-offs have on the Ambulance fund. Mayor Masayko supported having a GASB-34 report on the Ambulance fund. He also suggested inclusion of the Storm Drainage, the Landfill, and the Building Department Funds. He thanked her for the report. Public comments were solicited but none were given. Mayor Masayko noted that the City had received the Government Finance Officers Association Award.

Discussion between Mr. Minton and Supervisor Staub explained that a memo outlining the Federal requirements for grant funds used to acquire capital assets had been sent to the City Departments, including the Fire Department. Discussion between Supervisor Aldean and Mr. Minton explained the Federal prevailing wage requirements. Public comments were again solicited but none were given. Board comments also complimented Mr. Minton and his staff on the report. Supervisor Aldean moved to accept the Carson City Comprehensive Annual Financial Report for the fiscal year ended June 30, 2003. Supervisor Livermore seconded the motion. Mayor Masayko indicated that the motion included "courses for corrective actions which are on the record and are minor". Motion carried 5-0.

**10. INTERNAL AUDITOR - Steve Wolkomir - ACTION TO APPROVE THE INTERNAL AUDIT REPORT OF FACILITIES MAINTENANCE AND CUSTODIAL SERVICES - REPORT NO. CALENDAR YEAR 2003-4 (2-0548) -** City Manager Linda Ritter - Mr. Wolkomir congratulated the Board and staff on completing "GASB 101", which shows the difference in auditing. He reviewed Page 8 of the Executive Summary. Staff concurred with 24 of the recommendations as indicated by the implementation dates. The remaining 33 recommendations have been agreed to in principal. An implementation date has not been indicated for these items. The City Manager may determine an implementation date for these recommendations in the future. Mr. Wolkomir complimented the Departments on their cooperation and assistance with the audit. The programs are in compliance with all laws and regulations. He then reviewed Page 9 and the high priority recommendations. Discussion indicated that General Fund Departments are not charged for the services. The Enterprise Funds are charged for the services. Vehicle Maintenance is going to be charging all funds. Consideration is being given to doing the same for services from these Departments. Mr. Wolkomir's cost per square foot analysis for facilities maintenance was felt to be low, specifically when compared to the national average. The cost per square foot analysis for custodial services was high when compared to the national average. It appears to be an efficient operation but a study is needed of the service level to determine what should and should not be done. Examples of cost savings created by the Departments were cited to illustrate that there are efficiencies within the Departments. The performance audit appeared to indicate that additional staffing may be warranted for Facilities Maintenance. Some custodial services for Enterprise Funds have been outsourced. The Department has not submitted a bid for these services due to the lack of cost information and efficiency measurements. The national average had not included a listing of services which are provided. Additional analysis is required before the Department will be able to bid for the outsourced services.

Discussion between Mayor Masayko and Ms. Ritter indicated that her action plan includes performance goals

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and service level data as the number one goal. Management staff has been directed to develop performance indicators. They will be included in the annual budget. The Board wants to see improved service and performance at a reasonable price. There should not be a hidden agenda. Mayor Masayko complimented staff on the report.

Supervisor Livermore also felt that the report was a cost analysis of the service provided by the Departments. The recommendations are items which need to be evaluated in the process of doing business. The list of customers had not been included in the report. It was felt to be quite extensive. He was pleased with the audit results. The recommendations were constructive. He complimented staff on its well maintained operation. Supervisor Williamson also complimented staff on the report. Former Supervisor Plank's recommendation against outsourcing building maintenance was explained. She felt that the report validated his recommendation. Mayor Masayko felt that the challenge is to provide good service reasonably and at a good quality which will make the Department internally effective and externally competitive. **Supervisor Livermore moved to approve the Internal Audit Report of Facilities Maintenance and Custodial Services, Report No. Calendar Year 2003-4. Supervisor Staub seconded the motion. Motion carried 5-0.**

Mr. Wolkomir asked the Board Members to submit written recommendations regarding his first 2004 audit for planning purposes. Mayor Masayko felt that the Board had agreed to do the drainage financial structure. Mr. Wolkomir indicated that this review would not take that long to complete. Supervisor Aldean recommended that he dedicate some time to the MAXIMUS report on fleet assessment. Mayor Masayko agreed and indicated that Mr. Wolkomir should write a plan of action for monitoring that report. If something comes up and constrains it to less 30 days, Mr. Wolkomir should let the Board know. No formal action was taken on this request.

RECESS: A recess was declared at 12:40 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m., constituting a quorum.

**12. CITY MANAGER - Linda Ritter**

**A. ACTION TO APPOINT TWO MEMBERS TO THE REGIONAL TRANSPORTATION COMMISSION FOR A TWO-YEAR TERM ENDING DECEMBER 31, 2005 (2-1180) -** The Board thanked each applicant for applying. It interviewed Jim Bentley, (2-1579) Charles Des Jardins, (2-1848) Tom Keeton, (2-2223) Karen Peterson, (2-2645) Carol Roberts, (2-3060) Jim Wallace, and (3-0155) Michael Zola. Following polling of the Board, Supervisor Aldean moved to appoint Charles Des Jardins to the Regional Transportation Commission for a two-year term ending December 31, 2005. Supervisor Williamson seconded the motion. Motion carried 5-0.

Discussion indicated the applicants were well qualified for the position. The Board was polled during which lobbying for each nomination occurred. Supervisor Staub moved to appoint Michael Zola to the Regional Transportation Commission for a two-year term ending December 31, 2005. Supervisor Livermore seconded the motion. Motion carried 5-0.

Mayor Masayko thanked the remaining applicants for applying. He then explained his intent to take a recess and then go into Closed Session. He estimated that the Closed Session with the City Manager would last 30

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minutes and that the Closed Session on the Firefighters' contract would take 15 minutes. He indicated that the Open Session would reconvene at approximately 4:30 p.m.

RECESS: A recess was declared at 3:31 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3:51 p.m., constituting a quorum.

**B. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 288.220 TO MEET WITH MANAGEMENT REPRESENTATIVES REGARDING NEGOTIATIONS WITH THE CARSON CITY FIREFIGHTERS ASSOCIATION (3-0630) -** Supervisor Williamson moved to recess into Closed Session pursuant to NRS 228.220(288.220) to meet with management representatives regarding negotiations with the Carson City Firefighter's Association. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Masayko recessed the Open Session at 3:52 p.m. The Open Session was reconvened at 4:24 p.m. (The entire Board was present constituting a quorum.)

**C. CLOSED SESSION - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 241.030 TO CONSIDER THE PROFESSIONAL COMPETENCE OF THE CITY MANAGER (3-0637) -** Supervisor Livermore moved to recess into Closed Session pursuant to NS 241.030 to consider the professional competence of the City Manager. Supervisor Aldean seconded the motion. Motion carried 5-0. Mayor Masayko recessed the Open Session at 4:25 p.m. The Open Session was reconvened at 4:49 p.m. (The entire Board was present constituting a quorum.)

**D. OPEN SESSION - REVIEW OF THE CITY MANAGER'S PERFORMANCE FOR THE PERIOD JUNE 16, 2003, TO DECEMBER 16, 2003, AND ACTION TO DETERMINE PERFORMANCE TO BE SATISFACTORY AND TO GRANT A PAY FOR PERFORMANCE BONUS (3-0669) -** Mayor Masayko explained that the evaluation marked the termination of Ms. Ritter's probationary period. The Closed Session had covered the core success factors, Ms. Ritter's strengths, weaknesses, and the bonus system. Consensus indicated that Ms. Ritter was a veteran City Manager. She had hit the ground running. The Board is pleased with her skills, work ethics, and accomplishments. There had been some holes, i.e., the personnel director. The Board's communication with Ms. Ritter agreed that her performance is in the mid-commendable range and justifies the \$99,000 salary as agreed when she was hired. The pay for performance portion of the salary established significant goals which were believed to be attainable and beyond the general management responsibilities. There are nine items totaling \$9,900 at risk. She achieved \$6,200 which is two-thirds of the total amount and is a very commendable performance. The discussion had included discussions on the auto mall/row, alternative energy, the regional medical center, and activities with neighboring Counties. He acknowledged that Ms. Ritter can only do so much as indicated by her inability to address two of the items and, for that reason, a bonus was not given for the BLM interface program and the Citywide pay for performance program. The bonus goals are established annually and are to be reviewed every six months. He felt that the evaluation process had been balanced and supported the priority order which Ms. Ritter had established. He also expressed his belief that the Board will continue to support the auto mall/row as one of her pay for performance objectives. Next year's pay for performance has been discussed and set at \$20,000. The pay for performance program is meritorious and deserves to be offered to other Department Heads. It may be necessary to have a consultant assist with development of this program as it should be understandable and consistent. He then noted that the \$6,200 Ms. Ritter had earned represented a six percent salary bonus.



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Supervisor Livermore indicated that Mayor Masayko's comments had fairly "communicated" the Board's discussion. He felt that, when the Board had received former City Manager Berkich's resignation, there had been some substantial issues which needed to be sorted. He was pleased with Ms. Ritter's selection as the City Manager. She demonstrated her professionalism and ability to "hit the deck running". The organization had not lacked leadership during her learning curve. She is a fast learner. As a Board member, he was pleased with the community's support of the Board's decision to hire her as the City Manager. Supervisor Aldean agreed with his comments.

Mayor Masayko also indicated that the Closed Session discussion had acknowledged that there are challenges facing the City. Some issues may change the present business methods. This is part of the City Manager's role. The Board is confident that Ms. Ritter is up to these challenges.

Supervisor Livermore moved that the City Manager's performance for the period June 16, 2003, to December 16, 2003, is satisfactory and, also, to grant a pay for performance bonus in the amount of \$6,200. Supervisor Williamson seconded the motion. Following a request for an amendment, Supervisor Livermore amended his motion to include that the core success factor was scored as 30 which brings us to commendable of the 88 to 95 percent salary range which justifies the permanent salary of \$99,000. Supervisor Williamson continued her second. Mayor Masayko indicated that, after the review of the City Manager's performance and the City Manager's bonus, the salary be set and the bonus of \$6,200 be awarded. The motion was voted and carried 5-0.

Ms. Ritter thanked the Board for the appraisal. She indicated that she had enjoyed her six-month employment with the City. The Board has a great staff who support her and her efforts. Together they will be able to do great things in the future. Mayor Masayko congratulated her on her performance.

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 5:02 p.m.

The Minutes of the December 18, 2003, Carson City Board of Supervisors meeting

ARE SO APPROVED ON April 1, 2004.

/s/  
Ray Masayko, Mayor

ATTEST:

/s/  
Alan Glover, Clerk-Recorder