

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 5, 1998, Meeting
Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 5, 1998, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 p.m.

PRESENT:	Ray Masayko	Mayor	
	Tom Tatro		Supervisor, Ward 3
	Jon Plank		Supervisor, Ward 2
	Kay Bennett		Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager	
	Alan Glover		Clerk-Recorder
	Steve Kastens		Parks and Recreation Director
	John Iratcabal		Purchasing Director
	Jay Ahrens		Acting Utilities Director
	Mark Forsberg		Deputy District Attorney
	Cheryl Adams		Deputy Purchasing Director
	Katherine McLaughlin		Recording Secretary
	Juan Guzman		Senior Planner
	(B.O.S. 2/5/98 Tape 1-0001.5)		

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 8:40 a.m. Roll call was taken. A quorum was present although Supervisor Smith was absent. Pastor Dave Westbrook of the Seventh Day Adventist Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance. Mayor Masayko noted the building renovations which were under construction and encouraged the audience to wear their coats/jackets.

CITIZEN COMMENTS (1-0040.5) - Pete Bachstadt indicated he had not been involved with the recent problem at the Animal Shelter. He thanked the Board for the sign at the dump. He suggested a similar sign be placed at the shopping malls and volunteered to assist with the funding for the signs. The Statute prohibiting the display, offering for sale, or giving away an animal at such locations was read. He then explained NRS 574.640 mandating the sterilization of any animal adopted from an animal shelter prior to release. He was opposed the policy allowing an adopter to deposit a fee guaranteeing sterilization for any animal over four months of age. The purpose of the law was explained. He reiterated his offer to provide funding for the signs. He questioned whether the Animal Control Ordinance had been modified to reflect the \$1000 fine for abandoning animals. He suggested the dump sign include both the new fine and the term "dispose". He also recommended including the term "dispose" in the City ordinance. Mayor Masayko thanked him for his comments.

1. APPROVAL OF MINUTES - 10/16/97 (1-0129.5) - Supervisor Bennett moved that the Minutes of October 16, 1996, meeting be approved by the Board of Supervisors. Supervisor Tatro seconded the motion. Motion carried 4-0.

2. CONSENT AGENDA (1-0150.5)

- A. PARKS AND RECREATION DIRECTOR**
 - i. ACTION ON NAMING THE WETLANDS AREA IN NORTHRIDGE SUBDIVISION**
 - ii. ACTION ON NAMING OF THE PARK SITE IN SILVER OAK DEVELOPMENT**
- B. PURCHASING DIRECTOR**
 - i. ACTION ON CONTRACT NO. 9798-129 - FIFTH STREET**

IMPROVEMENTS, APPROVAL OF CHANGE ORDER NO. 1 AND REQUEST FOR FINAL PAYMENT
ii. ACTION ON CONTRACT NO. 9798-087 - 1997 EXTENSION PROJECT--
GREGG STREET, REQUEST FOR FINAL PAYMENT

iii. ACTION ON CONTRACT NO. 9697-250 - JANITORIAL SERVICES

iv. ACTION ON CONTRACT NO. 9798-181 - AQUATIC FACILITY
ENGINEERING SERVICES, FINAL DESIGN - The first item under the Parks and Recreation Director had been pulled and will be reconsidered by the Commission. Supervisor Bennett requested the second item under the Parks and Recreation Director be held for discussion. Supervisor Tatro moved that the Board approve the Consent Agenda as presented with the exception of the Items from the Parks and Recreation Director which were deleted. Supervisor Plank seconded the motion. Motion carried 4-0.

2. A. ii. (1-0181.5) - Silver Oaks Representative Steve Hartman explained the historical significance of the name selected for the park. A street had been named after Ivy Baldwin. His historical significance to the site was explained. Mr. Hartman supported the suggested name Raycraft Pasture Park. Supervisor Plank supported his comments and the name for the park. Supervisor Plank moved to adopt the name of "Raycraft Pasture Park" for the park and, as Supervisor Bennett had included in her motions on park sites in the past, that a plaque commemorating and explaining what "Raycraft Pasture" means. Supervisor Bennett seconded the motion. Motion carried 4-0.

3. BOARD OF SUPERVISORS

A. DISCUSSION AND POSSIBLE ACTION ON APPOINTMENTS OF MEMBERS OF THE BOARD OF SUPERVISORS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS (1-0255.5)
- Supervisor Tatro moved that the Board appoint Supervisor Jon Plank as its representative to the Carson City Convention and Visitors Bureau for 1998. Supervisor Bennett seconded the motion. Motion carried 4-0.

Supervisor Tatro moved that the Board appoint Mayor Masayko as the Chairperson of the Redevelopment Authority. Supervisor Bennett seconded the motion. Supervisor Tatro noted that the Chairperson also serves as the Chair to the Redevelopment Authority Citizens Committee. The motion carried 4-0.

Mayor Masayko indicated that Article 1.2 of the HOME Consortium agreement indicates either the Mayor or the City Manager or a designee would serve on the Committee. Both Supervisors Plank and Smith have been serving on this Committee. Supervisor Plank explained his resolution of this situation as he had stated that he would not vote on issues at its last meeting and had served only as the Chairperson. Supervisor Plank then moved that Supervisor Greg Smith be the authorized representative to the Advisory Council for the Western Nevada Housing Consortium, referred to by HUD as the Lyon County Consortium. Supervisor Tatro seconded the motion. Motion carried 4-0.

Supervisor Bennett indicated she is the Chairperson of the Nevada Tahoe Conservation District and serves on the Governing Board of the Tahoe Transportation District. Mayor Masayko indicated the list would be changed to include these agencies. He also indicated that no other appointments would be made during 1998 unless there is a resignation or cause. Supervisor Bennett then indicated that she is the Chairperson for the TEAM Tahoe Committee/Tahoe Regional Management Area Committee, which she explained. She serves on this committee as the City's representative to TRPA.

B. DISCUSSION REGARDING APPOINTMENTS TO CARSON CITY CHARTER REVIEW COMMITTEE (1-0382.5) - Mayor Masayko gave a status report on his contacts with the Legislators. Discussion with Clerk-Recorder Alan Glover noted the legislation deadline and an approximate number of meetings necessary for the completion of the Committee's review. The Board must consider each of the Committee's recommendations. Mayor Masayko introduced his appointee--Tunney Robison. Action will be taken to make the appointments at the next meeting. Pete Bachstadt expressed a desire to request the Committee consider a revision to CCMC 2.180 and requested copies of its agenda.

C. ACTION TO ADOPT THE BOARD'S GOALS FOR FISCAL YEAR 1998-89 (1-0479.5) -

Discussion recommended that the Board keep a copy of the goals with the budget documents during the budget hearings. Mayor Masayko felt that Mr. Berkich and Finance Director Mary Walker could have the Departments provide information showing how the budget meets the Board's goals. Mr. Berkich explained staff's feeling that a comprehensive communication program should be established as a separate process. This should be back for the Board's consideration the middle of March. Staff will be holding an extended workshop developing the details and programs behind the goals. A copy of this document will be furnished to the Board. Supervisor Tatro requested action not be taken on this item as the entire Board was not present. Mr. Berkich did not feel that a two week delay would create a problem for staff's development of the programs. Mayor Masayko asked each Board member to prioritize the goals so that the rankings could be established at the next meeting. No formal action was taken.

D. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0622.5) - Supervisor Bennett reported on her Hospital Board activities, the medical industry's concerns about different pieces of legislation, and Senator Bryan's compliments on the downtown area. Supervisor Tatro reported on the Carson High School Wrestling Team activities. Mayor Masayko congratulated Mr. Berkich on his son's receiving a full scholarship with UNR. He then explained his letter, which Supervisor Bennett had hand-carried, to Senator Reid responding to news comments about the federal land trade program. Carson City's experience with the program was noted to support his reasons for feeling that, if done correctly, the program is of benefit. Supervisor Bennett indicated she had personally given Senator Reid the letter. She then explained other issues which she had discussed with the Legislators regarding both Carson City and Lake Tahoe. She also explained the NOVA award, its purpose, and the recipients. Mayor Masayko reported on the Alliance of the Mentally Ill of Nevada planning session. Its next meeting is scheduled for February 9 at the State Library and Archives Building between 6:30 and 8:30 p.m. The public was invited to participate. Supervisor Plank apologized for his absence and thanked the Board and community for the cards and telephone calls. He also thanked the Sheriff's office for its response to a traffic problem at the Senior Center during the lunch hour. He had contacted Public Works and requested an additional crosswalk be considered for the Center. He then reported on the Parks and Recreation Commission meetings, displayed a video on safety for skaters, encouraged the public to borrow a copy of it, and announced the HOME Consortium meeting scheduled for Tuesday at approximately 3 p.m.. Mayor Masayko indicated that the HUD housing commitment is still available. Supervisor Plank indicated that there is approximately \$500,000 available for housing with ten percent for administration which Lyon County will receive for its staffing. Mr. Sullivan had informed Supervisor Plank that there is an additional \$100,000 in state funds also available for HOME programs. None of these funds can be used for administrative costs.

E. STAFF COMMENTS AND STATUS REPORTS (1-0944.5) - None.

4. COMMUNITY DEVELOPMENT DIRECTOR - Senior Planner Juan Guzman - ORDINANCES - SECOND READING

A. ACTION ON BILL NO. 107 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 10-581-16, 10-582-04 AND 10-582-05, FROM AGRICULTURE (A) TO PUBLIC (P) ON APPROXIMATELY 61.92 ACRES OF LAND, LOCATED EAST AND WEST OF THE CARSON RIVER, IMMEDIATELY SOUTH OF MORGAN MILL ROAD, AND EAST OF EMPIRE RANCH ESTATES IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0945.5) - Supervisor Tatro moved that the Board adopt on second reading Bill No. 107, Ordinance No. 1998-10, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBERS 10-581-16, 10-582-04 AND 10-582-05, FROM AGRICULTURE TO PUBLIC ON APPROXIMATELY 61.92 ACRES OF LAND, LOCATED EAST AND WEST OF THE CARSON RIVER, IMMEDIATELY SOUTH OF MORGAN MILL ROAD, AND EAST OF EMPIRE RANCH ESTATES IN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Bennett seconded the motion. Motion carried 4-0.

C. ACTION ON BILL NO. 109 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE

ON APPROXIMATELY 5 ACRES FROM CONSERVATION RESERVE (CR) TO SINGLE FAMILY 12,000/PLANNED UNIT DEVELOPMENT (SF12000/PUD) ON PROPERTY LOCATED WITHIN THE SILVER OAK PLANNED UNIT DEVELOPMENT, LOCATED SOUTHWEST OF EAGLE VALLEY RANCH ROAD, APN 8-061-37, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0988.5) - Supervisor Tatro moved that Board adopt on second reading Bill No. 109, Ordinance No. 1998-11, AN ORDINANCE EFFECTING A CHANGE OF LAND USE ON APPROXIMATELY 5 ACRES FROM CONSERVATION RESERVE TO SINGLE FAMILY 12,000/PUD ON PROPERTY LOCATED WITHIN THE SILVER OAK PLANNED UNIT DEVELOPMENT, LOCATED SOUTHWEST OF EAGLE VALLEY RANCH ROAD ON ASSESSOR'S PARCEL NUMBERS 8-061-37 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 4-0.

B. ACTION ON BILL NO. 108 - AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 10-581-15 (PORTION), FROM PUBLIC (P) TO AGRICULTURE (A) ON APPROXIMATELY 14.29 ACRES OF LAND LOCATED EAST OF EMPIRE RANCH ESTATES, EAST OF GREGG STREET, SOUTH OF MORGAN MILL ROAD AND WEST OF THE CARSON RIVER, CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1025.5) - Supervisor Tatro moved that the Board adopt Bill 109 on second reading, Ordinance No. 1998-12, AN ORDINANCE EFFECTING A CHANGE OF LAND USE DISTRICT ON ASSESSOR'S PARCEL NUMBER 10-581-15, A PORTION, FROM PUBLIC TO AGRICULTURE ON APPROXIMATELY 14.29 ACRES OF LAND LOCATED EAST OF EMPIRE RANCH ESTATES, EAST OF GREGG STREET, SOUTH OF MORGAN MILL ROAD AND WEST OF THE CARSON RIVER, CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Plank seconded the motion. Motion carried 4-0.

3. E. STAFF COMMENTS (1-1064.5) - Finance and Redevelopment Director Mary Walker thanked Supervisor Tatro for his tenure as the Chairperson to the Redevelopment Authority and its Citizens Committee. Various programs instituted/implemented under his tutelage were noted. She also thanked Mayor Masayko for volunteering to serve as the Chairperson. His background in the private sector would be a welcome addition to its future programs.

5. FINANCE AND REDEVELOPMENT DIRECTOR - Mary Walker - ACTION ON APPROVAL OF CARSON CITY PLAN FOR CORRECTIVE ACTION FOR FISCAL YEAR 96-97 AUDIT RECOMMENDATIONS (1-1095.5) - Ms. Walker discussed with the Board the proposed corrective actions and the reasons for the audit exceptions. Reasons the Professional Services line item had been used by the Health Department for mitigation of the fuel tank contamination problem were explained. The audit exception had been that the account had not been monitored. The Health Department indicated that it would be in the future. Comments emphasized that the total amount of over expenditures, when compared to the overall budget, was minuscular. Board comments commended Ms. Walker, her staff, and the Departments on their efforts. Ms. Walker commended the Board on its strong budget process for this effort as it treats all of the Departments equally. There is no favoritism. The Department Heads can support and respect the program. The difference between Carson City's program and other communities/counties was noted. Supervisor Tatro moved that the Board approve Carson City's Plan of Corrective Action for Fiscal Year 96-97 Audit Recommendations. Supervisor Bennett seconded the motion. Motion carried 4-0.

BREAK: A seven minute recess was declared at 10:03 a.m. A quorum of the Board was present when Mayor Masayko reconvened the session at 10:10 a.m. although Supervisor Smith was absent as indicated.

6. CITY MANAGER - John Berkich

A. PUBLIC HEARING REGARDING THE ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROCESS (1-1365.5) - Administrative Assistant Liz Hernandez - Ms. Teixeira explained the criteria for the applications, previous grants that the City had received, the funding, and

the review process. She then explained her reasons for feeling that the application would not meet this criteria. Greater Nevada Fair Housing Council Executive Director Marcia McCormick had been advised of the date for this hearing. Neither she nor her representative were present. She had expressed an intent to fax a letter to the Board, however, Ms. Teixeira did not receive it prior to the meeting. Discussion noted that the Council had made an unsuccessful request for funding support during last year's budget process. The deadline for additional applications had expired. The program had been widely advertised. Reasons for the lack of applications were explored. Citizen comments were solicited but none given. Mayor Masayko closed the public hearing process and explained that the Board would act on the application at its next meeting.

B. ACTION ON APPROVAL OF AMENDED AND RESTATED AGREEMENT TO PROVIDE PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS PROGRAMMING BETWEEN CARSON CITY AND CARSON ACCESS TELEVISION FOUNDATION (1-1568.5) - Mayor Masayko explained his previous service as a Board member for CATF during 1994, 1995, and 1996. He acknowledged that this may make him more knowledgeable about its operation than the general public is. His absence for over two years from the operation, however, causes him to believe that he will be reasonably objective about the issues. Therefore, he would participate in the matter.

Mr. Berkich began the discussion with the history of the Foundation. Terms of the contract and its programming were highlighted. A survey indicating the public viewing of the Foundation's stations was reviewed and emphasized the importance of the channels to the community. Funding was described. Executive Director Tish Sammon gave the Board and Clerk a packet of information. (A copy is included in the file.) She then introduced her Board of Directors and various organizational users. She showed a three minute video illustrating the diversity of the programming seen on the channels. Director Mike Pavlakis provided the commentary on the various clips. Ms. Sammon invited the Board and public to attend the April awards banquet.

Volunteer Director Gail Thomssen of Carson Advocates For Cancer Victims, Boys and Girls Club Executive Director and Community Council on Youth Director Kathy Blankenship, and Friends In Service Helping Executive Director Monte Fast briefly described the Foundation's support of their organizations, thanked the Foundation for this support, and urged the Board to continue its support of the Foundation. Additional comments were solicited but none given.

Mayor Masayko thanked Jim Thorpe, a Foundation Board Member and a volunteer, for his many hours of service, his hard work, and his efforts to bring events to the community.

Discussion ensued among the Board, Mr. Pavlakis, and Ms. Sammon on Page 5 and 6 regarding first run programming which removed "which shall also include reruns of such programming". Supervisor Tatro explained how the Public Access Television had begun, its impact on the community, and thanked the individuals who had made it happen. His comments included his stand on its City funding level. Supervisor Bennett also commended the Foundation on its efforts. She then expressed her concern about the consistent failure of the Foundation to correct the little items, i.e., the lack of sound for programs which are being broadcast, the coloring of the pictures, etc. She encouraged the Foundation to develop a process for addressing these problems. Mr. Pavlakis responded by explaining the implementation of procedures to mitigate these situations. Part of this program included telephone communication procedures among the Sierra Room, the communications center, and with the Executive Director. Supervisor Bennett encouraged the Foundation to publish this information so that the public would know how to contact someone after its office is closed. Ms. Sammon felt that the bad 24 hour period which had occurred in November had been addressed. Supervisor Plank also commended Mr. Thorpe on his dedication and efforts and the Foundation on its efforts to reduce the City funding level. The programming is important and beneficial to the community. CATF's efforts to inform the public about the emergency telephone number when the 911 line was cut by a contractor in Reno was noted. He also supported allowing the adjacent Counties to receive the station due to the regional nature of many of the issues. He noted a typographical error on Page 60. Mayor Masayko noted the quality of the sound system in the Sierra Room and commended CATF on its increased programming from this room. **Supervisor Plank indicated that with the change discussed earlier he could and would move to**

approve the amended and restated agreement to provide public, education, and government access programming between Carson City and Carson City Access Television Foundation, which we have talked about earlier; fiscal impact estimated for 97/98 from Community Support Services - \$110,000 per year after July 1, 1998, and TCI Gifts and Donations for Capital - \$126,401 carryover from the prior year; funding source is the General Fund and Capital Acquisition. Supervisors Bennett and Tatro seconded the motion. Motion carried 4-0.

C. ACTION TO APPROVE A RENT SUBSIDY FOR THE SIERRA FAMILY HEALTH CENTER (1-2292.5) - Mr. Berkich's introduction included the funding source. He read a memo from Finance Director Mary Walker indicating that the welfare funds could be used for this purpose if the appropriate paperwork could be provided that would track the cost to a specific individual. (A copy of this memo was not distributed to the Board or Clerk during the meeting.) Mr. McBain had indicated that 20 percent of his patients could be classified as indigent and may meet the welfare criteria. Discussion explained the Hospital funding for the Center and the need for an additional \$7500. Deputy District Attorney Forsberg reviewed his opinion that the Welfare funds could be used to subsidize the Sierra Family Health Center if it can be proven that indigents use the service. Any other patient usage would have to be funded by another method. Mayor Masayko requested any Board motion approving the funding include direction to the Center for supporting documentation to allow for the use of these funds. Any remainder would have to be charged to the General Fund. Supervisor Tatro expressed his feeling that the Board had made a commitment to the Center to provide a facility and should live up to its commitment. **Supervisor Tatro moved that the Board approve funding of \$7500 for the Sierra Family Health Center to offset the rent expenses for the balance of this fiscal year from the General Fund Contingency.** The Center is performing a service which the Board had asked them to provide. The Center deals with a need that exists. If the City spends a few dollars extra from its \$75 million budget, it is okay with him as the Center is not making a profit. The money will be put back into the operation and end up serving even more Carson City residents who don't have any other alternative. He was not too concerned about making sure that the City could account for everything that comes out of the welfare fund. **Supervisors Plank and Bennett seconded the motion.**

(1-2535.5) Center Executive Director Ken McBain explained that the Carson Nugget had extended its offer for the Center to continue the use of its parking lot by the Center's patrons. Mayor Masayko thanked the Nugget for their offer.

Mr. Berkich reiterated the staff's recommendation to use the welfare funds with the General Fund Contingency support if this source cannot provide all of the necessary funding. Supervisors Tatro and Bennett indicated this is not the intent of the motion. Supervisor Plank felt that the funding could be transferred in-house and not require the Center to provide the accounting. Mayor Masayko pointed out that the funding issue would be reconsidered during the budget process. Welfare funding will be considered in depth at that time. He, too, supported the motion as it provides a clean, clear tracking method. The motion to approve \$7500 of funding for the Sierra Family Health Center to offset the rent expenses for the balance of this fiscal year from the General Fund Contingency was voted and carried 4-0.

There being no other matters for discussion, Mayor Masayko requested a motion to adjourn. Upon hearing none, he adjourned the meeting at 11:10 a.m.

The Minutes of the February 5, 1998, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____April_2_____, 1998.

_____/s/_____

Ray Masayko, Mayor

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 5, 1998, Meeting
Page 7

ATTEST:

/s/ _____
Alan Glover, Clerk-Recorder