

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 7, 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
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Melanie Bruketta	Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Kathie Heath	Business Manager
	(B.O.S. 10/7/04 Tape 1-0001)	

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Carson City Sheriff's Office Chaplain Bill Colonna gave the Invocation. Mayor Masayko led the Pledge of Allegiance. (Tape 1 failed.)

CITIZEN COMMENTS (2-0008) - None.

1. APPROVAL OF MINUTES - May 20, 2004, Regular Session and May 17, 2004, Special Session (2-0010) - Discussion indicated that the Board had received only the May 20th Minutes. Supervisor Livermore moved to approve the Minutes of May 20, 2004, Carson City Board of Supervisors meeting as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (2-0025) (2-2425) - Item 10. D. regarding manufactured and mobile homes was deferred.

3. SPECIAL PRESENTATION - PROCLAMATION RECOGNIZING KARL NEATHAMMER FOR HIS TIRELESS WORK ON DOMESTIC VIOLENCE ISSUES (2-0029) - Supervisor Aldean expressed her pride in having Mr. Neathammer as a colleague and friend. She felt that the recognition was long overdue as he had been quietly working behind the scenes on domestic violence issues for years. She read the proclamation into the record. Mr. Neathammer thanked the Board and Supervisor Aldean for the recognition. He indicated his intent to continue his work and briefly noted his ten-year commitment. He

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thanked the Board for its sensitivity to the issue and funding for Ms. Mintor, the Prosecuting Domestic Violence Attorney. The community needs a holistic approach to this problem. Individuals who are working on this endeavor were listed. He again thanked the Board, Supervisor Aldean, and his friends for their support. Mayor Masayko thanked him for his commitment and support of the program.

LIQUOR AND ENTERTAINMENT BOARD - Mayor Masayko recessed the Board of Supervisors session and immediately convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder.

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

4. BOARD OF SUPERVISORS

A. SUPERVISOR ALDEAN - ACTION TO ADOPT A RESOLUTION IN SUPPORT OF FUNDING FOR TAHOE BASIN-WIDE FOREST FUELS REDUCTION, FOREST THINNING AND HEALTHY FOREST PROGRAMS TO AVOID CATASTROPHIC WILDFIRE IN THE TAHOE BASIN (1-0289) - Comments indicated that the City has a stake in the program as its jurisdiction extends to Lake Tahoe. Supervisor Aldean is the City's TRPA representative. The City's ability to use the slash for recycling if it can be transported to the landfill was noted. Funding may be needed for this program in the future. Comments were solicited but none were given. Supervisor Aldean moved to adopt Resolution No. 2004-R-29, A RESOLUTION IN SUPPORT OF FUNDING FOR TAHOE BASIN-WIDE FOREST FUELS REDUCTION, FOREST THINNING AND HEALTHY FOREST PROGRAMS TO AVOID CATASTROPHIC WILDFIRE IN THE TAHOE BASIN. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-0338) - Supervisor Williamson reported on her attendance at the following: WNDD meeting; Western Nevada Home Consortium meeting; the Buy In Nevada Program; Redevelopment Authority Citizens Committee meeting; meetings on economic and redevelopment; the Tri-County Legislative meeting; a tour of the new Carson-Tahoe Hospital site; a helicopter flight over the Waterfall Fire area; the meeting on the search for a new location and the needs of the Rehab Center; the Chamber of Commerce Leadership Alumni meeting; and the Carson River Advisory Committee meeting. She announced the October 15 Carson Water Shed Conference and the Sierra Business Council Workshop. A status report on the progress of the "C" Hill Flag was provided. She hoped to have it completed by Veterans Day. Supervisor Aldean reported on the following: a meeting on the eastern portal; the Open House at the Mountain Springs Assisted Living Facility; meetings on recycling of the forest slash/waste including a reference to the *Reno Gazette Journal* article on the recycling possibility and Carson City's recycling program; TRPA Governing Board meeting; the League of Women Voters forum; the Mental Health Coalition meeting including announcing the Point in Time Count to occur in January; the Buy In Nevada program; a tour of Monterey and Gilroy, California, television stations; the Municipal Code Committee meetings; the relocation of the Rehab Center meeting; the Grand Opening of the Carson Mental Health and the Rural Health Center; and a meeting on the Tri-County Legislative agenda. Mayor Masayko reported on the Salsa Y Salsa event; the Mountain Springs Assisted Care Facility Open House; the Alzheimer's walk, the Basque festival, the Nevada Commission on the V&T Railway meeting, his presentation at the American Association of Retired Persons; the Chamber of Commerce Manufacturers' meeting; League of Women Voters forum; the Chamber of Commerce appreciation barbecue; NDOT Board of Directors meeting; NNDA meeting; Mrs. Jolly's third grade class tour of City Hall; the

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Library Foundations' Oktoberfest; his V&T presentation to the Lions Club; a meeting with Executive Director Maryellen Waltz regarding HealthSmart; and the Redevelopment celebration at the Bliss Mansion. Supervisor Livermore reported on his attendance at the following: Salsa Y Salsa festival; the Parks and Recreation Commission meeting; the Youth Sports Association meeting; the Chamber of Commerce appreciation barbecue; the media tour of the Monterey and Gilroy studios; State Public Lands meetings; the Subcon-servancy meetings; a tour of the Horse Creek Ranch with Open Space Manager Juan Guzman; a meeting with the Schulz family; the Western Nevada Community College musical "Once Upon a Mattress"; the Economic Development Committee meeting, and HealthSmart meeting. He also recognized Rich Linkel for his dedication and service to HealthSmart and announced Dr. Linkel's plans to relocate. Supervisor Staub reported on the following: State Board of Transportation meeting; the Community Council on Youth meeting; the Senior Citizens Advisory Board meeting; the League of Women Voters forum; the Library Foundations Oktoberfest; the Tri-County Legislative Coalition meetings; and a meeting with the Nevada Taxpayers Association on taxes. He also complimented Rick Moreno on his article regarding Kingston. Supervisor Livermore explained the media's "Best of Carson City" survey and noted that Mayor Masayko was selected as the elected official and that Supervisor Staub was selected as the best Optometrist even though he does not hold a license as an Optometrist. No formal action was required or taken on any of these items.

C. NON-ACTION ITEMS - STAFF COMMENTS AND STATUS REPORTS (2-1190) -

City Manager Linda Ritter introduced Parks and Recreation Director Roger Moellendorf and complimented Parks Operations Director Scott Fahrenbruch on his service as Acting Parks and Recreation Director. Board comments welcomed Mr. Moellendorf. No formal action was required or taken.

6. CONSENT AGENDA

6-1. ASSESSOR - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF TAXES FOR 300 HOT SPRINGS RD. (APN: 002-062-11) FROM THE 2004/05 REAL PROPERTY TAX ROLL PER NRS 361.125

6-2. DEVELOPMENT SERVICES

A. ACTION TO ACCEPT DEVELOPMENT SERVICES ISSUANCE OF THE EMERGENCY CONTRACTS LET FOR THE WATERFALL FIRE RESIDENTIAL VEGETATION DEBRIS CLEANUP, CONTRACT NO. 2004-18 WITH ESTABROOK TREE WORKS, P.O. BOX 480, GARDNERVILLE, NEVADA 89410, AND CONTRACT NO. 2004-32 WITH 1 800 GOT JUNK?, 496 W. ANN STREET, CARSON CITY, NV 89703 AND TO AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS ON CONTRACT NO. 2004-18 FOR A NOT TO EXCEED AMOUNT OF \$15,000

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE 2004-2005 WELL PROGRAM PROJECT, CONTRACT NO. 2004-003 AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO BROWN AND CALDWELL, 3264 GONI ROAD, SUITE 153, CARSON CITY, NV 89706 FOR AMENDMENT NO.1 IN THE AMOUNT OF \$366,435 AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$20,000

6-3. PURCHASING AND CONTRACTS

A. ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE 134 PIECES OF MISCELLANEOUS COMPUTER EQUIPMENT AND OTHER MISCELLANEOUS PROPERTY HAVE REACHED THE END OF THEIR USEFUL LIVES AND WILL BE DONATED TO ANOTHER GOVERNMENTAL ENTITY OR TO A REQUESTING NON-PROFIT ORGANIZATION CREATED FOR RELIGIOUS, CHARIT-

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ABLE OR EDUCATIONAL PURPOSES AS SET FORTH IN NRS 372.3261 (FILE 0405-025)

B. ACTION TO APPROVE CONTRACT NO. 0405-037 - A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY HARRIS & ASSOCIATES TO PREPARE AN OPERATIONAL ANALYSIS OF ONE-STOP CENTER PLAN REVIEW SUPPORT GROUPS THROUGH DECEMBER 31, 2004 FOR A NOT TO EXCEED COST OF \$39,960

C. ACTION TO APPROVE CONTRACT NO. 0405-038 A REQUEST FOR THE PURCHASE OF ONE (1) TORO GROUNDSMASTER 580-D ROTARY MOWER WHICH HAS BEEN USED AS A DEMONSTRATION UNIT FROM TURF STAR FOR A NOT TO EXCEED COST OF \$59,612.18 EXEMPT FROM COMPETITIVE BIDDING

D. ACTION TO APPROVE CONTRACT NO. 0405-039 FOR THE FIRE DEPT. TO CONTRACT WITH ROAD RESCUE BY JOINDER BID THROUGH CLARK COUNTY TO PURCHASE TWO (2) 2004 ROAD RESCUE F-350 ROAD RESCUE AMBULANCES FOR A NOT TO EXCEED COST OF \$126,496.00

E. ACTION TO APPROVE CONTRACT NO. 0405-040 A REQUEST TO ENTER INTO A PRICE AGREEMENT WITH INSIGHT PUBLIC SECTOR, INC. THROUGH OCTOBER 14, 2005, FOR THE PURCHASE OF HARDWARE AND SOFTWARE WHICH IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO NRS 332.115 SUBSECTION (1) (G) AND (1) (H)

F. ACTION TO APPROVE CONTRACT NO. 0405-041 A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY

G. ACTION TO APPROVE CONTRACT NO. 0405-042 VEHICLE REPLACEMENT FY 2004/2005 AND AUTHORIZE THE VEHICLE MAINTENANCE SUPERVISOR TO PURCHASE 2005 MODEL YEAR VEHICLES FROM NEVADA STATE PURCHASING'S VEHICLE PRICE AGREEMENTS PROVIDING THAT CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED

H. ACTION TO AUTHORIZE THE INFORMATION SERVICES DEPT. TO UTILIZE THE AUTHORIZED VENDORS FROM WSCA PC CONTRACT REQUEST FOR PROPOSAL FOR THE PURCHASE OF PERSONAL COMPUTER EQUIPMENT AND RELATED DEVICES THROUGH AUGUST 31, 2007, WHICH HAS BEEN APPROVED BY THE STATE OF NEVADA THROUGH THE WESTERN STATES CONTRACTING ALLIANCE (WSCA) AND IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO NRS 332.195 (FILE NO. 0405-046)

I. ACTION TO APPROVE THE EXTENSION OF CONTRACT NO. 0304-051 TO CONTRACT WITH WESTERN ENERGETIX CORPORATION BY JOINDER BID THROUGH NEVADA STATE PURCHASING TO PROVIDE ELECTRONIC FUEL DISPENSING AND CARD PROCESSING SYSTEM SERVICES THROUGH DECEMBER 31, 2004, AND AUTHORIZE ALL CITY DEPARTMENTS TO BE ABLE TO UTILIZE THIS CONTRACT PROVIDING THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES

J. ACTION TO AUTHORIZE ALL CITY DEPARTMENTS TO UTILIZE RFP 10-00115 FOR THE PURCHASE OF WIRELESS COMMUNICATION SERVICES AND EQUIPMENT THROUGH JUNE 30, 2005, WHICH RFP WAS APPROVED AND RENEWED BY THE STATE OF NEVADA THROUGH THE WESTERN STATES CONTRACTING ALLIANCE AND IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO NRS 332.195 PROVIDING THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES (FILE 0102-093)

6-4. INFORMATION SERVICES - GIS - ACTION TO RENAME ART COURT TO

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HOSPITALITY WAY (2-1195) - Item 6-3A was pulled for discussion. Supervisor Staub noted for the record, since water quality and capacity are always an issue, that Item 6-2B is for rehabilitation and drilling of new wells in Carson City. Supervisor Livermore moved for approval of the Consent Agenda's 13 items, one item from the Assessor, two items from Development Services; nine remaining items from Purchasing and Contracts, and one item from Information Services - GIS, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

6-3A. (2-1242) - Discussion between Supervisor Aldean and Purchasing and Contracts Manager Cheryl Adams explained that the items can be obtained on a first come, first served basis. Carson City Departments have first priority. A formal policy regarding the disbursement has allegedly been adopted and complies with the Statutes. A copy of the policy is to be provided to Supervisor Aldean. The 134 pieces of equipment are to be dispersed to 22 nonprofit or religious organizations or governmental entities. Supervisor Aldean moved to adopt Resolution No. 2004-R-30, a Resolution authorizing the Board of Supervisors to determine that the 134 pieces of miscellaneous computer equipment and other miscellaneous property have reached the end of their useful lives and will be donated to another governmental entity or to a requesting nonprofit organization created for religious, charitable or educational purposes as set forth in Nevada Revised Statute 372.3261, File No. 0405-025. Supervisor Livermore seconded the motion. Mayor Masayko noted for the record that he had counted the organizations and that 30 organizations have applied. The motion was voted and carried 5-0. Mayor Masayko asked that the record show that when more than one applicant applies for the surplus pieces of equipment, priority is to be given to the Carson City nonprofit, religious, charitable, or educational organization.

7. FIRE DEPARTMENT - Fire Chief Lou Buckley - **ACTION TO APPROVE AN EMERGENCY FIRE AND EMERGENCY MUTUAL AID AGREEMENT BETWEEN THE CENTRAL LYON COUNTY FIRE PROTECTION DISTRICT AND CARSON CITY FIRE DEPARTMENT (2-1305)** - Discussion explained the benefits of having a mutual aid agreement and the reimbursement clause. A reciprocal clause requiring Lyon County to have a similar reimbursement requirement was added to the agreement. Discussion ensued on the paramedic/EMS service level provided in Carson City and Lyon County; the mutual aid coverage provided for Carson City and Central Lyon County residents who have CC Cares or Central Lyon County's coverage; Douglas County's refusal to participate in a similar mutual aid agreement; and the fire service provided in Moundhouse, Dayton, and the Santa Maria Ranch. Chief Buckley felt that the Carson City and the District's agreement was and had been equitable and fair. Mutual aid agreements for another unnamed District may require reconsideration of its fee structure. Reasons for this change were provided. The same clause may be added to the CC Cares mutual aid agreement(s) in the future. Mayor Masayko stressed the need to understand the agreement as the City is extending its services to enhance their services without any additional costs to them even though the City does incur a cost for the extended services. Supervisor Williamson pointed out that the agreement includes a 30-day notification process to terminate the agreement. The HAZMAT team includes employees from both agencies. The training requirements were explained. The need to keep the team members "sharp" and to meet the number required for a team had caused them to expand the coverage area. Board comments stressed the need to have appropriate inspections and notification by the businesses about their operations before coverage is considered by the HAZMAT members. The members have the ability to agree to provide or deny protection. An unnamed company was cited to explain that the members have denied a company protection due to the types of chemicals used in their manufacturing operation. This is done before construction begins so that the company can make decisions regarding its own protection procedures. The OSHA regulations also allow the Department to refuse to provide service. Supervisor Aldean moved to approve Emergency Fire and Emergency Mutual Aid Agreement between the Central Lyon County Fire Protection District and Carson City Fire

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Department subject to the addition of a reciprocity provision in Paragraph 10. Supervisor Williamson seconded the motion. Motion carried 5-0.

8. FINANCE - Director Tom Minton

A. ACTION TO ADOPT A RESOLUTION CALLING A HEARING ON THE INCURRENCE OF A MEDIUM TERM OBLIGATION IN THE PRINCIPAL AMOUNT OF \$3,100,000; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO (2-1604) - City Manager Linda Ritter - The resolution commences the process to obtain financing for the proposed acquisition. If the Board determines that the acquisition is not desired, the funding can be used for other purposes. If Horse Creek is acquired, all of Open Space's land acquisition funds will be spent. Funding for its acquisition will also be required from the State Lands' Question 1 Fund. Question 1 funds can be used for either a fee title or a conservation easement. Mayor Masayko reiterated that the resolution merely starts the process. The details of the agreement should not be discussed at this time. The other Open Space funding commitments were noted. The bonds will be sold only if a decision is made to acquire the property. Public comments were solicited but none were given. Supervisor Staub pointed out for the record that the staff summary clearly states that the funds are for the purchase of Horse Creek property for approximately \$6 million. The process is not yet at a point where the determination has been made to acquire the Horse Creek property. Mayor Masayko also noted for the record that the Board is not committing, by going forward with this financing option, to pay \$6 million for the Horse Creek Ranch. He directed staff to advise the Open Space Advisory Committee that a decision to acquire the Horse Creek Ranch has not been made by the Board. Mr. Guzman agreed. Supervisor Williamson moved to adopt Resolution No. 2004-R-31, A RESOLUTION CALLING A HEARING ON THE INCURRENCE OF A MEDIUM TERM OBLIGATION IN THE PRINCIPAL AMOUNT OF \$3,100,000; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO and the funding source is the Quality of Life Funds. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF PARK PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSAL TO ISSUE GENERAL OBLIGATION BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$7,000,000; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (2-1815) - Parks Operations Director Scott Fahrenbruch - Discussion explained that \$1 million will be spent from the General Fund for lighting at Governors Field. The Board had not discussed the use of these funds. Other General Fund needs were cited. The bond ordinance will be considered at the next Board meeting. Supervisor Livermore explained that cost savings and the energy retrofit program will pay for the Governors Field improvements. An audit of Governors Field had required the closure of the park under windy conditions on 12 separate occasions due to safety concerns related to the light poles. The October 28 meeting is for the Debt Management Commission to consider the bond request. Mayor Masayko reiterated that the resolution does not commit the Board to any specific projects or funding at this time. Public comments were solicited but none were given. Supervisor Livermore moved to adopt Resolution No. 2004-R-32, A RESOLUTION CONCERNING THE FINANCING OF PARK PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSAL TO ISSUE GENERAL OBLIGATION BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$7,000,000; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE

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EFFECTIVE DATE HEREOF; the fiscal impact will be \$13,193,030 including the principal and interest. Supervisor Williamson 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.

9. HEALTH DEPARTMENT - Director Daren Winkelman

A. ACTION TO APPROVE A GRANT AWARD IN THE AMOUNT OF \$152,863.00 FROM THE NEVADA DEPARTMENT OF HUMAN RESOURCES, HEALTH DIVISION, FOR PUBLIC HEALTH PREPAREDNESS AND TERRORISM RESPONSE ACTIVITIES (2-1965) - Discussion justified the funding as the City is the Capitol and must provide first responder services. This requires adequately trained staff and appropriate equipment and resources. It is hoped that the \$152,863.00 will be ongoing funding. The grant is in its fifth year. It is hoped that the grant program will be renewed for another five-year cycle. Washoe and Clark County have their own Boards of Health. Their funding from this grant program and the funding criteria were noted. The City's application had sought more funding, however, the State asked that the City reduce it which staff did. Matching funds are not required for this grant. Supervisor Aldean moved to approve a grant award in the amount of \$152,863.00 from the Nevada Department of Human Resources, Health Division, for public health preparedness and terrorism response activities; fiscal impact is \$152,863.00 which will be reimbursed from the grant. Supervisors Williamson and Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE, PER NEVADA REVISED STATUTE 439.290, THE APPOINTMENT OF CARL HEARD, M.D., AS THE CARSON CITY HEALTH OFFICER AND PER NEVADA REVISED STATUTE 439.300, THE SETTING OF COMPENSATION OF THE HEALTH OFFICER, WHICH IS NOT TO EXCEED \$15,000.00 PER YEAR (2-2105) - Dr. Heard has always been the City's Health Officer. Board comments complimented Dr. Heard on his willingness to assist the City in establishing a Board of Health and for his professionalism. The appointment will make him Chairperson of the Board of Health. Mayor Masayko suggested that the Health Board consider having the Board of Supervisors make this appointment. Mr. Winkelman agreed to discuss it with the District Attorney's office. Dr. Heard will be an "at will" employee. His appointment is for two years. Mayor Masayko asked for a District Attorney's opinion regarding the ability to terminate Dr. Heard's services during the two-year appointment and make a different appointment at the end of the two-year term, if desired. Clarification indicated that staff is considering terminating the current contracts for the Health Officer and the Physician for the jail. Discussion ensued between the Board and Mr. Winkelman on the status of the City's flu vaccine, the "mass vaccination clinic" scheduled for October 16, and the State/Federal restrictions on dispensing the flu vaccine. Board comments also explained Dr. Heard's community and statewide involvement in the health profession. Mayor Masayko reiterated that the record indicates that Dr. Heard serves at the Board's of Supervisors pleasure. Supervisor Livermore moved to approve, per Nevada Revised Statute 439.290, the appointment of Carl Heard, M.D., as the Carson City Health Officer and per Nevada Revised Statute 439.300, the setting of compensation of the Health Officer, which is not to exceed \$15,000.00 per year; fiscal impact is \$15,000.00. Supervisor Aldean seconded the motion. Motion carried 5-0.

Dr. Heard thanked the Board for having the opportunity to work with the Board over the years. His optimism indicated that their goals were achievable. He looked forward to working with the community to meet the needs of the future including to furnish those at risk with the necessary flu vaccine. He indicated that he has a meeting on the flu vaccine scheduled for this afternoon. Mayor Masayko complimented him on his

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proactive approach and ability to “hit the ground running”. Dr. Heard indicated that as the Health Officer he directs the work. Mr. Winkelman must make it happen. He assured the Board of his intent to modify the clinic to ensure its ability to reach and meet the public needs. Mayor Masayko thanked him for applying and congratulated him on his appointment.

10. DEVELOPMENT SERVICES - PLANNING & COMMUNITY DEVELOPMENT - Director Walter Sullivan

D. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 15, BUILDING AND CONSTRUCTION, ADDING CHAPTER 15.100, MANUFACTURED OR MOBILE HOMES AUTHORIZED, TO LIMIT THE AGE OF A MANUFACTURED HOME OR MOBILE HOME TO BE PLACED ON A LOT WITHIN A MOBILE HOME ZONING DISTRICT OR MOBILE HOME PARK TO NOT MORE THAN 15 YEARS OLD (2-0025) (2-2425) - Deferred

A. ACTION TO APPROVE A TENTATIVE SUBDIVISION MAP APPLICATION FROM PALMER & LAUDER ENGINEERS, INC. (PROPERTY OWNERS: BRAD AND SHARON LENCIONI AND GREYSTONE DEVELOPMENT, LLC) TO SUBDIVIDE TWO PARCELS TOTALING 3.56 ACRES INTO 15 RESIDENTIAL PARCELS, EACH A MINIMUM OF 6,000 SQUARE FEET IN AREA, ON PROPERTY ZONED MOBILE HOME 6,000 (MH6), LOCATED AT 2751 CARMINE STREET AND 1850 MERCURY WAY, APN'S 008-161-20 AND 008-161-19, FILE NO. TSM-04-132 (2-2430) - Community Development Director Walter Sullivan, Applicant's Representative Janice Shaffer, Jan Baldwin - Discussion between Mr. Sullivan and the Board explained the change of zoning previously approved for the parcel. The applicant's commitment to provide a 50-foot setback on the two southern parcels against the commercial property was explained. A map revision will be made showing this setback. Mr. Sullivan explained the intent to develop the property for affordable housing. Supervisor Livermore disclosed his discussion with Jan Baldwin who owns property adjacent to the applicant. He also indicated that he is an advocate for Ms. Baldwin, however, does not have a financial interest, connection of any kind, or an attachment to the project.

Ms. Shaffer indicated that her clients were not present. She reviewed the history of the zone change and detailed the plan to place refurbished mobile homes on the lots. This program will provide affordable housing. The applicants will provide financing for the buyers. She indicated that the private driveway extending from the cul-de-sac along the eastern side of the property will allow the adjacent property owner to develop her property. The street can be extended in this area without requiring the adjacent property owner to acquire property. She expected the street area to be dedicated when the map is finalized. The homeowners' association will be responsible for maintaining the street until it is widened and dedicated. The cul-de-sac serving the front lot was described. The public utilities will go to the southern boundary and be stubbed. The adjacent property owner, Jan Baldwin, will be able to connect to this stub. The current access is through the parcel. A suggested access route to her property which will be “bladed” was limned. When this occurs, her water lines will be relocated. Full street improvements will be made to Carmine. They may help mitigate some of the area's drainage problems.

Discussion between the Board and Mr. Sullivan explained Eugene Collins' concerns regarding the traffic and night lighting. Mr. Collins had described the area's drainage problem. Dennis Smith, who had represented Ms. Baldwin, was concerned about the utilities, the need to upgrade Mercury Way, access during construction, the 26-foot driveway/Mercury Way, and the need for a public road. Discussion indicated that

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the map designates the pad area where the mobile homes may be placed. The setbacks are met by the suggested placements. The CC&Rs were limned including the road and private driveway, their maintenance, lack of an open space requirement, the locations of the small open space areas which are to be maintained by the adjacent property owners, and the Fire Department's requirement for addresses which will be maintained by the homeowners association. Ms. Shaffer explained that the property owner will be required to landscape his/her property within a year after purchase. The CC&Rs have restrictions on fencing, limit the height of the fence on the front two lots, and provides a postal cluster box on the one lot at the northwest corner. The developer plans to provide the landscaping for the 50-foot setback/buffer area on the southern two lots. It will include a wall, berm, or fence and landscaping within the buffer area abutting the commercial zone. The owner will provide financing to ensure that the homes are affordable. Supervisor Williamson explained that Ms. Shaffer is a member of the Carson City Redevelopment Authority Citizens Committee. Clarification indicated that there is no restriction against the owner renting the units, however, multi-family rentals are not allowed. Ms. Shaffer explained the prohibition against fencing in the proposed access area for Ms. Baldwin's property. This information will be included in a note on the map. Supervisor Livermore explained the need to have this information on the record and indicated that Units 13, 14, and 15 prohibit signage and blocking access to her parcel. Ms. Shaffer indicated that the tentative map and the CC&Rs state "no construction or obstruction of that driveway/right-of-way". Supervisor Livermore explained the reasons for needing to ensure access to the property to the south of the project will be provided including the desire to maintain their property's value. He alleged that Ms. Baldwin likes the project and would have loved to have participated. The 20-foot private driveway will become a 40-foot street when she expands the driveway. Ms. Shaffer indicated that provisions have been made that will allow this to occur. It is a 25-foot easement with 20-feet of paving. They will dedicate their half of the street. Fencing will not be allowed. This will allow Ms. Baldwin to drive through the area. They do not want to restrict her movement or access. The original cul-de-sac can be extended very easily when needed for a through street. It is an engineering requirement until that time. If a lot of traffic uses the street, Ms. Baldwin may find that the City may seek action against her. Ms. Shaffer also explained that they do not plan to obstruct her access at any time including during construction.

Mayor Masayko explained that the map in the staff report was of a poor quality and asked that better maps be provided in the future. Mr. Sullivan agreed and indicated that staff is working on this matter.

Ms. Shaffer agreed that the buyers will have to be made aware that the cul-de-sac will not be a quiet street and will have additional traffic in the future. This information may be put in the introduction to the CC&Rs. Mayor Masayko also pointed out that the expansion of the street is part of the subdivision map and that the buyers should expect to see it extended in the future. His problems with the map in the staff report were limned. Clarification indicated that the private drive/cul-de-sac was pointing at Mercury Way. Public comments were solicited. Mayor Masayko reminded the audience that anyone wishing to speak should have commented at the Planning Commission meeting.

Ms. Baldwin indicated that the applicant had worked hard to resolve the problems. She pointed out that everyone knows the problems encountered in the New Empire area. She felt that the proposal will help her property values. She felt that the Bensons and Blasius' control the southern access and are not interested in allowing through traffic. She also felt that they have not agreed to allow the access. Mayor Masayko disclosed his contact with Jim Benson. They do not want the access to be used and noted the conflict between NDOT and Lompa Lane which also provides access to the Blasius' property. At this time there is no access but it could be expected to occur in the future over private property from Highway 50. He thanked Ms. Baldwin for talking to staff and the applicants. Her willingness to work with them had provided a better product. Additional public comments were solicited but none were given.

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Supervisor Williamson moved to approve a Tentative Subdivision Map application from Palmer and Lauder Engineers, Inc., property owners: Brad and Sharon Lencioni and Greystone Development, LLC, to subdivide two parcels totaling 3.56 acres into 15 residential parcels, each a minimum of 6,000 square feet in area, on property zoned Mobile Home 6,000, MH6, located at 2751 Carmine Street and 1850 Mercury Way, APN's 008-161-20 and 008-161-19, File No. TSM-04-132. Supervisor Aldean seconded the motion. Motion carried 5-0.

B. ACTION TO INTRODUCE, ON FIRST READING, A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY (PROPERTY OWNER: CARSON CITY), TO CHANGE THE ZONING FROM PUBLIC COMMUNITY (PC) TO DOWNTOWN COMMERCIAL (DC), ON PROPERTY LOCATED AT 110 WEST ANN STREET, CARSON CITY, APN 001-188-03 FILE NO. ZMA 04-137 (2-3189) - The intent is to sell the property after it is rezoned. Justification for selling it and potential development opportunities were noted. Staff felt that the lot was too small to be a viable parking lot. Supervisor Aldean agreed that the lot is in disrepair. Her concerns about the number of parking waivers that had been granted in the vicinity were noted. The property is being used as a surface parking lot. The lot could be of value. She asked that her comments be made part of the record. Discussion indicated that an adjacent property owner could acquire the property and connect it to his/her property. This would provide different development opportunities and benefits. Staff is working with the District Attorney's office to determine how the disposal is to be handled, e.g., by auction, listing with a broker, etc. The Statutes will be adhered to. As the property is located within the Redevelopment District, the Redevelopment Authority may consider the project and decide the disposal process. The zoning must be completed before the sale can be considered. Supervisor Williamson moved to introduce on first reading Bill No. 116, A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY, PROPERTY OWNER: CARSON CITY, TO CHANGE THE ZONING FROM PUBLIC COMMUNITY, PC, TO DOWNTOWN COMMERCIAL, DC, ON PROPERTY LOCATED AT 110 WEST ANN STREET, CARSON CITY, APN 001-188-03, FILE NO. ZMA-04-137. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. ACTION TO INTRODUCE, ON FIRST READING, A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY (PROPERTY OWNER: CARSON CITY) TO CHANGE THE ZONING FROM PUBLIC REGIONAL (PR) TO SINGLE FAMILY 6,000 (SF6), ON PROPERTY LOCATED ON PALO VERDE DRIVE, APN 004-141-05, FILE NO. ZMA-04-138 (3-0101) - The lot size and area are stabilized. The well has been abandoned. It was capped in accordance with Utility requirements. Any deed restrictions will have to be disclosed. It was suggested that an exchange for property adjacent to the jail be considered after the zone change is completed. Supervisor Williamson moved to introduce on first reading Bill No. 117, A ZONING MAP AMENDMENT APPLICATION FROM CARSON CITY, PROPERTY OWNER: CARSON CITY, TO CHANGE THE ZONING FROM PUBLIC REGIONAL, PR, TO SINGLE FAMILY 6,000, SF6, ON PROPERTY LOCATED ON PALO VERDE DRIVE, APN 004-141-05, FILE NO. ZMA-04-138. Supervisor Aldean seconded the motion. Supervisor Livermore explained the Assessor's indication that there is a public walkway easement from Palo Verde to the Park. Justification for assuring the abandonment of this easement was indicated. Mr. Sullivan agreed to search the title. The motion to introduce Bill 117 on first reading was voted and carried 5-0. Mayor Masayko indicated that an answer will be provided regarding the easement at the next meeting. Mr. Sullivan explained his contact with the Parks Department had indicated that there are adequate accesses to the park from the east and from Pratt Street. The Parks Department had purportedly agreed to check for encumbrances,

easements, and the status of the well. Mayor Masayko called for the vote again to ensure that a vote had been

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taken. The motion again carried 5-0.

11. REDEVELOPMENT/ECONOMIC DEVELOPMENT MANAGER - Joe McCarthy - ACTION TO APPROVE ON SECOND READING, BILL NO 115, AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN FOR PROJECT AREA NO. 2 THAT PROVIDES FOR THE USE OF REDEVELOPMENT, AS A PILOT PROJECT, IN AN AREA PRIMARILY ALONG SOUTH CARSON STREET, WITH THE PRINCIPAL PURPOSE OF RETAINING/EXPANDING THE AUTO SALES SECTOR (3-0200) - The first hearing on this ordinance occurred three weeks ago. The purpose and need were understood. Mayor Masayko explained his discomfort with the program even though there are safeguards on eminent domain within the plan. He preferred to eliminate the ability to use eminent domain completely from the plan. He also expressed concerns with the declaration of blight even though there were valid reasons for needing to work with the auto dealers. Mr. McCarthy thanked the individuals who had participated on the Economic Vitality Committees and on the corridor plan. He also thanked the Chamber of Commerce for its assistance in crafting the plan. Public comments were solicited but none were given. Supervisor Aldean moved to adopt Bill No. 115 on second reading, Ordinance No. 2004-17, AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN FOR PROJECT AREA NO. 2 THAT PROVIDES FOR THE USE OF REDEVELOPMENT, AS A PILOT PROJECT, IN AN AREA PRIMARILY ALONG SOUTH CARSON STREET, WITH THE PRINCIPAL PURPOSE OF RETAINING AND EXPANDING THE AUTO SALES SECTOR. Supervisor Williamson seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 11:34 a.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 ONE MEMBER TO THE AIRPORT AUTHORITY TO FILL THE "FIXED BASE OPERATOR" POSITION FOR A FOUR YEAR TERM ENDING OCTOBER 2008 (3-0272) - Mayor Masayko acknowledged Applicant John Kelly's presence for the record. Mr. Kelly described his business and indicated that he had applied for the "Fixed Base Operator" position. Mayor Masayko explained his knowledge of Mr. Kelly and the City policy and Charter amendment to appoint Carson City residents and electors to its boards, committees, and commissions. Mr. Kelly indicated that he has a residence in Dayton, is a registered voter in Washoe County, and has a residence in Reno. Mayor Masayko asked Mr. Kelly to understand that the concern is a technical issue and not a personal objection. It does not lessen Mr. Kelly's contributions to the Airport nor his interest in the community. Discussion indicated that Mr. Kelly had been at the Airport since 1985. Supervisor Aldean felt the distinction between the Airport Board and other City committees and commissions is that the Airport Board is not advisory to the Board of Supervisors. It serves a regional base. Supervisor Livermore explained that during his six-year tenure on the Board of Supervisors, he had received both written and verbal communications regarding whom the Board should appoint to the Airport Authority. His communications regarding Mr. Kelly had found nothing derogatory about him that would keep him from wanting to make his appointment. He did not want to turn away an applicant based solely on his/her status as a nonresident or failure to be a Carson City elector. Discussion indicated that Bob Thomas' term had also expired on October 1. It was felt that a quorum problem did not exist as the Authority is comprised of seven members. Two terms have expired. Supervisor Staub pointed out that the enabling legislation does not include residency or voter registration requirements. Other boards, committees, and commissions are advisory to the Board. The Board approves their agreements. Advertise-

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ments for the vacancies were placed in the newspaper. Airport General Manager Weaver had noticed the vacancies at the Airport. The lack of applicants indicates that no one else is interested in the position. He recommended moving forward with Mr. Kelly's appointment. There are between 20 and 30 fixed base operators at the Airport. Fixed based operators include individuals who lease and those who sublease. Supervisor Aldean indicated a need to have the Charter Committee amend the Charter to show a difference between the Airport Authority and the advisory committees/commissions. Consideration should be provided to the Airport as it is a regional facility. She was comfortable with Mr. Kelly's appointment. Supervisor Livermore expressed his belief that the Airport is local and not regional. Discussion indicated that the vacancy had been advertised more than once. Supervisor Livermore felt that a thorough search had not been conducted. There should be two or more applicants for the position before a uniform decision is made. The current process is changing the rules at the last minute. Mayor Masayko explained his reasons for feeling that the appointees should be Carson City residents and electors. Applicants have been denied based on their failure to meet this standard. He apologized to Mr. Kelly for the delay and explained that the issue is not personal nor against his business. The Statutes have not been changed to comply with the Board's policy. Reno and Washoe County's policies may be different. Supervisor Staub reiterated his belief that the Board could appoint Mr. Kelly to the position as the Statute does not restrict the appointees. Mr. Kelly's involvement with the Airport was limited to support his appointment. Supervisor Staub indicated that he would have supported a resident and elector over a nonresident if one had submitted an application regardless of his/her qualifications. Previous Boards have appointed nonresidents to the Authority as indicated by his examples. Mayor Masayko felt that the Board's intent when it established the residency and elector standard had been to apply it uniformly to all Boards and Commissions. It is not a reflection on Mr. Kelly's qualifications. He suggested that the item be tabled for 30 days to allow additional time to search for other applicants. He volunteered to assist, and suggested that Supervisor Staub personally assist, in the search for other applicants. Supervisor Livermore moved to table the appointment of one member to the Airport Authority for the fixed base operator position for 30 days and direct the City Manager to readvertise the position and we will see what we get at the end of the 30 days. Mayor Masayko seconded the motion. Public comments were solicited but none were given. The motion was voted and failed on a 2-3 vote with Supervisors Williamson, Aldean, and Staub voting Naye. Ms. Bruketta recommended that the motion refer the matter to the District Attorney's office due to the conflict between the Statute and Charter.

Supervisor Staub moved to refer the matter to the District Attorney's office for review to determine how our Charter affects our appointment to this Authority, it being a statutory authority, while at the same time requesting that the position be readvertised and that the City Manager contact the Airport Manager to make sure that notice goes out to all FBOs on the Airport to solicit any interest that they have with this matter being reset for the next meeting of the Board. Supervisor Aldean seconded the motion and indicated that the two-week period is a compromise. Mayor Masayko indicated that he could not support a two-week turnaround if the position is to be readvertised. He preferred to make the appointment today. The motion was voted and carried 4-1 with Mayor Masayko voting Naye.

13. DEVELOPMENT SERVICES - Director Andrew Burnham

A. ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY AND THE STATE OF NEVADA, DIVISION OF FORESTRY REGARDING SHARING OF COSTS FOR THE WATERFALL FIRE NOT REIMBURSED BY FEMA OR OTHER SOURCES (3-0675) - City Manager Linda Ritter - Private property owners have not been asked to participate due to the amount of Federal funding that is available. The Forest Service is working with the private property owners. The City's 25% match is the unreimbursed portion. The funding was explained.

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The grant will reimburse the City after the City submits documents indicating it had spent the money. The aerial seeding has been completed. The drill seeding has yet to occur. Justification for not "bale bombing" all of the seeded area was explained. Concerns were expressed about the failure to seed some of the Forest Services' canyons. Supervisor Livermore explained the fugitive dust problem he had encountered at his business. He felt that the Forest Service had been convinced about the need to address this problem. Mr. Burnham agreed to discuss the issue with the Forest Service. Supervisor Williamson moved to approve a Memorandum of Understanding between Carson City and the State of Nevada Division of Forestry regarding sharing of costs for the Waterfall Fire not reimbursed by FEMA or other sources. Supervisor Aldean seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY, THE CARSON CITY SCHOOL DISTRICT, AND THE BOARD OF REGENTS OF THE UNIVERSITY AND THE COMMUNITY COLLEGE SYSTEM ON BEHALF OF WESTERN NEVADA COMMUNITY COLLEGE (WNCC) REGARDING JOINT DEVELOPMENT OF OPERATIONAL EFFICIENCIES INCLUDING SHARING FACILITIES AND RESOURCES TO BENEFIT THE RESIDENTS OF CARSON CITY (3-0825) - City Manager Linda Ritter, School District Director of Operations Michael Mitchell, WNCC Vice President of Finance Dane Apalategui - The Board complimented the staffs on the ideas and approaches in the agreement. The School District and WNCC's support of the agreement was indicated. The devil will be in the details of the final document(s). The effort to coordinate City and School District purchasing and warehousing was not successful. The agreement allows them to continue looking for other areas that could be coordinated. The School District's intent to participate in the master plan update was indicated and justified. All facilities are included in the program. The coordination and cooperative joint use of WNCC and the District facilities is believed to be successful and will continue. Supervisor Williamson complimented Mr. Mitchell on the improvements at the Bordewich-Bray Elementary School and the Carson Middle School. Economic benefits of the joint educational programs were noted. The importance of sharing College facilities was stressed to ensure that the taxpayers know what the college has to offer in return for the use of City and District facilities. Discussion pointed out the intertie between the Observatory and the High School as an example of the program. Supervisor Aldean moved to approve a Memorandum of Understanding between Carson City, the Carson City School District, and the Board of Regents of the University and Community College System on behalf of Western Nevada Community College regarding joint development of operational efficiencies including sharing facilities and resources to benefit the residents of Carson City. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. ACTION TO APPROVE AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CARSON CITY BOARD OF SUPERVISORS, CARSON AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO), AND THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION (RTC) DEFINING THEIR RESPECTIVE RESPONSIBILITIES (3-1076) - Deputy City Engineer John Flansberg - The Board of Supervisors has the ability to deny any contracts. Mr. Flansberg indicated that it is his job to keep the Board apprised of the programs and avoid any surprises. This process provides a circle for planning, implementation, and construction/completion. Mayor Masayko indicated that quarterly or semiannual reports on the Carson City Transit/Transportation System were adequate. Monthly reports were not required. Mr. Flansberg indicated he will submit the reports to the Board electronically. Supervisor Aldean also pointed out that the Board representatives on RTC and CAMPO should support the contracts when they are brought to the Board. Mr. Flansberg explained the two different transportation improvement plans - one for RTC and one for CAMPO. Supervisor Staub modified Page 2, Item 1, to read: "To prepare, monitor and manage *Carson City's Transportation Improvement Plan* including

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the development of plans, specifications, contract documents.....” Mayor Masayko suggested that the Board approve the agreement as written. The revision could be brought back as part of the Consent Agenda after CAMPO and RTC approve it. CAMPO and RTC can commence working under the document until then. Mayor Masayko also indicated that No. 9 on Page 2 is to be revised to require periodic reports rather than monthly reports. Mr. Flansberg reiterated his belief that the Transportation Improvement Plan is part of the plans, specifications, etc. Supervisor Aldean also pointed out that a pronoun “it’s” is used twice in the document when it should be “its” meaning ownership. Supervisor Livermore moved to approve an Interlocal Cooperative Agreement between the Carson City Board of Supervisors, Carson Area Metropolitan Planning Organization, and the Carson City Regional Transportation Commission defining their respective responsibilities. Supervisor Staub seconded the motion. Motion carried 5-0.

D. STATUS REPORT ON CARSON CITY SANITARY LANDFILL OPERATIONS FROM JULY 1, 2003, THROUGH JUNE 30, 2004 (3-1294) - Public Works Operations Manager Tom Hoffert - A copy of the power point presentation is in the file. Discussion corrected the report to be for the 2004 fiscal year. The increased costs were noted. A policy enabling the Landfill to sell boulders/large rocks will be submitted to the Board shortly. The compaction and resegregation should extend the life of the landfill by 15 years. Staff was directed to allow an hour or so of time after 5 p.m. for residential use of the landfill. Mr. Burnham pointed out that this could be done. It will, however, incur a cost for extending the day. The “C&D” usage by out-of-county firms was described. The Board may wish to consider increasing the rate for this material, however, the benefit of having this material may justify leaving the cost for the service as it is. Supervisor Staub suggested that consideration be given to having a small “transfer” area that will allow the dumping by residents after hours. Mr. Burnham explained that other landfills are having their users dump into a container which the operators take to the landfill area. This eliminates/reduces the liability concerns. The landfill is open 365 days a year to meet the franchise operator’s agreement that allows him to operate six days a week and to allow residential usage on Sundays. The post closure figures are being recalculated due to the expected expansion of the life of the landfill. A rate increase is not required at this time. Board comments complimented staff on the well run and controlled facility. The operational costs were lower than indicated by the bidding contractor. This illustrates that government can, in this case, operate better and cheaper than private industry. No formal action was required or taken.

E. PRESENTATION BY THE DEVELOPMENT SERVICES STAFF ON CARSON CITY’S WATER RIGHTS, WATER SYSTEM OPERATION, AND STRATEGIES FOR THE FUTURE WITH BOARD DIRECTION TO STAFF FOR FUTURE IMPLEMENTATION (3-1575) - Public Works Operations Manager Tom Hoffert, City Engineer Larry Werner, Carson Water Subconservancy District Executive Director Ed James - A copy of the slides is in the file. Discussion pointed out that in the future Lyon County may be competing with the City to obtain water from the Mud and Lost Lakes. The City has four years left on its lease for that water. The City is working to expand and better utilize the State’s system to replace the Mud and Lost Lakes water. The average water depth in the wells and the drop in the groundwater table was explained. The first 100 feet is sealed to keep from drawing down domestic wells. The protection measures taken within a well to keep from drawing air and destroying the pump ere explained. Production is lost when the groundwater table drops below the aquifer. Mr. Burnham explained that a number of domestic wells have been lost due to the drought. The Department has “gone out of its way to get water service” to these homes. Mr. Hoffert assured the Board that during the last five years the City had not installed any new wells in the area south of Koontz Lane. Pump design criteria and testing were explained. Induction to extend the life of a well does not work for extended periods. Restoration/rehabilitation efforts made in 2003 did not restore three wells to their original capacity of 600 gallons but did provide 400 gallons. A few years of normal precipitation may allow the aquifers to be

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replenished and restore the pumping to its original 600 gallons. Residential growth has averaged between 1.6% and 1.7%. Water demand has, however, increased 4.0% to 4.2% during the last two years. The drought and high summertime temperature were believed to be the cause for the increase. Discussion indicated that wells can be on Forest Service land.

RECESS: A recess was declared at 3:26 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3:31 p.m., constituting a quorum.

(3-2614) A map was used to illustrate the locations where Douglas County will be drilling wells in the Topsy Lane area. Surface water right usage was limned. Residential wells are a privilege. Water rights are not assigned to a residential well. If the City dries up a residential well, the resident has no standing due to his/her lack of water rights. Mr. Werner was directed to ensure notification to the residents so that if there is an issue, something can be done about it. Difficulties encountered attempting to drill more wells were limned. The City actively seeks commercial or industrial water rights as they can be converted to quasi-municipal uses. Acquisition of mobile home park water rights may be a zero net gain in water rights as the park still needs to have water. The City has 18,000 acre feet of water rights. It will need 18,000 acre feet at the time of total buildout. It was felt that infill and growth will occur although not as rapidly as in the past. Arsenic standards may force the City to abandon two wells if annual averaging is not allowed. Discussions regarding the possible regional use of Carson City owned Carson Valley Basin water rights were explained. The arsenic standards are to be imposed in 2006. If the annual averaging rate is approved, the City's compliance costs will be reduced. If it is not, a three-year extension of the implementation will have to be requested and the rate increased to provide funding to meet the higher standard. A status report regarding the standard will be provided before the end of the year, if possible. Three million gallons of storage will be added next year. Staff is looking at increasing the storing water at Quill and Marlette. The City property at Quill may not make this location feasible. Marlette challenges will have to be overcome before implementation of its plan. Benefits of conjunctive uses at the High School, College, and Mills Park were noted. Ordinance revisions regarding street scape and parking lots are needed. It was suggested that the City encourage xeriscape and less planting. Mayor Masayko suggested that staff begin the submittal process for the three-year extension now. Supervisor Livermore encouraged staff to develop adequate resources to be able to meet peak demand next summer. The challenges that the City faces to accomplish this goal were included in the report. The message should be sent to the public that this is a desert. The City has the tools to provide the water, however, implementation is done over a longer period to reduce the financial impact. Mr. Burnham explained a State request for bonding capacity to pay for the Marlette improvements which the City will repay through its normal rates. Supervisor Staub explained Las Vegas' efforts to purchase landscaping rights and requiring xeriscape. Mayor Masayko did not want to see this happen, however, prudent steps must be taken. Supervisor Livermore introduced Carson Water Subconservancy District Executive Director Ed James and noted the problems found in Lyon and Douglas Counties. Justification for regional consideration was provided.

(4-0144) Mr. James indicated that the report had been educational. He also felt that peaking issues and conservation needs require aggressive consideration and measures to reduce their impacts. He expressed a desire to meet with City staff and discuss ways to expand the winter storage capacity. Regional water considerations and wheeling are being discussed. He complimented the City on its proactive efforts. Mayor Masayko thanked him for his comments and for coming. Additional public comments were solicited. None were given. No formal action was required or taken.

14. CITY MANAGER - Linda Ritter - CLOSED SESSION - ACTION TO RECESS INTO

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CLOSED SESSION PURSUANT TO THE NEVADA OPEN MEETING LAW, NRS 241.015(B)(2), FOR THE PURPOSE OF RECEIVING INFORMATION REGARDING POTENTIAL OR EXISTING LITIGATION FROM AN ATTORNEY EMPLOYED OR RETAINED BY THE CITY, AND/OR DELIBERATING TOWARD A DECISION - Mayor Masayko indicated that the Open Session would reconvene only long enough for the Board to adjourn. Therefore, it was not necessary for CATF to wait to televise the meeting's closure. Supervisor Aldean moved to recess into Closed Session pursuant to Nevada Open Meeting Law, NRS 241.015.b.2. for the purpose of receiving information regarding potential or existing litigation from an attorney employed or retained by the City and/or deliberating toward a decision. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko recessed the Open Session at 4:26 p.m. The Open Session was reconvened at 4:48 p.m. The entire Board was present, constituting a quorum.

15. ACTION TO ADJOURN - Supervisor Livermore moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 4:49 p.m.

The Minutes of the October 7, 2004, Carson City Board of Supervisors

ARE SO APPROVED ON April 21, 2005.

/s/

Marv Teixeira, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder