

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Friday, January 2, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Larry Werner	City Engineer
	Mark Forsberg	Chief Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	(B.O.S. ½/04 Tape 1-0008)	

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. by wishing the public a good new year. Roll call was taken. The entire Board was present, constituting a quorum. Pastor Patrick Propster of the Calvary Chapel gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0065) - None.

1. APPROVAL OF MINUTES - SEPTEMBER 4, 2003 (1-0070) - Discussion indicated the August 26 Workshop Minutes were not included in the Board's packet. Supervisor Aldean moved to approve the September 4, 2003, Minutes as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0091) - Mayor Masayko indicated the Treasurer's Consent Agenda Item 4-2 will be pulled for discussion.

3. BOARD OF SUPERVISORS - NON-ACTION ITEMS (1-0096)

A. INTERNAL COMMUNICATIONS, ADMINISTRATIVE MATTERS, STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS - Supervisor Aldean reported on her meeting with TRPA's new Executive Director John Singlaub, her attendance at the City Hall Christmas Party, and a meeting with City Engineer Larry Werner and his staff regarding a problem in the Empire Townsite. Supervisor Williamson hoped everyone had a wonderful holiday and reported on the Chamber of Commerce Leadership graduation ceremony, the Christmas in the Capital Tree Decorating Contest, and her family's

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activities. She announced that the Chamber of Commerce Leadership Class is accepting applications for its next class, which starts in February. She complimented the Christmas in the Capital Tree Decorating Contest volunteers for their dedication and efforts on the event and the Street Department on its ability to clear the Lakeview streets after the recent snow storm. Supervisor Staub hoped everyone had a safe and enjoyable holiday. He reported on his family's activities. Supervisor Livermore reported on "The Pathway to Prosperity" program. He referenced media reports on the bicycle path and the trap range's fire and potluck. He hoped that the City Manager will remove unofficial maps from City offices, such as the one cited by the media. He then reported on meetings of the Carson-Tahoe Hospital Board and its efforts to assist surrounding areas that are without medical coverage, his family's holiday activities, and Rotary Club's meeting including Max Baer's comments on his casino plans and the problems he has encountered at the former Walmart site. Mayor Masayko reported on his activities including a discussion with Matt Williams regarding business opportunities in the community, his welcoming of the Seeliger Elementary School carolers, his family's holiday activities, the Hospice Services' "Light of Life" event, the Lions' Club annual basketball tournament and congratulated the Carson Senators' who won the tournament. He wished Sally Williams and her father Art Happy New Year. He explained his concerns regarding an editorial in the Capital City Focus. He supported Supervisor Livermore's comments about the unofficial maps found in various City offices. Board comments congratulated the UNR basketball team on its win over Kansas.

(1-0595) Discussion indicated the Board's committee/commission assignments will be considered at the next meeting. Supervisor Williamson indicated an intent to drop an unnamed committee/commission assignment. Mayor Masayko asked Supervisor Livermore to submit his list. He briefly explained his reasons for assigning Deputy City Engineer John Flansberg as the City's representative on the NDOT Statewide Transportation Advisory Committee. He also felt that, if CAMPO/RTC Members Staub or Aldean want to be the City's representative on this committee, Mr. Flansberg would relinquish the assignment.

B. STAFF COMMENTS AND STATUS REPORTS (1-0450) - City Manager Linda Ritter explained that her weekly City Manager's report will be delayed for one week. She indicated that she had enjoyed various ceremonies during the Holidays. Discussion with the Board explained that Washington Street is a State street and that the State plows it.

4. CONSENT AGENDA (1-0471)

4-1. ASSESSOR

A. ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL RE-FUND OF TAXES AND PENALTIES FOR THE PROPERTY LOCATED AT 200 HOT SPRINGS ROAD, APN 002-062-14, FROM THE 2003/04 REAL PROPERTY TAX ROLL PER NRS 361.125

B. ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL RE-FUND OF TAXES AND PENALTIES FOR PARCEL NUMBER 010-121-20 FROM THE 2003/04 REAL PROPERTY TAX ROLL PER NRS 361.050

C. ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL RE-FUND OF TAXES FOR PARCEL NUMBER 010-121-18 FROM THE 2003/04 REAL PROPERTY TAX ROLL PER NRS 361.050

4-2. TREASURER - ACTION TO AMEND THE ICMA DEFERRED PAY 457 PLAN TO COMPLY WITH FINAL AND TEMPORARY REGULATIONS SET FORTH BY THE INTERNAL REVENUE CODE

4-3. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE 2003 SEWER REHABILITATION PROJECT, CONTRACT NO. 2003-012, TO BIDDER NO. 2, INSTITUFORM TECHNOLOGIES, INC., 702 SPIRIT 40 PARK DRIVE, CHESTERFIELD, MO 63005, FOR A CONTRACT AMOUNT OF \$129,292 AND A CONTINGENCY AMOUNT OF \$12,929.20

B. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON CARSON CITY WELL NO. 25 REMODEL PROJECT, CONTRACT NO. 2002-105, AS SUBMITTED BY DEVELOPMENT SERVICES TO RDC, INC., DOING BUSINESS AS RESOURCE DEVELOPMENT COMPANY, 2305 GLENDALE AVENUE, SUITE 10, SPARKS, NV 89431 FOR A FINAL PAYMENT AMOUNT OF \$14,329.96 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

C. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON CARSON CITY PRODUCTION WELL NO. 49 PROJECT, CONTRACT NO. 2002-104, AS SUBMITTED BY DEVELOPMENT SERVICES TO RDC, INC., DOING BUSINESS AS RESOURCE DEVELOPMENT COMPANY, 2305 GLENDALE AVENUE, SUITE 10, SPARKS, NV 89431, FOR A FINAL PAYMENT AMOUNT OF \$15,922.96, AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

D. ACTION TO ACCEPT THE FIRE DEPARTMENT'S RECOMMENDATION ON THE CARSON CITY HAZARD MITIGATION PLAN PROJECT, CONTRACT NO. 0304-074, AND AUTHORIZE THE FIRE DEPARTMENT TO ISSUE PAYMENTS TO DIMENSIONS UNLIMITED, INC., P.O. BOX 446, RIO VISTA, CALIFORNIA 94571, FOR A CONTRACT AMOUNT OF \$50,000 AND TO AUTHORIZE THE PURCHASING AND CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$4,000

E. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON MPO ASSISTANCE PROJECT, CONTRACT NO. 0304-68 AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO STRATEGIC PLANNING MANAGEMENT CONSULTING, 10 SUDA WAY, RENO, NV 89509, FOR A CONTRACT AMOUNT OF \$44,960 AND AUTHORIZE THE PURCHASING AND CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$2,248

F. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND APPROVE CONTRACT NO. 0304-76 ALL WHEEL DRIVE FRONT END LOADERS WITH OPTIONAL ATTACHMENTS AND AUTHORIZE THE VEHICLE MAINTENANCE SUPERVISOR TO PURCHASE EQUIPMENT FROM NEVADA STATE PURCHASING'S PRICE AGREEMENT 6892 PROVIDING THAT CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED

4-4. CITY MANAGER - ACTION TO APPOINT FIVE MEMBERS TO THE SHADE TREE COUNCIL, FOUR TERMS TO EXPIRE IN JANUARY 1, 2006, AND ONE TERM TO EXPIRE JANUARY 1, 2005 - Item 4-2 was pulled for discussion. The Board complimented the volunteers for the Shade Tree Council on their services and for volunteering to serve on the Council. Mayor Masayko read their names into the record. Supervisor Aldean pulled Item 4-3E for discussion. Supervisor Livermore moved to approve the Consent Agenda's remaining nine items which are: three items from the Assessor's office, five items from Development Services - Contracts, and one item from the City Manager's office, for a total of nine items. Supervisor Staub seconded the motion. Motion carried 5-0.

4-2. (1-0517) Mayor Masayko described the item. The Board's packet failed to indicate the need to

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adopt a Resolution. He felt that a formal motion could handle the amendment and that a resolution is not required. Treasurer Al Kramer supported his recommendation. Public comments were solicited but none were given. Supervisor Aldean moved to amend the ICMA Deferred Pay 457 Plan to comply with final and temporary regulations set forth by the Internal Revenue Code. Supervisors Livermore and Staub seconded the motion. Motion carried 5-0.

4-3E. (1-0538) Discussion noted the Board's previous direction that such items are to be considered by the RTC and questioned whether the Commission had in fact seen the item. City Engineer Larry Werner felt that RTC had not seen the item and withdrew it. Mayor Masayko indicated that it is deferred to the next meeting. Mr. Werner indicated that he understood the Board's policy and clarification on when the Board must act on such items. Supervisors Aldean and Staub supported sending the item to CAMPO and RTC. Mayor Masayko deferred the item. No formal action was taken.

RECESS: A recess was declared at 9:10 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 9:30 a.m., constituting a quorum.

5. PARKS AND RECREATION DEPARTMENT - Director Steve Kastens - ACTION TO PRIORITIZE NOMINATIONS OF PARCELS FOR ACQUISITION BY THE FEDERAL GOVERNMENT THROUGH THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT, ROUND 5, IN THE VICINITY OF THE CARSON RIVER, APNS 10-281-41 AND 42 - BENTLY; APN 10-502-01 - DESORMIER; APN 10-121-35 - BULIN AND HOLLINGSWORTH; APN 10-011-16 - COMSTOCK; AND IN THE CARSON RANGE, APNS 7-051-01 AND 11 - FAGEN; APN 7-051-07 - HUTCHINSON; APN 7-061-02 - LONG; APN 7-061-05 - DARLING; AND APN 7-061-06 SCHULZ (1-0629) - Acting BLM Manager for Carson City Elaine Breaks, Congressman Gibbons' Representative Vinson Guthreau - Mayor Masayko summarized his contact with Congressman Gibbons' office regarding the procedures and processes. He felt that Mr. Kastens' office is following the procedures. Mayor Masayko indicated for the record that the \$1.5 million for the proposed acquisition of the Fagen property is the most expensive. The parcels and their locations were described. Mr. Fagen proposes to sell a portion of his parcels, to put conservation easements on a portion, and to develop a portion of his property. All of the properties are located outside the urban service area which complies with the plan and policy for acquisition. The Southern Nevada Public Land Act (SNPLA) mandated requirements were limned. Discussion ensued concerning the justification for acquiring the Schulz and Fagen properties. Comments indicated that Fagen may have to acquire an access through the Schulz property if he does not have legal access from either or both Highway 50 or Kings Canyon Road. Development of the roadway may be expensive. Supervisor Aldean explained her concern about giving the Forest Service additional property to manage and that the property may not be accessible for recreational purposes. The development potential is minute. It was felt that Open Space Manager Juan Guzman believed that there is a potential for developing the property and that Mr. Schulz wished to retain his property as a small ranch. The development plans for the Snyder property in Douglas County and its access point from Highway 50 were discussed.

Mayor Masayko questioned the extent to which the Fagen/Schulz properties were threatened. He felt that the City would not provide services to the area for some time. He also questioned the estimated value of the property and pointed to the Assessor's values to support his concern with the proposal to acquire the property for \$1.5 million. He indicated that Congressman Gibbons is also concerned about this issue.

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Supervisor Livermore disclosed his representation of the City/Board at the State Public Lands meetings and his testimony regarding the City's Open Space program. He felt that the City's plan is not tied to the Federal funds at this time. He also questioned the estimated value of the Fagen property. He then described the rural Counties' concerns about governmental ownership of land and its impact on their property taxes. He also felt that maintenance by the Forest Service is a concern. Local control provides better control and maintenance. He urged staff to consider acquisition at the same ratio as had been used to acquire the Moffat property. Open Space had purchased 40 percent and the property owner had given the City 60 percent of the land.

Supervisor Williamson explained that the parcels had been identified for acquisition with the Question 1 funds. The Open Space Advisory Committee (OSAC) and the Carson River Advisory Committee (CRAC) had discussed their acquisitions at length in open meetings. The SNPLA provides funding for acquisitions which must be under control of Federal Agencies. The Board has already approved these properties for acquisition under a different funding source. The application for SNPLA funds must be submitted by January 9.

Mr. Kastens indicated that an application could be submitted and withdrawn. Mayor Masayko suggested that some of the parcels be identified for acquisition and a revised application submitted or that the entire request be deferred. There will be additional application periods. Congressman Gibbons is considering "tweaking" the funding to allow its use for other purposes. OSAC needs to develop a master plan for acquisitions. It should become serious about acquisitions when development is imminent. He also supported having willing sellers and willing buyers. The funding source is correct. The correct message must be sent to Congress so that the funds can be used for this purpose. They should not look for a place to spend the funds. Congressman Gibbons' proposal is to allocate 55 percent for acquisition and use the remainder to support capital interest structures for schools. Mayor Masayko felt that the Board should prioritize only those parcels which are critically threatened sites. He agreed that the electorate had supported Question 18.

Justification for considering the list at this time was discussed. OSAC has been working with BLM and the Forest Service. They want to acquire the property. Mr. Fagen can approach the Forest Service/BLM on his own. The OSAC program is one tool that is used for acquisition of property. It does not have enough funds to acquire all of its desired sites. The SNPLA funds are another tool. A Board policy regarding the acquisition of sites and the use of these tools needs to establish criteria indicating when such acquisitions should occur. The process used to develop the estimated value of the Fagen property was limned. Mayor Masayko suggested that the private property owners should be the individuals promoting the acquisitions rather than staff. The applications could be moved forward without City participation. The packet indicates that both BLM and the Forest service want the properties. The process provides the City with notification that the properties may be removed from the City/County's tax rolls. Discussion indicated that the Kings Canyon right-of-way will remain open to the public as the property owners cannot close the road. If the property becomes Federal land, it is possible to close such roadways. Examples of Federal closure of similar roadways were cited to illustrate the concern. Discussion questioned whether the proposal is the best use of the funds, if the acquisition is "merely burning funds that are available", how the property is threatened, and whether the list had to include all of the parcels. Mayor Masayko and Mr. Kastens felt that City staff should not participate with other Counties or communities in the acquisition of parcels outside the City without direction from the Board.

Supervisor Williamson explained that the funds are derived from the sale of public property in Southern

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Nevada. Review of the policy and program is prudent. The current regulations do not allow the funds to be used for educational purposes. She encouraged the Board to endorse some purchases under current regulations.

Mr. Kastens pointed out that, if a site is threatened, the OSAC funds could be used for the acquisition and reimbursement sought as had occurred with a parcel owned by Mr. Bernhard. Mayor Masayko felt that this program had been justified.

Supervisor Aldean suggested that the Board consider a program using land trades. Its use should not be eliminated from the tool box. Mr. Kastens explained that BLM does not like to do trades for small parcels but is willing to consider parcels containing 200 acres or more. Carson City does not have such large tracts. Discussion pointed out the City's efforts to acquire a three-acre Forest Service parcel adjacent to Costco. It was felt that CRAC should communicate with Lyon and Douglas Counties about Federal ownership along the river. The need to discuss the political issues of such a program was emphasized. Mr. Kastens indicated that Carson City has participated in prioritization of parcels with both Washoe and Douglas County. There has been any direct communication with Lyon and Churchill Counties regarding the program. Supervisor Livermore encouraged staff to communicate with them due to concerns about how they see such acquisitions. Discussion indicated that there may be two or three parcels in Carson City which will need OSAC funds for acquisition. Supervisor Livermore explained his desire to have the Silver Saddle Ranch owned by the City. Clear Creek Camp was cited as an example of an area that could be used for youth programs. Consideration of its acquisition as well as other recreational and scenic locations was suggested. Mayor Masayko indicated that this is a fundamental question which the Board should explore along with the question regarding who is the better steward for the lands—the Feds, State or City. This process will identify property which should be acquired. Comments pointed out that the City may be the best steward, however, its funding is limited. The Conservation Districts have already discussed the priorities. Supervisor Williamson pointed out that the majority of the Carson River is publicly owned and that the City has more recreational opportunities than other Counties. Reasons for restricted use along the rivers in other Counties were noted. She also indicated her belief that local control over the properties should be pursued. Supervisor Aldean supported preservation of the V&T Railroad right-of-way and, specifically, preservation of its view corridor. Discussion indicated that the Comstock property is located along the V&T view corridor. City staff is interested in pursuing the acquisition of other parcels along the Carson River and the V&T right-of-way, however, the Federal agencies are not interested in these properties due to the mercury contamination problems. The State is willing to accept ownership of the property as it owns the River. The Federal agencies are willing to accept property above the contaminated portions. This will preserve the corridor. Discussion ensued on the location of the Comstock property and whether it was accessible to the River. Mr. Kastens indicated he was not aware of what has been done in Lyon and Churchill Counties regarding the acquisition of land under the process. He also explained that Community Development Director Walter Sullivan had reminded him that the Board had, during a public meeting approximately five years ago, declared the Kings Canyon roadway to be a public roadway. Board comments expressed concerns regarding the Forest Service's program to periodically close roadways. The community's inability to control what happens with other Federal properties was also noted.

Public comments were solicited. Ms. Breaks indicated that without the City's recommendation, the priorities will not be included on the list. Mayor Masayko pointed out that Congress and the Secretaries of Agriculture and Interior have more control over the priority listing than the City.

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Mr. Guthreau explained that Congressman Gibbons is working through the process of revising the funding percentages. He felt that the current process is “muddled” in details. The purpose of the Act and justification for revising it were limned. It is his understanding that Counties are not required to submit a priority acquisition list. Mayor Masayko disclosed his contact with Congressman Gibbons. He felt that Congressman Gibbons’ ideas warranted discussion. The City does not receive a large amount of in lieu of funds for the amount of property in the County that is owned by the Federal government. Congressman Gibbons’ request for feedback on his proposal was limned. Discussion indicated the belief that when nominations stop being submitted, the funding will stop. At this time there are several sales being processed in Clark County. As growth occurs, additional sales may occur. Mayor Masayko thanked Mr. Guthreau for attending the meeting. Additional public comments were solicited but none were given.

Mayor Masayko indicated that the Board’s options include deferral and submitting a blank application which could be revised in the future. His ranking of the applications included parcels surrounded by Federal land. He felt that they should be considered for acquisition. His list contained the Long, Darling-Schulz, and Bulin-Hollingsworth parcels. He was not comfortable including the River parcels that are adjacent to privately held property. The remaining parcels should be discussed.

Supervisor Aldean explained that the Hutchinson property abuts Schulz property on three sides. Its topography is steep. It does not have a lot of development potential. She was alarmed at the price of the Horse Creek ranch property. Neither she nor Mayor Masayko could support acquisition of the Fagen property. Mayor Masayko supported inclusion of the Desormier property as it abuts BLM property on three sides. It is across the river from privately owned property. It is listed at a reasonable price. Justification for including the Bentley property included abutting State prison property and BLM property. It could provide a respite for canoeists. Mayor Masayko felt that the State should acquire the site but was willing to consider it if the State will not allow anyone to use its property for a picnic. Comments indicated that the State has been very diligent about prohibiting anyone from using its prison property for this purpose. Discussion included the Schulz property and whether it should be listed if the Darling property is. Mayor Masayko indicated that the list had been pared back. **Supervisor Williamson moved to prioritize the nominations of parcels for acquisition by the Federal government through the Southern Nevada Public Land Management Act, Round 5, in the vicinity of the Carson River: the 36-acre Bentley property - APN 10-281-41 and 42; the 20-acre Desormier property; the 20-acre Bulin-Hollingsworth property; and in the vicinity of the Carson Range: the 40-acre Hutchinson property; the 200-acre Long property; the 35.6 acre Darling property; and the 14.8 acre Schulz property. Supervisor Aldean seconded the motion.** Supervisor Livermore indicated that he would support the motion. He also encouraged Mr. Kastens to have the committees develop a stewardship policy which will allow the public to debate the maintenance and who is the better steward issues. Mayor Masayko supported his request. Supervisor Staub indicated that he would support the motion with the notation regarding his comments and concerns about Federal acquisition of additional lands in the State. Mayor Masayko disclosed that he had similar concerns which he had included in his letter to Congressman Gibbons. He also indicated that he had talked with Assessor Dawley regarding what he perceived as a “disconnect” between his appraised value, the taxes which are collected, the sales value, and the inability to capture any of the sales taxes on property sold to State or Federal agencies. The Legislature needs to address this concern. The Fagen property is currently appraised at less than \$30,000. The \$1.5 million sale price was noted. The appraised value may be based on special ranching taxes. The City cannot, however, get the seven-year tax deferral if the property is sold to the Feds. These issues need consideration at the Federal and State levels. **The motion was voted and carried 5-0.**

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RECESS: A recess was declared at 10:48 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:55 a.m., constituting a quorum.

6. DEVELOPMENT SERVICES - PLANNING - Principal Planner Lee Plemel

A. ACTION TO ADOPT ON SECOND 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 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) (1-2092) - Both Mr. Plemel and Mayor Masayko indicated that they had not received any comments on this ordinance since the first reading. Mayor Masayko indicated that Community Development Director Walter Sullivan had advised him in a telephone conversation on Friday that he had not received any comments on the ordinance. Public comments were solicited but none were given. Supervisor Williamson moved to adopt on second reading Bill 132, Ordinance No. 2004-1, 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 RELATED THERETO, FILE NO. A-03/04-3. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO ADOPT ON SECOND READING BILL NO. 133, 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) (1-2157) - Mayor Masayko disclosed that the Board had received two telephone calls and that Mr. Sullivan had informed him that he had received one telephone call on this ordinance and related issues. The Board/staff has committed to taking a comprehensive look at the Code dealing with storage parking and time frames in both private and public areas. The ordinance does not make the current on-street parking of recreational vehicles more lenient. Mayor Masayko indicated that the ordinance was erroneously revised during the Title 18 revisions. Public attention was not called to the revision. Therefore, the Code should be returned to its original form. Public comments were solicited but none were given. Supervisor Aldean noted that she had originally voted against the ordinance. She was willing to support the revision based on the commitment to comprehensively look at the Code. She indicated she also has concerns regarding visibility issues. Supervisor Aldean moved to adopt on second reading, Bill No. 133, Ordinance No. 2004-2, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE

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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. Supervisor Livermore seconded the motion. Discussion indicated that the term "trailer" encompasses trailers used to carry boats as well as the

trailers used for housing. Its definition is included in the Code. Motion carried 4-1 with Supervisor Williamson voting Naye.

7. DISTRICT ATTORNEY - Chief Deputy District Attorney Mark Forsberg - ACTION TO ADOPT ON SECOND READING BILL NO 134, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 10.22 (RECKLESS DRIVING-PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS), SECTION 10.22.02 (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 (1-2270) - Mayor Masayko indicated that he had not discussed the ordinance with anyone since the first reading. Discussion indicated that a Section 8 referenced substance abuse and not alcohol abuse. Supervisor Staub moved to adopt on second reading Bill No. 134, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 10.22 - RECKLESS DRIVING - PERSONS UNDER THE INFLUENCE OF LIQUOR, DRUGS; SECTION 10.22.02 - 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. Supervisors Aldean and Livermore seconded the motion. Motion carried 5-0.

8. INTERNAL AUDITOR - I. Steve Wolkomir

A. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 241.030 TO CONSIDER THE PROFESSIONAL COMPETENCE OF THE INTERNAL AUDITOR (1-2345) - Supervisor Livermore moved to recess into Closed Session pursuant to NRS 241.030 to consider the professional competence of the Internal Auditor. Supervisors Williamson and Aldean seconded the motion. Mayor Masayko indicated that the review may take 30 minutes to complete and hoped that 20 minutes would be adequate. He indicated that the Board will return to Open Session at 11:30 a.m. The motion was voted and carried 5-0. Mayor Masayko recessed the Open Session at 11:07 a.m.

B. OPEN SESSION - ACTION TO DETERMINE INTERNAL AUDITOR PAY FOR PERFORMANCE INDICATOR ACCOMPLISHMENTS AND, AS A RESULT, QUANTIFY BONUS TO BE PAID TO THE INTERNAL AUDITOR (1-2420) - Mayor Masayko reconvened the Open Session at 12:10 p.m. (The entire Board was present, constituting a quorum.) Mayor Masayko indicated that the discussion had been quite frank and illuminating. The Board had discussed the pay for performance and

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salary issues. Mr. Wolkomir had received scores of 4.6 and 4.8, which are good scores. The Board looked at the seven bonus factors. They agreed that there is a lot of difference in the Department than what was there a year ago. The Board was satisfied with Mr. Wolkomir's progress. There will be tougher things encountered in the future. Mr. Wolkomir should receive his bonus. The salary issue needs to be considered at a future meeting. Mr. Wolkomir indicated that he was satisfied with the ranking. Mayor Masayko indicated that there is a \$5,642 bonus at risk and recommended, based on his score, that he receive the entire amount. Supervisor Staub moved to determine the Internal Auditor's Pay for Performance indicator accomplishments and, as a result, quantify the bonus to be paid to the Internal Auditor in the amount of \$5,642 which is 100 percent of the bonus that is available. Supervisor Livermore seconded the motion. Mayor Masayko indicated that he had ranked the Internal Auditor at 95 percent. Some of the Board members had ranked him at 100 percent while others had ranked him at 90 percent. The motion was voted and carried 4-1 with Supervisor Williamson voting Naye.

C. POSSIBLE ACTION TO INCREASE THE INTERNAL AUDITOR'S BASE PAY UP TO THREE PERCENT (1-2508) - Mayor Masayko explained the Board's desire to consider the salary level, including its adjustment formula and core competency items. Mr. Wolkomir agreed to bring the item back within 30 days. Mayor Masayko explained that the salary had been adjusted in April 2003. The present base salary is to remain at \$66,300 until discussed by the Board at a future meeting. Mr. Wolkomir agreed to not make the evaluation a complex project. Mayor Masayko deferred the item and thanked him for his performance. No formal action was taken.

RECESS: A recess was declared at 12:15 p.m. Mayor Masayko reconvened the meeting at 1:18 p.m. The entire Board was present, constituting a quorum.

9. CITY MANAGER - Linda Ritter

A. ACTION TO APPOINT FOUR MEMBERS TO THE PARKS AND RECREATION COMMISSION FOR A FOUR YEAR TERM ENDING JANUARY 2008 (1-2543) - Mayor Masayko indicated that there are four vacancies and 12 applicants. He apologized for Board's tardiness. He explained the protocol to be followed during the interviews and thanked each applicant for applying. The Board interviewed (1-2554) Cory Bustrum; (1-2775) Joseph Canyon; (1-313) Jim Dunn; (2-0114) Michael Hoffman; (2-0314) John Wagner; (2-0547) Janice Painter; (2-0792) Gil Yanuck; (2-1166) John Felesina; (2-1460) Tom Patton; and (2-1820) Gene Munnings. Supervisor Livermore expressed his regret that Charlene Herst was unable to attend the meeting. She had done a fine job on the Commission. He also indicated that Stacie Wilke is the current Chair and, if reappointed, will remain the Chair. Discussion pointed out that at one time a high school student had been a member of the Commission. There has been a problem retaining students on the Commission. It is a four-year appointment. This may be impractical for students. A member of the School Board serves on the Commission. Discussion indicated a need to revise the By-Laws. Ms. Herst and Mr. Hoffman were recent appointments who filled unexpired terms. Mayor Masayko voiced concern about Ms. Herst's inability to attend meetings until January 16. He did not feel that the inability should disqualify her. The Board was polled and selected Mr. Yanuck, Ms. Herst, and Mr. Patton. Supervisor Livermore moved to appoint Gil Yanuck, Charlene Herst, and Tom Patton to the Parks and Recreation Commission for a four-year term to expire in January 2008. Supervisor Staub seconded the motion. Motion carried 5-0.

Mayor Masayko indicated that it was an excellent slate of candidates and expressed his hope that the

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applicants who are not selected will reapply. The Board was polled and selected Mr. Felesina. Supervisor Livermore moved to appoint John Felesina to the Parks and Recreation Commission for a four-year term to expire in January 2008. Supervisor Staub seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 3:48 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 3:54 p.m., constituting a quorum.

B. ACTION TO APPOINT TWO MEMBERS TO THE OPEN SPACE ADVISORY COMMITTEE FOR FOUR YEAR TERMS EXPIRING JANUARY 1, 2008 (2-2248) - Mayor Masayko indicated that there are five candidates and two vacancies. The Board thanked the applicants for applying. They interviewed (2-2265) Gene Munnings; (2-2428) Howard Riedl; (2-2781) Jeanne Yaple; (2-3058) Susan McCarthy; and (3-0145) Dr. Michael Fischer. Board comments noted the quality of the applicants. It was felt that it is difficult to make a selection when there is a capable incumbent and a plethora of very qualified applicants. The Board was polled. Mayor Masayko encouraged Ms. Yaple and Ms. McCarthy to attend the meetings and be involved as he felt they were prime candidates for the Committee. Supervisor Livermore moved to appoint Howard Riedl and Dr. Michael Fischer to a four-year term on the Open Space Advisory Committee with terms expiring on January 1, 2008. Supervisor Williamson seconded the motion. Motion carried 5-0.

There being no other matters for consideration, Supervisors Staub and Aldean moved to adjourn. Supervisors Williamson and Livermore seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 5:04 p.m.

The Minutes of the January 2, 2004, Carson City Board of Supervisors meeting

ARE SO APPROVED ON April 1, 2004.

/s/
Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder