

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the February 4, 1999, Meeting  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 4, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

|                |                             |                                |
|----------------|-----------------------------|--------------------------------|
| PRESENT:       | Ray Masayko                 | Mayor                          |
|                | Kay Bennett                 | Supervisor, Ward 4             |
|                | Robin Williamson            | Supervisor, Ward 1             |
|                | Jon Plank                   | Supervisor, Ward 2             |
|                | Pete Livermore              | Supervisor, Ward 3             |
| STAFF PRESENT: | John Berkich                | City Manager                   |
|                | Alan Glover                 | Clerk-Recorder                 |
|                | Al Kramer                   | Treasurer                      |
|                | William Naylor              | Information Services Director  |
|                | John Iratcabal              | Purchasing Director            |
|                | Paul Lipparelli             | Chief Deputy District Attorney |
|                | Ken Arnold                  | Deputy Health Director         |
|                | Fred Schoenfeldt            | Sergeant                       |
|                | Katherine McLaughlin        | Recording Secretary            |
|                | (B.O.S. 2/4/99 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. Lt. John Van Cleef of the Salvation Army gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

**CITIZEN COMMENTS (1-0028) (1-0126)** - Jerry Vaccaro alleged that Capital City Loans had encroached onto property which the City had obtained from BLM. The City purportedly could not sell, lease, or rent this property. He questioned the actions which the Board would take to correct the situation. Mayor Masayko explained the Open Meeting Law prohibition against taking any action on unagendized items. The District Attorney's office is pursuing a trespass citation. A process may be commencing to exchange the property for another parcel. He requested Mr. Vaccaro contact the City Manager and agendize the issue for discussion at a future meeting. Additional comments were solicited but none given.

**A. APPROVAL OF MINUTES - 1/4/99 Swearing-In Ceremony (1-0032)** - Supervisor Livermore moved to approve the January 4, 1999 Minutes of the Carson City Board of Supervisors as presented. Supervisor Plank seconded the motion. Motion carried 5-0

**2. SPECIAL PRESENTATIONS (1-0040)** - City Manager John Berkich

**B. ACTION ON RETIREMENT RESOLUTION COMMENDING JOAN HASKINS, MICROFILM OPERATOR II** - Mayor Masayko read the resolution into the record. Supervisor Bennett moved to adopt Resolution No. 1994-R-14, A RESOLUTION COMMENDING JOAN HASKINS. Supervisor Plank seconded the motion. Motion carried 5-0. Mayor Masayko presented her with a plaque and wished her success in her retirement. Ms. Haskins thanked the Board and Mr. Glover for having had the opportunity to work for the community.

**A. ACTION ON RETIREMENT RESOLUTION COMMENDING ANNETTE MANKINS, JUDICIAL TECHNICIAN (1-0091)** - Mayor Masayko read the resolution into the record and noted the plaque. Ms. Mankins was not present. Supervisor Plank explained his personal knowledge of her and moved to adopt Resolution No. 1995-R-15, A RESOLUTION COMMENDING ANNETTE MANKINS. Supervisor Bennett seconded the motion. Motion carried 5-0.

**3. AGENDA MODIFICATIONS (1-0167) (1-1100)** - Item 7 under the Personnel Manager was withdrawn.

**LIQUOR AND ENTERTAINMENT BOARD (1-0177)** - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the meeting as the Liquor and Entertainment Board. The entire Board was present including Sheriff's Representative Fred Schoenfeldt, constituting a quorum.

**4. TREASURER - Al Kramer - ACTION ON A BEER AND WINE LICENSE FOR STEPHEN ROOT, VICE PRESIDENT, AND SALLY ROOT, PRESIDENT, OF INDELI-BLE, INC., DOING BUSINESS AS SCHLOTZSKY'S DELI, LOCATED AT 1410 EAST WILLIAM STREET (1-0180)** - Mr. Root indicated that he would adhere to the Nevada Liquor Laws and train his employees in them. Member Schoenfeldt noted the approval recommendation from the Sheriff's Office. Member Bennett moved that the Liquor and Entertainment Board approve a beer and wine license for Stephen Root and Sally Root, President of InDeli-ble, Inc., doing business as Schlotzsky's Deli located at 1410 East William Street, fiscal impact is \$150 Quarterly fee, \$500 Original New Fee, and \$575 Investigation Fee. Member Livermore seconded the motion. Motion carried 6-0. Mayor Masayko wished him success in his venture.

**BOARD OF SUPERVISORS** - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the Board of Supervisors. The entire Board was present constituting a quorum.

**5. CONSENT AGENDA (1-0223)**

**A. PURCHASING DIRECTOR**

**i. ACTION ON CONTRACT NO. 9798-181 - AQUATIC FACILITY FINAL DESIGN, AMENDMENT NO. 2**

**ii. ACTION ON CONTRACT NO. 9798-112 - TRANSPORTATION ELEMENT OF THE MASTER PLAN, AMENDMENT NO. 2**

**iii. ACTION ON CONTRACT NO. 9899-164 - RADIO CONTROL-CLUBHOUSE/REST-ROOM, CONTRACT AWARD**

**iv. ACTION ON CONTRACT NO. 9899-157 - PUBLIC SAFETY COMPLEX TELEPHONE SYSTEM**

**v. ACTION ON CONTRACT NO. 9899-186 - SEWER REPLACEMENT PROGRAM, DESIGN AGREEMENT**

**B. UTILITIES DEPARTMENT - ACTION ON RENEWAL OF RECREATION AND PUBLIC PURPOSES LEASE N-298 FOR THE CARSON CITY SANITARY LANDFILL** - Supervisor Plank pulled Contract 9798-181 for discussion. Supervisor Plank moved to approve five of the six items on the Consent Agenda which are items two through six. Supervisor Bennett seconded the motion. Motion carried 5-0.

**A. i. (1-0245)** Parks and Recreation Director Steve Kastens described the contract amendment, the final project, and cost. He agreed to provide the City Manager's office with a copy of the plans or a picture. Funding for the contract will be taken from the funds allocated for a Clerk of the Works, which had not been contracted. Supervisor Plank moved that the Board accept the Purchasing Department's recommendation on Contract No. 9798-181 and authorize the Mayor to sign the contract amendment with Clark Gribben and Associates Structural Engineers, 20 Vine Street, Reno, NV 89503-5595 for a not to exceed cost of \$25,000. Supervisor Bennett seconded the motion. Motion carried 5-0.

## **6. BOARD OF SUPERVISORS**

**A. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-0401)** - Mr. Berkich briefed the Board on the status of SB 31, which moves Nevada Day to the last Friday in October, Personnel Manager Judie Fisher's testimony regarding the proposal that would require the transfer of employees with an organization to be subject to collective bargaining, and the fines and forfeiture proposal which would remove court funding. Mayor Masayko indicated that District Attorney Waters and Justice of the Peace Willis are at the hearing and that he would attend the hearing tomorrow on this issue. Mr. Berkich continued his briefing with the room tax proposal; the Silver Springs Regional Juvenile Center, its funding problem, and the proposed tax increase for meeting this obligation. Discussion indicated that a county could elect to raise the ad valorem for this funding, however, it is not mandated. It was also felt that the tax should be outside the \$3.64 tax cap. Mr. Berkich agreed to contact the Hospital and School District concerning Ms. Fisher's testimony.

**B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0578)** - Supervisor Plank reported on the RTC meeting and announced its next meeting as being scheduled for February 17th at 3 p.m. He then reported on the Carson City Employees Associations (CCEA) Appreciation Dinner and the Community Council on Youth meeting. Supervisor Williamson reported on the Debt Management Commission meeting, the public official "power" workshop, Open Space Advisory Committee meeting, Redevelopment Authority Citizens Committee meeting, Chamber of Commerce leadership seminar and the City employees who will be participating in the program. (1-0635) She announced that the property manager will have the election signs removed from the building across the street from the City Hall and announced Carson-Tahoe Hospital Auxiliary's Cowboy Poetry fundraiser. Supervisor Bennett described a plaque she had received from the Hospital in recognition for her service as the Board's representative. She reported on the Healthy Communities Initiative planning session, Carson Water Subconservancy District tour and its coalition meeting scheduled for February 8th at the Ormsby House, TRPA's meeting, Nevada-Tahoe Conservation District meeting, TEAM Tahoe meeting, and her plans to attend the State Lands Use Advisory Committee meeting and the Conference on Women. Supervisor Livermore reported on the Convention and Visitors Bureau meeting, his meeting with Community Council on Youth Executive Director Linda Lang, the Carson Transit District meeting and its youth transportation program, the Carson-Tahoe Hospital meetings, the CCEA dinner, and the legislative welcoming function. Mayor Masayko reported on the testimony he and Mr. Berkich had given on SB 253 and its status as well as the status of an indigent care funding program. Supervisor Bennett noted the need for dialogue between the Hospital and Counties over the tobacco settlement. Mayor Masayko continued his report with the unfunded mandates and his appreciation for Mr. Berkich and City staff's efforts to furnish information regarding the impact of such items. The need for this information was highlighted. He also noted his role in the Public Lands meeting, NACO's plan to finalize its legislative agenda next Thursday, and thanked the Board for its support of NACO's four legislative items. He then briefed the Board on the citizen's ad hoc committee regarding the Y2K problem and invited the Board to attend tomorrow's strategy session. Benefits of this program were noted. He reported on the Carson City Millennium planning session, the community's desire to have a millennium celebration and its preliminary plans. He also noted his attendance at the CCEA dinner. His participation in the "Schools to Careers" Day and its "Groundhog Shadow Day" activity, the response to the Chamber's Legislative welcome activities, and his intent to send thank you letters to all of the businesses who had sponsored the activities were explained. He announced the V&T Railway Foundation strategy planning session scheduled for next Wednesday and indicated that its next Council meeting will be in 20 to 30 days.

**C. STAFF COMMENTS AND STATUS REPORTS (1-1110)** - None.

**8. ALTERNATIVE SENTENCING - Director Dwight Gover - ACTION ON APPROVAL OF THE CARSON CITY DEPARTMENT OF ALTERNATIVE SENTENCING REPORT FOR 1998 (1-1112)** - Discussion stressed the importance of volunteers to his program, whom Mr. Gover introduced, and described his use of the private sector, the brief amount of time he had to spend with each probationer, the amount of counselling mandated for the probationers, and estimated the recidivism rate. Mayor Masayko encouraged him to use as many privatized programs as possible.

(1-1605) Connie Smith explained the assistance Mr. Gover provides her counseling program and his dedication to the Alternative sentencing program. Supervisor Bennett explained Ms. Smith's role in developing the program and commended her on her dedication and efforts. Ms. Smith also commended the community on its willingness to volunteer and described the volunteers she uses in her program. Mayor Masayko commended her on her program and dedication and Mr. Gover on the report as it is a good success story which he hoped would continue to be successful.

**BREAK:** A ten minute 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.

Supervisor Williamson moved to approve the Carson City Alternative Sentencing Report for 1998. Supervisor Plank seconded the motion. Motion carried 5-0.

**9. FINANCE DIRECTOR - David Heath - ACTION ON APPROVAL OF CARSON CITY'S PLAN OF CORRECTIVE ACTION FOR FISCAL YEAR 97-98 AUDIT RECOMMENDATIONS (1-1845)** - Board comments expressed a desire to do augmentations even if unnecessary rather than to have an audit exception. Staff was also encouraged to be more cognizant of its budget status. The Goni Road/FAA land transfer-single audit issue will be addressed shortly. Supervisor Bennett moved that the Board of Supervisors approve Carson City's Plan of Corrective Action for Fiscal Year 97-98 as presented. Supervisors Plank and Livermore seconded the motion. Motion carried 5-0.

**REDEVELOPMENT AUTHORITY (1-2015)** - Mayor Masayko then recessed the Board of Supervisors session and passed the gavel to Redevelopment Authority Chairperson Williamson. For Minutes of the Redevelopment Authority, see its folder. Following adjournment of the Redevelopment Authority, Mayor Masayko reconvened the Board of Supervisors session. A quorum was present as noted.

**10. REDEVELOPMENT DIRECTOR - Rob Joiner - ACTION REGARDING A RECOMMENDATION FROM THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE TO ALLOW THE RELOCATION OF THE CARSON FARMER'S MARKET FROM DOWNTOWN TO THE MILLS PARK PONY EXPRESS PAVILION AND TO CONTINUE REDEVELOPMENT DISTRICT FUNDING OF PROMOTION AND ENTERTAINMENT FOR THE 1999/2000 FISCAL YEAR (2-0240)** - Supervisor Livermore moved that the Board of Supervisors approve the recommendation from the Redevelopment Authority Citizens Committee to allow the relocation of the Carson Farmer's Market from downtown to the Mills Park Pony Express Pavilion and to continue the Redevelopment District funding for promotions and entertainment for the 1999/2000 Fiscal Year only at this time, fiscal impact is \$4,000. Mayor Masayko seconded the motion. Motion carried 3-2 with Supervisors Bennett and Plank voting Naye.

**11. COMMUNITY DEVELOPMENT DEPARTMENT - Principal Planner Rob Joiner - STATUS REPORT REGARDING CERTIFIED LOCAL GOVERNMENT (CLG) GRANTS (2-0268)** - Mr. Joiner gave the Board a copy of Anita Watson's Redevelopment/Historic District survey, which he picked up at the conclusion of the discussion on it. (A copy was not given to the Clerk.) He then introduced Ms. Watson. Ms. Watson explained her desire to continue her efforts to establish a data base of historical persons and buildings. Benefits and potential uses of the program were noted. A booklet, similar to the one compiled on the cemetery, was suggested. The application for this year's funding had been for the Adams House roof. Justification for this action was provided. No formal action was required or taken.

**BREAK:** A ten minute recess was declared at 12:05 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 12:15 p.m., constituting a quorum.

**12. CITY MANAGER - John Berkich**

**A. STATUS REPORT ON THE PUBLIC SAFETY COMPLEX (2-0405)** - Comments indicated

concerns with the timeline for the building and the adequacy of the funding. As a result of a "lively" telephone conversation regarding the building's progress, Roche Vice President Allen came to Carson City and is now actively in control of the project. Dedication of more resources has occurred since his arrival. The March 26th move-in date now appears to be solid. Mayor Masayko urged staff to maintain whatever pressure is required to reach the March 26th deadline. No formal action was required or taken.

**B. STATUS REPORT ON TRANSIT OPERATIONS (2-0515)** - Mr. Berkich briefly described the funding concerns and proposed revenue sources. Paratransit Representative Marc Reynolds gave a slide presentation on the status of the operations which included the increased ridership, revenue sources, response accuracy, and marketing efforts. (A copy of the slides is included in the packet.) Finance Director David Heath explained the funding concerns in detail with the use of graphs and the overhead projector. Additional revenue sources were noted. Mayor Masayko suggested a spread sheet detailing the data be included in Mr. Reynolds' report including the actual trips. Comments indicated an awareness last year of the impact an increase or decrease in ridership/costs would create on the budget. Mayor Masayko commended staff and Mr. Reynolds on the innovative revenue plans and the efforts to make the operation as fiscally responsible as possible. Mr. Berkich pointed out that the Medicare ridership and senior donation programs had not materialized as originally projected. Reasons for the senior donation program were noted. Supervisor Bennett explained her conversations with Mr. Reynolds about expanding the service for other residents and reasons this had not occurred to date. She urged him to develop a plan to expand the ridership and requested that he report back to the Board on the expansion and how the program could accommodate the expansion. Mr. Reynolds responded by explaining the increased ridership in the full fare category and reasons for supporting this increase. Additional advertising is planned. He agreed to provide a marketing plan. Supervisor Williamson pointed out the need for the Board to establish its expectations for the program including the amount of subsidy which should be provided.

NDOT Representative Sandy McGrew gave the Board an abbreviated packet on a grant application. (A copy was later given to the Clerk.) She then explained several of the documents included in the original grant application, i.e., a map delineating the transit needs for the State, the regional welfare ridership needs, and the ability to use that program to meet the public's demand for service. If the \$1.2 million grant is not approved, \$500,000 of funds under a 5311 program will be used as far as possible to provide the same service. Regional needs were described. Sources for the information in the application were noted. She will know the grant's status in February and will report back at that time. Discussion explained the grant funding and the potential funding for the application. A grant application for 5309 funding for capital acquisitions and its purpose were also explained. If this application is accepted, a letter of support will be requested from the Board. Funding for this grant is part of the TEA-21 allocation. Reasons for feeling that the general public will be allowed to ride the system established under the welfare program were explained.

(2-1106) Lloyd Leadman indicated he is a regular rider of the current service. He felt that the service is reasonable and that all of the riders should pay the same for the service including those under the senior donation program. Additional advertising should be undertaken. If the service is expanded, the ridership will be larger than that projected.

(2-1145) Ms. McGrew explained the second document which she had given to the Board. (A copy is included in the file.) This document included information from the IRS for employers on public transit programs and their tax advantages. This program is purportedly available to all employers.

Supervisor Bennett supported Mr. Leadman's comments and stressed the importance of public transit for a "huge portion of the community". Mayor Masayko felt that once the service is provided, it will be here to stay. No formal action was required or taken.

**13. DISTRICT ATTORNEY** - Chief Deputy District Attorney Paul Lipparelli - **ACTION TO APPROVE EMPLOYMENT CONTRACT WITH JOHN BERKICH AS CITY MANAGER (2-1178)** - City Manager Berkich, Consultants Larry Beller and Mitch Bruce - Supervisor Bennett suggested an annual report be provided

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on the organization's structure. She questioned the need to include recognition of Mr. Berkich's responsibility to negotiate employee contracts as part of the "Salary Plan". She requested that the total compensation figure be spelled out and made a part of the public record. Mr. Lipparelli agreed to revise the contract to include the employee contract negotiations if desired. Discussion among the Board indicated that the term of the agreement clause on Page 3 should be revised to have Mr. Berkich provide a written proposal to the Board six months prior to termination of the contract rather than at the indicated 18 months. Mayor Masayko indicated an intent to reduce the compensation process to a written statement, including the merit and bonus programs, which will be part of the contract and the public record. Paragraph "b." on Page 5 does not guarantee a bonus which is at the Board's discretion. Supervisor Bennett questioned whether there were to be annual or semi-annual performance evaluations. Reasons for having two personnel sessions were discussed and supported modifying the contract to reflect semi-annual evaluations. One personnel session would establish the goals and the second would evaluate the performance. The two sessions should be approximately six months apart. This process was spelled out further down in the paragraph. Mr. Berkich had intended to establish the goals at the next Board meeting and the evaluation on those goals would be in July. The salary and bonus would be considered in July which places it in the next fiscal year's budget. Later in the year another goal setting session would be held for fiscal year 1999-2000. Discussion ensued on whether Mr. Berkich could combine Departments without the Board's approval. The policy had been for such combinations to be reviewed by the Board. Mayor Masayko indicated the Board's consensus to add the provision "subject to the Carson City Charter" to Page 1 as Mr. Lipparelli had suggested in his introduction as well as to Page 3, Paragraph n. Comments expressed the desire to approve the contract in concept only and to reconsider it at the next meeting. Discussion indicated that the salary range/compensation issue should be finalized prior to the new fiscal year so that it could be included in the budget. Mr. Berkich indicated that the actual compensation change would not be made until July. The bonus could be made retroactive to this fiscal year. Mayor Masayko indicated that this evaluation may occur in August.

(2-1795) Discussion ensued on the proposed performance evaluation process. The process is flexible and can be modified as conditions warrant. It is not part of the City Manager's contract but is adopted by reference and could, therefore, be changed without renegotiating the contract. Changes had been made as discussed at the previous meeting with the exception of adding a category entitled "other". This category was felt to be included elsewhere in the process. Justification for sticking to the rankings as provided was illustrated by use of the overhead projector. Consensus indicated that the salary would be equate to 100 percent of the performance evaluation. The bonus will be for anything above 100 percent. Examples were provided on how this process would work. Clarification indicated 100 percent should be the mid-point range as determined by a comparison survey. Comments also indicated that if the salary range is felt to be too high or beyond the City's ability, the policy should allow adequate flexibility in the negotiation process to reduce the amount for a specified period. Mr. Beller and Mr. Lipparelli pointed out that the mid-point value would change annually. Mayor Masayko indicated that this was the reason he had not wanted the Board to approve the contract until after discussion of the performance criteria. The annual evaluation range would include the funding ability and survey criteria. Justification for and advantages of using the process as a guide were indicated. Consensus reiterated the desire to establish the base pay as 80 to 100 percent of the mid-point range and the at-risk pay as 100 to 120 percent of the mid-point range. Mr. Beller pointed out that the advantage to having a developed system for reaching a number is the ability to have a valid defensible position when challenged. A randomly selected amount could be felt to be bureaucratic. (2-2687) Discussion then ensued on the communities to be used in the survey. Mr. Beller then suggested that the contract be amended to reference a mid-point for setting the salary rather than the formula and to use Option A as a guideline, which is to be defined as a point of reference in making a decision, with the mid-point being 100 percent of the base. Consensus supported these amendments. Discussion also indicated that the salary range should be concurrent with the contract. Clarification indicated that the Board would at a future date conduct an exercise which would use the performance evaluation chart to evaluate Mr. Berkich's job performance. Discussion ensued on the point system which supported the ranking Mr. Beller had provided. It also supported having the base pay equal to 100 percent of the mid-point on the salary survey with the bonus being for anything over 100 percent.

(2-2923) Mr. Lipparelli then reviewed the contract and amendments as indicated by the Board's discussion, i.e., Pages 5 and 7. Comments indicated that the salary evaluation should be in July and that there would be two performance evaluations--one each in January and July. Goals will also be established and evaluated at that time.

This process will start in July 1999. The goals will be established at the next Board meeting. These goals will be evaluated in July. Mr. Lipparelli then reviewed all of the changes including those on Pages 1, 3, 5, 6, and 7. Discussion then pointed out that the Board's composition may change in January of the odd numbered years. Consensus change the January evaluation to be December. Comments also indicated that the Board could revisit any of the December goals in January if deemed necessary by the new Board. The salary evaluation date was left at July.

(2-3438) **Supervisor Bennett moved to accept and approve in concept the contract with John Berkich as the City Manager and direct our counsel to incorporate the changes which were thoroughly discussed at this Board meeting and to return to the Board with a finished contract not later than the next regularly scheduled Board meeting. Supervisor Williamson seconded the motion.** Mr. Berkich indicated that he had outlined the changes/adjustments the Board was incorporating into the final contract. As an editorial comment, he noted that the Board was "blazing" new territory and, again, setting an example/model which could be used in the future by other agencies. He was proud to be involved. The adjustments are appropriate. He commended the Board on its willingness to analyze these factors, become comfortable with, and understand their implications for the future as well as with any of the other City employees. He had carefully analyzed the adjustments throughout the discussion and was comfortable with each of them. They are fair and appropriate. Setting the mid-point at 100 percent is a matter of policy with which he did not have problem. The number \$95,000 and the date when the Board sets it is fair based upon all the data which had been provided. Regarding Supervisor Williamson's comments on when and how it is done in the future, including how the Board applies the concepts, he felt that it should be done in July and that he would return to the next Board meeting with a comprehensive list of short-term goals which the Board could, if desired, evaluate. He intended to invite Mr. Beller and Mr. Bruce to participate in that process and work through the first application of the system in order to be sure that the Board is comfortable with it. The time had been well spent and he commended the Board for doing it. Mayor Masayko agreed with his comments and commended Mr. Berkich on his support, flexibility, and encouragement in blazing new ground. It will take time. It may not be perfect. There may be ruts in the process which have not been anticipated. Everyone is committed to the process and a patching crew will be able to pave the ruts so that they can go on down the road. It is a fair and reasonable process which should work. Additional comments on the contract were solicited but none given. **The motion to approve the contract in concept and direct the District Attorney to prepare and return with the final contract at the next meeting was then voted and carried 5-0.**

(2-3588) Discussion indicated that if the Board sets the initial salary control point at \$95,000 today, it will have to reconsider the control point in July. **Supervisor Bennett then moved that the Board of Supervisors establish as part of the City Manager's contract the mid-range control point of \$95,000. Mayor Masayko seconded the motion. Motion carried 5-0.**

There being no other matters for consideration, Supervisor Williamson moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 2:50 p.m.

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ARE SO APPROVED ON \_\_\_April\_1\_\_\_\_\_, 1999.

\_\_\_\_\_/s/\_\_\_\_\_  
Ray Masayko, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Alan Glover, Clerk-Recorder