

CARSON CITY BOARD OF SUPERVISORS  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 19, 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
	Noel Waters	District Attorney
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Walter Sullivan	Community Development Director
	Louis Buckley	Fire Chief
	Lisa Roth	Human Resources Director
	William Naylor	Information Services Director
	Sally Edwards	Library Director
	Matthew Fisk	Justice Court Administrator
	Sheila Banister	Chief Juvenile Probation Officer
	Phil Herrington	Chief Building Official
	Larry Werner	City Engineer
	Traci Haakinson	Deputy Library Director
	Scott Fahrenbruch	Parks Operations Director
	Kelvin Ikehara	P.W. Operations Chief Environmentalist
	Melanie Bruketta	Deputy District Attorney
	Liz Teixeira	Administrative Assistant
	Laura Beckerdite	Administrative Assistant
	Zee McClintock	Human Resources Generalist
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Contracts Coordinator

(B.O.S. 8/19/04 Tape 1-0025)

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. Reverend Ken Haskins of the First Christian Church gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

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**CITIZEN COMMENTS (1-0052) - None.**

**1. APPROVAL OF MINUTES (1-0055) - None.**

**2. AGENDA MODIFICATIONS (1-0057) - None.**

**3. SPECIAL PRESENTATIONS - PRESENTATION OF LENGTH OF SERVICE AWARDS TO CITY EMPLOYEES (1-0059) -** Human Resources Director Lisa Roth - Mayor Masayko congratulated each recipient. The cumulative service period totaled 610 years. Recipients of the ten year awards were: Nicolas Brown, Trina Dahlin, Scott Fahrenbruch, Carin Fischer, Karri Meares, Edward Law, Grizelda McClintock, Daniel Shirey, and Donald Talas. Recipients of the 15 year awards were: Justine Chambers, Robert Charles, Julie Gutierrez, Chris Johnson, Terrance McAndrews, Richard Paige, Matthew Putzer, Jim Quilici, and Elizabeth Teixeira. Recipients of the 20 year awards were: Eric Bero, Charles Farrell, Jr., Robert Giomi, Dennis Maple, Beverly Moltz, Judy Porter, John Simms, III, Robey Willis, and Lynn Winters. Recipients of the 25 year awards were: Laura Beckerdite, Perry Carlson, Stephen Crawford, Kurt Davis, Phillip Hernandez, Rex Johnson, and Robert Tracy. The recipient of the 30 year award was Charolette Richards.

**4. BOARD OF SUPERVISORS - NON-ACTION ITEMS**

**a. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0195) -** Supervisor Livermore reported on his attendance at the following: the Hospital Cancer Center groundbreaking ceremony; Chamber of Commerce Installation of Officers; a meeting with City Manager Ritter, Hospital CEO Epperson, and Development Services Director Burnham on the Hospital construction projects; Parks and Recreation Director interviews; Subconservancy meetings; Parks and Recreation Commission meeting; and a meeting regarding a Hepatitis vaccine program. He announced the October National Parks and Recreation Conference in Reno and that today is his 43<sup>rd</sup> wedding anniversary. The Board congratulated him. Supervisor Staub reported on his family vacation; the RTC meeting; the CAMPO meeting; the Senior Citizens Advisory Committee meeting; and the Airport Authority meeting. Supervisor Williamson reported on the WNDD and HOME Consortium meetings; Redevelopment meetings; the Redevelopment Authority Citizens Committee meeting; the NACO meeting; WNCC interviews for the baseball coach; the Subconservancy meeting; Dan Davis' funeral; "C" Hill Flag's progress; and the opening of the East India Curry Restaurant. She announced that the annual NACO Conference will be at John Ascuaga's Nugget in Sparks and her daughter's marriage. Supervisor Aldean reported on the Cancer Center groundbreaking; the Chamber of Commerce Installation of Officers; the Carson City Democratic Women's Forum; the WNDD, RTC, and CAMPO meetings; the monthly meeting of the Carson City Mental Health Coalition Steering Committee; NDOT's public information meeting on its statewide transportation plan; and the Chamber of Commerce mixer at the golf course. She announced tomorrow's evacuation drill at Glenbrook and explained its purpose. Mayor Masayko explained that he had been solicited to write letters of support for the Big Brothers and Big Sisters' and the Western Nevada Community College Mentoring Center grant applications. He hoped that they would not be competing with other local grant applications. Collaboration was encouraged. Grants for the agencies were limned. He then reported on the Regional Cancer Center groundbreaking; a meeting with Senator Ensign; the Cheers opening ceremony; the Chamber of Commerce Installation of Officers; the Convention and Visitors Bureau Board meeting; the TRIAD Council meeting; the V&T Railway Commission meeting and his subsequent meeting with NDOT Director Jeff Fontaine on the railroad reconstruction project; and the opening of the East India Curry Restaurant. He also noted for the record that Supervisor Staub is

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listed as a candidate for the primary. He believed that the Carson City Charter allows him to win in the primary. He announced that the medical identification bracelet program is now operational. He encouraged people to obtain the \$10 bracelet and furnish their medical history to CC Cares so that if they have a medical emergency proper care can be provided. He thanked the Soroptomists for its support of the program. Discussion ensued on the proposed donut shop at the Airport Terminal Building.

**b. STAFF COMMENTS AND STATUS REPORTS (1-1114) - None.**

**5. CONSENT AGENDA (1-1116)**

**5-1. TREASURER - ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES TO THE 2004-2005 REAL PROPERTY TAX ROLL ON PARCEL 7-071-22 DUE TO PROPERTY VALUATION CHANGES AS A RESULT OF THE WATERFALL FIRE**

**5-2. DEVELOPMENT SERVICES - ACTION TO APPROVE A RELEASE AND TERMINATION OF A TEMPORARY CONSTRUCTION EASEMENT DEED EXECUTED BY DOLORES C. BENNETT IN FAVOR OF CARSON CITY WHEREBY DOLORES C. BENNETT GRANTED A TEMPORARY CONSTRUCTION EASEMENT UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 002-112-09 FOR THE PURPOSE OF ROADWAY CONSTRUCTION RELATED TO THE WIDENING OF A PORTION OF ROOP STREET** - Discussion between Treasurer Al Kramer and the Board explained that staff had conducted a survey of the Waterfall Fire and had processed the tax reduction in a proactive manner. Several other parcels were addressed at the last meeting. One more parcel is being submitted for consideration at the next meeting. Staff is willing to look at any other parcels they may have missed. Supervisor Livermore moved to approve the Consent Agenda with the two items as presented; 5-1 from the Treasurer and 5-2 from Development Services. Supervisor Aldean seconded the motion. Motion carried 5-0.

**6. DEVELOPMENT SERVICES - Director Andrew Burnham**

**A. ACTION ON FINAL LANGUAGE FOR INTERLOCAL AGREEMENT WITH THE NEVADA DEPT. OF TRANSPORTATION PROVIDING FOR A CARSON CITY REGIONAL TRANSPORTATION COMMISSION CONTRIBUTION TOWARD COMPLETION OF PHASE 2 OF THE CARSON CITY FREEWAY (1-1165)** - Mr. Burnham's introduction included a review of the modifications that had been made since the last Board meeting. Discussion between Mr. Burnham and the Board explained NDOT's reasons for wanting Carson City to assume responsibility for a portion of Carson Street before the freeway is completed. RTC's revisions were also noted. Mayor Masayko was encouraged to attend the September NDOT's Transportation Board of Directors meeting. Supervisors Staub and Aldean volunteered to attend the meeting. Supervisor Aldean moved to approve the final language for the Interlocal Agreement with the Nevada Department of Transportation providing for a Carson City Regional Transportation Commission contribution toward completion of Phase 2 of the Carson City Freeway based on the following amendments: Under Article III Paragraph 2 the language will be: ..."consistent and that it will refer to the acceptance of Carson Street being predicated upon opening of the freeway to through traffic for Phase II"; and in Paragraph 4 there is a strike out in the final version of this agreement that needs to be eliminated – currently it reads: "Should the opening of the final phase of Phase 2B to through traffic be delayed"; the "B" should be removed from the final draft to be consistent with the balance of the document. Supervisor Staub seconded the motion. Motion carried 5-0.

**B. ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM SERGE AND PATRICIA PUCHERT/MICHAEL AND PATRICIA TORVINEN TO ABANDON A PORTION OF HICKORY DRIVE, ON PROPERTIES ZONED SINGLE FAMILY ONE ACRE (SF1A), APN 009-134-02 AND 009-133-03, FILE NO. AB-04-113 (1-1400)** - Community Development Director Walter Sullivan - Discussion explained the location and length of Hickory Drive. Mr. Sullivan agreed to check the square footage and correct the document if necessary. Mayor Masayko ruled that this is a technical correction and did not impact the policy. There will be a 25-foot wide street remaining. The balance of the street is being abandoned. Public comments were solicited but none were given. Supervisor Aldean moved to approve an Abandonment of Public Right-of-Way application from Serge and Patricia Puchert/Michael and Patricia Torvinen to abandon a portion of Hickory Drive on properties zoned Single Family One Acre, SF1A, APN 009-134-02 and 009-133-03, File No. AB-04-113, subject to any required technical corrections. Supervisor Williamson seconded the motion. Motion carried 5-0.

**C. ACTION TO APPROVE AN AMENDMENT TO THE CARSON CITY MASTER PLAN LAND USE ELEMENT BY ADOPTING A MAP AND OTHER DESCRIPTIVE MATTER OF BLIGHTED AREAS IN CARSON CITY PER STATUTORY DEFINITIONS OF BLIGHT, PURSUANT TO REDEVELOPMENT REQUIREMENTS OF NRS 279.388 AND 279.516, FILE NO. MPA-04-127 (1-1494)** - Community Development Director Walter Sullivan - Discussion noted that Supervisor Livermore's property is not included in the Redevelopment area. Supervisor Staub moved to approve an amendment to the Carson City Master Plan Land Use Element by adopting a map and other descriptive matter of blighted areas in Carson City per statutory definitions of blight, pursuant to Redevelopment requirements of NRS 279.388 and 279.516; File No. MPA-04-127; and that there is no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

**E. ACTION TO ADOPT ON SECOND READING BILL NO. 112, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.11 USE OF TREATED WASTE-WATER EFFLUENT FOR CONSTRUCTION PURPOSES, BY CORRECTING THE TYPOGRAPHICAL ERROR IN THE TITLE AND AMENDING SECTION 12.11.040 EFFLUENT USE PERMIT –REQUIREMENTS, BY DELETING THE SECTION THAT PROHIBITS THE TRANSPORTATION AND USAGE OF TREATED WASTEWATER OUTSIDE THE BOUNDARIES OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO (1-1558)** - Public Works Operations Manager Tom Hoffert - Mayor Masayko disclosed that he had received no comments on the ordinance. Supervisor Staub moved to adopt on second reading Bill No. 112, Ordinance No. 2004-14, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.11 USE OF TREATED WASTEWATER EFFLUENT FOR CONSTRUCTION PURPOSES, BY CORRECTING THE TYPOGRAPHICAL ERROR IN THE TITLE AND AMENDING SECTION 12.11.040 EFFLUENT USE PERMIT–REQUIREMENTS, BY DELETING THE SECTION THAT PROHIBITS THE TRANSPORTATION AND USAGE OF TREATED WASTEWATER OUTSIDE THE BOUNDARIES OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10:03 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:16 a.m., constituting a quorum.

**D. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.130 LIMITATIONS ON IRRIGATION, BY MODIFYING THE TIME AND DAYS PERSONS CAN WATER THEIR LAWNS, TREES, GARDENS, GRASS, SHRUBBERY AND OTHER VEGETATION AND ADDING THE WORDS COMMERCIAL, FLOWER BEDS, TREES WITHIN TWO MONTHS OF PLANTING AND TO ALLOW NEW LAWNS A TWENTY-ONE DAY EXEMPTION AND TO ALLOW RESIDENTS TIME TO ADJUST AND REPAIR THEIR SYSTEMS AND TO BE EFFECTIVE JUNE 1, 2005, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1558)** - Public Works Operations Manager Tom Hoffert, City Engineer Larry Werner - Supervisor Aldean and Mayor Masayko pointed out the need to check the irrigation system when repairs are made regardless of the day. Supervisor Williamson voiced her concerns with the concept and pointed out that there are people who are genuinely concerned about the resource and consciously conserve water. They report violators. These individuals allegedly were told that the City's current Code lacks teeth. She urged staff to submit revisions if needed. Mr. Hoffert explained that staff is researching other municipalities' ordinances in search of better enforcement tools. He felt that this program should be to the Board in 30 to 45 days. It will also consider the development standards for new residential and commercial buildings. He indicated that a technical paper on the issues and items staff finds will be given to the Board. He hoped that it will provide an opportunity to commence the discussions before reaching the Board for final approval. Supervisor Livermore explained that he had not received any comments on the ordinance during the interim period since it was first introduced. His area has a lot of private wells and individuals who do landscaping. When they make sprinkler adjustments, they need to check the system. Mr. Hoffert explained that staff explains the ordinance and allows exemptions for such adjustments. Notices have been sent to known landscape and sod companies. They furnish staff with a listing of their customers so that they know the commercial firm's schedule. Supervisor Livermore explained that he learns that he has an irrigation malfunction when he has a brown spot. It may require additional watering to bring the lawn back to a reasonable condition. He hoped that such cases are considered and some leniency granted. Mr. Hoffert indicated that staff investigates reported violations and validates them, if possible. He also agreed that it is voluntary compliance that makes the program work. His Department receives notices of violators all the time. Discussion explained the exemption requests received after the first media report on the concept was given. People were urged to contact his office and let staff know about any special circumstances. This allows staff to explain to anyone who calls in on "violators" if an exemption has been granted. The list is updated on a daily basis and given to people in the field. Mayor Masayko reiterated his original contention that the proposed program will provide better management but fails to address the storage and supply problems. He urged staff to address these problems. This includes rehabilitation of wells to address the drop in the groundwater table. The City has an adequate amount of water rights to meet the community's needs. It will require funding to make the improvements. If the community wants the green landscape, the investment will have to be made. The users will have to foot the bill for the increased infrastructure. He reiterated his request that a program charging a higher summer rate for water and a lower rate for the winter water usage be implemented.

Mr. Werner noted the statutes on conservation of water rights and the State Water Engineer's review of a community's conservation plans when water is transported outside its area. Mayor Masayko explained that conservation does not prohibit trees but does reduce wasting and over watering. He urged staff to analyze having a higher summer rate for water than during the winter time and to present the concept during the budget process. He also asked to have the type of improvements that are needed provided with the concept.

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He reiterated that the problem is caused by consumption's growth at three times the population growth. Incentives to reverse this trend should also be considered. They should include having water served at restaurants on request only. Commercial development standards and xeroscape should be analyzed. The State is in its sixth year of a drought.

Mr. Hoffert explained that the concept will allow the storage tanks to be replenished one day a week. It does not conserve water. He indicated that more water will be used during the three-day cycle than had been used in the current 3.5 day cycle. A workshop scheduled for September 16<sup>th</sup> on the water system, its operation, the arsenic issue, and future requirements were described. Mayor Masayko reiterated his contention that it is an availability and water production issue. He recommended a Code revision which will allow City staff to turn off an unattended water hose. The liability concerns can be addressed. Mr. Hoffert indicated that the District Attorney's office is now considering that revision. Mayor Masayko also indicated that individuals who hand water on a day other than their scheduled date should not be cited. Mr. Hoffert indicated that the exemption process allows this to occur when there are special circumstances. Mayor Masayko explained that it is considered spot watering and that people do not understand the violation. He also encouraged staff to develop an incentive program that would retrofit controllers. Mr. Hoffert indicated that staff is working with a company to develop a program. City technicians currently help people reset their timers both over the phone and at the residence. Mayor Masayko explained his concern with the current procedure that requires City staff to turn off the water in the street if irrigation is occurring on a date that is not the proper date for the residence. The turnoff occurs after a two hour waiting period. Mr. Hoffert indicated that there is a written policy out-lining this procedure now on file with his Department. Mayor Masayko felt that the Board should establish the policies and get the community to discuss water conservation measures including low flow toilets, restaurants serving water on request only, etc. Mr. Hoffert indicated that staff is analyzing a retrofit program. Mayor Masayko encouraged staff to look outside the box and create incentives to get people to conserve water. Mr. Hoffert indicated that there is a no flow toilet now on the market that conserve water. Mr. Werner indicated that this is a new product just out on the market. Low flow toilets are mandated by construction code. Water conservation is a national problem which has not been too successful to date.

Discussion between Mr. Hoffert and Supervisor Livermore indicated that irrigation with recycled water is not part of the ordinance. Golf courses, parks, etc., using recycled water will not be restricted from watering on Mondays. Supervisor Livermore urged staff to educate the public on this ability. Mayor Masayko supported his request.

Supervisor Williamson moved to introduce on first reading Bill No. 114, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.130 LIMITATIONS ON IRRIGATION, BY MODIFYING THE TIME AND DAY PERSONS CAN WATER THEIR LAWNS, TREES, GARDENS, GRASS, SHRUBBERY AND OTHER VEGETATION AND ADDING THE WORDS COMMERCIAL, FLOWER BEDS, TREES WITHIN TWO MONTHS OF PLANTING AND TO ALLOW NEW LAWNS A TWENTY-ONE DAY EXEMPTION AND TO ALLOW RESIDENTS TIME TO ADJUST AND REPAIR THEIR SYSTEMS AND TO BE EFFECTIVE JUNE 1, 2005, AND OTHER MATTERS PROPERLY RELATED THERETO, with the change that under Section C.2.E. to change the requirement that residential customers adjusting and repairing their irrigation system during the no watering times can do so for the not to exceed time period of one hour and omitting on their assigned days. Supervisor Livermore seconded the motion. Motion carried 5-0.

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7. **DISTRICT ATTORNEY** - Deputy District Attorney Melanie Bruketta

**A. ACTION TO APPROVE PAYMENT OF \$281,356.29 TO GENERAL BUILDERS, INC., IN SATISFACTION OF THE NET JUDGEMENT ENTERED AGAINST CARSON CITY IN CASE NO. 00-01501A, AND STATUTORY INTEREST ON THE RETENTION IN THE AMOUNT OF \$32,005.05 (1-2364)** - Discussion indicated the grand total is \$313,360. General Builders has submitted a bill for attorney fees. This issue is still in litigation. Mr. Forsberg may have an estimate of this amount and should be contacted about it. The City also incurred fees for expertise witnesses that will have to be paid. Ms. Bruketta was uncertain what the ultimate costs would be. The City also incurred attorney's fees for outside counsel. She was unsure whether the Board will be presented with a bill for his/her fees. Outside counsel had been approved by the Board previously. Public comments were solicited but none were given. Supervisor Livermore moved to approve payment of \$281,356.29 to General Builders, Inc., in satisfaction of the net judgement entered against Carson City in Case No. 00-01501A, and statutory interest on the retention in the amount of \$32,005.05; fiscal impact is \$313,316.34; and the funding source is the Quality of Life Fund. Supervisor Staub seconded the motion. Supervisor Williamson explained that she had not been present at the last meeting when the lawsuit was discussed. She wanted the record to clearly indicate that the judgement was determined by Carson City jurors in a Carson City court and settlement is not being done willingly. The Board would have avoided it if at all possible. Supervisor Aldean explained that the judgement had taken the District Attorney's office by surprise. The City/Board had hired a competent attorney and did what was needed. The Board was also surprised by the verdict. Mayor Masayko expressed his feeling that we live and learn by such verdicts. Each issue headed toward litigation may also turn out to be adverse in the future. Supervisor Aldean agreed and pointed out that going to court is not a guarantee that you will win regardless of the merits of the case. It is unfortunate that the City must pay for this. There was an extensive discussion on awarding a contract to an extraordinarily low bidder which could have indicated that there will be subsequent change orders. The motion to approve the payment was voted and carried 5-0.

**B. ACTION TO ADOPT ON SECOND READING BILL NO. 113, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 8.20 MINORS, SECTION 8.20.010 BY CHANGING THE DEFINITION OF "ALCOHOLIC BEVERAGE" TO REFLECT THE STATE LAW DEFINITION, ADDING A DEFINITION FOR "IMPAIRED" OR "IMPAIRMENT" AND "MOTOR VEHICLE", AMENDING SECTION 8.20.020 CONSUMPTION BY MINORS PROHIBITED, BY REVISING THE LAW PERTAINING TO MINOR CONSUMPTION AND POSSESSION OF ALCOHOL AND OTHER MATTERS PROPERLY RELATED THERETO (1-2587)** - Mayor Masayko disclosed that he had not received any comments from anyone either pro or con regarding the ordinance. Discussion explained that the ordinance is for possession of alcohol rather than consumption. The Statutes contain exceptions when minors can be in possession of alcohol. The proposed ordinance mirrors the Statutes. Supervisor Staub moved to adopt Bill No. 113 on second reading, Ordinance No. 2004-115, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE 8.20 MINORS, SECTION 8.20.010 BY CHANGING THE DEFINITION OF "ALCOHOLIC BEVERAGE" TO REFLECT THE STATE LAW DEFINITION, ADDING A DEFINITION FOR "IMPAIRED" OR "IMPAIRMENT" AND "MOTOR VEHICLE", AMENDING SECTION 8.20.020 CONSUMPTION BY MINORS PROHIBITED, BY REVISING THE LAW PERTAINING TO MINOR CONSUMPTION AND POSSESSION OF ALCOHOL AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Aldean and Livermore seconded the motion. Motion carried 5-0.

**8. CITY MANAGER - Linda Ritter**

**A. ACTION TO APPROVE THE “TEAM” PROGRAM, WHICH REPLACES THE PREVIOUS CQI PROGRAM AND INCLUDES THE INNOVATIONS PROGRAM, SAVINGS INCENTIVE PROGRAM AND “CAUGHT IN THE ACT” EMPLOYEE INCENTIVE PROGRAM (1-2700)** - Mayor Masayko supported the programs and believed that an adequate amount of funding had already been spent for furniture and computers. He encouraged staff to budget a small, adequate amount of funds for replacement of noncapital equipment that would not require the use of the CQI funds for that purpose. He encouraged the staff to utilize the incentive programs. If the programs are not meeting this objective, they should be reconsidered. Discussion also indicated the need to recognize innovative programs without fiscal savings. It was felt that an annual report and the budgetary documents will indicate whether the programs are working. Ms. Ritter pointed out that if the funds are not used within a two-year period, the funds will be returned to the General Fund. She explained that the innovations program will commence next year. The criteria and evaluation process for the innovation program were limned. The purpose of the “Caught in the Act” program was described. The difference between it and the “Savings Without End” program was explained. Discussion indicated that the Department incentive funds cannot be used for uniforms. Supervisor Livermore suggested that badges be provided to the Building and Code Enforcement Division. Ms. Ritter explained her belief that badges should not be allowed and indicated that the policies will include the Board’s direction. Board comments also stressed the desire to have a report on the programs and reiterated that uniforms should not be acquired with these programs. Human Resources will have oversight of the Savings Incentive Program to avoid favoritism. The CQI program is being eliminated by it. It is similar to the private sector’s incentive program. The success of the “Caught in the Act” program was noted. Fine tuning of the programs may be needed in the future. Mayor Masayko explained his support of the programs. Supervisor Williamson moved to approve the “TEAM” program, which replaces the previous CQI Program and includes the Innovations Program, Savings Incentive Program, and “Caught in the Act” Employee Incentive Program effective July 1, 2005. Supervisor Aldean seconded the motion. Motion carried 5-0.

**B. CLOSED SESSION - ACTION TO RECESS INTO 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 (1-3335)** - Mayor Masayko indicated that the Open Session would reconvene long enough to adjourn and that the televised portion could terminate when the Board enters the Closed Session. Supervisor Livermore moved to recess into 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. Supervisor Aldean seconded the motion. Motion carried 5-0. Mayor Masayko recessed the Open Session at 11:29 a.m.

**C. OPEN SESSION - ADJOURNMENT** - Mayor Masayko adjourned the Closed Session and reconvened the Open Session at 12:34 p.m. Supervisor Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 4-0. (Supervisor Staub recused himself during the Closed Session and left the meeting—11:32 a.m.) Mayor Masayko adjourned the meeting at 12:34 p.m.



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ARE SO APPROVED ON February 17, 2005.

/s/  
Marv Teixeira, Mayor

ATTEST:

/s/  
Alan Glover, Clerk-Recorder