

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 5, 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
	Shelly Aldean	Supervisor, Ward 2
	Richard S. Staub	Supervisor, Ward 4

STAFF PRESENT:	Linda Ritter	City Manager
	Dave Dawley	Treasurer
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Larry Werner	City Engineer
	Mark Forsberg	Chief Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Contracts Coordinator
	(B.O.S. 8/5/04 Tape 1-0038)	

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. A quorum was present although Supervisor Williamson was absent due to a family vacation. Retired Pastor Dick Campbell of the Presbyterian Church gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0075) - Gil Yanuck relayed Governor Guinn and Department of Wildlife Director's (Terry Crawforth) message thanking Carson City for its support of the Greater Sage-Grouse Conservation Program and gave the Clerk a CD on it. Mayor Masayko suggested that the Program be made available on the City's website. Mr. Yanuck explained that development of the program was only the first step. Meetings on implementation of the plan will commence on 8/23. He then asked that the Board to consider modifying the Code relating to Section 14.10.050. It requires property owners to provide defensible space around their property. His revision would require notification to absentee landlords advising them about their responsibility to provide defensible space around their property. If they fail to provide it, the City could then do it, bill the owners for the work, and charge an administrative fee for having the City do the work. Other communities have similar laws. Mayor Masayko thanked him for his volunteer service on the City's Board to Manage Wildlife. He also agreed that Mr. Yanuck's suggestion is valid and should be considered. Additional comments were solicited but none were given.

1. APPROVAL OF MINUTES (1-0128) - None.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 2

2. AGENDA MODIFICATIONS (1-0132) - None.

3. SPECIAL PRESENTATION - PRESENTATION OF THE LEGION OF HONOR AWARD TO MRS. DAVID PIEL, DAVID J. PIEL (POSTHUMUS) (1-0133) (1-0706) - Department Commander for the Disabled American Veterans David Wyble thanked the Board for allowing the recognition to occur. He explained the purpose of "The Chapel of Four Chaplains" and the Legion of Honor Award. A list of individuals who had received the award was provided. He then read the citation for David J. Piel and presented it to Mrs. Piel. Mayor Masayko thanked Mrs. Piel for attending and recognized Mr. Piel's service to his community. Mrs. Piel thanked them for the recognition.

4. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0148) - Supervisor Staub remarked on the Waterfall Fire and the loss of his brother's home. He reported on meetings of the Senior Center Committee, Airport Authority, RTC, CAMPO, and the auto mall/strip. Supervisor Livermore remarked on the Waterfall Fire and complimented City personnel on their efforts, professionalism, and service to the community during it. He then reported on the removal of the Civil War Memorial for refurbishing and requested that a rededication ceremony be held when it is returned. He reported on meetings of the Mental Health Coalition, Parks and Recreation Commission, Subconservancy, and Youth Sports Association. He announced the Firefighters Appreciation Day on August 27; the Opening Day for Pop Warner Football on August 14; that fall softball, Little League, and the girl's team will be starting in September, and that HealthSmart will be conducting the Great American Weight Loss Program in September. He described the July 31 Grand Opening Ceremony for the Dayton Professional Building; and the Sheriff's Office and Posse's exhibition at Mills Park on August 3. He urged the public to attend the new Cancer Center dedication tonight between 6 p.m. and 8 p.m. Mayor Masayko also complimented City staff on its dedication and service during the Waterfall Fire. He noted the restoration work that lay ahead. He had been contacted by the Civil War Veterans asking that a time capsule be placed in the Civil War Monument when it is returned. They also asked that it be rededicated on November 11, Veterans Day. His plans to attend the National Association of Mayors Conference were cancelled due to the Waterfall Fire. He then reported on his attendance at the Republican Women's Candidates Forum; the Hospital Auxiliary's fundraiser where he had personally thanked Mr. Rupert for his Firefighters appreciation event; the Kiwanis' appreciation barbeque; the Cancer Advocate's chili cookoff; the Korean War Veterans' picnic in Virginia City; the Silver Dollar Car Classic event; the welcoming of the Lion's Club International President; the "badging ceremony" for the graduates of the Fire Academy; and the Sheriff's "National Night Out" event. He expressed his intent to attend the cancer center dedication ceremony. Supervisor Aldean also expressed kudos to the staff on its dedication and service during the fire. She reported on the RTC and TRPA meetings. She announced TRPA's annual Tahoe Summit which is being held today at the Ponderosa Ranch. She acknowledged the service that will be provided by the Cooperative Extension Service and its Director Joanne Skelly in stabilizing the Waterfall Fire area.

B. STAFF COMMENTS AND STATUS REPORT (1-0700) - None.

5. CONSENT AGENDA (1-0796)
5-1. TREASURER

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 3

A. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES TO THE 2004-2005 REAL PROPERTY TAX ROLL ON PARCELS 7-061-71, 7-071-02, 7-071-19, 7-072-04, 7-072-08, 7-072-10, 7-072-11, 7-083-03, 7-131-28, 7-273-09, 7-293-30, 7-301-15, 7-302-02, 7-303-08, 7-304-02, 7-341-13, 9-031-20, 9-031-21 DUE TO PROPERTY VALUATION CHANGES AS A RESULT OF THE WATERFALL FIRE

B. ACTION TO APPROVE THE DIRECTION AND ORDER TO SELL REAL PROPERTY FOR TAX DELINQUENCIES WHERE CARSON CITY HAS TAKEN A DEED ON PARCELS NO. 1-121-14, MOONEY, 908 IVY ST.; 1-141-12, HAYWARD, 707 W. LONG ST.; 2-672-05, PONGASI, 1473 RIDGE POINT DR.; 8-172-15, WALKER, 2179 POOLE WAY; 8-233-11, SHOBERT, 2648 VIKING WAY; 8-251-31, SCHULTZ, 2275 AIRPORT RD.; 8-263-12, SALAS, ET AL., 2225 STAR WAY; 9-551-03, PROCACCINI, 900 MALLORY WY; 9-652-09, SKUBAN AND FARMER, 1220 SPARTAN AVE.; AND 9-657-08, HARROLD, 1181 CORONET WY

5-2. ASSESSOR

A. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 2154 COLUMBIA WY (APN: 008-251-19) FROM THE 2004-05 REAL PROPERTY TAX ROLL

B. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 7550 PARKER DR. (APN: 009-322-21) FROM THE 2004-05 REAL PROPERTY TAX ROLL PER NRS 361.068 SECTION 2

C. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 4 TIOGA CIRC. (APN: 008-782-27) FROM THE 2004-05 REAL PROPERTY TAX ROLL PER NRS 361.765

D. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 1623 SPOONER DR. (APN: 002-581-05) FROM THE 2004-05 REAL PROPERTY TAX ROLL AT THE REQUEST OF THE PROPERTY OWNER

E. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 200 W. APPLGATE WY. (APN: 002-281-01) FROM THE 2004-05 REAL PROPERTY TAX ROLL PER NRS 361.765

F. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 949 ALDER ST. (APN: 009-148-07) FROM THE 2004-05 REAL PROPERTY TAX ROLL PER NRS 361.765

G. ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES FOR 1630 BROWN ST. (APN: 008-303-36) FROM THE 2004-05 REAL PROPERTY TAX ROLL PER NRS 361.765

5-3. DEVELOPMENT SERVICES

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON 2004 ASPHALT MAINTENANCE PROJECT, CONTRACT NO. 2003-085, AS SUBMITTED BY DEVELOPMENT SERVICES TO INTERMOUNTAIN SLURRY SEAL, INC., P.O. BOX 50085, WATSONVILLE, CA 95077-5085, FOR A FINAL PAYMENT AMOUNT OF \$175,358.06 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

B. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE JOINT FUNDING AGREEMENT, 05W4NV00200, BETWEEN CARSON CITY AND THE U.S. GEOLOGICAL SURVEY IN THE AMOUNT OF \$83,600.00 FOR THE PURPOSES OF STREAM GAUGE MONITORING, RECHARGE PROGRAM MONITORING AND MONTHLY WATER RESOURCE CONDITION REPORTING

5-4. PURCHASING AND CONTRACTS

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 4

A. ACTION TO APPROVE A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE THREE TO FOUR STOP OTIS ELEVATOR IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY AND AWARD CONTRACT NO. 0405-021 TO CASINO FANDANGO/CARSON GAMING LLC TO PURCHASE THE THREE TO FOUR STOP OTIS ELEVATOR FOR \$36,100 AS THE HIGHEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332

B. ACTION TO APPROVE CONTRACT NO. 0405-023, A REQUEST FOR THE PURCHASE OF A DIGITAL EYEWITNESS® IN-CAR VIDEO SYSTEM FROM KUSTOM SIGNALS, INC., A SOLE SOURCE PROVIDER, FOR A NOT TO EXCEED COST OF \$65,815 EXEMPT FROM COMPETITIVE BIDDING

C. ACTION TO APPROVE THE EXTENSION OF CONTRACT NO. 0203-046 TO CONTRACT WITH ALLSTEEL, HERMAN MILLER, INC., MACHABEE OFFICE ENVIRONMENTS, AND OFFICE DEPOT BY JOINDER BID THROUGH NEVADA STATE PURCHASING TO PURCHASE SYSTEMS FURNITURE, CASE GOODS AND SEATING, AND BALANCE OF THE LINE FOR ALL FURNITURE THAT THESE VENDORS ARE AUTHORIZED TO SELL THROUGH JULY 31, 2005, AND AUTHORIZE ALL CITY DEPARTMENTS TO BE ABLE TO PLACE ORDERS FROM THIS CONTRACT PROVIDED THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES

5-5. INFORMATION SERVICES - GIS - ACTION TO RENAME TROY WAY TO WEDO WAY

5-6. CARSON CITY AIRPORT AUTHORITY - ACTION TO APPROVE THE AIRPORT LEASE AMENDMENT AND RESTATEMENT BETWEEN THE CARSON CITY AIRPORT AUTHORITY AND STERLING AIR, LTD., AS NEGOTIATED AND APPROVED BY THE CARSON CITY AIRPORT AUTHORITY FOR THE LEASE PREVIOUSLY HELD BY STERLING AIR, LTD. - Supervisor Staub pulled Item 5-6, the Airport lease, for discussion. Supervisor Aldean pulled Item 5-4A, the sale of the Senior Center elevator, for discussion. Gil Yanuck asked that Item 6-3 be pulled for discussion. Mayor Masayko explained that it is not part of the Consent Agenda and will be discussed when reached. Supervisor Livermore moved to approve the Consent Agenda consisting of 14 remaining items which are: two items from the Treasurer, seven items from the Assessor, two items from Development Services, two remaining items from Purchasing and Contracts, and one item from Information Services as presented. Supervisor Staub seconded the motion. Motion carried 4-0.

5-4A. (1-0847) Supervisor Aldean questioned whether the elevator would be needed for the proposed senior apartment complex. City Engineer Werner described the elevator as being more suitable for commercial, garage or hospital usage than an apartment complex. Staff had checked into the ability to use it internally before recommending its disposal. Reasons for acquiring the elevator, its funding, a later decision not to construct a two-story facility, and the funding requirements mandating surplusizing the elevator were explained. Clarification indicated that Senior Center's funds were used to acquire the elevator which eliminated the need to meet Federal requirements of a CDBG grant. The funds from the sale should be returned to the Senior Center. Supervisor Staub explained the Senior Center Committee's concerns regarding its current funding ability. Mayor Masayko agreed that the funds from the sale should be returned to the Senior Center. Supervisor Aldean moved to approve a request to have the Board of Supervisors determine that the Three to Four Stop Otis Elevator is no longer required for public use and deem its sale desirable and in the best interest of Carson City and award Contract No. 0405-021 to Casino Fandango/Carson Gaming

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 5

LLC to purchase the Three to Four Stop Otis Elevator for \$36,100 as the highest responsive and responsible bidder pursuant to NRS Chapter 332; fiscal impact is revenue of \$36,100.00. Supervisor Livermore seconded the motion. Motion carried 4-0.

5-6. (1-0970) - Supervisor Staub explained his representation of the Board of Supervisors on the Airport Authority. He applauded the Authority's efforts to revitalize a dead lease and put life back into the northeastern portion of the terminal building. Justification for the Authority's decision to take back control over the building was provided. He suggested that periodic review of the 50-year lease occur to insure that the rental rate is competitive with the market rates. Justification for this requirement was provided. Discussion between the Board and Chief Deputy District Attorney Forsberg indicated that reopening clauses are common in long-term leases. Supervisor Livermore suggested that the contract be amended to allow reopening the lease to allow changes to any clauses deemed appropriate.

Discussion between the Board and Airport Authority Legal Counsel Steve Tackes indicated that the Authority receives a copy of the insurance documents. They indicated that both the Authority and the City are covered in the insurance documents. Mr. Tackes indicated that the lessee will be contacted and advised to add the City to the certificate. Mr. Tackes also agreed to add the City to the indemnity clause. He assured the Board that the City will be notified if hazardous materials are located in the building.

Mayor Masayko explained his concerns about the impact reopening the lease would have on the lessee's business plans. The leases had been used to provide incentives for individuals to invest in the airport. He suggested that a ceiling on the lease rate be included in the agreement. He questioned whether the matter would be sent to court or an arbitrator if an agreement cannot be reached. He felt that an increase in the rent could create a negative impact on the businessperson's ability to recover the additional cost. It may also make it more difficult to attract other investors in the future. The lack of such investors and revenue will negatively impact the Authority's ability to make improvements at the airport. Justification for his objection was limned. Supervisor Staub summarized the Authority's deliberations on the lease. He had raised the concern about the lack of market considerations as a result of that discussion. He had supported the lease at the Authority's meeting. He reiterated his belief that 50 years is a long period of time and that reopening clauses may be justified during that period. Mayor Masayko acknowledged his point and stressed his belief that reopening clauses should be tightly structured so that they are doable. Supervisor Staub felt that, if an accelerator clause is included, a deceleration clause should also be provided. Supervisor Aldean explained that it is common practice to include within the lease terms which are favorable if certain things are accomplished by the tenant. The proposal permits the tenant to do several things but does not require it. Mayor Masayko suggested that future lease agreements better define the lessee's obligations. Failure to accomplish these obligations should negate the agreement. Supervisor Staub explained the commitments that had and are being worked on by the lessee.

Mayor Masayko indicated that he had watched a portion of the meeting on CAT-10/26 and would like to discuss the need to change camera shots periodically with CATF. Public comments were solicited.

Harlow Norvel explained that the lease is at a rate of 15 cents per square foot which is double the rate for other lessees in that area. The tenant will be investing a great deal of money in the building. Justification for the lease was provided. An escalation clause had not been put in other contracts. The lease would be unique if it includes the clause. He suggested that it be offered as a suggestion in future negotiations. He

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 6

indicated that the proposed tenant was the only one interested in leasing the facility. He felt that it would be a good step forward and would provide funding for other Authority projects. He urged the Board to support the lease and help the businessman who is taking the risks. Mayor Masayko thanked him for his comments and indicated that the Board is suggesting that the lease terms needed to be as tight and transparent as possible. Supervisor Staub indicated for the record that Mr. Lewis was in the audience and that until 2017 there will be a six cent credit back against the 15 cent. At least until that time the rate is twice that that others are paying. Supervisor Staub then moved to approve the Airport Lease Amendment and Restatement between the Carson City Airport Authority and Sterling Air, Limited, as negotiated and approved by the Carson City Airport Authority for the lease previously held by Sterling Air, Limited, with the correction to Page 16 under the paragraph "Environmental Indemnity", third line up from the bottom, where we would add "and Carson City" after "shareholders," and before "arising". Supervisor Livermore seconded the motion. Motion carried 4-0

6. DEVELOPMENT SERVICES

A. ACTION TO ADOPT BILL NO. 111 ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTIONS 18.04.190 RESIDENTIAL AND 18.04.195 NONRESIDENTIAL DISTRICT INTENSITY AND DIMENSIONAL STANDARDS AND AMENDING CARSON CITY DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, RESIDENTIAL AND NONRESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, BY MODIFYING THE PERMITTED SETBACKS WITHIN THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT AND DELETING VARIED SETBACKS IN THE SINGLE FAMILY 6000 (SF6) ZONING DISTRICT, MAKING CLERICAL AND CONSISTENCY CORRECTIONS IN THE DEVELOPMENT STANDARDS DIVISION 1.13 FENCES, WALLS AND HEDGES, DEVELOPMENT STANDARDS DIVISION 2.2.C. COMMERCIAL USES, DEVELOPMENT STANDARDS DIVISION 3.13.1 MAINTENANCE, AND CARSON CITY MUNICIPAL CODE SECTION 18.02 ADMINISTRATIVE PROVISIONS, INCLUDING INDEX, 18.02.035 COMMISSION/BOARD APPLICATIONS, 18.02.040 APPLICATION LIMITATIONS, 18.02.045 NOTICE OF COMMISSION HEARINGS, 18.02.050 REVIEW, 18.02.052 HEARING EXAMINERS, 18.02.060 APPEALS, 18.02.075 CHANGE OF LAND USE DISTRICT AND CODE AMENDMENTS, 18.02.080 SPECIAL USE PERMIT (CONDITIONAL USES), 18.02.085 VARIANCES, 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT, 18.02.095 SHOW CAUSE PROCEDURE OF VARIANCE OR SPECIAL USE PERMIT, 18.02.110 ADMINISTRATIVE PERMITS AND OTHER MATTERS PROPERLY RELATED THERETO (1-1492) - Community Development Director Walter Sullivan and Mayor Masayko indicated for the record that they had not received any telephone calls or comments on the ordinance. Supervisor Aldean remarked on the term "unique property owners". Supervisor Aldean moved to adopt Bill No. 111, on second reading, Ordinance No. 2004-13, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTIONS 18.04.190 RESIDENTIAL AND 18.04.195 NONRESIDENTIAL DISTRICT INTENSITY AND DIMENSIONAL STANDARDS AND AMENDING CARSON CITY DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, RESIDENTIAL AND NONRESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, BY MODIFYING THE PERMITTED SETBACKS WITHIN THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT AND DELETING VARIED SETBACKS IN THE SINGLE FAMILY 6000 (SF6) ZONING DISTRICT, MAKING CLERICAL AND CONSISTENCY CORRECTIONS IN THE DEVELOPMENT STANDARDS DIVISION

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 7

1.13 FENCES, WALLS AND HEDGES, DEVELOPMENT STANDARDS DIVISION 2.2.C. COMMERCIAL USES, DEVELOPMENT STANDARDS DIVISION 3.13.1 MAINTENANCE, AND CARSON CITY MUNICIPAL CODE SECTION 18.02 ADMINISTRATIVE PROVISIONS, INCLUDING INDEX, 18.02.035 COMMISSION/BOARD APPLICATIONS, 18.02.040 APPLICATION LIMITATIONS, 18.02.045 NOTICE OF COMMISSION HEARINGS, 18.02.050 REVIEW, 18.02.052 HEARING EXAMINERS, 18.02.060 APPEALS, 18.02.075 CHANGE OF LAND USE DISTRICT AND CODE AMENDMENTS, 18.02.080 SPECIAL USE PERMIT (CONDITIONAL USES), 18.02.0(8)5 VARIANCES, 18.02.090 REVOCATION AND REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT, 18.02.095 SHOW CAUSE PROCEDURE OF VARIANCE OR SPECIAL USE PERMIT, 18.02.110 ADMINISTRATIVE PERMITS AND OTHER MATTERS PROPERLY RELATED THERETO, File No. ZCA-04-096. Supervisor Livermore seconded the motion. Motion carried 4-0.

B. ACTION TO ACCEPT THE CARSON AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) RECOMMENDATION TO AWARD THE SHORT RANGE TRANSIT PLAN (SRTP) FOR CARSON CITY PROJECT, CONTRACT NO. 2003-111 (1-1520) - Deputy City Engineer John Flansberg - Mayor Masayko noted for the record that his Board packet indicates that Mr. Nygaard has obligations to complete his report and recommendations to Mr. Flansberg by the end of year, December 31, 2004. This is an issue that has long required some additional attention in Carson City. Once we became an MPO, the approach that was to be used was to take additional resources that we believed we were to have to improve the transit system. This proposal heads in that direction and is an articulated requirement for this consultant's study as we move from dial-a-ride to something that the community can use in a more functional basis and will serve more people. Mr. Flansberg agreed. Timing is important. The report is needed by the end of the year in order to include it in the budget process. He also noted that the current provider's agreement ends July 1, 2005. A new contract needs to be in place by that date. Discussion pointed out that there are two new buses now in service and that additional buses may be coming in the near future. Connectivity issues are to be included in the study. Clarification indicated that connectivity to all neighboring transit systems is to be provided including Moundhouse/Lyon County, Indian Hills/Douglas County and Washoe County's PRIDE service. Currently the PRIDE system provides connectivity at the Douglas County Walmart center. The Douglas County DART system also serves it. Clarification indicated that the DART system provides medical rides to locations in Carson City but does not connect to the City's transit service. Redundancy in the PRIDE and DART systems will also be studied. Public comments were solicited but none were given. Supervisor Staub moved to accept the Carson Area Metropolitan Planning Organization's, CAMPO's, recommendation to award the Short Range Transit Plan, SRTP, for Carson City project, Contract No. 2003-111; the fiscal impact is \$59,995; and the funding source is General Fund Transit Plan 5% and 95% is from the Federal Transit Administration 5305 Fund that is reimbursable to Carson City. Supervisor Livermore seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10:06 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:14 p.m. Supervisor Williamson was absent as indicated.

C. ACTION ON AN INTERLOCAL AGREEMENT WITH THE NEVADA DEPT. OF TRANSPORTATION PROVIDING FOR A CARSON CITY REGIONAL TRANSPORTATION COMMISSION (RTC) CONTRIBUTION OF \$15 MILLION TOWARD COMPLETION OF PHASE 2 OF THE CARSON CITY FREEWAY (1-1662) - Development Services Director Andrew Burnham, NDOT Deputy Director Susan Martinovich, Marv Teixeira, Chamber of Commerce Chief Executive Officer

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 8

Larry Osborne - Mr. Burnham gave the Board and Clerk a copy of an excerpt from the RTC meeting on the proposal. (A copy is in the file.) Supervisor Staub explained RTC's revisions to the agreement. Clarification pointed out that the City will be accepting Carson Street from Arrowhead to Fairview in 2011. Mayor Masayko pointed out that this is beyond the promised date for completion of Phase 2B. Mr. Burnham indicated that a promised letter from NDOT regarding rehabilitation of Carson Street before turning it over to the City had not yet been received. He indicated that the rehabilitation of Carson Street will be similar to that done on Stewart Street—compliance with ADA requirements and that it will be a viable roadway.

Ms. Martinovich complimented City staff for working with the NDOT staff to develop the agreement. She then explained the freeway's status. Carson City's offer of \$15 million will accelerate the construction period for the portion from Highway 50 to Fairview. There are no plans to halt the freeway at Fairview. The freeway needs to be completed to Spooner in order to be fully functional. She stressed that the completion date should be the same date as the date that the City assumes ownership of Carson Street and cars are using Phase 2. If the project is completed sooner, the City will assume ownership sooner. This date should be 2011. The need for the agreement to contain a clear understanding of the commitments was explained. She also pointed out that NDOT cannot control unknowns and their impacts on the freeway's progress. The agreement includes enough caveats to protect the City if the timeframes that have been included are not met. Mayor Masayko felt that the agreement clearly indicated that there will not be a "fight" if the deadlines are not kept. The agreement includes a level of confidence and trust that the terms will met with all due diligence. Ms. Martinovich assured the Board that NDOT will work closely with City staff to ensure that the Board/City is cognizant of the freeway's status at all times. Project Manager Jim Gallegos will continue to provide periodic status reports to the Board/City. She apologized for the failure to provide the promised letter and committed to getting it to staff posthaste. She indicated that the rehabilitation of Carson Street will occur two years before it is turned over to the City. It includes an overlay and curb cuts. It may not mean extending sidewalks. Discussion on sidewalks will have to occur. The rehab should last for 20 years. Discussion listed several things which could halt construction of the freeway, including challenging right-of-way issues; the visual impact; steel, asphalt and oil availability; and Federal funding. Supervisor Staub explained his reasons for recommending the revisions eliminating "to make every effort". He urged her to include more definitive language regarding what could prevent construction of Phase 2 within the agreement. Justification for the inclusion was limned. Ms. Martinovich responded by explaining that it is not possible to foresee all of the problems which could stop progress. Examples encountered with Phase 1A were cited to illustrate her point. She also pointed out that the City will not commence paying the \$15 million until the freeway is completed. If the agreement is not met, the City will not have to pay the \$15 million. The second phase of the freeway may be split into additional phases due to funding concerns. The City's \$15 million commitment helped get it to Fairview. The City's commitment to make the Fairview improvements provided additional incentive for more work on the second phase of the freeway. The agreement, the State Transportation Improvement Plan, the RTC and MPO's transportation improvement plans all include the freeway to Spooner. NDOT cannot arbitrarily add to or remove it. Examples of other communities who have committed funding for highway projects were provided. Justification for and an explanation of the program of returning local streets to the communities were provided. Examples of communities who have taken back local streets were given. Mayor Masayko explained that some of these communities had not voluntarily accepted the roadways. They were told that this is NDOT's policy and that the streets would not be maintained with NDOT funds. His attendance at the Statewide Transportation Advisory Board meetings was noted to explain his knowledge about this reluctance. Supervisor Staub reiterated his desire to have a "good record" on the terms of the agreement. He reiterated his concern about the term "to make every effort". Ms. Martinovich agreed to work

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 9

on language that would exercise the utmost diligence in good faith baring unforeseen contractual impossibility. She could not accept removal of “to make every effort” and replace it with a specified date. Discussion between Ms. Martinovich and Mayor Masayko indicated that the proposed agreement states that if NDOT does not complete the freeway by 2011, the City will not be obligated to pay the tax. Phase 1 had required payment of the tax regardless of the freeway’s status. The complexity of Phase 1 and its problems were noted to illustrate unknowns that could arise and delay Phase 2. The tax will not be paid until Phase 2b to Clearview is completed. Mayor Masayko asked that this language be included within the agreement. Ms. Martinovich had allegedly represented to Mayor Masayko that the agreement included this language. Ms. Martinovich also explained that the tax implementation date is tied to opening for traffic. Justification for use of this term was provided. Landscaping will not prohibit opening for traffic.

Discussion between Supervisor Livermore and Ms. Martinovich explained that the clause “negotiate the City’s contribution” was included in the agreement to address any additional work required by the City. Ms. Martinovich felt that if the City added to the project, it should be willing to negotiate/pay for that work. She explained that Colorado currently intersects Edmonds. After the freeway is completed, this intersection will be eliminated. If the City/community want the intersection, it should be willing to pay for it. Mayor Masayko pointed out that the agreement also indicates that if the cost for the freeway exceed \$120 million, the agreement can be renegotiated. Supervisor Livermore pointed out that the gas tax commitment is for a specified period. He hoped that NDOT is able to estimate the costs better than the City’s Roop Street estimate had been. Ms. Martinovich indicated that if there is an error in the estimate, it should not be Carson City’s problem. Mayor Masayko indicated that the agreement states that if NDOT has miscalculated the cost, NDOT will absorb the difference. He also indicated examples of items which may be added to the project which Carson City will have pay for or eliminate. Ms. Martinovich indicated that if these items are mutually beneficial to the project, then they will negotiate on the costs of adding them to the project. Justification for Supervisor Livermore’s comments/concerns were noted.

Supervisor Aldean pointed out that the agreement does not include a force majeure clause. She suggested that it be considered when being redrafted. Ms. Martinovich agreed to consider it. Supervisor Aldean also suggested that Paragraph 4 under Article 3 be revised so that its intent is clearly understood. Ms. Martinovich concurred and solicited suggestions. She acknowledged the desire to have a contract which the average person could read and clearly understand.

Mayor Masayko expressed his opinion that the City should not take over Carson Street from Arrowhead to Fairview until the freeway is completed. The City will be maintaining Fairview at the same time. He felt that acceptance of a portion of Carson Street made its maintenance a “hodge podge”. He was willing to argue his point with the Statewide Transportation Advisory Board. The transfer is being mandated by NDOT.

Mr. Teixeira reviewed the history of his involvement with Phase 1 of the freeway and the City’s funding commitment. He stressed the benefits the City will gain from having the freeway. His contention that the City funding equated to more than any other community/county commitment for a state roadway was emphasized. Ms. Martinovich indicated that, with the exception of Las Vegas’ beltway and Clark County’s commitments for I-15 and 215, this was true. Mr. Teixeira explained that Las Vegas had used multiple tax bases for the beltway and not just the gas tax. Carson City cannot do that. He was surprised that NDOT accepted just the gas tax. He reiterated his belief that without the City funding, the freeway project would have remained stalled. He then recommended that the City not accept Carson Street until the freeway is

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 10

completed. He suggested that a clause be added indicating that if the freeway is not completed before 2012, the City would not owe the final \$10 million. This will give NDOT an incentive for completing it as soon as possible. He urged the Board to make the agreement wording stronger and hold to the 2010 timeframe. He acknowledged that the agreement is not a level playing field but felt it was the best they would get. Additional public comments were solicited.

Mr. Osborne indicated that the Chamber Board had reviewed and unanimously supported the agreement. They had supported the original five-cent gas tax commitment even though they did not like it. It was felt that it was necessary to get the project started. The majority of the community had supported the concept as indicated by the Chamber's survey. The freeway had not progressed as quickly as originally envisioned. Now we must finish the project; accept the \$15 million price, and move forward. He also pointed out that Douglas County residents rescinded their gas tax to illustrate that not all of the payees like it. Even so, gas is the same price in Douglas County as it is in Carson City where the tax is being paid. The costs incurred as a result of not having the freeway include impacts to the economy, the quality of life, and the citizens of the community. Traffic keeps one from efficiently traversing the community. The agreement is good. It may need some word smithing. They support the commitment of additional funding with the time lines as established for the completion of the freeway. Additional public comments were solicited but none were given.

Mayor Masayko explained his 7-1/2 year commitment to moving the freeway forward. It was never a level playing field in little Carson City's dealing with NDOT. The City must do what is proposed in order to keep the freeway construction moving forward. The stakes are high. People are not happy about extending the gas tax. The total cost for the community is \$34 million. Staff knew that it would take \$15 million to complete the freeway to Spooner when it became stalled at Highway 50. Governor Guinn has repeatedly reminded Douglas County that it must participate or the freeway will not be constructed in its area. This is the ground rule for the future. The City needs the project.

(2-0020) Discussion between Supervisor Staub and Ms. Martinovich indicated that the motion could include instruction to the City staff to renegotiate the term on the takeover of Carson Street to extend it to Spooner and for the takeover to occur at the completion of the freeway. Discussion between the Supervisor Staub and Mayor Masayko indicated the need to revise the gas tax ordinance to allow the extension of the five cents and to insure that the gas tax can be used for the freeway rather than local projects. The sunset clause will also have to be removed. Without extending the gas tax, the City may not have funds to support the agreement.

(2-0057) Supervisor Staub moved to approve the Interlocal Agreement with the Nevada Department of Transportation providing for a Carson City Regional Transportation Commission contribution of \$15 million toward completion of Phase 2 of the Carson City Freeway with the following recommendations to staff, that is, on Page 2, Article I, Paragraph 2, to consider revising language "to make every effort to" in the second sentence and the third sentence to be something along the lines of "to exercise the upmost diligence and best efforts in good faith baring contractual impossibilities", which is the language that he would use, and, also, addressing Page 3, Article 3, Subsection 4 by defining exact dates and time frames of payments on which Carson City will assume ownership and maintenance and responsibility for Carson Street with the recommendation that NDOT and Carson City negotiate further and consider Carson City not assuming that responsibility until the freeway is completed to the Spooner Intersection. Discussion indicated that the agreement already contains the clause "unless earlier at the City's initiative". Supervisor Staub continued

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 11

his motion to include, “and to add a force majeure provision on Page 5; the fiscal impact is a total of \$15 million over a period to 2026; and the funding source is 250-3035-431-2501 NDOT/Bypass.” Supervisor Livermore seconded the motion. Supervisor Livermore then explained his quandary regarding the appropriateness of his office and the commitment being placed upon the community. The freeway should be considered like an infrastructure commitment to schools, the water and sewer plants, the fire department, and other public safety items. Regional growth is occurring. The City must compete for its share of this growth. The freeway is needed to bring a fair and level economic playing field to the community. The new Walmart store, that is to be located in the northern portion of the City, was cited as one example of this economic growth. The only way the City is going to be able to compete with economic growth in the surrounding areas is to have a modern, fully completed, well developed and maintained freeway. This is the reason for his seconding the motion and his willingness to support the motion. Supervisor Aldean pointed out that Mr. Osborne had alluded to the fact that when she was Chamber of Commerce President they had debated the gas tax and its use for the freeway. Initially it was for construction of the freeway. There were a lot of unknowns at that time. The Commission and City realigned its priorities in order to pursue the freeway. Righteous indignation at this time will only jeopardize the City’s fine working relationship with NDOT. She also pointed out that there are few definitive statements included in the original agreement as illustrated by her example of the commitment to put the project out to bid sometime in February 1998. She felt certain that NDOT is confident that they can do the project both philosophically and financially. NDOT is dealing in good faith. She was certain that they will be able to move forward successfully. Mayor Masayko indicated that the Board may not have seen the final draft of the document. Staff has work to do. He volunteered to assist. Clarification indicated that he was not agreeing to wordsmith the document but would “visit the State house”, if necessary. The motion was voted and carried 4-0-1 with Supervisor Williamson absent.

Mayor Masayko pointed out that staff had some work to do on the agreement. The Board may have to reconsider the final agreement. He volunteered to assist if needed at the Statewide Transportation Advisory Committee meetings. He noted that Supervisor Aldean had volunteered to do some word smithing.

D. ACTION TO INTRODUCE ON FIRST READING 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 (2-0160) - Public Works Operation Manager Tom Hoffert - Discussion indicated that the users will have to have a permit in order to obtain the effluent. A priority is established on the users. They know that they may not be able to obtain it when restrictions are in place. The users are responsible for providing a vehicle in which to haul and for hauling the effluent. The City does not transport it for them. The vehicle must be appropriately marked indicating its use and meet protective measures. It was felt that the proposed use would have a small impact on the amount of effluent generated by the City. If the effluent is used outside Carson City, the receiving County may require permits and establish other standards governing the use with which the users will have to abide. Public comments were solicited but none were given. Supervisor Aldean moved to introduce on first reading Bill No. 112, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 12.11 USE OR-OF TREATED WASTEWATER EFFLUENT FOR CONSTRUCTION PURPOSES, BY

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 12

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; there is no fiscal impact. Supervisor Livermore seconded the motion. Mr. Hoffert explained that the typographical error in the title–Use Or Treated–is corrected by adoption of the ordinance. Motion carried 4-0.

AGENDA MODIFICATIONS (2-0250) - Mayor Masayko directed that the Closed Session be delayed until the afternoon session. Discussion indicated that the BAER Report, the modification to the irrigation restrictions, and setting the election workers' compensation would be considered this morning. All of the other items agenzized for this morning were to be continued to the afternoon session.

9. CLERK-RECORDER - Alan Glover - ACTION TO SET COMPENSATION FOR ELECTION BOARD WORKERS (2-0287) - Discussion explained that there are 90 Election Board Workers and their current compensation. Public comments were solicited but none were given. Supervisor Livermore moved that the compensations for Election Board Workers be set as follows: Team Leaders - \$150; Assistant Team Leaders - \$125; Poll Workers, Information Clerks and Card Collectors - \$100 per election; fiscal impact is \$21,800. Supervisor Aldean seconded the motion. Motion carried 4-0.

6. E. 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 DAYS PERSONS CAN WATER THEIR LAWNS, TREES, GARDENS, GRASS, SHRUBBERY AND OTHER VEGETATION AND TO ALLOW NEW LAWNS A TWENTY-ONE DAY EXEMPTION AND TO BE EFFECTIVE JUNE 1, 2005, AND OTHER MATTERS PROPERLY RELATED THERETO (2-0354) - Public Works Operation Manager Tom Hoffert, David Ruf, Gil Yanuck, Cooperative Extension Director JoAnn Skelly, Maryann Jennings - Mayor Masayko explained that a decision will not be made until after the joint session with the Charter Review Committee. He then explained that the proposed measures will not eliminate the need for additional resources and storage facilities. This winter staff will work on addressing the bottlenecks and problems that were being encountered this summer. Mr. Hoffert agreed that the supply and storage system need capital investments. He indicated that the proposal will reduce the water usage by approximately 14 percent. Mayor Masayko suggested that irrigation be allowed at 6 p.m. instead of 7 p.m. This reduces the savings to approximately 6 percent. It will allow the users some flexibility in their schedules. He also suggested that the Municipal Code be revised to allow staff to turn off water that is being wasted without having to cite the residents and then come back later to turn off the water. Clarification indicated that the proposal will allow watering on the 31st of each month unless the 31st falls on Monday. No watering will be allowed on Mondays. Justification was provided for not allowing a resident or property owner to hand water between the hours of 10 a.m. and 7 p.m. Commercial businesses and licensed caretakers can hand water during those hours. Mr. Hoffert also indicated that an automatic controller buyback and replacement program will be to the Board before June 1, 2005. Response to the media report regarding the proposal was described. Some people have requested and are already on the three-day irrigation schedule. These individuals were given an exemption from the present odd-even irrigation schedule. His contact with State Buildings and Grounds was limned. He felt that they are diligently working to eliminate water escape. Its watering program was briefly described. He indicated that it takes six days to water all of their turf and that they turnoff their water when the City experiences a shortage. Public comments were

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 13

solicited.

Mr. Ruf expressed concerns about antiquated control systems that cannot be set for irrigation every third day and individuals, specifically seniors, who are unwilling/unable to learn a new system. He briefly noted Denver's diamond square circle method. Mr. Hoffert had agreed to check into this system. He felt that hand watering of flowers and a garden was permitted under the current program. People will buy and plant flowers in June, July and August. The plants need to be irrigated once or twice a day. He encouraged the Board to allow hand watering and to provide flexibility within the ordinance. Mayor Masayko concurred with allowing hand watering of plants. Mr. Hoffert indicated that it is acceptable now but the ordinance will prohibit it. Mayor Masayko reiterated his suggestion that the City staff be allowed to go on private property to turn off an unattended hose bib.

Mr. Yanuck pointed out that an acre is a lot of turf to water, however, it provides defensible space. His monthly water bill due to irrigation is \$350. The proposed concept provides four or five days a month in which the storage facilities will be replenished. This is too much. A gradual increase in the number of days when irrigation is not allowed was suggested. His \$750 controller does not allow him to prohibit irrigation on Mondays. He supported the Mayor's suggestion that irrigation be allowed at 6 p.m. rather than 7 p.m. He asked that he be allowed to do "zoning" which the State and large schools do. It would even out his water demand and contribute more toward conservation than the proposal. Mayor Masayko indicated that he could be an exception to the program. He hoped that staff will work with Mr. Yanuck.

Supervisor Aldean pointed out they should refrain from suggesting that people install grass when landscaping their residences. The area is in a desert. We are attempting to conserve water.

Ms. Skelly explained that she teaches landscape design for wild fire defense. She agreed that a lawn provides a great fuel break, however, there are other things which work as well. Evapotranspiration was described. It measures the amount of evaporation to determine the amount of irrigation required per plant. She felt that residents over water. She expressed a willingness to help people learn the science of this system and modify their irrigation systems accordingly. She also explained the plan to help the individuals who were impacted by the fire restore their landscaping. Mayor Masayko suggested that staff give consideration to providing an incentive program that will change the landscaping to that which would permanently use less water. He did not feel that it would be necessary to codify this program.

Clarification indicated that the proposed program would run from June 1 to September 30.

Ms. Jennings briefly noted her residency in the area. She wanted to water every third day. She felt that the situation is not a water crisis but rather a building crisis. Building should be limited or they will outgrow their resources. Mayor Masayko indicated that he was not attempting to be argumentative, however, the facts indicate that it is a production issue rather than a growth issue. The City is currently growing at a one percent rate. The current residential use is growing at a rate of three to four percent per year. Combining this growth in water demand with the supply issue is creating the water shortage. Ms. Jennings indicated that she disagreed with his contention and reiterated her belief that it is a building crisis. Additional public comments were solicited but none were given. (Additional discussion and action occurred later in the meeting.)

11. CITY MANAGER - Linda Ritter

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 14

A. PRESENTATION OF THE WATERFALL FIRE BURNED AREA EMERGENCY RESPONSE (BAER) REPORT REGARDING THE REHABILITATION PLAN OF BURNED AREAS FROM THE WATERFALL FIRE (2-0846) - BAER Team Leader Genny Wilson; Nevada Division of Forestry, Forestry Staff Specialist and Stewardship Forester Jenny Scanland; Parks Planner Vern Krahn - Ms. Ritter introduced Ms. Wilson and Ms. Scanland and described the reports that were to be given.

Ms. Wilson briefly noted her expertise and listed the participating agencies and land owners. She showed slides recapping her report. She encouraged the Board to take time to study of each of the maps that were placed around the room. She stressed that the City will experience a lot of soil erosion as a result of the high intensity of the fire. Items that were at risk due to erosion were limned and included the City's watershed and intake system. Concerns about long term stability, noxious weeds, cultural and historical resources, the viewshed, roadways, and drainage were noted. The travel management plan will close the area to public access while allowing some access to other areas. Vicee Canyon's infiltration system should be cleaned and its productivity increased. The five U.S.G.S. gauging stations should be replaced. A sixth station should be added to warn the City if a problem is arising so that evacuation can occur. The need for the Virginia City water system was explained. The pipeline needs to be protected. Its road should be kept open and maintained at a standard which will allow fuel trucks to access the system. Twenty homes are at risk of damage from mud or debris flow. Recommendations addressing this concern were noted. Concerns in Ash Canyon and at "C" Hill were noted. Methods of addressing them were provided. She indicated that the ash depth is two to three feet deep and will come down the hill. The wind is already moving some of it. Seeding and long term restoration plans were described. She recommended that a coordinator of the volunteers be hired to channel and manage the volunteer efforts wisely. Signage and media reports should keep the public informed about the restoration effort. The public should not be allowed access to the area next year as it could damage the restoration efforts. The restoration price tag totals \$6 million for all owners including governmental agencies. Ms. Ritter indicated that Kings Canyon and Voltaire Canyon will be opened to the public this weekend. Ms. Wilson indicated that it is important that the public understand the necessity of staying on the roadways. The public must stay out of Ash Canyon as the slope is not stable. The seed germination will determine when the public will be allowed back into that area. Discussion indicated that the current Forest Service policy is to manage the natural resources and recreational needs. The District has a landscape plan for the backbone structure that will allow emergency access and through fare for the public. Roadways that do not provide for recreational experiences or emergency procedures will be closed.

Mr. Krahn gave a slide show illustrating the damage and described the presentation that had been made to the Open Space Advisory Committee (OSAC). OSAC took action to recommend to the Board that the implementation plans that are recommend in the BAER Team report be followed and to look at the use of City funding for wildflower mixes. Justification for the wildflower proposal and OSAC's commitment was provided.

(2-1536) Ms. Scanland briefly described her experience in Nevada. She cautioned the Board against opening the roads to public use too early as seeds and "bale bombs" will be dropped on the area in two weeks. Ms. Ritter indicated that the roads will be closed at that time. The term "bale bombs" was explained. Ms. Ritter then explained that many of the land owners who own more than one acre are not covered by the emergency funding. Cooperative Extension's stewardship program is working with these private land owners to provide assistance. Participatory agreements may be signed later today with the Nevada Division of Forestry and the

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 15

Forest Service which will allow the rehab to start. The effort has unofficially and without the agreements started. Mayor Masayko explained that his advice to the City Manager was that it was necessary and should commence even though the agreements have not been signed. He commended her for doing it. He felt that the Board, as the policy maker, would make sure that funding is provided when needed.

Mayor Masayko pointed out that OSAC is an advisory committee. He also felt that its resources could be used for this purpose. They should be considered as active participants in the process. Supervisor Livermore explained that he had agenized the presentation for the next Carson Water Subconservancy District meeting. He expressed an intent to seek financial support from it for the watershed restoration efforts. Ms. Ritter had committed to having City staff make the presentation on August 15. Mayor Masayko thanked Ms. Wilson, Ms. Scanland, and Mr. Krahn for the presentation. Discussion indicated that the funding portion of the implementation program will be considered later in the afternoon. No formal action was taken or required on the BAER Team presentation. (Additional discussion on the Waterfall Fire rehabilitation plan occurred later in the meeting—See Page 18.)

RECESS: A recess was declared at 12:57 a.m. Mayor Masayko reconvened the meeting at 2:05 p.m. The entire Board was present, constituting a quorum.

12. JOINT MEETING WITH THE CARSON CITY CHARTER REVIEW COMMITTEE (2-1632)

- Mayor Masayko thanked the Committee for its service to the community. Chairperson Donna DePauw convened her Committee at 2:05 p.m. Roll call of the Committee was taken. Chairperson Donna DePauw, Vice Chairperson David Cook, Stephen Lincoln, Steve Suwe, and Fred Uptergrove were present, constituting a quorum. Members Ronald Allen, Ernie Adler, Ronald Bowman, and Donald Campbell were absent. Chairperson DePauw indicated that Member Allen had called her and advised that he would not be able to attend the meeting. Member Uptergrove moved to approve the Committee's June 29, 2004, Minutes. Member Lincoln seconded the motion. Motion carried 5-0. Citizen Comments were solicited but none were given.

A. DISCUSSION REGARDING THE CARSON CITY CHARTER REVIEW COMMITTEE'S ACTIVITIES FOR 2004 (1-1682) - Chairperson DePauw thanked the Board for the joint meeting and complimented City staff on their assistance. She also thanked the Members for serving. Mayor Masayko indicated that the Committee's Bylaws should be handled by the Committee and not the Board. This is the same procedure used for other Committees/Commissions' bylaws. He also noted that the Committee is required by Charter and serves a purpose and function. The Committee served its purpose even though it had not found any changes that needed to be made to the Charter. Supervisor Aldean thanked the Committee for its work on the Board's agenda policy. As a result of Member Suwe's astute awareness of the fact that the Board could adopt a policy related to this matter, the Board had acted upon such a policy.

B. ACTION TO ADOPT BYLAWS FOR THE CARSON CITY CHARTER REVIEW COMMITTEE (2-1841) - Chairperson DePauw and Member Cook justified the Committee's request that the Board approve the Bylaws. Member Cook, while supporting the Mayor's position that the Board did not have to approve the Bylaws, encouraged the Board to acknowledge that the Committee has the right to develop Bylaws and can amend them as deemed necessary. Discussion then explained the Charter requirement that the Committee Members attend four Committee meetings and a joint meeting with the Board. The Minutes or a discussion with a Member could be used to determine the attendance. Supervisor Aldean felt that the

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 16

Bylaws established a formalized process for running the meetings and attendance. She questioned the reasons for having a majority for a quorum but a simple majority for voting purposes. Member Cook explained his belief that a majority of the membership should be required for a vote rather than a simple majority of the members in attendance. He had objected to this Bylaw. Chairperson DePauw explained the reasons for having the simple majority rather than establishing a number was due to the potential for the composition of the Committee to be changed at any time. Chief Deputy District Attorney Mark Forsberg explained that a quorum is required to start the meeting and a majority of those in attendance must support a motion for it to carry. Comments indicated that the language is similar to that contained in other Bylaws. Chairperson Depauw indicated that they had voted on the Bylaws. Mayor Masayko suggested that Supervisor Aldean take the issue to the next Charter Committee. He reiterated his desire to have the Committee function separately without Board control. The Board's Bylaws, for example, do not have to be approved by the Legislature. Discussion ensued on whether the Board should act to acknowledge the Bylaws. Mr. Forsberg indicated that the lack of action would indicate that it was unnecessary for the Board to approve the Bylaws. Tabling the Bylaws would indicate that the Committee has the authority to establish its own Bylaws. Supervisor Aldean suggested that the Bylaws indicate it is not necessary for the Board to bless any amendments to the Bylaws. Member Cook supported her suggestion. Member Lincoln explained the Committee's reasons for wanting established Bylaws. Supervisor Aldean moved to adopt the Bylaws for the Committee subject to the understanding that no amendments will require approval of the Board of Supervisors. Supervisor Staub seconded the motion. Motion carried 4-0.

Supervisor Staub then suggested that an amendment be made to the quorum due to his feeling that there is a conflict. Mayor Masayko felt that the attendance requirements mandate that noncompliance be reported to the Board. The Member could then be removed for reasonable cause by the Board and a replacement made by the appointing officer. Chairperson DePauw thanked the Board for its assistance and support. The comments will be noted and may be addressed in two years when the Committee reconvenes. Supervisor Staub explained that Member Suwe was his appointee and that he is serving a four-year term. Board comments thanked the Committee for its service. Member Cook moved to adjourn. Member Uptergrove seconded the motion. Motion carried 5-0. Chairperson DePauw adjourned the Committee at 2:36 p.m.

6. E. CONTINUED (1-2354) - Mr. Hoffert reiterated the need to adjust the irrigation schedule and reduce consumption during the summertime. He indicated that as the ground water table drops, it is more difficult to pump water. Conflicts between Carson City's schedule and the Reno/Sparks schedules creates confusion for Carson City users. Consistency with their schedules should make it easier for Carson City residents. Staff is working to develop a conservation package that will include programs with incentives/rebates for the Board to consider prior to the June 1, 2005, implementation date. An example was given to illustrate the ideas under consideration. Mayor Masayko reiterated his suggestion that the evening irrigation hours begin at 6 p.m. This will reduce the conservation effort from 14 percent to 7 percent. He had also suggested that the ordinance be revised to allow City staff to enter private property and turn off unattended running hose bibs. He also requested consideration be given to allowing residents with large yards to water in sections and to allow hand watering on any date. The proposal to allow commercial or professional landscapers to water on the wrong date should not be allowed. Mr. Hoffert indicated that special exceptions are done on a case-by-case basis. These exceptions are documented and clearly show the periods when watering will be allowed. Mayor Masayko explained that he had received several telephone calls on the concept. Their issues were purportedly handled. He indicated that the period 10 p.m. to 7 a.m. is used to refill the tanks. It is a water production problem and not a resource problem. If production costs are higher

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 17

in the summer than in the winter, a change in the fee structure should be made to reflect it. Ms. Ritter indicated that a work shop could be held on the drought impact on production that would include rates and costs. Mayor Masayko encouraged her to include the public. He felt that the public would rather pay more for water than deal with “the sky is falling” every year. More education on conservation needs should be provided. People’s perception is that the City is sending a mixed message as growth is occurring during a water shortage. He felt that reducing the watering period would create a larger demand and stress the system even more. Mr. Hoffert explained research that had been done in Colorado and at UNR which indicated that the total usage does not change. Education on efficient use of the water and proper landscaping does change the amount used. Ms. Skelly is attempting to provide this education. Mayor Masayko urged staff to provide the education on an annual basis and reiterated his belief that infrastructure improvements, rate structure amendments, and education were needed. Mr. Hoffert then proposed a revision to Section B of the ordinance to allow hand watering of vegetable gardens, flower beds, and trees that were within a two-month period after planting. This allows everyone to hand water at any time. Commercial gardeners and caretakers will fall under this section and are exempt from the watering restriction in Section 2A. He revised this section to include individuals who are house-setting. He agreed to allow watering to start at 6 p.m. Mayor Masayko indicated a desire to see the changes in writing and to consider this meeting as a workshop. Mr. Hoffert reiterated that the ordinance would not be effective until June 1, 2005.

Mr. Forsberg explained former Deputy District Attorney Charlie Cockerill’s opinion that City employees should not go onto private property to turn off the water.

RECESS: Due to a power failure, a recess was taken at 2:57 p.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 3:17 p.m.

Discussion ensued on Mr. Cockerill’s opinion. Mayor Masayko asked that the District Attorney’s office take a second look at this concept. Mr. Forsberg suggested that time be allowed for the research prior to bringing the revised ordinance back for consideration. Mayor Masayko agreed. Supervisor Livermore reiterated the concern that additional education is needed on conservation measures, the need for additional water infrastructure, and on the system. Mayor Masayko and Mr. Hoffert agreed. Supervisor Livermore urged staff to strategize and develop a method to deliver the message effectively to the community. Elected officials are receiving the criticism of misconceptions. He hoped to put them to bed. Public comments were then solicited.

(1-3038) David Ruf recommended against starting the watering period at 6 p.m. Justification for his recommendation was provided. He suggested that the watering period be extended from 10 p.m. to 10:30 p.m. He suggested that 20¢ caps be acquired and placed over the hose bib. Plastic bags could also be used to cap the hose. People need to know and understand that the problem with the delivery system and reasons for the restricted watering days. He felt that a mixed message is being sent when people see water lines being replaced with larger lines and yet they do not have any water when they turn on the tap. Mayor Masayko reiterated his belief that the proposal merely condensed the water demand into fewer hours. Justification for his recommendation that the watering period be extended was provided.

(2-3162) Carlos Velasco explained his efforts to obtain compliance with the current ordinances at his apartment complex. Mr. Hoffert had explained to him the hours when the enforcement officers are on duty. Due to the inability to obtain compliance, Mr. Velasco volunteered to be an enforcement officer. He urged

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 18

the Board to increase Mr. Hoffert's staff or hours until 11 p.m. Justification for his request was provided. Mayor Masayko explained that it is a balancing act to know when to have enforcement on patrol. He was willing to accept his offer to volunteer his services and noted the ire/rath he may receive as a result of his efforts. Mayor Masayko directed staff to revise the ordinance as indicated by the comments and to return in two weeks. The hours are to be expanded. There is to be no watering on Mondays. He looked forward to the workshop and educational program(s). Using different approaches to landscaping and irrigation will help the conservation program. No formal action was taken.

11. A. CONTINUED (3-0001) - Ms. Ritter explained that at this time there are no Federal funds available for restoration. FEMA and State efforts to obtain funding were noted. The State has purportedly agreed to sign an agreement being responsible for the costs, however, work is already underway and funding needs to be provided. She asked the Board to grant \$500,000 for this purpose. She was unsure whether this amount would be adequate to cover all of the expenses that the City will ultimately have to pay. Mayor Masayko explained his support for moving forward with rehabilitation at this time even though funding has not been provided. Supervisor Livermore was unsure of the level of funding which may be provided by the Subconservancy District. Discussion indicated that the \$1.75 million is the NRCS funds and noted the fluctuation in the numbers. The City's estimated cost may be as low as \$150,000 as some of the work is being done in-house. Mr. Burnham pointed out that the figures are estimates. The City will be reimbursed based upon actual costs. The estimates are used to qualify for a program. The reimbursement is based upon audited figures that are provided later on. It may take a year or more to reach the end of the program.

Mr. Flansberg gave a slide presentation illustrating the destruction and rehabilitation needs and procedures. The dry climate may keep the seeds from germinating and growing for several years. Discussion indicated that Ms. Skelly believed that herbicides could be used to control the weeds without impacting the native seeds. The decision to open the roads for two weeks and then close them during the "bale bombing" and seed planting efforts was reiterated. Educational efforts to prepare the impacted residents for the potential of a flood were explained. Mayor Masayko encouraged staff to implement this program as quickly as possible. The amount of filled sand bags and bags waiting to be filled were noted. No formal action was taken or required.

12. CITY MANAGER - Linda Ritter

B. APPROVAL OF A GRANT AWARD TO THE UNIVERSITY OF NEVADA COOPERATIVE EXTENSION FOR WORK RELATED TO REHABILITATION EFFORTS ASSOCIATED WITH THE WATERFALL FIRE (3-0360) - Extension Director JoAnn Skelly, David Ruf - The need for Ms. Skelly and her colleagues' expertise and assistance became instantly apparent after the fire was contained and property owners began calling the City offices attempting to determine whether their landscaping would survive. Rehabilitation and restoration efforts take several years to accomplish. The grant will allow Ms. Skelly and the Extension Service to hire staff to assess landscaping on private property and determine the course of action needed to treat, rehab, and/or restore the landscape and create defensible space. They will provide classes to educate the residents on weed and insect controls. They will provide the coordinator to spearhead the volunteer effort. City Hall is generating a list of volunteers who have offered their services to assist with the rehab/restoration efforts including tree planting activities. Ms. Ritter then briefly limned the contents of the grant. The grant will reimburse Cooperative Extension for the funds it spends on the effort. Discussion explained that the \$26,000 difference between the grant and the Agenda Report was created by

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 19

finalizing the grant figures after the Agenda Report was submitted.

Ms. Skelly expressed her honor at being able to participate in the rehabilitation effort and to be a member of the BAER Team. She commended the City on its response to the community's needs. Her contact with property owners and interested parties in the community, including e-mails, was limned. She is functioning as a liaison for the homeowners so that they do not have to call City Hall. The proposal is to have a full-time coordinator of volunteers. It may be a long-term project. The matrix for the program is being developed. The coordinator will be a State employee. The City will not be responsible for the employee's salary in three or four years. Ms. Skelly will be responsible for supervising the employee and for providing administrative oversight. The results should be measurable. Mayor Masayko commended her on her willingness to jump in and help. He appreciated her motivation and the positive extension of her services. He felt certain that there will be lots of community volunteers wanting to participate. The coordinator will pay for his/herself by getting the job done correctly and efficiently. Clarification pointed out that the coordinator is not a volunteer. He/She will supervise the volunteers. She/He will receive State benefits in addition to his/her salary. Public comments were solicited.

Mr. Ruf gave the Board a packet of the seed mix that will be used to rehab the hillsides. The bag contained eight different varieties of seeds. The grass mixture was limned. Grass seeds comprise 70 percent of the mixture. The grass will stabilize the soil and combat the cheat grass. Fifty percent of the mixture is perennial. Twenty percent is annual. The grasses have low flammability and are good soil stabilizers. The grass that was sown on "C" Hill after the fire was crescented grass and not cheat grass as perceived by the public. The herbicide "Plateau" works against cheat grass, however, it is unknown whether it will also kill the varieties of grass contained in the seed mixture. He urged the Board/City to temper its enthusiasm for "Plateau" until more is known about it.

Ms. Skelly indicated that his points were valid. The Extension Service is doing research on "Plateau". These specialists will also work with her Department to determine where it should and should not be used. They will help develop "prescriptions" for fuel breaks and educational programs on what is being done. Not all grass is cheat grass. One of the classes will address this issue. There will be seven or eight classes. She hoped to have four of the classes completed before November. This will help people make wise choices and plantings this fall. Mayor Masayko reiterated his belief that there is a large group of volunteers who want to help. He supported channeling this energy to provide long-lasting results. Additional public comments were solicited but none were given. Mayor Masayko disclosed that he had discussed the need for a resolution delineating the matching funding sources with Ms. Ritter. He also indicated that these funds may not be adequate to meet the entire funding requirement. The proposal is a commitment on the City's behalf to participate due to the benefits that will be provided.

Supervisor Aldean moved to approve a grant award in the amount of \$222,750 to the University of Nevada Cooperative Extension for work related to rehabilitation efforts associated with the Waterfall Fire as outlined in the attached grant request subject to the creation of a Waterfall Fire Rehabilitation Fund; fiscal impact: grant is not to exceed \$222,750 for a two-year period beginning August 5, 2004, and the funding source is the Waterfall Fire Rehabilitation Fund. Supervisor Livermore seconded the motion. Discussion indicated that the funding sources will be discussed later in the meeting. The motion was voted and carried 4-0-1 with Supervisor Williamson absent.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 20

10. FINANCE - Director Tom Minton - ACTION TO ADOPT A RESOLUTION CREATING A SPECIAL REVENUE FUND TO REHABILITATE THE AREA DESTROYED BY THE WATERFALL FIRE (3-0630) - Mayor Masayko cautioned the staff and Board to be cognizant of the use of Enterprise Funds and grants for this purpose. Mr. Minton indicated that two Departments had been established to segregate the programs. Mayor Masayko explained how he had established the numbers he had used during the Governor's press conference. One-third of the acreage belongs to Carson City. The residential and commercial destruction/damage was described. The City's contribution shows its good faith and willingness to participate. It may allow the City to receive \$2.1 million in Federal and State funds. It starts the rehab and Ms. Skelly's program(s) immediately. Enterprise Funds may be taken from the Water Utility. The water users may have to reimburse the account. The General Fund does not have a large surplus and may have to use its reserves. Mr. Minton reminded the Board of its \$1 million contingency fund for emergencies which could be used for this purpose. Discussion indicated that the water rates may be increased to make improvements to the infrastructure. Open Space funds can be used for rehab of areas it owns. A legal opinion is being considered on whether these funds can be used for other open space areas. The review should include the ballot question and its explanation. The ballot question and its intent was discussed. The water shed owned by the City may need to be transferred to the Open Space Advisory Committee in order to use its funding source. Supervisor Livermore moved to adopt Resolution No. 2004-R-28, A RESOLUTION CREATING A SPECIAL REVENUE FUND TO REHABILITATE THE AREA DESTROYED BY THE WATERFALL FIRE, funding source will be the transfer of \$250,000 from the Water Utility Fund and \$250,000 from the General Fund. Supervisor Aldean seconded the motion. Motion carried 4-0.

7. PARKS AND RECREATION - Parks Planner Vern Krahn - ACTION TO APPROVE AND SWEAR MR. STEVE JOHNSON OF JOHNSON-PERKINS AND ASSOCIATES, INC., AS THE APPRAISER FOR THE CARSON CITY OPEN SPACE PROGRAM WITH REGARD TO THE FULL APPRAISAL OF PROPERTIES OWNED BY J.P. JARRARD, TRUSTEE, ET. AL; ROBERT L. ANDERSEN TRUST; CARSON LODGE NO. 1 MASONIC LODGE; AND A PORTION OF PROPERTY OWNED BY KAREN JOOST; AND REVIEW OF EXISTING APPRAISALS FOR PROPERTIES OWNED BY MICHAEL FAGEN AND ELIZABETH MCCLEARY; AND THE BENTLY FAMILY LIMITED PARTNERSHIP (3-0770) - Chief Deputy District Attorney Mark Forsberg - Discussion indicated that the Mayor could swear Mr. Johnson in after the meeting. Supervisor Staub disclosed his involvement in the proposal with Mr. Jarrard and the Andersen Trust and his representation of Mr. James Jarrard and the Trust for the Andersen Ranch. He does not have any financial gain in the process other than his involvement in bringing the process forward. Supervisor Aldean disclosed her involvement with the Masonic Lodge which had been ongoing for some time. She had been retained as a real estate broker by Carson Lodge No. 1 in connection with the disposition of the 88 acres the Lodge owns in Ash Canyon. They have been considering a number of disposals including selling the property to the Open Space Advisory Committee as well as a cooperative venture with the State. As she stands to profit from the sale, she indicated that she would abstain on this item. Mayor Masayko disclosed that, as Chairperson of the Commission to Reconstruct the V&T Railway, the Commission has engaged Mr. Johnson to do an appraisal on the rights-of-way from Gold Hill across the Overman Pit. He knows Mr. Johnson very well. He has worked with him very closely on that project. Other than their relationship with the V&T, he did not have any financial or personal connection to any of the listed properties which were being presented for appraisal. Supervisor Livermore indicated that he did not have a disclosure to make on this Item. Mr. Krahn explained both Open Space Manager Juan Guzman and Mr. Johnson's absences. Supervisor Livermore moved to approve and swear Mr.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 21

Steve Johnson of Johnson-Perkins and Associates, Inc., as the appraiser for the Carson City Open Space Program with regard to the full appraisal of properties owned by J.P. Jarrard, Trustee, et. al; Robert L. Andersen Trust; Carson Lodge No. 1 Masonic Lodge; and a portion of property owned by Karen Joost; and review of existing appraisals for properties owned by Michael Fagen and Elizabeth McCleary; and the Bently Family Limited Partnership; fiscal impact is \$19,750; and that the funding source is the Open Space Fund. Supervisor Staub seconded the motion. Motion carried 3-0-1-1 with Supervisor Williamson absent and Supervisor Aldean abstaining.

8. DISTRICT ATTORNEY - Chief Deputy District Mark Forsberg

A. ACTION TO APPROVE ACCEPTANCE OF STATE OF NEVADA OFFICE OF THE ATTORNEY GENERAL STOP (SERVICES-TRAINING-OFFICERS-PROSECUTORS) VIOLENCE AGAINST WOMEN GRANT AWARD NO. 2004-WF-AX-0037 IN THE AMOUNT OF \$60,000 WITH MATCHING FUNDS OF \$20000 FOR A TOTAL OF \$80,000 (3-0865) - Discussion explained the funding requirement that when the grant run out in a year or two, the City will be required to pay the individual's salary. If the City cannot financially afford the position, the Board can tell the District Attorney the personnel funding level. The District Attorney, in turn, will determine which position or positions are to be eliminated. The Attorney General cannot force the City to add the position to its personnel costs. This program is similar to that used to have the local jurisdictions take over the Child Support functions, however, funding will not continue at the end of the grant. Public comments were solicited but none were given. Supervisor Livermore moved to approve acceptance of State of Nevada Office of the Attorney General STOP, Services-Training-Officers-Prosecutors, Violence Against Women grant award No. 2004-WF-AX-0037 in the amount of \$60,000 with matching funds of \$20,000 for a total of \$80,000 with a funding source being from the District Attorney's budget. Supervisor Staub seconded the motion. Motion carried 4-0.

B. ACTION TO INTRODUCE ON FIRST READING, 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 (3-0954) - Discussion explained the Statute permitting citing a minor for internal possession of alcohol without having to observe the drinking and the exceptions which allow a minor to be in possession of alcohol. Mr. Flansberg agreed to review the Statute regarding the exceptions and, if necessary, revise the ordinance to match the Statute and bring the revised ordinance back for first reading at the next Board meeting. If a revision is not required, he will bring it back for second reading. Supervisor Staub moved to introduce on first reading Bill No. 114, 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 with the proviso that the District Attorney will look into the wording on Page 2, Section III, Paragraph 2d. Supervisor Livermore seconded the motion. Motion carried 4-0.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the August 5, 2004, Meeting
Page 22

11. C. 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 (3-1055) - City Manager Ritter expressed a desire to bring the Item back. Mayor Masayko indicated a desire to place information on the record due to his concerns about the CQI Program. Ms. Ritter indicated that the Board would have final approval over the Innovations Program. Mayor Masayko's concerns about the use of CQI for office furniture and uniforms was espoused. Services and Supplies are allocated to each Department and should be adequate to address those items. He ruled the item deferred. No formal action was taken.

D. CLOSED SESSION (3-1089) - Mayor Masayko indicated for television recording purposes that this is the final action item on the agenda. The Board will adjourn at the conclusion of 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 4-0. Mayor Masayko recessed the Open Session at 4:39 p.m.

E. OPEN SESSION - Mayor Masayko adjourned the Closed Session at 5:51 p.m. The Open Session was adjourned by mutual consent due to the loss of a quorum at that time.

The Minutes of the August 5, 2004, Carson City Board of Supervisors meeting

ATTEST:

ARE SO APPROVED ON February 17, 2005.

/s/
Alan Glover, Clerk-Recorder

/s/
Marv Teixeira, Mayor