

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, March 18, 2004, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Walter Sullivan	Community Development Director
	Sheila Banister	Chief Juvenile Probation Officer
	Steve Kastens	Parks and Recreation Director
	Mark Forsberg	Chief Deputy District Attorney
	Cheryl Adams	Purchasing and Contracts Manager
	Scott Fahrenbruch	Parks & Recreation Director of Operations
	John Simms	Juvenile Service Program Coordinator
	Juan Guzman	Open Space Manager
	Vern Krahn	Parks Planner
	Dave Stultz	Cemetery Sexton
	Joel Dunn	Recreation Supervisor - Sports
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Contract Coordinator

(B.O.S. 3/18/04 Tape 1-0080)

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, AND DETERMINATION OF A QUORUM - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Youth Pastor Pat McConville of the Capital Assembly of God gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0107) - None.

1. APPROVAL OF MINUTES - DECEMBER 4, 2004 (1-0110) - Supervisor Livermore moved for approval of the December 4, 2003, Minutes as submitted. Supervisor Aldean seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0122) - None.

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3. SPECIAL PRESENTATIONS

A. PROCLAMATION FOR “JIM THORPE DAY”, MARCH 18, 2004 (1-0124) - Supervisor Williamson introduced Jim Thorpe and described his role as camera person for the City. She read the proclamation into the record and presented it to him. Mr. Thorpe thanked the Board for the recognition. His films are now on DVD and are available at the library. They cover 13 years of City functions. Supervisor Williamson thanked him for his service and for making the films/DVDs available to the public. Mayor Masayko introduced May Rose Thorpe, Mr. Thorpe's wife. Mayor Masayko thanked him for his service to the community. No formal action was required or taken.

B. ACTION TO ADOPT A RESOLUTION OF RETIREMENT HONORING STEVE KASTENS, PARKS AND RECREATION DIRECTOR, FOR HIS MANY YEARS OF SERVICE TO CARSON CITY (1-0179) - Discussion indicated today is Mr. Kastens' last day. Mayor Masayko noted Mr. Kastens' 28 year tenure with the City and read the resolution into the record. Supervisor Livermore moved to adopt Resolution No. 2004-R-6, A RESOLUTION OF RETIREMENT HONORING STEVE KASTENS, PARKS AND RECREATION DIRECTOR, FOR HIS MANY YEARS OF SERVICE TO CARSON CITY. Supervisor Aldean seconded the motion. Board comments briefly described personal and professional involvement with him. They commended Mr. Kastens on his professionalism, work ethics, high standards, dedication and leadership. It was felt that it will be difficult to fill his shoes. They wished him success in his retirement. The motion to adopt Resolution 2004-R-6 was voted and carried 6-0. Mayor Masayko then read the retirement plaque into the record and presented it to him. Supervisor Livermore, acting as Chairperson for the Youth Sports Association, read a plaque from the Association into the record and presented it to Mr. Kastens. He described Mr. Kastens support of YSA. He then presented a pen and pencil set to Mr. Kastens. He hoped Mr. Kastens will continue to coach and participate in YSA's programs. He thanked him for his years of service and dedication to YSA and youth recreational activities in the community. Mr. Kastens then explained his family's 1963 move to Carson City, Dennis Sullivan's decision to hire him, and Mr. Hataway's decision to promote him to Director on Mr. Sullivan's retirement. He thanked Mr. Sullivan and Mr. Hataway for their faith in him, his wife Susie for her support throughout the years, the numerous committees/committees members who help make the community programs a success, and his staff members and the Board for their support. His plans for the future were briefly limned. He also explained that he had at one time worked for Mr. Thorpe and wished him success. Public comments were solicited but none were given. Mayor Masayko then announced the retirement reception scheduled from 1 p.m. to 4 p.m. at the Parks Department this afternoon and invited the public to participate.

4. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0470) - Supervisor Livermore reported on a neighborhood meeting regarding the proposed Sierra Pacific Power Company substation on Fairview Drive and announced the plans for a second meeting at 7 p.m. on the same topic; the Ron Woods Resource Center's meeting to accept the Director's resignation and announced that recruitment for a new director is underway; the Mental Health Coalition meeting; the Parks and Recreation Commission meeting; and the Subconservancy District meeting. He then explained a contact's statements that the Open Meeting Laws' training requires 2-1/2 hours on five days and questioned the need for this amount of training. He suggested that the Charter Review Committee look at the resolution and intent. Supervisor Staub reported on the Babe Ruth Baseball activities; the RTC meeting; the Hospital Auxiliary's

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Cowboy Poetry fundraiser; the Senior Citizens Center Advisory Board meeting including the status of the Center's expansion project and funding needs; and the Airport Authority meeting. His media report included the closing of Joe Bob's and UNR's basketball team's participation in the national tournament. Mayor Masayko disclosed that he had received two telephone calls from constituents regarding the Airport Authority meeting and thanked the Authority for airing the matter. Supervisor Williamson explained that she had several meetings on the ordinance allowing mixed uses in the downtown area and indicated a need to discuss this program with financial institutions. She then reported on the Redevelopment Authority Citizens Committee meeting; her representation of the City at former Governor Michael O'Callahan's funeral; the Subconservancy meeting; and her trip to Phoenix. Supervisor Aldean reported on her attendance at a legislative issues meeting with members of the Reno/Sparks Chamber of Commerce, EDAWN, and NNDA; the Chamber of Commerce Leadership Kickoff Reception; the RTC meeting; the morning session of the Lake Tahoe Fire Forum; the Lake Tahoe Oversight Committee meeting; and the monthly meeting of the Mental Health Steering Committee which Supervisor Livermore had also attended. Supervisor Aldean asked Tom Keeton to provide a report on his Open Meeting training sessions. Mayor Masayko reported on his attendance at the Northern Nevada Development Authority mixer; the Convention and Visitors Bureau meeting including the status of Mr. Olsen's request for support of the World Beard and Moustache Championship; the Carson Middle School's Career Day; the MS Walkathon; the TRIAD Council meeting; the groundbreaking ceremony for the State Conservation and Natural Resources Building which City Manager Ritter had also attended; the Carson Area Telecom Pioneers meeting; and the Republican Women's St. Patrick's Day Dinner. He announced TRIAD and CC Care's joint effort to develop a program to have an identification bracelet indicating the individual's medical/personal history is available at CC Cares if the individual is unable to provide it. He also announced, as Chairperson for the Nevada Commission for the Restoration of the V&T Railway, that the train's Highway 50 bridge will arrive next week. It will be stored at Mr. Parker's airport. It should be graffiti free when it arrives. Supervisor Williamson announced the WNCC's Steve Garvey fund raiser for March 31 and urged the public to participate. Tickets are available from her or the College. No formal action was required or taken.

B. STAFF COMMENTS AND STATUS REPORTS (1-1232) - City Manager Ritter explained that the City water and sewer bills had included the storm drainage utility bill. They had received approximately 12 telephone calls regarding the storm drainage utility bill. She had appointed Scott Fahrenbruch as Acting Parks and Recreation Director. She expressed her appreciation to Tom Keeton for attending the Open Meeting Law and Ethics training sessions. It is an optional program. She believed that the volunteers should have some brief training on the Open Meeting Law and ethics. Mayor Masayko indicated that Mr. Keeton will be asked to provide a report. No formal action was taken or required.

5. CONSENT AGENDA (2-1255)

5-1. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION AND AWARD THE 2004 PRODUCTION WELL INSTALLATION PROJECT, CONTRACT NO. 2003-069 TO (BIDDER NO. 2) ZIM INDUSTRIES, INC., AKA ZIM IRRIGATION AND BAKERSFIELD WELL AND PUMP COMPANY, 4545 E. LINCOLN AVENUE, FRESNO, CA 93725, FOR A CONTRACT AMOUNT OF \$587,768 AND A CONTINGENCY AMOUNT OF \$12,232

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE DEER RUN ROAD RECONSTRUCTION PROJECT, ENGINEERING CONSTRUCTION SERVICES PROJECT, CONTRACT NO. 2003-077, AND AUTHORIZE DEVELOPMENT

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SERVICES TO ISSUE PAYMENTS TO STANTEC CONSULTING, INC., 6980 SIERRA CENTER PARKWAY, SUITE 100, RENO, NV 89511, FOR A CONTRACT AMOUNT OF \$45,019

5-2. PURCHASING AND CONTRACTS

A. ACTION TO RENEW CONTRACT NO. 0203-094, PARKS DEPARTMENT FERTILIZER WITH VERDICOM INC. (FORMERLY KNOWN AS UNITED HORTICULTURAL SUPPLY) THROUGH MARCH 19, 2005, AT THE SAME PRICES, TERMS, AND CONDITIONS AS ORIGINALLY AWARDED ON MARCH 20, 2003, AND TO AUTHORIZE ITS USAGE BY ALL DEPARTMENTS PROVIDING THAT CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED

B. ACTION TO APPROVE CONTRACT NO. 0304-067, CONFLICT COUNSEL ATTORNEY SERVICES, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY A CONSORTIUM OF KAY ELLEN ARMSTRONG, CAROLYN TANNER JENSEN, J. THOMAS SUSICH, ROBERT B. WALKER, AND JASON WOODBURY FOR \$24,000 PER MONTH THROUGH JUNE 30, 2005, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL YEARS SUBJECT TO NEGOTIATIONS

C. ACTION TO APPROVE REVISED CONTRACT NO. 0304-074, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY DIMENSIONS UNLIMITED, INC., TO PREPARE THE CARSON CITY HAZARD MITIGATION PLAN THROUGH DECEMBER 31, 2004, FOR A NOT TO EXCEED COST OF \$40,000

D. ACTION TO APPROVE CONTRACT NO. 0304-080, REQUEST FOR THE PURCHASE OF SOFTWARE FROM THERMO ELECTRON CORPORATION, A SOLE SOURCE PROVIDER, FOR A NOT TO EXCEED COST OF \$36,298.04

E. ACTION TO AUTHORIZE ALL CITY DEPARTMENTS TO UTILIZE THE U.S. COMMUNITIES PROGRAM WHICH IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO PARAGRAPH (M) OF SUBSECTION 1 OF NRS 332.115 PROVIDED THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES (FILE 0304-085)

F. ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE ATTACHED LIST OF 132 PIECES OF MISCELLANEOUS COMPUTER EQUIPMENT HAVE REACHED THE END OF THEIR USEFUL LIVES AND ARE THEREBY DONATED TO COMPUTER CORPS; A NONPROFIT ORGANIZATION CREATED FOR CHARITABLE PURPOSES AS SET FORTH IN NRS 372.3261 (FILE 0304-087)

G. ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0304-089, A REQUEST FOR THE PURCHASE OF ONE (1) MOBILE COMMAND CENTER LDV MODEL NO. MCC24LLS260-03 FOR A NOT TO EXCEED COST OF \$231,531 EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO PARAGRAPH (M) OF SUBSECTION 1 OF NRS 332.115

H. ACTION TO APPROVE CONTRACT NO. 0304-090 JOINDER CONTRACT WITH CONWAY COMMUNICATIONS, INC., THROUGH THE STATE OF NEVADA TO PROVIDE TELEPHONE REPAIR, WIRING, CABLE, AND FIBER OPTIC CABLE REPAIR AND INSTALLATION THROUGH JUNE 30, 2005, PROVIDING THAT CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED

5-3. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO ACCEPT AMENDMENT NO. 1 TO HIGHWAY AGREEMENT NO. PR561-03-015 WITH THE NEVADA DEPT. OF TRANSPORTATION FOR PHASE 1B OF THE

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CARSON CITY FREEWAY TO INCLUDE THE CONSTRUCTION OF POSITIVE PLACE AS PREVIOUSLY FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION

B. ACTION TO APPROVE: 1. AN AGREEMENT BETWEEN ANDREW H. BUTTI AND CARSON CITY WHEREBY ANDREW H. BUTTI AGREES TO GRANT A PERMANENT SLOPE EASEMENT AND RIGHT-OF-WAY UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 004-246-01, AND 2. AN AGREEMENT BETWEEN ANDREW H. BUTTI AND CARSON CITY WHEREBY ANDREW H. BUTTI AGREES TO GRANT A TEMPORARY CONSTRUCTION EASEMENT UPON, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 004-246-02 FOR THE PURPOSE OF ROADWAY CONSTRUCTION RELATED TO THE WIDENING OF A PORTION OF ROOP STREET

C. ACTION TO APPROVE AN AGREEMENT BETWEEN CHARLES G. HUTTER, III, AND COLLIE L. HUTTER, AND CARSON CITY WHEREBY CHARLES G. HUTTER AND COLLIE L. HUTTER AGREE TO DONATE A PERMANENT WELL AND ACCESS EASEMENT AND RIGHT-OF-WAY UPON, OVER, AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 007-201-05 FOR THE PURPOSES OF MAINTENANCE AND REPLACEMENT OF A MUNICIPAL WATER PRODUCTION WELL, PIPELINE, AND ELECTRICAL CONDUITS

D. ACTION TO ACCEPT OFFERS OF DEDICATION OF PERMANENT WELL SITE EASEMENTS UPON, UNDER AND ACROSS LANDS OWNED BY CARSON CITY FOR PARKS AND RECREATIONAL PURPOSES TO ALLOW THE DEVELOPMENT SERVICES DEPT. TO ACCESS AND MAINTAIN MUNICIPAL WATER PRODUCTION WELLS, PIPELINES, AND ELECTRICAL CONDUITS LOCATED ON THESE LANDS. THE FIVE (5) MUNICIPAL WELLS FOR WHICH STAFF IS REQUESTING DEDICATIONS OF WELL SITE EASEMENTS ARE AS FOLLOWS: DEDICATION OF WELL SITE EASEMENT FOR APN 009-16-01, WELL NO. 9; APN 010-021-43, WELL NO. 25; APN 010-021-43, WELL NO. 41; APN 009-529-13, WELL NO. 45; AND APN 007-392-39, WELL NO. 48.

5-4. PUBLIC WORKS - ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE RECREATION AND PUBLIC PURPOSES LEASE RENEWAL (R&PP) N-298 BETWEEN CARSON CITY AND THE BUREAU OF LAND MANAGEMENT (BLM) FOR THE LANDFILL PROPERTY - Supervisor Livermore moved to approve the Consent Agenda consisting of two items from Development Services - Contracts; eight items from Purchasing and Contracts which includes 5-2F. Resolution No. 2000-R-7; four items from Development Services - Engineering; and one item from Public Works; for a total of 15 items. Following a request for a correction, Supervisor Livermore amended his motion to correct the Resolution No. to be 2004-R-7. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. CONVENTION AND VISITORS' BUREAU - Executive Director Candace Duncan - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 4.08 ROOM RENTAL TAX, SECTION 4.08.070 RENTAL BUSINESS AND ROOM DEFINED, BY ADDING "EXTENDED STAY MOTEL", "TIME SHARE", "BED AND BREAKFAST INN", AND "RECREATION VEHICLE PARK" TO THE DEFINITION OF "RENTAL BUSINESS" AND BY ELIMINATING APARTMENT, APARTMENT HOUSE, APARTMENT HOUSE HOTEL, ROOMING HOUSE, GUEST HOUSE, AND TRAILER COURT, AND AMENDING SECTION 4.08.100 EXEMPTIONS, BY ELIMINATING THE TRANSIENT LODGING TAX EXEMPTION FOR THE FIRST 28 DAYS OF AN INDIVIDUAL'S STAY AND OTHER MATTERS

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PROPERLY RELATED THERETO (1-1290) - Mayor Masayko disclosed his representation of the Board of Supervisors on the Convention and Visitors Bureau Board and that he had recused himself from voting on this item. He also disclosed that he had several discussions with Ms. Duncan on the ordinance and its intent. The ordinance increases the cost for transient housing for the first 28 days the individual stays at the hotel/motel. Currently, if an individual pays for 28 days when he/she checks in, the room tax is not charged. If the individual pays for the room by the week, he/she must pay the tax until after he/she has paid for 28 days. A lot of hotel/motels charge a monthly rate but collect weekly. The ordinance is an attempt to streamline the law and make it more understandable by charging the room tax for the first 28 days without regard for the payment program. It is not meant to be a revenue enhancer. The ordinance does not include condos or apartments which charge and collect by the month. They do not intend to spend large sums collecting small amounts. Mayor Masayko commended Ms. Duncan on her efforts to make the ordinance transparent. Supervisor Livermore disclosed that he had been contacted by Gene Lepire who opposes the ordinance. Mr. Lepire allegedly felt that it will create unfair competition for him from the RV Park located one mile south of his establishment. Mayor Masayko disclosed that he had not received any contacts on the ordinance since it was originally proposed. Discussion indicated that apartments and rooming houses were removed from the Code as they are not considered transient housing. It is difficult for the Bureau to audit these establishments. The Bureau has never collected room taxes from them. Supervisor Staub disclosed that he had been contacted by Gene Lepire who opposes the ordinance. Mr. Lepire objects to the inclusion of RV Parks and the collection of the tax on people staying in his park. Supervisor Williamson explained that the ordinance had been in the newspapers. She had been contacted by Sara Ellis of the Reno Realtors' Board. Supervisor Aldean and Mayor Masayko indicated that she had also contacted them. Ms. Ellis purportedly was uncertain about the ordinance's intent. She was satisfied when it was explained that apartments were being deleted from the ordinance and the City will not have any legal remedy to audit apartments in the future unless the ordinance is changed. Public comments were solicited but none were given. Supervisor Williamson moved to introduce on first reading Bill No. 104, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE CHAPTER 4.08 ROOM RENTAL TAX, SECTION 4.08.070 RENTAL BUSINESS AND ROOM DEFINED, BY ADDING "EXTENDED STAY MOTEL", "TIME SHARE", "BED AND BREAKFAST INN", AND "RECREATION VEHICLE PARK" TO THE DEFINITION OF "RENTAL BUSINESS" AND BY ELIMINATING APARTMENT, APARTMENT HOUSE, APARTMENT HOUSE HOTEL, ROOMING HOUSE, GUEST HOUSE, AND TRAILER COURT, AND AMENDING SECTION 4.08.100 EXEMPTIONS, BY ELIMINATING THE TRANSIENT LODGING TAX EXEMPTION FOR THE FIRST 28 DAYS OF AN INDIVIDUAL'S STAY AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact may be \$10,000 to the Convention and Visitors Bureau. Supervisor Aldean seconded the motion. Mayor Masayko noted Supervisors Staub and Livermore's comments and indicated that Mr. Lepire attends some of the Convention and Visitors Bureau meetings. The Board will hear his comments at the second reading. The motion was voted and carried 5-0.

7. DEVELOPMENT SERVICES - ENGINEERING - City Engineer Larry Werner - **ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON THE CARSON CITY SENIOR CENTER EXPANSION, CONTRACT NO. 2003-001, AND INCREASE THE CONTINGENCY AMOUNT BY \$204,500 AND ON THE ARCHITECTURAL SERVICES FOR THE CARSON CITY SENIOR CENTER EXPANSION, CONTRACT NO. 2002-051, BY AN ADDITIONAL \$25,000 AND AUTHORIZE STAFF TO ENTER INTO THE APPROPRIATE CONTRACT AMENDMENTS (1-1523)** - Center's Executive Director Janice McIntosh, Finance Director Tom Minton, Center's Board Chairperson Bruce Scott, Construction Manager Tom Metcalf - Mr. Werner's introduction included naming

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representatives from the Senior Center and the contractor. Negotiations have occurred throughout the construction and have offset some of the increases with deductions. Items which had not been foreseen in the original contract were limned. Efforts to reduce the overrun were also described. The CIP Program's ending fund balance will be used to make up the shortfall.

Mayor Masayko explained that the entire five-cent tax override is used to fund the project. He knew the budget was tight and that corners had been cut to sell the project in the beginning. His concern about using the \$177,000 of General Fund monies to make up the shortfall was indicated. He had wanted to see the project succeed. The public needs to be aware of the usage. He was willing to support the request but was concerned that some of the costs were discovered late in the process. He then disclosed that he had discussed the project with Tom Metcalf. They knew when the project was approved that there were a lot of representations being made. There were to be some savings. He questioned whether this would be the final augmentation from the General Fund. Mr. Werner indicated that there may be a need for an additional \$20,000 to \$25,000 for another issue that is still being finalized. Mayor Masayko explained his desire for the process to be transparent. The digging of the walls and failure to pay the water and sewer connection fees should not be used to balance the books. Mr. Werner thanked Mr. Metcalf and the others who had been involved in the effort to keep the costs down. The process was felt to be a good delivery method and had provided efficiencies. Mayor Masayko indicated that he would withhold his judgement on the method until the project is completed. He reiterated that the General Fund is now being used to augment the Center's funding. This was not represented in the beginning. The community expects a standard to be followed regardless of the project. The community must be assured that cost control efforts are in place. Mr. Werner then indicated that the total overrun is \$202,000. Mayor Masayko explained his original objection to the use of the tax override for staffing. Mr. Werner pointed out that there had been problems with the original architect that had not been foreseen. Mayor Masayko reiterated his concerns about how it was presented and the reasons the shortage had not been foreseen.

Discussion between Supervisor Aldean and Mr. Werner explained that the rain damaged floor had been insured. The insurance money will be used to offset the repair. Twenty percent of the floor was damaged. Efforts to repair it were unsuccessful. Therefore, it was necessary to replace the entire floor. This had increased the repair costs by \$20,000. Justification for placing the memorial bricks in the courtyard during construction rather than as the bricks are purchased was explained. The bricks will be engraved periodically throughout the year. Mr. Werner indicated that the Board could require reimbursement to the General Fund, if desired. It may, however, be a paperwork problem as the amount collected maybe in the \$2,000 to \$3,000 range. He preferred to fund it and write it off. Supervisor Aldean supported paying the water and sewer connection fees. Mayor Masayko pointed out that they are enterprise funds and felt they should be paid.

Supervisor Staub indicated that he had already made his points known. He questioned the possibility of using another funding source.

Mr. Werner indicated that there may be some savings but until the final accounting occurs, the amount is unknown. For this reason he preferred to hold off on the additional \$20,000 and to bring it back, if necessary. He also indicated that there are approximately 51 items still in negotiations. More than 12 of these items have been done at either no cost or a negative cost. The total cost will not be known until the negotiations are completed. Supervisor Staub pointed out that there are several hundred bricks available for purchase and that support is appreciated. Mayor Masayko indicated that he had heard the additional overrun would be less than

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\$25,000. He indicated that he would be unhappy if it is over that amount. Mr. Werner hoped that it would not be.

Discussion indicated that construction should be completed by the end of May. Supervisor Williamson supported having them pay the connection fees for the water and sewer. Ms. McIntosh indicated that the budget is very tight. She wanted to see the project completed. Mr. Werner indicated that a small savings had been created in the operational budget by delaying the opening.

Discussion indicated that the Center still has the elevator and is attempting to sell it. Mr. Minton explained the reasons the bonds could not be refinanced at this time. He also indicated that the five-cent tax override will generate \$560,000 next year. As the project is behind schedule, a savings had been created by not using the utilities. He then explained the Board's January action to augment the Contingency Account. The use of the CIP ending fund balance will reduce the City's ability to purchase CIP items in FY 0405. Supervisor Livermore expressed his support for senior programs but was reluctant to use City funds for this purpose. Mr. Minton pointed out that the project will double the Center's size. The operations and maintenance increase will be offset by the increase in property taxes.

Discussion indicated that the diversion of the CIP funds will not interfere with the purchases identified in the FY 0304 budget. Mayor Masayko clarified that, if the funds are removed before the budget is established, it will not interfere with the budget. The CIP funds are used to support other health, safety, and welfare one shot items. It is not a contingency budget. It will impact future health, welfare, and safety services which Carson City must provide from its General Fund. He is prepared to support the Center, however, must be accountable to the other agencies, entities, and citizens of the community. He cautioned that, if more than \$25,000 is required in the future, it will not be a pleasant experience.

Public comments were solicited. Mr. Scott felt that it was unfair for Mr. Werner to take all of the heat. He explained that 14-year years ago the Center was part of the General Fund. Upon passing the five-cent tax override ballot question, the Center became financially independent. The Center understands the Board's concerns regarding the use of the General Fund monies. They hope that once the project is completed it will not be necessary to return for additional assistance. He then clarified that the John Plank Courtyard is not a \$25,000 item. It is one of the items in the architectural increase. The \$25,000 was for all architectural changes and their subconsultants. They had gambled on the telephone system and lost. They need \$20,000 for SBC for 500 feet of cable. They overlooked the water and sewer connection fees. They knew they would not be able to remodel the existing Center with the funding that was available. It was required, however, to create a more consistent and compatible facility. Therefore, the remodel of the original Center was included. It was originally to have been submitted as part of the CIP budget. The addition also includes adding the Center to the City's HVAC building maintenance remote control system. Mayor Masayko thanked him for his comments. He acknowledged Mr. Scott's long-term dedication and services to the community.

Mr. Metcalf explained that there has been a rapid increase in the price of materials. Some increases appear to be going up daily. He claimed that he had never before seen such increases. Difficulties obtaining prices and examples of the price increases were provided. He cautioned the Board to expect such increases when future contracts are put out to bid.

Additional public comments were solicited but none were given. Supervisor Staub moved to accept

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Development Services Recommendation on the Carson City Senior Center Expansion, Contract No. 2003-001, and increase the contingency Amount by \$177,500 and on the Architectural Services for the Carson City Senior Center Expansion, Contract No. 2002-051, by an additional \$25,000 and authorize staff to enter into the appropriate contract amendments, fiscal impact is not to exceed \$202,500 additional funds for the expansion of the Senior Citizens Center, and that the funding source is an augmentation from the FY 03/04 CIP into funds 215-1500-451-7520 and 7530. Mayor Masayko indicated that the motion is clear that the amount is not to exceed \$202,500 from the General Fund CIP ending fund balance. Supervisor Williamson seconded the motion. Ms. Ritter indicated that in her professional opinion the use of the CIP funds will not jeopardize future needs. Staff is developing a five-year CIP plan at this time. She acknowledged that it will reduce the funding for those items. Supervisor Livermore explained his desire to have this information on the record. He wanted to be certain that there had not been things promised which will not be acquired. Mayor Masayko pointed out that the item is being addressed outside the normal budget process. Therefore, the Departments who may need the CIP funds are not present to express their concerns. The motion was voted and carried 5-0.

Mr. Werner indicated that the packet information was an old version. He apologized for the error. The actual amount that was agenzized is correct. It is \$205,000 plus an architectural amount of \$25,000 for a total of \$229,500. Supervisor Staub amended the motion to increase the \$202,500 to \$204,500 and \$25,000 for a total of \$229,500. Supervisor Williamson concurred. Motion carried 5-0.

RECESS: A recess was declared at 10:30 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 10:47 a.m., constituting a quorum.

8. DEVELOPMENT SERVICES - PLANNING AND COMMUNITY DEVELOPMENT - Director Walter Sullivan

A. ACTION TO APPROVE A TENTATIVE SUBDIVISION MAP TO SUBDIVIDE A 5.94 ACRE PARCEL INTO 13 SINGLE FAMILY RESIDENTIAL PARCELS ON 2.71 ACRES OF THE PARCEL, EACH A MINIMUM OF 6,000 SQUARE FEET IN AREA ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6) INCLUDING A REMAINDER PARCEL OF 3.23 ACRES OF PROPERTY ZONED GENERAL INDUSTRIAL (GI, LOCATED AT 823 NORTH EDMONDS DRIVE, APN 010-351-91 (FILE NO. TSM-04006) (1-2285) - Applicant's Representative Keith Shaffer - Mr. Sullivan explained that Condition 14 had been deleted by the Planning Commission and asked that the motion include this deletion. Mayor Masayko disclosed that Peak Engineering and Mr. Shaffer had done some consulting work for him. This work was done under the same applicable terms and conditions anyone else who retained them would have had. He does not have any interest in the subject project. Mr. Shaffer indicated that they have been working with City Planning and Engineering staff. The adjacent neighbors did not oppose the project at the Commission meeting. Mr. Shaffer explained for the record that the street is named Lepire. The subdivision is called Sundance Ridge. The project has no connection to the Lepire Family. Condition of Approval No. 13 indicates that the intersection of Lepire and Edmonds will be improved to increase the sight distance and striping. The abutting structures will not be relocated. Landscaping on the north side will be trimmed. City staff has indicated that, if the striping does not last a full year due to its inappropriate surface, they will not require the Applicant to redo it. Additional comments were solicited but none were given. Mayor Masayko directed that the records reflect the project is known as Sundance Ridge Subdivision. Supervisor Staub moved to approve a Tentative Subdivision Map to subdivide

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a 5.94 acre parcel into 13 single family residential parcels on 2.71 acres of the parcel, each a minimum of 6,000 square feet in area, on property zoned Single Family 6,000 including a remainder parcel of 3.23 acres of property zoned General Industrial, located at 823 North Edmonds Drive, APN 010-351-91, File No. TSM-04006, subject to the 25 conditions noted in the staff report exempting Condition 14. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO ADOPT ON SECOND READING BILL NO. 103, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.04.125, DOWNTOWN COMMERCIAL, TO ALLOW RESIDENTIAL USES AS A PRIMARY PERMITTED USE AND ACCESSORY USE, AND TO DELETE SINGLE FAMILY, TWO FAMILY AND MULTI-FAMILY DWELLINGS FROM THE CONDITIONAL USES LISTED IN CCMC 18.04.125(2), AND OTHER MATTERS PROPERLY RELATED THERETO (FILE NO. ZCA-03-178) (1-2505) - Neither Mr. Sullivan nor Mayor Masayko had received any comments regarding the ordinance since the first reading. Supervisor Williamson explained her discussion with Linda Martin about the difficulty she was having obtaining financing for her home which is to be built behind her massage and hair salon offices. She also indicated that there are appraisal issues with the mixed use concept. These issues had not been considered when the ordinance revision was suggested. She indicated her intent to meet with the appropriate individuals and explain the concept. Mayor Masayko indicated that local lending institutions may not have been involved with such mixed uses. He felt that the banks should have "CRA" (Community Reinvestment Act) funding for this purpose. The proposal should not be a barrier to the property owners. The City's role in the use of these funds was noted. Financial institutions should not make the use of these funds difficult. Supervisor Williamson felt that discussions with the institutions needed to occur. Ms. Martin's proposal is the first one of its kind in Carson City. Supervisor Williamson moved to adopt on second reading Bill No. 103, Ordinance No. 2004-6, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.04.125, DOWNTOWN COMMERCIAL, TO ALLOW RESIDENTIAL USES AS A PRIMARY PERMITTED USE AND ACCESSORY USE, AND TO DELETE SINGLE FAMILY, TWO FAMILY AND MULTI-FAMILY DWELLINGS FROM THE CONDITIONAL USES LISTED IN CCMC 18.04.125(2), AND OTHER MATTERS PROPERLY RELATED THERETO, FILE NO. ZCA-03-178. Supervisor Aldean seconded the motion. Motion carried 5-0.

Supervisor Williamson thanked Mr. Sullivan and Senior Planner Pruitt for their work on the ordinance. Mayor Masayko expressed the hope that the Planning Commission understood the reasons the Board had returned the ordinance to it for an amendment. Mr. Sullivan indicated that they had appreciated the Board's recognition of their role.

There being no other matters for consideration, Supervisors Staub and Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 11:02 a.m.

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ARE SO APPROVED ON May 20, 2004.

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/s/

Ray Masayko, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder