

CARSON CITY BOARD OF SUPERVISORS
Minutes of the September 7, 2000, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, September 7, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Kay Bennett	Supervisor, Ward 4
	Robin Williamson	Supervisor, Ward 1
	Jon Plank	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3

STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	David Heath	Finance Director
	Judie Fisher	Personnel Director
	Mark Forsberg	Chief Deputy District Attorney
	Larry Werner	City Engineer
	Cheryl Adams	Deputy Purchasing Director
	Jay Ahrens	Senior Projects Manager
	Don Davis	Fleet Manager
	Katherine McLaughlin	Recording Secretary
	Justine Chambers	Senior Purchasing Tech.
	(B.O.S. 9/7/00 Tape 1-0001)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Pastor Stan Pesis of St. Paul's Lutheran Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0027) - None. (1-0470) Mayor Masayko directed Mr. Berkich to discuss with Pete Bachstadt his concerns regarding the U.S.G.S. contract, which had been approved as part of the Consent Agenda, and Mr. Bachstadt's Clear Creek water rights. Mayor Masayko also asked Mr. Bachstadt to contact him if the information is not satisfactory so that he could agendize the issue for the next meeting if necessary.

1. APPROVAL OF MINUTES - 5/4 AND 18/00 REGULAR SESSIONS AND 5/15/00 SPECIAL SESSION - Discussion noted the revisions which had been made to the May 4th Minutes. Supervisor Plank moved to approve the Carson City Board of Supervisors meeting Minutes of May 4 with the changes as indicated and approval of the Minutes for May 15 and 18, 2000. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0060) - The proposed Community Development ordinance, Item 9, was deferred to another meeting. Contract 2000-16 was removed from the Consent Agenda and will be considered immediately following it.

3. SPECIAL PRESENTATIONS (1-0084)

A. PROCLAMATION FOR "LIBRARY CARD SIGN-UP MONTH", SEPTEMBER 2000 -

Mayor Masayko introduced Melissa and Jenny (last names unknown) and read the Proclamation into the record. Library Director Sally Edwards thanked the Board for the Proclamation. "Library Card Sign-Up Month" is a national event sponsored by the American Library Association. Ms. Edwards also introduced her Board of Trustees and staff members who were present. She encouraged anyone without a library card to stop by and get one.

B. PRESENTATION ON THE ANNUAL BANQUET TO HONOR THE ELDERS OF NORTHERN NEVADA, SEPTEMBER 23, 2000 (1-0147) - Ted Rubert announced his plans to honor the Native American elders at a special banquet on September 23 and invited the Board and public to attend. Tickets can be obtained from him. A poster advertising the event was given to the Board for placement at City Hall. Mayor Masayko commended him on his plans and wished him a successful event. Supervisor Plank explained his previous commitment on that date.

B. CONSENT AGENDA (1-0241)

A. BOARD OF SUPERVISORS - ACTION TO APPROVE A RESOLUTION AMENDING RESOLUTION 1999-R-18 BY ADDING THE CARSON CITY LIBRARY BOARD OF TRUSTEES TO THE CARSON CITY BOARD OF SUPERVISORS ESTABLISHED LIST OF BOARDS AND COMMISSIONS AND THEIR ESTABLISHED METHODS FOR APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS AND OTHER MATTERS PROPERLY RELATED THERETO

B. DISTRICT ATTORNEY - ACTION TO APPROVE AN AGREEMENT BETWEEN CARSON CITY AND THE BUREAU TO THE SERVICES OF THE BLIND AND VISUALLY IMPAIRED TO ALLOW A VENDING COFFEE CART TO BE LOCATED IN CARSON CITY'S PUBLIC SAFETY COMPLEX AT 885 EAST MUSSEY STREET, CARSON CITY, NEVADA 89701, PURSUANT TO THE BUREAU'S AGREEMENT WITH THE BRAINY BEAN WHICH HAS SUBSEQUENTLY BEEN ASSIGNED TO CE BELLA BLENDS

C. TREASURER

i. ACTION ON REMOVAL OF TAXES TO THE 2000-2001 REAL PROPERTY TAX ROLL ON PARCEL NO. 9-653-15 DUE TO ASSESSOR'S OFFICE CORRECTION

ii. ACTION ON REMOVAL OF TAXES TO THE 2000-2001 REAL PROPERTY TAX ROLL ON PARCEL NO. 8-223-09 DUE TO ASSESSOR'S OFFICE CORRECTION

D. CLERK-RECORDER - ACTION TO APPROVE THE CANVASS OF THE VOTE FOR THE SEPTEMBER 5, 2000, PRIMARY ELECTION

E. CITY MANAGER - ACTION TO APPROVE A LIST OF HEARING OFFICERS WHICH CONSISTS OF ALLISON JOFFEE, ESQ., KEITH LOOMIS, ESQ., AND BEN WALKER, ESQ., WHO CAN HEAR APPEALS RELATING TO THE DENIAL OF WORK CARD PERMITS ON AN AS NEEDED BASIS AND TO AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO SELECT A HEARING OFFICER FROM THE LIST ONCE A HEARING IS REQUESTED

F. PERSONNEL MANAGER - ACTION TO APPOINT SALLY ROGERS TO THE BOARD OF MASSAGE EXAMINERS

G. DEVELOPMENT SERVICES

i. ACTION ON A JOINT FUNDING AGREEMENT BETWEEN CARSON CITY AND THE U.S. GEOLOGICAL SURVEY (U.S.G.S) REGARDING THE ON-GOING STREAMFLOW MONITORING PROGRAM CONDUCTED COOPERATIVELY BETWEEN THE U.S.G.S. AND CARSON CITY UTILITIES DEPARTMENT

ii. ACTION ON CONSTRUCTION ENGINEERING FOR THE NORTHWEST DRAINAGE PROJECT, CONTRACT NO. 9900-277 FOR APPROVAL OF AMENDMENT NO. 1 AND 2 FOR AN INCREASE TO THE CONTRACT OF \$40,000 AND REQUEST FOR THE CONTRACTS DIVISION TO ISSUE ADDITIONAL AMENDMENTS FOR AN AMOUNT NOT TO EXCEED \$5,000

iii. ACTION ON A REQUEST FOR CONTRACT APPROVAL FOR THE 2000/2001 UTILITY REPLACEMENT AND EXTENSION GEOTECHNICAL AND SURVEY SERVICES PROJECT, CONTRACT NO. 2000-033, TO HARDING LAWSON ASSOCIATES, INC., 1572 EAST

COLLEGE PARKWAY, SUITE 162, CARSON CITY, NEVADA 89706, FOR AN ORIGINAL AGREEMENT COST NOT TO EXCEED \$98,850 AND AUTHORIZE THE CONTRACTS DIVISION TO EXECUTE AMENDMENTS FOR AN AMOUNT NOT TO EXCEED \$10,000

iv. ACTION ON THE AWARD OF EDMONDS SPORTS COMPLEX PUMP INSTALLATION PROJECT, CONTRACT NO. 2000-16, TO BIDDER NO. 2, DIAMOND ELECTRIC, INC., P.O. BOX 7016, RENO, NV 89510, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO THE REQUIREMENTS OF NRS CHAPTER 332, 338, 339, AND 624 FOR A CONTRACT AMOUNT OF \$99,956 AND A CONTINGENCY AMOUNT OF \$15,000

v. ACTION ON APPROVAL OF A REQUEST FOR FINAL PAYMENT ON THE ASH CANYON WATER TANK EXTERIOR RE-PAINT PROJECT, CONTRACT NO. 2000-001 AS SUBMITTED BY DEVELOPMENT SERVICES TO OLYMPUS AND ASSOCIATES, 405 LOVITT LANE, RENO, NEVADA 89506, FOR A FINAL PAYMENT AMOUNT OF \$12,680 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

H. COMMUNITY DEVELOPMENT

i. ACTION ON A-00/01-1 - A REQUEST FROM JULIUS A. AND JOANNE C. BALLARDINI (PROPERTY OWNERS: C&A INVESTMENTS, LLC) TO ABANDON AN APPROXIMATE 20 FOOT WIDE BY 138 FOOT LONG AND A 10 FOOT WIDE BY 71 FOOT LONG DRAINAGE EASEMENT LOCATED WITHIN THE SILVER OAK DEVELOPMENT, EAST OF IVY BALDWIN CIRCLE ON APN 7-461-08, NORTHERN AND EASTERN PORTIONS THEREON IN CARSON CITY, NEVADA

ii. ACTION ON AB-00/01-2 - A REQUEST FROM JULIUS A. AND JOANNE C. BALLARDINI (PROPERTY OWNERS: C&A INVESTMENTS, LLC) TO ABANDON AN APPROXIMATE 187.13 FOOT BY 73.86 FOOT BY 172.26 FOOT TRIANGULAR LANDSCAPE EASEMENT LOCATED NORTH OF WEST COLLEGE PARKWAY WITHIN THE SILVER OAK DEVELOPMENT ON APN 7-461-26, EASTERN AND SOUTHEASTERN PORTIONS THEREON IN CARSON CITY, NEVADA

iii. ACTION ON AB-00/01-3 - A REQUEST FROM JULIUS A. AND JOANNE C. BALLARDINI (PROPERTY OWNERS: C&A INVESTMENTS, LLC) TO ABANDON AN APPROXIMATE 20 FOOT WIDE BY 438 FOOT LONG L-SHAPED DRAINAGE EASEMENT LOCATED TO THE NORTH OF WEST COLLEGE PARKWAY AND TO THE EAST OF GS RICHARDS BOULEVARD ON APN 7-461-26, EASTERN AND SOUTHEASTERN PORTIONS THEREON IN CARSON CITY, NEVADA

I. FINANCE DIRECTOR

i. ACTION ON RATIFICATION OF THE APPROVED EXPENDITURE LISTINGS FOR THE MONTH OF JULY 2000

ii. ACTION ON A GRANTEE'S AGREEMENT BETWEEN CARSON CITY AND NEVADA DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL PROGRAM FUNDING TO CARSON CITY FOR THE PRIDE CONNECTOR PROGRAM THROUGH SEPTEMBER 30, 2001

J. PURCHASING AND CONTRACTS

i. ACTION ON THE AWARD OF CONTRACT NO. 9798-271 AMENDMENT NO. 2 WITH PARATRANSIT SERVICES TO PROVIDE THE CONNECTOR ROUTE TO AND FROM THE PRIDE BUS THROUGH SEPTEMBER 30, 2001, FOR A NOT TO EXCEED COST OF \$109,200 AND AUTHORIZE THE MAYOR TO SIGN AMENDMENT NO. 2

ii. ACTION ON THE AWARD OF CONTRACT NO. 0001-033 TO WINKEL PONTIAC-GMC AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS 332 AND PURSUANT TO THE BOARD'S FINDINGS THAT IT IS IN THE PUBLIC'S BEST INTEREST TO ACCEPT THE MODIFICATION OF THE SPECIFICATIONS TO PROVIDE ONE (1) 2001 GMC W4S042 FLAT BED TRUCK WITH AUTO CRANE #2703 FOR \$39,990

iii. ACTION ON THE AWARD OF CONTRACT NO. 0001-020 TO SIERRA NEVADA STAGE LINES AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS 332 TO PROVIDE TRANSPORTATION FOR THE 2001 JUNIOR SKI PROGRAM

iv. ACTION ON THE AWARD OF CONTRACT NO. 0001-009 TO MUNICIPAL MAINTENANCE EQUIPMENT (MME) AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS 332 TO PROVIDE ONE (1) SET OF 2000 STERIL-KONI MODEL ST1072/SKVS1W3H DEMONSTRATOR LIFTS FURNISHED WITH NEW SUPPORT STANDS AND AN AS NEW WARRANTY FOR A COST OF \$29,896 - Mayor Masayko explained the request to pull the Edmonds Sports Complex for discussion. Clerk-Recorder Alan Glover requested that Item D be pulled for discussion. Supervisor Williamson moved to approve the 19 items on the Consent Agenda including Resolution No. 2000-R-42 concerning the Library Board of Trustees selection process and removed the Canvass of the Vote and award of the contract for the award of the Edmonds Sport Complex. Supervisor Bennett seconded the motion. Motion carried 5-0.

D. (1-0271) - Mr. Glover read the canvass of the vote into the record and thanked the individuals who had participated in the process including his staff, Facilities Maintenance staff, Information Services staff, the Forest Service staff and all of the Election Day workers. There were no errors during the election. Discussion noted that Carson City was one of the earliest to complete the count and had the easiest method for accessing the figures. The Board complimented Mr. Glover on the professionalism of his office and congratulated the candidates. Supervisor Williamson moved to approve the canvass of the September 5, 2000, Primary election. Supervisors Livermore and Plank seconded the motion. Motion carried 5-0.

G. iv. (1-0342) - Senior Purchasing Technician Justine Chambers explained the protest. The appellant was not present. Chief Deputy District Attorney Mark Forsberg indicated that he had reviewed the protest and disagreed with the interpretation of the Statute which the appellant had used. He supported awarding the contract to the lowest bidder. Diamond Electric President John LeMay reviewed the bid comparison sheet contained in the packet and explained his reasons for feeling that his bid had been lower than his two competitors and how he proposed to handle the small percentage of the work which his firm is not licensed to do. Mr. Forsberg also indicated that the original protest had been that Diamond Electric would be doing work outside its license. It is now his understanding that the protest is no longer based on this contention. He felt the latest protest is due to the failure to list the subcontractors. Mr. LeMay's explanation indicated that he was required to list subcontractors over a set percentage of the project. The subcontractor will perform less than that required percentage and did not have to be listed. Public comments were solicited but none were given. Supervisor Plank moved to accept Development Services recommendation and award the Edmonds Sports Complex Pump Installation Project, Contract No. 2000-16, to Bidder No. 2, Diamond Electric, Inc., P. O. Box 7016, Reno, Nevada 89510, as the lowest responsive and responsible bidder pursuant to the requirements of NRS Chapter 332, 338, 339, and 624 for a contract amount of \$99,956 and a contingency amount of \$15,000; the budget allocation is \$350,000; and the funding source is Edmonds Park 520-3505-435-7853 for \$300,000 and Governor's Field 520-3505-435-7867 of \$50,000 as provided for in fiscal year 9900. Supervisor Livermore seconded the motion. Motion carried 5-0.

5. BOARD OF SUPERVISORS

A. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0483) - Mayor Masayko expressed his intent to have Legislative Matters agendized for each meeting but had overlooked it when preparing this agenda. It will be included in the future. NACO's legislative packet had been distributed to the Board prior to the meeting. Supervisor Livermore complimented NDOT's contractor on his ability to work with the businesses along Carson Street and keep accesses open throughout the project. He urged staff to maintain this program when future projects are undertaken. Mayor Masayko also noted that the change in technology would not require cutting the overlay to install the wires used to alert traffic signal's control systems to change the light. Comments emphasized that the video camera's signal is only sent to the traffic control devices. Supervisor Livermore continued his report with his attendance at the Breakfast with Senator Bryan; the Western Nevada Builders Association Membership's annual picnic at Mills Park; the Federal court settlement hearing; Carson-Tahoe Hospital Board of Trustees meetings including its meetings on the Urgent Care Committee meeting, coalition mental health, and affiliation. He also expressed a desire, if possible, to attend the

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Nevada Hospital Association's Annual Meeting later today in order to accept an award as the State's Trustee of the Year. He announced and invited the Board and public to attend the dedication ceremony at the Edmonds Sports Complex on Saturday morning at 9 a.m. Mayor Masayko complimented him on his receipt of the Hospital Trustee of the Year Award. Supervisor Bennett asked Supervisor Livermore to step to the dais. She then noted her tenure on the Hospital Board as an awareness of the dedication and time required to serve on it. She presented a Certificate of Recognition to Supervisor Livermore recognizing his achievements as the recipient of the Nevada Hospital Association's 2000 Trustee Excellence Award. Supervisor Livermore thanked her for the recognition, which he had not expected. He felt it was a pleasure to serve his community. Supervisor Bennett then reported on her attendance at meetings of the TRPA including the appointment of Juan Palmer as the new TRPA executive director; the Breakfast with Senator Bryan; with Douglas County officials concerning potential regional mutual cooperation agreements; Nevada Tahoe Conservation District; the North Carson Street medians including her intent to agendize a report on the program for the next Board meeting; with the new Cooperative Extension Director Joanne Skelly; and on the Kings Canyon drainage project, Health Smart financing, and public transportation funding. She also referenced news reports regarding her activities regarding the Silver Springs airport. Supervisor Williamson reported on her attendance at meetings of the Home Consortium; Western Nevada Development District where a resolution supporting the completion of the Carson City freeway had been approved and is to be submitted to Governor Guinn and the State Transportation Board and a transportation committee had been established to deal with NDOT; Redevelopment Authority Citizens Committee; One Region, One Vision; Breakfast with Senator Bryan; Mr. Berkich and City staff on various issues; the Reno-Tahoe Open Golf Tournament; Boys and Girls Club barbecue; Carson River Advisory Committee; and announced the National Lands Day activities including the Carson River clean-up plans scheduled for September 23 at the Silver Saddle Ranch from 8 a.m. to 2 p.m. The public was urged to participate. She also indicated that her daughter Allison's health was improving as indicated by her recent participation in a high school girl's soccer game. She thanked the Board and City staff for helping her focus on her family during the illness. She also urged the public to be cognizant that schools are now back in session and asked that they be extra cautious when driving. She announced a benefit breakfast for the girls soccer team scheduled for September 16. The team's recent car wash at Walmart had raised \$3400. Supervisor Plank reported on his attendance at meetings of the Senior Citizens Center Advisory Council; Parks and Recreation Commission; ribbon cutting for PRIDE; candidates' forums; regarding the plans for relocating the cemetery office; with City Engineer Larry Werner; Breakfast with Senator Bryan and expressed the hope that this meeting would continue with Senator Bryan's successor; regarding the relocation of Fuji Park to the Stewart School site or east of the golf course; tour of the wastewater treatment plant; complimented the individuals who had made the directional signs in Edmonds Park; announced his plans to meet with staff regarding the arboretum plans for Mills Park; meetings on re-installing the worm at Hot Springs and College Parkway; a Community Center tour with Supervisor Bennett; and announced that the Regional Transportation Commission would not meet on September 20 but would meet on September 27 in the Bonanza Room at 5:30 p.m. He also explained his intent to be out-of-town September 22 to 24 to attend his high school reunion. Mayor Masayko announced that Halloween would be celebrated on October 31. Comments indicated that this is the first time for many years that the celebration would be on Halloween. This is possible as a result of the change in Nevada Day to be last weekend in October which falls on Saturday, October 28th, this year. He then reported on his attendance at meetings on the freeway; Airport Authority including an announcement that its master plan is out for public comment; National Guard groundbreaking ceremony; PRIDE activities; Breakfast with Senator Bryan and his intent to continue the function with his successor; his work with a private citizen, Craig Swope, Isabel Young and Clerk-Recorder Glover to develop a voting technique for the blind; and a strategic session on transit funding and county flexibility for funding other needs. He solicited comments and questions from the other Board members regarding the NACO legislative package. He announced the next V&T Railroad meeting and his hope that NDOT will make a presentation regarding the Overman Pit at that meeting. He thanked the electorate for its support in the Primary Election.

B. STAFF COMMENTS AND STATUS REPORT (1-1362) - Mr. Berkich described a contract which had been issued to a New York City firm to help the City develop its internet site. Focus groups have been established to determine the type of information which should be found on the site. The meetings have been scheduled for Monday and Tuesday at 5:30 p.m. at City Hall. The public was invited to participate.

6. TREASURER - Al Kramer

A. ACTION TO APPROVE BILL NO. 124 - AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "2000 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2000; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND COVENANTS RELATING TO THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF SUCH BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SUCH BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (1-1403) - Public comments were solicited but none given. Supervisor Plank moved to adopt Ordinance No. 2000-24, Bill No. 124, on second reading, AN ORDINANCE OF THE BOARD OF SUPERVISORS OF CARSON CITY, NEVADA, DESIGNATED BY THE SHORT TITLE "2000 WATER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2000; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND COVENANTS RELATING TO THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF SUCH BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE WATER SYSTEM OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF SUCH BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO; fiscal impact is \$1,500,000 bond income to the Water Utility Fund. Supervisor Livermore seconded the motion. Motion carried 5-0. Mr. Kramer informed the Board that he would advise them when the bonds are sold. The plan is sell the bond(s) through the State Bond Bank which will obtain a low interest rate.

B. ACTION TO APPROVE BILL NO. 125 - AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2000 SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY, NEVADA, OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2000; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (1-1470) - Public comments were solicited but none given. Supervisor Bennett moved to adopt on second reading Bill No. 125, AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2000 SEWER BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY CARSON CITY, NEVADA, OF ITS NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2000; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE USE OF THEIR PROCEEDS PROVIDING FOR THE SALE THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING OTHER DETAILS CONCERNING THE BONDS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE ISSUANCE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact is \$3,000,000 bond income to the sewer utility fund. Supervisor Livermore seconded the motion. Following a request for an amendment, Supervisor Bennett amended the motion to include Ordinance No. 2000-25. Supervisor Livermore concurred. Motion carried 5-0.

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Mr. Kramer indicated that the current water and sewer rates are sufficient to repay the bonds without an increase in user fees. The bonds are, however, backed by the ad valorem taxes. A need is not foreseen at this time to use ad valorem taxes for repayment.

BREAK: A recess was declared at 10 a.m. The entire Board was present When Mayor Masayko reconvened the meeting at 10:10 a.m., constituting a quorum.

7. FINANCE DIRECTOR - David Heath - REVIEW OF FISCAL YEAR 1999-2000 FINANCIAL SUMMARY - Mr. Heath used computer enhanced overhead slides to illustrate and explain his financial summary. He indicated that the revenue projections were very preliminary and that more detail will be provided in December. Copies of the report were given to the Board and Clerk. (A copy is in the file.) Mr. Heath corrected his report to indicate the correct Supplemental City and County Relief Tax. Mayor Masayko asked that the revenue sheet totals be included. Discussion indicated that the County is one of two or three which export sales tax. Transfer taxes did not apply to the Costco sale. Fees used to support the "Charges for Service" were for internal staff charges and are to be delineated in the next report. Discussion noted the decrease in gas taxes due to the increased gas prices and questioned the number of building permits which were sold. Ambulance equipment needs and its increased revenue were noted. The loss of a building supplier and its impact on the sales tax revenue were limned. The site of use is to be used in reporting such sales. Concerns were expressed that this may not be occurring. Mr. Heath explained the problems encountered in attempting to retrieve this information. The population growth had levelled off somewhat during the year. The scarcity of land, however, continues to inflate the cost of land. Concerns were expressed about the water connection fee's ability to repay the bonds based on the apparent lack of growth. Mr. Heath also noted that at some future date the plant will need to be replaced and the need for a funding source for this improvement. He felt that a plan for the replacement should be presented next year. Supervisor Livermore encouraged staff to develop a replacement program which would not require a large fee increase at the end. Mayor Masayko asked for a five year graph illustrating the total sales tax revenue and the costs for service. Discussion noted the gas price concerns including the impact world events have on gas prices. Mayor Masayko asked Mr. Heath to analyze whether gas business is going to adjacent counties. Supervisor Williamson acknowledged the increases gas and electricity will have on sales and pointed out the increased operational costs the City will experience as a result. Deregulation may also impact these spiralling costs. The Board/City has been prudent in its fiscal efforts and should continue this effort. Valid fiscal reports will be required when undertaking the budget process. Mr. Heath indicated that a conservative budget will be developed based on the best financial estimates possible at the time. A strong financial stabilization program is needed due to the state's volatile dependency on sales revenue and tourism. Mayor Masayko pointed out the \$1.1 million savings which will be carried forward from last year as a result of savings and budgeting. Such efforts should continue to avoid unnecessary panic in the future. Supervisor Livermore congratulated staff on its efforts to save two percent of the budget during the six months of this fiscal year. The incentive to generate a savings under the CQI program was noted. Supervisor Bennett urged the Board to recognize the impact automobile sales has on the City's revenue and to work toward mitigating any competition for their services. Board comments also asked him to provide five year revenue projections and O&M expenditures. The Board complimented Mr. Heath on the new style of reporting the financial status of the City. No formal action was required or taken.

8. COMMUNITY DEVELOPMENT DIRECTOR - ACTION ON S-90/00-1 - AN APPLICATION FOR A TENTATIVE MAP FOR AN INDUSTRIAL SUBDIVISION FROM HADDEN ENGINEERING, REPRESENTING LORRIANE H. WEIKEL (PROPERTY OWNER: WEIKEL CARSON AIR PARK, LTD.) ON APPROXIMATELY 14.29 ACRES, CALLING FOR FOUR LOTS ON PROPERTY ZONED LIMITED INDUSTRIAL (LI), LOCATED AT 2180 CHALLENGER WAY, APN 8-133-11 (1-2148) - Senior Planner Juan Guzman, Senior Engineer John Givlin, Chief Deputy District Attorney Mark Forsberg, Weikel Attorney Scott Heaton - Discussion between the Board and Mr. Guzman explained the lot sizes required in the industrial air park as being 12,000 square feet. The Airport Authority had added eight conditions of approval, which the applicant opposed. Buildings are not considered when subdivision maps are submitted. Discussion described the location of the site and its access/egress as approved by RTC. Supervisor Bennett disclosed that she had consulted with counsel who had felt that she did not have a conflict of interest in making comments. She

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discussed with Mr. Guzman the status of an Airport Authority and the manufacturers proposals to have separate zoning designation(s) for property on and surrounding the airport. Supervisor Bennett felt that the Authority's recommended conditions are consistent with those required for development with similar proximities to other airports. She stated for the record that she saw nothing unordinarily restrictive considering the location of the development that close to the airport. They were not unreasonable restrictions. Mayor Masayko explained that the property is not on the airport proper nor in the flight or "glide" path for the airport. He felt that the Authority was on shaky ground in mandating the requirements outside its boundary. If the airport needs additional safety factors, the property should be acquired. Mayor Masayko agreed that the through-the-fence issues could be required. Supervisor Bennett explained the concerns regarding mirrored surfaces and reflections when adjacent to airports and reiterated her expectation that such requirements should be made by the airport. Mayor Masayko reiterated for the record that the property is not on the airport proper. Supervisor Bennett agreed and reiterated her feeling that it is within the sphere of influence for the airport as the rear of the property is adjacent to the airport. Supervisor Plank noted Mr. Guzman's statements indicating that the requirements are too early in the process. In the future when the plans are developed, requirements 3, 4, 6 and 7 will be considered. Requirements 1, 2, 5, and 8 are appropriate at this time. Mayor Masayko agreed.

Mr. Givlin indicated that the area is a part of the FEMA regulatory flood plain. The area has been included in a map revision submitted and approved by FEMA. This created a new model for the area. Mr. Hadden is working with Lumos and Associates, who developed the model, to be sure that the improvements are consistent with the model. This requires that the flood map review include the revision and removal of the property from the flood plain. This process is currently underway. The project will include construction of a flood channel. This will be included in the project surety requirements. The topography of each parcel justifies considering separate development on each parcel and allows each parcel to mitigate its runoff. This should negate any impact on the downstream properties. Supervisor Livermore expressed his hope that eventually Community Development will consider storm drainage on a regional basis. Discussion explained the concept for removing the property from the flood basin. Supervisor Livermore explained his concern regarding the downstream impacts when construction occurs upstream and, specifically, the impact at Highway 50 and Lompa. He suggested that such developers be required to share in the cost for the improvements at Highway 50. Mr. Givlin explained the FEMA requirement that development not change the current runoff level experienced by the property. He also pointed out that the proposed parceling would not support a singular regional facility. The flexibility suggested by staff allows for separate detention/retention facilities so long as the end result remains at no additional impact downstream. The freeway drainage plan includes capacity for an one hundred year event. Due to the distance between the property and the freeway, Supervisor Livermore felt that another regional facility should be required in which this developer should participate. Mayor Masayko felt that this should occur once a regional program is developed. He also pointed out that the property owner is merely conveying the upstream runoff through his property. Supervisor Livermore pointed out that the current drainage program uses the streets to transfer water downstream. A regional program should include cost sharing for infrastructure. Mayor Masayko agreed that when the property is developed, the developer will be required to participate under the programs established at that time. Supervisor Plank agreed and pointed out that it may be possible, if the regional concept is established, that the mini-detention/retention systems may be eliminated resulting in an increase in the property values. Supervisor Bennett pointed out that a major presentation on the regional concept will be made in October/November. Mr. Forsberg explained that a regional program could not be included in the requirements at this time as the ordinances, etc., implementing the program have not been adopted. The concern could be conveyed but the condition could not be included.

(1-2985) Mr. Heaton briefly explained the time and work with staff which had occurred regarding this property over the years. He accepted the conditions placed by the Planning Commission and rejected those added by the Airport Authority as they restrict development of the parcels. If the Airport Authority believes it is necessary to protect the health, safety, and welfare of the airport/community, it should purchase the property. He also pointed out that people acquiring property around an airport are cognizant of it and want it for that reason. Therefore, their buildings are compatible with the airport and its uses. He felt that the eight conditions imposed by the Authority would prohibit any development without concurrence by the Authority before development. Mirrored surfaces could prohibit construction of any windows. Such a restriction would make the property unmarketable. If the

Code established a special zoning district for property surrounding an airport, he could accept such restrictions. This is not the Code, therefore, it should not be mandated for his limited industrial property. The aviation easement restricts the type and amount of lighting and electrical signals which would be allowed. Limited industrial uses, however, encompasses commercial uses such as high tech electronics. The Authority could prohibit such a manufacturer from using the property. He felt that the Authority really desired to have only one condition which would have mandated its consideration of any project prior to construction. Mr. Heaton indicated that he did not oppose Condition 2 if it is the same condition as is imposed upon others. He was not, however, waiving any right to apply for a "through-the-fence" agreement the same as other property owners may. Mayor Masayko indicated that this is his understanding of the requirement. Mr. Heaton also voiced his concern with the requirement that the property owner must maintain the six foot fence as he felt it should be the Airport's responsibility. He opposed designing, developing, and maintaining a runoff facility for the airport. He was willing to address his runoff and maintain the natural flow through his property. He felt that everyone in the vicinity is working to assure that the runoff issues will be properly addressed. He reiterated his concerns regarding being required to take any project to the Authority prior to construction. Mayor Masayko indicated that future projects should be taken to the Airport Authority before going to the Planning Commission.

Mr. Forsberg noted that some of the requirements are by law, i.e., the "through-the-fence" agreements and the drainage, on all properties and did not have to be spelled out individually. He also did not feel that the Board would be granting the Authority veto power over any project. Mayor Masayko agreed and indicated that the projects proposed for the properties will be considered by both the Authority and Planning Commission in the future.

Discussion between Mr. Heaton and Supervisor Williamson indicated that the Weikels own developed property adjacent to the subject parcels. Supervisor Williamson expressed her concern about the adversarial tone used by Mr. Heaton's clients against the Authority. This does not establish a cooperative approach between neighbors. The Board will weigh the community health, safety and welfare concerns when a project is presented. Mr. Heaton explained his concerns with the condition restricting the use of mirrored surfaces to illustrate reasons for taking an adversarial tone on his clients' behalf. He questioned who will enforce the condition and the flexibility provided that individual/group to restrict his clients' ability to develop the parcels.

Supervisor Bennett voiced her feeling that the conditions recommended by the Authority were reasonable and should be included by comparing them to those imposed by the TRPA and the Board's need to protect the community's health, safety, and welfare. Mr. Heaton responded by expressing his opinion that the Board's powers are spelled out in the City ordinances and are not implied. When such powers preclude a property owner's ability to construct in accordance with current zoning, the Board must take the property by condemnation and cannot impose additional requirements. He also felt that if the reasonable people currently involved in the discussion were the ones who will make the final decisions on the type of development which would be allowed, he could agree to the conditions. This, however, is not the case as the Weikels propose to sell the parcels to developers who will construct the projects. Therefore, he could not agree to such requirements based on future discussions between unknown individuals. Mayor Masayko pointed out that Mr. Heaton's acknowledgement of the Planning Commission's Condition No. 13 indicated an awareness of the airport and the need to be cognizant of any impact during development of a project. Mr. Heaton indicated he was cognizant of the fact that the airport is there.

Discussion indicated that CC&Rs have been developed and approved by the Planning Commission and staff. It includes the proximity of the airport and an architectural committee to control the type of structures. Mr. Heaton felt certain that individuals purchasing adjacent to an airport will use the property in a fashion which is compatible with the airport.

(2-0024) Supervisor Williamson moved that the Board of Supervisors approve S-99/00-1, an application for a tentative map for an industrial subdivision from Hadden Engineering, representing Lorraine H. Weikel, property owner: Weikel Carson Air Park, Limited, on approximately 14.29 acres, calling for four lots on property zoned Limited Industrial, LI, located at 2180 Challenger Way, Assessor's Parcel Number 8-133-11, based on three findings and subject to 16 conditions of approval as contained in the Planning Commission's June 28, 2000,

Notice of Decision. Supervisor Plank seconded the motion. Supervisor Williamson agreed to note for the record the recommendations provided by the Airport Authority and thank it for them and amended her motion to include that due to zoning constraints the Board does not feel comfortable adopting the recommendations of the Airport Authority at this time. Supervisor Plank concurred. Supervisor Plank expressed his support for the motion as any other changes will modify the rules of the "ball game". Mayor Masayko indicated that Mr. Guzman had heard the Board's concerns regarding the procedure for hearing such items. Supervisor Livermore felt that there had been adequate time for the Planning Commission to hear the issue. The Airport Authority, however, had missed this timeframe. They will have other approval opportunities in the future. The Board must, however, maintain the timeline. Mayor Masayko indicated that Community Development had failed to present the application to the Authority in a timely fashion. This should not reoccur in the future. Supervisor Bennett voiced her intent to oppose the motion as a statement due to her concerns. She did not care about the sequence of the situation. She realized that the Board does not necessarily have the tools, and shame on the Board for failing to have those tools. She was disappointed to hear that information did not get to the Airport Authority in a timely manner. She could not in good conscious approve the tentative map without these conditions which could possibly jeopardize the health, safety and welfare of the community immediately adjacent. In her judgement she preferred that the issue be returned to the Planning Commission where it should have been heard. The motion to approve the tentative map as recommended by the Planning Commission was voted and carried 3-2 with Supervisors Bennett and Livermore voting Naye.

9. DEVELOPMENT SERVICES - ORDINANCE - FIRST READING - ACTION ON A DEDICATION FOR EASEMENT AND AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND R. KIRBY REED, TRUSTEE OF THE REED 1985 TRUST AS TO A 42.8571% INTEREST; BERNARD GREENBLATT, TRUSTEE OF THE BERNARD GREENBLATT LIVING TRUST AS TO A 8.5714% INTEREST; GREGORY CRAWFORD AS TO A 8.5714% INTEREST; CECIL H. CRAWFORD, TRUSTEE OF THE CHC 1984 TRUST AS TO A 14.2857% INTEREST; RICHARD M. SMYSER, TRUSTEE OF THE EDNA ROSE CRANE CHARITABLE REMAINDER UNITRUST AS TO A 5.7143% INTEREST; HEINZ A. KNOCKE AND RAILI O. KNOCKE AS TO A 4.5714% INTEREST; JOSEPH J. REAM AND KAY S. REAM, CO-TRUSTEES OF THE JOSEPH AND KAY REAM FAMILY TRUST AS TO A 2.8572% INTEREST; ROBYN MOHLER, TRUSTEE OF THE ROBYN MOHLER 1997 TRUST AS TO A 2.8572% INTEREST; DAVE G. HARRIMAN AND ADELE J. HARRIMAN AS TO A 2.8572% INTEREST; JAMES D. MCDERMOTT AND MARILYN L. MCDERMOTT AS TO A 2.8572%; L. RANDALL HARRIS AND ANN HARRIS, TRUSTEES OF RANNANN, LTD AS TO A 1.4286% INTEREST; JEFFREY R. THOMSON AND MARY ANN THOMSON AS TO A 1.0000% INTEREST; F. DEWAYNE FOSKEY AS TO A .7143% INTEREST; STERLING TRUST COMPANY FBO BONNIE GAY STRATTON IRA AS TO A .6286% INTEREST; RICK STRATTON AND BONNIE STRATTON, TRUSTEES OF THE RICK AND BONNIE STRATTON TRUST AS TO A .2285% INTEREST, REGARDING ASSESSOR'S PARCEL NUMBER 8-053-03 LOCATED AT THE NORTHEAST CORNER OF BROADLEAF LANE AND NORTH CARSON STREET FOR CONSTRUCTION OF STORM DRAINAGE FACILITIES (1-0061) - Pulled.

10. PARKS AND RECREATION DIRECTOR - Steve Kastens

B. ACTION TO APPROVE, IN CONCEPT, THE ACTION REGARDING THE CAPITAL CITY HUMANE SOCIETY TO ACQUIRE, THROUGH A RECREATION AND PUBLIC PURPOSE LEASE, 6.78 ACRES (APN 8-521-74) FOR PROMOTING HUMANE TREATMENT AND QUALITY OF LIFE FOR ALL ANIMALS, DOMESTIC, EXOTIC, WILD OR LIVESTOCK (2-0092) - Society President Isabel Young, Cazassa HMC Architects Representative Kevin Jeffers - Discussion noted the impediments with Parcel 73 on the west side of Asphalt Road. Parcel 74, the one proposed for Humane Society, does not have any impediments. Staff will split the parcel if the concept is approved by the Board. Supervisor Bennett suggested a ten year restriction for the development of the parcel. Supervisor Livermore explained a condition on YSA contracts mandating an annual review and providing a 90 day cancellation period. Mayor Masayko supported these suggestions and noted that BLM will also have to approve the concept. Ms. Young introduced Stephanie and

Bill Eaton, who were part of her Board. Peter Smith is the Society's attorney and will prepare the lease agreement. Mayor Masayko described the proposed use agreement concept. Ms. Young felt that this type of an arrangement would work for her funding and supporters. Mayor Masayko indicated that the lease will include an annual review requirement. Discussion indicated the site plan had been well done and recognized the work performed by Mr. Jeffers. Board comments wished Ms. Young success with her project and complimented her on her dedication and commitment to the community which included other projects. David Patterson was introduced as her humane service officer. Public comments were solicited but none given. Supervisor Livermore expressed his pleasure at being able to move to approve in concept the action regarding the Capital City Humane Society to acquire, through a recreation and public purposes lease, 6.78 acres, Assessor's Parcel Number 8-521-74, for promoting humane treatment and quality of life for all animals, domestic, exotic, wild or livestock. Supervisor Plank seconded the motion. Mayor Masayko noted the intent to develop an agreement between the Society and the City. Supervisor Livermore agreed. Supervisor Plank concurred. Motion carried 5-0. Mayor Masayko asked that Ms. Young be advised that she would have to work with Messrs. Forsberg and Berkich on the lease and wished her success.

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

11. SHERIFF

A. ACTION TO APPROVE THE CONTRACT FOR TIBURON'S DIRECT DELIVERY COMPUTER AIDED DISPATCH PRODUCT (2-0360) - District Attorney Noel Waters explained his participation in the process and introduced the other team members. A computer enhanced overhead slide program was used to illustrate the historical background of the project, costs incurred to date, reasons for the increased costs and recommended additions to the project. (Copies of his slides are included in the file.) Offsetting funds were also described including the intent to seek additional grants.

Mr. Cronan reviewed Tiburon's timeline and explained his involvement with the Team and his duties. He urged the City to include records management and jail systems in its future program expansions. He suggested negotiations commence on the records management program as soon as the "CAD" is installed. Justification for this recommendation was provided. His contract does not go beyond the present negotiations. His experience in the field was highlighted. He agreed to provide the Board with copies of the implementation schedule. Supervisor Williamson explained her support for the training program. Clarification indicated the training in San Francisco is on the network. The pricing for the records management and jail systems are subject to change after a specified period or if customization is required. Discussion also indicated that the "hammer" over Tiburon is the retention funds and described the reliability testing terms. Mr. Waters explained Agreement Section 18, Page 5 of 8, Paragraph 2 in depth. It indemnifies Tiburon for the City's failure to respond if the program does not work. Mr. Waters did not personally know of an event under which the paragraph had been invoked by other entities. Section 22 of the Agreement indicates that the software which will be provided will be operational for the uses intended. The testing protocol and reliability requirements were noted. Mr. Waters felt that the contract fairly defends and protects Carson City's interests and will be timely implemented. Tiburon's experience in the field was noted.

Discussion between Sgt. Jack Freer, Mr. Waters, and Mayor Masayko indicated the Tiburon system would function parallel to the current system and should be ready for operation on April 27, 2001. The transition should occur smoothly and within budget. Early notice if additional funding is required and 45 day status reports are to be provided to the Board, media, and community. Mr. Cronan indicated that discussions had occurred regarding project management, however, a contract had not been negotiated as of this date. His contract with Reno includes posting a monthly report on the website along with the Tiburon report. Advantages of this concept were noted. Mr. Berkich committed to monthly status reports which will be done with Tiburon. Discussion also indicated that the system would be integrated with other systems in the future. Today's consideration only covers the 911 dispatch program. Future programs must compete during the normal budget cycle. Supervisor Plank felt that every two years upgrades or new software would be required to maintain the program. He asked that the

frequency and costs be estimated now including the amount of staff time required from Information Services for installation and maintenance in the future. Mr. Waters indicated that the first year's maintenance of \$31,200 is included in the contract costs. Modest increases may be requested after that as the program is not customized. The \$31,200 also includes annual upgrades. The City will also be provided with interim "fixes" which are made by Tiburon. Customized applications will have to be negotiated. Mayor Masayko indicated that only the one year maintenance costs are being considered at this time. The budget process should include any future maintenance costs.

Tiburon Representative Trish Lane indicated that the maintenance costs would only increase three to five percent per year. It covers only the Tiburon licensed product--the "24x7" maintenance for the CAD system.

Information Services Director William Naylor explained his staff training program which will cost approximately \$25,000. Tiburon had quoted \$90,000 for this same training. The City currently does not have a Unix System. He was unsure of its compatibility with the AS 400 system. It is IBM gear and should, hopefully, run. He was nervous about the lack of a full-time trained person to support the program. This would be the ideal and appropriate manner to handle the program, however, due to a lack of funding, this approach is not feasible. He committed to doing the best he could with the funding available. Two individuals are needed to provide adequate coverage and experience will tell how much time is required for maintenance. He may approach the Board during the next budget cycle for help, if necessary. He was confident that he would be able to support the program although it will require a lot of dedication in the beginning. The annual maintenance fee increases occur with all of the systems as illustrated by the examples provided by Mr. Naylor. He felt that the second year maintenance cost would be in the neighborhood of \$40,000. Supervisor Bennett explained her original support for the program. She hoped that the same staff's support for the budget requests would occur when presented and in making the program work. Mr. Naylor responded by indicating that he and his staff are committed to the program. Public comments were solicited but none provided. Supervisor Williamson moved to approve the contract for the Tiburon Direct Delivery Computer Aided Dispatch product; the funding source is the Dispatch Hardware/Software 330-0000-421-7803 for \$932,510. Supervisor Livermore seconded the motion. Motion carried 5-0. Mayor Masayko stressed that it should be on time and on budget. Mr. Berkich thanked the team members and Noel Waters for their work.

B. ACTION ON FUNGAL SPORE AND LEAD DUST CONTAMINATION OF CARSON CITY SHERIFF'S OFFICE ADMINISTRATION FACILITY (1-1458) - Undersheriff William Callahan, Facilities Superintendent Larry Nair - Discussion explained the spore and lead problems, the emergency contract provisions utilized to conduct the mitigation, and preventive measures being taken to address future problems of this nature. Mr. Nair agreed to obtain and stock an emergency sump pump. Remediation efforts, which began on August 25, were described. The work should take between two and four weeks to complete. The shooting gallery had been closed for years. Mr. Nair was unsure of the long-range occupational liability. An evidence area must be maintained somewhere. The lead problem should not be an issue in the future once the area is cleaned. A private company is doing the cleaning. Supervisor Bennett moved that the Board of Supervisors approve funding for decontamination of fungal spore and lead dust from the CCSO Administration Facility and direct staff to cure the contamination problem. Supervisor Williamson seconded the motion. Motion carried 5-0.

BREAK: A recess was declared at 1:25 p.m. The entire Board was present at 1:40 p.m. when Mayor Masayko reconvened the meeting, constituting a quorum.

10. A. ACTION ON APPROVAL OF OPEN SPACE MANAGER POSITION AND FUNDING (2-1718) - Parks and Recreation Director Steve Kastens indicated the fiscal impact did not include a vehicle or desk. Retirement and SIIS funding is included. Funding is available for a computer. The employee should be revenue neutral in the budget due to the use Open Space funding. Continuity and workloads provided justification for hiring a permanent employee rather than a contractor. Supervisor Williamson expressed her concern about the minimal requirements for the applicants. Comments also questioned the hiring level established for the position, the lack of a similar position in Nevada, and emphasized that an employee had not already been selected.

Applicants were encouraged to apply. An interview panel will be used to select the employee. The employee will report direct to Mr. Kastens. (2-2124) Supervisor Livermore stated that as a member of the original steering committee, we knew that eventually there would be a staff commitment for the management of the resources. This is not a new position based on funding availability. It is a necessary position which is required in order to implement the program, which was known from the beginning. Supervisor Livermore moved to approve the Open Space Advisory Committee's recommendation to establish the position of an Open Space Manager and the funding necessary from the Quality of Life Open Space fund. Supervisor Bennett seconded the motion. Mayor Masayko noted that the fiscal impact shown on the Board Action Form is \$61,000 but that that does not include the overhead and costs. The motion carried 5-0.

12. CITY MANAGER - John Berkich

A. ACTION ON A REQUEST FROM THE NEVADA DEPARTMENT OF AGRICULTURE FOR A GRANT OF \$12,000 FOR THE ESTRAY WILD HORSE PROGRAM (2-2158) - Nevada Department of Agriculture Director Paul Iverson - Board comments thanked Mr. Iverson for his efforts and responses. Mr. Iverson briefly summarized the funding he had used for this program, his request to reimburse those funds, and the success of the program to date. He had received calls earlier in the day indicating that a new problem had arisen on Goni which he would be responding to soon. He amended his funding request to be for \$10,000 and committed to re-evaluating the request and participating in the City's budget process next year. A National Resource Conservation Services study indicates that 550 horses can be held on the "mountain". This requires removal of approximately 200 horses per year for the next three years and then 100 per year thereafter. The dry summer is forcing the horses into the residential areas. The facility can hold 60 horses. The need for an emergency holding facility was explained. He had submitted proposals to Storey and Lyon Counties and described funding he had received from a non-profit group and from Washoe County and Carson City. Discussion between Mayor Masayko and Mr. Berkich indicated there is \$200,000 in the contingency fund. Mayor Masayko also explained his reasons for requesting a reduction in the funding request to \$10,000 and reconsideration during the budget process. Supervisor Plank supported funding at the \$12,000 level due to the impact the horses create on his area. Supervisor Bennett expressed her sorrow at the realization that the horses will not be enjoyed forever due to the constant and expanded residential encroachment into the horses' area. She also noted the dangers encountered along Highway 50 at night when the horses cross the highway. Mr. Iverson noted that these horses are not afraid of vehicles as people along the Highway 50 corridor feed them. He agreed that the horse situation will worsen due to the drought-like conditions and residential encroachment. He committed to sustaining a good strong horse herd which will be able to sustain itself during a dry winter or summer. Supervisor Livermore explained his personal knowledge of the horse herds in the area. He was pleased to hear that a herd would be sustained as it would be a tragedy to eliminate them. They are a long standing part of Nevada history. Supervisor Plank moved to approve a request from the Department of Agriculture for a grant of \$12,000 for the estray wild horse program, fiscal impact is \$12,000 and the funding source is to be determined. Supervisors Livermore and Williamson seconded the motion. Motion carried 5-0.

B. ACTION ON A DEVELOPMENT AGREEMENT WITH THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) FOR CONSTRUCTION OF THE CARSON CITY FREEWAY (2-2480) - NDOT Assistant Director of Engineering Susan Martinovich - A revised agreement was presented to the Board. (The Clerk did not receive a copy of this revised agreement until later in the discussion.) Following Mr. Berkich's introduction, which reviewed the Board Action Form, he highlighted the revised agreement. There were no changes to Page 1 from the original agreement. NDOT will be responsible for the multi-path retaining wall between Broadleaf Lane and Emerson Drive. Mayor Masayko acknowledged the property owners along the freeway who had expressed a willingness to participate with the City by providing additional right-of-way for the path. This had reduced the right-of-way costs. Mr. Berkich indicated that this acquisition must be completed prior to bidding on Phase 1. The property suggested for trade with the Lompas is north and west of Butti Road and is estimated to be 20 acres. This property is outside the Corporate Yard master plan. Clarification indicated that Section 5 on Page 2 requires the City to fund, "place" the landscaping, i.e., plant trees, etc., and maintain the landscaping. NDOT is to grant the City permission for this work under its encroachment permit process. Ms.

Martinovich indicated that the permit process allows NDOT to have control over the traffic control measures. Comments stressed that the multi-use path is being considered only for Phase 1. The path is to be lighted at street crossings only. Ms. Martinovich indicated that NDOT would assist the City with any relocations as they must be done under the Federal Relocation Act. The path right-of-way will be established by NDOT's design and the City must acquire it in accordance with the design. This will allow NDOT to certify the right-of-way in accordance with Federal funding mandates. Discussion also indicated that Mr. Stephens had offered to provide trees for the interchanges, however, discussion indicated that these trees may not be suitable for relocation or the appropriate species for the proposed use. Clarification indicated for the record that trees would not be allowed where concrete interchanges are located unless it is native vegetation or the City desires to upgrade or change the species to something else. Page 3 under the "IT IS MUTUALLY AGREED" Section 1 does not provide for a multi-use path south of Highway 50 and requires the City to revise its bicycle plan accordingly. Connectivity for the multi-use path will be provided by using other City streets/trails along the freeway corridor. Ms. Martinovich indicated that NDOT will work with the City and allow use of the "dirt maintenance road along the freeway" under a joint use agreement for a bike or trail purposes in order for there to be continuity from the developed path in Phase 1. Mr. Berkich indicated that once the City's bicycle plan is revised, it will become part of the State's bicycle plan. This obligates the State to include the bicycle path in future road designs. Ms. Martinovich emphasized that NDOT is only requiring the necessary amount of right-of-way through the Lompa property to meet the freeway and drainage needs. Mayor Masayko indicated that the City would participate to the amount required for upsizing the joint facility to meet that required for handling the City's upstream flows. Engineers are working to develop the size required by the City. NDOT's design will meet only its needs. Clarification indicated that both "Statewide Bicycle Plans" were required in the last sentence of Section 4 on Page 3. Discussion also indicated that the City's revised plan is to be the result of the revision process agreed to under Section 1. The revision process may not make any changes to the plan which would be the "revised" plan. Discussion also noted that at the very least the revised plan must include the construction plans developed as part of Phase 1. Mr. Berkich indicated that the agreement is part of the Statewide Transportation Board's packet for its September 20th meeting. Ms. Martinovich reiterated that Phase 2 will not include the multi-use path south of Highway 50. Mayor Masayko felt that there was adequate time available to establish a connectivity program for the path south of Highway 50.

Supervisor Plank noted a commitment made by David Ruf to provide a certain number of trees over a specified period for the freeway. He felt that the City should be able to afford the trees if NDOT allows the City to plant them. Ms. Martinovich noted NDOT's restrictions for encroachment into the right-of-way which may require City assistance in policing the landscaping/planting activities. This is the reason for requiring a permit. Supervisor Plank felt that the planting/maintenance should be done professionally in order to guarantee the survivorship of the plants. Mayor Masayko suggested that the City participate in the design so that areas can be established in the interchanges prior to concrete work being done to allow planting and irrigation systems adequate to assure survival. Mr. Berkich indicated that this would require close coordination between the City and NDOT. Mayor Masayko also pointed out that without initial planning and coordination, the plantings will not occur.

Supervisor Williamson vocalized her unhappiness with the exclusion of the multi-use path south of Highway 50 and restricted landscaping proposed for the entire project. The freeway will create a large impact on the residents adjacent to it. The multi-use path and landscaping had humanized the impact to a certain degree. Her fight for the path and landscaping had been for the entire freeway and not just a portion of it. She agreed that a comprehensive transportation plan for the City is needed. Residential needs for a safe method for children to reach Edmonds Sports Complex, Governors Field, schools, etc., should also be considered. It may be necessary to find another route if the freeway corridor cannot be used. The agreement does not include the offer to allow the City to use the dirt road along the freeway south of Highway 50 or other segments. Commitments made to Clark County for its bicycle path along a freeway were to illustrate what had been done elsewhere. She questioned the need for the City to spend money on revising the bicycle plan if the State refused to consider it in State's planning program. Mr. Berkich reiterated that whatever plan the City develops through the revision process will become part of the Statewide Transportation Plan and that it will be included in future projects. Supervisor Williamson pointed out that the City's current plan is already part of the Statewide plan, however, the State does not want it and is telling the City to change it. Mr. Berkich indicated that the State is required to construct whatever the plan is including that along the freeway. Ms. Martinovich explained the right-of-way restrictions and drainage issues south of

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Fairview which prohibit inclusion of the path. Discussions had included provisions allowing the path to Fairview, however, the State's legal staff felt the provisions were too open, carried too much liability for the State, and had removed them. She offered to show her these drafts as assurance that the pathway could be included to that site. She committed to working with the City to provide connectivity. Her concerns with having the path in the depressed area south of Fairview were described.

(2-3495) Supervisor Plank expressed his willingness to work with Ms. Martinovich and attempt to develop an alternative. The difference between Phase 1 and 2 relates to the amount of right-of-way available for the multi-use trail particularly in the depressed area. There are alternatives for the bicycle path which should be investigated between Edmonds and Curry Streets. A path can be found. Mayor Masayko noted the massive drainage channels proposed across the Lompa property which would make the area undesirable for a multi-use path. He also felt that connectivity could be provided on other routes. Supervisor Livermore noted Ms. Martinovich's commitment to the community in spite of the difficulty experienced with her employment. His personal knowledge of the bicycle plan indicated that the path was not to be along the depressed freeway but rather above it. The proposed process will allow development of the design for Phase 2. During that process discussions will develop the appropriate location/alternative for the multi-use path. His personal concept was to have it along the Edmonds Drive side. He also felt, as Supervisor Williamson had stated, that it is a quality of life issue which is just as important to the residents adjacent to Phase 2 as it had been to the residents adjacent to Phase 1. It is also important that the design and process be restarted.

(3-0065) Ms. Martinovich assured Supervisor Bennett that NDOT had always committed to working with GROW to provide the base for the landscaping. This included conduit for irrigation and soil for growth. GROW is to come in as funding is available and construct the plan which has already been submitted. NDOT's landscape architect is attempting to develop a landscape master plan which establishes a program such as the one allowing inclusion of sound walls and cost sharing between an entity and the State in areas where freeways have already been constructed. Carson City may wish to pursue this type of a program once it is developed.

Supervisor Bennett then expressed her feeling that some lessons should have been learned from Phase 1 and suggested that Section 1 on Page 3 be reconsidered to eliminate problems in the future.

Mr. Berkich indicated that if the Board approves the agreement, it will be submitted to the State Transportation Board (STB) at its next meeting. If the STB approves it, the finishing work on Phase 1 will commence. If this does not occur, the project will be stalled.

Discussion between Supervisor Bennett and Ms. Martinovich indicated that discussions had not occurred regarding the right-of-way needed from the Lompas due to Federal procedures on right-of-way acquisitions. Supervisor Plank also pointed out that until the Board takes appropriate action, staff could not pursue the acquisition. Mayor Masayko noted that such premature discussions could cause staff to make representations which the Board may or may support. Public comments were then solicited.

(3-0144) Anne MacQuarie commended all on the progress which had occurred since the May STB meeting. She supported the agreement except for Section 1 on Page 3. Her reading of the agreement indicated that NDOT was demanding that the Board agree to abolish the multi-use trail along the freeway. She felt that the Governor had committed to using the City's Phase 2 drainage improvements as an offset to the Phase 1 multi-use trail improvements. The proposal's negative impact on the public participation process was cited to illustrate her concerns with the lack of flexibility within the agreement concerning the verbal discussion which had just occurred. It would be a waste of City funds to hire a consultant and hold public hearings if the decision had already been made to eliminate the trail from the freeway. The concept would create half of a trail. She emphasized the need for a bicycle path to Edmonds fields and other points in southeast Carson City. She suggested that NDOT include terminology in the agreement which would allow the City and NDOT to discuss methods which would make the path feasible. If the consultant develops a plan which would use a portion of the freeway as part of the alternative, it would not be considered due to the agreement. She urged the Board to amend the agreement or eliminate the last sentence of the Section indicating that no consideration for the path would be

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allowed in Phase 2. She expressed her tiredness with the repeated threat that unless the City accepted the agreement as written, NDOT "would leave" and work on other projects. The project is consistent with State, Local, and Federal multi-modal transportation policies and they should not be considered project "killers". Mr. Berkich responded by explaining the reasons for the clause and emphasized that the agreement will allow development of the Phase 2 design which goes to Fairview in addition to allowing the City time to review the bicycle master plan.

Ms. Martinovich indicated that the agreement's goal is minimize or reduce some of the impacts which had occurred during design of Phase 1. She pointed to an agreement purportedly approved by the Board in May or February addressing the locations of the interchanges and grade separations. The bicycle path had been part of that discussion. Without knowing the features, a design cannot be created. The agreement was an attempt to develop the features so that the design could proceed. If, during that process, some ideas are developed which will work and are feasible NDOT was willing to "entertain" them. NDOT must proceed with something for Phase 2. Clarification indicated that this work did not include multi-use paths. Mayor Masayko explained that it may become necessary to discuss inclusion of the path if no other alternative is available. Ms. Martinovich indicated a willingness to discuss the issue. Mr. Berkich noted the time available for preparation of Phase 2's design which should provide more than adequate time for the discussions to occur. Discussion between Ms. Martinovich and Mayor Masayko indicated that both the revised bicycle master plan element and the Phase 2 design are scheduled for completion in January 2001. Mayor Masayko felt that the processes must be allowed to proceed.

Jackie Stroud explained her desire to use the multi-use path in Phase 2. She felt that the discussion had indicated that there would be discussions concerning a final design once a route is determined by the revision process. The agreement, however, indicates that there will be no consideration of that alternative by NDOT. This does not match the discussion. Mayor Masayko felt that any agreement reached today could be modified in the future. The commitment being made by the City is to go through the revision process even though NDOT is going forward with a design without the trail. The importance of proceeding with the design of Phase 2 was noted. Once the revision process is completed, efforts will be made to determine what parts of it can be included in the design. As the freeway will take eight years to complete, he felt certain that there would be adequate opportunities to revise it. Ms. Stroud urged the Board to revise the paragraph to match this intent. Supervisor Plank acknowledged her concern and explained that the flexibility allowed in Phase 1 is not possible in Phase 2 particularly in the depressed areas. The City needs to consider alternatives. NDOT offered to work with the City on them. Supervisor Bennett asked for an opportunity to discuss the matter with legal counsel and revise the Section to allow Carson City an opportunity to work cooperatively with NDOT on a mutually acceptable alternative. Mayor Masayko also noted the time restriction for presenting the agreement to the STB.

Penny Fairfield felt that the Board had had a vision which was being eliminated by the agreement. She felt that the public would continue to support the Board in its effort to include the vision when presented to the STB. Additional work on the Section should occur. NDOT should be challenged to provide the multi-use trail. The City could also work with private property owners to develop another alternative as it had on Phase 1.

Supervisor Livermore noted his involvement with the Parks and Recreation Commission regarding the bicycle plan. He was unsure whether the bicycle plan called for placement along the freeway. He felt that there were opportunities for locating the path along other roadways in the southern portion of the City. The City will have to pay for the path regardless of the location. If it is not in NDOT's right-of-way, the City could control the landscaping, design, etc. He also felt that NDOT had committed to helping the City develop such a plan. Mayor Masayko indicated that the eastern boundary of the freeway and the western boundary of Edmonds Drive are the same line. As neither the City nor NDOT have determined the final design in this area, other options could be considered.

Mary Fischer acknowledged the efforts which had gone into the project. She emphasized the need for the freeway to be an asset to the community rather than a detraction. She suggested that Section 1 include the term "examine" and that the final sentence include "until the City plan is revised". This leaves the door open for discussion regarding its inclusion. Revisions which had been made to the retention walls between Northgate and Emerson

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were used to illustrate the flexibility which may occur. Design should consider all options. Written agreements are enforced according to the terminology included therein particularly if the individuals who were involved are not available at the time the final design is developed. The freeway had been discussed since at least 1964. Interstate 580 was used to illustrate the impact a freeway could have on the community if it is landscaped. The same consideration had not occurred when designing the Carson City freeway. She also described other frustrations she had encountered in working with NDOT on the landscaping plan specifically regarding saving and using the top soil as had been supported by NDOT's own consultant. She then described correspondence she had received indicating that the landscaping will be designed in accordance with the Federal Highway Administration standards, however, an August 24 letter from a Mr. John Price indicates that "he did not agree that soil materials that will support natural vegetation is of sufficient specification for the remainder of the project". Ms. Fischer indicated she was unaware of any method which would sustain natural vegetation without top soil. A California Highway Department report was quoted to support the use of top soil for reapplication. The agreement does not include a provision indicating that these elements will be provided in accordance with the Federal Highway standards. It does, however, indicate that it will provide soil as part of the freeway fill material. Toxic soils should not be allowed. NDOT wants to continue its previous landscaping program which is not acceptable to the community. She also urged the Board to expand the type of vegetation which will be allowed to include both native and naturalized vegetation. The term "native plants" is too narrow a term while naturalized vegetation allows other plants which are grown locally but are not native. She urged the Board to amend the agreement. Additional public comments were solicited but none given.

Ms. Martinovich indicated that Federal Highway standards would be adhered to as indicated in Mr. Price's letter. Mr. Berkich referenced the section of the agreement supporting her statement. Additional comments were solicited but none given.

BREAK: A recess was declared at 3:50 p.m. to allow Supervisor Bennett time to consult with Mr. Forsberg regarding the language. The entire Board was present when Mayor Masayko reconvened the meeting at 4:15 p.m., constituting a quorum.

(3-0781) Mr. Berkich suggested that Paragraph 1 under "MUTUALLY AGREED" be revised to read: "The City with NDOT's assistance, will complete a process to revise....." to the end of the sentence. The second sentence then will read: "Accordingly, the Department will proceed with design, right-of-way acquisition, and construction of Phase 2 without the multi-use path." This is the end of the paragraph. Mayor Masayko indicated that the meaning is that right now NDOT will proceed as needed until the bicycle plan is considered without inclusion of the path. If the plan is changed, the path will be included. Supervisor Williamson asked if this means that the State will proceed with the design and if it is determined that the State Bicycle Plan includes parts of the multi-use path in Phase 2, it will be included within the freeway alignment. Ms. Martinovich responded, "Yes, but that NDOT would be working very closely on the development of the plan." Ms. MacQuarie noted that it is not in writing. Mr. Berkich pointed out that Page 1 commits to following Federal and State policies which require the completion of the project with the bike plan included as part of the project. Removal of the sentence about prohibiting its inclusion will allow the State to include the ultimate plan in Phase 2. Ms. Martinovich indicated that the project could not be advertised until the bike plan is completed. Supervisor Williamson expressed a willingness to use "the back door" if it allows the development of a comprehensive bicycle path through the entire community. Mr. Berkich stressed the project's intent as being to provide a comprehensive manner in which to move people north and south in the community in a fashion which will enhance the quality of life. He questioned, as an example, whether it would make sense to have the bicycle path on the east side of the freeway with the number of residents residing on the west side of the freeway. Such questions need to be considered in the revision. NDOT has committed to participating in this review.

Additional public comments were solicited. Ms. MacQuarie expressed her appreciation for all of the work which had been involved in the project. The language was better, however, the clause is not required. Mayor Masayko understood her concern, however, this is part of the compromise required in agreements. He agreed that the agreement is not perfect, however, it does recognize the to move traffic and that the multi-purpose path will not be ignored. A great deal of progress had occurred since February. The necessity to move the project forward was

also pointed out. Additional public comments were solicited but none given.

Supervisor Bennett moved that the Board of Supervisors approve the cooperative agreement presented between the Nevada Department of Transportation for construction of the Carson City freeway and, that the agreement is between the Nevada Department of Transportation and Carson City; this is the one that was presented to us this afternoon, today, with the revised language as discussed in Paragraph 1, Page 3, under it is mutually agreed. Mayor Masayko felt that the motion was adequate. Supervisor Plank seconded the motion. Mayor Masayko restated the motion as approving the cooperative agreement as presented today and amended in Paragraph 1 on Page 3. Motion carried 5-0.

Mr. Berkich distributed a revised Statewide Transportation Improvement Program (STIP) listing to the Clerk and Board. (A copy is in the file.) The revised listing is to be presented to the STB at its September 20 meeting. Negotiations among Carson City, NDOT, and Washoe County had provided a funding mechanism for Carson City's freeway Phase 2 within the next three years. Construction for this phase should commence in 2003. Mayor Masayko emphasized that the STIP commits to development of Carson City's freeway and does not create a "gap" in its construction. Mr. Berkich also indicated that it eliminates the competition for funding between the Carson City freeway and I-580 in Washoe County. Both of these projects are important to Northern Nevada and its future. It was hoped that the STB would approve the revised STIP. Discussion indicated that the bid for completion of Phase 1 is to be released in the Spring of 2002. Ms. Martinovich explained the term "SR 529" as being NDOT's designation of Carson City's freeway. All of NDOT's alignments are south to north and west to east which is the reverse to how the City and public see the alignments. SR 529 is US 395. Supervisor Williamson thanked NDOT and Washoe County for their cooperation and hoped that the STIP would be approved quickly. No formal action was required or taken on the STIP.

13. INTERNAL AUDITOR - Gary Kulikowski

A. ACTION TO APPROVE THE 2000-01 INTERNAL AUDIT PLAN (1-1114) - Mr. Kulikowski revised his plan to include a compliance audit of the Library. Supervisor Bennett explained her reasons for requesting inclusion of this audit in the plan. Discussion indicated that a compliance audit may not be required and directed Mr. Kulikowski to discuss the issue with the Library Board of Trustees Chairperson and submit a written request that that information be provided to the Board in a timely fashion. The Board would then be available for review of the information as deemed appropriate. Discussion ensued concerning Mr. Kulikowski's ability to conduct performance audits. Normally these audits had been conducted by private contractors who were retained by Mr. Berkich. The Board's budget review had directed Mr. Berkich to retain an individual to conduct performance audits and cost analysis. Mr. Kulikowski felt that the status of implementation of this study should be included in his work plan. Mr. Kulikowski's analysis of such needs during performance of his normal audits includes recognition of areas where economic changes/consolidation should be made. He recommended retention of an individual who is skilled in the performance of such audits. Supervisor Livermore elaborated on the need to conduct performance audits. Mr. Kulikowski expressed his feeling that the financial analyst should be assigned these duties. Supervisor Livermore suggested the position be considered a professional/business analyst. Mr. Kulikowski described the job description proposed for the individual. Mayor Masayko indicated that the Board could not consider this position as agendaized today. Mr. Berkich supported having the position which should be finalized by the first of the year. Mayor Masayko indicated that before that step is taken, a report should be submitted to the Board indicating that the promised savings are in fact real. Mr. Berkich indicated that Finance had been asked to present this report. Mayor Masayko directed that a copy of this report also be given to Mr. Kulikowski. Discussion ensued concerning whether this position should be part of the Internal Auditor's office. Mayor Masayko again noted that this issue had not been agendaized and should be debated at another time.

Mr. Kulikowski then asked that his plan be amended to allow him to audit the District Attorney's restitution trust account. Comments also indicated that the listing had been created in priority order. Due to printer problems, the schedule delineating the timeframes for completion of the items is to be given to the Board in the future. Supervisor Plank pointed out that the unannounced audits had not been listed within the plan. Mr. Kulikowski

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indicated that unallocated time is built into the plan which he uses for such unannounced audits. Supervisor Plank explained his request for an audit of the Tiburon project. Mr. Kulikowski explained what he had learned from this audit and had listed monitoring the dispatch system on the plan. This may require less time than he had originally envisioned due to the City Manager's commitment to provide monthly status reports. Mr. Kulikowski would meet weekly with Sgt. Jack Freer on the project. He agreed to keep the Board aware of any problems which arise. Supervisor Plank also suggested that Mr. Kulikowski provide audits of the performance reports prepared by the City Manager's office.

Mr. Forsberg then expressed his concern regarding an audit of the aquatic facility in view of the legal issues involved with it. Mayor Masayko supported his concern. Although Mr. Forsberg welcomed Mr. Kulikowski's assistance, he cautioned against having all of the information made public until the legal status is finalized. Mayor Masayko agreed that the Internal Auditor did not have to be involved with this matter beyond that required to conduct an appropriate audit trail. His audit concept was described to support his position that this could be accomplished without creating a problem if a legal issue is raised later. Mr. Forsberg felt that the process should proceed without requiring a report indicating what had and had not been accomplished and the reasons or individuals responsible for the failures. Mayor Masayko then requested periodic reports from the District Attorney's office in lieu of the audit. Mr. Kulikowski agreed to work with Mr. Forsberg on this matter and removed the item from his plan. Mayor Masayko agreed with the change.

Supervisor Williamson felt that as the Public Safety Complex and the Tiburon project were being reported by the City Manager, they should not require a lot of Mr. Kulikowski's time. A review of the amount of time dedicated by City staff to the freeway should not require a large time commitment. She questioned the amount of time required for Justice Court minimal accounting fee standards. If it is required, it should be listed; however, as it is an elected official with his/her own budget, it should not require a lot of Mr. Kulikowski's time. Mr. Kulikowski indicated that it could be done by an external or internal auditor. It would be more cost effective if he performed the duties. As he had been asked by the Justices to audit it, he felt he should do so. Supervisor Williamson felt that the Grand Jury had been reviewed adequately and did not need further review. Nothing had been done on the Commissary Fund. Mr. Kulikowski indicated that the Board needed to make quarterly checks of the jail. Supervisor Williamson supported having Mr. Kulikowski monitor the cost allocation system being developed by Engineering. This should not be an on-going study until after the new system is developed. Supervisor Bennett voiced her concerns that this system be developed correctly to avoid pitfalls in the future where funds and staff duties are co-mingled. The system needed good institutional internal controls. Supervisor Williamson felt that this had already been accomplished according to the information previously submitted during the budget discussion. Supervisor Bennett responded by expressing her concerns with using an estimate of the time allocated to the different accounts. Private industry's allocation system was described to support the type of program she felt should be used. Mayor Masayko agreed that City Engineer Werner had committed to developing this type of a program using percentages and noted his direction to him that the program be developed and implemented as quickly as possible. Mr. Kulikowski should test this program once it is developed for validity. Mayor Masayko indicated that the Board was not asking Mr. Kulikowski to setup the system. Mr. Kulikowski described his current involvement with Mr. Werner who is developing an action plan which will address the concerns Mr. Kulikowski had already pointed out. Mayor Masayko emphasized that this program was high on the Board's priority list and that Mr. Werner and Mr. Berkich should be cognizant of this priority. Mr. Kulikowski also indicated that this item on his plan also dealt with contract engineering services and its accounting procedures. His function was seen as oversight/monitoring and not development of the system. Supervisor Plank supported monitoring and testing of the system(s) due to his previous experience with accounting programs. Supervisor Williamson then explained her feeling that City staff is checking the invoices and engineering dedicated to the freeway. It should not require constant surveillance but could require quarterly and random checks. Mayor Masayko suggested that Mr. Kulikowski check the program to determine its change order approval process and to perform quarterly tests on a sample of the bills including through the State process. Mr. Kulikowski agreed.

Discussion ensued on Mr. Kulikowski's ability to audit the Convention and Visitors Bureau. He is able to audit the Airport Authority, library, and cemetery funds. Supervisor Livermore explained his request of Mr. Kulikowski regarding the Bureau. Mr. Kulikowski expressed his intent to contact the Bureau and offer his services to review

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their process. Supervisor Livermore indicated that he did not have a red flag regarding their process but merely wished to check the process. Discussion noted that the library funds are part of the City's general fund. Its donation and gift funds are not. The Airport Authority has an external audit performed. The City administers the FAA grants. Reasons for this requirement were noted. Supervisor Bennett supported having Mr. Kulikowski check the Airport's balances. The Board supported having Mr. Kulikowski check the Open Space fund although Mayor Masayko did not feel that it should be a top priority. Mr. Kulikowski agreed that it is presently allocated a small amount of time and that it could require more time in the future particularly after personnel is hired. Mayor Masayko indicated for the record that discussion had included compliance notices with the Library and the reorganization plan. They had "bumped" the aquatic and grand jury reports. Development Services' cost allocation method and the restitution trust account at the DA's office will be monitored. Supervisor Livermore moved that the Board approve the Internal Auditor's plan as submitted and modified at this meeting using the statements just made by the Mayor. Supervisor Williamson seconded the motion. Motion carried 5-0.

BREAK: A recess was declared at 5:30 p.m. The entire Board was present when Mayor Masayko reconvened the session at 5:37 p.m.

B. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 241.030 TO CONSIDER THE PROFESSIONAL COMPETENCE OF THE INTERNAL AUDITOR (3-2168) - Supervisor Williamson moved to recess into closed session. Supervisor Plank seconded the motion. Motion carried 5-0.

C. RECESS INTO OPEN SESSION (3-2170) - Mayor Masayko reconvened the open session at approximately 6:15 p.m. (The entire Board was present, constituting a quorum.)

D. ACTION REGARDING BOARD REVIEW OF THE INTERNAL AUDITOR'S PROFESSIONAL COMPETENCE AND SETTING OF COMPENSATION (3-2180) - The Board considered his performance commendable and competent. He was considered a team player. Additional communication advising the Board of his progress on the work plan was needed. Mayor Masayko requested that a tie to performance measurables and scores" be established for a piece of his compensation. Board comments also commended Mr. Kulikowski on his Tiburon report. Supervisor Williamson expressed an intent to be more persistent when seeking his assistance in the future. Mayor Masayko suggested that she review the quarterly reports and negotiate the plan. Supervisor Bennett expressed her feeling that the discussion had indicated a lack of communication concerning the role of an internal auditor. Quarterly reports may address this situation. Supervisor Plank suggested that Mr. Kulikowski give the new Board members a copy of a booklet he had received when he first came on the Board. Mayor Masayko then suggested a compensation amount of two percent and restructuring it to reflect its policy on pay for performance as established for the City Manager. This would create a bonus opportunity. Supervisor Livermore moved to find Mr. Kulikowski's performance had been competent and to give him a merit increase of \$1500. Following a request for an amendment, Supervisor Livermore amended his motion to include and asked him to put a pay for performance program similar to Mr. Berkich's program into effect. Supervisor Plank seconded the motion. Motion carried 4-1 with Supervisor Williamson voting Naye. Mayor Masayko encouraged Mr. Kulikowski to do the pay for performance proposal.

Supervisor Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 6:25 p.m.

The Minutes of the September 7, 2000, Carson City Board of Supervisors meeting

ARE SO APPROVED ON____January_18____,

2001.

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/s/_____
Ray Masayko, Mayor

ATTEST:

/s/_____
Alan Glover, Clerk-Recorder