

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 4, 2001, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Robin Williamson	Supervisor, Ward 1
	Jon Plank	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Mark Forsberg	Chief Deputy District Attorney
	William Callahan	Undersheriff
	Katherine McLaughlin	Recording Secretary
	Beth Huck	Business License Compliance Officer
	(B.O.S. 1/4/01 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. Rev. Louie Locke of the Fountainhead Foursquare Church gave the Invocation. Mayor Masayko lead the Pledge of Allegiance and welcomed the public to the first Board meeting in 2001.

CITIZEN COMMENTS (1-0028) - Cactus Jacks' General Manager and Carson City Gaming Association President Bill Hissam requested the Board's assistance addressing problems of vagrancy, theft, vandalism, disturbing the peace, under age drinking, illegal drug consumption and sales, fights, etc., encountered in the downtown area. He offered to provide video tapes illustrating the activities if desired. Previous unsuccessful attempts to obtain assistance were noted. Improvement efforts were cited to illustrate the pride the business owners take in the area which he felt the Board and Redevelopment shared. A summary of the video tapes taken since June was distributed to the Board and City Manager. (A copy was not given to the Clerk.)

Virgil Bucchianeri indicated he also represented his son Hector. They shared Mr. Hissam's concerns. Their efforts to reduce the problems in the area surrounding their business and the business impacts felt as a result of the problems were described.

Marlene Harper explained her location and supported their comments. Mayor Masayko noted that Undersheriff Callahan and Mr. Berkich were present and had taken notes. Additional comments were solicited but none given.

1. **APPROVAL OF MINUTES (1-0144)** - None.
2. **AGENDA MODIFICATIONS (1-0148)** - None.
3. **PRESENTATION** - Personnel Manager Judie Fisher - **PRESENTATION OF THE 2000 FOOD DRIVE AWARDS (1-0150)** - The food drive participants were thanked for their support of the fifth annual event. The Fire Department had used its coffee money to acquire 1180 pounds of food. Three thousand pounds had been donated by the City employees. Mayor Masayko complimented Ms. Fisher for her work on the program. He also noted the support given by the entire community during the holiday season to the Advocates to End Domestic

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Violence program. The revolving plaque awarded to the Fire Department was displayed. Mayor Masayko also explained the Christmas Tree which was at City Hall and that gifts had been purchased and distributed as part of the Salvation Army's program. He thanked all of the participants for their donations. No formal action was taken or required.

LIQUOR AND ENTERTAINMENT BOARD (1-0208) - Mayor Masayko recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. The entire Board was present, including Sheriff's Representative William Callahan, constituting a quorum.

4. TREASURER - Business License Compliance Officer Beth Huck

A. ACTION ON A FULL BAR LIQUOR LICENSE FOR NELSON AND LI HUA CHIA, DOING BUSINESS AS WATER WHEEL RESTAURANT LOCATED AT 4239 NORTH CARSON STREET (1-0212) - Mr. and Mrs. Chia indicated they would train their employees in the CCMC and NRS liquor laws and would not serve minors. Member Callahan noted the favorable Sheriff's investigative report. Discussion explained the location and that the restaurant would open tomorrow. Member Williamson moved to approve the full bar liquor license for Nelson and Li Hua Chia, doing business as Water Wheel Restaurant, located at 4239 North Carson Street under Carson City Municipal Code 4.13; fiscal impact is \$1,000 original new fee, \$575 investigative fee, and \$200 per quarter. Member Plank seconded the motion. Motion carried 6-0.

B. ACTION ON A WHOLESALE DISTRIBUTING LIQUOR LICENSE FOR CARL CECCARELLI, PENNY KOSKOSKI AND MARIE ERNST, OFFICERS AND LIQUOR MANAGERS OF SIERRA WINE AND SPIRITS, INC., LOCATED AT 1201 INDUSTRIAL WAY, SPARKS, NEVADA (1-0277) - Carl Ceccarelli, as an owner and member of the management team, agreed to sell to only licensed firms. The application is for a change of ownership. Member Callahan noted the favorable Sheriff's investigative report. Member Plank moved to approve a wholesale distributing liquor license for Carl Ceccarelli, Penny Koskoski and Marie Ernst, officers and liquor managers of Sierra Wine and Spirits, Incorporated; the business is located at 1201 Industrial Way, Sparks, Nevada, under Carson City Municipal Code 4.13; and the fiscal impact is \$1,000 original new fee, \$650 investigation fee, and \$200 per quarter fee. Member Williamson seconded the motion. Motion carried 6-0.

C. ACTION ON A BEER AND WINE LICENSE FOR XUE BAO CHEN, DOING BUSINESS AS CHINA CHEF II, LOCATED AT 3135 HIGHWAY 50 EAST (1-0335) - Mayor Masayko reminded Mr. Chen that a Liquor License in Carson City is a privilege. Xue Bao Chen committed to adequately training his employees and enforcing the Liquor Laws. Member Callahan noted the favorable Sheriff's investigative report. Member Plank pointed out the affirmative answers which had been received and that the application had been properly completed and investigated. Member Plank then moved to approve a beer and wine license for Xue Bao Chen, doing business as China Chef II, located at 3135 Highway 50 East under Carson City Municipal Code 4.13; the fiscal impact is \$500 original new fee, \$500 investigation fee, and \$150 quarterly fee. He also displayed an advertising flyer which had been on his door step a couple of days earlier and wished them success. Member Williamson seconded the motion. Motion carried 6-0.

There being no other matters for consideration as the Liquor and Entertainment Board, Mayor Masayko adjourned the Liquor and Entertainment Board and immediately reconvened the session as the Board of Supervisors. The entire Board was present, constituting a quorum.

5. CONSENT AGENDA

- A. JUSTICE COURT**
- i. ACTION TO APPROVE THE REMOVAL OF WILLIAM A. MADDOX FROM THE PANEL OF JUDGE PRO-TEMPORES FOR THE CARSON CITY JUSTICE COURT**
 - ii. ACTION TO APPROVE ADDING KARL EDWARD NEATHAMMER TO THE PANEL OF JUDGE PRO-TEMPORES FOR THE CARSON CITY JUSTICE COURT**

B. FINANCE DIRECTOR - ACTION ON RATIFICATION OF THE EXPENDITURE APPROVAL LISTINGS FOR THE MONTH OF NOVEMBER 2000 (1-0401) - Supervisor Plank moved to approve the three items on this morning's Consent Agenda as presented. Supervisors Williamson and Livermore seconded the motion. Supervisor Williamson thanked Mr. Neathammer for volunteering to serve as a Judge Pro-Tempore. Mayor Masayko noted that Mr. Neathammer was present to respond to questions if so desired and thanked him for applying. No questions were asked. The motion to approve the Consent Agenda as presented was voted and carried 5-0.

6. BOARD OF SUPERVISORS (1-0435)

A. ACTION TO ADOPT THE GOALS AND PRIORITIES FOR FISCAL YEAR 2001-2002 - Comments indicated the fiscal year commences July 1, 2001, and that the list was developed at the November 17th workshop. Mr. Berkich had aligned the goals with previous Board goals and directives as some of the items appeared to be strategies. Discussion explained the procedure which had developed the list. The list is to be used as a guideline in establishing the funding priorities. Mayor Masayko read the list into the record and provided justification for some of them. He suggested that the budget allocations be tied to these goals. Supervisor Williamson suggested that the goals which had received the same number of votes be listed as 1-a, 1-b, 1-c., etc., as these items had not been prioritized beyond the number of votes cast. She also pointed out that some of the items are always on the list due to the lack of adequate funding. She suggested that Departments, who find themselves in this position, be creative and look for other funding sources. Mayor Masayko directed Mr. Berkich to list items 4, 5, and 6 as she had suggested. He also agreed that some of the items could require more than one year to accomplish. Supervisor Plank agreed that some of the project required incremental development and pointed out that the CIP process would commence next week. The priorities should be included in that process. Mr. Berkich indicated that a reserve had been established for the Board's priorities. The CIP team will be able to use the remainder for its priorities. Mayor Masayko indicated that a part of the \$200,000 set aside for Information Services in one shot capital should include training. Mr. Berkich agreed and explained that the establishment and maintenance of the website is a candidate for the one shot funding. Supervisor Livermore pointed out that some of the goals would create their own funding source. Economic development was used as an example to illustrate the need to align the priorities according to funding potential. Discussion also noted that not all of the priorities for prior years had been accomplished. They had not been included with the list. The public transportation problem was cited as an example. It is high on a previous list of goals. The 2001-02 list is comprised of new goals. Mayor Masayko directed that future lists include these items and that the list be no longer than one page. Supervisor Staub pointed out that the freeway would not address the Carson Street traffic problem for eight years. Even then, the freeway will not address the local traffic problems. He urged the Board to continue to look for alternatives. Mayor Masayko felt that this is an RTC goal. If it needs assistance/resources, the Board is willing to help/listen. Mr. Berkich indicated that the prior listing included the freeway and storm drainage, which were considered works in progress and had purposely been left off of the list. A list of similar items will be developed. The RTC's goals include updating the streets and transportation master plan. Growth requires additional priorities within the community which are not included on the list. These issues are being worked on by staff. Mayor Masayko stressed the need for knowledge about these works in progress in order for them to be completed. Discussion indicated that these lists should be included in the strategic goal setting workshop and summarized as part of the priority list for the following year. They could then be considered for funding or eliminated. Mayor Masayko again indicated that the entire list of 11 priorities established by the Board would not be accomplished in the coming fiscal year. Supervisor Plank pointed out that the RTC will establish its goals in February. The priorities are fluid and change as time changes the needs. The Transportation Master Plan needs to include bicycles and pedestrians which are forms of transportation. The funding concerns were noted. Examples supporting the concern included the length of time it had taken to complete the Juvenile Center's kitchen project. He also encouraged the Board to fulfill the commitments made during last year's budget process before funding other items. Supervisor Williamson also expressed her concerns about the rising utility costs and requested an analysis of the impact it will have on the City. Approval of a budget based on historical utility figures would be unfair. Mr. Berkich described the staff meetings with the Public Utility Commission regarding this issue and the attempts to determine the actual impact. He agreed to share the results as soon as possible. Public comments were solicited

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but none given. Supervisor Livermore moved that the Board of Supervisors adopt the goals and priorities for Fiscal Year 2001 and 2002 that was discussed at the November 17th goal setting workshop and reflect the comments of the Board entered into today on prior years' goals that are not yet completed. Supervisor Staub seconded the motion. Motion carried 5-0.

B. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE MATTERS (1-0955) - Mayor Masayko described the legislative information meeting held to brief Senator Amodei and Assemblyman Brower. A March meeting similar to the October meeting was proposed. He also reminded the Board that February 6th is the date for the legislative reception at City Hall. Supervisor Livermore reported on the legislative information meeting held by the Hospital. A copy of that packet had purportedly been circulated to the Board. The concerns with the design built program were noted. It was felt that one project during the first year was reasonable and that a trial period was warranted. He suggested that the Hospital Board and School District be included in the legislative meeting. Mayor Masayko indicated that they were on the list along with several other individuals and the surrounding Counties.

Mr. Berkich indicated the informational pamphlet developed for the legislators had been distributed. A copy had purportedly been given to the Board. (A copy had not been given to the Clerk.) Senator Amodei was allegedly pleased with the packet. It was felt to be a nice gesture on the City's part. Mayor Masayko thanked City staff for working on it. He felt that it was a valuable resource. No formal action was required or taken.

C. DISCUSSION AND POSSIBLE ACTION ON APPOINTMENTS OF MEMBERS OF THE BOARD OF SUPERVISORS TO VARIOUS BOARDS, COMMITTEES AND COMMISSIONS (1-1085) - Mayor Masayko described the protocol to be used for making the appointments. Supervisor Livermore noted that only Supervisor Plank had expressed an interest in the appointment for Mayor Pro-Tem and moved to appoint Supervisor Jon Plank as Mayor Pro-Tem for the 2001 Calendar Year. Supervisor Williamson seconded the motion. Mayor Masayko noted Supervisor Plank's memo accepting the appointment. His first function as Mayor Pro-Tem will be on Saturday. Although the term is normally for a two year period, the motion makes the appointment for the coming year. Motion carried 5-0.

The Board discussed the various vacancies and, where more than one Supervisor had applied for the position, negotiated on the appointment. (1-1352) Comments questioned several committees which Former Supervisor Bennett had served on and whether these committees required Board action. Supervisor Plank volunteered to check into the status of those at Lake Tahoe. Supervisor Plank recommended that Kay Bennett be appointed to the Nevada-Tahoe Conservation District. Mayor Masayko indicated that if Board additional action is required, he would agendized it for the next meeting. Clarification indicated that the appointments for possible reconsideration included the Tahoe Transportation District and TEAM Tahoe.

BREAK: A recess was declared at 9:40 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 9:55 a.m., constituting a quorum.

As a result of the discussions, Mayor Masayko indicated that the appointments were as follows: Mayor Masayko - NACO President; Supervisor Williamson - NACO Board of Directors; Mayor Masayko - RSVP Advisory Committee, U.S. Conference of Mayors, and Statewide Transportation Technical Advisory Committee; Supervisors Livermore and Williamson - Western Nevada Development District; Supervisor Williamson - Western Nevada Home Consortium, Redevelopment Authority Chairperson and Redevelopment Authority Citizens Committee Chairperson, Carson River Advisory Committee, One Region-One Vision, Carson Valley Conservation District, Western Nevada Resource Conservation District; Supervisor Plank - Parks and Recreation Commission and Senior Citizens Advisory Committee; Supervisors Plank and Staub - Regional Transportation Commission with Supervisor Staub serving the shorter term if the terms are staggered; Supervisor Livermore - Carson-Tahoe Hospital Board of Trustees; Supervisor Staub - Community Council on Youth; Tri-County Subconservancy District and the Carson Water Subconservancy District - Supervisor Livermore to a four year term and Supervisor

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Williamson to be considered for replacement of Member Smith at the expiration of his term; Supervisor Livermore - State Land Use Planning Committee upon receipt of Former Supervisor Bennett's letter or resignation; Supervisor Staub - Public Transportation Advisory Committee until the MPO status is finalized and the Committee's duties and appointments are re-evaluated; Supervisors Plank and Staub - Regional Transportation Commission; Mayor Masayko - Airport Authority until the master plan is approved, Tri-County Railway Commission, and Convention and Visitors Bureau; Supervisor Staub - Debt Management Commission; and Supervisor Plank - TRPA.

(1-1288) Mayor Masayko asked Supervisor Livermore to discuss with the Tri-County Subconservancy District its term limits and the City's charter requirement mandating that the terms coincide with the elected officials term in office. Supervisor Livermore stated his intent to serve only so long as he is elected to the Board of Supervisors.

(1-1800) Comments indicated Supervisor Staub's interest in the Airport Authority and that Mayor Masayko would keep him apprised of its activities. Once the master plan is approved, Supervisor Staub should move onto the Airport Authority.

(1-1855) Discussion ensued on whether the Carson Water Subconservancy District and the Tri-County Subconservancy District were the same entity. Supervisor Livermore volunteered to serve on both if an appointment is required.

Supervisor Livermore then moved that the Board of Supervisors so appoint the designee represented in the list of committee assignments and membership attached to those as the Mayor's previous comments and reading of that list indicated. Supervisor Plank seconded the motion. Supervisor Williamson complimented the Board for working together and compromising on the assignments. There were strong feelings about different appointments. The compromises allow the Board to serve the residents in the best interest of the City. Mayor Masayko supported her comments and pointed out that the issue is agendized in January of each year and that changes could be made at that time if so desired. **The motion to make the appointments as listed was voted and carried 5-0.**

Supervisor Livermore asked Mr. Berkich to update the notebook of City Committees and Commissions to include the membership for these committees. Supervisor Williamson suggested that a policy be established requiring annual reports from the individuals, if not a Board member. Justification for this policy was provided. Supervisor Plank also suggested that these individuals be advised of the Board's requirements and expectations.

D. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-2003) - Supervisor Williamson reported her holiday activities and on her attendance at or participation in the following meetings/events: organizational development team; with State and County elected officials which included concerns regarding reapportionment, and the Carson River Advisory Committee. Discussion explained the status of the Brunswick Bridge repair or replacement program. Supervisor Plank reported on his attendance at or participation in the following events/meetings: Christmas Pot Luck at City Hall; Blackwell's pond historical monument; former Supervisor Bennett regarding TRPA; dedication of the U.S.S. Carson City ship's bell; Retired Public Employees Association regarding streets and parks; and Washoe County's TRPA Representative Jim Galloway. He announced his intent to attend: the TRPA Local Government Committee meeting on affordable housing; former Supervisor Kay Bennett's retirement dinner; the Partners Outdoors event at the Silver Saddle Ranch; and a meeting with Bruce Scott regarding the Senior Center. He also announced Southwest Gas' intent to assist with the Carson River Portage. Mayor Masayko explained his annual "State of the City" report which he gives to the local service clubs. Any organization wishing a presentation was asked to contact him. He announced his plans to speak at the "Directory 2001" event at the Lawlor Events Center next week on regional issues. He thanked Supervisor Plank, the City staff, and the other participants for the U.S.S. Carson City ship's bell dedication ceremony. He had assured Library Director Sally Edwards that the bell would not be returned to the Library at a future date. He thanked Tom Baker for arranging the return/relocation of the bell and former Senator Richard Bryan for his service to the State and community.

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He then reported on his tour of Nevada Cares and his participation in or attendance at the following events/meetings: Kiwanis' New Year's Eve party which benefitted the Senior Center's Meals on Wheels Program; the elected officials swearing-in ceremony; and the legislative briefing that included reapportionment concerns. Supervisor Livermore expressed his feeling that the City Hall lobby area serves as an ideal location for activities such as the dedication of the U.S.S. Carson City ship's bell dedication and recognition of the volunteers, etc. He urged staff to utilize it for more events of this type. He explained a program which had been undertaken by the Board several years ago to hang pictures of former Mayors in the entrance hallway at City Hall. He urged staff to reinstitute this program or another type of memorial recognizing their service to the community. Mayor Masayko felt that the research had already been done and that the project should not take a lot of time or effort to do. Supervisor Livermore then reported on his attendance at/participation in Health Smart and Carson-Tahoe Hospital Board meetings. He announced several meeting dates regarding on the Hospital's affiliation/reorganization and offered to give status reports to any service clubs wishing to have him make a presentation. Supervisor Plank explained his attendance at one of his presentations and complimented him on the presentation. Mayor Masayko invited him to give a presentation to the Lions Club. Supervisor Staub then reported on his attendance at or participation in the following meetings/events: the Board's goal setting and economic development workshop; with City Manager John Berkich; with Mary Walker; City Department tours; a luncheon with former Supervisor Kay Bennett and Supervisor Pete Livermore; interviews with Dave Morgan and on Cross Fire; and the swearing-in ceremony. He expressed his enthusiasm for future Board activities and events. Mayor Masayko, on behalf of the Board, welcomed Supervisor Staub's dialogue and participation in its future activities. No formal action was required or taken.

E. STAFF COMMENTS AND STATUS REPORTS (1-2848) - Mr. Berkich announced his intent to be on vacation next week and that in his absence Development Services Director Andrew Burnham would be Acting City Manager. No formal action was required or taken.

7. CLERK-RECORDER - Alan Glover - ACTION TO APPOINT TWO MEMBERS TO THE CARSON CITY BOARD OF EQUALIZATION (1-2890) - Supervisor Williamson moved to appoint the three members of the Carson City Board of Equalization, namely, Ron Allen, Roy Semmens, and Kevin Vukota. Supervisor Livermore seconded the motion. Motion carried 5-0.

BREAK: A lunch recess was declared at 11:20 a.m. The entire Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m., constituting a quorum.

8. CARSON WATER SUBCONSERVANCY DISTRICT - Executive Director Ed James and Utility Operations Manager Tom Hoffert - **PRESENTATION AND DISCUSSION ON ENGINEERING REPORT FOR UPGRADING THE MARLETTE LAKE-HOBART RESERVOIR WATER DELIVERY SYSTEM (1-3020)** - Chuck Zimmerman, Nevada State Building and Grounds Representative Pat McInnis - Discussion explained the agreement between the City and the State regarding the Quill Treatment Plant, the program's history, purpose and the study. Mr. James stated that Carson City would not be asked to give up its water rights to provide water for the surrounding counties. Slides were shown to illustrate the east slope pipeline and its deteriorated condition. It was felt that infrastructure improvements to it would increase the water volume to the Quill treatment facility. The study also proposed running a second line in Ash Canyon which could carry additional water. Storage in the alluvial fan could also be used. The estimated costs for the improvements were provided. Figures provided in the handout were corrected. Demand for the water from the adjacent counties would justify the improvements. Underground storage is cheaper to do than creating another lake near Hobart. Additional improvements to Marlette Lake would provide more water for usage in late summer. Mayor Masayko repeatedly asked the impact this would have on other water right users/holders. (2-0001) Mr. James repeatedly assured him that no impact would be created on their water rights. Discussion pointed out the turbidity problems this runoff may cause to Lake Tahoe. Mr. James felt that there is no reason for allowing this water to go down the spillway and into Lake Tahoe. The study is going to be presented to the State's Marlette oversight committee. He committed to insuring that Carson City's water needs are fulfilled first and then the Virginia City needs. The excess water would then be used for other needs, i.e., Moundhouse and Lyon County. A more detailed financial

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analysis will be conducted. Development agreements were purposed which will allow Carson City to "wheel" the water to other areas. Discussion with City staff and the use of its model developed a concept for the program. A funding source will have to be developed. This source may be used to help meet the higher arsenic standards. The Marlette water does not have an arsenic problem. Discussion ensued on the State-City agreement which trades State water for treated City water and the impact the proposal would have on it. Mr. Hoffert felt that the State would be willing to make the improvements if it had a user for the additional water. The City could turn around and resell the water which would be cheaper than pumping water. The price would include O&M in addition to a reserve for repairs. The advantages provided to the City by the concept included being able to cover the City's costs and have a reserve for repairs. Mr. Hoffert felt that the City could ask for any excess water above that which the State needed in accordance with the signed agreement. Discussion then explained the reasons that a concept proposed several years ago to run a line from Carson City through Moundhouse to Virginia City had not been implemented and problems with Virginia City's present waterline from Marlette/Hobart. A study of the economic feasibility needs to be conducted and a funding source obtained. Mr. James hoped to begin construction on the pipeline in 2002. Supervisor Williamson asked staff to maintain its wellhead protection program. Injected water should also be protected. Injection occurs in Lakeview and Timberline.

A study is being performed on the impact of the new arsenic standards. Mr. James felt that it would cost the City approximately \$1 million per day in capital to treat its groundwater to meet the new federal standards. The program also requires large O&M costs. Mr. Hoffert described the federal standards and the impact they would have on the City's system. The final draft of the standard should be available in June. Wells with heavy amounts of arsenic may have to be turned off. Arsenic levels during the different seasons are being studied to determine if a well could be used during a portion of the year. Supervisor Livermore felt that the Marlette system could not sustain the City's entire water program. Mr. Hoffert explained that it could be economically feasible to store the Marlette water in the valley's aquifers until needed if it is not contaminated with arsenic. An alternative to turning off a well would be to mix the water with a water source having a lower arsenic level. Mixing problems for customers closest to the heavy arsenic laced well were noted. Staff is working to solve this problem. Clarifications on the federal interpretation standards regarding annual or daily testing, sample locations, etc., have been requested.

Discussion explained the plan to upgrade a City line to the county line and use it to deliver water to the Moundhouse area. Mayor Masayko encouraged staff to include sewer with the water infrastructure program. Mr. James agreed and indicated that a reclaimed water program should also be included. This program would further maximize the usage. Discussion explained how arsenic enters the water and why underground storage could be used. Discussion then explained that the State is not capitalizing on all of its Marlette/Hobart water rights. Mr. James felt that there is an additional 5,500 acre feet of water available per year. Carson City currently uses approximately 11,000 acre feet of water annually. The majority of this use occurs during the summer. The City's current recharge program was noted. Mr. James reiterated that the City's water would not be sent to Lyon County. He proposed to send water which is obtained by the Subconservancy's improvements to Lyon County. The reclaimed water would be returned to Carson City. The value of this water was discussed.

Discussion ensued among Mayor Masayko, Mr. McInnis, and Mr. James regarding the water rights and ownership of runoff from Marlette/Hobart. This runoff normally flows north and eventually ends up in the Truckee. Mr. McInnis urged Mr. James to check into the State water right laws before moving forward. There are also restrictions regarding how the runoff can be used. Comments supported Mayor Masayko's feeling that if the program is beneficial to all parties it could be doable. Mayor Masayko also asked that copies of the report be made available to the public. Mr. James then distributed correction pages to the report. (A copy was given to the Clerk and is included in the file.) Mr. James indicated his intent to work with others on the concept and to bring back a finalized program. No formal action was required or taken.

BREAK: A recess was declared at 2:35 p.m. The entire Board was present when Mayor Masayko reconvened the meeting at 2:40 p.m.

9. CITY MANAGER - John Berkich

A. STATUS REPORT ON THE CARSON CITY FREEWAY (2-0685) - NDOT Assistant Director of Engineering Susan Martinovich explained Project Manager Jim Gallegos' absence and briefed the Board on the status of the freeway. Phase 1A construction has started although it is in winter shutdown at this time. Efforts to mitigate the dust, noise and lighting concerns have been pursued. Additional comments regarding these issues should be made to the Department so that they can be mitigated. Mayor Masayko indicated that he had forwarded several calls on these issues to the Department. He thanked her for their response. Phase 1B fills in the gaps between the bridges and includes some drainage project(s) on the Lompa property. The design status for this phase included identification of the right-of-way needs through the Lompa property. Coordination with Carson City regarding the utility issues is occurring. The bicycle plan is proceeding in accordance with the agreement. Concerns regarding the bicycle plan at the Arrowhead intersection and the timing were noted. The landscaping is a work in progress as indicated by her summary of the discussion at the December 19th meeting among NDOT, GROW, FHWA, the hydrologist, and Cooperative Extension representatives. Supervisor Plank felt that different seed mixes may be required based on the location, sunlight, and irrigation availability. Ms. Martinovich felt that the concern was valid and would be analyzed. Supervisor Plank also suggested that some material in the former sediment ponds at the Wastewater Treatment Plant be considered for usage along the freeway. Ms. Martinovich agreed to consider the material and would check into the EPA requirements regarding its use. Comments also indicated the material may be free.

(2-0909) Ms. Martinovich then described the study on uses for the material at the northern portion and the need for material for the elevated portion of Phase 1B. Justification for starting Phase 2 at this time was provided. The agreement approved approximately one year ago regarding Phase 2 needs to be amended to correct some minor issues such as the open medians. The open medians will provide an area for adding additional lanes in the future. Neither right-of-way costs nor development costs will not be increased as a result of this change. The freeway is being developed to meet a 20 year design. The projections at this time indicate a four lane project can handle this traffic volume. Fairview Drive is going to be carried over the freeway. Advantages of this design were noted. Concrete lined drainage channels along the west side of the freeway proposed in the Fifth Street area will reduce the impacts and handle additional flows. Fifth Street will also be carried over the freeway. This will require realignment of the driveway to the prison and reduce the curve around the prison. Slopes will be at a four to one ratio. Advantages of this slope were noted. Ms. Martinovich emphasized that NDOT is not planning to acquire additional right-of-way for the bicycle/multi-purpose trail along the freeway. She also noted the "gentlemen's" agreement that the maintenance roads along the freeway could be used for this purpose. Mayor Masayko indicated for the record that the City is committed to acquiring additional right-of-way for this purpose. The bridges over Koontz and Clearview will be constructed to accommodate bicycle facilities. She committed to providing additional space for equestrian purposes on these two bridges. The FEMA appeal is continuing. It will allow the reduction in hydrologic requirements through the Lompa property. She hoped to be able to make an offer to the property owner(s) and advertise Phase 1B early next year. Design has started in areas where the fill material will be used. Following discussion regarding the scheduled completion date, Ms. Martinovich indicated her hope to complete Phase 2 by 2009 or 2010. Clarification also indicated that the revision to the agreement is being worked on. Comments noted the a good working relationship between the Department and City. Work should commence on Phase 1B in 2002 and advertising of the second phase in 2004. The second phase could, however, be delayed by problems encountered acquiring the right-of-way and FEMA. Mr. Flansberg supported Ms. Martinovich's comments regarding the Phase 1B completion dates--late 2004 or early 2005. Discussion also indicated that the Carson City freeway had not been included on the State Transportation Board's January 9th agenda. Board comments thanked Ms. Martinovich for the report and the cooperation between the Department and City staff. The next quarterly report is scheduled for April. No formal action was required or taken.

B. ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH DOUGLAS COUNTY TO PREPARE A JOINT MASTER PLAN/FEASIBILITY STUDY TO CONSIDER SERVICES, INFRASTRUCTURE, REVENUES, AND GROWTH MANAGEMENT FOR PROPERTIES GENERALLY LOCATED IN NORTH DOUGLAS COUNTY AND SOUTH CARSON CITY (2-1308) -

The need to work together to develop a regional master plan for the area was demonstrated by the amount of economic development occurring in that vicinity. The current public safety agreements utilized for this area were cited to illustrate the advantages of the regional concept. The agreement proposes to analyze expanding the services, infrastructures, etc., to prudently provide for additional growth. The study/plan is to be completed by April and will be presented to the Board for consideration. At that point Board direction will be requested regarding whether to proceed with developing the final agreement. Similar agreements have been undertaken before. The concept should be beneficial to both entities. It should allow the blending of counties at the line so that a difference is not perceived. Board comments complimented Mr. Berkich and Douglas County Manager Dan Holler for their work on the concept and stressed the need to compromise to make the concept work. Supervisor Plank encouraged staff to include the Carson City's area at Lake Tahoe in the discussion. The Subconservancy proposal was cited as another example of regional programs which could be beneficial to all parties. Comments indicated the need to include Old Clear Creek Road in the concept. Board comments emphasized the crucial need to work together. Mr. Berkich felt that the concept would not have been presented if the political atmosphere had opposed the concept although the votes still must be counted for both Counties. Mr. Berkich hoped that the concept would remove the City from a reaction mode when big box firms express an interest in locating to the area and make the community more pro-active and in a planned mode in its responses. Mr. Forsberg pointed out that the memorandum of understanding is fairly general in its terms. Both the Carson City and Douglas County District Attorney's offices will scrutinize the final document(s) carefully. This legal review had not occurred with the memorandum due to its conceptual idea. Mayor Masayko agreed that this type of legal review would be necessary regarding the final agreement(s). Public comments were solicited but none given. Supervisor Livermore moved that the Board of Supervisors approve a Memorandum of Understanding with Douglas County to prepare a joint master plan/feasibility study to consider services, infrastructure, revenues, and growth management for properties generally located in north Douglas County and south Carson City. Supervisor Plank seconded the motion. Motion carried 5-0.

10. TREASURER - Al Kramer - ACTION TO FUND A COLLECTIONS UNIT UNDER THE DIRECTION OF THE TREASURER, TO BE LOCATED ON THE FIRST FLOOR OF THE PUBLIC SAFETY BUILDING, WHOSE PRIMARY OBJECTIVES ARE: TO INCREASE THE COLLECTIONS OF JUSTICES' COURT FINES AND FORFEITURES AND REIMBURSEMENTS FOR PUBLIC DEFENDER FEES; TO SET UP PAYMENT PLANS FOR THOSE WHO HAVE BEEN ASSESSED FINES AND TO MONITOR PAYMENTS; TO REPLACE AN EXISTING COLLECTION AGENCY IN RECOVERING DELINQUENT ACCOUNTS; TO ACT AS STAFF IN PROVIDING A COLLECTION SERVICE IN THE PUBLIC SAFETY BUILDING (2-1815) - Bill Milligan, Sharon Murphy - The history of the concept was provided. Mr. Kramer explained his reasons for including a sunset clause in the proposal should it not be profitable. Changes/elimination of the program will be made during the budget review process as warranted. He also committed to pulling the plug if it is unsuccessful. Mayor Masayko disclosed his discussion with Mr. Kramer and Judge Willis regarding the concept. He felt that, as Bill Milligan had the background in the judicial system, an opportunity to pursue the program should be granted. Space is available for it at the Courthouse. If it is unsuccessful, an escape is possible. It will be a challenge for the employee(s). Adequate incentive is provided to motivate the employee(s) to make it successful. The Judges are considered a partner in the program and will advise their clients of the service. Mr. Kramer's concept may eventually remove the money collection activities from the Justice Court and place it under his control. This program may include the Court Clerk's collection at some future date. Mr. Kramer also explained his contact with Chamber of Commerce Executive Vice President Larry Osborne regarding the program. Mr. Osborne had purportedly not seen a problem with the concept. Mayor Masayko felt that it would operate as a business enterprise. Mr. Kramer agreed.

Supervisor Livermore disclosed his discussions with Mr. Kramer regarding the concept. Mr. Kramer detailed the collection process as perceived. These efforts could include wage garnishments. Supervisor Livermore explained his objection to using wage garnishments as indicated due to his personal experience with the process, its legal implications against him as the employer if the process is not followed to the letter, and its impact on his ability to retain his staff. He acknowledged that the money is owed to the City but pointed out the adverse impacts created by the process. Mr. Kramer explained that an individual had the option of returning to the Judge and attempting to

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reduce the fine. He also pointed out the equity in paying fines when assessed rather than allowing some individuals to avoid the payments. The City will be the most liberal debt collector ever seen. Wage garnishments would be the final option on the list of procedures. Supervisor Livermore pointed out the hardships which could be created for low income individuals. Mr. Kramer explained the individual's ability to transfer the fines to community service hours.

Supervisor Plank disclosed that he had received a telephone message from Judge Willis, however, he had already made up his mind on the program before the message was received. He had discussed the concept with Mr. Kramer. He felt that the program warranted a trial period. His wife's employment was explained to support his contention that sometimes the "hammer" is needed to obtain an individual's attention. He agreed that the garnishment would be the option of last resort. Mayor Masayko also felt that a garnishment is a complicated process.

Supervisor Williamson disclosed that she had discussed the concept with Judge Willis and Mr. Kramer. The hours will be 8 to 5 except on Tuesdays during Traffic Court which is held at night. It will not be open on weekends. Discussion indicated that Mr. Kramer had talked with Community Development regarding some furniture. Furniture may also be available at the Sheriff's Office.

Supervisor Staub supported the concept. He urged Mr. Kramer to utilize all available options and make the unit successful.

Public comments were solicited. Ms. Murphy explained her purpose in attending the meeting and the Judges' support for the program. She also indicated that courts could issue warrants for failure to fulfill their sentences or pay fines. Community service could be used to work off the fines. Although she was unsure what impact the transfer of duties would have on the clerks' functions in Justice Court, she agreed that there would be an impact. The current staffing level is very stretched at this time to cover all of its assignments. She would analyze the manpower issues as quickly as possible. Supervisor Staub then noted that the recourse of throwing the individual in jail would also have financial implications. The collection unit is a viable alternative. Ms. Murphy pointed out the economic impact the jail time would have on the family/community and that the collection unit could be a more reasonable alternative. Supervisor Livermore thanked Ms. Murphy for her comments and explained that his comments had been a result of his frustrations as an employer against the system and the problems it creates for him. He agreed that individuals should pay their fines.

Mr. Kramer indicated that the unit would be known as the Carson City Debt Recovery Unit. Mayor Masayko suggested that the motion include a six month review of the trial program. Mr. Kramer indicated that there would be quarterly reviews unless something significant occurs which requires Board action. Messrs. Berkich, Heath, and Kulikowski will be involved in developing the program. Supervisor Plank moved to approve funding of a pilot collections unit with quarterly reviews for the balance of fiscal year 2001 through fiscal year 2002 under the direction of the Treasurer, to be located on the first floor of the Public Safety Building, whose primary objectives are: to increase the collections of Justice Courts' fines and forfeitures and reimbursements of public defender fees; to set up payment plans for those who have been assessed fines and to monitor payments; to replace an existing collection agency in recovering delinquent accounts; and to act as staff in providing a collection service in the Public Safety Building; fiscal impact for the remainder of fiscal year 2001 and fiscal year 2002 is \$181,007; funding source will be money now paid to the collection agency from increased revenue from fines and forfeitures and collection of delinquent fees and recovered City property and fees assessed installment payments; increased income from charges made to users of Public Defenders' services; and reduced need for increased staffing in Justice Court. Supervisor Staub seconded the motion. Mr. Kramer indicated the unit would be called Carson City Debt Recovery Unit unless a better name is found. Suggestions were solicited. The motion carried unanimously. Comments felt that the unit would be successful.

There being no other matters for consideration, Supervisor Plank moved to adjourn. Supervisor Staub seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 4:20 p.m.

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The Minutes of the January 4, 2001, Carson City Board of Supervisors meeting

2001. ARE SO APPROVED ON___April_4____,

____/s/_____

Ray Masayko, Mayor

ATTEST:

____/s/_____
Alan Glover, Clerk-Recorder