

CARSON CITY BOARD OF SUPERVISORS
Minutes of the May 15, 1997, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, May 15, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor	
	Tom Tatro		Supervisor, Ward 3
	Greg Smith		Supervisor, Ward 1
	Jon Plank		Supervisor, Ward 2
	Kay Bennett		Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager	
	Alan Glover		Clerk-Recorder
	Rod Banister		Sheriff
	Al Kramer		Treasurer
	Walter Sullivan		Community Development Director
	Steve Kastens		Parks and Recreation
	John Iratcabal		Purchasing Director
	Paul Lipparelli		Deputy District Attorney
	Don Davis		Fleet Manager
	Ken Arnold		Environmental Control Manager
	Jerry Mathers		Chief Deputy Sheriff
	David Stultz		Cemetery Sexton
	Katherine McLaughlin		Recording Secretary
	Cheryl Adams		Purchasing Office Supervisor

(B.O.S. 5/15/97 Tape 1-0001.5)

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. W. Duane Geyer of the Capital Assembly of God Church gave the Invocation. Supervisor Smith requested a moment of silence in honor of former Story County Commissioner Henry Bland. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0037.5) - George Chapman reminded the Board that it must conduct public hearings on a county plan for parks as required in the Statutes. CCMC 2.1 defines the Parks and Recreation Commission's duties which is to advise the Board on acquisition and development of parks. Resolution No. 1988-R-59 stipulates the procedures for naming park facilities.

(1-0058.5) Craig Hartman requested the Board not set aside funding for a shuttle bus at Lake Tahoe. Reasons for his request was explained. Mayor Masayko indicated that this issue will be considered during the Monday evening budget session. Supervisor Bennett explained her knowledge of Mr. Hartman and his representation of the TANN group. She assured the Board that TEAM Tahoe had attempted to include his group and other Tahoe users in its study. She appreciated his bringing forward his concerns. Additional comments were requested but none given.

1. **APPROVAL OF MINUTES (1-0110.5)** - None.

2. **SPECIAL PRESENTATIONS**

A. ACTION ON PROCLAMATION FOR BILL THOMAS AND JEROMIE DUNN (1-0112.5) (1-0315.5) - Deferred. Parks and Recreation Director Steve Kastens explained the role Mr. Thomas and Mr. Dunn had played in the arrest of cemetery vandals. Neither individual was present. Mayor Masayko expressed his feeling that neither individual had become involved for public recognition. They were merely being good citizens. He was not surprised at their failure to attend the meeting. He then read the proclamation into the record. Supervisor Bennett moved that the Board accept the proclamation honoring Mr. Thomas and Mr. Dunn. Supervisor Tatro seconded the motion. Motion carried 5-0. Mayor Masayko asked Mr. Kastens to take the proclamations and express the Board's appreciation for their involvement and efforts.

(1-0385.5) Cindy Southerland explained the small honorarium she wished to present to Messrs. Thomas and Dunn. It will be given to them at a future date.

(1-0395.5) State Historic Preservation Office Representative Barbara Prudic commended Messrs. Thomas and Dunn on their involvement and stressed her feeling that the public seldom hears when young individuals who perform good deeds. It is always the bad acts which receive recognition. She thanked them for their assistance as a State representative.

Mayor Masayko thanked both for their assistance in recognizing Messrs. Dunn and Thomas' acts. Sheriff Banister also explained his Department's desire to recognize their acts. Mr. Dunn arrived at this point and was introduced. The proclamation was reread. The previous statements were elaborated upon and the awards presented to him. Mr. Dunn thanked all for their recognition and briefly explained his reasons for becoming involved.

B. ACTION ON A RESOLUTION HONORING RICHARD WIPFLI, FORMER MEMBER OF THE HISTORIC ARCHITECTURE REVIEW COMMISSION (1-0120.5) - Principal Planner Rob Joiner - Mayor Masayko read the resolution into the record. Supervisor Tatro moved to adopt Resolution No. 1997-R-13, A RESOLUTION HONORING RICHARD WIPFLI. Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Masayko thanked him for his dedication and service. He also noted that Mr. Wipfli is currently serving as a Planning Commissioner.

C. ACTION ON A RESOLUTION HONORING ANGELO DEFELICE, FORMER MEMBER OF THE HISTORIC ARCHITECTURE REVIEW COMMISSION (1-0212.5) - Mayor Masayko read the resolution into the record. Supervisor Tatro moved to adopt Resolution No. 1997-R-14, A RESOLUTION HONORING ANGELO DEFELICE. Supervisor Smith seconded the motion. Motion carried 5-0. Mayor Masayko thanked him for his dedication and service.

D. ACTION ON A PROCLAMATION FOR "NATIONAL HISTORIC PRESERVATION WEEK" IN CARSON CITY, MAY 11 - 17, 1997 (1-0266.5) - Principal Planner Joiner listed the various activities planned during the week. Mayor Masayko read the proclamation into the record. Supervisor Bennett moved that the Board accept the proclamation of "National Historic Preservation Week" as read by Mayor Masayko. Supervisor Tatro seconded the motion. Motion carried 5-0.

3. CONSENT AGENDA (1-0504.5)

- A. TREASURER**
- i. ACTION ON REINSTATEMENT OF REVOKED BUSINESS LICENSES**
 - ii. ACTION ON AN ENTERTAINMENT PERMIT AND SPECIAL EVENT SHORT-TERM BUSINESS PERMITS WITH WAIVER OF THE \$100 PERMIT, \$100 APPLICATION, AND \$50 PER DAY PROMOTER FEES FOR THE CARSON CITY RENDEZVOUS**
 - iii. ACTION ON AN ENTERTAINMENT PERMIT AND SPECIAL EVENT SHORT-TERM BUSINESS PERMITS WITH WAIVER OF THE \$100 PERMIT, \$100 APPLICATION AND \$50 PER DAY PROMOTER FEES FOR THE LLAMA ASSOCIATION OF NORTH AMERICA**
 - iv. ACTION ON TREASURER REPORT FOR THE MONTH OF APRIL 1997**

B. PUBLIC WORKS DIRECTOR - ACTION ON APPOINTMENT OF JIM HADDAN, P.L.S. NO. 5286, AS ACTING CITY/COUNTY SURVEYOR EXCLUSIVELY FOR THE REVIEW AND APPROVAL OF THE CERTIFICATE OF AMENDMENT FOR PARCEL MAP NO. 2205, RECORDED 2/2/97, FILE NO. 199606, CARSON CITY OFFICIAL RECORDS

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9697-242 - CONFLICT COUNSEL LEGAL SERVICES, CONFLICT CASES AGREEMENT, CONTRACT APPROVAL

ii. ACTION ON CONTRACT NO. 9697-228 - ASH CANYON ROAD CONSTRUCTION, AWARD

iii. ACTION ON CONTRACT NO. 9697-244 - SURPLUS PROPERTY AUCTIONEER AGREEMENT

iv. ACTION ON CONTRACT NO. 9697-248 - PURCHASE OF OFFICE FURNITURE JOINDER CONTRACT WITH STATE OF NEVADA PURCHASING

v. ACTION ON CONTRACT NO 9697-245 - ENGINEERING AND SURVEYING SERVICES FOR BRUNSWICK CANYON AND CARSON RIVER AREAS DAMAGED BY THE FLOOD, CONTRACT APPROVAL

vi. ACTION ON CONTRACT NO. 9697-245 - ENGINEERING AND SURVEYING SERVICES FOR WASTEWATER TREATMENT PLANT DEWATERING PROJECT, CONTRACT APPROVAL

vii. ACTION ON CONTRACT NO. 9697-158 - ASH CANYON ROAD, CROSS SECTION AND TOPOGRAPHY SURVEY, CONTRACT APPROVAL AND AMENDMENT NO. 1 - City Manager Berkich pulled Contract 9697-244 for discussion. Supervisor Tatro moved to approve the Consent Agenda as presented with the exception of deleting from the Consent Agenda Contract 96/97-244. Supervisor Smith seconded the motion. Motion carried 5-0.

v. (1-0525.5) Purchasing Director Iratcabal explained the need for an auctioneer's services, the response to the bid request, and staff's recommendation.

(1-0556.5) Mary Cerquitella explained her qualifications and reasons for feeling that a local auctioneer should be awarded the contract. A letter of commendation was read into the record to support her statements. This letter was felt to be an implied contract for future auctioneering services. The City had failed to uphold this commitment. She felt that they held all of the appropriate licenses and met the State requirements for the sale of automobiles by their association with Great Western Motors and Joe DiLonardo. She stressed the need to keep the auto sales within the City and the tax revenue such a sale would create. She urged the Board to reject staff's recommendation and award the contract to her firm.

Joe DiLonardo, Great Western Motors President and V&T Merchantile owner, stressed the convenience of a local auctioneer and the economics such a firm would provide. He requested reconsideration of the staff's recommendation.

Supervisor Plank then noted his conflict of interest due to his friendship with Mr. DiLonardo. He had not been aware that Mr. DiLonardo was part of the auctioneering service. Discussion ensued on whether Supervisor Plank had or would receive a financial reward from his friendship and whether he could be objective in his evaluation of the request. Supervisor Smith noted that Mr. DiLonardo was his friend also. He, however, did not feel that he had a conflict of interest. Mr. Lipparelli indicated that Supervisor Plank is not compelled to abstain if he will not receive a financial gain from the proposal. He agreed that Supervisor Plank could abstain based on his feeling that he could not be objective in considering the issue. His abstention could create a tied vote which would mean that the motion was not passed.

Discussion ensued between the Board, Mr. Iratcabal, Fleet Manager Don Davis, and Mr. Berkich on the amount of revenue which could be generated by the automobile sales, and the difference in bid amounts. Mr. Davis indicated that Von Edwards of TNT Auction had expressed a willingness to restrict the sale to Carson City and include this

restriction in the contract. Supervisor Smith noted that the sales tax would help reduce the difference in bids. The bid documents do not require the successful bidder to conduct the sale within Carson City. References to the need to conduct the sale in Carson City were cited, i.e., providing City employees to assist with the sale and office space. There are currently only twelve vehicles which could be sold. There may be additional vehicles surplus before the sale. Mr. Iratcabal described the other items which would be sold. Supervisor Bennett explained her intent to support local businesses and keep Carson City money in Carson City unless a valid reason is presented for doing otherwise. Mr. Davis explained the State requirement to seek bids. Otherwise, the Board could have awarded the contract to the local firm without requesting bids. Supervisor Tatro explained that Ms. Walker had indicated the City would receive 97 percent of the 2.5 cent sales tax. Mayor Masayko requested staff include in future RFP's a requirement that the sale be conducted in Carson City.

TNT Representative Von Edwards indicated he did not intend to conduct the sale outside of Carson City. He questioned reasons why such a sale would occur. It may be necessary to do this if a special piece of equipment is involved which would attract a specific buyer who would be at a sale for another out-of-town entity. Telecommunications and advertising would attract the same clientele for Carson City. Moving the vehicle to another location would create an unnecessary cost for his firm. He felt that the RFP clearly indicated the sale would be in Carson City based on the offers to use the City yard, staff, and security. He would only take the vehicles to another area if so requested by the City. He pointed out that the licensing problem had surfaced when the 1992 contract was bid. An auction company selling a titled motor vehicle in the State of Nevada must be licensed by DMV as a dealer. DMV has granted waivers to this requirement for specific incidents. He was unsure if they would in this instance as it is difficult to get a clear ruling on the requirement from DMV. Under the proposal, he felt certain that the City would need a contract with both the auctioneer and the dealer in order to sell the vehicles as they had proposed. He was and had been licensed as a dealer for four years. He then explained his services and sales activities in other areas. His offer was briefly described. He estimated the sales value of the vehicles and the revenue generated by the sale. Discussion between Mr. Edwards and the Board explained his feeling that the City's sale would generate approximately \$45,000 and at a cost to the City of \$12 to \$1300. Mr. Edwards explained the ownership's work ethic and effort to generate additional business in this area. His original bid, his disqualification for that contract, and the sale conducted under that contract were described.

Supervisor Bennett reiterated her intent to support local businesses and to keep Carson City money in Carson City.

(1-1048.5) Mr. Edwards responded by noting that his employees would use Carson City motels, restaurants, etc., during their three to four day stay for the auction. His firm is not a big corporation nor a problem.

Mr. DiLonardo explained his 20 year business relationship within the community. He supported keeping Carson City money in Carson City. Arundel is a licensed member of the community. A local facility is available in which to conduct an auction on short notice. An indoor facility is also available during periods of inclement weather. His offer provides additional conveniences which an out-of-town firm could not provide.

Supervisor Smith supported Mr. Davis' comment that if the community is closed to out-of-town firms, why should a bid be opened. This could be an unfair statement in that, to the best of his knowledge, the only local auctioneering firm had never done business for Carson City. This precedence had not been established to this point. He appreciated the work staff had done in developing the recommendation. All of the factual information had been carefully analyzed. There are, however, other items involved which the Board should consider in the decision-making arena. This included the political ramifications and political overtones of this type of decision. Carson City is becoming more of a city and less of a town. More of a metropolis and less of a community. When the Board ceases to support the local merchants in Carson City to this tune, the City losses a tremendous amount of that feeling. He agreed that the out-of-town firm would support the local motel/hotel and restaurants. This would not be the same amount of money a local firm would provide all year long, year after year. It is a question of dollars, the value of those dollars, and how much the difference is in those dollars. For this specific sale it may only be a \$3,000 difference. Again, the Board must place a value on that. If it was a \$30,000 difference, would the value be better spent with a Las Vegas firm, or whomever, to do it, for his money the \$3,000 difference should

be given to the local firm. This is an issue which has risen on several different items and may again be discussed later in the day. Supervisor Smith then moved to reject the Purchasing Department's recommendation and authorize the Mayor to sign the agreement with Bidder No. 1, Arundel Auctions Associated in conjunction with Great Western Motors, with the specification that are attached in the RFP tabulation report. Mr. Lipparelli advised the Board that the RFP that was sent out on this item explained the selection procedure which would be used to select the winning proposal. This is contained in Section 6 of the RFP, which he read into the record. He asked the Board to indicate which of the five items should be weighed differently from that which staff had done. Supervisor Bennett seconded the motion. Supervisor Smith indicated that he could not quarrel with staff's decision on the issues as indicated within the RFP. The fee schedule is very cut and dry and technical. These are all technical issues that given the same set of circumstances in front of the Board, the decision would be the same. What he was saying is that the political overtones and things which the Board must deal with should also be weighed. This is a weight which staff has never had to consider and should, in all probably, not consider. This could mean that his motion is out of order. Discussion between the Board and Mr. Iratcabal indicated that it would not create a problem if the bid award is delayed. Mayor Masayko then indicated that he was suggesting that due to the convoluted nature of the scoring and the need to, as Mr. Lipparelli had just indicated, put some findings on the record which the Board found different from that of the selection committee, the issue is a little convoluted. He did not like doing that. He suggested rejecting all of the bids and, which would not save any money, and direct Mr. Berkich to have Mr. Iratcabal rebid the contract and modify the selection process or to create a selection process which will address the issue considered by the Board this morning. Supervisor Bennett responded with a "no". Supervisor Smith then questioned if the bids were rejected, which he did not have a problem doing as he was unhappy with the situation, he would like to see it redone, however, there are people like TNT and Stremmel who have put time and effort and, he assumed, a chunk of change into developing answers to the RFP and they did what was expected to be done based on the RFP document. He questioned what the motivation/rational would be to reject the bid other than to..., it is easier to reject a bid when someone does not comply with the RFP. Mayor Masayko responded by noting that the RFP states that the City has the unilateral right to reject any and all bids.

Supervisor Tatro explained his experience as the former State purchasing administrator and his certification as a purchasing manager, which is a professional designation. He understood how RFPs are developed. The City had received responses to an RFP based on the representations contained therein. The individuals who had taken the time to respond to it had given their proposals within that framework. If the City decides to reject all of the bids and re-advertise, the Board needs to determine what the appropriate framework should be before staff reissues it. Is the Board willing to say that the City is only willing to accept RFPs from Carson City firms? Are we willing to say that we will pay as much as 3-1/2 times to a Carson City firm what we would pay to a firm which is located outside of Carson City? Are we willing to say that in any situation where there is an expected revenue of less than \$10,000, we will award by zip code? How can you fairly request proposals which indicate that the Board will award based upon political considerations that are not contained within the proposal? The Board had not seen any of the proposals and, therefore, did not know what had been offered. He questioned how to award a contract based on information other than that contained within staff's summary and maintain credibility within the community particularly if the request does not specify how the award will be considered. He urged the Board to figure out a method whereby it could say fairly, honestly, and upfront how this could be done. Unless this could be done, it would eliminate competition both locally and otherwise. Mayor Masayko agreed that if the Board wished to change the rules, it should do so; however, it could not today. There is time to modify the approach. He was willing to re-establish the parameters and rules. He urged the Board not to do so arbitrarily based on this one document. Supervisor Bennett concurred with the statements based on the lack of an ability to have provided the necessary input. Her point was based on her feeling of being "disadvantaged" as the policy makers did not give clear or have the opportunity to provide clear direction to staff on the establishment of the RFP. This issue should be reconsidered and clear direction given to indicate the issues which the Board wants weighed also. Supervisor Smith then withdrew the motion. Supervisor Bennett concurred.

(1-1329.5) Supervisor Smith then expressed his feeling that this discussion must occur as the issue had been discussed previously and would be again unless a workshop is held on it. Supervisor Bennett reiterated her desire to bring the issue back for development of a policy to provide the necessary clear direction to allow weighing of proposals in the local's favor. Supervisor Tatro indicated his support for this statement. The current policy does

need to be reconsidered as it states that the Board will support fair and open competition and that staff is to maximize competition and get the best value for the City as measured in dollars. The policy does not contain any political implications but the Board could establish same. Clear direction to staff will allow for the development of a policy and procedure to obtain bids as desired by the Board and within the State law. Supervisor Tatro questioned whether to table the matter or reject all of the bids. Mr. Berkich recommended deferring the bid award for two weeks and allow staff to bring back the policy. If the policy is changed at that time, then the bids could be rejected and the process will be redone. If the policy is not changed, then the contract could be awarded.

Supervisor Tatro then moved that the Board table a decision on Contract 9697-244 for the surplus property auctioneer's agreement until the Board has reviewed and possibly revised the purchasing policy. Supervisor Smith seconded the motion. Motion carried 4-0-1 with Supervisor Plank abstaining.

Mayor Masayko indicated support for being able to deal on a regional basis with local vendors and local taxpayers. The Board, therefore, needs a policy to allow this to occur.

BREAK: A fifteen minute recess was declared at 9:55 a.m. The entire Board was present when Mayor Masayko reconvened the session at 10:10 a.m., constituting a quorum.

5. PURCHASING DIRECTOR - John Iratcabal - ACTION ON CONTRACT NO. 9697-188 - CARSON CITY PUBLIC SAFETY COMPLEX, AWARD (1-1416.5) - Mr. Iratcabal's introduction included staff's recommendation and a listing of the correspondence on the protests.

Bill Magrath, Clark and Sullivan's legal counsel, gave a packet of information to the Board. (A copy was given to the Clerk after the vote.) He indicated that he had discussed the issues with Mr. Lipparelli on several occasions. He then explained the rules governing a public works project with a cost of over \$18 million. A 1993 Statute requires bidders to list all contractors and subcontractors. Roche listed Silver State Steel. Silver State Steel has a bid limit of \$1.5 million. The process which must be followed when a subcontractor bids over his limit was read. It made the bid void. He suggested that this would allow the contractor to shop the market for a new subcontractor if the bid is accepted. The contractor is also required to determine the licensing limits for all of the subcontractors. Roche had done so. Silver State Steel had submitted an application on April 28 requesting a one time increase in its bid limit. Yesterday the State Contractor's Board denied this request. He felt that the denial had been based upon a "very suspicious bid". Purportedly, there is an ongoing investigation of Silver State. He was not sure whether the questionable bid had also been declared void. Mr. Magrath felt that Clark and Sullivan had played by the rules and used only valid bids when submitting its total bid to the City. The other two lower contractors had included the void bid. Mr. Magrath then explained with documents in the packet of information he had supplied the Board on how a contractor bids a job. Pages 11 and 12 for Silver State had been left blank. Revisions were still being made to its bid at the last minute. Mr. Magrath felt that Silver State did not do a lump sum bid to any of the other bidders but claimed to have done so only to Roche. Purportedly Silver State gave both Carson Construction and Clark and Sullivan the same bid. The figure was \$200 below the application for a one-time increase in the limit. Silver State had also broken into several different phases its bid so that when the total bid is added together, the steel would cost \$1,909,000. This is over the \$1.5 million limit. A copy of the application for the limit increase was included in his documents. He then expounded on his reason for feeling that Silver State had deliberately under bid the project for Roche as the price was reduced by 20 percent. He questioned whether the work could be performed for the indicated price. A judge's decision was cited to support his contention that Silver State could not perform without risk of losing the quality and desire to perform. It was done in an effort to avoid having a void bid. He emphasized his concern about the safety and viability of the project and urged the Board to reject the two lower bidders. He also pointed out that if Silver State refuses to perform and sign the contract, Roche is entitled to shop the market and obtain a better bid. Roche then proposes to the City a different subcontractor. The consequences if Silver State does perform were also noted. He felt that all of the information clearly indicates that the Board should reject the bid. The second low bidder should be rejected based on the Silver State Steel's bid being over its limit as required to be voided by the Statutes.

(1-1742.5) B. J. Sullivan, President of Clark and Sullivan, indicated he had good working relationships with the carpenters and laborers unions. He did not have anything to do with the pickets in front of the Community Center. His appeal should stand on its merits and not involve this issue. Mayor Masayko indicated the Board understood the American right to exercise freedom of speech.

Mr. Sullivan indicated he had bid the job in compliance with the State Statutes and had filed a protest. State laws are tough and must be strictly adhered to. Examples were provided. If his firm is awarded the contract, he intended to meet with the City and its architects and review the drawings in view of all of the addenda which had been made. This would provide the necessary clarification. He also urged the Board not to award the contract to his firm at this time unless the budget problem is resolved. Only if the project can be brought into budget without changing the building's function, should the contract be awarded to his firm. Mayor Masayko agreed that this is a problem which should be faced. Mr. Sullivan felt that with value engineering the project could be reduced by ten percent. Any further reduction would hamper the project's function. He then explained his experience in Carson City and ability to complete the jobs on a timely fashion. One job had had only \$20,000 in change orders. He urged the Board to contact these firms and discuss his qualifications. He indicated that he had followed the State law and requested the Board be true and fair with both himself and the community in its treatment of his bid.

(1-1895.5) Supervisor Bennett indicated her awareness of his ability based upon the Hospital's remodel and its Subacute facility. The firm had worked diligently on the projects. They were on time and within budget, if not under budget. She expressed her concern about the plan addenda and questioned whether there had been adequate information available on the addenda to provide for correct bids. She was also concerned about his counsel's representation that there is a cloud over Silver State's bid. Discussion between Mayor Masayko and Mr. Iratcabal indicated that the City had not received any information to date about the Silver State Steel's hearing. Mr. Iratcabal indicated that if the State Contractor's Board determines that Silver State's bid is void, the two low bids, one from Roche and one from Q & D Construction, would be void.

Mr. Lipparelli explained his knowledge of the State Contractor's Board hearing. Silver State's application for a one time increase had been denied. Therefore, any bid made by Silver State in excess of the license limit is void. Silver State's bid to Roche was \$1.497 million. This is under the license limit. Although Mr. Magrath had indicated that the Contractor's Board is investigating Silver State's bid for this job, he could not indicate when a decision would be made on this investigation. If the Board wishes, it could delay action on the bid until this occurs, however, the Board should be cognizant of the fact that the bid prices are valid for specified timeframes. If the action is delayed beyond those timeframes, the job will have to be rebid. Mayor Masayko indicated that Roche's bid is valid for 30 days only. The other bids were valid for 60 days.

(1-2025.5) Michael Allen indicated his firm had been pre-qualified to bid the job. The firm intended to construct the project at the best possible price. His price was \$330,000 under the second bidder and \$600,000 under the other bidder. The City should not have to spend more than was necessary on the project. He did not feel that in his experience \$600,000 could be cut from a project without impacting the quality of the project. Value engineer is possible but could not accomplish this size of a reduction. He had had an office in Nevada for ten years and had paid all of the appropriate taxes and has a State of Nevada preference. Half of his total volume of projects are performed in Nevada and specifically in the Reno and Carson City region. He does have an office in Colorado. Silver State Steel's bid is considered a preferential bid. This is legal. Reasons such preference is given were noted. Silver State Steel was only one of four firms which gave him preferential bids. This is the reason his project is \$330,000 lower than the other bidders. The one time bid increase request had been submitted was based on Silver State's intent to submit two different bids. One was with a high bidder and one which was within the limit. Silver State is working on the Community College project. There have been no problems. Silver State is a good subcontractor. He suggested the Board contact the College about its work. Other projects were noted. The Board was invited to contact these references.

Silver State Steel did not have a representative present. Supervisor Smith questioned how a preferential bid could be given one firm while a higher bid is given to another. If the project is constructed at the lower price, he questioned the type of final product and whether Silver State would in fact perform. If the higher price has been

extremely well padded, he questioned whether it was a reputable firm with whom the City should conduct business. Mr. Allen indicated that preferential treatment in bids occurs frequently. The bids differ in many areas which is also common. Reasons for this difference were noted. His verification of such extremely low bids was explained to support his feeling that Silver State understood the price it had bid. Silver State is expected to complete the project. As the General Contractor, he is required to provide a "full payment performance bond" which would guarantee completion of the project at the indicated price. His firm had never failed to complete a project on time nor had a bond called. The bond should allow the Board to feel comfortable about accepting its bid.

Supervisor Bennett indicated that Mr. Allen had been present during CPAC's meeting with the architect on the addenda to the plan. She questioned whether there was a problem with the subcontractor's ability to provide a true bid based on this inadequacy/confusion within the addenda. She also questioned Mr. Iratcabal about the state of the addenda and plans.

Mr. Allen indicated there had been at least 150 sheets of addenda to the project. The addenda are a part of the project and must be constructed. It is the contractor's and subcontractor's responsibilities to review all addenda prior to giving a bid. If he fails to do so, the bid is still considered valid and should be accepted. The bid bond covers such occurrences. A complete set of drawings had been available on the project as is normal. It is not unusual to have addenda which change the drawings. The architect is now going to take the original set of drawings and the addenda and make a complete updated set of drawings. None of his subcontractors or engineers had voiced a complaint about the drawings. Mayor Masayko pointed out the drawings and addenda were the same for all of the contractors. Mr. Allen questioned how another engineer could cut \$600,000 from the project and still do value engineering while maintaining the same project. A subcontractor cannot afford to cut \$600,000 from a bid. Reasons his firm was given a preferential treatment by Silver State were reiterated. He also felt that the project could be constructed in less than 18 months which also impacts the bid. This will provide the taxpayers of Carson City with an additional advantage to accepting his bid.

Mayor Masayko noted that the difference in Silver State's bid total was \$400,000 and due to various subcontractors. This is a significant amount which caused him to be cautious. It is reasonable to cut \$600,000 from an \$18 million bid, however, he was concerned about cutting \$400,000 from a \$2 million bid. He then questioned Mr. Lipparelli about the status of the Contractor's investigation and whether Silver State Steel's bid could be void by that Board. Mr. Lipparelli indicated he had no knowledge about this issue at this time. He had only become aware of the investigation during the meeting today. He felt certain that if Mr. Allen and Mr. Magrath indicated there is an ongoing investigation, their word should be accepted. He could not answer the question concerning whether Silver State's bid would be ruled void by that Board. If that occurs, however, the State law allows the contractor to substitute a subcontractor for one which is declared unable to perform the job. Clarification by Mr. Lipparelli indicated that this process may not void the general contractor's bid. At this time the Board could not determine whether the bid was void. As the bid given to Roche was within Silver State's license limit, it is not void and Roche's bid is valid. If in the future the Board's investigation determines Silver State violated the license, only Silver State's portion would be void. The Board may, however, delay action on the contract until the investigation and ruling are completed. He reiterated that Silver State's bid to Roche was within the licensed limit, therefore, it would not require an investigation by the Board. Its bid to Q & D, however, is suspect. Roche, as the general contractor, is required to determine whether the subcontractors can perform as bid and are within their contract limits. Roche had done this. The City is not required to investigate the subs. Mr. Magrath had pointed out the concern about the discrepancies in Silver State's bids to different firms. The Board should consider whether the bid is sensible and above board. If so, then the Board should determine whether to award the contract based upon the facts as presented or direct staff to conduct a further investigation of the matter. The Supervisors should not determine whether Silver State's bid is void. Supervisor Smith expressed his desire to not award the contract until these issues are resolved. He also questioned Mr. Magrath about his statement on page 1 of his packet indicating that Silver State's \$1,497,000 had also been declared void. Mr. Magrath responded by indicating that in his haste to prepare the document statements and understandings had been made which later were checked and found not to be fact. He had since checked with the Board's Investigator Mike Malloy. There has been a file opened and an investigation is ongoing. A verdict has not been made on this complaint. He urged

the Board to use common sense in evaluating the bid and determine whether it is a valid bid. All of the other subcontractors had indicated the cost for the steel alone was \$1.9 million or more. He suggested that Silver State had given an astronomically low bid to Roche and astronomically high bids to everyone else. The high bid is close to that given by all of the other subcontractors. This is the reason he felt the bid was suspect. He could not estimate the length of time required to complete the investigation. Mr. Lipparelli reminded the Board that if the bid is awarded today and Silver State's license is revoked later as a result of the investigation, the prime contractor could substitute another firm. Mr. Magrath agreed and indicated that Clark and Sullivan did not use subcontractors who have questionable bids. Clark and Sullivan has followed the rules and used legitimate subcontractors. He urged the Board to recognize the problems with the plans and take steps to correct them in order to avoid future problems and increased costs.

Mr. Berkich questioned Mr. Sullivan about whether the use of the low bidder would reduce the quality of the final project. Mr. Sullivan did not feel that this was the point he had tried to make. He then used as an example the \$10 to \$11 million dollar project he had bid at Desert Research in Reno. It had contained only six addenda to the project. The City's addenda totaled at least 150 to 160 sheets. The structure and architectural drawings are not coordinated. His point was that unless radical measures are take before construction begins and the drawings coordinated, you will experience a high amount of cost overruns. Mr. Berkich then questioned him in regard to the use of a substitute subcontractor and the quality of the finished project if that firm costs more to perform than Silver State's bid. Mr. Sullivan indicated his feeling that Silver State had broken out different portions of the bid rather than submitting a combined price as others had done. He felt it was wrong to encourage this type of response by granting Roche the contract. Roche should be made to follow the rules and State Statutes.

Supervisor Plank expressed his concern that Roche's thirty day limit on its bid may have been an attempt to "stampede" the Board into awarding the contract. Discussion between Mayor Masayko and Mr. Iratcabal indicated Roche's bid is valid until May 31. Supervisor Bennett indicated her feeling that neither Mr. Iratcabal, personally, nor his Department responsible for the problem.

Discussion ensued between the Board and Mr. Lipparelli concerning whether Roche could be asked to stipulate to an extension of the bid to 60 days. Mr. Lipparelli felt that as the remaining bids were for 60 days, a prejudice would not be created. Mr. Allen could or could not agree to the extension. Reasons Supervisor Smith had suggested extending Roche's bid were discussed.

(1-2975.5) Mr. Allen explained his reasons for wishing to start the project immediately and not wishing to extend the contract deadline. He indicated that if he must extend the timeframe, he would need to analyze the impact on his construction schedule and to increase his bid accordingly.

Additional comments were requested. None were given.

BREAK: A ten minute recess was declared at 11:25 a.m. The entire Board was present when the meeting was reconvened at 11:35 a.m., constituting a quorum.

Mayor Masayko indicated that the Board is scheduled to have a special meeting on May 29 at 12 noon. He suggested continuing the item until that date to allow staff time to determine the status of the investigation. He then requested additional public comments and encouraged the speakers to limit their remarks.

(1-3072.5) Richard Daily, representing Local 69, explained NRS 338.143 which enables the Board to reject the bids which are determined to be irresponsible or not in the public's best interest. He then explained his reasons for feeling that the Board should utilize this Statute to reject Roche's bid due to the firm's alleged unfair pricing and bidding practices. Battle Mountain was cited as an example of these failures. Roche purportedly hires temporary employees through leasing agencies and either does not provide workman's compensation insurance or is considered "self-insured". Roche had allegedly failed to pay the prevailing wage regardless of the repeated attempts to get it to do so. The leasing agency purportedly had not been listed as a subcontractor. Purportedly Roche was later required to pay back wages to the individuals involved. Allegedly the Battle Mountain Hospital

billed Roche for liquidated damages for this failure, which Roche purportedly has not paid. He indicated that several of the subcontractors on this job had also been forced to file liens due to Roche's failure to pay them. Some of the subcontractors had decided that the cost to fight for payment was too much and had written the project off. He also indicated that Roche is currently involved in a labor dispute on the Community College job. The carpenters are purportedly in the process of filing allegations of discrimination in hiring. He suggested that the same type of activities may place Carson City in litigation, that Roche would not be able to complete the project on time, pay his subs in a timely fashion, and would create a burden on the local community due to the lack of benefits and use of out-of-town employees. These costs should be added to the bid price.

(1-3325.5) Western Nevada Community College Representative Bill Davies explained his experience with Roche on the College project. The job is on time. Their work is professional. If the job fails to come in on time, it would be the result of picketers. Examples of these problems were indicated including the need to have the Sheriff's Office become involved. He, too, must live with low bids. He urged the Board to accept the low bid. It was unfair to the taxpayers and residents of Carson City to have to pay the difference between the low bid and the second low bid. He then explained his original purpose in attending the meeting and that he had not been asked by Roche to testify.

(1-3385.5) Mike Britain, a Carson City resident and a representative of Carpenter's Local No. 971, indicated he had two workers present who could explain the work conditions at the College site. Their comments would be contrary to Mr. Davies' comments. He encouraged the Board to consider its previous comments on hiring locally and keeping money within the community. Allegedly the ratio of workers was five locals to ten Colorado residents. Purportedly a subcontractor at the site is not listed on the contract. He personally felt that Roche would not give the City the best product for the money. The Union would be filing on the local hiring issue as well as other unfair labor issues. He claimed to have been "almost" run over by a cement truck. His Union was picketing in compliance with the laws. This is true also of the picketing which had occurred earlier this morning outside the Community Center.

(1-3465.5) Tim Kinsler, a two year carpenter, explained his experience in construction. He was working for a subcontractor at the College site. He was concerned about his fellow workers' safety and the quality of the project. He read a prepared statement into the record explaining these concerns. He urged the Board to check into his allegations.

(1-3555.5) Bert Roberts briefly explained his experience in construction and current employment with Roche. He felt the College project was one of the worst he had ever seen. There is a purported lack of coordination and tools, as well as a great number of dangerous situations on the job site. The lack of organization creates inefficiency in the construction. He felt that the project would cost the taxpayers more money when it becomes necessary to redo some of the problems. He also explained a safety concern he had about a six inch gas line which had ruptured and the tractor involved had been kept running adjacent to the leak. He was later laid off due to his comments but rehired through a temporary placement agency. He questioned whether the Board would really know who the subcontractors really are.

(1-3605.5) Paul Richards, Carpenters' Local Business Agent in Reno, then explained the incident which Mr. Davies had referenced. He felt that two carpenters had been "run down" by a subcontractor working for Roche Constructors. A complaint had purportedly been filed with the District Attorney's office. He indicated that he had also called the Sheriff about this incident. The issue will go to court. He then alleged that a "Richard Vasquez" had been sleeping in a job trailer without utilities. Mr. Richards purportedly contacted the Health Department about this situation and was unsure of the outcome of the investigation. Roche should not be allowed to do any more jobs within the City.

(2-0035.5) Dennis Davis indicated he is a member of Labors International in North America, Local #69. As a resident who must make a living, he encouraged the Board to hire local contractors and keep the money locally. Non-union contractors use out-of-state employees and take the money out of the community. His Local has 900 members who live in the area and need the jobs.

(2-0075.5) Larry Larson, a 35 year Carson City resident and a 30 year member of Local 971, had always worked in the Reno/Tahoe/Carson City area. He urged the Board to accept Mr. Sullivan's offer and award the contract to him. His experience with Mr. Sullivan supported his belief that he would do a good job. If Local 971 is used to construct the project, he was certain it would be quality product.

Additional comments were solicited but none given.

Mr. Allen indicated that his firm hires both union and non-union employees. He was considered a "merit shop". He hires all local people. All of the subcontractors are local. The only work he was performing at the College was the concrete work. Half of these employees were locals. His project manager is relocating to Carson City and would be opening an office here.

(2-0128.5) Supervisor Smith moved that the Board of Supervisors table and delay any action on Contract 9697-188, the Carson City Public Safety Complex, until May 29, 1997, at 12 noon at which time the decision will be made. Supervisor Bennett seconded the motion. Motion carried 5-0.

Mayor Masayko noted the meeting's progress was severely off schedule, however, the issues needed to be heard. A lunch recess was to have been taken, however, due to need to provide public participation on the issue the following item was taken out of turn.

8. PUBLIC WORKS DIRECTOR - Jay Aldean

C. ACTION TO DIRECT STAFF TO INCLUDE AS A PREFERRED ALTERNATIVE THE CONCEPT OF UPSTREAM DETENTION/RETENTION FACILITIES AS PART OF THE CARSON BYPASS DRAINAGE ALTERNATIVES FOR THE AREAS OF COMBS CANYON, VICEE CANYON, ASH CANYON, AND KINGS CANYON (2-0165.5) - Utilities Director Dorothy Timian-Palmer - Supervisor Tatro disclosed his employment at the Department of Transportation. His duties do not involve this project. He did not have a conflict of interest. The proposal was to develop detention/retention facilities upstream from the Bypass with funding which would have been used for drainage facilities along the Bypass. FEMA funds for replacement of the Vicee Canyon recharge structure could also be used for this project. Mr. Aldean explained the concept for Vicee and Combs Canyons and introduced the NDOT and Consultant WRC Engineering representatives who were present. Discussion explained the Vicee Canyon site. Several unresolved issues were listed. The proposal was for the facilities to hold the spring runoff and to empty it by October. Supervisor Bennett encouraged staff to consider Voltaire Canyon in the study as well as a true assessment of the volume of water from impervious surfaces and how this water should be handled. Reasons for her concerns were explained. Ms. Timian-Palmer indicated that the large developers are required to provide detention facilities to handle any runoff from their projects. Comments indicated the intent to begin with Vicee and Combs Canyon as soon as possible with a possible October construction date. Ms. Timian-Palmer expounded on the funding, reasons for doing the projects now, and described the concepts for the other projects. Mayor Masayko indicated that the Bypass would still need to have some storm drain facilities, however, it would not be necessary to construct for a 100 year flood. The facilities will allow the normal flow to occur. A majority of the property owners and stream users were working with the City on the concept. Supervisor Tatro indicated his support for the project. Supervisor Plank commended staff for considering the 100 year event rather than lessor facilities. Hopefully, this will help mitigate the Lompa and Highway 50 problem. He also questioned whether FEMA funds could be used for the Goni industrial park area. Mr. Aldean explained the reasons FEMA would not fund the Lompa and Highway 50 mitigation. The Combs facility will help with mitigation to a limited degree. A major portion of the problem, however, is created by the industrial park and Goni Canyon runoff. Combs and Vicee Canyon FEMA and NDOT funding were explained. Supervisor Plank elaborated on his reasons for feeling that FEMA should participate in the Lompa and Highway 50 mitigation, specifically in the vicinity of Convair. Ms. Timian-Palmer indicated that FEMA had replaced Convair. Mr. Aldean also indicated that Convair funds had been between \$10 and \$15,000. Lumos' study of the industrial park would not assist with mitigation of the Highway 50 and Lompa problem. Ms. Timian-Palmer indicated that the Arrowhead Road connector to Graves may address some of this drainage

problem. Supervisor Plank cautioned her to consider the attraction a wetland project would have on wild geese and the hazard they create to aircraft. Supervisor Tatro noted that there will be public hearings and that public comments will be actively solicited. Mayor Masayko also requested that the facilities be developed in a manner which would allow multi-purpose usage. Ms. Timian-Palmer then explained the purpose and life of recharge structures and, specifically, the Vicee Canyon facility. The design will handle the sedimentation problem which had destroyed the previous facility. Supervisor Bennett requested a comprehensive approach be studied which includes long-term programs.

(2-0578.5) George Chapman supported the comprehensive citywide study and compatible mixed use of the facilities. He urged the Board to include in the study the natural runoff patterns and to develop procedures for handling runoff when storms are above the 100 year event. Normal detention facilities are found in lowlands and not in the proposed upstream sites. Sediment issues must be considered. The need for natural events to occur was explained. Unless this occurs additional erosion will occur downstream. Once a structure is constructed additional problems are created requiring more engineered solutions. He supported enhancing the natural flow. He urged the Board to control "sprawl". Once the structures are overtopped, flood control mechanisms must be provided. The proposed construction timeframe does not allow adequate time to study and analyze all of the issues. A comprehensive study should include a comprehensive design which includes the natural form, the aesthetics, and engineering aspects. Public participation was encouraged even though FEMA is funding it. He stressed the need to place the detention basins in the valley and not in the upstream areas. He urged the Board to demand that all of the Bypass flood control facilities be designed in the same fashion. These are complex issues which need adequate time for study.

(2-0675.5) Bruce Scott from Resource Concepts indicated that a majority of Mr. Chapman's comments were included in the concept. It will be a multi-purpose facility handling more than engineering issues. The concept of putting the detention facilities upstream is viable if done carefully. It should include aesthetics and multi-purposes issues. This concept may create a substantial savings in transporting water across the community specifically when compared to the cost of storage on the valley floor. This is NDOT's concern. He also emphasized the need to include storage facilities in the Vicee Canyon pit area before next winter, even if it is only for temporary use.

(2-0710.5) Western Nevada Community College Representative Bill Davies noted the College's participation in finding a solution to the problem and indicated they would continue to participate. His concern was the size of the facility which would be needed and its impact on his master plan.

Ross Jenson supported studying the concept. He is currently developing property in Silver Oaks, Ash Canyon, and Wellington Crescent. The damage which had occurred with the flooding was noted. The upland retention proposal would reduce the sediment which flows into the wetlands by the Bypass. Sediment problems created for the wildland habitat and its occupants were used to illustrate his concern.

(2-0755.5) Steve Hartman acknowledged his participation in the concept. Drainage problems created by Highway 395 were noted. Detention facilities proposed for the golf course were described. Flexibility with the Combs Canyon runoff was noted although development is reducing some of the flexibility. His original plan to use reclaimed water for irrigation purposes was noted. This line goes to the Community College. His point was that the concept and study had been going on for some time. He stressed the importance of having the Vicee Canyon structures in place before the winter storms occur. His plans for the sediment in the previous facility were described. He urged the Board to start the program posthaste.

Supervisor Tatro moved that the Board direct staff to include as a preferred alternative the concept of upstream detention/retention facilities as part of the Carson Bypass drainage alternatives for the areas of Combs Canyon, Vicee Canyon, Ash Canyon, and Kings Canyon. Discussion ensued on whether to include Voltaire Canyon. Supervisor Tatro continued his motion to conduct appropriate public hearings to provide outside community involvement in the process and indicated that Voltaire was not to be included but only those (Canyons) involved with the Bypass. Supervisor Plank seconded the motion. Mayor Masayko indicated that one of the significant issues would be the City's funding which he felt would require creativity and sharpness. Supervisor Tatro pointed

out that all of the runoff occurred during three months of the year and that the concept would slow the magnitude of the runoff when it occurs. Supervisor Bennett stressed her feeling that Voltaire Canyon needed to be included in the comprehensive study. If it is not considered at this time, it will have to be done at a future date. Supervisor Tatro indicated that it had not been included in his motion as it was not part of the information or agenda item. This information including the agenda had been as part of the Bypass. He agreed with Supervisor Bennett about the need for this type of study on Voltaire. Mayor Masayko indicated Goni Canyon and others also needed to be considered. Mr. Aldean committed to bringing back an analysis of all of the potential detention sites. None of the canyons will be overlooked including Goni and Voltaire Canyons. The motion to direct staff as indicated was voted and carried 5-0.

BREAK: A lunch recess was declared at 12:45 p.m. When the meeting was reconvened at 2 p.m. the entire Board was present constituting a quorum.

4. BOARD OF SUPERVISORS

A. ACTION ON APPOINTMENT TO WESTERN NEVADA DEVELOPMENT DISTRICT'S BOARD OF DIRECTORS (2-0860.5) - Supervisor Smith explained his resignation, support for the appointment of Supervisor Plank to fill his position on WNDD's Board, and recommendation that a second appointment to WNDD be deferred until after July when WNDD's reorganization will have been completed. It is possible that the reorganization may reduce the number of Carson City appointees. If the number remains the same, then another appointment could be made. Mayor Masayko indicated WNDD Board of Directors' supported his recommendation. No formal action was taken.

B. ACTION ON LEGISLATIVE MATTERS (2-0902.5) - Mayor Masayko indicated the report was contained in the Board's packet. (The Clerk did not have a copy of this information.) Mr. Berkich indicated the Board's information included a brochure on the Governor's "Family to Family" program. (The Clerk did not have a copy of this brochure.) He then explained AB 373. (A copy is included in the Clerk's packet.) Mayor Masayko indicated the need to discuss SB 37 which enables school districts to lease/rent buses to other governmental and non-profit entities. This proposal could provide public transit and may include Highway 28. He then explained the bill to move Nevada Day to the last Friday or the fourth Friday in October. Supervisor Bennett introduced TRPA Executive Director Richard Hill and their support for AB 373. She then explained AB 410 and 401 and her concerns. Supervisor Tatro noted NACO's request for comments from the Board on these bills. AB 410 and 401 were added to the list. Mayor Masayko encouraged the Board members to advise Mr. Berkich about their concerns with these Bills. Mayor Masayko described the status of SB 37. Discussion indicated that the leases would not compete with private firms. Supervisor Tatro moved to add SB 37 to the list of supported items so that the Mayor can offer his support and testify if necessary. Supervisor Plank seconded the motion. The motion carried 5-0.

Discussion ensued on the Nevada Day bill. Supervisor Smith moved that the Board take a positive stance on the idea of moving Nevada Day to the last Friday of each October and direct the Mayor to carry that position forward. Supervisor Tatro offered to second the motion if amended. Supervisor Smith amended his motion to "move Nevada Days Celebration". Supervisor Tatro seconded the motion. Motion carried 5-0.

Mayor Masayko explained AB 291 and recommended continuing to monitor same. Discussion ensued on the Governor's Family-to-Family Bill. Mayor Masayko directed Mr. Berkich to monitor it along with the "Lake County" bill. Discussion ensued on AB 373 regarding the property tax exemption for low income tenants. Supervisor Smith moved that the Board of Supervisors support the concept of AB 373. Supervisor Tatro seconded the motion. Treasurer Al Kramer and Mayor Masayko are to testify on this Bill. Supervisor Bennett indicated she would support the bill, however, the type of incentives offered for affordable housing should be analyzed. Mayor Masayko pointed out that the new Master Plan included this intent. Principal Planner Joiner explained the study on design criteria which could be used as an incentive. The project which had been developed in Carson City under this exemption was described. He felt that the Board could bargain with the developer and establish a low

rental facility in return for the exemption. Once the Board approves the exemption and HUD financing is obtained, all control is lost. The motion to support AB 373 was voted and carried 5-0.

C. SUPERVISOR PLANK - ACTION TO PROPOSE CHANGES TO THE STATE LAW ALLOWING THE CITY REPRESENTATIVE ON THE AIRPORT AUTHORITY BOARD TO SERVE CONSECUTIVE TERMS OF OFFICE (2-1318.5) - Supervisor Plank explained his reasons for bring this issue back for discussion/action. He urged the Board to reconsider allowing the City official to serve more than one term back-to-back. The other members do not have this ability. Supervisor Plank moved to make the appointment of the City official limited to the same constraints as all other members of the Airport Authority are, which is a four year term and cannot be reappointed until having been off of the Airport Authority for a four year period. Discussion ensued on whether to draft and adopt a new resolution or to direct the legislative representative to develop a bill draft and place it before the Legislature to create the change as recommended. Mayor Masayko recommended the Board develop a policy which would have the same result. Supervisor Tatro supported this approach. He recommended staff draft a resolution restricting the City's appointee to a four year term. Next summer the bill draft could be discussed and processed with legislative assistance. Mr. Berkich felt that there was a BDR which could be amended to include this language. Supervisor Smith then explained his vote against allowing the other members to serve consecutive terms. The proposal would make the term limits equitable for all members. Supervisor Plank also pointed out that a new member would add a different view point. This would be beneficial to the airport. He also expressed an interest in serving on the Authority. Both Supervisor Bennett and Mayor Masayko commended him for this offer. Mr. Lipparelli noted that the Board could only direct staff to develop the resolution. Formal action could not be taken on the resolution today. The Board could also direct staff to take this action and to develop an excerpt of the Minutes for submittal to the Legislature indicating the Board's desire. Mayor Masayko felt that the Board could direct him to support the legislation and that Assemblyman Amodei would assist. He then ruled the original motion had died due to the lack of a second. Supervisor Plank then moved that the Board direct City staff to prepare a resolution from the Board of Supervisors to propose a change to the appointments to the Airport Authority amending that section affecting the City official to be for the same term limit that apply to all of the other Airport Authority members. Supervisor Bennett seconded the motion. Following a request for an amendment, Supervisor Plank amended his motion to include "and make it part of this year's legislative program so that the Mayor can present it to Assemblyman Amodei". Supervisor Bennett continued her second. The motion was voted and carried 4-1 with Supervisor Tatro voting Naye.

Discussion indicated the desire to discuss Board Reports at the end of the meeting.

6. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

B. ACTION ON S-96/97-2 - A TENTATIVE INDUSTRIAL SUBDIVISION APPLICATION FROM AL BERNHARD (PROPERTY OWNER: BERNHARD FAMILY TRUST) FOR THE DEVELOPMENT OF AN INDUSTRIAL SUBDIVISION ON APPROXIMATELY 26 ACRES ZONED LIMITED INDUSTRIAL (LI), LOCATED SOUTHEAST OF HOT SPRINGS ROAD AND SOUTH OF EAST COLLEGE PARKWAY, APN 8-125-35 (PLANNING COMMISSION APPROVED 6-0-0-1) (2-1575.5) - Discussion indicated that sidewalks, curbs and gutters were part of the requirements. Mayor Masayko thanked Mr. Bernhard for his attendance and patience. Ross Jenson expressed his concern about the cemetery and the sacredness of Lone Mountain even though the development appeared to be a quality project. Additional public testimony was solicited but none given. Supervisor Smith moved that the Board of Supervisors approve a tentative industrial subdivision application from Al Bernhard, property owner Bernhard Family Trust, for the development of an industrial subdivision on approximately 26 acres zoned Limited Industrial, located southeast of Hot Springs Road and south of East College Parkway, Assessor's Parcel Number 8-125-35, and subject to the findings and conditions as contained in the staff report. Supervisor Plank seconded the motion. Motion carried 5-0.

A. ACTION ON AB-96/97-9 - A REQUEST FROM TRONA HOLCOMB TO ABANDON AN APPROXIMATELY 50 FOOT WIDE BY 200 FOOT LONG PUBLIC RIGHT-OF-WAY PREVIOUSLY

DEDICATED TO CARSON CITY, LOCATED AT 3030 NORTH DEER RUN ROAD, APN 8-541-18 (PLANNING COMMISSION APPROVED 6-0-0-1) (2-1685.5) - Mr. Sullivan indicated that the right-of-way had been dedicated by the original developers. Therefore, the property should be returned at no cost to the property owner. Supervisor Bennett suggested revising the Statutes to allow for the collection of a fee for all abandonments. The City would, however, receive property taxes as a result of the abandonment. Discussion ensued on the location and previous abandonments. Mr. Sullivan expressed a desire to contact all of the property owners in the vicinity to determine how many additional abandonment requests will be submitted. This will provide one abandonment for the entire area rather than doing it piecemeal. Supervisor Bennett explained her original concern about abandoning a road which may be needed when the railroad is developed. She then expressed her feeling that the type of development which is occurring in the vicinity is appropriate, however, the collection of automobiles in the street is most inappropriate. She requested he develop a policy to mitigate this clutter and protect the entrance to the City. Mr. Sullivan indicated that his staff and the industrial firms are already working on the corridor design standards. Discussion indicated that the standards are normal requirements in other areas. Supervisor Plank cited examples in Reno. As Carson City will retain a 100 foot wide right-of-way, its standard is better than Reno's. Supervisor Smith supported their concerns. The remaining right-of-way should be adequate to meet future needs. Mayor Masayko also felt that it should be similar to College Parkway behind K-Mart and expressed a desire to work with the property owners. Supervisor Smith moved that the Board of Supervisors approve Trona Holcomb's request to abandon an approximately 50 foot wide by 200 foot long public right-of-way previously dedicated to Carson City, located at 3030 North Deer Run Road, known as Assessor's Parcel No. 8-541-18. Supervisor Tatro seconded the motion. Supervisor Bennett reiterated her concerns and stressed for the record her intent that the project proposed for this area include design standards which will be appropriate for a corridor entry. It should include landscaping design standards, lighting standards, etc. Mr. Sullivan responded by indicating that there would be a meeting with the developer on the standards which would be appropriate for the area and that there would be a public hearing. These standards would then be adopted. The motion to approve the abandonment as indicated was voted and carried 5-0.

C. ORDINANCE - FIRST READING - ACTION ON A-96/97-11 - AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 20 (SIGN CONTROL), SPECIFICALLY, SECTIONS: 20.02.030 (PURPOSE) - AMENDING PURPOSE STATEMENT TO REQUIRE EQUAL ENFORCEMENT, REGULATION AND CONTROL OF SIGNS; 20.02.050 (REPEAL OF CHAPTER 15.22) - DELETING SECTION REPEALING CHAPTER 15.22 OF CARSON CITY MUNICIPAL CODE; 20.03.001 (DEFINITIONS) - AMENDING SECTION TO REFERENCE TITLE 18 OF THE CARSON CITY MUNICIPAL CODE; 20.03.020 (AMERICAN FLAG) - DELETING DEFINITION; 20.03.050 (AWNING) - DELETING DEFINITION; 20.03.090 (BUILDING INSPECTOR) - AMENDING DEFINITION; 20.03.095 (CHANGEABLE PROMOTIONAL SIGN) - ADDING DEFINITION; 20.03.098 (COMPLIANCE OFFICER) - ADDING DEFINITION; 20.03.100 (COMMUNITY DIRECTIONAL SIGN) - AMENDING DEFINITION; 20.03.120 (COMMUNITY DIRECTORY SIGN) - ADDING DEFINITION; 20.03.130 (DIRECTIONAL SIGNS) - AMENDING DEFINITION; 20.03.190 (FREESTANDING SIGN) - AMENDING DEFINITION; 20.03.210 (FRONTAGE ON BUILDING) - AMENDING DEFINITION TITLE TO (FRONTAGE OF BUILDING); 20.03.215 (HANGING SIGN) - ADDING DEFINITION; 20.03.220 (SIGN HEIGHT) - AMENDING DEFINITION TITLE TO (HEIGHT, SIGN) AND AMENDING DEFINITION; 20.03.255 (INFLATABLE DEVICE) - ADDING DEFINITION; 20.03.260 (LISTED AND LISTING) - ADDING DEFINITION; 20.03.270 (MARQUEE/PROJECTING SIGN) - ADDING DEFINITION; 20.03.280 (MOBILE SIGN) - DELETING DEFINITION; 20.03.295 (OFFICIAL FLAG) - ADDING DEFINITION; 20.03.300 (OFF-PREMISE SIGN) - AMENDING DEFINITION; 20.03.331 (PENNANT) - ADDING DEFINITION; 20.03.340 (PERMANENT SIGN) - AMENDING DEFINITION; 20.03.350 (PORTABLE FREESTANDING SIGN AND/OR "A" TYPE SIGN) - DELETING DEFINITION; 20.03.355 (PERSON) - ADDING DEFINITION; 20.03.370 (PERSON) - DELETING DEFINITION; 20.03.375 (POLITICAL SIGN) - ADDING DEFINITION; 20.03.380 (POLITICAL SIGN) - DELETING DEFINITION; 20.03.382 (PORTABLE FREESTANDING SIGN) - ADDING DEFINITION; 20.03.385 (PROJECTING SIGN) - ADDING DEFINITION; 20.03.390 (READER BOARD SIGN) - AMENDING DEFINITION; 20.03.410 (ROOF SIGN) - AMENDING DEFINITION; 20.03.415 (ROOF-MOUNTED

SIGN) - ADDING DEFINITION; 20.03.420 (SHOPPING CENTER) - AMENDING DEFINITION; 20.03.430 (SIGN) - AMENDING DEFINITION; 20.03.480 (TEMPORARY SIGN) - AMENDING DEFINITION; 20.03.485 (UNIFORM ADMINISTRATIVE CODE) - ADDING DEFINITION; 20.03.490 (UNIFORM BUILDING CODE) - AMENDING DEFINITION; 20.03.495 (UNIFORM SIGN CODE) - ADDING DEFINITION; 20.03.500 (VALUE) - AMENDING DEFINITION; 20.03.505 (VEHICLE SIGN) - ADDING DEFINITION; 20.03.510 (WALL SIGN) - AMENDING DEFINITION; 20.03.520 (WINDOW SIGN) - AMENDING DEFINITION; 20.04.010 (PERMIT REQUIRED) - AMENDING SECTION TO REQUIRE A PERMIT FROM THE BUILDING AND SAFETY DIVISION OF THE PUBLIC WORKS DEPARTMENT AND TO REQUIRE SPECIAL USE PERMIT APPROVAL FOR BILLBOARDS AND OFF-PREMISES SIGNS; 20.04.020 (APPLICATION FOR PERMIT) - AMENDING SECTION REGULATING APPLICATION REQUIREMENTS FOR SIGN PERMITS; 20.04.030 (ISSUANCE OF PERMITS) - AMENDING SECTION TO REQUIRE PERMIT APPROVAL BY THE BUILDING AND SAFETY DIVISION AND THE COMMUNITY DEVELOPMENT DEPARTMENT; 20.04.040 (INSPECTION) - AMENDING SECTION TO REQUIRE COMPLIANCE WITH THE LATEST ADOPTED EDITION OF THE UNIFORM BUILDING CODE; 20.04.050 (FEE SCHEDULE) - DELETING SIGN FEE SECTION; 20.04.060 (SCHEDULE OF PERMIT FEES) - AMENDING SECTION TO REQUIRE FEE SCHEDULE TO BE ADJUSTED ON JULY 1 OF EACH YEAR; 20.04.070 (SCHEDULE OF PERMIT FEES) - AMENDING SECTION TO REQUIRE SIGNS FEES BASED ON THE UNIFORM ADMINISTRATIVE CODE; 20.04.080 (EXEMPTIONS) - AMENDING SECTION REGULATING THE TYPE OF SIGNS WHICH ARE EXEMPT FROM PERMIT REQUIREMENTS; 20.04.090 (DUTY TO ENFORCE) - AMENDING SECTION TO ASSIGN SIGN ENFORCEMENT RESPONSIBILITY TO THE BUILDING AND SAFETY DIVISION AND THE COMMUNITY DEVELOPMENT DEPARTMENT; 20.04.100 (INTERFERENCE WITH ENFORCEMENT) - AMENDING SECTION TO INCLUDE COMPLIANCE OFFICER OR THEIR DESIGNEE; 20.04.120 (ILLEGAL SIGNS) - AMENDING SECTION TO REQUIRE REMOVAL OF ILLEGAL SIGNS UPON NOTIFICATION; 20.04.130 (AMORTIZATION PERIOD) - DELETING SIGN AMORTIZATION SECTION; 20.04.170 (CHANGE IN USE EFFECT ON NONCONFORMING SIGNS) - AMENDING SECTION TITLE TO (NONCONFORMING SIGNS) AND AMENDING SECTION TO REQUIRE NONCONFORMING SIGNS TO BE BROUGHT INTO COMPLIANCE WITH TITLE 20; 20.04.180 (APPEAL TO BOARD) - AMENDING SECTION TITLE TO (APPEAL TO PLANNING COMMISSION), AMENDING SECTION TO PROVIDE FOR 15 DAY SIGN APPEAL PERIOD AND DESIGNATING THE PLANNING COMMISSION AND BOARD OF SUPERVISORS AS SIGN APPEAL AUTHORITIES; 20.04.200 (MAINTENANCE) - ADDING SECTION REGULATING THE MAINTENANCE OF SIGNS; 20.04.210 (CONSTRUCTION AND SAFETY) - ADDING SECTION REQUIRING REGULATION OF PERMIT BY UNIFORM SIGN CODE AND OTHER APPLICABLE BUILDING, ELECTRICAL AND FIRE PREVENTION CODES, AND REQUIRING THOSE SIGNS NOT REQUIRING A PERMIT TO BE ERECTED AND MAINTAINED AS SPECIFIED BY THE UNIFORM SIGN CODE AND OTHER APPLICABLE BUILDING, ELECTRICAL AND FIRE PREVENTION CODES; SECTION 20.04.010 (SIGNS ON TREES OR SHRUBS) - AMENDING SECTION TITLE NUMBER TO 20.05.010; 20.05.020 (ROTATING AND REVOLVING SIGNS) - AMENDING SECTION TO ALLOW ROTATING AND REVOLVING SIGNS FOR COMMERCIAL/SHOPPING CENTER USES; 20.05.030 (FLASHING SIGNS) - AMENDING SECTION TO DELETE ROTARY BEACONS; 20.05.040 (SPOT-LIGHTS OR ROTARY BEACONS) - ADDING SECTION REGULATING SPOT-LIGHTS OR ROTARY BEACONS; 20.05.050 (ABANDONED SIGNS) - AMENDING SECTION TO REQUIRE THAT PERMANENT SIGNS FOR USES WHICH HAVE BEEN VACANT FOR A PERIOD OF TWELVE MONTHS SHALL BE CONSIDERED ABANDONED; 20.05.060 (ADVERTISING BY PARKED VEHICLE) - AMENDING SECTION TO PROHIBIT VEHICLE SIGNS ADVERTISING MERCHANDISE OR SERVICES AND/OR DIRECTING (GRAPHICALLY) PATRONS TO THE LOCATION OF BUSINESS PREMISES AND REQUIRING VEHICLES WHICH CONTAIN SIGNS TO BE PARKED IN A LEGAL, ON-SITE PARKING SPACE; 20.05.061 (IDENTIFICATION OF DELIVERY VEHICLE) - ADDING SECTION REGULATING SIGNS ON PRIVATE VEHICLES USED IN CONJUNCTION WITH DELIVERY OF FOOD OR MERCHANDISE; 20.05.070 (BANNERS, BALLOONS, ETC.) - DELETING SECTION REGULATING BANNERS, BALLOONS AND SIMILAR DEVICES; 20.05.071 (CHANGEABLE

PROMOTIONAL SIGNS) - ADDING SECTION REGULATING CHANGEABLE PROMOTIONAL SIGNS; 20.05.090 (CARDS, POSTERS, HANDBILLS) - AMENDING SECTION TO ADD "OR VEHICLE"; 20.05.100 (ROOF SIGNS) - AMENDING SECTION TITLE TO (ROOF-MOUNTED SIGNS) AND AMENDING SECTION TO PROHIBIT ROOF-MOUNTED SIGNS; 20.05.130 (PARAPET SIGNS) - AMENDING SECTION TO PROHIBIT SIGNS EXTENDING ABOVE THE BUILDING PARAPET; 20.05.140 (IMITATION SIGNS) - AMENDING SECTION TO PROHIBIT SIGNS WHICH IMITATE A TRAFFIC OR DIRECTIONAL SIGN, CAUSE A HAZARD, OBSTRUCT OR INTERFERE WITH THE VIEW OF A TRAFFIC SIGN, SIGNAL OR OTHER SAFETY DEVICE IN THE PUBLIC RIGHT OF WAY; 20.50.150 (OBSCENE SIGNS) - AMENDING SECTION TO REQUIRE ALL SIGNS TO COMPLY WITH ALL STATE OF NEVADA LAWS REGULATING OBSCENITY; 20.05.180 (PORTABLE FREESTANDING SIGNS) - ADDING SECTION PROHIBITING PORTABLE FREESTANDING SIGNS; 20.06.020 (COMPUTATION OF SURFACING OR DISPLAY SURFACE) - AMENDING SECTION TO REQUIRE SIGN AREA COMPUTATION TO INCLUDE ANY PORTION OF A SIGN STRUCTURE WHICH ENCOMPASSES SIGN COPY, AND TO REQUIRE THE MAXIMUM SIGN AREA FOR A USE TO BE CALCULATED BASED ON THE LINEAL FRONTAGE OF A BUILDING AND TO INCLUDE A "DIAGRAM A" WHICH ILLUSTRATES THE METHOD OF SIGN CALCULATION IN GRAPHIC TERMS; 20.06.040 (NUMBER OF FREESTANDING SIGNS) - AMENDING SECTION TO REGULATE THE MAXIMUM NUMBER OF FREESTANDING SIGNS ALLOWED FOR A USE AND ADDING A DEFINITION OF COMMERCIAL USE; 20.06.071 (CONSTRUCTION, SAFETY AND MAINTENANCE) - DELETING SECTION REGULATING THE CONSTRUCTION, SAFETY, AND MAINTENANCE OF SIGNS; 20.06.090 (VARIATION FROM THE FOLLOWING REGULATION AND STANDARDS) - AMENDING SECTION TO ALLOW FOR VARIANCE OF SIGN STANDARDS; 20.07.010 (AGRICULTURAL AND SINGLE FAMILY RESIDENTIAL USES) - AMENDING SECTION TO REQUIRE SIGN MATERIALS TO BE COMPATIBLE WITH THE IMMEDIATE SURROUNDINGS; 20.07.020 (MULTIFAMILY RESIDENTIAL USES) - AMENDING SECTION TO REQUIRE A MAXIMUM SIGN HEIGHT OF SIX FEET IN ANY RESIDENTIAL OR OFFICE ZONE AND TO REQUIRE SIGN MATERIALS TO BE COMPATIBLE WITH THE IMMEDIATE SURROUNDINGS; 20.07.031 (OFFICE BUILDING USES) - AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF OFFICE SIGNS; 20.07.050 (SHOPPING CENTER USES) - AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF SHOPPING CENTER SIGNS; 20.07.060 (COMMERCIAL DISTRICT SIGNS NOT SPECIFIED IN OTHER SECTIONS) - AMENDING SECTION TITLE TO (COMMERCIAL USE SIGNS NOT SPECIFIED IN OTHER SECTIONS) AND AMENDING SECTION REGULATING THE NUMBER, LOCATION AND SIZE OF COMMERCIAL USE (UNSPECIFIED) SIGNS; 20.07.070 (SIGNS FOR MANUFACTURING USES) - AMENDING SECTION TITLE TO (SIGNS FOR MANUFACTURING/INDUSTRIAL USES) AND AMENDING SECTION REGULATING THE NUMBER, LOCATION AND DESIGN OF MANUFACTURING/INDUSTRIAL SIGNS; 20.07.081 (AREA IDENTIFICATION SIGN) - AMENDING SECTION REGULATING THE HEIGHT, DESIGN AND LIGHTING OF AREA IDENTIFICATION SIGNS, AND OTHER MATTERS PROPERLY RELATED THERETO (PLANNING COMMISSION APPROVED 6-0-0-1) (2-1925.5) - Mayor Masayko displayed the agenda pages containing the title. No one responded to his request concerning whether to have the title read, therefore, it was not read. Mr. Lipparelli commended Community Development on its work on this ordinance. He felt that it met all of the State requirements. The ordinance was referred to as Title 20 Sign Control. Discussion indicated that it had taken over a year to complete the study. Mr. Sullivan and Mr. Joiner explained the response to Mr. Meierdierck's concerns. The Board meeting is the fourth public hearing on this proposal. The Board will have a second public hearing in two weeks. Mr. Joiner and Supervisor Smith explained the review process which had resulted in the committee's ordinance. The ordinance is the result of compromises and would be supported by all. It had not been developed in support of any one particular participant or view point. Supervisor Smith commended staff on its research and support. The City's compliance officer will be able to enforce the Code. Supervisor Smith moved that the Board of Supervisors approve on first reading Bill No. 129, an ordinance on first reading amending Title 20, the Sign Control Ordinance, of Carson City Municipal Code as found on the attached ordinance. Supervisors Plank and Tatro seconded the motion. Motion carried 5-0.

7. UTILITIES DIRECTOR

A. ACTION ON AWARD OF A \$14,763.18 INTERLOCAL CONTRACT FROM THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION TO CARSON CITY TO FUND A PUBLIC EDUCATION PROGRAM REGARDING RECYCLING AND WASTE REDUCTION (2-2232.5) - Environmental Control Manager Ken Arnold - Supervisor Bennett commended him on his program and expressed a desire to have a "Celebrate Carson City" day. She requested a copy of "Trash Talk". Supervisor Bennett moved to approve and authorize the Mayor to sign the attached interlocal contract, thereby accepting the \$14,763.18 interlocal contract from the Nevada Division of Environmental Protection to continue Carson City's public education program regarding recycling and waste reduction. Supervisor Tatro seconded the motion. Motion carried 5-0.

B. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING SECTIONS 4.29.020 (DEFINITIONS), 4.29.040 (LICENSE REQUIRED), 4.29.050 (INVESTIGATION FEE), 4.29.060 (APPLICATION FOR LICENSE), 4.29.070 (INVESTIGATION BY THE SHERIFF'S OFFICE), 4.29.090 (EXAMINATION BY BOARD), 4.29.110 (LICENSE NOT TRANSFERABLE OR ASSIGNABLE), 4.29.130 (DISPLAY OF LICENSE OR IDENTIFICATION CARD), 4.29.140 (EMPLOYMENT RESTRICTIONS), 4.29.150 (OPERATING REQUIREMENTS), 4.29.160 (PROHIBITED MASSAGE), 4.29.180 (REVOCATION PROCEDURE), 4.29.190 (EXCEPTION TO REVOCATION PROCEDURE), 4.29.195 (REVIEW BY BOARD OF SUPERVISORS), 4.29.200 (APPLICABILITY OF REGULATIONS TO EXISTING BUSINESSES), AND 4.29.220 (FEES FOR TESTING AND OTHER SERVICES OF CHAPTER 4.29 OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND ENSURE THAT ALL MASSAGE THERAPISTS HAVE ADEQUATE TRAINING) (2-2385.5) - Health Officer Daren Winkelman - Discussion explained the reasons for the proposed modifications, the board's composition, and reasons for retaining the board. Supervisor Tatro moved that the Board introduce on first reading Bill No. 130, AN ORDINANCE AMENDING SECTIONS 4.29.020 (DEFINITIONS), 4.29.040 (LICENSE REQUIRED), 4.29.050 (INVESTIGATION FEE), 4.29.060 (APPLICATION FOR LICENSE), 4.29.070 (INVESTIGATION BY THE SHERIFF'S OFFICE), 4.29.090 (EXAMINATION BY BOARD), 4.29.110 (LICENSE NOT TRANSFERABLE OR ASSIGNABLE), 4.29.130 (DISPLAY OF LICENSE OR IDENTIFICATION CARD), 4.29.140 (EMPLOYMENT RESTRICTIONS), 4.29.150 (OPERATING REQUIREMENTS), 4.29.160 (PROHIBITED MASSAGE), 4.29.180 (REVOCATION PROCEDURE), 4.29.190 (EXCEPTION TO REVOCATION PROCEDURE), 4.29.195 (REVIEW BY BOARD OF SUPERVISORS), 4.29.200 (APPLICABILITY OF REGULATIONS TO EXISTING BUSINESSES), AND 4.29.220 (FEES FOR TESTING AND OTHER SERVICES OF CHAPTER 4.29 OF THE CARSON CITY MUNICIPAL CODE TO UPDATE AND ENSURE THAT ALL MASSAGE THERAPISTS HAVE ADEQUATE TRAINING). Supervisor Bennett seconded the motion. Motion carried 5-0. Mayor Masayko requested Mr. Winkelman thank the Massage Board for its service.

8. PUBLIC WORKS DIRECTOR

A. ACTION ON AGREEMENT WITH JERRY M. LESLIE FOR CARSON CITY TO PURCHASE APPROXIMATELY 452.67 SQUARE FEET OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF NYE LANE AND CENTURY DRIVE AT 2983 FOR USE IN THE GRAVES LANE EXTENSION (2-2505.5) - Mr. Lipparelli - The property had been appraised. Terms have been negotiated for other parcels which will be considered during future meetings. Supervisor Smith moved to approve an agreement with Jerry M. Leslie for Carson City to purchase approximately 452.67 square feet of property located on the southeast corner of the intersection of Nye Lane and Century Drive at 2983 for use in the Graves Lane extension, fiscal impact is \$2,700, funding source is the RTC construction account. Supervisor Tatro seconded the motion. Motion carried 5-0

B. ACTION ON PUBLIC WORKS DEPARTMENT POLICIES AND PROCEDURES RELATED TO DEVELOPMENT AGREEMENTS (2-2631.5) - Senior Engineer John Givlin - Mr. Givlin

began by explaining the procedure used to develop and record the development agreement. The report covers all of the documents approved over the last 12 years which are still outstanding. The map code was explained. The maps are included in the GIS system. It could be sorted either by street numbers or alphabetically. Supervisor Bennett explained her desire to begin to develop criteria so that staff and the developer will know when the projects must be constructed. Mr. Givlin briefly described the status of a proposal to develop the infrastructure improvements along Deer Run Road between Morgan Mill Road and Highway 50 under a private/public partnership concept. A similar concept was attempted on Curry Street, however, it fell through when the developer did not move forward with the project. Mr. Givlin still felt that it was a viable concept and would be used in the future.

BREAK: A five minute recess was declared at 3:45 p.m. to allow the Board time to study the large maps delineating the areas where development agreements have been approved. The entire Board was present when the meeting was reconvened at 3:50 p.m., constituting a quorum.

(1-2955.5) Supervisor Bennett reiterated her comments concerning her desire to have staff develop stringent criteria for mandating the construction of the projects, i.e., under an assessment district or a requirement that all improvements be constructed if within 500 feet of other infrastructures. Supervisor Tatro agreed with her proposal and noted that there have been infrastructure improvements constructed which should have been handled through the development agreement process. The Detox Center and improvements on Bennett Street were used to illustrate his point. The GIS program will allow staff to provide a method to monitor the program. An annual review should be provided to keep the Board advised as to the status of the different areas. Mayor Masayko felt that a quarter mile section of street should be used as a criteria and when fifty percent of the area is developed, the agreements should be reconsidered. This would also help developer's/property owners to know when the agreement may be called. Supervisor Bennett suggested the Board study a section, establish standards, and create a public/private funding mechanism for the development of the infrastructure improvements. The Sheehan project on College Parkway was used to illustrate how this concept would work. Supervisor Plank explained the interest expressed by the industrial firms in mitigating their drainage problem under just such a concept. This area could be used as the beginning. Supervisor Bennett explained an NDOT program which creates a photo enhanced illustration of an area to show what could be done on a site. This could be used to sell assessment districts to the property owners. Mayor Masayko suggested staff work on the concepts and report back in two months.

9. DISTRICT ATTORNEY - Deputy District Attorney Paul Lipparelli - A. ACTION ON A RESOLUTION DECLARING THE BOARD'S INTENT FOR THE COMMENCEMENT OF THE QUALITY OF LIFE TAX AND TO DIRECT THE CLERK-RECORDER TO ARRANGE FOR THE PUBLICATION OF THE TITLE OF ORDINANCE 1997-31 TO CAUSE THE ORDINANCE AND THE TAX IT IMPOSES TO BE EFFECTIVE ON JULY 1, 1997; AND B. ACTION ON A RESOLUTION STATING THE PURPOSE FOR THE QUALITY OF LIFE FUND AND TO DIRECT THE CONTROLLER TO ESTABLISH AND MAINTAIN DIVISIONS OF THE FUND WHICH CORRESPOND TO THE LEGAL PURPOSES OF THE FUND (2-3296.5) - Discussion noted that the language in both the Resolutions mirrors the Quality of Life initiative and legislation. It was felt that although the resolution did not use the term "conserve", the ordinance does and will not cause a future problem on the use and purpose. Supervisor Tatro moved to adopt Resolution No. 1997-R-15, A RESOLUTION DECLARING THE BOARD'S INTENT FOR THE COMMENCEMENT OF THE QUALITY OF LIFE TAX AND TO DIRECT THE CLERK-RECORDER TO ARRANGE FOR THE PUBLICATION OF THE TITLE OF ORDINANCE 1997-31 TO CAUSE THE ORDINANCE AND THE TAX IT IMPOSES TO BE EFFECTIVE ON JULY 1, 1997. Supervisor Smith seconded the motion. Motion carried 5-0.

Supervisor Tatro moved to adopt Resolution No. 1997-R-16, A RESOLUTION STATING THE PURPOSE FOR THE QUALITY OF LIFE FUND AND TO DIRECT THE CONTROLLER TO ESTABLISH AND MAINTAIN DIVISIONS OF THE FUND WHICH CORRESPOND TO THE LEGAL PURPOSES OF THE FUND. Supervisors Plank and Smith seconded the motion. Motion carried 5-0.

10. BOARD OF SUPERVISORS - NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2-3501.5) - Supervisor Bennett reported on the President and his entourage's program schedule during his visit to Lake Tahoe and requested input from the Board. She expressed the hope that the entire Board would be invited to participate in the ceremonies. Mr. Berkich questioned when the Board would be able to participate in a retreat with Ann Keats. Discussion indicated the first date available was August 9th. Mayor Masayko reported on the meetings regarding the proposal to have the Nevada State Fair in Carson City and discussions with Mrs. Barone. He felt certain that the fair could be held here in 1998. Mr. Berkich indicated a report will be made to the Board at the next meeting on the proposal. (3-0102.5) Mr. Berkich indicated the wish list should be ready for distribution tomorrow morning and that the final cuts would be made on Monday evening.

CITIZEN COMMENTS - (3-0055.5) Ross Jenson explained his correspondence to the Board regarding the need to immediately do something with the Golden Spike. He felt that the building detracts potential investors, is a hazard, and violates the Code. Mayor Masayko indicated that efforts are being made to address the problem.

There being no other matters for consideration, Supervisor Tatro moved to adjourn. Mayor Masayko seconded the motion. Motion carried 5-0. Mayor Masayko adjourned the meeting at 4:25 p.m.

The Minutes of the May 15, 1997, Carson City Board of Supervisors meeting

ARE SO APPROVED ON ___August_21___,

1997.

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder