

CARSON CITY BOARD OF SUPERVISORS
Minutes of the September 16, 1999, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, September 16, 1999, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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| PRESENT: | Ray Masayko | Mayor |
| | Robin Williamson | Supervisor, Ward 1 |
| | Jon Plank | Supervisor, Ward 2 |
| | Pete Livermore | Supervisor, Ward 3 |
| STAFF PRESENT: | John Berkich | City Manager |
| | Alan Glover | Clerk-Recorder |
| | William Naylor | Information Services Director |
| | John Iratcabal | Purchasing Director |
| | Mark Forsberg | Chief Deputy District Attorney |
| | Cheryl Adams | Deputy Purchasing Director |
| | Tom Hoffert | Utility Operations Manager |
| | Mark Brethauer | Senior Engineer |
| | Katherine McLaughlin | Recording Secretary |
| | Justine Chambers | Senior Purchasing Tech |
| | (B.O.S. 9/16/99 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. A quorum was present although Supervisor Bennett was absent. Rev. Bruce Henderson of the Airport Church of Christ gave the Invocation. Mayor Masayko lead the Pledge of Allegiance.

CITIZEN COMMENTS (1-0092) - None.

1. APPROVAL OF MINUTES (1-0094) - Supervisor Plank moved to approve the Minutes of the June 17, 1999, Carson City Board of Supervisors meeting. Supervisor Livermore seconded the motion. Motion carried 4-0.

2. AGENDA MODIFICATIONS (1-0106) - Contract 99900-055 had been submitted this morning as late material. Mayor Masayko had placed a memo regarding the Tri-County Railway Commission/s appointments in the Supervisors' boxes at their office. (A copy had not been given to the Clerk.) He also had copies with him if a Supervisor had not seen it prior to the meeting. The Senior Center request was moved to the afternoon session at the Center's request. It will be heard after the Sheriff's request and prior to the Internal Auditor items. Mr. Forsberg had purportedly distributed revised resolutions to the Board concerning this item. (The original had been given to the Clerk.)

3. SPECIAL PRESENTATIONS - Utility Operations Manager Tom Hoffert - **ACTION ON RESOLUTION COMMENDING RETIREMENT FOR GURNEY GORDON (1-0128)** - Mayor Masayko read the resolution into the record. Supervisor Livermore moved to adopt Resolution No. 1999-R-43, A RESOLUTION COMMENDING GURNEY GORDON ON HIS RETIREMENT. Supervisor Williamson seconded the motion. Motion carried 4-0. Mayor Masayko read and presented Mr. Gordon with a plaque commemorating his service and wished him the best in his retirement. Mr. Gordon complimented his fellow employees on their professionalism and work ethnics. He thanked the Board for having had the opportunity to

serve the community for 27 years.

4. CONSENT AGENDA (1-0187)

A. TREASURER

i. ACTION ON PARTIAL REMOVAL OF TAXES TO THE 1999-2000 REAL PROPERTY TAX ROLL FOR PARCEL NO. 8-641-19 TO REFLECT A VETERANS EXEMPTION NOT INCLUDED IN THE TAX ROLL BY THE REAL PROPERTY TAX PROGRAM

ii. ACTION ON PARTIAL REMOVAL OF TAXES TO THE 1999-2000 REAL PROPERTY TAXES FOR PARCEL NO. 2-062-11 DUE TO A CHURCH OCCUPYING 59 PERCENT OF THE BUILDING

B. DEVELOPMENT SERVICES - ENGINEERING

i. ACTION ON DEDICATION OF PEDESTRIAN ACCESS EASEMENT FOR A RADIUS FILLET AREA AT THE WESTERN CORNER OF BROWN STREET AND GORDON STREET ON APN 008-304-01

ii. ACTION ON DEDICATION OF PUBLIC UTILITY EASEMENT FROM SCHAFFNER RANCH, ACROSS APN 008-304-01, LOCATED ALONG U.S. HIGHWAY 50 EAST, BROWN STREET AND GORDON STREET FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES, COVERING AN AREA OF APPROXIMATELY 6,978 SQUARE FEET

iii. ACTION ON DEDICATION OF A PUBLIC UTILITY EASEMENT FROM SCHAFFNER RANCH, ACROSS APN 008-304-02, LOCATED ALONG U.S. HIGHWAY 50 EAST, BROWN STREET AND GORDON STREET FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND APPURTENANCES, COVERING AN AREA OF APPROXIMATELY 5,855 SQUARE FEET

iv. ACTION ON IMPROVEMENT AGREEMENT BETWEEN CARSON CITY AND SUMMIT SECURITY HOUSING, LLC FOR HERITAGE PARK PHASE 2 AT QUAIL RUN PUD, KNOWN AS ASSESSOR'S PARCEL NO. 009-769-04 LOCATED AT THE NORTHWEST CORNER OF FAIRVIEW DRIVE AND SALIMAN ROAD

C. PURCHASING DIRECTOR

i. ACTION ON CONTRACT NO. 9798-221 - AMBROSETTI POND ENGINEERING DESIGN FOR STABILIZATION, REQUEST TO AMEND ORIGINAL CONTRACT

ii. ACTION ON CONTRACT NO. 9900-033 - LINEAR PARK BIKE PATH PHASE II, AWARD

iii. ACTION ON CONTRACT NO. 9900-055 AMBROSETTI POND IMPROVEMENT TO NORTH BANK, AWARD

iv. ACTION ON CONTRACT NO. 9900-034 - DIESEL FUELED MELTER APPLICATION, AWARD

v. ACTION ON CONTRACT NO. 9900-062 - EAGLE CREEK FLOOD CONTROL STRUCTURE DESIGN, REQUEST FOR CONTRACT APPROVAL

vi. ACTION ON CONTRACT NO. 9900-061 - DESIGN COMMENT INFORMATION REVIEW AND VALUE REVIEW OF STORM DRAINAGE STRUCTURES IN HIGHLY ERODIBLE SOILS

vii. ACTION ON CONTRACT NO. 9900-056 - JOINDER CONTRACT WITH STATE OF NEVADA FOR TELEPHONE, WIRING, CABLE AND FIBER OPTIC CABLE REPAIRS AND INSTALLATION

viii. ACTION ON CONTRACT NO. 9900-069 - JOINDER CONTRACT WITH NEVADA STATE PURCHASING DIVISION TO PURCHASE MOTOROLA EQUIPMENT - Discussion disclosed Supervisor Livermore's relationship to the contractor involved with Contracts 9798-221 and 9900-055. Mr. Forsberg opined that, as he would not receive any compensation from the contracts, a conflict of interest did not exist. Mayor Masayko ruled that Supervisor Livermore would participate in the discussion and vote on these items. Supervisor Plank then moved to approve the items as presented on the Consent Agenda. Supervisor Williamson seconded the motion. Motion carried 4-0.

5. BOARD OF SUPERVISORS

A. ACTION TO APPOINT A MEMBER OF THE BOARD OF SUPERVISORS TO A FOUR-YEAR TERM ON THE TRI-COUNTY RAILWAY COMMISSION (1-0224) - Mayor Masayko reviewed the history of the appointments and volunteered to serve another term. Supervisor Livermore described his concerns and complimented him on the research he had done to determine the appointment status. Supervisor Livermore moved to appoint Mayor Masayko to a four year term as a member of the Tri-County Railway Commission. Supervisor Plank seconded the motion, expressed his support for the appointment, and complimented Mayor Masayko on his leadership role on the Commission. Mayor Masayko indicated it was a labor of love and indicated the motion would appoint him to a four year term or until his term on the Board of Supervisors expires. The motion was voted and carried 4-0.

B. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0307) - Supervisor Williamson reported on the status of a grant request for Rural Health Clinic; a meeting of the organizational development team regarding an employee continuous quality training program joint venture with the Carson-Tahoe Hospital and plans to work with the Community College to re-establish a center for excellence; Sierra Pacific Power Company's open house and comment period on a proposed substation at Mark Way and Emerson Drive; the Redevelopment Authority Citizens Committee meeting; the Chamber of Commerce Mainstreet meeting; the Open Space Advisory Committee meeting; her plans to judge a chili cookoff; the Brewery Arts Center Board of Directors meeting and announced its beer tasting fund-raiser; Carson-Tahoe Hospital Auxiliary past-president's luncheon; the Carson High School Open House; an update on the soccer activities; and announced the Carson River Advisory Commission's river cleanup activities scheduled for September 25. Supervisor Plank reported on the Park and Recreation and RTC meetings; a meeting with Street Superintendent John Flansberg on street projects and urged the public to contact the Street Department at any time on street issues; the Sierra Pacific Power Company open house on the sub-station; a meeting regarding the Highway 50/Mills Park parking issue; a staff meeting on Title 17 and 18 modifications; and requested the Mayor update the Board on the V&T. Mayor Masayko reported on the Regional Vision Project, announced an Accentuate the Positive luncheon in Reno tomorrow and solicited Supervisor Williamson's attendance at that luncheon, and described its regional acceptance throughout the area. The Chamber of Commerce, Convention and Visitors Bureau, and the School District will also be asked to participate. He then reported on the Tri-County Railway Commission activities; the R.S.V.P. Advisory Council meeting and Karen Denio's appointment as a staff member; his activities on an ad hoc committee composed of City and School Board officials as well as members of the statewide League of Cities who are working on a continuing education program for both appointed and elected public officials including NACO's support for the program and its plans to include two programs at its conference; the Boys and Girls Club annual clam bake; a meeting with members of the Chamber of Commerce Leadership Alumni Association regarding a youth mentoring program; an Airport Authority meeting; the Mills Park Master Plan meeting which including the proposed Highway 50 parking area; the Chamber of Commerce's Manufacturers Committee meeting; and a TRIAD Committee meeting. Supervisor Livermore explained Mayor Masayko's Boys and Girls Club fundraising activity(ies), which had been a successful event for the Club; the Hospital Board of Trustees and its Building and Finance Committee meetings; the Convention and Visitors Bureau meeting including the status of the Nevada Day Parade and the millennium activities; a tour of the Edmonds Park improvements; his attendance at the Sierra Pacific Power Company's Mark Way and Emerson Drive substation meeting; a meeting on Telegraph Square's loading zone; and Health Smart's finance committee meeting including the status of its "Hot Shot" program. No formal action was required or taken.

C. STAFF COMMENTS AND STATUS REPORTS (1-1151) - Mr. Berkich displayed the vision and mission plaques which Steve Reynolds had made and requested feedback from the Board on the preferred style.

6. DEVELOPMENT SERVICES

A. ACTION ON ACCEPTANCE OF CONVEYANCE OF THE LONG FORM DEED OF

TRUST AND ASSIGNMENT OF RENTS TO CARSON CITY FROM MSB DATED SEPTEMBER 7, 1999, ON THE PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NO 2-441-19, AND TO AUTHORIZE THE DEPUTY CITY MANAGER TO EXECUTE THE REQUEST FOR RECONVEYANCE UPON SATISFACTION OF THE IMPROVEMENT AGREEMENT (1-1185) - Senior Engineer John Givlin, Ron Kipp, Chief Deputy District Attorney Mark Forsberg - Discussion described the improvement and assurity requirements, the need to correct the signature on the deed prior to recordation, the title company's ability to issue title insurance on the documents which will occur after the deed is recorded, and the preliminary title report. Mr. Forsberg opined that the form complied with the Code requirements and explained the signature concerns. Mayor Masayko indicated that the Board could proceed and staff would resolve this technicality. Supervisor Williamson moved to accept conveyance of the Long Form Deed of Trust and Assignment of Rents to Carson City from MSB dated September 7, 1999, on the property identified as Assessor's Parcel No. 2-441-19 and to authorize the Deputy City Manager to execute the request for reconveyance upon satisfaction of the Improvement Agreement conditions; no fiscal impact. Following a request for an amendment, Supervisor Williamson continued her motion to include upon satisfaction of the District Attorney that the appropriate signatures are on the deed from the owner. Supervisor Plank seconded the motion. Motion carried 4-0.

B. ACTION ON AN AGREEMENT BETWEEN CARSON CITY AND THE WILLIAM C. ALLEN, SR., TRUST FOR THE PURCHASE OF A PORTION OF PROPERTY LOCATED AT 2601 EAST GRAVES LANE (APN 8-141-28) FOR USE IN THE EXTENSION OF GRAVES LANE (1-1356) - Deputy City Manager Dan St. John - Supervisor Plank moved to approve an agreement between Carson City and the William C. Allen, Sr., Trust for the purchase of a portion of property located at 2601 East Graves Lane, Assessor's Parcel Number 8-141-28, for use in the extension of Graves Lane. Supervisor Livermore seconded the motion. Following discussion of the fiscal impact, Supervisor Plank amended his motion to include fiscal impact of \$11,540 from the RTC Construction Funds. Supervisor Livermore concurred. Motion carried 4-0.

C. ACTION ON AN AGREEMENT BETWEEN CARSON CITY AND THE CRAWFORD FAMILY TRUST, MILLARD REALTY AND CONSTRUCTION COMPANY, MILLARD FAMILY BUSINESS AND UNITED INCO., A NEVADA CORPORATION, TO RELINQUISH THEIR RIGHTS ALONG GRAVES LANE FOR PROPERTIES LOCATED AT 3401 AIRPORT ROAD, APN 8-142-02; 3381 AIRPORT ROAD, APN 8-142-03; 3351 EAST GRAVES LANE, APN 8-142-04; 3059 EAST GRAVES LANE, APN 8-142-05, FOR USE IN THE EXTENSION OF GRAVES LANE (1-1412) - Deputy City Manager St. John, Chief Deputy District Attorney Forsberg, Virgil Millard - The agreement will permanently close access to Graves Lane and utilize access routes from Airport Road. Parcel 5 will become landlocked by the proposal if lot adjustments are not made. The loss factors for each parcel were being compensated by the agreement. A professional appraisal had been used along with other criteria including the cost to provide the accesses to Graves Lane to determine the compensation values. NDOT's experience in the severance of access was cited to illustrate the ability to close the roads. Mr. Millard indicated that all of the property is owned by family members and will be transferred to the Millard Family Business which places all of the parcels under one owner. The current accesses will then have to be developed. This will occur once the zone changes and development plans are approved. Supervisor Plank moved to approve an agreement between Carson City and the Crawford Family Trust, Millard Realty and Construction Company, Millard Family Business and United Inco, a Nevada Corporation, to relinquish their rights to access along Graves Lane for properties located at 3401 Airport Road, Assessor' Parcel Number 08-142-02; 3381 Airport Road, Assessor's Parcel Number 8-142-03; 3351 East Graves Lane, Assessor's Parcel Number 8-142-04; 3059 East Graves Lane, Assessor's Parcel Number 8-142-05, for the use in the extension of Graves Lane; fiscal impact is \$27,500, and funding source is the RTC Construction Account. Supervisor Livermore seconded the motion. Motion carried 4-0.

D. ORDINANCE - FIRST READING - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JABA, LLC, A NEVADA LIMITED LIABILITY COMPANY, AND THE ANDERSEN FAMILY ASSOCIATES, A NEVADA LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NUMBERS 4-015-06 AND 4-021-13, LOCATED ALONG LITTLE LANE EAST OF SOUTH ROOP STREET IN CARSON CITY, NEVADA (1-

1635) - Deputy City Manager St. John - Discussion noted the public safety benefit provided by the extension of Little Lane between Roop and Saliman. The RTC will be repaid if the Anderson property is sold or developed or within seven years. Purportedly one or two residents to the east of the property were opposed to the extension. Consensus felt that it would not become a major thoroughfare but their area would experience increased traffic. Mayor Masayko urged the RTC to consider the value of the funds and consider including an interest fee on future agreements of this nature. This may provide an incentive for the developer/property owner to reimburse RTC sooner. He also suggested the period be shorter than seven years. This was a negotiated special circumstance. Comments noted that the agreement on the signal at Little Lane and Roop would be considered at future Board meetings. Mr. St. John felt that the proposed post office did not require a second access and that Roop Street would be its primary access route. Al Bernhard was present but did not have any comments. Supervisor Plank moved to introduce on first reading Bill No. 126, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND JABA, LLC, A NEVADA LIMITED LIABILITY COMPANY, AND THE ANDERSEN FAMILY ASSOCIATES, A NEVADA LIMITED PARTNERSHIP, RELATED TO THE DEVELOPMENT OF ASSESSOR'S PARCEL NUMBERS 4-015-06 AND 4-021-13, LOCATED ALONG LITTLE LANE EAST OF SOUTH ROOP STREET IN CARSON CITY, NEVADA; fiscal impact is \$106,742.31, and the funding source is the 250 Capital Outlay Road Construction. Supervisor Livermore seconded the motion. Mayor Masayko noted that streets are expensive as it is \$187 per linear foot for the road. The motion was voted and carried 4-0.

8. DISTRICT ATTORNEY - Chief Deputy District Attorney Mark Forsberg

A. ACTION TO APPROVE A SETTLEMENT AGREEMENT WITH SHELDON LAND DEVELOPMENT, LLC., THE PRESENT OWNER OF THE SUBJECT PROPERTIES, APN 08-133-04, 08-133-03, AND 08-133-02 AND FURTHER DESCRIBED IN RESOLUTION 1997-R-11 DECLARING AN ENHANCEMENT IN THE PUBLIC TRANSPORTATION SYSTEM IN CARSON CITY AND AUTHORIZATION OF A LAWSUIT TO EXERCISE THE POWER OR EMINENT DOMAIN WHICH WAS APPROVED BY THE BOARD ON MARCH 20, 1997 (1-1888) - Discussion explained the increased purchase price. Mr. Sheldon was present but did not wish to comment. Board comments requested that a more detailed map be placed in future packets as the one which had been provided had rather small print and was difficult to read. Supervisor Livermore moved to approve a settlement agreement with Sheldon Land Development, LLC, the present owner of the subject properties Assessor's Parcel Numbers 08-133-04, 08-133-03, and 08-133-02 and further described in Resolution No. 1997-R-11 declaring an enhancement in the public transportation system in Carson City and authorization of a lawsuit to exercise the powers of eminent domain which was approved by the Board on March 20, 1997, Resolution No. 1997-R-11 which was attached, fiscal impact is \$12,500. Supervisor Plank seconded the motion. Discussion briefly noted the legal process and its costs. The motion was voted and carried 4-0.

BREAK: A recess was declared at 10:20 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:40 a.m. although Supervisor Bennett was absent as previously indicated.

B. ACTION TO APPROVE THE APPROPRIATION OF \$25,000 TO THE DISTRICT ATTORNEY'S 99-00 BUDGET TO PROVIDE FOR COSTS INCURRED BY THE IMPLEMENTATION OF THE NOMADS PROJECT; DURING THE 99-00 BUDGET PROCESS \$40,000 WAS SET ASIDE IN CASE CARSON CITY'S INCENTIVE AND REIMBURSEMENT REVENUES FROM CHILD SUPPORT COLLECTIONS WERE REDUCED AS A RESULT OF FEDERAL PENALTIES WHICH THE STATE OF NEVADA INITIALLY ANNOUNCED WOULD BE PASSED ALONG TO COUNTIES; THOSE FUNDS WERE NOT NEEDED, BUT ADDITIONAL COSTS FOR NOMADS CONVERSION WILL NEED TO BE FUNDED; AND THAT THE CONTINGENCY FUNDS MAY BE EXPENDED FOR NOMADS RELATED COSTS UPON RECOMMENDATION OF THE D.A. AND THE CONCURRENCE OF THE FINANCE DIRECTOR (1-2514) - District Attorney Noel Waters, Finance Director David Heath - Although Mr. Waters was only requesting retention of the \$25,000, it may be necessary at some future date to request additional funding due unknown staffing requirements and processing problems. Such augmentations

could be handled in January and June. Discussion explained the budget allocation of \$40,000, the savings which Mr. Waters had had over the years, Mr. Waters' understanding of the CQI funds, the \$118,000 in the contingency account, the District Attorney's reimbursement funds and the potential penalties which may be imposed as a result of the NOMADS program, the lack of funding for other items if the entire contingency account is expended, the apparent use of the contingency funds to meet unfunded budget requests, a change in the State's funding program which will no longer provide staffing assistance to the Counties, and the delay in putting Carson City cases into the system. The feeling was also expressed that NOMADS may make Y2K look infinitesimal. Supervisor Plank then moved to approve the appropriation of \$25,000 to the District Attorney's 1999-2000 budget to provide for costs incurred by the implementation of the NOMADS project; during the 1999-2000 budget process \$40,000 was set aside in case Carson City's incentive and reimbursement revenues from child support collections were reduced as a result of federal penalties which the State of Nevada initially announced would be passed along to the counties; those funds were not needed, but additional costs for NOMADS conversion will need to be funded; that the contingency funds may be expended for NOMADS related costs upon recommendation of the DA and concurrence of the Finance Director; fiscal impact is \$25,000 from the City contingency fund. Supervisor Livermore seconded the motion. Supervisor Williamson explained her intent to vote against the motion due to the fact that there is \$250,000 in SPAN and the \$25,000 should be taken from that fund for the DA's office as the NOMADS project is a computer based information system. Also, it was her belief that the Department had been receiving 30 percent of the grants for seven years which were NOMADS based but never used for that purpose. These funds should also be available and used for this purpose. She also wished him luck with the project. The motion to approve the request as indicated was voted and carried 3-1 with Supervisor Williamson voting Naye.

7. FINANCE DIRECTOR - David Heath - REVIEW OF THE FISCAL YEAR 1998-99 FINANCIAL SUMMARY (1-2008) - Mr. Heath gave a computer enhanced slide presentation describing the City's fiscal year 1998-99 financial position. A copy is included in the packet. Board consensus requested a report be included in the information comparing the actuals and the projected figures. Mr. Heath agreed to provide this report with the audited report in December. He also agreed to check the reasons for the different income levels in the Quality of Life revenue and the Road Maintenance revenue. Discussion noted the drop in water connections and questioned the reasons for the increased revenue in the Cemetery Fund. Mr. Heath expressed a desire to have Tom Harris from UNR assist in the development of the economic traits which will be provided with next year's report. Mr. Heath then expressed his feeling that the SCCRT would generate approximately \$2 million next year. These funds had been going into a fund for the Public Safety Complex. It will need \$600,000 for the bond repayment. The remaining funds will be available for allocation at the Board's discretion. Board comments also supported an analysis of the water and sewer fees and their adequacy; the impact the sewer connection fee waivers had had on its revenue; and the ambulance revenue increase. The City is healthy financially and is above the projections which means there are additional funds available for allocation. Board consensus supported the presentation format with the suggested revisions. No formal action was required or taken.

C. ORDINANCE - FIRST READING - ACTION ON AN ORDINANCE AMENDING CHAPTER 17.44 (RESIDENTIAL CONSTRUCTION TAX) OF THE CARSON CITY MUNICIPAL CODE (DEFINITIONS) WHICH AMENDS SECTION 17.44.040 (DEFINITIONS); AND SECTION 17.44.050 (IMPOSITION AND RATE OF THE RESIDENTIAL CONSTRUCTION TAX) AND OTHER MATTERS PROPERLY RELATED THERETO (1-3179) - Chief Deputy District Attorney Forsberg - Discussion noted the fee increase assessed mobile homes; the ability to use the funds for amateur sports facilities; and that the fee is assessed only to new stick and mobile homes and remodels/expansions. Supervisor Livermore moved to introduce AN ORDINANCE AMENDING CHAPTER 17.44 (RESIDENTIAL CONSTRUCTION TAX) OF THE CARSON CITY MUNICIPAL CODE (DEFINITIONS) WHICH AMENDS SECTION 17.44.040 (DEFINITIONS); AND SECTION 17.44.050 (IMPOSITION AND RATE OF THE RESIDENTIAL CONSTRUCTION TAX) AND OTHER MATTERS PROPERLY RELATED THERETO to be known as Bill No. 127 on first reading. Supervisor Williamson seconded the motion. Motion carried 4-0.

10. CITY MANAGER - John Berkich

A. STATUS REPORT ON Y2K (1-3385) - Mr. Berkich indicated the equipment orders, as previously discussed by the Board, will be presented to the Board for approval in the near future. He also indicated that staff will be monitoring what happens in other areas for signs of problems as midnight approaches. This should provide adequate leeway to address any unforeseen problems. Discussion pointed out that reasonableness and affordability must be considered in the decisions to acquire other communication programs/additional equipment. Mr. Berkich announced the Board workshop scheduled for September 29th with Emergency Management Coordinator Dan Shirey. An exercise was scheduled for October 16 which will be at the High School. The portable equipment will be used at that time. Public awareness communication efforts were noted. Examples were displayed/described. Discussion described a Y2K town hall meeting and plans to conduct a similar town hall meeting in December. No formal action was required or taken.

B. ORDINANCE - SECOND READING - ACTION ON BILL NO. 125 - AN ORDINANCE DELETING CARSON CITY MUNICIPAL CODE CHAPTER 2.32 (SALE OR EXCHANGE OF SURPLUS PROPERTY) AND ADDING CHAPTER 2.32 (LOST OR ABANDONED PROPERTY) WHICH IDENTIFIES WHICH PROPERTY IS CONSIDERED TO BE LOST OR ABANDONED AND SETS FORTH THE PROCEDURES FOR ITS DISPOSAL, AND OTHER MATTERS PROPERLY RELATED THERETO - Treasurer Al Kramer - Supervisor Williamson moved to adopt Bill NO. 125, Ordinance No. 1999-26, on second reading, AN ORDINANCE DELETING CARSON CITY MUNICIPAL CODE CHAPTER 2.32 (SALE OR EXCHANGE OF SURPLUS PROPERTY) AND ADDING CHAPTER 2.32 (LOST OR ABANDONED PROPERTY) WHICH IDENTIFIES WHICH PROPERTY IS CONSIDERED TO BE LOST OR ABANDONED AND SETS FORTH THE PROCEDURES FOR ITS DISPOSAL, AND OTHER MATTERS PROPERLY RELATED THERETO, fiscal impact is minimal--less than \$500 per year. Supervisor Plank seconded the motion. Motion carried 4-0.

Mr. Kramer explained that any Carson City non-profit organization wishing to be eligible for the property should contact the City Manager's office and have its name placed on a list. The Sheriff's Office would then rotate through the list as property becomes available for disposal.

BREAK: A lunch recess was declared at 11:45 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 1:30 p.m., although Supervisor Bennett was absent as previously indicated.

11. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. DISCUSSION AND PRESENTATION BY DAVID A. BYERMAN, NEVADA PARTNERSHIP PROGRAM, U.S. DEPARTMENT OF COMMERCE, CENSUS BUREAU, AND A PROCLAMATION BY MAYOR MASAYKO REGARDING CARSON CITY'S SUPPORT AND PARTICIPATION IN CENSUS 2000 (1-0094) - David Byerman's remarks emphasized the importance of having everyone counted during the census, including the financial impact of missing individuals, and outlined the efforts to make the general public aware of the need to be counted. During the last census Nevada had the sixth worst response record in the nation. Efforts to determine all of the residential addresses in the state were described. The different census forms and their confidentiality were explained. Various public awareness communication efforts and grass root programs were limned. Mayor Masayko thanked him for his report and volunteered to assist in any manner possible. City staff is currently working with him to provide addresses and other information. Promotional materials and copies of the census forms were distributed to the Board. (Copies were not given to the Clerk.) The telephone number for Mr. Byerman's office was given. No formal action was taken or required.

B. ACTION REGARDING A REQUEST FOR THE EXPENDITURE OF NOT MORE THAN \$5,000 FROM CARSON CITY'S CONTINGENCY FUND FOR PARTIAL FUNDING OF THE COSTS ASSOCIATED WITH AN AGGREGATE/SAND RESOURCE ELEMENT OF THE CITY'S MASTER PLAN (2-0487) - Discussion explained the Board's consideration of this item during the budget process. Supervisor Livermore expressed his feeling that it was not an emergency matter and that the contingency should not be used. Supervisor Plank explained his research since the budget session had indicated that the study could

not use RTC funds as it is not project driven. The importance of and the BLM funding for conducting the study were described. The City must act quickly in order to use the BLM funds as its budget ends in two weeks. This had created the emergency. Mr. Forsberg explained the District Attorney's opinion and concerns regarding the use of RTC funds. Supervisor Livermore felt that the funding could be found in areas other than the contingency account. He supported the concept and the proposed partnership. Clarification indicated BLM conducts these studies approximately every ten years. Mayor Masayko supported Supervisor Livermore's comments concerning the funding source. Supervisor Plank moved that the Board of Supervisors approve the expenditure of not more than \$5,000 from Carson City's Contingency Fund for partial funding of the costs associated with an Aggregate/Sand Resource Element of the City's Master Plan; fiscal impact is \$5,000; and the funding source is the Contingency Fund. Supervisor Williamson seconded the motion. Mayor Masayko explained Supervisor Bennett's support of the program and his reluctance to support the request rather than have the Board reconsider it at its next meeting. Supervisor Livermore explained that his intent had not been to delay the process. He felt that a clear message should be sent to staff regarding the expenditure of contingency funds for "unanticipated" items. He would support the motion as he was certain the necessary dialogue and discussion had been held on the expenditure of contingency funding. He expressed his intent to remind staff and the Board of these comments in the future. Mr. Sullivan acknowledged the procedure which is being established by the Board's comments and willingness to relay same to staff. He then explained his efforts to find other funding, however, it had been insufficient to meet the contract needs. The motion to approve the \$5,000 funding for the aggregate/sand resource element to the Master Plan from the Contingency Account was voted and carried 4-0.

C. ACTION ON MPA-99/00-2(A&B) - A. RATIFICATION OF PLANNING COMMISSION RESOLUTION 1999-RPC-3 - A RESOLUTION OF THE CARSON CITY REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL OF MPA-99/00-2, CALLING FOR AN AMENDMENT OF THE MASTER PLAN LAND USE ELEMENT MAP DESIGNATION FROM OFFICE (O) TO MEDIUM DENSITY RESIDENTIAL (MDR) FOR PROPERTIES LOCATED AT 1511 MOUNTAIN STREET, APN 001-141-11; 707 WEST LONG STREET, APN 001-141-12; 2 SIERRA CIRCLE, APN 001-141-13; 1 SIERRA CIRCLE, APN 001-141-30; 635 WEST LONG STREET, APN 001-141-31; 631 WEST LONG STREET, APN 001-141-58; 5 HILLSIDE WAY, APN 001-141-59; 13 HILLSIDE WAY, APN 001-141-38; 1507 MOUNTAIN STREET, APN 001-141-10; APN 001-141-32; 4 HILLSIDE WAY, APN 001-141-35; 11 HILLSIDE WAY, APN 001-141-37; 4 SIERRA CIRCLE, APN 001-141-14; 3 SIERRA CIRCLE, APN 001-141-29; 3 HILLSIDE WAY, APN 001-141-36; 1503 MOUNTAIN STREET, APN 001-141-09; 6 SIERRA CIRCLE, APN 001-141-15; 5 SIERRA CIRCLE, APN 001-141-28; 10 MILLER WAY, APN 001-141-41; 12 MILLER WAY, APN 001-141-40; 1422 NORTH DIVISION STREET, APN 001-141-39; 1415 MOUNTAIN STREET, APN 001-141-08; 8 SIERRA CIRCLE, APN 001-141-16; 7 SIERRA CIRCLE, APN 001-141-27; APN 001-141-33; 8 MILLER WAY, APN 001-141-42; 1411 MOUNTAIN STREET, APN 001-141-07; 9 SIERRA CIRCLE, APN 001-141-22; 1407 MOUNTAIN STREET, APN 001-141-06; 6 MILLER WAY, APN 001-141-61; 4 MILLER WAY, APN 001-141-44; 1404 NORTH DIVISION STREET, APN 001-141-45; 8 LANE CIRCLE, APN 001-141-17; 9 LANE CIRCLE, APN 001-141-21; 7 LANE CIRCLE, APN 001-141-26; APN 001-141-60; 1319 MOUNTAIN STREET, APN 001-141-05; 1315 MOUNTAIN STREET, APN 001-141-04; 10 PINE VIEW WAY, APN 001-141-68; 6 PINE VIEW WAY, APN 001-141-47; 7 PINE VIEW WAY, APN 001-141-46; 6 LANE CIRCLE, APN 001-141-18; 5 LANE CIRCLE, APN 001-141-25; 1311 MOUNTAIN STREET, APN 001-141-03; AND 4 PINE VIEW WAY, APN 001-141-55,, IN CARSON CITY NEVADA (2-0704) - Discussion explained staff's error which the resolution will correct. Mr. Sullivan read the title into the record. Supervisor Plank moved that the Board of Supervisors ratify Regional Planning Commission Resolution 1999-RPC-3, a resolution of the Carson City Regional Planning Commission recommending approval of MPA-99/00-2 calling for an amendment to the Master Plan Land Use Element Map designation from Office, O, to Medium Density Residential, MDR, for properties located at the addresses and Assessor's Parcel Numbers as listed on the title of said resolution. Supervisor Williamson seconded the motion. Motion carried 4-0.

B. RATIFICATION OF PLANNING COMMISSION RESOLUTION 1999-RPC-4, A RESOLUTION OF THE CARSON CITY REGIONAL PLANNING COMMISSION RECOMMENDING

APPROVAL OF MPA-99/00-2, CALLING FOR AN AMENDMENT OF THE MASTER PLAN LAND USE ELEMENT MAP DESIGNATION FROM HIGH AND MEDIUM DENSITY RESIDENTIAL (HDR AND MDR) TO PUBLIC COMMUNITY (PC) FOR PROPERTIES LOCATED AT 911 BEVERLY DRIVE, APN 002-121-06 AND 1101 BEVERLY DRIVE, APN 002-121-09, IN CARSON CITY, NEVADA (1-0854) - Supervisor Plank moved that the Board of Supervisors ratify Regional Planning Commission Resolution 1999-RPC-4, a resolution calling for the amendment of the Master Plan Land Use Element Map designation from High and Medium Density Residential, HDR and MDR, to Public Community, PC, for properties located at the addresses and Assessor's Parcel Numbers as listed on the title of said resolution. Supervisors Livermore and Williamson seconded the motion. Motion carried 4-0.

12. SHERIFF - Rod Banister - ACTION ON SHERIFF'S DEPARTMENT PATROL AND DETECTIVE STAFFING ISSUES (1-0905) - Sheriff Banister explained the reasons he felt the two additional deputies his office had requested during the budget process had been overlooked. He had attempted to be reasonable in his requests due to the impact the new jail and its staffing requirements would have. His statistics indicated a 14.5 to 15 people shortage in patrol officers when compared to the national statistics. He opposed using scare tactics to obtain additional staffing. His goals and objectives as contained in the budget documents with his request for four additional officers were read into the record. He had intended to request four staff members for each of the next four years. Statistical information supporting this staffing increase was provided. The pros and cons of minimum manning including his efforts to avoid it were described. Legislative mandates and impacts on his Department were also noted. His comments emphasized the feeling that the personnel requirements mandated by the new jail do not help the community beyond concerns related to officer safety. He felt that it would take two officers to perform gang related services. He requested two additional officers. Future planning should address the remaining shortage. Supervisor Plank encouraged Sheriff Banister to seek grants for additional officers even though future funding for the individuals' positions is unknown at this time. The budget sessions had not emphasized the response time and intelligence gathering demands placed upon the Department. Benefits of the intelligence gathering programs were noted. Supervisor Livermore pointed out the need for performance measurements. He felt that last year's responses had dropped five percent from the year before. Current information indicates otherwise. He felt that the budget presentation had indicated the community was better off than it had been. Sheriff Banister responded by explaining the impact Legislative mandates had had on his office which increased the amount of time required at each response. Supervisor Williamson suggested that the communication efforts between the Board/community, and the Sheriff's Department needed improvement and that the competitive effort between the Sheriff's Department and Fire Department should be eliminated. Public safety is a major concern for the Board and community. The residents are opposed to higher taxes, therefore, the Board must allocate the funding fiducially. Clear and concise justifications for funding requests are warranted. The two positions requested today will cost \$80,000. Recruitment problems were noted. Mayor Masayko's comments supported the need for a master plan and pointed out that public safety encompasses other activities besides police, fire, juvenile, juvenile justice, rehabilitation, etc. The Board had provided three firemen and directed that Department to ask the electorate for additional funding. The funding request was rejected. He encouraged the Sheriff's Department to undertake the same process and emphasized the need for the Department to sell the program to the electorate. This offer was made in light of the cost for four Deputies of \$200,000 while the entire funding available for the entire bureaucracy was between \$3 and \$500,000. The Board's funding for the Fire Department over the last two budget cycles was discussed. Sheriff Banister responded by expressing his feeling that as the Board's number one priority had been public safety, his Department should have received additional funding/staffing. Comments emphasized the communication problem encountered with the budget process. Mayor Masayko also encouraged Sheriff Banister and his Department to develop statistical information concerning Legislative impacts and to present this information to the legislators. All City Departments were encouraged to follow this program. Mayor Masayko then voiced his concerns with using regional/national statistics to determine Carson City's ratio of officers to population, i.e., the prison population which does not circulate through the community; the transit traffic which increases the service demands; etc. Sheriff Banister felt that the master plan would address some of these issues. The uniqueness of the Department's functions were noted. Sheriff Banister then indicated that he would need 18 more officers in order to have adequate time to allow community policing. Comments supported working together and improving communication. Supervisor Livermore listed the public

safety staffing provided through the budget process which clearly indicated that the Sheriff Department is only one part of the public safety component. He expressed his intent to continue to support as many different phases as possible and volunteered to work with Sheriff Banister to make his needs known. Mayor Masayko also pointed out that the Board could fund the positions and, if Sheriff Banister determines a higher priority, reconsideration of the funding allocation. Under this process Sheriff Banister would be required to return to seek additional staffing if later in the year he determines personnel needs are a higher priority. Sheriff Banister felt that the personnel needs were the highest priority at this time. Under Mayor Masayko's concept, the \$82,000 funding could be used for three deputies for the remainder of the fiscal year.

Raymond Meyer felt that the comments had been a "lot of bureaucracy" and would not provide the Sheriff with additional personnel. His contact with other agencies was described to illustrate the need for additional staffing. He emphasized his feeling that the gang problem would resurface and re-enforce the original staffing request. He felt that the current City bail and charges programs were inadequate as indicated by his examples. Mayor Masayko explained a letter he had received from the Justice of the Peace/Municipal Judges indicating they follow the same laws used by other jurisdictions. Mr. Meyer encouraged the Board to increase the staffing level and to pursue this legal avenue. Mayor Masayko expressed his feeling that the Board would allocate the \$82,000 to the Sheriff for personnel and that he had been encouraged to seek grants to assist wherever possible. Mr. Meyer felt that Sheriff Banister should return seeking additional funding.

Mayor Masayko indicated he would contact the Judges concerning the "stacking" issue and advise him of their answer. Additional public comments were solicited but none given.

Supervisor Plank moved that we allocate \$82,000 for the balance of this fiscal year to the Sheriff's Department so that Department can add minimally two additional Deputies for this fiscal year for staffing of the Department. Supervisor Livermore seconded the motion. Mayor Masayko indicated that the motion would allocate \$82,000 from the ending fund balance to enhance the Sheriff's Department staffing and that the funding is not allocated to a specific number of individuals. This would be the Sheriff's call. Supervisor Livermore expressed the hope that, as the discussion had emphasized patrol needs, numbers, and gang activities, that the additional personnel will be assigned to patrol or areas of gang activities. Supervisor Plank noted that Supervisor Livermore's comments are not part of the motion. Supervisor Williamson recognized that Sheriff Banister is an elected official, expressed her comfort in allowing him to analyze his Department and the community needs, and indicated her willingness to support him on this issue. Mayor Masayko agreed and noted it would be his call and his accountability to the taxpayers. The motion to approve the \$82,000 allocation as indicated was voted and carried 4-0.

9. SENIOR CITIZENS CENTER - Board of Directors Member Gary Sheerin - ACTION TO APPROVE A RESOLUTION ALLOWING THE QUESTION NO. 4 AD VALOREM TAX FOR SENIOR CITIZEN FACILITIES TO BE USED AS A RESTRICTED FUND FOR BUILDING MAINTENANCE, REPAIR AND EQUIPMENT AS REQUIRED BY THE DONALD W. REYNOLDS FOUNDATION GRANT (2-1905) - Mr. Sheerin briefly reviewed the history of the tax including its master plan and the funding allocations. The proposed building phase will expand the current facility by adding a second floor, as originally designed, plus 8,000 square feet to the main floor. Activities planned for this area were described. Although the tax monies could be used for this purpose, an unnamed individual found a grant which could provide funding for the expansion. Don Reynolds Foundation Grants used by the community previously were noted. The grant which will be sought for the Center's expansion and its maintenance criteria were described. The Center's request is for the Board to grant up to \$600,000 to a perpetual, restricted maintenance fund. Fundraisers will also be undertaken in an attempt to fund this account. The Center was dedicated to maintaining the facility. Question 4 had included maintenance which allows the dedication of funding for this purpose. Under the proposed concept, if the Reynolds grant is used for Phase II, the remaining ad valorem monies could be used for a Phase III project. Some individuals had indicated a need for the Center to seek ratification from the electorate prior to construction of Phase III. This could be undertaken before Phase II is completed. Mayor Masayko supported the concept and noted for the Reynolds Foundation that the building is Carson City's responsibility to maintain the same as all other City facilities. Statutes mandate identification of a funding source for maintenance of such buildings prior to construction. He could not support allocating the funds to a restricted account. He felt that prudent stewardship

mandated maintenance of the facility without restricting the funds specifically in view of the City's overall budget. Mr. Sheerin responded by indicating that the Reynolds Foundation had rejected this argument when he had poised it when the WNCC building was considered for a similar grant. The State was supporting the grant at that time. The private, non-profit foundation for WNCC was required to raise \$420,000 which was placed in the restricted maintenance fund. Mayor Masayko explained his concerns with the restricted account and its control. He indicated his desire to find a "creative" method out of the requirement. Mr. Sheerin responded by suggesting that a Board member be assigned to the Center's governing board and that this individual could be a signatory person on the account. Mayor Masayko indicated that this still did not resolve his concern about the loss of control over tax monies. Supervisor Plank felt that the tax question had included appropriate restrictions on its usage. Maintenance was one of the items included in the usage. Failure to establish the restricted maintenance account would cost the City \$3 million. He had been serving as the Board's liaison to the Senior Center's Board and felt confident in its operation. Mr. Sheerin indicated that the Center's Advisory Council is under the Board of Directors which oversees the day-to-day operations of the facility. Mayor Masayko further delineated his concerns regarding the use of the funds once capital expansion projects are completed. He felt that at that time the tax should be eliminated. The proposal will require the taxpayer to continue funding the maintenance. Mr. Berkich suggested that the account's expenditures be restricted to Board of Supervisor overview before the check is authorized. Mayor Masayko felt that another option would have the City's financial stabilization program fund the maintenance. The maintenance requirements could over time become a large number.

(2-2359) Internal Auditor Gary Kulikowski explained that any monies earned by the restricted fund would be used for major maintenance and repair and not daily operations. Daily operations would be paid by Question 4 funds. It is currently generating \$465,000. The amount which is free for use on another phase is amount used for repayment of the current bond issue. Current staffing and utilities cost \$265,000.

Discussion then indicated that if the Foundation does not approve the grant, the \$200,000 will be used for another bond. Mr. Sheerin pointed out the cost for maintaining the expansion would also impact the bonding and repayment program. This is the reasons for wanting to use a grant for the expansion. He then explained the intent to obtain the maintenance funds from other sources and that the grant application would be submitted. He then suggested that the Board delay action on the resolution until the Foundation's decision/requirement(s) is/are determined. If the grant is not approved, another option should be explored. If the grant is approved, he was willing to pursue the negotiation process and options at that time. He, therefore, withdrew the resolution based on the concerns which had been discussed. The Board could again weigh the issues when and if the grant is approved. Mayor Masayko supported this course of action and deferred action. No formal action was taken on the request.

13. INTERNAL AUDITOR - Gary Kulikowski

A. ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS CHAPTER 241.030 TO CONSIDER THE PROFESSIONAL COMPETENCE OF THE INTERNAL AUDITOR (2-2535) - Supervisor Williamson moved to recess into Closed Session. Supervisor Plank seconded the motion. Mayor Masayko repeated the motion as being to recess into Closed Session for the Internal Auditor's professional competence evaluation. Motion carried 4-0. Mayor Masayko then recessed the Open Session.

The Open Session was reconvened at 4:50 p.m. A quorum of the Board was present although Supervisor Bennett was absent as previously indicated.

B. ACTION REGARDING THE BOARD'S REVIEW OF THE INTERNAL AUDITOR'S COMPETENCE AND SETTING OF COMPENSATION (2-2549) - Mayor Masayko explained the Board's desire to tie Mr. Kulikowski's compensation to measurable accomplishments. This will require establishment of a work plan with appropriate weighing. This will be provided and approved by the Board at a future meeting. The Board's review had indicated that he had performed competently, however, there are a few areas needing improvement. The review process had established a range of 50 to 60 percent of the range. Each Board member

then established a figure which she/he felt should be appropriate based on the review. Supervisor Plank then moved that the Board make a salary adjustment for the Internal Auditor upwards of \$2551 for competent plus performance. Supervisor Williamson seconded the motion. Discussion clarified that the amount would increase his current salary by \$2551. Following a request for an amendment, Supervisor Plank amended his motion to include retroactive to July 1, 1999. Supervisor Williamson concurred. Motion carried 4-0.

C. ACTION ON APPROVAL OF THE 1999-00 INTERNAL AUDIT PLAN (2-2677) - Mayor Masayko indicated the Board's desire to keep the Dispatch Center's software program high on the priority list. The freeway contracts and expenditures should require overview including the purchasing procedures. Supervisor Livermore suggested that the aquatic facility contracts also be monitored including the timeframe and penalties. Mayor Masayko suggested closure of the Sheriff's commissary fund issues and the Grand Jury status report. A status report needed to be submitted on the City's CQI team for Public Works indicating whether to add it to the work plan or to eliminate it. Three carryover items with a lower priority were the District Attorney's bank account, the Sheriff's commissary fund and bank account. Inclusion of these three items on the work plan will be determined after a status report is furnished. Reasons Mr. Kulikowski had suggested outsourcing the audit of utility bills were discussed and directed that either the City Manager or the Finance Director handle this matter rather than Mr. Kulikowski. Board comments added evaluation of the cost allocation program for enterprise accounts. Consensus directed Mr. Kulikowski to revise the audit plan appropriately. Supervisor Plank suggested that Mr. Kulikowski analyze the City's payment program to determine whether the City is being penalized for failing to pay in a timely fashion. Consensus expanded the review to include whether advantage is being taken of discounts. Mr. Kulikowski indicated that he had previously reviewed the City's payment policy, however, had not analyzed the utility payment schedule. Further discussion indicated that this matter should fall under Mr. Berkich's purview and that Mr. Kulikowski should only review the adequacy of the program. Clarification indicated that the Board would reconsider the audit program and ranking of the performance measures at the next meeting and that action should be deferred today. Mayor Masayko, on behalf of the Board, complimented Mr. Kulikowski on his willingness to become involved in projects, his work ethics and habits, his honesty, ability to communicate with the Board, and desire to do the best job possible for the Board and City. No formal action was taken.

There being no other matters for consideration, Supervisor Livermore moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 4-0. Mayor Masayko adjourned the meeting at 5:05 p.m.

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The Minutes of the September 16, 1999, Carson City Board of Supervisors meeting

A R E S O A P P R O V E D

ON ___December_2___, 1999.

_____/s/_____

Ray Masayko, Mayor

ATTEST:

_____/s/_____
Alan Glover, Clerk-Recorder