

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, April 6, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Stacy Giomi	Fire Chief
	Andrew Burnham	Public Works Director
	Steve Albertsen	Undersheriff
	Melanie Bruketta	Chief Deputy District Attorney
	Larry Werner	City Engineer
	Cheryl Adams	Purchasing/Contracts Manager
	Steve Schutte	Chief Deputy Sheriff
	Michael Suglia	Deputy District Attorney
	Nick Providenti	Senior Accounting Manager
	Vern Krahn	Parks Planner
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Management Assistant III

(BOS 4/6/06 Tape 1-0007)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed following 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, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. City Manager Linda Ritter led the Pledge of Allegiance. Rev. Chuck Nichter of the Wellspring Ministries gave the Invocation.

CITIZEN COMMENTS (1-0035) - City Engineer Larry Werner introduced Deputy City Engineer Jeff Sharp. The Board welcomed Mr. Sharp. Mr. Sharp thanked the Board for the opportunity to serve the community.

1. APPROVAL OF MINUTES - 3/2/06 AND 3/16/06 (1-0052) - Supervisor Aldean corrected the spelling of Ann Cory's name on Page 10 of the 3/2/06 Minutes and the word "shifting" to be "sifting" on Page 6

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of the 3/16/06 Minutes. Supervisor Aldean moved to approve the Minutes of March 2, 2006, as corrected and the Minutes of March 16, 2006, as corrected. Supervisor Williamson seconded the motion. Motion carried 5-0.

3. CONSENT AGENDA (1-0080)

3-1. TREASURER - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF THE TAXES TO THE 2005-2006 REAL PROPERTY TAX ROLL ON PARCEL NUMBERS 10-457-13; 3-033-10; 9-501-02; 8-798-11; 2-511-03; AND 4-164-15 DUE TO DONATION OF VETERAN'S EXEMPTION TO THE VETERAN'S HOME

3-2. JUSTICE COURT - ACTION TO APPROVE THE APPOINTMENT OF KIMBERLY MORGAN TO THE PANEL OF SUBSTITUTE JUSTICES OF THE PEACE FOR THE SOLE PURPOSE OF PERFORMING MARRIAGES

3-3. PURCHASING AND CONTRACTS

A. ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE 103 PIECES OF MISCELLANEOUS SURPLUS PROPERTY HAVE REACHED THE END OF THEIR USEFUL LIVES AND WILL BE DONATED TO ANOTHER GOVERNMENTAL ENTITY OR TO A REQUESTING NONPROFIT ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL PURPOSE AS SET FORTH IN NEVADA REVISED STATUTE 372.3261 (FILE 0506-121)

B. ACTION TO APPROVE CONTRACT NO. 0506-123, A REQUEST FOR THE PURCHASE OF ONE 2006 SCOTTY COMBINATION FIRE SAFETY / SPRINKLER HOUSE FLT FROM MOBILE CONCEPTS BY SCOTTY, A SOLE SOURCE PROVIDER, FOR A NOT TO EXCEED COST OF \$62,731 EXEMPT FROM COMPETITIVE BIDDING.

C. ACTION TO APPROVE THE EXTENSION OF CONTRACT NO. 0304-098, JOINDER CONTRACT FOR TELECOMMUNICATION SERVICES WITH NEVADA BELL TELEPHONE COMPANY (DBA SBC NEVADA) JANUARY 1, 2006, THROUGH DECEMBER 31, 2007, PROVIDED THAT CARSON CITY'S APPROVED FUNDING AND PURCHASE PROCEDURES ARE FOLLOWED

3-4. PUBLIC WORKS - ENGINEERING

A. ACTION TO APPROVE A DEDICATION OF LAND AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY FROM PROPERTY OWNERS THE JOHN R. O'MARA AND BARBARA C. O'MARA AND GARY L. AND CONNIE A. JOHNSON FAMILY TRUST TO CARSON CITY, DESCRIBED AS APN 008-128-01, WHICH CONSISTS OF 1,049 SQUARE FEET AS SHOWN ON THE DEDICATION DOCUMENTS

B. ACTION TO APPROVE A DEDICATION OF LAND AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY FROM PROPERTY OWNERS, THE PEDRO M. COSCARART FAMILY TRUST, TO CARSON CITY, DESCRIBED AS APN 008-125-36, WHICH CONSISTS OF 1,206 SQUARE FEET AS SHOWN ON THE DEDICATION DOCUMENTS

C. ACTION TO APPROVE THE DEDICATION OF EASEMENTS, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS ASSESSOR'S PARCEL NUMBER 008-125-57 FROM PROPERTY OWNER WAL-MART REAL ESTATE BUSINESS TRUST TO CARSON

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CITY, FOR THE PURPOSE OF (1) INSTALLATION OF PUBLIC UTILITIES, INCLUDING WITHOUT LIMITATION, GAS, ELECTRIC, WATER, WASTEWATER AND TELECOMMUNICATION LINES CONSTRUCTION, RECONSTRUCTION, MAINTENANCE AND REPAIR, AND (2) PERPETUAL USE FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS (BUT NOT PARKING), CONSISTING OF 50,910 SQUARE FEET AND 7,360 SQUARE FEET.

D. ACTION TO APPROVE A DEDICATION OF LAND AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY FROM PROPERTY OWNERS, THE WAL-MART REAL ESTATE BUSINESS TRUST, TO CARSON CITY, DESCRIBED AS APN 008-125-57, WHICH CONSISTS OF 3,576 SQUARE FEET AS SHOWN ON THE DEDICATION DOCUMENTS

E. ACTION TO APPROVE A DEDICATION OF LAND FOR PUBLIC PURPOSES AND CONVEY ALL THAT CERTAIN REAL PROPERTY AND ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO THE ADJACENT REMAINING PROPERTY FROM PROPERTY OWNERS, THE WAL-MART REAL ESTATE BUSINESS TRUST, TO CARSON CITY, DESCRIBED AS APN 008-125-57, WHICH CONSISTS OF 11,562 SQUARE FEET AS SHOWN ON THE DEDICATION DOCUMENTS

F. ACTION TO APPROVE A REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND MARGARET WOOD, REGARDING ASSESSOR'S PARCEL NO. 009-224-07, LOCATED AT 110 CLEAR CREEK, IN CARSON CITY, NEVADA, WHICH WILL BENEFIT OWNERS OF ASSESSOR'S PARCEL NUMBERS: 009-223-001 AT 89 ARTHUR DRIVE, 009-223-03 AT 5460 LYNETT LANE AND 009-223-02 AT 5432 LYNETT LANE FOR WATER LINE INSTALLATION AND OWNERS OF ASSESSOR'S PARCEL NUMBER 009-223-03 AT 5460 LYNETT LANE FOR SEWER LINE INSTALLATION

G. ACTION TO APPROVE THE IMPROVEMENT AGREEMENT CANCELLATION BETWEEN CARSON CITY AND CAPITAL CHRISTIAN CENTER, ASSESSOR'S PARCEL NUMBER 10-221-98, LOCATED AT 1600 SNYDER AVENUE, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE IMPROVEMENT AGREEMENT CANCELLATION

H. ACTION TO APPROVE THE DEDICATION OF A 10 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG THE NORTH CARSON STREET FRONTAGE OF ASSESSOR'S PARCEL NUMBER 08-053-10, 4291 NORTH CARSON STREET

I. ACTION TO APPROVE THE DEDICATION OF A 10 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG THE NORTH CARSON STREET FRONTAGE OF ASSESSOR'S PARCEL NUMBER 08-052-21, 4489 NORTH CARSON STREET

J. ACTION TO APPROVE THE DEDICATION OF A 10 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG THE NORTH CARSON STREET FRONTAGE OF ASSESSOR'S PARCEL NUMBER 08-052-20, 10 HOSPITALITY WAY

3-5. PUBLIC WORKS - CONTRACTS

A. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO ACCEPT THE WORK AS COMPLETED AND APPROVE THIS RELEASE OF FINAL PAYMENT FOR CONTRACT NO. 2003-100 TITLED "2003/2004 SEWER AND WATER REPLACEMENT PROJECT" TO CANYON CREEK CONSTRUCTION, P.O. BOX 21270, CARSON CITY, NEVADA 89721, IN THE AMOUNT OF \$73,819.86

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B. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE SPECIAL INSPECTION AND MATERIALS TESTING SERVICES FOR THE SHERIFF'S ADMINISTRATION BUILDING PROJECT, CONTRACT NO. 2005-149 AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO LUMOS AND ASSOCIATES, 800 EAST COLLEGE PARKWAY, CARSON CITY, NV 89706, FOR A CONTRACT AMOUNT OF \$70,000 AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$7,000.

C. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE COMBS CANYON AND TIMBERLINE WATERSHEDS DRAINAGE DESIGN PROJECT, CONTRACT NUMBER 9899-048, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO RESOURCE CONCEPTS, 340 NORTH MINNESOTA STREET, CARSON CITY, NEVADA 89703, FOR AN AMENDMENT NUMBER 6 AMOUNT OF \$5,000

D. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE CONSTRUCTION, INSPECTION AND TESTING SERVICES FOR THE SOUTHEAST SEWER EXTENSION, PHASE 7 PROJECT, CONTRACT NUMBER 2005-157, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO WOOD RODGERS INC., 575 DOUBLE EAGLE COURT, RENO, NEVADA 89502, FOR A CONTRACT AMOUNT OF \$108,000 AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$11,000

E. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE "CIP ASSISTANCE FOR THE DEVELOPMENT OF CAPITAL PROJECTS, BUDGETS AND PROJECT SCHEDULES" PROJECT, CONTRACT NUMBER 2004-126, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO HARRIS AND ASSOCIATES, 1817 MOODY STREET, SUITE D, CARSON CITY, NEVADA 89706, FOR AMENDMENT NO.1 IN THE AMOUNT OF \$136,840 WITH A CONTINGENCY OF \$62,700

3-6. FIRE

A. ACTION TO ADOPT THE CARSON CITY EMERGENCY OPERATIONS PLAN AND ADOPT THE USE OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

B. ACTION TO APPROVE AN INTERLOCAL CONTRACT BETWEEN THE STATE OF NEVADA, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF FORESTRY AND THE CONSOLIDATED MUNICIPALITY OF CARSON CITY.

3-7. FINANCE - ACTION TO ADOPT A RESOLUTION CREATING THE 2006 FLOOD FUND, A SPECIAL REVENUE FUND - Supervisor Aldean pulled Item 3-6A for discussion. Supervisor Livermore moved to approve the Consent Agenda that consists of one item from the Treasurer's Department, one item from the Justice Court, Purchasing and Contract Item 3-3A to include Resolution No. 2006-R-10, Public Works - Engineering consisting of ten items, Public Works - Contracts consisting of five items, one remaining item from the Fire Department 3-6, and finally 3-7 which is action to adopt a resolution to be numbered 2006-R-11, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

3-6A. (1-0102) - Supervisor Aldean complimented Fire Chief Stacy Giomi on the contract and questioned its amount. Fire Chief Giomi explained that the amount is fluid at this time but will not exceed the maximum amount of \$77,000. Supervisor Aldean also questioned the City's ability to have priority as indicated in Section 16G while Attachment A allows the crew to be released. Fire Chief Giomi explained that the operating agreement allows the City to release the crew if needed elsewhere. The City is responsible for

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paying for the crew only when it is located in Carson City. Mayor Teixeira complimented Fire Chief Giomi on the proactive agreement. Supervisor Aldean moved to approve an Interlocal Contract between the State of Nevada, Department of Conservation and Natural Resources, Division of Forestry and the Consolidated Municipality of Carson City; fiscal impact is approximately \$70,000. Supervisor Livermore seconded the motion. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0135) - Item 4-D, an ordinance revising Title 4, was pulled.

LIQUOR AND ENTERTAINMENT BOARD (1-0138) - Mayor Teixeira then recessed the Board of Supervisors session and convened the Liquor and Entertainment Board by noting that there was a quorum present, including Sheriff's Representative Steve Schutte. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

BOARD OF SUPERVISORS (1-1428) - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

4. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 4 LICENSES AND BUSINESS REGULATIONS BY DELETING CHAPTERS 4.20 JUNKYARDS AND AUTOMOBILE GRAVEYARDS, 4.24 WEDDING CHAPEL CHARGES AND 4.26 OUTDOOR MUSIC FESTIVALS AND OTHER MATTERS PROPERLY RELATED THERETO (1-0135) - Pulled.

RECESS: A recess was taken at 9:51 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10 a.m., constituting a quorum.

5. PARKS AND RECREATION (1-1415) - Director Roger Moellendorf

A. ACTION TO ADOPT A RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION TO PURSUE A POTENTIAL PARTNERSHIP WITH WESTERN NEVADA COMMUNITY COLLEGE REGARDING A JOINT PROPOSED RECREATION CENTER LOCATED OFF COMBS CANYON ROAD, AND TO DIRECT CITY STAFF TO MEET WITH COLLEGE OFFICIALS TO STUDY THE POTENTIAL - Helanie Jesse - Mr. Moellendorf's introduction included benefits of the proposed program, including funding advantages, and justified bringing the proposal to the Board at this time. Supervisor Livermore explained his support for the concept and encouraged the Board to support the request. Mayor Teixeira reminded the Board that when the Community Center was constructed, the public considered it a white elephant. Times have certainly changed since then. Discussion indicated that management criteria will be established in the partnership agreement. Mr. Moellendorf also advised the Board that the staffs have developed a preliminary outline of the partnership agreement. The management of the facility should appear seamless to the public. All users are to be treated alike. The development costs ranged from \$500,000 to \$700,000 on the Agenda Report. The history of the Commission's search for a site for a new recreation center location was noted. Metcalf Builders had provided a preliminary estimate for development of the four sites that were considered. The difference is due to the amount of preparation and infrastructure required for development of the sites.

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Ms. Jesse advised the Board that the Board of Regents will consider the proposal in June. The Regents' Budget and Finance Committee did not prioritize the project at its last meeting. The Parks and Recreation Commission's approval of the project showed the necessary cooperation. The proposal was placed on the Committee's agenda for consideration of providing \$3 million for planning funds. It is now being considered for the full \$8 million to implement the proposal. If it is not a funding priority for the Regents, they will not pursue the concept. The joint use agreement will require funding from the College for operations and maintenance. This is a normal requirement in joint use agreements used throughout the Country. The High Tech Center at the Carson City High School has a similar clause in its joint use agreement.

Mayor Teixeira pointed out that they have not pursued this concept before but they should have. Supervisor Livermore iterated the advantages provided by the High School's High Tech Center and the opportunities a similar agreement on a recreational center could provide. The Commission believed that a similar joint use agreement could be provided for a recreation facility. The need to create the gym promised in the 1996 ballot question has placed a time limit on how long the discussions regarding a joint use agreement with the College can take. He also advised the Board that similar joint use agreements have been developed and are operating between other communities in the Nation. The City may wish to explore similar agreements with Douglas and Lyon Counties although they may require a lot of work and time. He reiterated his belief that this is an opportunity which the community should explore and stressed that WNCC is dedicated to being a partner in the community. Public comments were solicited. None were given.

Supervisor Livermore moved to adopt the recommendation of the Parks and Recreation Commission to pursue a potential partnership with Western Nevada Community College regarding a joint proposed recreation center located off Combs Canyon Road and to direct the City staff to meet with College officials to study the potential. Supervisors Aldean and Williamson seconded the motion. Motion carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE CREATING TITLE 20 TO THE CARSON CITY MUNICIPAL CODE, ENTITLED "PUBLIC PROPERTY" FOR THE PURPOSE OF ADDING A NEW CHAPTER, CHAPTER 20.01, WITH SECTIONS 20.01.010 TO 20.01.090, ENTITLED "APPRAISERS OF COUNTY PROPERTY," AND OTHER MATTERS PROPERLY RELATING THERETO (1-1677) - Open Space Manager Juan Guzman - Discussion indicated that the Board has discretion in determining the type of appraisal to be performed. Supervisor Aldean moved to introduce Bill No. 104, AN ORDINANCE CREATING TITLE 20 TO THE CARSON CITY MUNICIPAL CODE, ENTITLED "PUBLIC PROPERTY" FOR THE PURPOSE OF ADDING A NEW CHAPTER, CHAPTER 20.01, WITH SECTIONS 20.01.010 TO 20.01.090, ENTITLED "APPRAISERS OF COUNTY PROPERTY," AND OTHER MATTERS PROPERLY RELATING THERETO. Supervisor Staub seconded the motion. Motion carried 5-0.

6. PUBLIC WORKS

A. ACTION TO APPROVE AMENDED MEMORANDUM OF AGREEMENT TO MODIFY THE AREA MEDIAN INCOME LEVEL AND RENT LEVEL FOR THE SECOND PHASE OF THE AUTUMN VILLAGE SENIOR HOUSING PROJECT ON LONG STREET (1-1723) - City Manager Linda Ritter, Community Development Inc. Chief Financial Officer Greg Urrutia - Mr. Urrutia explained that the cost of materials has increased the project's costs until it is necessary to increase the median

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income level to 50% in order to obtain financing for the project. The original concept had allowed consideration of 30% to 50% of the median income level. Phase 1 will not be impacted by the proposed change. Discussion explained that the proposal increases the rental rate for one bedroom unit to \$490 per month. The lower rates allowed on Phase 1 will not be allowed. The rental rate for a one bedroom unit for a person with an income in the 50% to 60% of the median income level will be \$603 a month. The market indicates that the typical rent for a one bedroom unit in Carson City is in the \$675 to \$725 range. Two bedroom units are \$100 more. Mr. Urrutia also noted that they will be paying the ad valorem taxes on the units. Mayor Teixeira explained that the Legislature's cap of 3% on the ad valorem tax will not create a large impact on the tenants. Discussion delineated the increased construction costs created by inflation and construction demands for materials. The increase is being experienced throughout the Country. Mayor Teixeira reminded the Board that the City is experiencing the same problem with its projects. The bids are running 30% to 40% higher than estimates. Discussion indicated that if the request is denied, the "credits" obtained by the project will be lost. Mr. Urrutia was uncertain of the penalty for the loss but thought they would have to wait for two years before applying again. He also advised the Board that Phase 1 had been preleased for a long time. Construction on it, however, has been slow. The contractor was the low bidder. Wright Brothers from Eagle, Idaho, has worked for them previously. Both his firm and the contractor have issues which they are working to resolve. Some of the issues are beyond the contractor's control. The completion date in the contract is June 16. They are applying pressure on the contractor in an effort to meet this date. There has been 130 people sign up for the second phase. The market is huge and the demand is great. Even though the individuals with 30% of the median income will be paying more for the units, they are a good buy. Mr. Urrutia expressed a willingness to work with those individuals and try to lower the rent with more tax credits from other sources and/or reduce the financing, if possible.

Discussion ensued on the desire to have Carson City residents occupy the units. An agreement regarding this desire was not developed on Phase 1. There is an agreement on Phase 2 regarding this intent. Ms. Ritter indicated that staff is working to establish the list of tenants for the second phase. Mr. Urrutia explained the desire to take the signed agreement to the Housing Division on April 17. The Housing Division will then allocate the tax credits for the units for the primary funding source. He felt that 85% of the individuals currently on the waiting list were Carson City residents and approximately 5% were from the Douglas County/Moundhouse area—or the "general geographic" area. Public comments were solicited but none were given. Clarification indicated that the lease did not need to be amended. The agreement, however, needed to be changed.

Supervisor Staub moved to approve Amended Memorandum of Agreement to modify the area median income level and rent level for the Second Phase of the Autumn Village Senior Housing Project on Long Street. Supervisors Williamson and Aldean seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE THE RECOMMENDATIONS FROM THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION (RTC) TO REOPEN BOWERS LANE AT ARROWHEAD DRIVE AND TO INSTALL A MULTI-WAY STOP AT THE INTERSECTION OF BOWERS LANE AND AUGUST DRIVE (1-1992) - City Engineer Larry Werner - Supervisor Aldean explained her role in bringing the item to the Board. She briefly explained the Board's 1997 action and reasons for closing the street. The connector road between Graves/College Parkway and Arrowhead may not be constructed until 2012 or 2014. The area, however, has changed dynamically. People are now being forced

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to use Highway 50 and an unsignalized intersection to reach Arrowhead and its industrial area. The petitions signed by the residents who live in and around Bowers urging the Board to open Bowers were noted. Public comments were solicited but none were given. Supervisor Staub explained the reasons the Commission had not opened Sunrise and the stop signs that were placed on August and Bowers. Justification for removal of the barricades on Bowers was provided. Supervisor Aldean explained that the Commission had deferred installation of undulations and/or a valley gutter to slow the traffic. Mr. Werner explained the rationale for this decision. He committed to reconsideration of the need for addition traffic calming devices if necessary in the future.

Supervisor Aldean moved to approve the recommendations from the Carson City Regional Transportation Commission to reopen Bowers Lane at Arrowhead Drive and to install a multi-way stop at the intersection of Bowers Lane and August Drive. Supervisor Staub seconded the motion. Motion carried 5-0.

REDEVELOPMENT AUTHORITY (1-2175) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS (2-0245) - Following adjournment of the Redevelopment Authority, Chairperson Williamson returned the gavel to Mayor Teixeira who reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

7. REDEVELOPMENT/ECONOMIC DEVELOPMENT - Manager Joe McCarthy - ACTION TO PAY THE ARCHITECTURAL FEES INCURRED BY FRED O. DOLVEN ARCHITECTURAL ASSOCIATES IN THE AMOUNT OF \$47,600 FOR THE REDESIGN OF THE FIRST PRESBYTERIAN CHURCH'S PROPOSED NEW CONSTRUCTION OF A SANCTUARY AND NARTHEX THAT WILL RESULT IN SAVING THE HISTORIC 1864 AND 1896 STRUCTURE (2-0247) - Supervisor Williamson moved to pay the architectural fees incurred by Fred O. Dolven Architectural Associates in the amount of \$47,600 for the redesign of the First Presbyterian Church's proposed new construction of a sanctuary and narthex that will result in saving the historic 1864 and 1896 structure. Supervisor Aldean seconded the motion. Motion carried 5-0.

8. CARSON WATER SUBCONSERVANCY DISTRICT - PRESENTATION AND UPDATE ON THE REGIONAL WATER PLAN BY ED JAMES, EXECUTIVE DIRECTOR, CARSON WATER SUBCONSERVANCY DISTRICT (2-0251) - Mr. James distributed copies of his slides to the Board and Clerk. He briefly explained them. (Supervisor Aldean briefly stepped from the room at 11:46 a.m. A quorum was still present. Supervisor Aldean returned at 11:50 a.m. The entire Board was present at that time, constituting a quorum.) Mr. James explained the District's goals, its area, and its purpose. Mr. James stressed that the District is not a regulatory agency. Regulations are left to the local entities. Mayor Teixeira pointed out that the City cannot pull from the River due to the Lahontan requirements. Discussion indicated that the City does have water rights from the River. This year the runoff will spill over the banks of the River. The question is whether to allow the water to go to Carson City or to the Stillwater Sink. Mr. James explained that they are working on the Indian Creek Reservoir as this is an ideal opportunity to fill it. This opportunity only presents itself every 20 years or so. He also indicated that they are releasing water from Lahontan Lake to avoid spillage when the runoff occurs. The District had used some of its funds to remove snags and beaver

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dams in the hope that flooding in Fallon can be reduced/eliminated. They are not diverting water from the Truckee to Lahontan. Pyramid Lake will be receiving extra water. Last year all of the water in the River was used. Spillage did not occur. The last time this occurred was in 1983 or 84. Older water rights are required to obtain water from the River. All of the ground water basins in Nevada are over allocated. Examples illustrating this were limned. Carson Valley has not yet reached its limit on the amount of committed water it can use by pumping. The term "perennial yield" was explained. The perennial yield may be restricted in the future. Mr. James then explained how ground water is administered. The U.S.G.S. alleges that 70% of the groundwater is actually surface water. This will seriously impact the allocations in the future. Downstream concerns included Churchill County's concern about the loss of Lahontan water. The terms "wet water versus paper water" and issues related to them were explained. The need for administration over domestic wells was delineated. Legislation enabling it must be approved by the Legislature. Protection for farming purposes needs to be provided. The global warming issues were limned and illustrated by an explanation of what is occurring on the North Fork of the American River. Mr. James indicated that if global warmth continues at its current pace in 20 years that area's runoff will occur one month earlier. This will result in the loss of produce crops. Mayor Teixeira opined that there are people who believe global warming is cyclical and questioned whether the District is being proactive in the belief that it will not reverse itself. He also indicated that it is not beneficial to be proactive when something does not occur. Mr. James explained that his statements are based on U.S.G.S. information. Mayor Teixeira noted that the last Federal regulation was on uranium and questioned what will be the next issue. Mr. James explained that the report is based on information that is just now being published. Work is just now being done on the Carson River. Information that has just been provided indicates that the lows are not as low as they have been. He then explained that the Truckee has storage capacity which reduces the impact during low flow periods. The Carson River does not have the same ability. Mayor Teixeira explained the push to create upstream storage which was "halted by the Feds". Supervisor Livermore explained that the issue is more than just Federal regulations. The concern is the amount of water used for development, who owns those rights, and how they are allocated. "Money flows to the water." Sustainable growth requires resources. The question is how to manage them.

Mayor Teixeira pointed out that there are five private industrial development districts in Douglas County. Carson City was proactive and developed its own water system and it acquired water rights to meet current and future needs. He believed that the City will continue to be proactive and to cap the population at 70,000. This will not outreach the water supply.

Mr. James acknowledged the City's proactivity. The point in making the presentation is to provide the City with an awareness of the connectivity of the District. The City has issues regarding reclaimed water and a good conservation plan. He also indicated that there are issues which will impact the City's neighbors which the District is attempting to look at, e.g., what happens in Douglas County when early runoffs occur, the need to maintain the flood plains which are the agricultural sources, should houses be placed in that agricultural area, etc. Economics will prevent upstream storage from occurring. Filling the flood plain may justify the cost of upstream storage as an alternative to the damage that will occur in the flood plain. The Truckee River will incur more than \$350 million to reach the District's current status on the Carson.

Supervisor Aldean pointed out that upstream storage loses water through evaporation and questioned whether recharging is a better alternative. Mr. James acknowledged the City's recharge program. He also indicated that the City will be able to control the Marlette system to prevent losses there. Water cannot be wasted as

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it is all allocated. This is an exceptional year where there will be extra water for Stillwater and Carson Lake. Water rights will have to be acquired if recharge is pursued. Carson City is in a better position than the Truckee Meadows as it has water with which to do recharge. The Truckee does not have this advantage. Supervisor Aldean indicated that she has "mixed feelings" regarding global warming. She also noted that water can only be pulled and stored if you have early dates on the water rights. Mr. James concurred and reminded the Board that the Tribal and Federal issues are still outstanding. Supervisor Aldean noted that there are committee hearings ongoing at this time regarding Southern Nevada water issues. She questioned how water rights can be leased and taken back in the future. Mr. James agreed that such concepts are insane. Mayor Teixeira explained the high cost of water rights in Washoe County which is impacting developers and stopping some projects. Mr. James noted that the City does not have this problem. Other Counties, however, do. They need to stop the panic situation which is driving up the water costs. Churchill is very concerned about the amount of water it will be receiving. He felt that everyone should receive what they are entitled to, however, there is not enough physical water to meet all of the paper water rights.

Supervisor Williamson complimented Mr. James on his diplomatic ability to provide a global approach to the issues. Storey County is not a member of the District, however, it will be out of water soon unless investments are made in its system. Another issue is that developers are acquiring water rights in Douglas County and transferring them to Lyon County even though they are "discounted". If their water is "wheeled" through Carson City, discounting will not occur. Carson City has adequate water and growth management. The surrounding neighbors are not interested in taking similar steps. The City should identify their problems and not impede their ability to achieve their dreams.

Mayor Teixeira explained his involvement with the District during a previous term and his awareness of the situation. During his tenure on the District Board, they had purchased Lost Lake water rights. Mr. James indicated that the District has since purchased Mud Lake water rights.

Supervisor Livermore pointed out that while the City appears to be secure, legislative acts are unknown. They could create a serious impact on the City and its program. Discussion noted the interbasin transfer proposal considered by the last Legislature. Mr. James explained that the District had not taken a position on this eastern Nevada proposal that was being driven by southern interests. He felt that there is a law in place which should be adjudicated. Justification for pursuing the issue in this fashion was provided. Mayor Teixeira concurred. Mr. James indicated that the District is watching the Legislature.

Mr. James continued to summarize his report and explained his attendance at an interim legislative committee meeting. He also indicated that they have not done regional conservation programs nor established a formal technical committee, however, they are considering them. At this time the Nevada water law committee is focused on the eastern part of the state. Discussion on these issues must occur or the courts will adjudicate the issues. Discussion ensued on tribal water issues and their desire to decouple the Carson and Truckee Rivers. Their legal counselor was alleged to be Don Springmeyer. No formal action was required or taken on any of these issues.

RECESS: A recess was declared at 12:23 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 1:30 p.m., constituting a quorum.

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9. PUBLIC WORKS - PLANNING AND ZONING - Community Development Director Walter Sullivan

A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY AND THE NEVADA HOUSING DIVISION REGARDING THE PURCHASE OF PROPERTY BY THE NEVADA HOUSING DIVISION AND PLANNING AND DEVELOPMENT OF STATE LANDS AND/OR BLM LANDS FOR WORKFORCE HOUSING (2-0920) - Nevada Housing Division Administrator Charles Horsey, Division of Business and Industry Chief Financial Officer Lon Deweese, Linda Whitmore - Discussion indicated that affordable housing has been established by the Housing Division as being in the \$200,000 range. Mr. Horsey introduced Mr. Deweese. Reasons for developing the agreement and the need for affordable housing were limned. The agreement allows the City and Division to work together to find and develop affordable housing to fill the void. The two parcels under consideration are owned by BLM and State Lands. With the Board's approval, he hoped to be able to obtain BLM's land and its permission to use Southern Nevada Land Act funds to acquire the State Lands' parcel. The entry level for the housing is considered affordable if the individual/family has 80% of the median income level or more. Justification for the proposed site was based on the fact that the majority of the offsite improvements have already been developed. This reduces the price per unit. He also indicated that the project will include more than just \$200,000 houses.

Supervisor Livermore advised that entry level housing in Carson City is in the \$240,000 to \$260,000 range, if you can find it. He congratulated Mr. Horsey on the plan and hoped that he will be able to develop the housing at the range indicated. Mr. Horsey explained that Carson City is facing a unique burden of seeing 30% to 35% of the State workforce retire within the next five years. The State does not believe that these individuals will be leaving the area, therefore, housing for their replacements must be found somewhere.

Mayor Teixeira disclosed his discussion with Mr. Horsey, Mr. Deweese, Mr. Sullivan, and Principal Planner Plemel regarding the agreement. He then highlighted the major clauses in the agreement regarding State bonding, the ability to acquire the land, development of the project as infill, and having the Board's approval. If it can be done, it will provide affordable housing for the City's work force. It does not impact the master plan, other areas, or stress the City's infrastructure. Mr. Horsey concurred and indicated that Mayor Teixeira had made it clear during their meeting that those were the parameters under which the project should be developed. Discussion explained the criteria required to obtain the bonding which will restrict the employment fields for individuals seeking the housing. Clarification explained that first time home buyers are eligible for the housing even if they are retired individuals or have not owned a home for three years. They have been attempting to do similar projects in Clark and Washoe Counties. They have met with developers in Yerington but due to limited staffing little progress has occurred. Carson City is now at the top of the priority listing due to the State retirement projections. A draft agreement has been sent to Clark County. It is anticipated that the residents will pay ad valorem taxes. Supervisor Williamson noted for the record that Carson City currently provides 50% of the region's multi-family housing and 50% of the low income housing. She felt that Carson City is doing its share. Mr. Horsey explained that the City has the better professional staff which is needed to complete the project.

Discussion indicated that the neighborhood surrounding the site will be notified when a subdivision is proposed or a zoning/master plan change is requested. Supervisor Staub indicated his support for the

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agreement, however, felt that the neighborhood should be informed in the beginning that the site is being considered for this type of project, specifically, as the homes surrounding it are valued in the \$400,000 to \$500,000 range. Mr. Sullivan indicated that he understood the concern. The proposed homes will be in the moderate and entry level ranges. The price for the land impacts how the homes are priced. Some of the homes will be below \$300,000. Supervisor Staub pointed out that this is the first time the Board has considered the agreement. Mr. Plemel advised the Board that the agreement does not list a specific site. The agreement commits to working toward a goal of providing affordable housing. The zoning and land use changes will be considered prior to asking for BLM's support. Noticing to the property owners will be provided at that time. Supervisor Staub then indicated that the proposed site is only an example.

Mr. Horsey noted the extensive BLM process to obtain the site and funding. The process cannot be short circuited. Their noticing and hearing process is more intensive than the City's. Mayor Teixeira indicated that the issue is not completed by agreeing to the Memorandum. The City needs the housing. It has a limited amount of space available for the project. It should be a balanced program. He agreed that the project will not be uniformly accepted by everyone. He agreed that the community should be involved in the beginning. He also indicated that the Board is not hearing from the future residents who want to live in Carson City and work here. The project must provide infill and be under the master plan. The City can only grow to a population of 70,000. To do so, requires infill. He urged the Board to give the Memorandum an honest attempt to succeed. Mr. Horsey indicated that the State can legally require the homes to be occupied by the buyers.

Supervisor Livermore indicated that dislike for the project may arise when they confront the recreational master plan and the City's comprehensive master plan for the site as there will be competing interests about the property. The community needs should be balanced. Mr. Horsey explained that the parcels are not on Rattlesnake Hill which could remain for such uses. He also indicated that the State may wish to sell some of the area to keep the housing reasonable. He advised that it will be surveyed and the open space area removed from the parcel(s). Rattlesnake Hill will not be part of the project. They do not intend to acquire it from State Lands. Mayor Teixeira reiterated that, if they go forward with the Memorandum and the project fails to fit, the Board can deny the program.

Following discussion between Mr. Sullivan and Supervisor Aldean, it was agreed that "agencies" should be added on Page 3 in Paragraph f so that it reads "...specific information on a proposed parcel of land may be shared with other appropriate 'agencies', or...." Clarification also indicated that BLM is not part of the land's bill but it could be added. There are different methods in which they will be working with BLM, i.e., changing designations, identification of acreage available for disposal, on the Federal lands bill, etc.

Public comments were solicited. Ms. Whitmore explained that she had relocated from a large city who lost its opportunity to provide similar housing for "wonderful" teachers, firefighters, etc. It lost these excellent workforce individuals to areas who provided housing. The children then had to attend schools without desirable teachers. She urged the Board to approve the memorandum to provide housing to keep good teachers, etc. Additional comments were solicited but none were given.

Supervisor Aldean moved to approve and authorize the Mayor to sign a Memorandum of Understanding between Carson City and the Nevada Housing Division regarding the purchase of property by the Nevada

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Housing Division and planning and development of State lands and/or BLM lands for workforce housing subject to the addition of the one word “agencies” in subparagraph f on Page 3. Supervisor Staub seconded the motion. Motion was voted by roll call with the following results: Supervisor Williamson - Yes; Supervisor Aldean - Yes; Supervisor Staub - Yes; Supervisor Livermore - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

B. ACTION TO ADOPT A RESOLUTION TO ADOPT THE 2006 CARSON CITY COMPREHENSIVE MASTER PLAN, INCLUDING THE LAND USE MAP AND AFFORDABLE HOUSING ELEMENT, REPLACING THE EXISTING 1996 LAND USE PLAN ELEMENT AND LAND USE MAP, 1992 DOWNTOWN MASTER PLAN ELEMENT AND 1997 HOUSING ELEMENT, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE MPA-06-014); C. ACTION TO ADOPT A RESOLUTION TO ADOPT THE 2006 CARSON CITY PARKS AND RECREATION MASTER PLAN AS AN ELEMENT OF THE COMPREHENSIVE MASTER PLAN, REPLACING THE EXISTING 1992 PARKS AND RECREATION MASTER PLAN, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE MPA-06-040); AND D. ACTION TO ADOPT A RESOLUTION TO ADOPT THE 2006 CARSON CITY UNIFIED PATHWAYS PLAN AS AN ELEMENT OF THE COMPREHENSIVE MASTER PLAN, REPLACING THE EXISTING EAGLE VALLEY TRAIL SYSTEM PLAN, BICYCLE SYSTEM PLAN AND PEDESTRIAN PLAN, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE MPA-06-041) (2-1488) - Principal Planner Lee Plemel, Ben Herman of Clarion and Associates, Parks Planner Vern Krahn, Bruce Kettiss, Grant Weise, Jr., Dan Jenkins, - Mr. Plemel’s introduction included mentioning the various groups and individuals who had worked with staff on the master plan. The 18-month public participation process was noted.

Mr. Herman gave a computerized slide presentation highlighting the master plan objectives, the effort to provide a unified plan, the areas where growth should be occurring, and the plan’s theme of creating a balanced mix of uses. The equitable distribution of recreational opportunities, their needs and efforts were noted. The importance of economic vitality and its inclusion were limned. Liveable neighborhoods and activity centers were considered. Connectivity for the entire City was stressed. This includes all transportation modes. Short term goals and recommendations included within the plans were limned. A mixed use zoning district ordinance, for example, is being drafted. It includes evaluation criteria.

Mr. Krahn explained the Comprehensive Parks and Recreation Master Plan’s goals. Question 18 will provide funding for these additional facilities. The current facilities are “maxed out”. The use of question 18 funds for these facilities will max out its ability to be used for other things and may not be adequate to meet all of the proposed needs. Therefore, additional funding sources need to be considered. Justification for the creation of additional facilities was provided. The need to provide for maintenance and operational expenses for new facilities was explained. The type of recreational facilities that are needed/proposed for the future was highlighted. Examples included a new community park, an indoor recreational multi-use center, neighborhood parks, multi-use trails, etc. The need for additional joint use agreements with the School District and the College was described. Justification for connecting the trails within the City as well as to trails in surrounding Counties was provided. This topic lead to the explanation of the need to work with the Forest Service and BLM as well as the user groups for both recreational and transportation reasons. An individual is needed with pathway expertise to determine how to beneficially combine these uses. Mayor Teixeira indicated that the position may not be approved for sometime. He also complimented Mr. Plemel and Mr. Krahn on their efforts

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to develop a comprehensive master plan and get the public involved in the process. He advised that he had been awed by the public turnout and participation.

Mr. Herman advised that he had been working in this field for 30 years. He was surprised by the public participants who had started at the beginning of the process and remained to the end. Mr. Plemel thanked the consultants for being willing and allowing the public to participate throughout the process. He also indicated that Mr. Krahn had worked shoulder to shoulder with him throughout the process. Both Mayor Teixeira and Mr. Plemel complimented the Parks and Recreation Commission and the Planning Commission for their active roles in the process. It had created the best plan possible. Comments also complimented the stakeholders including the Chamber of Commerce and the Builders Association of Western Nevada.

The plan provides for compacted growth and accommodates a population of 75,000. The State demographer has projected the City's population to be 66,000 in 20 years. The City's restricted resources, including water, will be able to handle this population. The Parks and Recreation, Regional Transportation, and Planning Commissions and the Open Space and Carson River Advisory Committees had recommended approval of the plan.

Mr. Plemel distributed maps to the Board and Clerk indicating the areas where issues need to be discussed and resolved by the Board. (Copies are included in the file.) The first three maps dealt with issues regarding the Weise property. Exhibit A illustrates the proposed land use. Exhibit B is the 1996 land use map indicating the land use proposed at that time. Exhibit C is the trails plan. The area is zoned Single Family One Acre. Mr. Weise and the adjacent property owner purportedly had not received the notice sent out in November. Staff has committed to initiating a master plan amendment on behalf of Mr. Weise and the adjacent property owner. Mr. Plemel reiterated for the record that Mr. Weise's property is zoned Single Family One Acre. The adjacent property is zoned Rural Residential. Justification for inclusion of Exhibit C was explained. The request is to remove the trail(s) from the Weise property as there are alternate routes that can be used to provide the desired connectivity. The Planning Commission approved the trails plan as indicated on the map on a 6-1 vote. Exhibit D relates to the V&T Railway pathway on the west side of the City. Comments have been received by staff indicating that it can be used by equestrians. Therefore, the map should designate this trail as dark green rather than light green. The Planning Commission supported the change. Exhibit E shows a blue line indicating that the Arrowhead and Goni Roads are shared roadways without either a pedestrian or bicycle lane. The designation is a carryover from the previous plan. A consensus was reached with the Chamber of Commerce Manufacturers Association and Muscle Power to continue working together to find an alternative to this proposal. Exhibit F deals with the Anderson property. The last two maps illustrate the USGS water courses in Ash and Kings Canyons in addition to the bicycle pathways. The water courses will be removed from the maps. Mayor Teixeira explained that staff had stipulated to working with Mr. Weise and the adjacent property owner, to remove the water courses from the maps, and that the equestrian trail designation will be added to the V&T pathway. Public comments on other issues were solicited.

(1-2216) Mr. Kittess had given the Board a copy of his comments. Discussion indicated that Mr. Plemel did not have a copy of them. (The Clerk did not have a copy.) Mr. Plemel advised that Mr. Kittess had attended the workshops. Mr. Kittess opined that the master plan was a ploy to design by individuals who are in control. If the plan had been put to the electorate for a vote, the vote would have been against expanding the City limits and against becoming a compact urban city with a 25% to 30% increase in population. Mayor Teixeira opined

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that the premise being suggested was that the City should have done more to involve the public. Numerous meetings had been held. The City/staff has begged the community to turnout for the workshops. He questioned how a ballot question could be worded to propose the plan. Mr. Kittess opined that the reasons cities are similar throughout the nation is that the same consultants work on the plans with the same formulas. This process develops a plan in a vacuum without any consideration for the costs. As the City is nearly built out, slow moderate growth is in order. Ample growth can be provided in the surrounding counties without crowding Carson City residents. He requested a definition of under utilized property and questioned who should have the ability to determine whether a property is under utilized. He also questioned the reasons for changing suburban residential zoning of one to three units per acre to low density residential of three units per acre. These changes will increase the residential developments two to three-fold. He urged the Board to keep Vicee and Combs Canyon zoning as they currently are. The plan is too flexible and accommodating for developers. The residents cannot rely on it to keep their current residential characteristics. He urged the Board to not adopt the plan until a thorough review of his comments has been provided. He also explained that the Commission's review had been based on a 3/27/06 draft and not the final draft. He questioned whether the Board had the final draft. He also implied that a "precipitous" vote today could create a Proposition 13 electorate climate. He urged the Board to delay action on the plan until its fiscal impact is determined. Higher densities and multi-uses will not be the City's salvation. Do not continue making the same mistakes of previous years. The City will no longer be unique if its characteristics are changed by increased growth. Mayor Teixeira asked if anyone else supported Mr. Kittess' remarks. No one responded. Additional public comments were then solicited.

Mr. Weise indicated that he was present to be on the record as representing the trust that owns the property. They had problems with the new land use plan initially as it was down zoning. They found out about the process too late to change it. The transfer of the trustee position occurred within the last year. All of the records have not been sent to him. He has met with the Planning Department. He is satisfied that the proposed amendment to the land use plan to reinstate the one acre zoning will address the trust concerns. He had also discussed the trails with the Park Department. Mayor Teixeira thanked him for making the stipulation to work with staff to address the issues. Mr. Weise indicated that a formal amendment to the plan is needed. Mr. Plemel explained staff's commitment to initiate the amendment. Additional comments were solicited.

Mr. Jenkins indicated that he and his wife are the adjacent property owners. They had not been noticed for some unknown reason. They had not been involved in the process. They are working with Mr. Plemel, Mr. Sullivan, and staff on the trail. They are in the process of submitting a plan for their property. He asked that they hold off on the trail. They will continue to work with City staff on it. Additional comments were solicited but none were given.

Supervisor Livermore suggested special recognition by the Board be given to Mr. Plemel and Mr. Krahn for their 18 months of dedicated service to creating a new plan. He had made a similar request at the Parks and Recreation Commission meeting. They have attended many public meetings and gone before many community groups working to finalize the plan. He also wished to publicly credit them for their professionalism throughout the process.

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Supervisor Williamson explained that Mr. Kittess has been an advocate for his neighborhood. He had presented his comments to her previously. Discussion between Supervisor Williamson and Mr. Herman emphasized the effort to involve the community in the process and to utilize its information within the plan. Mr. Herman also indicated that his firm does not use a “packaged” approach to developing a plan. He believed that the plan is what the community wanted. Supervisor Williamson complimented Mr. Herman and Jeff Winston on their efforts. She also expressed her confidence in the belief that the plan is what the community wants. The zoning issues can be addressed later, if needed. The plan is a road map for the future of the community. She thanked Mr. Plemel and Mr. Krahn for their hard work.

Mayor Teixeira expressed his belief that the community had directed the plan. He had been amazed at the fact that paths are now a “hot ticket” in the community. People want to have places to walk their dogs and take their grandchildren. They provide an inexpensive recreational outlet. The master plan will require funding. It will be a good solid plan if supported by the public. The City should not continue to study it. Eighteen months is long enough. To continue studying the future plans for the City will cause a loss of community interest and support.

Supervisor Shelly also complimented City staff on their hard work. She explained to Mr. Kittess that the community is large with many variable and different ideas and plans. Not everyone is happy with everything in the plan but it was developed through an inclusive process. Supervisor Aldean then moved to adopt Resolution No. 2006-R-12, a RESOLUTION TO ADOPT THE 2006 CARSON CITY COMPREHENSIVE MASTER PLAN INCLUDING THE LAND USE MAP AND AFFORDABLE HOUSING ELEMENT, REPLACING THE EXISTING 1996 LAND USE PLAN ELEMENT AND LAND USE MAP, 1992 DOWNTOWN MASTER PLAN ELEMENT, AND 1997 HOUSING ELEMENT AND OTHER MATTERS PROPERLY RELATED THERETO based on the findings contained in the Planning Commission staff report and subject to the changes enumerated and stated by staff. Supervisor Williamson seconded the motion. Motion carried 5-0.

Supervisor Livermore moved to adopt Resolution No. 2006-R-13, a RESOLUTION TO ADOPT THE 2006 CARSON CITY PARKS AND RECREATION MASTER PLAN AS AN ELEMENT OF THE COMPREHENSIVE MASTER PLAN REPLACING THE EXISTING 1992 PARKS AND RECREATION MASTER PLAN AND OTHER MATTERS PROPERLY RELATED THERETO based on the findings contained in the Planning Commission’s staff report. Supervisor Staub seconded the motion. Motion carried 5-0.

Supervisor Williamson moved to adopt Resolution No. 2006-R-14, a RESOLUTION TO ADOPT THE 2006 CARSON CITY UNIFIED PATHWAYS PLAN AS AN ELEMENT OF THE COMPREHENSIVE MASTER PLAN REPLACING THE EXISTING EAGLE VALLEY TRAIL SYSTEM PLAN, BICYCLE SYSTEM PLAN, AND PEDESTRIAN PLAN AND OTHER MATTERS PROPERLY RELATED THERETO based on the findings contained in the Planning Commission staff report and subject to the changes enumerated by staff. Supervisor Livermore seconded the motion. Motion carried 5-0.

E. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE DEVELOPMENT STANDARDS DIVISION 1 LAND USE AND SITE DESIGN AT TABLE OF CONTENTS, SECTION 1.4 GUEST BUILDING DEVELOPMENT,

SECTION 1.5 GROUP CARE FACILITIES PERFORMANCE STANDARDS, SECTION 1.9 WIRELESS TELECOMMUNICATION FACILITIES AND EQUIPMENT, SECTION 1.10 PERSONAL STORAGE, SECTION 1.12 PERMANENT OUTSIDE SALES AND STORAGE, SECTION 1.13 FENCES, WALLS AND HEDGES, DIVISION 1 NON-RESIDENTIAL DISTRICT INTENSITY AND DIMENSION STANDARDS, DIVISION 2 PARKING AND LOADING AT SECTION 2.2 NUMBER OF SPACES REQUIRED AND SECTION 2.3 GENERAL PARKING REQUIREMENTS, DIVISION 4 SIGNS AT SECTION 4.3 DEFINITIONS, SECTION 4.4 ADMINISTRATION, SECTION 4.8 REQUIREMENTS FOR BILLBOARDS AND OFF-PREMISES SIGNS, DIVISION 7 HILLSIDE DEVELOPMENT AT SECTION 7.1 PURPOSE AND 7.3.3 GRADING PLANS, DIVISION 8 PARK STANDARDS AT SECTION 8.4.10 QUALITY OF MATERIALS AND/OR CONSTRUCTION, DIVISION 10 MOBILE HOME PARKS AT SECTION 10.1.3 MOBILE HOME PARK REQUIREMENTS, DIVISION 15 WATER, SEWER, RECLAIMED WATER STANDARDS AT 15.3.3 SEWER LIFT/PUMP STATIONS, CORRECT TABLE OF CONTENTS AND ADD TO TITLE 17 DIVISION OF LAND SUBDIVISION OF LAND, CHAPTER 17.15 ABANDONMENT OF RIGHT-OF-WAY AND CHAPTER 17.16 ADMINISTRATIVE EASEMENT ABANDONMENT AND MODIFY CARSON CITY MUNICIPAL CODE BY MODIFYING TITLE 18, ZONING AT TITLE 18.03.010 WORDS AND TERMS DEFINED, TITLE 18.04 USE DISTRICTS, INCLUDING TABLE OF CONTENTS, TITLE 18.04.010 DISTRICTS ESTABLISHED, TITLE 18.04.020 DETERMINATION OF DISTRICTS, TITLE 18.04.040 SINGLE FAMILY 5 ACRE, TITLE 18.04.050 SINGLE FAMILY 2 ACRE, TITLE 18.04.055 SINGLE FAMILY 1 ACRE, TITLE 18.04.060 SINGLE FAMILY 21,000, TITLE 18.04.070 SINGLE FAMILY 12,000, TITLE 18.04.075 SINGLE FAMILY 6,000, TITLE 18.04.085 MOBILEHOME 6,000 AND 12,000, TITLE 18.04.090 MOBILEHOME 1 ACRE, TITLE 18.04.100 MULTI-FAMILY DUPLEX, TITLE 18.04.105, MULTI-FAMILY APARTMENT, TITLE 18.04.110 RESIDENTIAL OFFICE, TITLE 18.04.115 GENERAL OFFICE, TITLE 18.04.120 NEIGHBORHOOD BUSINESS, TITLE 18.04.125 DOWNTOWN COMMERCIAL, TITLE 18.04.130 RETAIL COMMERCIAL, TITLE 18.04.135 GENERAL COMMERCIAL, TITLE 18.04.140 TOURIST COMMERCIAL, TITLE 18.04.145 LIMITED INDUSTRIAL, TITLE 18.04.150 GENERAL INDUSTRIAL, TITLE 18.04.155 AIR INDUSTRIAL PARK, TITLE 18.04.160 AGRICULTURE, TITLE 18.04.165 CONSERVATION RESERVE, TITLE 18.04.170 PUBLIC, TITLE 18.04.175 PUBLIC NEIGHBORHOOD, TITLE 18.04.180 PUBLIC COMMUNITY, TITLE 18.04.185 PUBLIC REGIONAL, TITLE 18.05.195 NON-RESIDENTIAL DISTRICTS INTENSITY AND DIMENSIONAL STANDARDS, DELETE TITLE 18.04.200 TABLE OF USES, MODIFY TITLE 18.05.055 ACCESSORY STRUCTURES, AMENDING AND MAKING CLERICAL AND CONSISTENCY CORRECTIONS AND OTHER MATTERS RELATED THERETO (FILE ZCA 05-150) (2-2710) - Mr. Sullivan's introduction included thanking Supervisors Aldean and Staub for their suggestions regarding the ordinance. Public comments were solicited but none were given. Supervisor Aldean moved to introduce on first reading File ZCA-05-150, Bill No. 105, an ordinance amending Carson City Municipal Code Title 18 and its Development Standards as agenzized on the April 6, 2006, Board of Supervisors agenda and as published, posted, and carried on the City's website. Supervisor Livermore seconded the motion. Motion carried 5-0. Mr. Sullivan complimented Kathe Green and Rosemary Johnson of his office on their work on the ordinance.

F. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND

BY ADDING A NEW CHAPTER 17.17 RESIDENTIAL CONDOMINIUMS REGULATING THE CONVERSION OF EXISTING APARTMENT BUILDINGS INTO CONDOMINIUM UNITS AND NEWLY CONSTRUCTED CONDOMINIUM UNITS AND COMMON AREAS AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA 06-001) (2-2890) - Associate Planner Sean Foley, Senior Planner Jennifer Pruitt, Dillon Detoll - Mr. Sullivan explained the process used to obtain the vacancy rate and requested the ordinance be revised to establish it at 3.25%. He also requested corrections to the sections regarding the water connections as requested by Engineering. The ordinance was based on a study of similar ordinances in surrounding communities in addition to Mr. Foley, Chief Building Official Gettis, and Sam Terry's knowledge of and experience with similar ordinances in other communities. He noted the inability of apartment projects to provide 30% of open space as required for residential developments. Discussion explained that staff had been approached by both developers and apartment owners seeking the ordinance. These individuals were concerned about the requirements that were to be included in the ordinance. Mr. Sullivan also apologized for the late material asking for the revisions. (A copy was not given to the Clerk.) Discussion indicated that Engineering purportedly supported the sewer language as revised in the late material. Supervisor Aldean pointed out that the water meter could be a single meter. The process for equitably sharing the water service cost is included in the ordinance/CC&Rs. The electrical meter, however, does not provide the same process for equitably sharing its costs. Mr. Foley felt that it is possible to have one common meter for community use and for each unit to have a meter for the unit's usage. Mayor Teixeira suggested that the revision be included in the ordinance when presented for second reading. Ms. Pruitt pointed out that the water meter will include that required for the common area for landscaping irrigation, spas, a pool, etc. This could be the reason for using a common meter. Supervisor Aldean pointed out that the same applies to electrical service. Justification for her revision was provided. Mr. Sullivan indicated that the intent of the ordinance is to require each unit to have separate meters unless the Chief Building Official approves a common electrical meter and the process for equitable distribution of the charges. Clarification justified calculating the vacancy rate on a semiannual basis. Staff may request a revision if this becomes overly burdensome or unnecessary. The process provides the ability to meet fluctuations in the vacancy rate. Conversions will only be allowed when the vacancy rate is above 3.25%. Any conversions approved when the rate is above 3.25% will be allowed to be converted even if the rate drops below 3.25%. New applications for conversions when the rate is below 3.25% will not be allowed. Mr. Sullivan also indicated that the motels frequented by transients or used as long term residences were not included in the calculations. Supervisor Livermore supported not including these motels in the calculations. Public comments were solicited.

Mr. Foley explained for Mr. Detoll that a special use permit must be obtained before the conversions will be allowed. The permit is valid for one year. A special use permit will not be granted if the vacancy factor is below 3.25%. Mr. Sullivan explained that 70% of the apartment tenants support the conversion, their support will be considered as evidence and reasons to consider a special use permit request. Additional comments were solicited but none were given

Supervisor Staub moved to introduce Bill No. 106 on first reading, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND BY ADDING A NEW CHAPTER 17.17 RESIDENTIAL CONDOMINIUMS REGULATING THE CONVERSION OF EXISTING APARTMENT BUILDINGS INTO CONDOMINIUM UNITS AND NEWLY CONSTRUCTED CONDOMINIUM UNITS AND COMMON AREAS AND OTHER MATTERS PROPERLY RELATED

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THERETO with an amendment in the vacancy rate from 2.75% to 3.25% and on Page 9 Subsections 1 and 2 and the correction to Item F on Page 7 Subsection 2a. Supervisors Williamson and Aldean seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 3:17 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 3:24 p.m. constituting a quorum.

10. NEVADA ASSOCIATION OF COUNTIES - UPDATE OF NEVADA ASSOCIATION OF COUNTIES ACTIVITIES, INCLUDING THE UNFUNDED MANDATE INITIATIVE PETITION, BY ANDREW LIST, EXECUTIVE DIRECTOR, NEVADA ASSOCIATION OF COUNTIES (3-0098)

- Mr. List introduced his assistant Jenny Welsh. The unfunded mandate initiative was described and justified. The Legislature, however, has ignored the electorate's request that funding sources be included within legislation which impact the counties and cities. Therefore, NACO has drafted a petition to place the initiative on the ballot again. It will require 84,000 signatures to get the initiative on the ballot. It is being supported by private money. Mr. List asked the Board to contact him regarding the initiative as the City cannot adopt the initiative nor contribute time or staffing to it. Individuals, however, can contribute or donate time to the initiative. This must be done after normal work hours or with private funds. Signatures supporting the initiative should be turned into NACO. The petition is being carried on the Secretary of State website. Examples justifying the initiative were provided. Mayor Teixeira explained that the Legislature's attitude is one of "the Feds passed it on to us and we can pass it on to you. Do not chain us but let us work with you." If the initiative is successful in its two ballot efforts, it will be 2011 before it goes into effect. He felt that between now and 2011 the rurals will be penalized for forcing this issue as evidenced by his discussion with several Legislators and examples illustrating his point. Mr. List advised that he was not overly optimistic about getting the initiative on the ballot but felt that it has a 65% chance of making it. He agreed that a lot of vindictiveness does occur at the Legislature as indicated by his example. Justification for the initiative was reiterated and stressed his belief that it was the only way they will be able to bring the unfunded mandates down. Comments indicated the League of Cities has quietly supported the proposal. They are helping in spirit only. Mr. List hoped that the League sends out a letter similar to the one he had sent out. Supervisor Livermore explained that he is a member of the League's Legislative Committee. It is presently setting and watching. The initiative has not been on its agenda to his knowledge. Mayor Teixeira felt that NACO and the League need to be on the same page regarding this issue. He also cautioned Mr. List about taking actions that will upset the Legislature based on his personal knowledge of the Legislature as he could "win the battle but lose the war". Supervisor Livermore further clarified his statements regarding the League to indicate that it is in the process of considering its legislative bill drafts and issues now. Supervisor Williamson felt that the matter was to have been started in September or October. It is now late in the game. It was to have been handled by volunteers. Mr. List indicated that it could be late in the process, however, there have been a lot of legal issues which had to be resolved regarding it. He also indicated that the Taxpayers Association supports the initiative.

Discussion between Clerk-Recorder Alan Glover and Mayor Teixeira indicated that the Clerk must have the initiative on June 20. The verification process was described. Establishment of the committees who will write the arguments for and against the initiative were explained. The arguments must be to the Clerks by July. It is a tight timeframe. The time required to write the arguments was estimated. Mr. Glover felt that committees should already be working on some of their arguments.

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Mayor Teixeira opined that the tax cap is an unfunded mandate as it has a fiscal impact on the counties and cities. Mr. List indicated that NACO had considered it an “unfunding of mandates”. Discussion noted the fiscal impact the tax cap had on Carson City. Mr. List explained the legal definition of “unfunded mandates”. Supervisor Aldean explained the impact California’s Proposition 13 has had on its State, Counties, and Cities. They, however, have the ability to increase their fees to make up for the revenue shortfall. This is not an option for Nevada or its Cities and Counties. Mayor Teixeira also pointed out the Colorado effort to address its “Proposition 13” initiative which turned out to be a dismal failure. His concerns regarding the proposed initiative were reiterated and emphasized his belief that if the initiative fails, NACO/its members will be severely penalized.

(3-0470) Mr. List then explained a bill proposal under consideration on the social security issues as well as the firefighters and police heart, lung, and hepatitis coverage. It will provide a funding mechanism by pooling the funds and tightening the law. Washoe County is now prefunding its program through its payroll. He was asked to determine how Washoe County is prefunding its liability and to report back to the Board. The National Association of Counties has a program which is prefunding the liability through one of its retirement systems. He indicated that he will obtain more information on this program when at its conference. He then explained a proposal to look at the fiscal note process. This process is being circumvented or not being utilized as illustrated by his example. Efforts to tighten this law are being considered. Mr. List then explained efforts to protect franchise fees and include FERN grants and the CDBG programs in the President’s budget. Justification for these efforts was provided. He then explained the State legislative issues which are being considered, i.e., Senator Townsend’s efforts to reduce/eliminate the franchise fees. Comments indicated several “drivers” behind this effort. A second issue is the health care benefit proposal. Its original concept was to add all County employees to the State’s pool. This concept is being dropped as the economy of scale is not there according to the carriers. It may be that they will take the retirees subsidy and grandfather them into the program or return them to the Counties. He did not believe that any new retirees will be given the subsidy after this next session. He invited the Board members to drop by his office if they have any questions.

Mayor Teixeira urged Mr. List to work through Supervisor Williamson, who is the Board’s liaison with the League of Cities, to obtain a better “marriage” between the League and NACO. Supervisor Livermore advised that the League is supporting several of the issues which Mr. List had addressed, i.e., the franchise fees, the retirement and election laws. Mr. List concurred but felt that the League needed to participate more on the unfunded mandate issue.

Ms. Welch then described the national prescription drug program. The Board needs to approve the program and submit the paperwork. There are no fees for this program. It will save all of the residents 20% of their drug costs. If an individual’s insurance does not cover a prescription, the discount card should be used. Discussion explained that this program is for all Carson City residents if the Board submits the paperwork. Copies of the application were given to the Board. (A copy was not given to the Clerk.) A list of counties which have already joined the program was listed. City Manager Ritter advised the Board that a City staff member is already working on the application.

Ms. Welch then announced the Western States Conference scheduled for May 10 through 12 in Sacramento. Registrations can be submitted through the NACO website. She also announced the National Association of Counties Conference scheduled for August 4 to 8 in Chicago and the NACO Annual Conference scheduled

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for November 14 to 16 in Las Vegas. Registration forms for these conferences is also on the NACO website. Supervisor Aldean thanked her for Resolution No. 4200. No formal action was required or taken on any of these issues.

11. BOARD OF SUPERVISORS - NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (3-0638) -
None.

B. STAFF COMMENTS AND STATUS REPORT (3-0640) - None.

12. ACTION TO ADJOURN (3-0642) - Supervisor Aldean moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 4 p.m.

The Minutes of the April 6, 2006, Carson City Board of Supervisors meeting

ARE SO APPROVED ON May 4 , 2006.

 /s/

Marv Teixeira, Mayor

ATTEST:

 /s/

Alan Glover, Clerk-Recorder