

Item #1

Board of Supervisor "DRAFT" minutes for the following dates are included in this section;

August 16, 2007 - Regular Meeting

DRAFT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 1

DRAFT

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, August 16, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Richard S. Staub	Supervisor, Ward 4
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
STAFF PRESENT:	Linda Ritter	City Manager
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Larry Werner	Development Services Director/City Engineer
	Roger Moellendorf	Parks and Recreation Director
	Andrew Burnham	Public Works Director
	Melanie Bruketta	Chief Deputy District Attorney
	Patrick Pittenger	Transportation Program Manager
	Katherine McLaughlin	Recording Secretary

(BOS 8/16/07 Recording 8:30:26)

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 the Department's heading. Any other individuals who spoke are listed immediately following the item's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It 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. Supervisor Williamson led the Pledge of Allegiance. Rev. Marie Hanson of the United Church of Religious Science gave the Invocation.

PUBLIC COMMENTS AND DISCUSSION (8:32:10) - Sam Dehne welcomed Ms. Ritter and Mayor Teixeira. He thanked the Veterans for their service to the Country. His family and his military background were noted. He reminded the public that Former President Bill Clinton and U.S. Senator Harry Reid were to be a Lake Tahoe for a seminar later in the day. Mr. Dehne's father had purportedly instigated the effort to save Lake Tahoe when he was the State Health Officer. He was never given any credit for this effort. Mr. Dehne indicated that he will continue to promote Carson City's need for scheduled airline service as Max Baer's casino needs it in order to become a destination casino. He urged the City to hire grant writers who can obtain grants for the airport. He cited the closing of Stew's "Unlucky Spur" as another example supporting the need for the airline service. He acknowledged the sign announcing that it is open and hiring although there were "premature signs" indicating that it is going out

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 2

DRAFT

of business. An airline service could bring more people to the area to support such establishments. The community cannot support them alone. Additional comments were solicited but none were given.

1. **ACTION ON APPROVAL OF MINUTES (8:35:30) - None.**
2. **CHANGES TO THE AGENDA (8:35:38) - Item 8 was pulled as the resolution needed revising.**
3. **CONSENT AGENDA (8:36:00)**
 - 3-1. **ASSESSOR - ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 009-462-12 (LOCATED AT 708 PIOCHE STREET) FROM THE 2007/08 REAL PROPERTY TAX ROLL PER NRS 361.765 IN THE AMOUNT OF \$32.14**
 - 3-2. **TREASURER - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF TAXES TO THE 2006-2007 REAL PROPERTY TAX ROLL ON PARCELS NUMBERED 10-457-13; 3-033-10; 9-501-02; 2-511-03; 8-798-11; AND 8-031-06 DUE TO DONATION OF VETERAN'S EXEMPTION TO THE VETERANS' HOME**
 - 3-3. **DEVELOPMENT SERVICES - ENGINEERING**
 - A. **ACTION TO APPROVE DEDICATION OF EASEMENT FOR PUBLIC STORMWATER FACILITIES FROM ELMER P. BACHSTADT AND THERESA M. BACHSTADT, AS TRUSTEES OF THE ELMER AND THERESA BACHSTADT TRUST, AND AS TRUSTEES OF THE CARSON/EAGLE VALLEY HUMANE TRUST TO CARSON CITY CONTAINING A TOTAL OF 3,259 SQUARE FEET ± FROM APN 009-311-12**
 - B. **ACTION TO APPROVE DEDICATION OF EASEMENT FOR PUBLIC STORMWATER FACILITIES FROM JAMES M. ELLIS AND CARRI L. ELLIS TO CARSON CITY FOR A PORTION OF COFFEY DRIVE 60 FEET WIDE BY 199.39 FEET LONG CONTAINING 11,963 SQUARE FEET +/- FROM APN 009-822-15**
 - C. **ACTION TO APPROVE DEDICATION OF EASEMENT FOR PUBLIC STORMWATER FACILITIES FROM DELMAR E. SNIDER AND SANDRA H. SNIDER TO CARSON CITY FOR A PORTION OF COFFEY DRIVE 60.01 FEET WIDE BY 198.06 FEET LONG CONTAINING 11,917 SQUARE FEET +/- FROM APN 009-822-12**
 - 3-4. **CITY MANAGER**
 - A. **ACTION TO APPROVE FUNDING IN THE AMOUNT OF \$25,000 TO PARTNERSHIP CARSON CITY TO PAY FOR CONTRACT ADMINISTRATIVE SUPPORT**
 - B. **ACTION TO APPROVE A POLICY TITLED "USE OF CITY FACILITIES BY STATE AND COUNTY POLITICAL PARTY CENTRAL COMMITTEES"**
 - 3-5. **FINANCE - ACTION TO APPROVE THE APPLICATION TO REMOVE UNCOLLECTIBLE ACCOUNTS RECEIVABLE FROM THE RECORDS OF THE SANITARY LANDFILL FUND IN THE AMOUNT OF \$10,862.66 OUT OF ESTIMATED BILLINGS THROUGH JUNE 30, 2007, OF APPROXIMATELY \$3,750,000**
 - 3-6. **PUBLIC WORKS - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO AWARD THE CONTRACT FOR "AUGMENTATION FOR CONTRACT ADMINISTRATION AND INSPECTION SERVICES", CONTRACT NO. 2006-183,**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 3

DRAFT

AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO BOWLING MAMOLA GROUP FOR A CONTRACT AMOUNT OF \$200,000 FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS AS PROVIDED IN FY 2007/2008 - Supervisor Staub pulled Item 3-5 for discussion. Supervisor Livermore moved for approval of the Consent Agenda that consists of eight remaining items which are one - 3-1 - from the Assessor; one - 3-2 - from the Treasurer; three -3-3 - from Development Services - Engineering; two - 3-4 - from the City Manager; and one - 3-4 - from Public Works - Contracts, for a total of eight items as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

3-5. (8:37:00) -Finance Director Sue Johnson and Public Works Director Andrew Burnham were unaware of the reasons credit had been extended to the firms or if a credit check had been conducted. Mr. Burnham agreed to provide the Board with the information. Development Services Director Larry Werner suggested that the firms may be out of business but was uncertain whether their licenses were still valid. Mayor Teixeira deferred the item. No formal action was taken.

4. FIRE - Chief Stacy Giomi - ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CHAPTER 5.18 AMBULANCE SERVICES, SECTION 5.18.040 FEES AND RATES, BY INCREASING THE FEE AND RATE SCHEDULE 10% FOR EXISTING SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO (8:39:04) - Mayor Teixeira advised that he had made a commitment to the Veterans and will have to leave the meeting for a few minutes. Mayor Teixeira then passed the gavel to Mayor Pro-Tem Staub and left the room at 8:40 a.m. (A quorum was still present.) Discussion noted the collection rate, the amount previously cancelled, and the Federal regulation prohibiting having varying rates for the same type of service. Justification for prohibiting private carriers in the City was noted. Discussion urged the public to obtain the subscription service which costs \$75 for a family and \$50 for an individual. (Mayor Teixeira returned at 8:45 a.m. The entire Board was present constituting a quorum.) Fire Chief Giomi agreed to analyze having a sliding scale for low income or uninsured individuals. He explained that the Department offers payment plans to individuals who cannot make lump sum payments. Such individuals were urged to contact the Department. The plans do not charge interest. He cautioned the Board about implementing a plan if it violates the Federal regulations. The service is solvent. The proposed rate increase provides a two percent overall increase. The Medicare and Medicaid writeoffs were noted. A rate increase was approved in 2006. Fire and ambulance service runs average an annual increase of approximately five percent per year. The ambulance service consists of 80% of the runs made by the Department. The fire engine goes with the ambulance approximately 50% of the time. Runs are prioritized according to information provided to the dispatcher. Justification for taking an ambulance to a brush fire was provided. Mayor Teixeira requested additional information regarding the service before another increase is requested. Fire Chief Giomi agreed to provide the financial information before the second reading. Mayor Teixeira clarified his request to be when next year's increase is requested. Public comments were solicited.

Sam Dehne supported the service as his mother had it. It had never been necessary for her to use it. He acknowledged that a ten percent increase sounded like a lot. He supported the subscription program and urged the public to take advantage of it. He suggested that the increase be compared to the cost of a pizza,

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 4

DRAFT

for example, which does not make the increase seem as much as 10% does. He also indicated that Sister Marie Coffee wished the Board "the best". Additional comments were solicited but none were given.

Supervisor Williamson moved to introduce on first reading Bill No. 126, AN ORDINANCE AMENDING CHAPTER 5.18 AMBULANCE SERVICES, SECTION 5.18.040 FEES AND RATES, BY INCREASING THE FEE AND RATE SCHEDULE 10% FOR EXISTING SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

5. **TREASURER - Al Kramer - ACTION TO ORDER AND DIRECT THE CARSON CITY TREASURER TO SELL THE FOLLOWING PROPERTIES: APN 8-173-30 AT 2430 BUNCH WAY FOR \$2,373.37; 8-241-16 AT 3229 CHAMPION STREET FOR \$2,330.35; 8-263-12 AT 2225 STAR WAY FOR \$5,453.51; 8-384-34 AT 5354 HIGHWAY 50 EAST FOR \$12,017.13; 8-591-01 AT 3501 SHERMAN LANE FOR \$2,312.85; AND 010-364-08 AT 141 RIPARIAN WAY FOR \$6,185.48 AFTER GIVING NOTICE OF SALE, FOR A TOTAL AMOUNT NOT LESS THAN THE AMOUNT OF TAXES, COSTS, PENALTIES AND INTEREST LEGALLY CHARGEABLE AGAINST THE PROPERTY AS STATED IN THE ORDER (8:55:32)** - Discussion indicated that the cost of a title search is \$150. It is added to the sale price. The Legislature changed the Statute so that, if the title company misses something during its due diligence title search, the City/jurisdiction is not held liable. A title search may provide names of other individuals that the City can contact regarding the taxes. Carson City has not had an auction for at least ten years. Mr. Kramer did not expect to hold one for these parcels. An explanation of the process was provided. It included an indication that the process protects the buyer against everything except IRS and irrigation district liens. This includes all mortgages unless precluded by Statutes. The owner is given a limited amount of time in which to reclaim the property. The buyer is prohibited from selling the property for one year. Bidding begins at the level of the outstanding tax amount and costs. The City/county can keep up to \$2,000 of any overage. This keeps the city/county from making a profit on the process. The property owner has one year in which to claim anything over that sum. If no one claims the remaining overage, it is placed in the General Fund. Comments were solicited but none were given. Supervisor Aldean moved to approve the action to order and direct the Carson City Treasurer to sell the following properties: APN 8-173-30 at 2430 Bunch Way for \$2,373.37; APN 8-241-16 at 3229 Champion Street for \$2,330.35; APN 8-263-12 at 2225 Star Way for \$5,453.51; APN 8-384-34 at 5354 Highway 50 East for \$12,017.13; APN 8-591-01 at 3501 Sherman Lane for \$2,312.85; and APN 010-364-08 at 141 Riparian Way for \$6,185.48 after giving notice of sale, for a total amount not less than the amount of taxes, costs, penalties and interest legally chargeable against the property as stated in the order. Supervisors Williamson and Livermore seconded the motion. Motion carried 5-0.

6. **DEVELOPMENT SERVICES - Director/City Engineer Larry Werner - ENGINEERING - ACTION TO AUTHORIZE RELOCATION ASSISTANCE PAYMENTS FOR THE SHERIFF'S OFFICE ADMINISTRATION BUILDING IN A TOTAL AMOUNT NOT TO EXCEED \$64,600 AND TO AUTHORIZE THE CITY MANAGER TO ISSUE PAYMENTS TO QUALIFIED PARTIES FOR RELOCATION ASSOCIATED EXPENSES (9:02:05)** - Public Works Director Andrew Burnham, Chief Deputy District Attorney Melanie Bruketta - Mr. Werner opined that the actual

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 5

DRAFT

relocation costs may be less than the sum requested. Mr. Burnham indicated that \$200,000 had been allocated for this purpose. The City's contracted property specialist negotiates the relocation costs with each client. Funding for the specialist is included in the RTC budget. Ms. Bruketta recommended that Public Works or Finance maintain the file as the specialist negotiates the terms. The District Attorney's office is not involved in the process. Mr. Werner explained that it is a lengthy ten page process that requires filling in the blanks required by the formula. Discussion indicated Mayor Teixeira's belief that the City should keep a file on each recipient in case a lawsuit arises over the process after the specialist has left the area or is no longer in business. Ms. Bruketta agreed to research the liability issue although the contract with the specialist requires him/her to indemnify the City. Mr. Werner explained that the Board had approved the contract with the consultant involved with the acquisitions for the Sheriff's Office. RTC approved the contract for its transportation items. He also advised that the recipient cannot be required to sign a waiver precluding them from any claims against the City. The individual is reimbursed for expenses paid for relocation. The recipient always has the ability to come back and argue that the amount paid was not correct. RTC's concerns regarding the process were limned. Supervisor Aldean asked that the Board receive the same information RTC had requested regarding the final calculations. Mr. Werner agreed to provide it. Ms. Bruketta explained that a copy of a court case regarding confidentiality had been provided to the Board. Mr. Werner will work with the specialist to provide the best solution possible. Every local government must follow these rules. A description of the process was provided. Clarification indicated that, even if the business is closing, the City must reimburse any costs incurred for storage or relocation prior to the closure. The relocation check is based on a formula using the type of equipment, location, nature of the business, etc. A rent subsidy would not be provided in this instance. Mr. Werner repeated his commitment to provide the same information to the Board that will be provided to RTC. Additional comments were solicited but none were given. Supervisor Aldean moved to authorize relocation assistance payments for the Sheriff's Office Administration Building in a total amount not to exceed \$64,600 and to authorize the City Manager to issue payments to qualified parties for relocation associated expenses subject to the reporting request that was made here today. Supervisor Livermore seconded the motion. Motion carried 5-0.

7. HUMAN RESOURCES - ACTION TO APPROVE JOB SPECIFICATION AND COMPENSATION RANGE FOR THE FULL-TIME CITY AUDITOR POSITION (9:16:56) - Human Resource Director Ann Silver, City Manager Linda Ritter - Supervisor Aldean suggested that the examples of duties include "economy" in the line "Performs complex administrative audits to evaluate, determine and improve the quality, 'economy', and effectiveness of the City's procedures and processes" as costs savings are important. Ms. Silver concurred. Discussion justified changing the position's name from internal auditor to city auditor. The individual will be selected by the Board and is its employee. The budget for the position will need to be augmented. Justification for the suggested salary range was provided. Mayor Teixeira indicated that he will not vote against the motion based on the Board's previous action to make the position full time and his belief that "it should be done right" to get a highly qualified individual. Supervisor Livermore supported the proposal due to the unique opportunities the position has to create savings. Ms. Silver indicated that she will advertise the position immediately. She believed the applicants could be interviewed by the Board in four weeks. Supervisor Staub supported the concept as the position looks for efficiencies in the operation. He hoped that the position pays for itself and can

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 6

DRAFT

provide the Board with a comprehensive audit plan that will be beneficial to the community. Supervisor Staub moved to approve the city auditor job specification and compensation ranges proposed in the staff report provided here. Supervisor Livermore seconded the motion. Clarification indicated that Supervisor Aldean's suggested addition to the examples of duties is to be included in the motion. The motion carried 5-0.

8. PARKS AND RECREATION - ACTION TO APPROVE A RESOLUTION ENTITLED "CHANGING EXISTING OR ADDING NEW FEES AND POLICIES" HAVING THE EFFECT OF CHANGING EXISTING FEES AND POLICIES RELATING TO PARKS AND RECREATION DEPARTMENT FEES AND CHARGES, ADDING NEW FEES AND POLICIES RELATING TO PARKS AND RECREATION DEPARTMENT FEES AND CHARGES AND REPEALING RESOLUTION NO. 1983-R-28, RESOLUTION NO. 1995-R-41, RESOLUTION NO. 1995-R-42, RESOLUTION NO. 2004-R-4, AND RESOLUTION NO. 2006-R-23 (8:35:38) - Pulled.

REDEVELOPMENT AUTHORITY (9:25:25) - 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 (10:10:03) - 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.

9. OFFICE OF BUSINESS DEVELOPMENT - Manager Joe McCarthy - ACTION TO ADOPT A RESOLUTION ALLOCATING CARSON CITY'S SHARE OF NEVADA PRIVATE ACTIVITY BOND VOLUME CAP FOR 2007 TO THE NEVADA RURAL HOUSING AUTHORITY FOR THE "HOME AT LAST" FIRST-TIME HOMEBUYERS MORTGAGE PROGRAM (10:10:40) - Nevada Rural Housing Authority Executive Director Gary Longaker, Legal Counsellor Ernie Adler - A history of the Carson City program including its funding source was briefly limned. Supervisor Aldean moved to adopt Resolution No. 2007-R-21, A RESOLUTION ALLOCATING CARSON CITY'S SHARE OF NEVADA PRIVATE ACTIVITY BOND VOLUME CAP FOR 2007 TO THE NEVADA RURAL HOUSING AUTHORITY FOR THE "HOME AT LAST" FIRST-TIME HOMEBUYERS MORTGAGE PROGRAM; no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 5-0.

Mr. Adler noted that the taxpayers do not pay for the program. It does, however, generate tax dollars for Carson City.

RECESS: A recess was declared at 10:11 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:20 a.m., constituting a quorum.

10. PUBLIC WORKS - Director Andrew Burnham - ACTION TO ADOPT A RESOLUTION APPROVING THE AMENDED COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA FOR THE TRANSFER OF WEST WASHINGTON STREET,

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 7

DRAFT

WEST KING STREET, DIVISION STREET, WEST FIFTH STREET, EAST FIFTH STREET AND/OR CARSON RIVER ROAD, ORMSBY BOULEVARD, WINNIE LANE, AND BRUNSWICK BRIDGE TO CARSON CITY FROM THE STATE OF NEVADA (10:20:00) - Mr. Burnham's introduction included an explanation of the revised financial agreement for the freeway. Discussion explained the City's financial commitment for widening Fairview. A guesstimate of the cost for snow removal and maintenance of the transferred roadways was \$300,000 a year. The City will retake Carson Street when the freeway is completed. Mayor Teixeira opined that the City had already paid its fair share for the freeway. Mr. Burnham justified having ownership of the streets by indicating that it is cheaper and simpler for the City to perform utility work. Maintenance may be more expensive. RTC has reviewed the agreement and approved it unanimously. Clarification explained that the Brunswick Bridge is on Deer Run Road. The State will go over the routine maintenance requirements with City staff. The State will also inspect the bridge annually under a Federal program at no charge to the City. Large culverts are included in this inspection. Supervisor Aldean noted that RTC may be eligible for Federal bridge maintenance funds. The NDOT program of returning streets to local jurisdiction is a statewide program. Some communities are receiving small amounts of funding. In this case, however, the State is returning the City's gas tax funds. Supervisor Williamson pointed out that there will be a limited amount of parking on Robinson Street. NDOT's Encroachment permits will not be required. The City will be able to make street changes or close them for special events without State oversight. Although the maintenance costs will be higher in the long run, funding will be provided to finish projects needed by the City. The Carson River Road and Bridge are being returned to the City. Clarification indicated that Carson River Road Bridge is also known as Lloyd's Bridge. Supervisor Aldean moved to adopt Resolution No. 2007-R-22, A RESOLUTION APPROVING THE AMENDED COOPERATIVE AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA FOR THE TRANSFER OF WEST WASHINGTON STREET, WEST KING STREET, DIVISION STREET, WEST FIFTH STREET, EAST FIFTH STREET AND/OR CARSON RIVER ROAD, ORMSBY BOULEVARD, WINNIE LANE, AND BRUNSWICK BRIDGE TO CARSON CITY FROM THE STATE OF NEVADA; fiscal impact is an initial savings of \$4,803,811 plus one year of deferred payment of \$1.1 million offset by ongoing maintenance costs estimated at some point in time to be about \$300,000 a year. Supervisor Williamson seconded the motion. Motion carried 5-0.

11. PUBLIC WORKS - TRANSPORTATION - Transportation Program Manager Patrick Pittenger

A. ACTION TO ADOPT ON SECOND READING BILL NO. 125, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 11 HIGHWAYS AND SIDEWALKS, CHAPTER 11.20 REGIONAL STREET AND HIGHWAY COMMISSION, SECTION 11.20.037 MEETINGS, NOTICE OF MEETINGS, POWERS AND DUTIES OF THE COMMISSION, BY ALLOWING THE COMMISSION TO PURCHASE OR ACQUIRE REAL PROPERTY OR REAL PROPERTY INTERESTS IN THE NAME OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO (10:29:00) - Deputy District Attorney Benton had previously advised that sales involving a willing seller go direct to the RTC. An appeal of its decision goes to court. Imminent domain actions initially go to RTC and then to the Board of Supervisors before going to court.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 8

DRAFT

Supervisor Aldean moved to adopt on second reading Bill No. 125, Ordinance No. 2007-25, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 11 HIGHWAYS AND SIDEWALKS, CHAPTER 11.20 REGIONAL STREET AND HIGHWAY COMMISSION, SECTION 11.20.037 MEETINGS, NOTICE OF MEETINGS, POWERS AND DUTIES OF THE COMMISSION, BY ALLOWING THE COMMISSION TO PURCHASE OR ACQUIRE REAL PROPERTY OR REAL PROPERTY INTERESTS IN THE NAME OF CARSON CITY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. INFORMATION REGARDING THE FILLING OF A TRANSPORTATION PLANNER POSITION THAT IS CONTAINED WITHIN THE APPROVED CAMPO BUDGET FOR FISCAL YEAR 2007-2008 (10:31:27) - City Manager Ritter - An explanation of the Federal funding was limned. Federal funding for the position has been provided for many years. There is no guarantee that Congress will continue to fund CAMPO and its program. The individual will be a City employee. If Federal funds are removed, the Board/City will have to make a determination regarding keeping or terminating the position. Ms. Ritter advised that the individual will be terminated if the funding source is terminated unless another City position is open and the individual qualifies for it. Discussion noted the need to find five positions for employees now due to the budget status. Mayor Teixeira reminded Ms. Ritter of the need to bring these positions back to the Board in December. Mr. Pittenger explained the need to meet Federal mandates due to the CAMPO status. Grants are in a holding pattern or have been lost due to the current staff's inability to complete these items. Another funding opportunity was also limned. Supervisor Aldean explained for the record that Mr. Pittenger was not a City employee at the time the grants were lost. He has been making up for lost time and will be applying for additional grants. She also felt that the employee should be aware of his job status and the funding source. No formal action was required or taken on this Item.

C. PRESENTATION ON THE TRAFFIC MODELING OF THE PROPOSED NARROWING OF CARSON STREET (10:41:00) - Economic Development/Redevelopment Manager Joe McCarthy - A slide presentation was given. (A copy is in the file.) Supervisor Aldean stepped from the room at 10:42 a.m. and returned at 10:44 a.m. (A quorum was present the entire time.) Discussion described the proposed changes to the intersection of William and Carson Street. Mr. Pittenger also disclosed that NDOT is conducting a corridor study on Highways 395 and 50 and will be making recommendations to CAMPO/RTC in September regarding them. These revisions will be added to their transportation plans. NDOT, CAMPO, and RTC staff had worked on the modeling. Supervisor Williamson complimented Mr. Pittenger on the plan. She noted that the configuration will work and felt that Redevelopment should move forward with its plan. Supervisor Aldean noted that Ormsby Boulevard is not involved in this project and will not be impacted by it. Mr. McCarthy complimented Supervisor Williamson on her ability to look at the downtown area as an economic redevelopment engine. An explanation of her work with the media regarding this concept was noted including Channel 2's televised illustration of their proactive efforts. He also complimented Parks Planner Krahn, Principal Planner Plemel, and Public Works Director Burnham on their efforts to move the plan beyond a concept. It is a viable, long term plan for the community. Mayor Teixeira also congratulated Supervisor Williamson on her efforts to make the downtown area more pedestrian friendly. He did not believe that the freeway will

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 9

DRAFT

be completed until at least 2014 or 2015 but wished to see the vision pursued. It can only occur when the freeway is completed as to narrow the street at this time will only worsen the traffic flow. Mr. Pittenger concurred with this statement. Mayor Teixeira urged the community to strive for the vision even though NDOT has not placed the City's freeway as a top priority. No formal action was required or taken.

12. DEVELOPMENT SERVICES (10:55:10) - Director/City Engineer Larry Werner

A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 18 ZONING, CHAPTER 18.02 ADMINISTRATIVE PROVISIONS, SECTION 18.02.055 FEES AND SERVICE CHARGES BY INCREASING THE FEES CHARGED BY THE CITY FOR ADMINISTRATION OF THE ZONING CODE WITHIN CARSON CITY, NEVADA, AND SECTION 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT BY DELETING THE REFERENCE THAT FEES ARE SET BY RESOLUTION AND OTHER MATTERS PROPERLY RELATED THERETO - Justification was provided for placing the fees in the Code rather than maintaining resolutions. Staff had worked with the Builders Association of Western Nevada (BAWN) on the ordinances. Reasons were given for not phasing the fees. Board direction regarding the phasing was solicited. Public comments were then solicited.

BAWN Representative Sheena Beaver thanked Mr. Werner for bringing the proposals to the Association for discussion. The request that the fee increases be phased was based on the current economic conditions, including the housing market, and the desire to minimize the fiscal impact on those individuals who already have their financing program established. BAWN also requested a review of the fees every two years and that 50% of the proposed fee increase be implemented on January 1, 2008, and the remainder on January 1, 2009. Comments indicated that the Board had received BAWN's letter of concerns at the last Board meeting. Mr. Werner explained the fiscal impact on the racetrack project (Schulz Ranch). The proposed fee increase will not be implemented until January 1. Staff's reasons for feeling that there would not be a rush to submit maps to avoid the fee increases were limned. The fee for appeals was clarified. Staff proposes to give the City Manager an annual presentation regarding the Department's efficiencies, usage, etc. Fees will be analyzed at that time. Clarification explained that appeals initiated by the City will not incur a fee.

Supervisor Aldean moved to introduce on first reading Bill No. 127, AN ORDINANCE AMENDING TITLE 18 ZONING, CHAPTER 18.02 ADMINISTRATIVE PROVISIONS, SECTION 18.02.055 FEES AND SERVICE CHARGES BY INCREASING THE FEES CHARGED BY THE CITY FOR ADMINISTRATION OF THE ZONING CODE WITHIN CARSON CITY, NEVADA AND SECTION 18.02.090 REVOCATION OR REEXAMINATION OF VARIANCE OR SPECIAL USE PERMIT BY DELETING THE REFERENCE THAT FEES ARE SET BY RESOLUTION AND OTHER MATTERS PROPERLY RELATED THERETO subject to an annual review of the fees. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 18 APPENDIX - DEVELOPMENT STANDARDS, DIVISION 19, IMPROVEMENT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 10

DRAFT

PLANS SUBMITTAL REQUIREMENTS, SECTION 19.3 PERMIT REQUIREMENTS BY REFERRING INDIVIDUALS TO DIVISION 20 FOR PERMIT REQUIREMENTS AND FEES, AND AMENDING DIVISION 20 PERMITS PROCESSING AND FINANCIAL SECURITY REQUIREMENTS, SECTION 20.5 INSPECTION FEE BY INCREASING THE FEES CHARGED BY THE CITY FOR REVIEWING PLANS, CONDUCTING INSPECTIONS, AND OBSERVING TESTING FOR DEVELOPMENT WITHIN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO (11:04:00) - Discussion explained that the previous fees were for plan review. The proposed fees are for engineering. Discussion in Item A also applies to this Item. Discussion also noted for the record that the proposal is for cost recovery which is the reason for having an annual review of the fees. Supervisor Aldean moved to introduce on first reading Bill No. 128, AN ORDINANCE AMENDING TITLE 18 APPENDIX - DEVELOPMENT STANDARDS, DIVISION 19, IMPROVEMENT PLANS SUBMITTAL REQUIREMENTS, SECTION 19.3 PERMIT REQUIREMENTS BY REFERRING INDIVIDUALS TO DIVISION 20 FOR PERMIT REQUIREMENTS AND FEES, AND AMENDING DIVISION 20 PERMITS PROCESSING AND FINANCIAL SECURITY REQUIREMENTS, SECTION 20.5 INSPECTION FEE BY INCREASING THE FEES CHARGED BY THE CITY FOR REVIEWING PLANS, CONDUCTING INSPECTIONS, AND OBSERVING TESTING FOR DEVELOPMENT WITHIN CARSON CITY, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO subject to an annual fee review. Supervisor Williamson seconded the motion. Motion carried 5-0.

C. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 17 SUBDIVISION, CHAPTER 17.03 PARCEL MAPS, LOT LINE ADJUSTMENTS AND DELETIONS, REVERSION TO ACREAGE MAPS, AND MERGER AND RESUBDIVISION OF LAND, SECTION 17.03.015 APPLICATION AND REVIEW, SECTION 17.03.040 APPLICATION AND REVIEW, SECTION 17.03.060 APPLICATION AND REVIEW, SECTION 17.03.075 REVERSION TO ACREAGE MAPS, AND SECTION 17.03.080 MERGER AND RESUBDIVISION MAPS; CHAPTER 17.04 LAND DIVISION MAPS, SECTION 17.04.005 APPLICATION AND REVIEW; CHAPTER 17.05 TENTATIVE MAPS, SECTION 17.05.005 APPLICATION PROCESS AND SECTION 17.05.025 FEES AND SERVICE CHARGES, CHAPTER 17.06 SUBDIVISION FINAL MAPS, SECTION 17.06.005 MAP SUBMITTAL FOR APPROVAL; CHAPTER 17.09 PLANNED UNIT DEVELOPMENT, SECTION 17.09.040 APPLICATION FOR TENTATIVE APPROVAL; CHAPTER 17.11 IMPROVEMENT AND PROCEDURE, SECTION 17.11.035 INSPECTION FEE, BY DELETING ANY REFERENCE TO FEES BEING SET BY RESOLUTION OF THE BOARD OF SUPERVISORS AND AMENDING SECTION 17.11.035 DEVELOPMENT FILING AND CHECKING FEES, BY ADDING REFERENCES TO TITLE 18 ZONING AND TITLE 18 APPENDIX - DEVELOPMENT STANDARDS FOR FEES TO BE CHARGED BY THE CITY AND OTHER MATTERS PROPERLY RELATED THERETO (11:05:23) - Supervisor Staub moved to introduce on first reading Bill No. 129, AN ORDINANCE AMENDING TITLE 17 SUBDIVISION, CHAPTER 17.03 PARCEL MAPS, LOT LINE ADJUSTMENTS AND DELETIONS, REVERSION TO ACREAGE MAPS, AND MERGER AND RESUBDIVISION OF LAND, SECTION 17.03.015 APPLICATION AND REVIEW, SECTION 17.03.040 APPLICATION AND REVIEW, SECTION 17.03.060 APPLICATION AND REVIEW,

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 11

DRAFT

SECTION 17.03.075 REVERSION TO ACREAGE MAPS, AND SECTION 17.03.080 MERGER AND RESUBDIVISION MAPS; CHAPTER 17.04 LAND DIVISION MAPS, SECTION 17.04.005 APPLICATION AND REVIEW; CHAPTER 17.05 TENTATIVE MAPS, SECTION 17.05.005 APPLICATION PROCESS AND SECTION 17.05.025 FEES AND SERVICE CHARGES, CHAPTER 17.06 SUBDIVISION FINAL MAPS, SECTION 17.06.005 MAP SUBMITTAL FOR APPROVAL; CHAPTER 17.09 PLANNED UNIT DEVELOPMENT, SECTION 17.09.040 APPLICATION FOR TENTATIVE APPROVAL; CHAPTER 17.11 IMPROVEMENT AND PROCEDURE, SECTION 17.11.035 INSPECTION FEE, BY DELETING ANY REFERENCE TO FEES BEING SET BY RESOLUTION OF THE BOARD OF SUPERVISORS AND AMENDING SECTION 17.11.035 DEVELOPMENT FILING AND CHECKING FEES, BY ADDING REFERENCES TO TITLE 18 ZONING AND TITLE 18 APPENDIX – DEVELOPMENT STANDARDS FOR FEES TO BE CHARGED BY THE CITY AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

D. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 11 HIGHWAYS AND SIDEWALKS, CHAPTER 11.08 HIGHWAY AND RIGHT-OF-WAY EXCAVATIONS, SECTION 11.08.040 INSPECTION FEES, BY REQUIRING A PERSON WHO FILES AN APPLICATION FOR A PERMIT TO PAY THE FEES AT THE TIME OF FILING THE APPLICATION AND AMENDING SECTION 11.08.070 FEES, BY DELETING THE SECTION AND MOVING IT TO TITLE 18 AND OTHER MATTERS PROPERLY RELATED THERETO (11:07:35) - Discussion pointed out that the fees are not being deleted. They are being moved to Title 18 which has already been introduced. Supervisor Livermore moved to introduce on first reading Bill No. 130, AN ORDINANCE AMENDING TITLE 11 HIGHWAYS AND SIDEWALKS, CHAPTER 11.08 HIGHWAY AND RIGHT-OF-WAY EXCAVATIONS, SECTION 11.08.040 INSPECTION FEES, BY REQUIRING A PERSON WHO FILES AN APPLICATION FOR A PERMIT TO PAY THE FEES AT THE TIME OF FILING THE APPLICATION AND AMENDING SECTION 11.08.070 FEES, BY DELETING THE SECTION AND MOVING IT TO TITLE 18 AND OTHER MATTERS PROPERLY RELATED THERETO. Following a request for an amendment, Supervisor Livermore concurred that Section 11.08.070 Fees had already been moved to another location and amended his motion accordingly. Supervisor Aldean seconded the motion. Motion carried 5-0.

E. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.04 PAYMENT OF CONNECTION CHARGE AND CHAPTER 12.03 SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.035 PAYMENT OF CONNECTION CHARGE BY REQUIRING THE OWNER OF PROPERTY TO PAY THE CONNECTION FEES DUE ON ISSUANCE OF A BUILDING PERMIT FOR APPLICATIONS SUBMITTED AFTER JANUARY 1, 2008 AND OTHER MATTERS PROPERLY RELATED THERETO (11:08:57) - Board comments pointed out that the tenant does not own the structure/land. Responsibility for the utility charges is an issue negotiated between the property owner and tenant. The ability to repurchase the water rights was felt to be an interesting concept. The survey results were noted and supported the contention that the property owner

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 12

DRAFT

should pay the fees. Public comments were solicited but none were given. Mayor Teixeira called for a motion. None was given. Therefore, the request died for lack of action. Mr. Werner agreed to have staff analyze the repurchase concept and indicated that the concept will be discussed in the future. No formal action was taken.

13. DEVELOPMENT SERVICES - PLANNING AND ZONING - Director Walter Sullivan

A. ACTION TO ADOPT BILL NO. 124, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 3 LANDSCAPING, ADDING PROVISIONS REGARDING TURF AREAS, TREES AND SHRUBS WITHIN THE HISTORIC DISTRICT, TREE PROTECTION MEASURES, RIPARIAN CORRIDORS, PLANTING DETAILS AND GENERAL LANDSCAPING DETAILS, AND OTHER MATTERS RELATED THERETO (FILE ZCA-07-023) (11:18:01) - Mr. Sullivan's introduction acknowledged the presence of Shade Tree Council Members. (They were not named.) He also complimented unnamed BAWN members, Consulting Arborist Molly Sennett, Gene Nabors, Parks staff including Parks Planner Vern Krahn, Parks and Recreation Director Roger Moellendorf, Parks Operations Director Scott Fahrenbruch, Open Space Manager Juan Guzman, and his Planning staff. Supervisor Livermore moved to adopt Bill No. 124 on second reading, Ordinance No. 2007-26, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 3 LANDSCAPING, ADDING PROVISIONS REGARDING TURF AREAS, TREES AND SHRUBS WITHIN THE HISTORICAL DISTRICT, TREE PROTECTION MEASURES, RIPARIAN CORRIDORS, PLANTING DETAILS AND GENERAL LANDSCAPING DETAILS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Williamson and Staub seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 11:21 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 11:29 a.m., constituting a quorum.

B. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.8, REQUIREMENTS FOR BILLBOARDS AND OFF-PREMISE SIGNS, SUBSECTION 4.8.3 TO ALLOW A BILLBOARD TO BE PLACED ON THE SOUTH SIDE OF HIGHWAY 50 WEST ALONG A SECTION OF HIGHWAY APPROXIMATELY 3/4-MILE WEST OF SOUTH CARSON STREET WHERE BILLBOARDS ARE CURRENTLY PROHIBITED, ALLOWING A BILLBOARD TO BE PLACED AT 800 OLD CLEAR CREEK ROAD (FILE ZCA-07-074) (11:28:39) - Chief Deputy District Attorney Melanie Bruketta, Applicant and Property Owner's Representative and Attorney John Griffin - The ordinance addresses only the one site. Ms. Bruketta advised that the District Attorney's Office is not concerned about the location of a sign in Douglas County even though it will be closer than the City's Code allows. The ordinance's language should be clarified to indicate the intent when/if the ordinance is passed. A Chamber of Commerce member was not present. Supervisor Aldean indicated that

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 13

DRAFT

she, personally, does not like billboards. She wished that all of the billboards were gone. Reality is, however, that there are three signs that will remain into perpetuity as they are on tribal land. The City has major economic developments who need the signage—the downtown area, the V&T Railroad and other regional economic development sites. She advised her intent to vote for the ordinance based on the Chamber's support. It is her understanding that the Chamber, which she wanted as part of the record, is going to be cooperating with the City and the Convention and Visitors Bureau to use the billboard to promote generic economic development projects and not sell space to advertise its members. She will vote for the ordinance as it provides an opportunity to use the west facing side of the billboard to promote Carson City in general. She reiterated that a Chamber member was not present to make this commitment.

Discussion between Mr. Sullivan and Supervisor Staub explained that it is not spot zoning as it merely changes the Code as allowed in Section 18.02.025. Mr. Sullivan read this Section into the record. It indicates that the development standards apply only to Carson City. The proposed billboard complies with the Code and Development Standards regarding height, etc. He reiterated that the proposal is for this one parcel.

Mr. Griffin introduced Property Owner Bill Kugler and Rogers Media President Matt Rogers, who were present. He acknowledged that without the Code amendment the proposed site will not meet all of the requirements for a billboard. The Board must balance the economic benefits against the aesthetic issues. There are three larger billboards already in the vicinity. The proposed sign is smaller than those signs. It will not create a high aesthetic impact. The economic benefits of the sign outweigh the aesthetic impact of the area due to the other billboards. He urged the Board to adopt the Code amendment and approve the appeal and special use application. Public comments were solicited but none were given.

Supervisor Aldean moved to introduce on first reading Bill No. 127, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.8, REQUIREMENTS FOR BILLBOARDS AND OFF-PREMISE SIGNS, SUBSECTION 4.8.3 TO ALLOW A BILLBOARD TO BE PLACED ON THE SOUTH SIDE OF HIGHWAY 50 WEST ALONG A SECTION OF HIGHWAY APPROXIMATELY 3/4-MILE WEST OF SOUTH CARSON STREET WHERE BILLBOARDS ARE CURRENTLY PROHIBITED, ALLOWING A BILLBOARD TO BE PLACED AT 800 OLD CLEAR CREEK ROAD. Supervisor Williamson seconded the motion. Following a request for an amendment, Supervisor Aldean amended her motion to correct the Bill Number to be Number 131. The motion was voted by roll call with the following result: Supervisor Livermore - Yes; Supervisor Staub - Yes but I believe that, according to the packet here, there will be a zoning code amendment request. Discussion between Supervisor Staub and Mr. Sullivan explained Supervisor Staub's belief that the Applicant had submitted a zoning code amendment application. Mr. Sullivan agreed and stated that "this is the Code amendment. The Applicant is not going to change the parcel's zoning. The amendment changes the text of Title 18." Supervisor Staub restated his "Yes". Roll call continued with the following votes: Supervisor Williamson - Yes; Supervisor Aldean - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 14

DRAFT

C. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION DENYING A SPECIAL USE PERMIT APPLICATION FROM ROGERS MEDIA COMPANY, (PROPERTY OWNER: WILLIAM KUGLER), TO ALLOW A BILLBOARD ON PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 800 OLD CLEAR CREEK ROAD, APN 009-302-09 (FILE SUP-07-075) (11:42:45) - Public comments were solicited but none were given. Supervisor Williamson moved to reverse the Planning Commission's decision and approve Special Use Permit 07-075 subject to the recommended conditions of approval contained in the staff report to the Planning Commission. Supervisor Livermore seconded the motion. Motion was voted by roll call with the following result: Yes - Supervisors Aldean, Staub, Livermore, Williamson, and Mayor Teixeira. Nays - None. Motion carried 5-0.

D. ACTION TO APPROVE A MORATORIUM FROM APPROVING ADULT ENTERTAINMENT FACILITIES. THE LENGTH OF THE MORATORIUM IS 90 DAYS. THE PURPOSE FOR THE MORATORIUM IS TO REVISE CCMC TITLE 18, SPECIFICALLY 18.03.010 DEFINITIONS-ADULT ENTERTAINMENT FACILITIES. THE MORATORIUM WILL PROMOTE THE PUBLIC'S GENERAL HEALTH, SAFETY AND WELFARE, AND WILL PERMIT THE STAFF TO FOCUS ON THE EFFECTIVE PREPARATION OF APPLICABLE SECTIONS OF TITLE 18, THE ZONING ORDINANCE (FILE MISC-07-092) (11:44:34) - Chief Deputy District Attorney Melanie Bruketta - The original moratorium was not implemented. Discussion pointed out a third reason for implementing a moratorium at this time is to prevent anything from happening. Ms. Bruketta indicated that this reason should be added. Once the moratorium is approved, the requests for business permits for this type of establishment should be minimized. Supervisor Aldean moved to approve a moratorium for approving adult entertainment facilities; the length of the moratorium is 90 days; the purpose of the moratorium is to revise (the) Carson City Municipal Code Title 18, specifically, 18.03.010 Definitions-Adult Entertainment Facilities; the moratorium will promote the public's general health, safety and welfare and permit the staff to focus on the effective preparation of applicable sections of Title 18 Zoning Ordinance and prevent development in the interim that could possibly result in conflict with the proposed amendment to Title 18. Supervisor Williamson seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 11:48 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 11:55 a.m., constituting a quorum.

14. CITY MANAGER - Linda Ritter - UPDATE ON THE PROPOSED CARSON CITY FEDERAL LANDS BILL (11:54:48) - Open Space Manager Juan Guzman, Gene Lepire and his Attorney John Griffin - Amendments to the proposed Bill were limned. Parcel 14 was revised due to the desire to retain the area abutting drainage improvements. Clarification between Mr. Lepire and Mr. Guzman explained the location of these improvements. Mr. Lepire indicated that he did not have a problem with the City keeping the ten feet or "whatever" for this purpose and putting the remainder up for bid at a public auction. Mr. Guzman described the parcel and the Board's direction regarding it. He then outlined the changes requested by the Forest Service regarding the property on the west side of the City. The Forest Service's revisions were for a total of 700 acres with the trade value being based on estimated overall value rather

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 15

DRAFT

than on a basis of an acre per acre. Justification for using the staff's recommended acre per acre value was briefly explained. Both the Forest Service and City staff want ownership of the Borda property. The Forest Service has also asked for the City to trade to it some of the property that will be acquired with the State's Question 1 funds. The City must sign a deed indicating that it will keep the property if Question 1 funds are used. The Forest Service has suggested that the City not use the Question 1 funds for the acquisition so that the property can be traded. The City, however, needs the funds for other transactions.

Supervisor Williamson then explained the reasons the City felt that value for the property should be on an acre for acre bases rather than obtained via an appraisal as it will be deed restricted to prohibit any development. Therefore, the value is the same. Discussion indicated that "C" Hill is included in the acquisition.

The boundary change for Washoe Tribual land was noted. The Tribe has an interest in obtaining an additional 700 acres. The location of the property was sketched on the map as well as the smaller area that the Tribe's Planner had agreed to. The Tribe's planner, however, is no longer employed by the Tribe. The Tribe's Chairperson has again asked for the original 700 acre area. The map is designed as directed by the Board. It was felt that a reasonable amount of land could be deed restricted to open space and cultural purposes for them. The deed would not allow economic development. Discussion noted the Tribe's proposal to manage the property by passive neglect. The proposal will require them to have adequate funding to keep the property in good condition. The Forest Service management proposal for the Borda property would be through its special use permit process. If desired, the Board could use similar special use permits to restrict the type of uses others may provide on the land. The City can also expedite the installation of drainage/recreational improvements, if desired, if it owns the property. The Forest Service process requires over a year to complete. The importance of having the Borda property was explained as relating to the drainage, water shed, recreational and access needs. The Open Space Advisory Committee's concerns regarding the loss of property were noted. The staff has maintained throughout the discussions with the Forest Service that the City will maintain the rights-of-ways/roadways. For example, Ash Canyon Road will continue to be maintained for public usage if owned by the City. Supervisor Aldean noted that the Congressional delegation will advocate the Bill for the City. If the property is deed restricted, the value is decreased. If another method of valuing the property is found, the City should consider it as the delegation wishes to support the City's Bill.

Mayor Teixeira suggested that a Board letter be sent to the Delegates advising them of the Bill and the City's desire. Comments noted that Congress may change the Bill regardless of the intent. Ms. Ritter agreed to agenize the letter.

Mr. Guzman thanked the GIS staff for the maps. He then explained that the Silver Saddle Ranch was included and described its issues. Ms. Ritter advised that conceptual work done by the different interest groups shows that an idea and plan is being developed. Some of the area will remain natural. Buyoff by the different organizations is needed. Mr. Guzman indicated that the Sierra Club and the Nature Conservancy are willing to work with the City on a balanced plan. The plan to combine Prison Hill with

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 16, 2007, Meeting

Page 16

DRAFT

the Ranch was described. He also reminded the Board that it has approved the purchase of the Anderson Ranch. The Leonard Ranch will be presented to the Board soon. No formal action was required or taken.

15. DISTRICT ATTORNEY - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO NRS 241.015(2)(B)(2) TO MEET WITH ATTORNEYS TO DISCUSS EXISTING OR POTENTIAL LITIGATION INVOLVING MATTERS OVER WHICH THE BOARD HAS SUPERVISION, CONTROL, JURISDICTION OR ADVISORY POWER AND TO DELIBERATE TOWARDS A DECISION ON THE MATTER (12:15:38) - Supervisor Aldean moved to recess into Closed Session pursuant to NRS 241.015(2)(B)(2) to meet with attorneys to discuss existing or potential litigation involving matters over which the Board has supervision, control, jurisdiction or advisory power and to deliberate towards a decision on the matter. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira recessed the Open Session.

16. BOARD OF SUPERVISORS - NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

B. STAFF COMMENTS AND STATUS REPORT - None.

17. ACTION TO ADJOURN - The meeting was adjourned by mutual consent at the end of the Closed Session.

The Minutes of the August 16, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____, 2007.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder