

***BOARD OF SUPERVISORS “DRAFT” MINUTES
FOR THE FOLLOWING DATE IS INCLUDED IN
THIS SECTION:***

October 4, 2007 - Regular Sessions

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 4, 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 (via telephone at approximately 8:53 a.m.)
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3

STAFF PRESENT:	Linda Ritter	City Manager (via telephone at approximately 8:31 a.m.)
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Sue Johnson	City Auditor
	Larry Werner	Development Services Director/City Engineer
	Walter Sullivan	Community Development Director
	Andrew Burnham	Public Works Director
	Ann Silver	Human Resources Director
	Melanie Bruketta	Chief Deputy District Attorney
	Cheryl Adams	Purchasing and Contracts Manager
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Contracts Coordinator
	(BOS 10/4/07 Recording 8:29:08)	

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. Supervisor Williamson was not present. A quorum of the Board was present. (Supervisor Williamson joined the meeting via telephone at approximately 8:53 a.m. The entire Board was then present, constituting a quorum.) Supervisor Staub lead the Pledge of Allegiance. An Invocation was not given.

PUBLIC COMMENTS AND DISCUSSION (8:30:55) - Sam Dehne listed individuals who have allegedly expressed an interest in running for the Mayor's office next year. He also expressed an interest in running for the office. He alleged "funny counting practices" with the election process in Washoe County. He hoped that the Carson City budget problems are resolved. He was glad to learn that City

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Manager Ritter is working on the problem and that the Board is tracking the expenditures. He opined that the reason no one stays at the Ormsby House is due to the lack of airline service although he acknowledged that having airline service at the Minden airport may serve the region better. He supported having a regional airport with scheduled airline service for Carson City, Storey, Lyon and Douglas Counties. Additional comments were solicited but none were given. No formal action was required or taken on any of these topics.

1. ACTION ON APPROVAL OF MINUTES - AUGUST 16, 2007 - (8:35:17) - Supervisor Aldean moved to approve the Minutes for the Carson City Board of Supervisors meeting of August 16, 2007, as presented. Supervisor Livermore seconded the motion. Motion carried 4-0.

2. CHANGES TO THE AGENDA (8:34:27) - Public Works Director Andrew Burnham - The Applicant for Item 4-A, a Liquor License, was not present. The Item was deferred. Items 6-A and B were pulled due to noticing problems. No formal action was taken or required.

3. SPECIAL PRESENTATIONS - PRESENTATION OF A PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH (8:35:45) - Carl Neathammer, Assemblywoman Bonnie Parnell, Advocates for Domestic Violence Awareness Executive Director Lisa Lee - Mayor Teixeira read the proclamation into the record and introduced Mr. Neathammer and Assemblyperson Parnell. Mayor Teixeira disclosed his knowledge of the Advocates' shelter and thrift store. In his opinion there is no better facility in the State. The community needs the service.

Mr. Neathammer explained his 15-year involvement with the Advocates and introduced the team of supporters who were present whom he called his "quiet Angels". He also explained his involvement with Assemblyperson Parnell and her legislative efforts. Assemblyperson Parnell explained her legislative efforts and her commitment to them. She committed to looking at the Statutes each legislative session and revising them to address the circumstances encountered at that time. She emphasized the need for the Advocates, community, Mr. Neathammer, and the Board to find solutions to domestic violence. She thanked the Board for its recognition.

Mayor Teixeira then introduced Ms. Lee and explained his involvement with the Advocates. He complimented Ms. Lee on her dedication and service to the community. Ms. Lee described the need for the shelter, the Advocates support group, and the growth in services since its inception. A description of the shelter and its program was provided. She expressed the hope that with people like Mr. Neathammer and Assemblyperson Parnell the State's ranking as the State with the most women killed during domestic violence incidents can be reversed. A comparison of the Carson City program with the Reno program was given. Benefits created by a longer stay at the Carson City shelter were limned. Mayor Teixeira opined that the Carson City shelter is the best program and that victims do not wish to leave it. He thanked all of the supporters and Ms. Lee for their services and dedication. He emphasized the need for the effort to continue and expressed a hope that the negative trend can be turned around. No formal action was required or taken.

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4. **LIQUOR AND ENTERTAINMENT BOARD (8:49:50)** - Mayor Teixeira then recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date. (Supervisor Williamson joined the meeting via telephone during the Liquor and Entertainment Board session.)

BOARD OF SUPERVISORS (8:54:11) - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum. Discussion with Supervisor Williamson also indicated that City Manager Ritter was with her.

5. **CONSENT AGENDA (8:55:01)**

5-1. **ASSESSOR - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF TAXES FOR PARCEL NUMBER 010-071-25 (LOCATED ON CARSON RIVER ROAD - A PORTION OF THE ANDERSON RANCH) FROM THE 2007/08 REAL PROPERTY TAX ROLL PER NRS 361.060**

5-2. **PURCHASING AND CONTRACTS**

A. **ACTION TO APPROVE CONTRACT NO. 0708-055, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY**

B. **ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT FOR FORENSIC SERVICES BETWEEN THE COUNTY OF WASHOE, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA ON BEHALF OF THE WASHOE COUNTY MEDICAL EXAMINER AND CORONER'S OFFICE AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND OTHER MATTERS PROPERLY RELATED HERETO (FILE 0708-001)**

5-3. **PUBLIC WORKS**

A. **ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN THE JOINT FUNDING AGREEMENT FOR WATER RESOURCE INVESTIGATIONS, CARSON CITY, AND THE U.S. DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY**

B. **ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO AWARD THE CONTRACT FOR AQUA HYDROGEOLOGIC CONSULTING SERVICES FOR DRILLING FOUR GEOLOGIC BOREHOLES, CONTRACT NO. 2007-055, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO AQUA HYDROGEOLOGIC CONSULTING FOR A CONTRACT AMOUNT OF \$95,669 AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$9,566.90 FROM THE WATER CAPITAL ACCOUNT AS PROVIDED IN FY 2007/2008**

C. **ACTION TO ACCEPT THE RECOMMENDATION OF PUBLIC WORKS TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND APPROVE THIS RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$19,403.88 ON THE SALIMAN ROAD RECLAIMED WATER EXTENSION PROJECT, CONTRACT NO. 2006-097, TO GRADEX CONSTRUCTION COMPANY, INC.**

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5-4. PARKS AND RECREATION - ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE ON THE OPEN SPACE WETLAND REHABILITATION PROJECT, CONTRACT NO. 2006-094, AND AUTHORIZE THE PARKS DEPARTMENT TO ISSUE PAYMENTS TO WOOD RODGERS, INC., FOR AN AMENDMENT NO.2 AMOUNT OF \$8,245 FROM THE OPEN SPACE RAFFERTY WETLAND MITIGATION ACCOUNT AS PROVIDED FOR IN FY 06/07 - Supervisor Aldean pulled Item 5-4 for discussion. Supervisor Livermore moved to approve the Consent Agenda that consists of one Item 5-1 from the Assessor; Item 5-2 consisting of two items with Resolution No. 2007-R-31 being assigned to Item 5-2B; Item 5-3 consists of three items and 5-3A being assigned Resolution No. 2007-R-32; as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

5-4. (8:56:00) - Parks and Recreation Director Roger Moellendorf advised that there is a plan to enhance the wetlands. The agreement's timeline was extended to June 2008 for the completion of the enhancement plan. Supervisor Aldean moved to accept the recommendation of the Open Space Advisory Committee on the Open Space Wetland Rehabilitation Project, Contract No. 2006-094, and authorize the Parks Department to issue payments to Wood Rodgers, Inc., for an amendment No. 2 amount of \$8,245 from the Open Space Rafferty Wetland Mitigation Account as provided for in FY 06-07. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. DEVELOPMENT SERVICES - PLANNING AND ZONING

A. ACTION TO ADOPT BILL NO.132 ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, CHAPTER 17.06, FINAL SUBDIVISION MAPS, BY CHANGING THE TIME IN WHICH TO RECORD A FINAL MAP FROM ONE YEAR TO TWO YEARS AFTER APPROVAL OF A TENTATIVE MAP CONSISTENT WITH NEVADA REVISED STATUTES (NRS); AMENDING TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.035, COMMISSION AND BOARDS APPLICATION, BY CHANGING THE TIME IN WHICH THE CITY HAS TO REVIEW A ZONING APPLICATION FOR COMPLETENESS FROM 10 DAYS TO THREE DAYS PER NRS; AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, SECTION 1.15, MANUFACTURED HOME INSTALLATION WITHIN A SINGLE FAMILY ZONING DISTRICT, BY CHANGING THE MAXIMUM AGE OF A MANUFACTURED HOME THAT MAY BE PLACED FROM FIVE YEARS TO SIX YEARS PER NRS; AMENDING CHAPTER 18.16, DIVISION 1, SECTION 1.11, STREET VENDORS, MAKING CHANGES TO BE CONSISTENT WITH OTHER SECTIONS OF THE MUNICIPAL CODE; AND AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 2, PARKING AND LOADING, SECTION 2.3, GENERAL PARKING REQUIREMENTS, TO CLARIFY TANDEM PARKING REQUIREMENTS CONSISTENT WITH THE DOWNTOWN MIXED-USE PARKING STANDARDS (FILE ZCA-07-115) (8:34:27) - Pulled.

B. ACTION TO ADOPT ON SECOND READING, BILL NO. 133, AN ORDINANCE EFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM

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MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000- PLANNED UNIT DEVELOPMENT (MH6-P), ON PROPERTY LOCATED AT 3860 EAST NYE LANE, APN 008-192-69, A TOTAL OF APPROXIMATELY 5.12 ACRES, LOCATED SOUTH AND WEST OF COLLEGE PARKWAY, NORTH OF EAST NYE LANE AND EAST OF AIRPORT ROAD AND OTHER MATTERS PROPERLY RELATED THERETO (FILE TPUD-07-107 AND ZMA-07-108) (8:34:27)
- Pulled.

7. **OFFICE OF BUSINESS DEVELOPMENT - Manager Joe McCarthy - DISCUSSION AND ACTION TO APPROVE THE APPLICATION BY THE OFFICE OF BUSINESS DEVELOPMENT TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR FUNDING UNDER THE FEDERAL BROWNFIELDS PROGRAM (8:58:52)** - Converse Consultant Tom Mix, Public Works Director Andrew Burnham, City Manager Linda Ritter - Mr. McCarthy's introduction included introducing Mr. Mix. Mr. Mix briefly summarized the funding requests and the work his firm will be conducting. Discussion indicated that sites they will analyze included the previous Armory and the Roundhouse sites. The shelf life of such an analysis is six to 12 months. They then need to be updated to comply with new standards. Mr. Mix felt that his previous employment in this field would assist with submittal of grant applications for cleaning up the sites. A property owner's interest in obtaining the analysis is used to support the application and assists EPA in making its allocations. Mayor Teixeira explained the concern a property owner may have about the property's market value being impacted by the analysis. He suggested that a study of a former transmission shop location on Carson Street be the first site analyzed. Public support for its redevelopment was indicated to justify its immediate remediation. Mr. McCarthy explained the unsuccessful initial effort to obtain funding from this program. Mr. Mix assured Mayor Teixeira that the program is different from the Federal superfund program. Once the funds are granted to the City, the City controls its usage. It is not an enforcement program. Brownfield is a program to help communities facilitate their efforts to redevelop property. It provides a work plan on looking for contaminated property. It must include community outreach. If contaminated property is found, a plan is developed to clean it up in conjunction with NDP. EPA Region 9 is not part of the group. Additional funding sources for cleaning the property were indicated. It included NDP. The Brownfield funding is for environmental assessments only. Communities can apply for grants of \$200,000 each for a total of \$1 million a year. NDP also administers a Brownfield's cleanup revolving loan fund. Property owners whose sites have been determined to be contaminated can apply for a grant for cleanup that can be repaid at either below market rate or where only the principal is repaid. The program is very collegial between the EPA, the State, and the local government. It is quite different from the EPA's superfund program. The Nevada EPA's role was described as advisory. The Brownfield program cannot be used on superfund sites. It is used for low priority sites with little or no impact. The Carson River was cited as an example of a superfund site. Board comments repeated concerns expressed by property owners that their sites will be stigmatized if determined to be contaminated. Mr. Mix indicated that once an inventory of potential sites is completed, the property owner(s) will be contacted. If he/she wishes to work with them, they will proceed. If not, the process is halted. The program is offered to the property owner and eliminates the need for the owner to commit his/her funding for the analysis. Once the State signs off on the program, the information and assurances are given to the owner. A gas station site was used to illustrate the ongoing need for monitoring wells. The property can be developed for some projects even

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though the monitoring wells remain. Mr. Mix has not been in the development area and believed that this is a true statement. Clarification reiterated that the City did not have to provide any matching funds. The initial cost is \$15,000 for Mr. Mix' services. Supervisor Williamson expressed her support for the program. Mr. McCarthy thanked Development Services and Community Development for their assistance in developing the program. Public comments were solicited but none were given. Supervisor Livermore moved to approve the application by the Office of Business Development to the U.S. Environmental Protection Agency for funding under the Federal Brownfields program. Supervisor Aldean seconded the motion. Discussion ensued among Mayor Teixeira, Mr. Burnham, and City Manager Ritter regarding Senior Accounting Manager Nick Providenti's signing the Action Request Form and the reasons funding is being taken from the 2006-2007 budget carryover that is in the Capital Projects fund. Ms. Ritter also corrected the funding years to be 2007-2008. Mr. Providenti has day-to-day knowledge regarding the budgets and will be signing future Action Request Forms. The motion to approve the application was voted and carried 5-0.

RECESS: A recess was declared at 9:23 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:30 a.m. (Supervisor Williamson was present via the telephone.)

8. PARKS AND RECREATION - Parks Planner Vern Krahn - ACTION TO ENDORSE MUSCLE POWERED'S CARSON CITY BICYCLE ROUTE MAP AND SAFE CYCLING GUIDE (9:29:25) - Muscle Powered President Anne MacQuarie - The map is an effort to advise bicyclists about safe routes for getting around the community. An endorsement was request rather than have the Board adopt a document not prepared by City staff. The proposed map is a second edition. The first edition was gone in 18 months. Corrections were made to it. Safety features are on the reverse side of the map. Copies have been provided to individuals who have requested them. Copies can be obtained at various locations in the community. Supervisor Livermore suggested that the aquatic trail be added to the map once it is completed. He also suggested that GPS coordinates be added to it, if possible. He opined that it is a well done map and expressed his intent to endorse it. Ms. MacQuarie explained Muscle Powered's goal to make the City a better community for bicyclists and pedestrians through advocacy, education, and promotion. The map was completed with funding from the Nevada Office of Traffic Safety, the Nevada Bicycle Advisory Board of Carson City, and map advertisers. Muscle Powered has an eight member Board and 90 members. The map is consistent with the City's bike plan and educates the public on safe bicycle riding skills. It is distributed free throughout the City. Programs sponsored by Muscle Powered were limned. The next safety program is to be held on Saturday at 9:30 a.m. at the north wall of the new Wal-mart. Mayor Teixeira complimented Ms. MacQuarie and Muscle Powered on their dedication and efforts. His personal experience riding a bicycle in the community was limned to illustrate the need to educate drivers about the bicycle etiquette. Ms. MacQuarie pointed out that the map indicates Carson Street is dangerous for bicyclists to use. Mayor Teixeira committed to continuing to ride his bicycle, however, would not use Carson Street in the future. He repeated his compliments to her for her community efforts. Comments were solicited but none were given. Supervisor Livermore moved to endorse Muscle Powered's Carson City Bicycle Route Map and Safe Cycling Guide. Supervisor Staub seconded the motion. Supervisor Williamson thanked Ms. MacQuarie for announcing the safety program scheduled for Saturday. The motion was voted and carried 5-0.

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9. CITY MANAGER - ACTION TO APPOINT ONE MEMBER TO THE AIRPORT AUTHORITY TO FILL THE "PILOT" POSITION FOR A TERM THAT EXPIRES OCTOBER 2011 (9:41:48) - The Board interviewed Samantha Moore and David McClelland. Mayor Teixeira thanked both for applying and pointed out that there is only one vacancy. The Board was polled to determine who should be appointed. The process selected Mr. McClelland. Supervisor Livermore moved to appoint David McClelland to the Airport Authority to fill the "Pilot" position for a term that expires October 2011. Supervisor Staub seconded the motion. Mayor Teixeira again thanked Ms. Moore for applying and her dedication as a sports pilot and to ultra-light aircrafts. The motion was voted and carried 5-0.

10. BOARD OF SUPERVISORS

A. UPDATE ON TAHOE REGIONAL PLANNING AGENCY (TRPA) ACTIVITIES BY MEMBER SHELLY ALDEAN (10:04:58) - Supervisor Aldean provided an oral summary of the TRPA activities. Justification for the slow progress on some of the items was provided. It was felt that the meeting with the Nevada agencies had been successful at obtaining additional participation from those individuals/groups. She identified the TRPA members, the voting members and other participants. The need for compromises and "balancing" of property rights were stressed. Efforts to prohibit the introduction of non-native species into the Lake and elimination of them when found in the Lake were described. The need for the public to cooperate and diligently check their boats and use the boat washing facilities were stressed. The nutrients in the Lake may help curtail some of these non-native species invasion of the Lake. The successful efforts to reduce the air carbon monoxide levels are to be advertised so that the public is aware of benefits created by TRPA. A blue ribbon committee has been established to work on establishing methods of reducing the fire hazards. Mayor Teixeira pointed out the workload placed on the TRPA representatives and complimented Supervisor Aldean on her dedication, her efforts, and her commitment to maintaining a balance between TRPA's goals and the property owners' rights, and her representation of the community. Public Works Director Andrew Burnham indicated, as an illustration of Supervisor Aldean's dedication, that he is her replacement and that he has attended the meetings on extremely rare occasions. No formal action was required or taken.

B. ACTION TO APPROVE A LETTER OF APPOINTMENT TO SUE JOHNSON FOR THE POSITION OF CITY AUDITOR (9:56:52) - Supervisor Staub explained the negotiations that had occurred with Ms. Johnson, her current salary as the City's Finance Director, and the liabilities she will assume as the City's Auditor. The letter offering her the position was summarized. (A copy is in the file.) Supervisor Aldean explained that the starting salary and merit increase six months later was similar to the offer made to the previous Internal Auditor. Discussion noted that the proposed salary is \$40,000 more than doubling the part-time salary for the Internal Auditor. Funding for the position is from salary savings, budget augmentations, and elimination of the Community Relations Officer's position. The benefit costs are not included in the \$101,250 salary offer. She will not have an employee. The workweek is for 40 hours. An audit committee should be established within 60 days. She will report and provide information to it. She will finalize the audit plan, establish the audit committee and work on special projects discussed at the previous meeting which included the PERS audit and the P2K program.

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Timelines for completion of the projects are also needed. Supervisor Staub moved to allow the Human Resource Department to issue a letter of appointment dated October 4, 2007, to Sue Johnson as the City Auditor with a salary of \$101,250 which will be evaluated at the end of six months and upon a satisfactory performance evaluation will be adjusted to \$105,000. Supervisor Livermore seconded the motion. The motion was voted by roll call with the following result: Supervisor Williamson - No, we can't afford it; Supervisor Aldean - Yes; Supervisor Livermore - Yes; Supervisor Staub - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

C. NON-ACTION ITEMS - INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS; CORRESPONDENCE TO THE BOARD OF SUPERVISORS; AND STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD - None.

D. NON-ACTION ITEM - STAFF COMMENTS AND STATUS REPORT - None.

11. DISTRICT ATTORNEY - ACTION TO RECESS INTO CLOSED SESSION PURSUANT TO THE NEVADA OPEN MEETING LAW, NRS. 241.015(2)(B)(2), FOR THE PURPOSE OF RECEIVING INFORMATION REGARDING POTENTIAL OR EXISTING LITIGATION FROM AN ATTORNEY EMPLOYED OR RETAINED BY THE CITY, AND/OR DELIBERATING TOWARD A DECISION (10:21:27) - Supervisor Aldean moved to recess into Closed Session pursuant to the Nevada Open Meeting Law, NRS 241.015(2)(B)(2) for the purpose of receiving information regarding potential or existing litigation from an attorney employed or retained by the City and/or deliberating toward a decision. Supervisor Livermore seconded the motion. Motion carried 5-0.

12. ACTION TO ADJOURN (10:21:45) - Supervisor Aldean moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 5-0.

The Minutes of the October 4, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____, 2007.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder