

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

October 18, 2007 – Regular Meeting  
November 1, 2007 - Regular Meeting

**DRAFT**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 1

DRAFT

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 18, 2007, at the Carson City 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
	Alan Glover	Clerk-Recorder
	Larry Werner	Development Services Director/City Engineer
	Walter Sullivan	Community Development Director
	Sue Johnson	Finance Director
	Kevin Haggarty	Information Services Director
	Roger Moellendorf	Parks and Recreation Director
	Melanie Bruketta	Chief Deputy District Attorney
	Jeff Sharp	Deputy City Engineer
	Ken Arnold	Public Works Operations Manager
	Cheryl Adams	Purchasing and Contracts Manager
	Steve Schutte	Chief Deputy Sheriff
	Jarrad Adams	Deputy Sheriff
	Katherine McLaughlin	Recording Secretary

(BOS 10/18/07 Recording 8:28:00)

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. City Manager Linda Ritter lead the Pledge of Allegiance. An Invocation was not given.

**PUBLIC COMMENTS AND DISCUSSION (8:28:53)** - Craig Sheets from Southern California espoused his belief that the populace is being poisoned through the use of chemicals in our food chain. He alleged that he had given copies of his proof to the FBI and documented it with 150 judges and "quite a few FBI agencies". He alleged that the general populace's every movement is being tracked by governmental agencies. This process utilizes the television, automobiles, etc. Such acts are illegal unless

DRAFT

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 2

authorized by a federal warrant. Petitions were purportedly provided to nurses and doctors illustrating the depth of the contamination. Informational copies of documents supporting his contention were given to the Clerk. (A copy is in the file.) Additional comments were solicited.

Sam Dehne announced that Carbela's is coming to Reno and Shields is coming to Sparks. Washoe County approved a \$100 million waterline which will allow additional growth to occur. Reno demolished the Park Lane Mall. He felt that Carson City will benefit from these activities as Santa Claus is moving to the Carson City Mall. Reno will have a triple A baseball team. His name for the team was described. He alleged that he had supported these projects at public meeting more than "all of the other citizens". He alleged that all of these items were occurring as a result of scheduled airline service. He then displayed a T-shirt advertising Carson City's Airport. People had allegedly advised him that he needed to put a picture of either an airline or a 737 on it. He suggested that Max Baer have scheduled airline service to the Minden airport to support his casino. Additional comments were solicited but none were given.

**1. ACTION ON APPROVAL OF MINUTES - 9/5/07 Special Western Nevada Legislation Coalition Thank You Luncheon and the 9/6 and 20/07 Regular Sessions (8:39:12)** - Supervisor Aldean moved to approve the Minutes from the Special Western Nevada Legislation Coalition Luncheon of September 5, 2007, as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Aldean moved to approve the Minutes from the regular Carson City Board of Supervisors meetings dated September 6 and September 20 as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:40:14)** - Items 4C, 5-5A and B, and 12A were pulled. Mayor Teixeira explained that Item 12A was being pulled as the Brewery Arts Center had obtained financing from the Irwin Union Bank. He complimented the bank's directors for the investment in the community during this critical time. He also advised that Item 13A will be consider before Item 9.

**3. SPECIAL PRESENTATIONS - PROCLAMATION DECLARING OCTOBER 29, 2007, AS "WE CAN" DAY IN CARSON CITY (8:41:40)** - Parks and Recreation Director Roger Moellendorf explained the name, its purpose, and the individuals and groups who were involved with the program that addresses childhood obesity. Individuals representing several of these groups were present and were introduced. Mayor Teixeira read the proclamation into the record. He thanked the supporters for attending the meeting and gave the proclamation to Washoe Tribal Chairman of Nevada and California Waldo Walker. Mr. Moellendorf then described the training session scheduled for October 29 at the Community Center gym and the activities that will occur on October 29 and 30 at the Legislative Mall. The training sessions were free and will be on the website.

**4. LIQUOR AND ENTERTAINMENT BOARD (8:49:00)** - 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.

DRAFT

**BOARD OF SUPERVISORS (8:57:25)** - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

**5. CONSENT AGENDA (8:57:45)**

**5-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 003-353-07 (LOCATED AT 915 CRAIN STREET) FROM THE 2007/08 REAL PROPERTY TAX ROLL PER NRS 361.765 IN THE AMOUNT OF \$66.48**

**5-2. SHERIFF - ACTION TO APPROVE THE ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY JOINING FORCES GRANT IN THE AMOUNT OF \$18,793.72**

**5-3. PURCHASING AND CONTRACTS**

**A. ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF TUCSON, ARIZONA, AND CARSON CITY, WHEREBY CARSON CITY WILL BE ALLOWED TO UTILIZE THE COOPERATIVE CONTRACTS ENTERED INTO BY THE CITY OF TUCSON FOR THE PURCHASE OF SUPPLIES, MATERIALS, AND EQUIPMENT AND OTHER MATTERS PROPERLY RELATED THERETO (FILE 0708-020)**

**B. ACTION TO APPROVE THE RENEWAL OF CONTRACT NO. 0405-060 WITH HYDROTECH, INC., TO PROVIDE CLEANING OF SEWER MAINS ON AN AS-NEEDED BASIS THROUGH DECEMBER 15, 2008, SUBJECT TO THE FUNDS BEING BUDGETED IN THE SEWER FUND AND WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR SUBJECT TO NEGOTIATIONS**

**C. ACTION TO DETERMINE THAT THE 1986 VAN PELT FIRE TRUCK PUMPER VIN 1S9ET6D02GC185957 AND THE 1986 VAN PELT FIRE TRUCK PUMPER VIN 1S9ET6D02GC185958 ARE SURPLUS VEHICLES, THAT IT IS IN THE BEST INTEREST OF CARSON CITY TO SELL THE VEHICLES TO FISH LAKE VALLEY FIRE PROTECTION DISTRICT FOR A TOTAL OF \$6,000, AND THAT THE SALE IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO NRS 334.030 (FILE 0708-061)**

**5-4. PUBLIC WORKS - TRANSPORTATION/CAPITAL PROJECTS - ACTION TO APPROVE AN ADDENDUM TO AGREEMENT NO. P417-06-030 BETWEEN THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) AND CARSON CITY FOR THE ADJUSTMENT OF UTILITY FACILITIES FOR A PORTION OF THE CARSON CITY FREEWAY PROJECT, PHASE 2A IN FIFTH ST AND THE FREEWAY CORRIDOR, TO ADJUST THE AGREEMENT COSTS TO REFLECT THE RELOCATION CONTRACTOR'S BID PRICES AND FINAL CONSTRUCTION PLANS, AND EXTEND THE REQUIRED COMPLETION DATE FROM SEPTEMBER 14, 2007, TO JANUARY 4, 2008**

**5-5. CITY MANAGER**

**A. ACTION TO APPROVE A REVISED JOB DESCRIPTION FOR THE POSITION OF CITY MANAGER**

**B. ACTION TO APPROVE A REVISED EMPLOYMENT AGREEMENT BETWEEN CARSON CITY AND CITY MANAGER LINDA RITTER**

DRAFT

**5-6. FIRE DEPARTMENT - ACTION TO ENTER INTO A MUTUAL AID AGREEMENT BETWEEN CARSON CITY AND THE REGIONAL EMERGENCY MEDICAL SERVICES AUTHORITY**

**5-7. PARKS AND RECREATION**

**A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A FUNDING AGREEMENT BETWEEN CARSON CITY (GRANTEE) AND THE STATE OF NEVADA, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF STATE LANDS (GRANTOR) FOR \$65,000 IN GRANT FUNDS TO BE USED TOWARDS THE CONSTRUCTION AND PAVING OF TWO TRAIL SEGMENTS ALONG THE LINEAR PARK BICYCLE/HIKING TRAIL**

**B. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A FUNDING AGREEMENT BETWEEN CARSON CITY (GRANTEE) AND THE STATE OF NEVADA, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF STATE LANDS (GRANTOR), FOR \$85,000 IN GRANT FUNDS TO BE USED TOWARDS THE PURCHASE AND RELATED GRADING AND CONSTRUCTION WORK FOR TWO NEW PREFABRICATED BRIDGES WHICH WILL CROSS THE MEXICAN DITCH**

**C. ACTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER TO KAREN DONATO, COORDINATOR OF THE NATIONAL HEART, LUNG, AND BLOOD INSTITUTE OBESITY EDUCATION INITIATIVE CONFIRMING CARSON CITY'S PARTICIPATION IN THE "WE CAN" CITY PROGRAM**

**5-8. DEVELOPMENT SERVICES - ENGINEERING**

**A. ACTION TO APPROVE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY FROM PROPERTY OWNER GARTH RICHARDS, PRESIDENT OF SILVER OAK DEVELOPMENT COMPANY, LTD, TO CARSON CITY FOR A PORTION OF OAK RIDGE DRIVE, CONTAINING 1.42± ACRES IN SILVER OAK PUD**

**B. ACTION TO APPROVE DEDICATION OF LAND FOR PUBLIC ACCESS AND UTILITIES FROM NEVADA WEST LAND, LLC, TO CARSON CITY FOR PARCEL "B" CONTAINING 2,444 SQUARE FEET AS SHOWN ON THE FINAL MAP FOR SUNDANCE RIDGE PHASE 2**

**C. ACTION TO APPROVE DEDICATIONS OF LAND FOR PUBLIC RIGHT-OF-WAY FROM NEVADA WEST LAND, LLC, TO CARSON CITY FOR CASSIDY COURT AND ETTA PLACE, CONTAINING 1.57± ACRES AND PARCEL "C" BEING A PORTION OF LEPIRE DRIVE, CONTAINING 1,702 ± SQUARE FEET IN SUNDANCE RIDGE PHASE 2 SUBDIVISION** - Sam Dehne advised his desire to speak on Items 5-3A, 5-5, and 5-7. Mayor Teixeira explained that Item 5-5 had been removed. Mr. Dehne opined that the purchasing contract with Tucson is not an exclusive agreement and urged the City to have a similar agreement with Reno. Item 5-5 deals with the City Manager's contract. He felt that the public had a right to know why it was removed. He explained that the revisions were to have dealt with requirements mandating that the City Manager live within the City's limits and to add professional conduct language. He had not seen the staff's summary. He was not taking sides on this issue. He also felt that as the City is accepting large grants the individuals who had worked to obtain them should receive credit for their efforts. The Consent Agenda was created to handle mundane items and housekeeping matters. The City Manager's contract should be discussed

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 5

**DRAFT**

by the public. It should not be listed on the Consent Agenda. Additional comments were solicited but none were given. Supervisor Livermore moved for approval of the Consent Agenda that consists of 5-1 Assessor; 5-2 Sheriff; two items under 5-3 Purchasing – three items under Purchasing and Contracts which includes for Item 5-3A Resolution No. 2007-R-33; one item under Public Works Transportation 5-4; one item under Fire Department 5-6; three items under Parks and Recreation 5-7; and three items under 5-8 Development Services - Engineering, as presented. Supervisor Staub seconded the motion. Supervisor Livermore indicated that the total number of items is 13. Supervisor Aldean explained that the Board had discussed the City Manager's job description and contract at the last meeting and made the suggested changes. The approval was delayed today for another revision. Mayor Teixeira indicated that the contract will be on the regular agenda when considered. The motion to approve the 13 items as indicated was voted and carried 5-0.

**6. MAYOR MARV TEIXEIRA - PRESENTATION BY THE NEVADA CHAPTER OF OPERATION FIRST RESPONSE REGARDING THEIR PLANS FOR A CITYWIDE "CARSON CITY SUPPORT OUR TROOPS DAY" (9:02:51)** - Mayor Teixeira introduced Carol Howell and explained her request. Ms. Howell described the plans and the support that had been received from individuals, groups, businesses, and the schools. She requested an endorsement and cosponsorship from the Board that included funding, participation in the parade, speaking at Mills Park, and attendance at the dinner dance. Mayor Teixeira explained that the Board's participation in the Parade and endorsement could be done. He was, however, concerned about sponsorship. Action by the Board had not been agendaized, therefore, none could be taken. Ms. Howell explained that Supervisor Aldean had offered to serve as a liaison with the council. Mayor Teixeira complimented her on her volunteerism. He also suggested that a contingency be developed in case Mother Nature does not cooperate. Ms. Howell explained the weather conditions for the last five years which indicated Mother Nature will cooperate with them. Discussion also indicated that Ms. Howell has been a Carson City resident for 12 years. Supervisor Williamson congratulated her on her efforts. Ms. Howell provided the telephone number of 775-884-1989 so that others can offer support. The Council is a Nevada nonprofit organization. Supervisor Aldean disclosed her contact with the Council and explained the reasons May 17 was selected. She also believed that the weather will cooperate and it will be a successful event. Her pride in participating was indicated. Mayor Teixeira noted that it will draw/involve individuals from the surrounding area. Supervisor Livermore felt that the community will support the activities. He volunteered his assistance. Board support will be requested by Supervisor Aldean as the Council's liaison. Supervisor Aldean requested wording for a proclamation which she hoped to present to the Board at the next meeting. Ms. Howell agreed to provide it. Mayor Teixeira wished her success.

Sam Dehne advised his intent to establish a list of things Carson City does well. He disclosed his military background. He commended the Council on their efforts and wished them success. His support for the effort was explained. He cautioned them regarding the cost of putting on a dinner/dance as it can be very expensive. Mayor Teixeira opined that Mr. Dehne's band may have to participate.

Development Services Director Larry Werner suggested that the Board also consider waiving the nonprofit reduced fees that will be required for the event. No formal action was required or taken on this Item.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 6

DRAFT

7. **INFORMATION TECHNOLOGY - Director Kevin Haggarty - PRESENTATION AND OVERVIEW OF CURRENT AND FUTURE ACTIVITIES OF THE INFORMATION TECHNOLOGY DEPARTMENT (9:58:01) - City Manager Linda Ritter -** An explanation of the problems encountered with a recent test of the "Code Red" program was provided. Protocol addressing the problems is being developed. An apology for the disturbance was given. As the City pays for 50,000 minutes as part of this program, an additional expense was not incurred. Mr. Haggarty explained his slide presentation highlighting the Department's current and future activities. (A copy of Mr. Haggarty's slide presentation is in the file.) Discussion explained Mr. Haggarty's role in the acquisition of new programs by other Departments. He does not determine whether the program will function as desired. The Department had analyzed the judicial programs which have been brought on line. The Department did not analyze the HR program. Mr. Haggarty felt that the Department had learned from problems encountered with the HR program. Ms. Ritter explained that Mr. Haggarty has a template that is used to analyze new programs. The template has assisted with the removal of two programs—one in the courts and one in the building area. The template has saved the City funds as a result of its usage. Discussion then explained that Mr. Haggarty is in the process of reviewing the wireless usage in the City. He hoped to restrict the number of cell and Blackberries to 200 and consolidate the wireless devices as much as possible. He hoped to have one or two vendors rather than the four currently serving the City. Supervisor Williamson thanked him for his executive summary and for revitalizing the Department. She also felt that he is a strong, aggressive negotiator who has saved the City money. Discussion indicated that there is an interlocal agreement with Lyon County that provides it with technology assistance. Funds generated as a result of this agreement are used for the capital program. Additional comments were solicited but none were given. No formal action was required or taken.

8. **DEVELOPMENT SERVICES - PLANNING AND ZONING - Community Development Director Walter Sullivan**

**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**

DRAFT

**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) (9:20:41) -** Comments were solicited but none were given. Supervisor Aldean moved to adopt Bill No. 132 on second reading, Ordinance No. 2007-33, an Ordinance amending various provisions of the Carson City Municipal Code Section 17.06, Final Subdivision Maps, 18.02, Administrative Provisions, Development Standards Section 1.11, Street Vendors, Section 1.15, Manufactured Home Installation within a Single Family zoning District, and Section 2.3, General Parking Requirements as agendized on the agenda and published in the newspaper. Supervisor Williamson seconded the motion. Motion carried 5-0.

**B. ACTION TO ADOPT BILL NO. 133, ON SECOND READING, EFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6000-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 (ZMA-07-108) (9:22:50) -** Comments were solicited but none were given. Supervisor Staub moved to adopt Bill 133 on second reading, Ordinance No. 2007-34, effecting a Zoning Map Amendment to change the zoning from Mobile Home 12,000, MH12, to Mobile Home 6000-Planned Unit Development, MH6P, 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. Supervisor Livermore seconded the motion. Motion carried 5-0.

**C. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030, TRAILERS, MOBILEHOME, RECREATIONAL VEHICLES, COMMERCIAL COACHES AND STORAGE CONTAINERS, TO PROHIBIT TENTS, TRAINS, BOXCARS, SEMI-TRUCK TRAILERS, PASSENGER COACHES, BUSSES, STREETCAR BODIES OR SIMILAR ENCLOSURES AND ROLLING STOCK IN ALL RESIDENTIAL ZONING DISTRICTS, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA-07-132) (9:31:30) -** Comments were solicited but none were given. Supervisor Williamson moved to introduce on first reading Bill No. 134, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030, TRAILERS, MOBILEHOME, RECREATIONAL VEHICLES, COMMERCIAL COACHES AND STORAGE CONTAINERS, TO PROHIBIT TENTS, TRAINS, BOXCARS, SEMI-TRUCK TRAILERS, PASSENGER COACHES, BUSSES, STREETCAR BODIES OR SIMILAR ENCLOSURES AND ROLLING STOCK FROM ALL RESIDENTIAL ZONING DISTRICTS based on the findings that are contained in the staff report. Supervisor Livermore seconded the motion. Motion carried 5-0.

**D. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING**



**DRAFT**

**CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.04, USE DISTRICTS, SECTION 18.04.030.2, NONCONFORMING USES - EXPANSION OF A NONCONFORMING BUILDING, TO AMEND THE SECTION ADDRESSING EXPANSION OF NONCONFORMING BUILDINGS TO CLARIFY WHEN A SPECIAL USE PERMIT IS REQUIRED, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA-07-133) (9:33:44)** - Discussion justified the revision. Comments were solicited but none given. Supervisor Aldean moved to introduce on first reading Bill No. 135, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.04, USE DISTRICTS, SECTION 18.04.030.2, NONCONFORMING USES - EXPANSION OF A NONCONFORMING BUILDING, TO AMEND THE SECTION ADDRESSING EXPANSION OF NONCONFORMING BUILDINGS TO CLARIFY WHEN A SPECIAL USE PERMIT IS REQUIRED, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

**E. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "ADULT ENTERTAINMENT FACILITY," DELETE "VIDEO RENTAL" AND ADD "ADULT MERCHANDISE RETAIL ESTABLISHMENT" DEFINITIONS, AND AMENDING CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN, ADDING SECTION 1.19 ADULT MERCHANDISE RETAIL PERFORMANCE STANDARDS, TO ESTABLISH REGULATIONS FOR THE ADULT MERCHANDISE RETAIL ESTABLISHMENT COMMERCIAL PROPERTIES AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA-07-135) (9:36:05)** - Mr. Sullivan's introduction included justifying the revisions and explained the intent to have the ordinance conform with surrounding communities' ordinances. The three adult retail establishments operating in Carson City had voluntarily restricted their sales of this merchandise to ten percent of the establishment. The ordinance had been sent to those establishments. George Staff had allegedly indicated his support for the ordinance. Discussion noted the Planning Commission's recommendation that the restricted area for the merchandise be reduced to five percent. Staff supported ten percent. The area provided in the surrounding Counties' ordinances ranged from 5 to 7 to 10%. The three current establishments will be grandfathered until they relocate. They will then be required to meet the Code. The District Attorney's office had advised that a change of ownership would also require compliance with the Code. Other Code provisions address the concerns regarding signage with the exception of the establishment on Highway 50 which is grandfathered. The life of its banner is limited to 90 days, which should expire soon. Supervisor Livermore explained the residential area adjacent to that establishment and their concerns. Mr. Sullivan indicated an intent to meet with the residents regarding their concerns and to work with the establishment on the content of its banner/signage. The proposed ordinance will address similar situations in the future. Supervisor Aldean moved to introduce on first reading Bill No. 136, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "ADULT ENTERTAINMENT FACILITY," DELETE "VIDEO RENTAL" AND ADD "ADULT MERCHANDISE RETAIL ESTABLISHMENT" DEFINITIONS, AND AMENDING

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 9

**DRAFT**

CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN, ADDING SECTION 1.19 ADULT MERCHANDISE RETAIL PERFORMANCE STANDARDS, TO ESTABLISH REGULATIONS FOR THE ADULT MERCHANDISE RETAIL ESTABLISHMENT COMMERCIAL PROPERTIES AND OTHER MATTERS PROPERLY RELATED THERETO based upon the findings for approval contained in the staff report as agendized on the agenda and published in the newspaper, File ZCA-07-125. Supervisor Livermore seconded the motion. Motion carried 5-0.

**F. ACTION TO INTRODUCE, ON FIRST READING, A ZONING MAP AMENDMENT FROM SIERRA ENGINEERING CONSTRUCTION, BRUCE BACON (PROPERTY OWNERS: A KRYUCHKOVA AND W. KRYUCHKOVA/VINCENT AND MARY ANNE PEARSON) TO CHANGE THE ZONING OF APN(S) 008-211-11 AND 008-184-36 FROM MOBILE HOME 12,000 TO MOBILE HOME 6,000 (MH6) ON PROPERTY LOCATED AT 2549 AND 2530 AIRPORT ROAD AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZMA 07-123) (9:46:01)** - Comments were solicited but none were given. Supervisor Williamson moved to introduce on first reading Bill No. 137, A ZONING MAP AMENDMENT FROM SIERRA ENGINEERING CONSTRUCTION, BRUCE BACON; PROPERTY OWNERS: A KRYUCHKOVA AND W. KRYUCHKOVA/VINCENT AND MARY ANNE PEARSON; TO CHANGE THE ZONING OF APN 008-211-11 AND 008-184-36 FROM MOBILE HOME 12,000 TO MOBILE HOME 6,000 ON PROPERTY LOCATED AT 2549 AND 2530 AIRPORT ROAD based on the findings contained in the staff report. Supervisor Aldean seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 9:49 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:57 a.m., constituting a quorum.

**G. ACTION TO APPROVE A BREW PUB AND BREWERY APPLICATION FOR FOOD MANAGEMENT SERVICES, INC., DOING BUSINESS AS DOPPELGANGERS, LOCATED AT 302 NORTH CARSON STREET, AND ITS CORPORATE OFFICERS AND MANAGERS: ALAN H. ADAMS, PRESIDENT; ROBERT STEWART, VICE PRESIDENT; JOHN F. SIEBEN, SECRETARY, TREASURER, MANAGER; MELISSA CLAUDE, TONY ALEC, JOHN WHITEMAN, MANAGERS; BART MOWRY, RESIDENT AGENT (9:24:12)** - Development Services Director Larry Werner - Mr. Sullivan's introduction explained the Statute mandating the Board's role in the licensing and that Robert Stewart had been listed on the original application for this location. Mr. Stewart is on the current application. The State must rule on the brew pub's application. Until that occurs, the micro-brewery items cannot be sold. Hard liquor and boxed wine products can be sold. The original license has lapsed. The State must approve the revised application to manufacture the product. The Board must state that all of the applicants are of good moral character. Discussion noted that Mr. Adams is the majority stockholder and President of the corporation. Mr. Werner indicated that the City issued Liquor License is still valid and that the Liquor and Entertainment Board does not have to act on the changes. The Board's action today will satisfy the State requirements. Supervisor Livermore moved to approve a Brew Pub and Brewery Application for Food Management Services, Inc., dba Doppelgangers Alan H. Adams, President; Robert Stewart, Vice President; John F. Sieben, Secretary/Treas-

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 10

DRAFT

urer/Manager; Melissa Claude, Tony Aldec, and John Whiteman, Managers; Bret (Bart) Mowry, Resident Agent. Supervisor Williamson seconded the motion. Motion carried 5-0.

Department of Taxation Tax Administrator Heidi Pettinger advised that as soon as the Mayor signs the application and her agency receives it along with the \$75 fee and \$1,000 bond they can begin production. They must have a Federal brewer's permit. She hoped that its application process has already begun. It may hold up the license. Mayor Teixeira noted the City's action had occurred as quickly as possible and advised his intent to sign the document today. The need to act on the license as quickly as possible was stressed. He thanked her and the business representatives for attending the meeting. He hoped that the State will be able to assist in expediting the process. Ms. Pettinger expressed a desire to expedite the process so that they can begin brewing this weekend.

**14. CITY MANAGER - Linda Ritter**

**A. ACTION TO AUTHORIZE THE USE OF ECONOMIC DEVELOPMENT FUNDS IN AN AMOUNT NOT TO EXCEED \$240,000, TO CURE AN IMPENDING DEFAULT ON A 2004 LOAN MADE TO THE BREWERY ARTS CENTER BY WELLS FARGO FOR THE PURCHASE OF THE BREWERY ARTS CENTER'S PERFORMANCE HALL, ADDRESS 501 WEST KING STREET, APN'S 003-206-01 AND 003-206-02, AND DISCUSSION AND POSSIBLE ACTION REGARDING THE CURRENT FINANCIAL STATUS OF THE BREWERY ARTS CENTER (8:40:14) - Pulled.**

**B. UPDATE ON THE CURRENT AND FUTURE FINANCIAL CONDITION OF THE CARSON CITY GENERAL FUND (10:17:38) -** Computerized slides showing the positions that have been eliminated and the monthly sales tax revenue for the last five years was explained. (Copies are in the file.) Discussion explained the status of the five positions which were not funded by the Board during development of the 07-08 budget. The Citizen Outreach Coordinator was transferred to CDBG program and is 75% funded under that program. The Deputy District Attorney was funded. The Alternative Sentencing Officer was funded by grants. Seventeen positions have been eliminated since January 2007. No new positions have been added although some shifting of positions has occurred. Some of the shifts were created by a change in duties and position consolidations. Reductions have also been made in the expenditures. The budget position is now a negative \$186,000. Discussion indicated that the contingency should be removed from the budget to have a true accounting. Ms. Ritter agreed that contingency may be needed later in the fiscal year. It was left in the approved budget as well as the revised budget to "provide an even comparison". The 06-07 budget had also had contingency funds within it. Its contingency funds were not used. Its removal created the reduction in that budget. An operating transfer has been built into the indigent fund to address its funding problem. It is estimated that the \$120,000 transfer will handle its shortage. Mayor Teixeira felt that additional funding may be needed. Ms. Ritter then described the current budget including the revenue streams and adjustments. A binder detailing this information had purportedly been given to the Board members prior to the meeting. (A copy was not given to the Clerk.) Updates to it are to be provided quarterly. The Business Analyst had provided a sales tax report which indicated that the estimated sales tax revenue is \$22.8 million for the

DRAFT

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 11

year. The estimate for 2006 was \$22.1 million. Mayor Teixeira then went to the next item. No formal action was required or taken on this Item.

**15. BOARD OF SUPERVISORS**

**A. MAYOR MARV TEIXEIRA - DISCUSSION ON THE FINANCIAL STATUS OF THE CITY BASED ON THE RECENTLY ISSUED JULY 2007 SALES TAX REPORT AND POSSIBLE ACTION TO DIRECT STAFF TO DEVELOP AN ACTION PLAN (10:29:38) - Human Resource Director Ann Silver -** Mayor Teixeira then read his prepared statement into the record. (A copy is in the file.) It stressed his belief that the sales tax revenue had taken a downturn and will remain down for the entire year. Justification for steps to be taken reducing the budget at this time were limned. The suggested steps were then recommended. Discussion ensued regarding his recommendation to impose a hiring freeze for 120 days. There are 39 vacant positions at this time. Interviews for those vacancies are being held. Job offers have been made for several of these positions. Ms. Silver felt that the City could withdraw those offers. Mayor Teixeira clarified his freeze recommendation to indicate that grant positions and enterprise positions could be hired so long as no General Fund monies are required to support the funding. Hiring is allowed for critical positions in the Sheriff and Fire Departments.

Supervisor Livermore applauded Mayor Teixeira on his willingness to bring the concern forward and be proactive in its resolution. He assured the community that the City has sufficient operating capital for the social services that are desired by the residents which include public health, safety and welfare items. He was surprised that the suggestions had not been raised before now. He supported recognition of the concern and the proactive programs which will avoid a last minute stampede to reduce expenses. The 120 day period is not a life long period. The budget can be analyzed monthly and revised as is deemed appropriate.

Supervisor Staub disclosed his discussion about the proposed 120 day hiring freeze with staff members including the Sheriff. He disliked the concept due to the lack of knowledge regarding the net effect. He questioned the definition of the term "critical positions" due to his belief that it is subjective. He hoped that all Department Heads, including the elected officials, will analyze their needs and understand the collateral effect that will be created. The freeze on the 39 positions may avoid the necessity for a layoff in the future. The City is fiscally restrained due to the reduction in property taxes and the decrease in sales tax. There have been discussions regarding a potential layoff. Neither the bargaining units nor the Board, including himself, want layoffs to occur. He cautiously supported taking a proactive stance at this time as it could eliminate the need for layoffs. He also pointed out the need to address the PERS audit and the payroll program.

Discussion between Mayor Teixeira and City Manager Ritter indicated that any noncritical positions are to be approved by the Board before being filled. The Department Head will inform Ms. Ritter as to the essential/critical need for the position. The Board can agree or disagree with his/her designation. Mayor Teixeira felt that the Board will know the City's financial status in four months. Ms. Ritter advised that the capital survey forms have already been distributed. The survey is to be submitted to the Board for

DRAFT

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 12

discussion/action in December.

Supervisor Aldean pointed out that road maintenance positions could be deemed essential as well as critical due to the health and safety needs. She urged the Board/staff to define the term critical. Mayor Teixeira agreed that the definition will be subjective. The Board can make the determination at the time of the request. Supervisor Staub expressed a desire to exempt the Sheriff and Fire Departments' line officers—individuals who are on the street. Mayor Teixeira did not have a problem with these exemptions. Discussion reiterated that Sheriff and Fire Departments' line positions do not have to come to the Board for approval. Mayor Teixeira also disclosed his belief that District Attorney Neil Rombardo will be bringing a request for a Deputy District Attorney to the Board due to his knowledge of the court issues. Comments indicated that 18 of the 39 open positions are full time. Mayor Teixeira reiterated his desire to avoid firing individuals who were recently hired.

Supervisor Staub moved to approve the action plan which Mayor Teixeira had proposed to the Board today with the corrections that all line police officers and firefighters are exempt from the freeze. Supervisor Livermore seconded the motion. Motion was voted by roll call with the following result: Supervisor Aldean - Yes; Supervisor Williamson - No, I want a more complete analysis; Supervisor Livermore - Yes; Supervisor Staub - Yes; and Mayor Teixeira - Yes. Motion carried 4-1.

**9. OFFICE OF BUSINESS DEVELOPMENT - Manager Joe McCarthy - ACTION TO APPROVE A POLICY TITLED "ECONOMIC DEVELOPMENT FUNDING POLICY" (11:03:15)**  
- City Manager Linda Ritter, Chief Deputy District Attorney Melanie Bruketta - Supervisor Aldean advised that she will not leave the dias. She will not participate in the discussion nor vote when action is taken due to a possible conflict of interest. She had consulted with the District Attorney's Office. They recommended that she abstain.

Justification for the proposal to transfer the Landfill Enterprise back to the General Fund and utilize revenue from it for Economic Development was provided. The transfer will be considered by the Board at its next meeting. The action requested today merely establishes the policy allowing the use to occur. Mayor Teixeira felt that the process should establish a paper trail illustrating how the funds are used and provide for repayment. He acknowledged that the landfill is an EPA issue which could be volatile due to EPA's desire to have it lined. It is also possible that EPA will want it to be a transfer station. The cost to close it will be substantial. Its funding should be set aside and carried on the books. Discussion acknowledged that the landfill has been making a profit which is contrary to normal government practices and Statutes regarding enterprise funds. Ms. Bruketta acknowledged the legal concerns which had been voiced by her Department and indicated that Waste Management had allegedly voiced the same concern. Mayor Teixeira reiterated his request that a clear paper trail be established. Ms. Ritter advised that the funds will be "tracked". Mayor Teixeira then indicated that he would support the Board and rescinded his request. He acknowledged Waste Management's concerns. Supervisor Williamson moved to approve Policy No. 2007-P-3 entitled "Economic Development Funding Policy". Supervisor Livermore seconded the motion. Motion carried 4-0-1 with Supervisor Aldean abstaining.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 13

DRAFT

RECESS: A recess was declared at 11:12 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 11:18 a.m., constituting a quorum.

**10. REDEVELOPMENT AUTHORITY (11:17:43)** - 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 (1:11:43)** - 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.

**11. ACTION TO APPROVE THE OWNER PARTICIPATION AGREEMENT WITH CITY MANAGEMENT SERVICES, OWNER ROBERT ROTHE, DOING BUSINESS AS CARSON SOUTHGATE, LLC, TO PROVIDE FINANCIAL ASSISTANCE ON A REIMBURSEMENT BASIS FOR THE REHABILITATION OF THE VACANT, BLIGHTED FORMER WAL-MART BUILDING IN THE SOUTHGATE SHOPPING CENTER TO ALLOW FOR THE OCCUPANCY OF A 70,000 SQUARE-FOOT BURLINGTON COAT FACTORY (1:11:46)** - Mayor Teixeira noted Supervisor Aldean's intent to abstain on this Item. Supervisor Williamson moved to approve the owner participation agreement with City Management Services, Owner: Robert Rothe, doing business as Carson Southgate, LLC, to provide financial assistance on a reimbursement basis for the rehabilitation of the vacant, blighted former Wal-Mart Building in the Southgate Shopping Center to allow for the occupancy of a 70,000 square foot Burlington Coat Factory. Supervisor Livermore seconded the motion. Motion carried 4-0-1 with Supervisor Aldean abstaining.

RECESS: A recess was declared at 1:12 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 1:20 p.m., constituting a quorum.

**13. PUBLIC WORKS - STORM WATER - ACTION TO APPROVE THE CLEAR CREEK STORM WATER MANAGEMENT PROGRAM AS REQUIRED UNDER THE CITY'S NPDES (NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM) PHASE II PERMIT AND AUTHORIZE CITY STAFF TO PROCEED WITH THE INTERAGENCY COLLABORATION AND IMPLEMENTATION OF THE PROGRAM (1:20:30)** - Chief Storm Water Engineer Rob Fellows, City Engineer/Development Services Director Larry Werner, Bob Fredlund - A computerized slide presentation was given. (A copy is in the file.) The program is coordinated with Douglas County's. Funding has not been committed to the program. Supervisor Livermore noted the State's original involvement. The State had allegedly committed \$2 million for this program. Mr. Fellows agreed that all of the property owners should participate and financially support the program. There are 934 parcels in the watershed which includes 139 vacant parcels. The area map does not include a Douglas County subdivision that will have cluster housing. The former Clear Creek Youth Camp has been demolished and may be sold at a future date. A description of the watershed area was provided including the water classes. The primary goal and its goal strategies were listed and explained including the need to educate the property owners about maintenance of the watershed. The education program included advising the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 2007, Meeting

Page 14

DRAFT

residents of the free oil recycling program conducted at the landfill, pretreatment of gas stations, establishment of a buffer between the creek and development, etc. Data regarding the watershed is currently being collected by the Washoe Tribe, NDOT, and Carson City. The proposed implementation programs were listed. NDEP believes that Carson City should work with the other property owners. Others may be added to the list in the future. Discussion indicated that the City cannot be held accountable for discharges from sites above its area. This is the reason all of the participants need to be involved with the water quality program. Supervisor Aldean emphasized that the City should not be penalized for the failings caused by others. Mr. Fellows felt that efforts are being made by Douglas County to implement some of the programs. Discussion indicated that permits are required before construction can occur. The contractors should use best management practices during development. Public comments were solicited.

Mr. Fredlund encouraged the Board to adopt the program. The watershed is a valuable asset to the community. It is a huge area that is much like a park. He did not want to see it ruined or polluted. He encouraged continuing to monitor the upstream residents. He also appreciated Mr. Fellows efforts.

Supervisor Staub moved to approve the Clear Creek Storm Water Management Program as required under the City's NPDES, National Pollution Discharge Elimination System, Phase II permit and authorize City staff to proceed with the interagency collaboration and implementation of the program. Supervisor Aldean seconded the motion. Motion carried 5-0.

**12. PUBLIC WORKS - ACTION TO APPROVE FILING A PROTEST WITH THE STATE ENGINEER REGARDING PENDING WATER RIGHTS APPLICATION 76144 (1:39:00) -**

Development Services Director/City Engineer Larry Werner, Bruce Scott, Don Schultz' Attorney Harry Swainston - Mr. Scott explained the City's acquisition of water rights which had established a price for them in Carson City. These water rights can be used in City wells. The application is for 1,000 acre feet of water rights that is supplemental to water already recognized. He encouraged the City to file a protest to the application in order to retain the ability to take action regarding the application in the future. These actions include withdrawal, modifying the original protest, and participation in the protest. If the City fails to file a protest, it loses its standing in the matter. He believed that the water, if approved, will allow the applicant to step into the municipal water business. He urged the City to take a leadership role regarding the transfer of water rights in this area. The water rights are additional water which the City should be in the driver's seat regarding its usage. Clarification indicated that the process is adversarial. In order to participate in the decision, standing must be established via a protest. Mr. Scott indicated that he viewed an application for a 611-acre feet of water is different from this request for 1,000 acre feet. The 611 acre feet are also for quasi-municipal purposes. Discussion explained that some Dayton water rights had been modified as a result of a court ruling. Mr. Scott did not believe that this application will be discounted as those water rights had been. Discounting occurs when water rights are converted from agricultural uses to municipal uses. The filing is dated August 2007. The underlying claims are vested from the 1850, 1860 and 1870s. He also felt that it is very unique application due to the amount of ground water being claimed. Professionally dug wells appeared in the 1910 and 20s. Wells before that period were hand dug. The City's agreement with the Schultz family is clear and fair. They have to show the water. The applicants will have an uphill battle showing historic use from a ground water source.

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 15

DRAFT

(1:49:24) Mr. Swainston displayed a "second minute photograph" of the area, which he described. The history of the ranch was limned. The water rights were established by serving the immigrants going to California. The photograph illustrated that there is a great deal of vegetation and cattle. The well contained large boulders in a "cistern" that was close to the ground. It was used for stock watering and quasi-municipal purposes. During the last 20 years the Schultz' have encountered governmental road blocks in their efforts to find the highest and best of use of their water. In consummating the City agreement, the water rights were changed from agricultural purposes to municipal purposes. The place of use was changed to the Carson City water distribution system. These changes will not be processed until they have been adjudicated. The State Water Engineer has allegedly advised that he has no adjudications planned at this time and may not have any during their lifetime. Therefore, Mr. Swainston filed in district court for a quiet title to the water rights and to quantify them for transfer to the City to satisfy the contract. There are also a number of other causes for action involved. The only case the Water Engineer has adjudicated was a very aggressive forfeiture. Mr. Swainston thought that the same thing would happen with the Schultz' case. So, Mr. Swainston filed under the application and permit process in order to keep the courts from ruling a forfeiture due to the lack of use for a five-year period. He felt justified in the filing due to the State Water Engineer's response to the application indicated that all or a portion of the water rights had been forfeited in addition to other defenses. Mr. Swainston then, within the 20-day response period, filed to strike those defenses. This motion has been set for a hearing on November 15. He believed that the forfeiture issue will be won based on Nevada case law indicating that the forfeiture law does not extend retroactively past 1913. The water rights were created before that date. The application is pending and is in the early process of being published and protested. He urged the Board to accept the fact that they are working together on the process. The Schultz want the contract to be consummated so that everyone benefits. NRS 533.365 was read to illustrate the adversarial nature created by filing a protest against an application. He urged the Board not to file a protest but to file a petition to intervene in the process as a real party in interest. He would not oppose such a petition. It would allow them to remain in a good faith relationship with the City.

(1:58:19) Discussion indicated that the 611 acre feet of water rights is still working it way through the court process. The State Water Engineer's opinion was that they had been forfeited in part or as a whole. Supervisor Aldean supported filing a petition to intervene rather than filing a protest. Mr. Swainston indicated that the Schultz do not oppose having the City file as a co-applicant.

Clarification by Mr. Swainston indicated that the Schultz do not intend to create a municipal water company. They want to protect and transfer the water rights to either Carson City or Douglas County. This could create an awful specter of having an inter-county conflict over water. He believed that the aquifer was the finest he had seen and may be one of the last ones in this part of the country. It was tested in 1994 by Kleinfelder who said they could sustainably pump 650 acre feet a minute. If Carson City does not purchase the water, then Douglas County is the only remaining interest. The well is located in Carson City.

Mr. Werner then explained that the decision to acquire the rights is up to the Board. The process used for water purchases was limned. Mr. Werner was not aware of a water right purchase from the Andersons'



CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 16

DRAFT

Ranch. Supervisor Livermore advised that the City currently has other water rights in Douglas County that are difficult to acquire and maintain. Mr. Werner felt that they were comparing apples and oranges. If the City files on the Schultz water rights, it will have to determine what the impact would be to the surrounding area. This would "put more water rights on the basin." Extraction of water under rights already owned by the City has been difficult at times. It is in the same aquifer as the Schultz'. Failure to protest, may damage the City's water rights. The protest will give the City the ability to negotiate the final results. If the City files as a co-applicant, the City may be responsible for a share or all of the costs. He also felt certain that the Washoe Tribe will be filing a protest. He advised that he had not discussed his comments with Mr. Scott.

Mr. Swainston assured the Board that they plan to proceed with the adjudication and will get a lot of water for the City as the priorities are exercisable and before the other wells.

Mr. Scott reiterated his strong recommendation that the Board not file as a co-applicant or party with the Schultz regarding their claims of vested rights. To do so, would provide entanglements. The City has an agreement with the Schultz that you will pay them for winning. It is a fair agreement. Clarification indicated that the 611 acre feet is still to be adjudicated. It is in the court system now and is moving forward. The application that Mr. Scott recommends they protest is for 1048 acre feet. Mayor Teixeira explained to Mr. Swainston and Mr. Schultz that the Board has a fiduciary responsibility to the community. Mr. Scott is the City Water Engineer and makes recommendations to the Board. He is recommending that the Board protest their application.

(2:08:13) Discussion between Supervisor Aldean and Mr. Scott explained Mr. Scott's belief that a protest should be filed first due to the timeframe for filings. If this timeframe is missed, the Board will not be able to intervene or protest. Without the protest, the Board will have a different standing with the State Water Engineer. He was uncertain about the court requirements. He believed that the Board could support their adjudicated rights even if a protest is filed. The protest merely maintains the City's position in the process. It can be withdrawn or modified in the future. The protest can include the reasons for the filing. The City is not concerned about the water rights being recognized but it has a contract to purchase additional rights and the needs to maintain the City's vested interest in those rights. Mr. Scott also recommended that the protest include, as the water purveyor in this area, that the Board feels that it is in its interest that the water in excess of what may be adjudicated not be appropriated to the Schultz' application. There are already applications and permits on file in the City and others' names in the Carson Valley which the City should be ahead of and not behind. He felt that it could be a 400+ windfall of water rights to the Schulz if this application is approved. The only thing they can do is to sell to the City or a developer who will furnish it. The City is in the water business and needs to protect its element.

Supervisor Staub moved to approve filing a protest with the State Engineer regarding pending Water Rights Application 76144. Supervisor Aldean requested an amendment to the motion to clarify the protest to include the caveats as discussed by Mr. Scott so as to clarify the Board's position regarding it. Supervisor Staub concurred. Supervisor Aldean seconded the motion. The motion was voted by roll call with the following result: Supervisor Aldean - Yes; Supervisor Williamson - Yes; Supervisor Staub - Yes;

DRAFT

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the October 18, 2007, Meeting  
Page 17

Supervisor Livermore - Yes; and Mayor Teixeira - Yes. Motion carried 5-0.

Mr. Scott then explained a "related element" regarding a State Water Engineer letter that was sent to the City as is required when there is a multi-county water application. A similar letter was sent to Douglas County. The letter is asking for informal feedback regarding this application. This letter is separate from the protest process. Mr. Scott offered to assist staff in responding to this letter. Mayor Teixeira agreed to have Mr. Scott write the letter and for either Mr. Burnham or Mr. Werner to sign it. No formal action was taken on this matter.

**15. B. NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS, CORRESPONDENCE TO THE BOARD OF SUPERVISORS, STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD (2:12:43)** - Supervisor Williamson announced the Ghost Walk which will occur on Saturday. Tickets are available at the Convention and Visitors Bureau. She also announced the Riverview Park Cleanup scheduled for Saturday. Mayor Teixeira opined that the Nevada Day activities will be bigger and better than ever. He encouraged the public to attend its many activities, several of which he described. He also announced the band competition scheduled at the Carson High School after the Nevada Day Parade and thanked the volunteers for putting it on.

**C. STAFF COMMENTS AND STATUS REPORT (2:12:36)** - None.

**16. 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 (2:14:42)** - 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.

**17. ACTION TO ADJOURN (2:15:33)** - Supervisor Livermore moved to adjourn the Open Session. Supervisor Aldean seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the Open Session at 2:16 p.m.

The Minutes of the October 18, 2008, Carson City Board of Supervisors meeting

ATTEST:

ARE SO APPROVED ON \_\_\_\_\_, 2007.

\_\_\_\_\_  
Alan Glover, Clerk-Recorder

\_\_\_\_\_  
Marv Teixeira, Mayor

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the November 1, 2007, Meeting  
Page 1

DRAFT

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 1, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 p.m.

PRESENT:	Marv Teixeira	Mayor
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Larry Werner	City Engineer/Development Services Director
	Walter Sullivan	Community Development Director
	Sue Johnson	Finance Director
	Kevin Haggarty	Information Technology Director
	Melanie Bruketta	Chief Deputy District Attorney
	Juan Guzman	Open Space Manager
	Cheryl Adams	Purchasing and Contracts Manager
	John Simms	Juvenile Services Program Coordinator
	Jarrad Adams	Deputy Sheriff
	Katherine McLaughlin	Recording Secretary

(BOS 11/1/07 Recording 8:31:17)

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. A quorum was present although Supervisors Livermore and Staub were absent. Mr. Haggarty lead the Pledge of Allegiance. Rev. Bruce Henderson of the Airport Road Church of Christ gave the Invocation.

**PUBLIC COMMENTS AND DISCUSSION (8:33:45)** - Sam Dehne indicated an intent to extol the virtues of Carson City. He noted his effort to be the community watch dog over the Board as evidenced by his attendance. He opined that the Nevada Day Parade is possibly the best parade in Nevada and may be the best per capita in the U.S. He felt that Southern Nevada should attend/participate in the parade. He was uncertain whether funding to extend the freeway will be found. Carson City should not be required to put in any more funds for it. The Hospital is a compliment to the City. He also believed that the City's Fire and Sheriff's Offices were the best in the State. The City has a good school system. Its teachers received a ten percent raise. The parks and recreational facilities are wonderful. He also pointed out that

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the November 1, 2007, Meeting  
Page 2

**DRAFT**

the view from Duck Hill over the valley is beautiful. The view includes the Silver Oaks Golf Course and the Airport. He hoped to see scheduled airline service from it some day. Additional comments were solicited but none were given. No formal action was required or taken.

1. **ACTION ON APPROVAL OF MINUTES - 10/4/07 (8:38:14)** - Supervisor Aldean pointed out a typographical error in the spelling of Karl Neathammer's name on Page 2 and that NDP should be NDEP on Page 5. Supervisor Aldean moved to approve the Minutes of the Carson City Board of Supervisors meeting dated October 4, 2007, as amended. Supervisor Williamson seconded the motion. Motion carried 3-0.
2. **CHANGES TO THE AGENDA (8:39:19)** - Items 5 and 6 were pulled.
3. **LIQUOR AND ENTERTAINMENT BOARD (8:39:40)** - 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.

**BOARD OF SUPERVISORS (8:54:53)** - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. A quorum of the Board was present although Supervisors Livermore and Staub were absent.

4. **CONSENT AGENDA (8:54:55)**

4-1. **ASSESSOR**

A. **ACTION TO APPROVE THE REMOVAL OF A PORTION OF TAXES FROM PARCEL NUMBER 008-782-32 (LOCATED AT 2864 CENTURY DR.) AND FROM PARCEL NUMBER 008-796-08 (LOCATED AT 2697 PANAMINT RD.) FROM THE 2007/08 REAL PROPERTY TAX ROLL PER NRS 361.765 IN THE AMOUNT OF \$132.96 (\$66.48 PER PARCEL)**

B. **ACTION TO APPROVE THE REMOVAL OF TAXES AND PENALTIES FOR PARCEL NUMBER 007-061-41 (LOCATED AT 5300 KINGS CANYON RD.) FROM THE 2007/08 REAL PROPERTY TAX ROLL PER NRS 361.765 IN THE AMOUNT OF \$1,257.91 AND A PARTIAL REMOVAL/REFUND FROM THE 2006/07 TAXES PER NRS 361.050 IN THE AMOUNT OF \$537.29, FOR A TOTAL OF \$1,795.20**

4-2. **DEVELOPMENT SERVICES - ENGINEERING - ACTION TO APPROVE THE TEMPORARY OBSTRUCTION OF SIDEWALK AND LOADING/PARKING ZONES ALONG THE EAST SIDE OF CURRY STREET, JUST NORTH OF ROBINSON STREET, TO ACCOMMODATE CONSTRUCTION STAGING AT THE NEVADA STATE MUSEUM SITE. THE TEMPORARY CONSTRUCTION FENCING SHALL BE REMOVED AND CURRY STREET REOPENED FOR PEDESTRIANS AND LOADING/PARKING BY DECEMBER 31, 2008**

4-3. **PURCHASING AND CONTRACTS - ACTION TO DETERMINE THAT CONTRACT NO. 0708-059 IS A SOLE SOURCE CONTRACT; A CONTRACT FOR ADDITIONS TO AND REPAIR AND MAINTENANCE OF EQUIPMENT WHICH MAY BE MORE EFFICIENTLY ADDED TO AND REPAIRED AND MAINTAINED BY A CERTAIN PERSON; AND A**

DRAFT

**CONTRACT FOR EQUIPMENT WHICH, BY REASON OF THE TRAINING OF THE PERSONNEL OR OF AN INVENTORY OF REPLACEMENT PARTS MAINTAINED BY THE LOCAL GOVERNMENT IS COMPATIBLE WITH EXISTING EQUIPMENT; AND THEREFORE NOT SUITABLE FOR PUBLIC BIDDING PURSUANT TO NRS 332.115; AND TO APPROVE CONTRACT NO. 0708-059, A REQUEST FOR THE PURCHASE, INSTALLATION, AND SERVICING OF ALERTON PRODUCTS TO BE PROVIDED BY BUILDING CONTROL SERVICES, INC., THROUGH DECEMBER 31, 2008, FOR A NOT TO EXCEED COST OF \$100,000 FROM THE GENERAL FUND**

**4-4. PARKS AND RECREATION-OPEN SPACE - ACTION TO APPOINT AND AUTHORIZE THE MAYOR, THE CITY CLERK-RECORDER, OR DESIGNEE TO SWEAR MR. LYN NORBERG AS THE APPRAISER FOR CARSON CITY WITH REGARD TO THE SELF-CONTAINED APPRAISAL OF THE FOLLOWING PROPERTIES IN CARSON CITY: SERPA, APPROXIMATELY 406 ACRES, APNS 008-531-05, -39, -40, 8-541-73 AND -92, 010-011-26, -27, 010-021-55; AND BENTLY, APPROXIMATELY 470 ACRES, APNS 010-011-24 AND -25 -** Sam Dehne requested Item 4-4 be pulled for discussion. He then noted Reno's practice of having the Mayor introduce dignitaries who attend its meetings and indicated that the "Chief District Attorney" is present. Mayor Teixeira pointed out that he is on the agenda and will be speaking later. He then pulled Item 4-4. Supervisor Aldean moved to approve the Consent Agenda consisting of two items from the Assessor's Office, one item from Development Services, and one item from Purchasing and Contracts. Supervisor Williamson seconded the motion. Motion carried 3-0.

**4-4. (8:56:28)** Open Space Manager Juan Guzman asked for questions. None were forthcoming from the Board. Sam Dehne then explained that the Consent Agenda items should be housekeeping and mundane matters. He then advised that the Reno City Council is having its meeting today and that he will be leaving soon. He espoused his belief that this item should not be on the Consent Agenda as it has the potential of costing the City millions of dollars. Supervisor Aldean then moved to appoint and authorize the Mayor, the City Clerk-Recorder, or designee to swear Mr. Lyn Norberg as the appraiser for Carson City with regard to the self-contained appraisal of the following properties in Carson City: Serpa - approximately 406 acres, APNS 008-531-05, 39, and 40, 8-541-73 and 92, 010-011-26 and 27, 010-021-55; and Bentley approximately 470 acres, APNs 010-011-24 and 25, and the fiscal impact is approximately \$24,000. Supervisor Williamson seconded the motion. Motion carried 3-0.

**5. CITY MANAGER - PRESENTATION BY JEFF FONTAINE, EXECUTIVE DIRECTOR FOR THE NEVADA ASSOCIATION OF COUNTIES (NACO) ON THE ORGANIZATIONS RECENT ACTIVITIES (8:39:19) - Pulled.**

**6. HUMAN RESOURCES - DISCUSSION REGARDING THE RECENTLY ENACTED HIRING FREEZE AND POSSIBLE DIRECTION TO STAFF REGARDING ITS IMPLEMENTATION (8:39:19) - Pulled.**

**7. DISTRICT ATTORNEY - Neil Rombardo**

DRAFT

**A. ACTION TO DETERMINE THAT THE POSITION OF VICTIM/WITNESS COORDINATOR IS A PUBLIC SAFETY POSITION THAT IS A CRITICAL POSITION TO CITY OPERATIONS AND THE PUBLIC AND AUTHORIZE THAT THE POSITION BE FILLED AS SOON AS PRACTICAL (9:00:18)** - Mr. Rombardo explained his reorganization request that had transferred the Child Support Division to the State and saved the City \$200,000. Under this proposal a portion of the savings was to be used for the Victim/Witness Coordinator. Justification for having the position and its duties were limned. Mayor Teixeira felt that the reorganization had been a packaged deal. He acknowledged that the transfer of the Division to the State may not have been very popular with the public-at-large, however, it had saved money for the City. He had supported the reorganization and complimented Mr. Rombardo on his leadership, willingness to work with the Board, and provide better service for the community. Supervisor Williamson moved to determine that the position of Victim/Witness Coordinator is a public safety position that is a critical position to City operations and the public and authorize that the position be filled as soon as practical. Supervisor Aldean seconded the motion. Comments were solicited.

Sam Dehne expressed his support for the position. He also opined that Dave Morgan has the best television operation in Northern Nevada.

The motion to declare the position critical to City operations and the public and authorize its filling was voted and carried 3-0.

**B. ACTION TO DETERMINE THAT THE DEPUTY DISTRICT ATTORNEY POSITION VACATED PRIOR TO THE HIRING FREEZE IS A PUBLIC SAFETY POSITION THAT IS A CRITICAL POSITION TO THE CITY OPERATIONS AND THE PUBLIC AND AUTHORIZE THAT THE POSITION BE FILLED AS SOON AS PRACTICAL (9:06:38)** - Justification for the position was based on the heavy load carried by the Department. The national standard for public defenders was used as a reference to support the need for a fair "fight" in court. In July the Board agreed to a tax increase which was to fund the position in addition to others. The position is critical particularly during a period of economic decreases which is normally a time when crime increases. Before the hiring freeze occurred, the position was offered to an individual who gave notice at his/her previous place of employment. Mayor Teixeira concurred that the Board had authorized two Deputies for the SET Team to combat the meth problem and for a Deputy District Attorney. Enforcement needs prosecution. The position was approved within the budget. He also advised his awareness of Mr. Rombardo's offer of employment to an individual. Mr. Rombardo should not be forced to go against his word. Mr. Rombardo indicated that the individual is to start work on Monday. Supervisor Aldean supported Mayor Teixeira's comments regarding the need to increase the number of Deputy District Attorney's on staff. Supervisor Aldean moved to determine that the Deputy District Attorney's position vacated prior to the hiring freeze is a public safety position and that it is a critical position to the City operations and the public and authorize that the position be filled as soon as practical. Supervisor Williamson seconded the motion. Motion carried 3-0.

**8. PARKS AND RECREATION - Director Roger Moellendorf**

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the November 1, 2007, Meeting  
Page 5

DRAFT

**A. ACTION TO APPROVE ALLOCATION OF RESIDENTIAL CONSTRUCTION TAX (RCT) FUNDS FOR FISCAL YEAR 2007/08 FOR THE FOLLOWING PROJECTS, GOVERNOR'S FIELD PARKING LOT LANDSCAPING FOR \$19,000; GOVERNOR'S FIELD LANDSCAPING IMPROVEMENTS AND PORTABLE TOILET ENCLOSURES FOR \$17,500; BOB BOLDRICK THEATER LIGHTING CONSOLE FOR \$60,000; AQUATICS FACILITY NEW FITNESS EQUIPMENT FOR \$13,500; AND THE URBAN POND FISHING POND FOR \$40,000 (9:10:30)** - Mr. Moellendorf's belief that the Urban Fishing Pond will be funded by other sources was explained. If these funds do not materialize, the funds allocated for it will be moved to another project. Discussion pointed out the decrease in RTC funding made it necessary to allocate less than the requested amount in order to provide funding to more than one or two projects. An explanation of the funding source was also provided. The tax had not been increased for some time. A Senate Bill was introduced to increase it during the last legislature, however, it was not passed. There will not be a lot of funding for this purpose next year due to the decrease in residential construction. It was also noted that less growth creates less impact on the City facilities. Supervisor Aldean moved to approve the allocation of Residential Construction Tax funds for fiscal year 2007-2008 for the following projects: Governor's Field parking lot landscaping for \$19,000; Governor's Field landscaping improvements and portable toilet enclosures for \$17,500; Bob Boldrick Theater lighting console for \$60,000; Aquatics Facility new fitness equipment for \$13,500; and the Urban Fishing Pond for \$40,000. Supervisor Williamson seconded the motion. Motion carried 3-0.

RECESS: A recess was declared at 9:17 a.m. A quorum of the Board was present when Mayor Teixeira reconvened the meeting at 9:25 a.m. Supervisors Livermore and Staub were absent.

**B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 13, PARKS AND RECREATION, CHAPTER 13.02, PARKS, BY ADDING SECTION 13.02.270, MOBILE BUSINESS OPERATIONS IN PARKS, AND OTHER MATTERS PROPERLY RELATED THERETO (9:24:21)** - Mr. Moellendorf's introduction included an indication that the Parks and Recreation Commission has not yet discussed the proposed fees for this service. The fees will be imposed by resolution at a future meeting. Staff will check the operator's City license including verification of the Health permit. Staff has routinely been verifying these licenses. A fee, however, has not been charged. Justification for imposing the fee was provided. Nonprofit organizations have not been regulated. Mr. Moellendorf agreed to take the program to the Youth Sports Association before consideration by the Commission. Mayor Teixeira supported the proposal based on his personal knowledge of the impact and complaints received from the golf course. Public comments were solicited but none given. Supervisor Williamson moved to introduce on first reading Bill No 138, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 13, PARKS AND RECREATION, CHAPTER 13.02, PARKS, BY ADDING SECTION 13.02.270, MOBILE BUSINESS OPERATIONS IN PARKS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Aldean seconded the motion. Motion carried 3-0.

**9. DEVELOPMENT SERVICES - PLANNING AND ZONING - Director Walter Sullivan**

DRAFT

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the November 1, 2007, Meeting  
Page 6

**A. ACTION TO ADOPT BILL NO. 134, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030, TRAILERS, MOBILEHOMES, RECREATIONAL VEHICLES, COMMERCIAL COACHES AND STORAGE CONTAINERS, TO PROHIBIT TENTS, TRAINS, BOXCARS, SEMI-TRUCK TRAILERS, PASSENGER COACHES, BUSES, STREETCAR BODIES OR SIMILAR ENCLOSURES AND ROLLING STOCK IN ALL RESIDENTIAL ZONING DISTRICTS, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA-07-132) (9:31:00) -** Mr. Sullivan had not received any telephone calls regarding the ordinance between first and second readings. Comments were solicited but none were given. Supervisor Aldean moved to adopt Bill No. 134 on second reading, Ordinance No. 2007-35, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.030, TRAILERS, MOBILEHOMES, RECREATIONAL VEHICLES, COMMERCIAL COACHES AND STORAGE CONTAINERS, TO PROHIBIT TENTS, TRAINS, BOXCARS, SEMI-TRUCK TRAILERS, PASSENGER COACHES, BUSES, STREETCAR BODIES OR SIMILAR ENCLOSURES AND ROLLING STOCK IN ALL RESIDENTIAL ZONING DISTRICTS, AND OTHER MATTERS PROPERLY RELATED THERETO based on the findings for approval contained in the staff report. Supervisor Williamson seconded the motion. Motion carried 3-0.

**B. ACTION TO ADOPT BILL NO. 135, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.04 USE DISTRICTS, SECTION 18.04.030.2, NONCONFORMING USES -EXPANSION OF A NONCONFORMING BUILDING, TO AMEND THE SECTION ADDRESSING EXPANSION OF NONCONFORMING BUILDINGS TO CLARIFY WHEN A SPECIAL USE PERMIT IS REQUIRED, AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA-07-133) (9:33:38) -** No comments were received between first and second readings. Public comments were solicited but none were given. Supervisor Williamson moved to adopt Bill No. 135 on second reading, Ordinance No. 2007-36, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.04 USE DISTRICTS, SECTION 18.04.030.2, NONCONFORMING USES -EXPANSION OF A NONCONFORMING BUILDING, TO AMEND THE SECTION ADDRESSING EXPANSION OF NONCONFORMING BUILDINGS TO CLARIFY WHEN A SPECIAL USE PERMIT IS REQUIRED, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Aldean seconded the motion. Motion carried 3-0.

**C. ACTION TO ADOPT BILL NO. 136, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "ADULT ENTERTAINMENT FACILITY", DELETE "VIDEO RENTAL" AND ADD AN "ADULT MERCHANDISE RETAIL ESTABLISHMENT" DEFINITIONS, AND AMENDING CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN, ADDING SECTION 1.19 ADULT MERCHANDISE RETAIL PERFORMANCE STANDARDS, TO ESTABLISH REGULATIONS FOR THE ADULT MERCHANDISE RETAIL ESTABLISHMENT COMMERCIAL PROPERTIES AND OTHER MATTERS PROPERLY**



CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 1, 2007, Meeting

Page 7

DRAFT

**RELATED THERETO (FILE ZCA-07-135) (9:33:47)** - Mr. Sullivan's introduction included an explanation of the two telephone calls that had been received between first and second readings. Both callers supported the ordinance. Supervisor Aldean moved to adopt Bill No. 136 on second reading, Ordinance No. 2007-37, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.03, SECTION 18.03.010, CHAPTER 18.16, DEVELOPMENT STANDARDS, AND ADDING SECTION 1.19 ADULT MERCHANDISE RETAIL PERFORMANCE STANDARDS in accordance with the agenda as posted and published. Supervisor Williamson seconded the motion. Mayor Teixeira noted that interviews were scheduled for 10:00 a.m. The motion to adopt the ordinance was voted and carried 3-0.

**D. ACTION TO ADOPT BILL NO. 137, ON SECOND READING, AN ORDINANCE TO CHANGE THE ZONING OF APN'S 008-211-11 AND 008-184-36 FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000 (MH6) LOCATED ON THE NORTHEAST CORNER AND NORTHWEST CORNER OF AIRPORT ROAD AND SHERMAN LANE (FILE ZMA 07-123) (9:35:40)** - Joe Eiben - Mr. Sullivan advised that he had not received any comments regarding the ordinance between first and second readings. Discussion explained a proposed development for these parcels. Supervisor Williamson explained that the Urban Land Institute's seminar had included information regarding manufactured housing and urged staff to contact Champion regarding the product. It was a lovely two story product that looked like stick built homes. The structure is not that expensive. It does meet the residential needs for entry level housing. Mr. Sullivan agreed to contact the firm. He also explained another developer's intent to develop an area on East Highway 50. He felt that the housing she had described could meet the builder's intent. Supervisor Aldean also supported Supervisor Williamson's comments regarding the product. Mr. Sullivan indicated a desire to work with Principal Planner Plemel and the Builders Association of Western Nevada and the developer(s) on a project. Development Services Director Larry Werner supported the comments regarding the product based on the personal experience of his son and daughter-in-law. He felt that there are many other sources providing the product than the one that had been mentioned.

Mr. Eiben relayed his personal experience/knowledge of manufactured housing. He felt that you cannot tell the difference between it and stick built units. He also indicated that these housing units are currently being sold at the same price as the stick built units. No one recalls that they are manufactured housing. He felt that the biggest opposition to the units is from the Unions. Additional comments were solicited but none were given.

Supervisor Williamson moved to adopt Bill No. 137 on second reading, Ordinance No. 2007-38, AN ORDINANCE TO CHANGE THE ZONING OF APN'S 008-211-11 AND 008-184-36 FROM MOBILE HOME 12,000, MH12, TO MOBILE HOME 6,000, MH6, LOCATED ON THE NORTHEAST CORNER AND NORTHWEST CORNER OF AIRPORT ROAD AND SHERMAN LANE. Supervisor Aldean seconded the motion. Motion carried 3-0.

**10. CITY MANAGER - Linda Ritter**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 1, 2007, Meeting

Page 8

DRAFT

**A. ACTION TO AUTHORIZE MAYOR TEIXEIRA TO SIGN AN AMENDED LEASE WITH THE COMMUNITY COUNSELING CENTER PROVIDING FOR A DETOXIFICATION CENTER AT 900 EAST LONG STREET (9:43:10)** - Supervisor Shelly Aldean disclosed her involvement with the Center and its request for additional space. The proposed lease was summarized. She also corrected Page 10, Paragraph 23, entitled "Utilities" in the line beginning: "After July 1, 2008..." to be "Beginning July 1, 2008..." Justification for the lease being under the market price was based on the services which are required by the City. A representative from the Center was not present. Comments were solicited but none were given. Supervisor Aldean moved to authorize Mayor Teixeira to sign an amended lease with the Community Counseling Center providing for a detoxification center at 900 East Long Street as amended. Supervisor Williamson seconded the motion. Motion carried 3-0.

**B. ACTION TO APPOINT ONE MEMBER TO THE PARKS AND RECREATION COMMISSION TO FULFILL A PARTIAL TERM ENDING JANUARY 2010 (9:59:33)** - The Board interviewed Harold "Hal" Hansen who withdrew his application due to his position at the Boys and Girls Club and the City-Club's proposed joint agreement. He thanked the Board for the opportunity to serve and for its involvement with the Club. Mayor Teixeira complimented him on his work for the Club and advised that Mr. Hansen is an asset as a Director of the Club. He also thanked him for applying. Mr. Hansen expressed his belief that the Commission and the program are important to the community. The Board then interviewed Kathryn Shabi. Mayor Teixeira explained Mr. Hansen's withdrawal. The Board thanked Ms. Shabi for applying. Supervisor Aldean commended her on her appointment. Supervisor Aldean moved to appoint Kathryn Shabi to the Parks and Recreation Commission to fulfill a partial term to expire in January 2010. Supervisor Williamson seconded the motion. Motion carried 3-0.

**11. BOARD OF SUPERVISORS - NON-ACTION ITEMS:**

**A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS; CORRESPONDENCE TO THE BOARD OF SUPERVISORS, AND STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD (9:45:53)** - Mayor Teixeira noted the ribbon cutting ceremony for the new extension of the freeway from Fairview to Highway 50 East. Supervisors Williamson and Aldean had attended the ceremony. Individuals have made comments regarding Mayor Teixeira's statements indicating that the downtown corridor could be controlled to prohibit truck traffic after the extension opens. The extension is to be completed "by this time of the year in 2009". Justification for prohibiting and controlling the truck traffic were limned. He looked forward to controlling the truck traffic specifically after a truck lost hay bales at the intersection of Carson and William Streets. He also looked forward to completion of the entire freeway which Governor Gibbons and NDOT Director Martinovich believe will be in 2014, if not sooner. He also felt that Nevada Day was a successful event due to Mother Nature's cooperation. He complimented the volunteers on the Parade and other activities that occurred throughout the community and the individuals who had donated to them. He believed that Nevada is the only State whose capitol celebrates its statehood annually. He thanked all of the individuals who had worked on the events. Discussion also indicated that Mayor Teixeira had ridden in the parade without his Bull Dog Louie.

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the November 1, 2007, Meeting  
Page 9

**DRAFT**

Supervisor Aldean felt that it was a great honor to have been recognized by the Urban Land Institute at its recent seminar in Las Vegas. Supervisor Williamson explained the reasons the City had participated in the seminar and described it and the City's display. She felt that it had been a unique and wonderful opportunity for the community. Many business cards were received. The community participants were listed. The Institute had validated the community's efforts to plan and work toward improving the downtown area. The status of the plans and challenges were limned. Four projects have been identified and are now being developed. The one that is doable in the shortest amount of time will be started. The diversity of the attendees was limned. Other communities involved in rehabilitating their cities were noted. It was felt that the City now needs to hire a financial consultant to pencil out how the projects can become a reality. There were "wonderful speakers" at the seminar as indicated by her examples. Lots of good ideas had been gleaned. She was glad to be home and that she did not live in Las Vegas. Mayor Teixeira felt that it had been a very impressive opportunity and thanked Supervisors Williamson and Aldean for representing the City. No formal action was required or taken on any of these topics.

**B. STAFF COMMENTS AND STATUS REPORT - None.**

**12. ACTION TO ADJOURN (10:06:57)** - Supervisor Aldean moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 3-0. Mayor Teixeira adjourned the meeting at 10:07 a.m.

The Minutes of the November 1, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON \_\_\_\_\_, 2008.

\_\_\_\_\_  
Marv Teixeira, Mayor

ATTEST:

\_\_\_\_\_  
Alan Glover, Clerk-Recorder