

***BOARD OF SUPERVISORS "DRAFT" MINUTES  
FOR THE FOLLOWING DATES ARE INCLUDED  
IN THIS SECTION:***

March 20, 2008 - Regular Session

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CARSON CITY BOARD OF SUPERVISORS

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, March 20, 2008, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT:	Larry Werner	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Sue Johnson	Internal Auditor
	Walter Sullivan	Development Services Director
	Roger Moellendorf	Parks and Recreation Director
	Melanie Bruketta	Chief Deputy District Attorney
	Ken Arnold	Public Works Operations Manager
	Cheryl Adams	Purchasing and Contracts Manager
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Contracts Coordinator

(BOS 3/20/08 Recording 8:35:00)

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. Rev. Bill McCord, Retired, of the First United Methodist Church gave the Invocation. Sheriff Ken Furlong lead the Pledge of Allegiance.

**PUBLIC COMMENTS AND DISCUSSION (8:33:13)** - John Wagner expressed regret that Sam Dehne was not present. Additional comments were solicited but none were given.

**1. ACTION ON APPROVAL OF MINUTES - 11/15 AND 12/20/07 (8:33:30)** - Supervisor Aldean corrected Page 4, Item 4-4, second line of the November 15 Minutes to be: "She questioned the reasons a use restriction was not included in the lease." Supervisor Aldean moved to approve the Minutes

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from the Carson City Board of Supervisors meetings dated November 15, 2007, and December 20, 2007, as corrected. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:34:31) - Item 12C is to be heard before Item 12B.**

**LIQUOR AND ENTERTAINMENT BOARD (8:34:35) -** 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 (8:41:02) -** Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

**4. CONSENT AGENDA (8:41:10)**

**4-1. DEVELOPMENT SERVICES - PLANNING - ACTION TO CONSIDER AN EXTENSION OF ONE YEAR FOR THE FILING OF A SUBSEQUENT FINAL MAP PHASE FOR THE PLANNED UNIT DEVELOPMENT KNOWN AS SILVER OAK (P-93/94-01)**

**4-2. PURCHASING AND CONTRACTS**

**A. ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT FOR THE PROVISION OF LAW ENFORCEMENT AND/OR SEARCH AND RESCUE ASSISTANCE, UPON REQUEST, BETWEEN THE COUNTY OF DOUGLAS, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA AND OTHER MATTERS PROPERLY RELATED HERETO (FILE 0708-137)**

**B. ACTION TO APPROVE AMENDMENT NO. 3 FOR CONTRACT NUMBER 2006-146, CARSON CITY FAIRGROUNDS/FUJI PARK PHASE 4, PART 2, WITH LUMOS AND ASSOCIATES THROUGH DECEMBER 31, 2008, FOR A NOT TO EXCEED AMOUNT OF \$47,688 AND TO INCREASE THE CONTINGENCY FROM \$4,408 TO \$6,720 FROM THE QUESTION 18 CAPITAL FAIRGROUNDS FUND 254-5046-452-7150 AS PROVIDED FOR IN FY 2007/2008**

**4-3. DEVELOPMENT SERVICES - ENGINEERING**

**A. ACTION TO APPROVE A WAIVER OF THE SEWER CONNECTION AND PERMIT FEES FOR THE PROPERTY OWNER LOCATED AT 3394 DALE DRIVE**

**B. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY, INCLUDING A 10-FOOT PUBLIC UTILITY EASEMENT COINCIDENT WITH AND ALONG THE OUTSIDE BOUNDARIES OF THIS DEDICATION FALLING WITHIN THE SUBJECT PARCEL, SIDELINES OF SAID PUBLIC UTILITY EASEMENT TO EXTEND TO SUBJECT PROPERTY'S BOUNDARY ON APN 007-461-27, PER BOUNDARY LINE ADJUSTMENT FOR SILVER OAK COMPANY, LTD., FILED FOR THE RECORD MARCH 26, 1999, IN BOOK 8, PAGE 2314, IN THE OFFICIAL RECORDS OF CARSON CITY, NEVADA, AS FILE NUMBER 232342 -** Supervisor Livermore moved to approve the Consent Agenda consisting of five items, one item from, 4-1, Development Services - Planning, two items from Purchasing and Contracts, 4-2A, Resolution

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No. 2008-R-11, and two items from Development Services - Engineering, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

**5. TREASURER - Al Kramer - ACTION TO ADOPT ON SECOND READING, BILL NO. 110, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 2, ADMINISTRATION AND PERSONNEL, BY ADDING A NEW CHAPTER TO TITLE 2 DESIGNATED CHAPTER 2.41, COLLECTION OF TAXES ON PERSONAL PROPERTY, BY ADDING A NEW SECTION TO CHAPTER 2.41 DESIGNATED SECTION 2.41.010, COUNTY TREASURER TO COLLECT TAXES ON PERSONAL PROPERTY, AND OTHER MATTERS PROPERLY RELATING THERETO (8:41:50)** - Comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 110, Ordinance No. 2008-13, AMENDING CARSON CITY MUNICIPAL CODE TITLE 2, ADMINISTRATION AND PERSONNEL, BY ADDING A NEW CHAPTER TO TITLE 2 DESIGNATED CHAPTER 2.41, COLLECTION OF TAXES ON PERSONAL PROPERTY, BY ADDING A NEW SECTION TO CHAPTER 2.41 DESIGNATED SECTION 2.41.010, COUNTY TREASURER TO COLLECT TAXES ON PERSONAL PROPERTY, AND OTHER MATTERS PROPERLY RELATING THERETO with no fiscal impact. Supervisor Aldean seconded the motion. Motion carried 5-0.

Mayor Teixeira then passed the gavel to Mayor Pro-Tem Staub as Mayor Teixeira will be presenting the following item.

RECESS: A recess was declared at 8:43 a.m. The entire Board was present when Mayor Pro-Tem Staub reconvened the meeting at 8:49 a.m.

**6. MAYOR TEIXEIRA - DISCUSSION AND ACTION TO DIRECT STAFF TO DEVELOP A RESOLUTION PLACING AN ADVISORY VOTE ON THE NOVEMBER BALLOT TO INCREASE SALES TAX 1/8TH OF A PERCENT TO CONTRIBUTE \$10 MILLION TO THE V&T CONSTRUCTION PROJECT IN RETURN FOR 5% OF THE GROSS RIDERSHIP REVENUE FOR 99 YEARS (8:49:13)** - Convention and Visitors Bureau Chair (CVB Chair) and Commission for the Reconstruction of the V&T Railway (V&T Railway Commissioner) Member Dwight Millard, Sierra Railroad Company Vice President Robert Pinoli, V&T Railway Project Manager and Engineer Ken Dorr, Lou De Bottari, John Wagner, Dave Campbell, Michael Hoffman - CVB Chair and V&T Railway Commissioner Millard read a letter from the V&T Railroad Commission Chair Bob Hatfield into the record explaining the funding request. A copy is in the file. CVB Chair and V&T Railway Commissioner Millard described the CVB's funding commitment to the project. Justification for the support was provided. He urged the Board to support the cause and get the railroad beyond Highway 50, into Brunswick Canyon, and to the terminal.

Mr. Pinoli explained that his firm had been selected to operate the railroad when construction is completed. Justification for the selection was felt to have been due to the firm's experience with three other railroad operations. Tour operators have expressed interest in the railroad and have requested information about its status. Examples illustrating the interest were explained. He stressed the importance

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of getting the railroad passed Highway 50 and into the Brunswick Canyon.

Mr. Dorr reviewed the history of the project including its funding and development. He is presently working on the design for Phases 3 and 4. Additional funds are needed to complete the project beyond Highway 50. The original estimate for the project was \$54 million. They have received \$37 million. They are approximately \$18 million short of completing the project. Items of concern if the project stops at Highway 50 were listed. He also advised that an interim depot may be developed off of Linehan on the north side of Highway 50. Its estimated cost is \$3 million.

Mayor Teixeira stressed the importance of continuing the project and not stopping at Highway 50 due to the belief that the center piece of the ride is the Brunswick Canyon. He believed that the riders will be shortchanged without it. His proposal to loan the Commission \$10 million and its terms were then explained. His financial information included portions which would be funded by nonresidents as well as by the residents. His concept is to have the City's loan payment be the first bill paid. The bond terms were then explained. His concept is to have a ten-year loan. The 1/8th cent assessment will sunset in 2020. The City will continue to receive a return on the loan for 99 years. The proposed return for the last 90 years is to be a minimum of \$500,000 a year. He suggested that these funds be used for parks, recreation, arts and/or cultural projects. Future Boards will make the decision on how to allocate the funds. Cost overruns were explained which included Tunnel 2 and right-of-way. He believed that education will overcome opposition to the concept. If the railroad is not brought into Carson City, the return on the investment will be less than envisioned. He urged the Board to allow the electorate to make the final decision.

Supervisor Aldean explained her concern about the lack of support from Lyon and Douglas Counties. She also noted the slight contribution provided by Washoe County. Mayor Teixeira explained that Douglas and Lyon Counties do not see any benefits for them. Washoe County has given \$250,000 from its general fund and the taxpayers. He believed that the stakeholders should also be asked to participate and was willing to discuss the project and its funding needs with them if the Board elects to put the question before the electorate. He believed that Washoe County will benefit from the project. Discussion between Mayor Teixeira and Supervisor Aldean indicated there is merit in her suggestion that the City have a "weighted" vote on the Commission if the ballot question is approved by the electorate.

Discussion between Supervisor Williamson and Mayor Teixeira explained that the cost increase was due to the need for right-of-way acquisitions. This expense had not been anticipated and had escalated as a result of a court ruling. Clarification also indicated that the Carson City depot was included in the current estimate. The ultimate decision regarding "Tom Gray's Line" has not been made. Its cost will be added to the project. Mayor Teixeira admitted that the \$54 million estimate may become \$60 million.

Supervisor Livermore disclosed his support for the project. He requested assurances that the railroad line will not stop at the County line. Mayor Teixeira felt that synergy created by the project should keep it going and into Carson City. Community support must keep it moving in order for the benefits of the investment to occur.

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Mayor Pro-Tem Staub supported having the electorate participate in the process. The nation's current economic situation makes it a bad time to seek funding from the residents. Justification for asking at this time was provided. Mayor Pro-Tem Staub also believed that the presentation should be made to Washoe, Lyon, and Douglas Counties and their participation solicited. He felt that a strong enough pitch to those Counties has not been made. He also questioned the private donations/contributions that have been made. He also believed that an additional effort for their support needs to be made.

Mayor Teixeira explained that \$250,000 has been received from the Railway Foundation. The private sector is the Convention and Visitors Bureau. Its support was limned. Little funding has been received from other private sources. Mayor Pro-Tem Staub encouraged the Commission to continue work on these funding opportunities. Mayor Teixeira explained his belief that his concept would have little impact on the residents and that the project's main beneficiary will be Carson City. Mayor Pro-Tem Staub supported Supervisor Williamson's concerns regarding Mr. Gray's line and urged him to address this issue. He suggested that consideration be given to selling surplus land like the intercontinental railroad had done. He urged Mayor Teixeira and the Commission to develop alternatives in case the electorate opposes the concept including the possibility that it be developed on a "pay as you go" basis. He then suggested consideration be given to giving Carson City residents a discount on their tickets as recognition for their funding.

CVB Chair and V&T Commissioner Millard explained that the Railway Foundation has an ongoing effort seeking private sector funding. The main source of outside revenue has been from the V&T license plates. It has been a significant funding source even though the amount is not huge. The Foundation is continuing to obtain donations. Mayor Pro-Tem Staub explained that more is needed and that he was seeking assurance that it is a continuing effort. Mr. Dorr explained that right-of-way had been donated by Mr. Bunkowski and the Sutro Gold Company. He suggested that a presentation regarding these donations be provided. Mayor Teixeira then advised that the agreement with the Gray Family granting the V&T Railroad access to Virginia City over their line is null and void. Efforts to reach an agreement with them are starting over. Public comments were then solicited.

Mr. De Bottari questioned whether the Board will honor the electorate's decision. If not, the question should not be made advisory. The need to get information to the public was stressed. He did not believe that the right amount of information will be provided to the general public. Mayor Teixeira explained that the Board currently has the ability to impose the 1/8 cent tax. He felt that any Board that imposes the tax over the electorate's decision "has lost its mind". Mr. De Bottari felt that the vote of the people can be obtained if restraint is shown during the current economic downturn. He also indicated that he supported the concept.

Mr. Wagner advised that he had opposed the project for three years. He believed that the question should be put on the ballot. He was also concerned about the potential need for additional funding. He was not opposed to a temporary terminal in Lyon County based on his belief that it will show Lyon County that revenue could be earned from the project. He did not believe that \$10 million will be enough funding.

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He reiterated his desire to have the electorate vote on the project. If the effort is positive, he will be able to support the question.

Mr. Campbell questioned the reasons for not starting at Brunswick Canyon if it is the jewel of the project. It would also force the other Counties to support the project. He was also concerned about its financial management and the judge's ruling regarding acquisition of right-of-way. He felt that there may have been poor financial management over the project. He indicated that the question should be whether more funding should be put into the project. He felt that it is a pork barrel project which is taking more of the taxpayers' money. Carson City is carrying the "freight" so that the other Counties do not see any reasons for supporting the project. He opined that the funds are not the government's but the taxpayers'. He urged the Board to make the question binding. Additional comments were solicited.

Mr. Hoffman supported the project due to his belief that it created a funding source and win-win situation for Carson City. He suggested that the \$10 million in funding be used to construct the depot and start up Brunswick Canyon rather than moving forward from Highway 50. Construction of the depot and in the Canyon will improve the adjacent commercial property, "save the River", and assist development of the Carson River aquatic trail. His personal experience on the Drango and Silverton Railroad lines was limned. The Silverton train trip was delayed by a rain storm. A similar event along the Carson River warranted consideration of a route around it as an alternative. The railway could provide some funding for the City. He reiterated his intent to support the concept. Additional comments were solicited but none were given.

(9:40:30) Supervisor Williamson pointed out that the 1/8 cent sales tax increase is the last opportunity for funding capital improvements in Carson City without seeking approval by the Legislature. There are many other needs besides the V&T Railroad for which the 1/8 cent sale tax revenue could be used. A list of those items included a new recreation center, a downtown library, as well as streets and road improvements. The tax will cost a resident only \$12.50 a year but could provide social and cultural improvements. For these reasons she opposed the concept. She supported having the electorate vote on the concept, however, doing so indicates to the residents that this is the Board's number one priority for capital improvement projects in the community.

Supervisor Aldean sympathized with Supervisor Williamson's position. She acknowledged the need for other capital improvements in the community, e.g., expansion of the sewer treatment plant. She also believed that the Board should respect the electorate's decision and abide by it. If the electorate declines the project, then other projects which the public/Board considers to be jeopardized. To do otherwise, would be subterfuge and bring to question the Board's credibility. The Board can enact the tax without waiting for the electorate to decide.

Supervisor Livermore supported respecting the electorate's decision. He indicated a willingness to accept the electorate's decision. He intends to seek the electorate's decision on all other projects utilizing this funding source regardless of the capital improvement proposed. Although the Board has the statutory

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ability to impose the tax at this time, he supported allowing the electorate to determine how the funds are spent.

Mayor Teixeira reminded the Board that the project was the Board's number one project a few years ago. It is the only project that will derive revenue for the City. He agreed to ask the people if the project should be finished. He also agreed that the vote should be binding. The public has supported and has wanted the project for many years. The community has an opportunity to make the project go forward and should be asked if it should move forward.

Mayor Pro-Tem Staub pointed out that the legislation enables the Board to impose an 1/8 cent sales tax for historical, cultural, and public works projects which includes streets. He asked that the advisory question be modeled along the lines of the enabling Statute. Justification for this recommendation was based on the Legislature's enabling the Board to use the funds for a variety of capital projects including the railway, streets, street maintenance, parks and recreation projects, etc. After the vote is taken, the Board can divide the funds accordingly. The public's vote on the V&T occurred once before. To ask the same question, may eliminate the ability to do other projects in the future. The public may be willing to use the sales tax for other projects. Mayor Pro-Tem Staub "asked the Board to amend the recommended motion to mirror the statutory areas in which this tax can be used and for the matter to come back before the Board for a vote on how to use the money." It will then be a successful project due to the election results.

Supervisor Aldean appreciated his suggestion. She had felt that providing the electorate with a menu of items would have been advisable. She did not want to tie the hands of the Boards when implementing a tax for the elimination of the sewer odor. Government's primary function is to provide basic services for its people. She did not want to have her hands tied by economic development when considering health and safety projects. If the electorate does not approve the ballot question, the Board will lose its discretion. The Board needs to maintain the discretion in case a project unforeseen at this time needs to be done in the future due to federal mandates and/or to protect the health and welfare of the community.

Mayor Pro-Tem Staub felt that she had misunderstood his suggestion. The projects are to be within the realm of historical, cultural, public works, and parks and recreation. The Board's discretion will remain in tact. The revenue could be divided among any and all projects or for one project. He felt that presentation of a ballot question for one project will create a "sink or swim" atmosphere. The public may be more receptive to the V&T as well as other projects which fall within the parameters as indicated within the legislation. The Board can with its discretion determine the funding level after the election. He did not feel that the Board's discretion would be hamstrung at that time.

Supervisor Livermore pointed out the requirement mandating statements on the ballot supporting and rejecting the question. He was uncertain how such statements can be written when a multitude of projects and/or unknown projects are being considered. The proposed question needs to be clear to the electorate. Other projects can be proposed in the future.



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Mayor Teixeira explained that the question is whether to spend 1/8 cent to drive a return of \$45 million which will sunset in 2020. Future uses for the 1/8 cent can be considered at that time. He questioned the use of the \$500,000 revenue stream which will be generated by the return. He suggested its use could be for arts and cultural projects. He acknowledged that it may be tough to sell the proposal to the electorate.

Supervisor Williamson supported having choices on the ballot. If all of the money is given to the V&T, the funding source for other capital improvement projects will be lost until 2020. She felt that it is a rushed question. She understood the timeframe required for the ballot preparation but it creates a lost opportunity for revenue for pressing capital improvement needs for the community.

Supervisor Livermore moved to direct staff to develop a resolution placing an advisory vote (question) on the November ballot to increase the sales tax 1/8th of a percent to contribute \$10 million to the V&T construction project in return for five percent of the gross ridership revenue for 99 years. Mayor Teixeira seconded the motion. Following Supervisor Aldean's request to and justification for an amendment to the motion, Supervisor Livermore amended the motion to include the sunset provision. Mayor Teixeira explained that the date is very conservative as the bond could sunset as early as 2019. It was based on a one percent growth in sales tax revenue. If the economy turns around, which he believed it will, it could be even earlier. At any rate it will sunset no later than 2020. Supervisor Aldean then amended her suggestion to be upon repayment of the bonds. Supervisor Livermore concurred with this amendment. Mayor Teixeira continued his second. Mayor Pro-Tem Staub questioned whether the funds were being contributed, loaned, or providing the ability of the Commission to obtain a loan. Mayor Teixeira indicated that the funds were a contribution. Mr. Campbell emphasized the need to include the specific date when the bonds will sunset in the ballot question. Mayor Teixeira reiterated that the date provided is very conservative. They cannot default on the bonds. Their sunset date will depend on when the bonds are sold. They will be repaid no later than 2021. Mr. Campbell justified inclusion of the date in the ballot question. Mayor Teixeira reiterated that conservative calculations had been used in the repayment schedule for the bonds. The motion to direct staff to develop a resolution placing an advisory question on the ballot as indicated was voted by roll call with the following result: Ayes - Supervisor Livermore, Mayor Teixeira, Supervisor Aldean, and Mayor Pro-Tem Staub. Nays - Supervisor Williamson. Motion carried 4-1.

RECESS: A recess was declared at 9:58 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:04 a.m., constitution a quorum.

**7. CITY MANAGER - Larry Werner - PRESENTATION, DISCUSSION AND ACTION TO ACCEPT THE FINDINGS OF THE CITY MANAGER'S CITIZEN AD HOC COMMITTEE FORMED TO ADDRESS THE BOARD'S OF SUPERVISORS GOAL ON PUBLIC SAFETY SERVICES AND TO DIRECT THE CITY MANAGER TO BRING AN ACTION TO THE BOARD FOR THE PLACEMENT OF A BALLOT QUESTION TO INCREASE AD VALOREM TAXES FOR PUBLIC SAFETY FUNDING (10:03:44) -** Fire Chief Stacey Giomi, Sheriff Ken Furlong, Committee Member Donna Curtis, Naomi Dee Martino, Mary Ann Jennings, Lou De Bottari, John Wagner, Committee Member Mary Burgoon, Committee Member Glen Martel, Joe Eiben, Dwight

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Millard, Assessor Dave Dawley - The executive summary was highlighted with the use of computerized slides. Justification for seeking an ad valorem tax increase to fund the services was based on its revenue stability which sales tax revenue lacks. A comparison of the ad valorem rate in the surrounding counties was provided. It was estimated that the increase cost for a \$250,000 residence would be \$201. Fire Chief Giomi noted that a general master plan study conducted in the late 1990s had also supported using the proposed tax for the same purpose. The committee had explored other options and arrived at the same conclusion as had the previous committee. Sheriff Furlong thanked the committee for its service. He felt that they had asked the hard questions. They believed that the public safety area should grow as the community's growth occurs. Efforts to hold the line will eventually begin to reduce the service level provided to the community unless additional funding/personnel are provided. Two weeks ago fire and ambulance calls were "backed up". The voters need to consider the funding/service level. It will not be an easy sell but they must ask the question. Public comments were solicited.

Ms. Curtis explained that she would not have served on the committee if it was for enhancement purposes only. Her support has historically been for parks and recreational services. She wants to see a recreational center with a leisure pool and all of the other great amenities provided in other communities. At this time, however, Carson City lacks the funding for that center. She also wants another public library as well as improvements downtown. As a member of the committee she heard the need for things which she believed should have been done eight years ago. The City still lacks the funds for those items. She was not proud of the fact that the City has the lowest per capita tax rate in the State. She acknowledged the concern about the timing for asking the question, however, the economy may not be any better in two years. The report should not be shelved as the problems will only grow. The report had attempted to find solutions to the problems. It had not found one for the lack of volunteer firefighters. She questioned the reasons for this lack of involvement from the residents. She expressed her appreciation for having served on the committee and to the City Manager, the Sheriff and the Fire Chief for their assistance. Additional comments were solicited.

Ms. Martino disclosed that her husband is a small business owner and that she is a stay-at-home mother. She felt that City government should tighten its belt the same as a business owner must do during tight economic conditions. She supported posing the question to the electorate. Additional comments were solicited.

Ms. Jennings indicated that she understood the need for additional officers. Her personal knowledge of the need for people to learn to stop at stop signs was explained to support the need for additional traffic control officers. She also explained that she had received a parking ticket which she believed indicated that someone was doing his/her job. Additional comments were solicited.

Mr. De Bottari questioned the reasons a minority report had not been provided by the committee. He felt that time should be spent exploring why the ambulance service has so many transports that are written off and for the low rate of return from Medicare and Medicaid users. He recommended delaying consideration of the question. He did not believe that the electorate will support the proposal. Additional comments were solicited.

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Mr. Wagner opposed having the proposal placed on the ballot. He did not believe that it will pass. The Legislature had capped the ad valorem rate. The Legislature should be asked to remove the cap. He felt that the proposal was a clear indication of the need to support Sharon Angle's tax initiative. He believed that the proposal would double his taxes and make it so he could not afford to continue living in Carson City. He alleged that taxes make affordable housing unaffordable. He will not be eligible for subsidized housing. He urged the Board to "shuffle the budget and revise the priorities".

Ms. Burgoon expressed her concerns as a resident who has watched the City grow from 41,000 to 51,000 residents and as a volunteer for the Sheriff's Department. She was pleased to have served on the committee. The City's number one priority should be public safety—the Fire and Sheriff's Departments. The Board must prioritize according to the items that are important to the community. Property owners should not be the only ones paying for the services. There are a lot of the users do not pay property taxes.

Mr. Martel indicated that he had also served on the committee. He thanked the Fire Chief and Sheriff for their time. He felt that the Sheriff and Fire Chief have already tightened their belts. The current economic times may not bode well for a tax increase. He compared the funding need to the needs for the freeway and the V&T Railroad. These projects have been in the works for many years. The funding for the Sheriff and Fire Departments needs to be found somewhere. The tax cap has created the funding problem as there is less flexibility in its funding ability. Additional comments were solicited.

Mr. Eiben supported having an additional fire station. His justification for it was provided and indicated that the Fire Department is behind in its coverage. He also felt that the Sheriff's Office is behind in addressing the gang problem which he believed was a result of having the prisons in the City. The gang problem can only be addressed by breaking the family chain which runs for generations. The City must stay on top of the graffiti or it will worsen. The gangs market themselves through the use of graffiti. He did not like the prospect of having a tax increase, however, the needs must be addressed. The sooner they are addressed, the better off the community will be.

Mr. Millard noted that as a large property owner, he will be impacted the most by the increase. He supported the proposed increase and was certain that the Sheriff and Fire Chief will give the community the best efficiency possible within their Departments. He also advised that his tenants will have a rent increase to pay their fair share of the tax. Additional comments were solicited but none were given.

Fire Chief Giomi assured Mr. De Bottari that the City's ambulance service receives the full amount allowed by Medicare. The City's Medicare reimbursement experience is the same as that experienced by physicians. The ambulance collections are maximized to the fullest extent possible. He then explained that neither he nor Sheriff Furlong were personalizing the question. They were merely presenting the information to the Board regarding their concerns about the community's safety. He urged Mr. De Bottari and any other concerned citizens to contact his office if they have questions.

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Supervisor Williamson referenced a study conducted in 2000 which had identified the same needs. The Board decided at that time that it could not afford to fulfill those needs. Since that time the Sheriff and Fire Chief have been asked to become as efficient and innovative as possible. It is no longer possible to do more belt tightening. Both Departments have been innovative in finding methods of doing things that had annually helped to balance the City's budget. She thanked the Sheriff, Fire Chief, and the volunteer committee members for their service to the community and for identifying the issues. The Board now needs to identify a funding source for them.

Supervisor Aldean complimented the committee on its efforts, dedication and service to the community. She applauded the Fire Chief and Sheriff for their hard work and efforts to improve their efficiency. The complexity of the population's growth was questioned due to the feeling that the growth rate had not increased substantially. She also questioned the portion which the economy plays in the increased service demands and whether the economic times will make it hard to sell the proposed ad valorem increase to the electorate. Sheriff Furlong explained that the trends over the last several years have been positive. Volunteers were cited to illustrate the community's willingness and ability to work cooperatively on problems. The partnership formed with other City Departments was also cited as an illustration of this cooperative effort. The economic times may be signaling that it will be more difficult for people to get by. The entire nation is experiencing these economically challenging times. He pointed out that it will take two to four years to implement the program if approved by the electorate and two to four more years after that to complete the plan. He felt that some of the areas they monitor may be growing, i.e., violence is on an upward trend as compared to previous years. The need to plan for the future was stressed. Discussion between Sheriff Furlong and Supervisor Aldean indicated that the proposal may carry the City through the next ten to 15 years. Factors which may impact the life of the plan were noted including governmental responsibilities, society and business changes, etc. Sheriff Furlong also pointed out that the Board has been giving public safety number one priority for several years. This has impacted funding for other services such as parks.

Supervisor Livermore disclosed that he has spent hours discussing this proposal with Sheriff Furlong. Supervisor Livermore complimented the committee on its work. He then explained that the Abbey Report, which was done in 2000, had a cost impact of \$60 million, which the City could not afford. The Board had been funding public safety as the community's number one priority. Examples were listed illustrating the commitment. They included construction of the new Fire Station No. 1, the Courthouse, and the communications center at Ross Gold Park, and installation of the Tiburon system. They had all been done without increasing taxes. He questioned what options are available to them if the electorate denies the request. He pointed out the impact the ad valorem increase will have on his own residence. He was concerned about his ability to pay for the increase as a retired person. He indicated that he had a different opinion regarding the proposal. He believed, however, that it is an opportunity to ask the question and that additional tweaking of the resources should continue.

Sheriff Furlong acknowledged the question regarding the impact on a residence. He pointed out that the proposed ad valorem rate is on the assessed value of a home and not its sale value. City Manager Werner

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also explained that the property tax abatement program makes it difficult to determine the actual impact on a residence.

Assessor Dawley explained the 2004 tax cap that was placed on property. If the electorate approves the tax increase, the majority of the tax will be paid by homes which were constructed after 2004. Older homes will have a smaller increase. The process used to determine the tax rate on a house is very technical.

Mayor Teixeira explained his involvement with the tax initiative proposed for Fire Station No. 1, which was approved by the electorate. When the City received its portion of the SCCRT funds, the tax was not imposed. The SCCRT had been used to construct the new fire station and the courthouse. Fire Chief Giomi agreed that timing is essential. If the initiative is not approved by the electorate, they will continue to ask the Board for funding. The proposal will not address the future but will implement the needs that were indicated in 2000. He felt that they will not be able to continue to provide the current service level. He also indicated that the response times will become longer.

Supervisor Staub thanked the committee for its report. Discussion between Supervisor Staub and Fire Chief Giomi indicated that discussion had not included bifurcating the services. Sheriff Furlong felt that the question should not be a win for one and a loss for the other group. Fire Chief Giomi indicated that the committee had considered it. The final decision is up to the Board.

Supervisor Williamson moved to accept the findings of the City Manager's Citizen Ad Hoc Committee formed to address the Board's of Supervisors goal on public safety services and to direct the City Manager to bring an action to the Board for the placement of a ballot question to increase ad valorem taxes on a basic basis for public safety funding. A second was not made. Mayor Teixeira declared the motion died for lack of a second. A new motion was solicited.

Supervisor Aldean noted that accepting the Committee's findings is linked to the placement of the question on the ballot, however, the ballot question's wording is unknown. It could include Supervisor Staub's recommended bifurcation of the two services. The Sheriff's Office has a new building. The electorate could question the need for additional law enforcement even though the proposal is not considering another facility. It is, however, a perception the electorate may have. The issue may, therefore, need to be bifurcated as the electorate may feel that it is time to assist the Fire Department. She agreed that timing could be an issue as had been pointed out by Ms. Curtis and Mayor Teixeira. The economy could be better in two years. She also questioned the number of times the same question should be posed. She expressed a willingness to revise the motion.

Mayor Teixeira expressed his belief that now is a bad time to seek an ad valorem increase. He also pointed out that the Legislature may not allow the increase to be implemented. Fire Chief Giomi explained that a tax initiative approved by the electorate will be imposed by the Legislature. Lyon County's initiative was denied as it would have exceeded the \$3.64 cap. Mayor Teixeira advised that the proposal will take the City to \$3.30 which will leave 34¢. He thanked the Sheriff, Fire Chief and the

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committee for its effort. He believed that they were tilting at a windmill based on the other competing questions that will be asked at the same time.

Supervisor Aldean moved to accept the findings of the City Manager's Citizen Ad Hoc Committee formed to address the Board's of Supervisors goal on public safety services and to direct the City Manager to bring an action to the Board for the placement of a ballot question to increase ad valorem taxes for public safety funding; that the action plan will include the possibility of phasing any increases and placing the ballot measure on the 2010 ballot as an option. Supervisor Williamson seconded the motion. Comments were solicited but none were given. The motion was then voted by roll call with the following result: Ayes - Supervisors Aldean and Williamson. Nays - Supervisors Livermore and Staub and Mayor Teixeira. Motion failed on a 2-3 vote.

Supervisor Livermore then moved to accept the findings of the City Manager's Citizen Ad Hoc Committee formed to address the Board's of Supervisors Goal on Public Safety. Supervisor Staub seconded the motion. The motion was voted by roll call with the following result: Ayes - Supervisors Livermore and Staub, Mayor Teixeira, and Supervisors Aldean and Williamson. Nays - None. The Board again thanked the Committee for its service. Motion carried 5-0.

**8. CITY AUDITOR - Sue Johnson - PRESENTATION BY REPRESENTATIVES FROM KAFOURY, ARMSTRONG AND COMPANY REGARDING THE IMPACT OF "THE NEW RISK ASSESSMENT AUDITING STANDARDS" THAT WILL BE IMPLEMENTED FOR THE YEAR ENDED JUNE 30, 2008 (11:02:51) -** Kafoury, Armstrong and Company Representative Christine Burgess - Supervisor Staub stepped from the room during Ms. Johnson's introduction. (A quorum was still present.) A copy of Ms. Burgess' outline was distributed to the Board and Clerk. (A copy is in the file.) The new audit standards are federally mandated. Ms. Burgess utilized the outline to highlight her analysis of the impact the new auditing standards will have on the City's audit. Discussion between the Board and Ms. Burgess indicated that if a risk is determined, the Board will be informed. The audit will commence in May and take longer to complete than it has taken in the past. Mayor Teixeira felt that the oversight is long overdue. No formal action was required or taken.

**9. PURCHASING AND CONTRACTS - City Auditor Sue Johnson - ACTION TO DETERMINE THAT CONTRACT NUMBER 0708-126 IS A CONTRACT NOT REQUIRED TO BE SUBMITTED FOR PUBLIC BIDDING PURSUANT TO NRS 354.624 AND TO APPROVE CONTRACT NUMBER 0708-126, A REQUEST FOR AUDITING SERVICES AND AGREED UPON PROCEDURES TO BE PROVIDED BY KAFOURY, ARMSTRONG AND COMPANY AS THE DESIGNATED AUDIT FIRM FOR FY 2007-2008 FOR A NOT TO EXCEED AMOUNT OF \$118,350 FROM THE BELOW DESIGNATED FUNDING SOURCES AS PROVIDED IN FY 2008-2009 (11:09:20) -** Discussion noted the increase in fees was created by the new auditing standards. It was felt that they had increased the time required to conduct the audit by 20% to 25%. Public comments were solicited but none were given. The Audit Committee had review and approved the contract. Supervisor Livermore moved to determine that the Contract Number 0708-126 is a contract not required to be submitted for public bidding pursuant to NRS 354.624 and to approve Contract Number 0708-126, a

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request for auditing services and agreed upon procedures to be provided by Kafoury, Armstrong and Company as the designated audit firm for 2007-2008 for a not to exceed amount of \$118,350 from the below designated funding sources as provided in Fiscal Year 0809; and that the funding source is a whole variety of funding sources as advertised in today's agenda. Supervisor Aldean seconded the motion. Discussion between Ms. Johnson and Supervisor Aldean explained that the Audit Committee, Ms. Johnson, and the external auditors will work together during the audit. The motion to approve the contract as indicated was voted and carried 4-0-1 with Supervisor Staub absent.

**10. FIRE - Chief Stacey Giomi - PRESENTATION ON THE IMPACT FOR CARSON CITY DUE TO CHANGES IN NRS 244A.7643 (ASSEMBLY BILL NO. 122 IN THE 2007 LEGISLATIVE SESSION) AND ACTION TO DIRECT STAFF TO BRING BACK AN ORDINANCE ADOPTING THE STATE LAW THAT WILL ALLOW THE CITY TO IMPOSE A SURCHARGE ON TELEPHONE AND MOBILE PHONE SERVICES (11:12:40) -** Mayor Teixeira voiced concerns about binding future Boards. Fire Chief Giomi explained his reasons for bringing the proposal to the Board. A copy of AB 122 was distributed to the Board and Clerk. (A copy is in the file.) An explanation of the Bill was provided. Fire Chief Giomi asked the Board to adopt the ordinance so that a committee could be established and a master plan developed for the 911 emergency system. He thought that the ordinance may be presented to the Board in April or May. Mayor Teixeira directed that it be agendized for the May evening session. Supervisor Williamson moved to direct staff or Fire Chief Stacey Giomi to bring back an ordinance adopting the State law that will allow the City to impose a surcharge on telephone and mobile phone services and that it be presented in the first meeting in May. Following a request for an amendment Supervisor Williamson amended the motion to include agendizing the item for the evening session in the first meeting of May 2008. Supervisor Aldean seconded the motion. Motion carried 4-0.

**11. DEVELOPMENT SERVICES - ENGINEERING - A. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY WITHIN APN 007-531-07, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; B. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY ON A PORTION OF APN 007-531-07, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; C. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY ON A PORTION OF APN 007-531-04, PER BOUNDARY LINE ADJUSTMENT MAP AS PLAT NO. 2558, IN THE OFFICIAL RECORDS OF CARSON CITY, NEVADA, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; D. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY WITHIN APN 007-531-04, PER BOUNDARY LINE ADJUSTMENT MAP AS PLAT NO. 2558, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; E. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY, WITHIN APN 007-531-03, PER BOUNDARY LINE ADJUSTMENT MAP AS PLAT NO. 2558, IN THE OFFICIAL RECORDS OF CARSON CITY, NEVADA, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; F. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY WITHIN APN 007-531-03, PER BOUNDARY LINE ADJUSTMENT MAP AS PLAT NO. 2558, FROM CARSON TAHOE HOSPITAL TO CARSON CITY; G. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY, INCLUDING A 10-FOOT PUBLIC UTILITY EASEMENT COINCIDENT WITH AND ALONG THE OUTSIDE BOUNDARIES OF THIS DEDICATION FALLING WITHIN THE**

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**SUBJECT PARCEL, SIDELINES OF SAID PUBLIC UTILITY EASEMENT TO EXTEND TO SUBJECT PROPERTY'S BOUNDARY ON APN 007-531-07, FROM CARSON TAHOE HOSPITAL TO CARSON CITY CONTAINING 2.01 ACRES MORE OR LESS; H. ACTION TO APPROVE DEDICATION OF A PUBLIC ROADWAY, INCLUDING A 10-FOOT PUBLIC UTILITY EASEMENT COINCIDENT WITH AND ALONG THE OUTSIDE BOUNDARIES OF THIS DEDICATION FALLING WITHIN THE SUBJECT PARCEL, SIDELINES OF SAID PUBLIC UTILITY EASEMENT TO EXTEND TO SUBJECT PROPERTY'S BOUNDARY ON APN 007-531-12, FROM CARSON TAHOE HOSPITAL TO CARSON CITY CONTAINING 4.62 ACRES MORE OR LESS (11:17:13)** - Supervisor Livermore indicated a need to recuse himself due to a District Attorney's advice that, as he is a member of the Board of Directors for Carson Tahoe Hospital, he has potential conflict of interest. Discussion between Supervisor Aldean and Mayor Teixeira explained that the items are dedications of public roadway from the Hospital to Carson City. Carson Tahoe Hospital Director of Facilities Christian Vegas was present. Comments against the dedications were solicited but none were given. Chief Deputy District Attorney Melanie Bruketta advised that all of the dedications could be considered in one motion so long as it is stated this is the action being taken by the Board. Mayor Teixeira then directed that all of the dedications be considered in one motion and read each of the eight items into the record. Supervisor Aldean moved to approve the dedications. Supervisor Williamson seconded the motion. Motion carried 3-0-1-1 with Supervisor Livermore abstaining and Supervisor Staub absent.

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

**A. ACTION TO APPROVE FILLING A VACANCY FOR THE POSITION OF A PERMANENT, FULL-TIME HEAD LIFEGUARD POSITION (11:21:29)** - Recreation Operations Manager - Carson Aquatic Facility Kurt Meyer, City Manager Larry Werner - Supervisor Livermore returned to the dias. (A quorum was present although Supervisor Staub was absent.) Discussion indicated that the position has been vacant since December. The position is now needed as the summer program will soon begin. The winter schedule closes the pool on Sundays. Coverage during a period when the staff had a respiratory flu stressed the need for the position and almost required closing it during other days of the week. It may be possible to utilize a part-time position although a full-time position is needed. Human Resources had advised Mr. Meyer that a full-time position is required. Justification for a full-time position was provided. Supervisor Aldean suggested that a seasonal position be utilized. Mr. Werner advised that the 0809 budget will be balanced and contains a full-time permanent position. Discussion indicated that cuts had already been made in the aquatic budget and that a fee increase may be recommended. The importance of having the full-time permanent position was stressed. Mr. Werner explained the Board's previous direction that had directed staff to impose fee increases. The 0809 budget had been built upon that direction. The parks and recreational fee increase is 10%. The Parks and Recreation Commission has not yet considered the fee increases. The Division had been tasked to find \$140,000 in new fees. **Supervisor Livermore moved to approve filling a vacancy for the position of a permanent, full-time Head Lifeguard Position. Supervisor Williamson seconded the motion.** Supervisor Livermore explained that the position was vacated as a result of disciplinary action and not the normal resignation process. If the Department Head is not allowed to terminate an employee for disciplinary



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reasons, ramifications could result. The option is to terminate an employee and close or reduce the hours of operation. Supervisor Aldean pointed out that there had been a savings by keeping the position vacant. She was also concerned about the message that would be sent to Department Heads that could create a reluctance to fire an employee due to the fear of losing the head count. The reluctance could mean keeping mediocre employees and subjecting the City to additional liability. **The motion to approve filling the position was voted by roll call with the following result: Ayes - Supervisors Livermore, Aldean, and Williamson. Naves - Mayor Teixeira** due to his belief that the Board may not approve all of the suggested fee increases. He felt that the Board should look at them before implementing them. He requested clarification of the Board's direction. Mr. Werner explained that staff had recommended that the 0809 budget increases of 10% in the Parks and Recreation fees be made. The Board adopted the recommendation. Mayor Teixeira asked that the direction be researched. Mr. Werner agreed to do so.

**B. DISCUSSION AND ACTION TO APPROVE THE PURCHASE AND SALE AGREEMENT CALLING FOR THE USE OF OPEN SPACE FUNDS TO MAKE AN OFFER FOR THE FEE TITLE ACQUISITION OF THE RIVER RANCH HOLDINGS LTD 21.59 ACRES, ALPENGLow DEVELOPMENT LLC 22.32 ACRES, AND MEXICAN DAM LLC 20.40 ACRES LOCATED AT THE NORTHERLY TERMINUS OF GOLDEN EAGLE LANE, APNS 10-121-42, 10-121-43, AND 10-121-44 RESPECTIVELY (11:34:36) -** Open Space Manager Juan Guzman, Open Space Coordinator Ann Bollinger, Open Space Advisory Committee Chair Steve Hartman - A copy of the Purchase and Sale Agreement was distributed to the Board and Clerk. (A copy is in the file.) Justification for acquiring the property was provided. The Open Space Advisory Committee had approved the acquisition. Supervisor Livermore explained that the property provides access from River Road and Golden Eagle Lane. It allows for almost 100% control of the Carson River floodway along the west side of the River within Carson City. Public comments against the purchase were solicited but none were given. Discussion between Mr. Guzman and Supervisor Aldean explained that a parcel map had increased the value of the property. The Sierra Vista easement is important to the City for maintenance of the property along the north side of the proposed acquisition. There is nothing in the record that will mandate bringing the easement up to standards at a future date. Phase 1 was received by Ms. Bollinger yesterday. She had read through it and does not have any concerns with it. There were two "observations" related to a pile of bones that may be illegally dumped sheep carcasses at the north end of the property and a possible structure that may have "supported the road". There may be two or three sheep carcasses involved. They have been there for a number of years. Public comments were solicited.

Mr. Hartman explained the Committee's number one priority has been the River corridor. This acquisition assists with accomplishing this goal. He urged the Board to approve the acquisition and advised that there are only two parcels left to be acquired to complete the goal.

Ms. Bollinger advised that the current balance for the Open Space Acquisition Account is \$4,032,329. Supervisor Aldean requested a running balance be made a part of the agenda report in the future. Ms. Bollinger agreed. Mr. Hartman advised that the Committee had the same discussion at its Monday meeting. Supervisor Williamson moved to approve the purchase and sale agreement calling for the use of Open Space funds to make an offer for the fee title acquisition of the River Ranch Holdings Ltd 21.59

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acres, Alpenglow Development LLC 22.32 acres, and Mexican Dam LLC 20.40 Acres located at the northerly terminus of Golden Eagle Lane, APN 10-121-42, 10-121-43, and 10-121-44 respectively; and the fiscal impact is approximately \$1.65 million from the Open Space Acquisition Account plus approximately \$2,500 for the close of escrow and title insurance and \$3,000 for Phase I Environmental Site Assessment. Supervisor Livermore seconded the motion. Motion carried 4-0.

**C. ACTION TO AUTHORIZE THE SHEEP AND FUELS REDUCTION PROJECT ALONG THE WILDLAND-URBAN INTERFACE ON THE WEST SIDE OF CARSON CITY FOR SPRING 2008 (11:33:31)** - Comments were solicited but none were given. Supervisor Williamson moved to authorize the sheep and fuels reduction project along the wildland-urban interface on the west side of Carson City for Spring 2008. Supervisor Aldean seconded the motion. Motion carried 4-0.

**D. ACTION TO APPROVE A RESOLUTION ACCEPTING A 77-ACRE DONATION OF REAL ESTATE FROM THE CASEY TRUST FOR LANDS LOCATED SOUTH OF LAKEVIEW AND WEST OF THE SILVER OAK GOLF COURSE, APN 7-092-08 (11:43:432)** - Open Space Manager Juan Guzman - Glen Martel advised that it had taken seven years to reach this point. He described the surrounding development project and the topography of the land being donated. The property had been appraised at \$520,000. Comments were solicited but none were provided. Supervisor Aldean moved to adopt Resolution No. 2008-R-12, A RESOLUTION ACCEPTING A 77-ACRE DONATION OF REAL ESTATE FROM THE CASEY TRUST FOR LANDS LOCATED SOUTH OF LAKEVIEW AND WEST OF THE SILVER OAK GOLF COURSE, APN 7-092-08. Supervisor Williamson seconded the motion. Motion carried 4-0.

RECESS: A recess was declared at 11:46 a.m. A quorum of the Board was present when Mayor Teixeira reconvened the meeting at 11:53 a.m. Supervisor Staub was absent as indicated previously.

**13. DEVELOPMENT SERVICES - PLANNING AND ZONING - Director Lee Plemel**

**A. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND AT CHAPTER 17.03 PARCEL MAPS, LOT LINE ADJUSTMENTS AND DELETIONS, REVERSION TO ACREAGE MAPS, AND MERGER AND RESUBDIVISION OF LAND SECTION 17.03.020 LOT LINE DELETIONS BY ADDING THE REQUIREMENT FOR A LEGAL DESCRIPTION OF PROPERTY (METES AND BOUNDS DESCRIPTION); TITLE 18, ZONING, CHAPTER 18.02 ADMINISTRATIVE PROVISIONS, SECTION 18.02.055 FEES AND SERVICE CHARGES FOR CHANGES INCLUDING CORRECTING THE NAME CHANGE OF LAND USE TO ZONING MAP AMENDMENT, ADDING AND CLARIFYING FEES AND SERVICE CHARGES INCLUDING ADDING COSTS AND FEES FOR PROCESSING OF A MINOR ADMINISTRATIVE VARIANCE, RECREATIONAL VEHICLE PARK, AND MANUFACTURED HOME IN SINGLE FAMILY ZONING; CHAPTER 18.03 DEFINITIONS AT 18.03.010 WORDS AND TERMS DEFINED TO ADD THE DEFINITION OF MEDICAL DURABLE GOODS USED AS ASSISTIVE DEVICES USED TO AID THE DISABLED; SECTION**

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**18.04.110.3 RESIDENTIAL OFFICE CONDITIONAL USES TO ADD MEDICAL DURABLE GOODS TO CONDITIONAL USES; TITLE 18.16, DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN AT SECTION 1.6 CHILD CARE FACILITIES PERFORMANCE STANDARDS TO CLARIFY AREAS OF RESPONSIBILITY FOR STATE OF NEVADA DIVISION OF CHILD AND FAMILY SERVICES AND CARSON CITY HEALTH DIVISION, INCLUDING ALL CONCERNS MUST BE SATISFIED PRIOR TO ACTIVATION OF A SPECIAL USE PERMIT; SECTION 1.9 WIRELESS TELECOMMUNICATION FACILITIES AND EQUIPMENT TO CLARIFY REQUIREMENTS ADDING THE WORD FREESTANDING TO SAY THAT "FREESTANDING" FACILITIES SHALL NOT EXCEED 120 FEET IN HEIGHT ABOVE GRADE AND "FREESTANDING" FACILITIES AND EQUIPMENT SHALL BE LOCATED NO CLOSER THAN FOUR TIMES THE FACILITY HEIGHT FROM ANY RESIDENTIALLY ZONED PROPERTY, AND ADD AN ADMINISTRATIVE PERMIT OR SPECIAL USE PERMIT MAY BE REQUIRED FOR FACILITIES WHICH EXCEED THE HEIGHT RESTRICTIONS OF THE ZONING DISTRICT WHERE THE FACILITY IS PROPOSED; TYPOGRAPHICAL CORRECTIONS AND OTHER MATTERS PROPERLY RELATED THERETO (ZCA-07-172) (11:52:25)** - Public comments were solicited but none were given. Supervisor Aldean pointed out a typographical error on Page 3 by adding "Review" after "Recreational Vehicle Park". Clarification indicated that Section 1.6 Child Care Facilities Performance Standards - Section 6. Open Space added the State Division of Child and Family Services as it licenses the facility. If the City licenses the facility, the Health Department will then have licensing requirements. The intent is to reference the applicable licensing agency. No facility will have licenses from both agencies. Supervisor Aldean moved to introduce on first reading Bill No. 113, an Ordinance amending Carson City Municipal Code Title 17, Division of Land, as amended and published. Supervisor Williamson seconded the motion. Motion carried 4-0.

**B. ACTION TO APPROVE A MASTER PLAN AMENDMENT APPLICATION FROM GEORGE SZABO (PROPERTY OWNER: VIDLER WATER COMPANY, INC.) TO MODIFY THE MASTER PLAN LAND USE DESIGNATION BOUNDARY OF THREE PARCELS FROM LOW DENSITY RESIDENTIAL (5 ACRES) AND CONSERVATION RESERVE (APPROXIMATELY 40 ACRES) TO LOW DENSITY RESIDENTIAL (APPROXIMATELY 6 ACRES) AND CONSERVATION RESERVE (APPROXIMATELY 39 ACRES), ON PROPERTY LOCATED AT 5080 HELLS BELLS ROAD, APNS 010-581-05 AND -06 AND 010-582-06 (MPA-07-218); AND C. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO CHANGE THE ZONING OF APPROXIMATELY A SIX ACRE PORTION OF APNS 010-581-05 AND -06, PROPERTY LOCATED AT 5080 HELLS BELLS ROAD, FROM AGRICULTURE (A) TO SINGLE FAMILY ONE ACRE (SF1A) (ZMA-07-219) (11:57:00)** - Lou De Bottari - Clarification by Mr. Plemel indicated that no one had spoken against the application although there had been concerns expressed at the Planning Commission meeting. Mr. De Bottari advised that he had lots of experience regarding keeping animals adjacent to residences without animals. The City's zoning and development standards do not address these conflicts. The Health Department does and is considered above the zoning restrictions. He suggested that the resident living on the six acres be required to line the property with trees to shield the animals from the neighbor. He felt that history will repeat itself if consideration of the

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conflict area is not addressed. Additional comments were solicited but none were given. Supervisor Aldean moved to approve a master plan amendment application from George Szabo, property owner: Vidler Water Company, Inc., to modify the master plan land use designation boundary of three parcels from Low Density Residential five acres and Conservation Reserve approximately 40 acres to Low Density Residential approximately six acres and Conservation Reserve approximately 39 acres on property located at 5080 Hells Bells Road, APN 010-581-05 and 06 and APN 010-582-06. Supervisor Livermore seconded the motion. Motion carried 4-0.

Discussion between Supervisor Aldean and Mr. Plemel eliminated "would" in the third line on Page 1 in Section II of the ordinance for Item 13C. Supervisor Livermore moved to introduce on first reading Bill No. 114, AN ORDINANCE TO CHANGE THE ZONING OF APPROXIMATELY A SIX-ACRE PORTION OF APNS 010-581 AND -06, PROPERTY LOCATED AT 5080 HELLS BELLS ROAD, FROM AGRICULTURE TO SINGLE FAMILY ONE ACRE based on the findings contained in the staff report. Supervisor Aldean seconded the motion. Following a request for an amendment adding second APN, Supervisor Livermore amended the motion to include APN 010-581-05. Supervisor Aldean concurred with the amendment. The motion carried 4-0.

**14. PUBLIC WORKS**

**A. ACTION TO ACCEPT THE REGIONAL TRANSPORTATION COMMISSION'S MARCH 12, 2008, MEETING RECOMMENDATION THAT THE BOARD OF SUPERVISORS APPROVE A RESOLUTION DECLARING THE PUBLIC INTEREST AND NECESSITY IN THE AUTHORIZATION OF A LAWSUIT TO EXERCISE THE POWER OF EMINENT DOMAIN FOR RIGHT-OF-WAY OF APPROXIMATELY 6856.5 SQUARE FEET OF LAND FOR APN 009-084-01 AND 4238.8 SQUARE FEET OF LAND FOR APN 009-089-01, FOR A PUBLIC UTILITY EASEMENT OF APPROXIMATELY 130 SQUARE FEET AND 2501 SQUARE FEET FOR APN 009-084-01 AND 2165.1 SQUARE FEET FOR APN 009-089-01, AND A TEMPORARY CONSTRUCTION EASEMENT OF APPROXIMATELY 2850.6 SQUARE FEET FOR APN 009-084-01 AND 469.7 SQUARE FEET FOR APN 009-089-01 OWNED BY SINV, LLC, FOR THE WIDENING OF FAIRVIEW DRIVE AND TO AUTHORIZE A STIPULATION TO ENTRY ON TO THE LAND, AND TO AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TAKING (12:03:34) - City Manager Larry Werner - Discussion indicated that the amount of the appraised value must be placed in an escrow account when condemnation procedures are started. The Fairview construction project has already started. Comments were solicited but none were given. Clarification indicated that impasse has been reached on the acquisition. This action is the only recourse left for the City. Supervisor Williamson moved to adopt Resolution No. 2008-R-13, DECLARING THE PUBLIC INTEREST AND NECESSITY IN THE AUTHORIZATION OF A LAWSUIT TO EXERCISE THE POWER OF EMINENT DOMAIN FOR RIGHT-OF-WAY OF APPROXIMATELY 6856.5 SQUARE FEET OF LAND FOR APN 009-084-01 AND 4238.8 SQUARE FEET OF LAND FOR APN 009-089-01 FOR A PUBLIC UTILITY EASEMENT OF APPROXIMATELY 130 SQUARE FEET AND 2501 SQUARE FEET FOR APN 009-084-01 AND 2165.1 SQUARE FEET FOR APN 009-089-01 AND A TEMPORARY CONSTRUCTION EASEMENT**

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OF APPROXIMATELY 2850.6 SQUARE FEET FOR APN 009-084-01 AND 469.7 SQUARE FEET FOR LAND ON APN 009-089-01 OWNED BY SINV, LLC, FOR THE WIDENING OF FAIRVIEW DRIVE AND TO AUTHORIZE A STIPULATION TO ENTRY ON TO THE LAND AND TO AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TAKING; fiscal impact is \$132,000. Supervisors Aldean and Livermore seconded the motion. Motion carried 4-0.

**B. ACTION TO ACCEPT THE REGIONAL TRANSPORTATION COMMISSION'S FEBRUARY 13, 2008, MEETING RECOMMENDATION THAT THE BOARD OF SUPERVISORS APPROVE A RESOLUTION DECLARING THE PUBLIC INTEREST AND NECESSITY IN THE AUTHORIZATION OF A LAWSUIT TO EXERCISE THE POWER OF EMINENT DOMAIN FOR RIGHT-OF-WAY OF APPROXIMATELY 4,843.5 SQUARE FEET OF LAND, FOR A PUBLIC UTILITY EASEMENT OF APPROXIMATELY 2,999.4 SQUARE FEET OF LAND AND A TEMPORARY CONSTRUCTION EASEMENT OF APPROXIMATELY 4,227.5 SQUARE FEET OF LAND WHICH IS A PORTION OF APN 09-552-01 OWNED BY MISSION OF NEVADA, INC, FOR THE WIDENING OF FAIRVIEW DRIVE AND TO AUTHORIZE A STIPULATION TO ENTRY ON TO THE LAND, AND TO AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TAKING (12:06:14) -** City Manager Larry Werner - Supervisor Aldean pointed out a discrepancy between the resolution considered by the Commission and that provided to the Board. In Line two of Section 6 of the resolution of both this resolution and the previous resolution the Commission had considered "necessary parcels". The Board's resolution for both reads "Owners' Parcel". Supervisor Aldean moved to adopt Resolution No. 2008-R-14, DECLARING THE PUBLIC INTEREST AND NECESSITY IN THE AUTHORIZATION OF A LAWSUIT TO EXERCISE THE POWER OF EMINENT DOMAIN FOR RIGHT-OF-WAY OF APPROXIMATELY 4,843.5 SQUARE FEET OF LAND FOR A PUBLIC UTILITY EASEMENT OF APPROXIMATELY 2,999.4 SQUARE FEET OF LAND AND A TEMPORARY CONSTRUCTION EASEMENT OF APPROXIMATELY 4,227.5 SQUARE FEET OF LAND WHICH IS A PORTION OF APN 09-552-01 OWNED BY MISSION OF NEVADA, INC, FOR THE WIDENING OF FAIRVIEW DRIVE AND TO AUTHORIZE A STIPULATION TO ENTRY ON TO THE LAND AND TO AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TAKING. Supervisor Livermore seconded the motion. Supervisor Aldean amended her motion to include fiscal impact of \$430,000. Supervisor Livermore continued his second. Motion carried 4-0.

**C. ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.12, SOLID WASTE MANAGEMENT, SECTION 12.12.047, LANDFILL RATES AND FEES, BY INCREASING OUT-OF-COUNTY RATES 25 PERCENT FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE, INCREASING IN-COUNTY TONNAGE RATES FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE BY 4.82 PERCENT AND INCREASING IN-COUNTY MINIMUMS BY \$1.00 AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT**

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**DRAFT**

**HAS BEEN PREPARED, ACCEPTED AND IS ON FILE WITH THE BOARD OF SUPERVISORS AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (12:09:37)** - Public Works Operations Manager Ken Arnold - Supervisor Livermore moved to find that the proposed ordinance amending Title 12, Water, Sewerage and Drainage, Chapter 12.12, Solid Waste Management, Section 12.12.047, Landfill Rates and Fees, by increasing out-of-county rates 25 percent for compacted and uncompact municipal solid waste and Class III waste, increasing in-county tonnage rates for compacted and uncompact municipal solid waste and Class III waste by 4.82 percent and increasing in-county minimums by \$1.00 and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business, that a business impact statement has been prepared, accepted and is on file with the Board of Supervisors and that the requirements of the act have been met. Supervisor Aldean seconded the motion. Motion carried 4-0.

**D. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.12, SOLID WASTE MANAGEMENT, SECTION 12.12.047, LANDFILL RATES AND FEES, BY INCREASING OUT-OF-COUNTY RATES 25 PERCENT FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE, INCREASING IN-COUNTY TONNAGE RATES FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE BY 4.82 PERCENT AND INCREASING IN-COUNTY MINIMUMS BY \$1.00 AND OTHER MATTERS PROPERLY RELATED THERETO (12:10:50)** - Public Works Operations Manager Ken Arnold, City Manager Larry Werner, Builders Association of Western Nevada (BAWN) Representative Sheena Beaver - The fee increases were explained. Staff had met with BAWN regarding the ordinance. The proposed out-of-county rate is less than that charged by the surrounding counties. It was felt that the proposed fees will not price the City out of the business of accepting out-of-county waste. Examples of the fees charged in other counties were provided. Justification for the fee increase was provided. Discussion explained the last fee increase for the landfill operation. Comments were solicited. Ms. Beaver thanked staff for bringing the matter to BAWN. Its Governmental Affairs Committee and Board of Directors had approved the ordinance. It was felt that the fee increase will not be "fatal" to the trade BAWN recognized the City's need for the fees. Supervisor Williamson moved to introduce on first reading Bill No. 115, AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.12, SOLID WASTE MANAGEMENT, SECTION 12.12.047, LANDFILL RATES AND FEES, BY INCREASING OUT-OF-COUNTY RATES 25 PERCENT FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE, INCREASING IN-COUNTY TONNAGE RATES FOR COMPACTED AND UNCOMPACTED MUNICIPAL SOLID WASTE AND CLASS III WASTE BY 4.82 PERCENT AND INCREASING IN-COUNTY MINIMUMS BY \$1.00 AND OTHER MATTERS PROPERLY RELATED THERETO; and the fiscal impact is that it will generate an additional \$500,000 from landfill revenue. Supervisor Aldean seconded the motion. Motion carried 4-0.

**E. ACTION TO ADOPT, ON SECOND READING, BILL NO. 112 AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY**

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**DRAFT**

**INCREASING ALL RATES TWENTY-FOUR (24) PERCENT EFFECTIVE JULY 1, 2008, AND OTHER MATTERS PROPERLY RELATED THERETO** - Public Works Operations Manager Ken Arnold - Comments were solicited but none were given. Supervisor Aldean moved to adopt on second reading Bill No. 112, Ordinance No. 2008-14, AMENDING TITLE 12, WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY INCREASING ALL RATES TWENTY-FOUR (24) PERCENT EFFECTIVE JULY 1, 2008, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 4-0.

**F. STAFF PRESENTATION REGARDING THE NATIONAL FLOOD INSURANCE PROGRAM'S (NFIP) COMMUNITY RATING SYSTEM (CRS) AS IT RELATES TO CARSON CITY (12:19:07)** - Senior Project Manager Robb Fellows, City Manager Larry Werner - Mayor Teixeira suggested the Item be continued to the next meeting and be given during the evening session. Both Messrs. Fellows and Werner concurred as it was felt that the public should understand how the rates are set. No formal action was taken.

**15. 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 (12:20:51)** - Supervisor Livermore explained his request of the previous City Manager for monthly financial updates. City Manager Larry Werner explained that he had discussed this request with Finance Director Providenti. Staff is changing the format for the financial reports to be more informative. The requested information will be available shortly. Supervisor Williamson explained that the next Board meeting will commence at 3 p.m. with general business items. At 6 p.m. public presentations will be heard. No formal action was required or taken.

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

**16. ACTION TO ADJOURN (12:22:10)** - Supervisor Aldean moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 12:23 p.m.

The Minutes of the March 20, 2008, Carson City Board of Supervisors meeting

ATTEST:

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

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

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