

CARSON CITY BOARD OF SUPERVISORS
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, July 3, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

STAFF: Larry Werner, City Manager
Alan Glover, Clerk-Recorder
Melanie Bruketta, Chief Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the board's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION (8:30:40) - Mayor Teixeira called the meeting to order at 8:30 a.m. Roll was called; a quorum was present. Supervisor Aldean led the pledge of allegiance. Calvary Chapel Pastor Patrick Propster distributed American flags to the Board of Supervisors and City staff, read Psalm 134, gave the invocation, and wished everyone a Happy Independence Day.

PUBLIC COMMENTS AND DISCUSSION (8:33:20) - Sam Dehne expressed irritation over General Wesley Clark's recent comments toward presidential candidate John McCain. He expressed disdain over Senator Barak Obama's description of General Clark's words as "inartful," and the opinion that Senator Obama "is living proof that Americans should not be allowed to vote ..." He expressed the further opinion that "every bureaucratic political position should be chosen by random; ... that we would get a much, much better class of people ..." He expressed appreciation for Pastor Propster's scripture selection and invocation. Mayor Teixeira called for additional public comment; however, none was forthcoming.

1. ACTION ON APPROVAL OF MINUTES (8:37:29) - None.

2. CHANGES TO THE AGENDA (8:37:23) - None.

3. SPECIAL PRESENTATION (8:37:35) - Sheriff Ken Furlong introduced and provided background information on this item. He invited Brian Neddendriep and Ty Lewis to the podium. He referred to the April 23, 2008 memorandum from Municipal Court Judge Robey Willis, and reviewed the content of the May 30, 2008 Letter of Appreciation for Bravery addressed to Robert Carrillo. Both documents were included in the agenda materials. He commended Mr. Carrillo, who was unable to attend the meeting, on his bravery.

Sheriff Furlong provided background information on the incident giving rise to Ty Lewis' commendation for bravery, as outlined in the May 30, 2008 letter included in the agenda materials. He presented Mr. Lewis with a letter of appreciation and thanked him, on behalf of the Sheriff's Office and the community, for his strength of character. The Board of Supervisors, City staff, and the citizens present applauded Mr. Lewis.

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Sheriff Furlong reviewed details of the incident giving rise to Brian Neddenriep's commendation for bravery, and read a portion of the May 30, 2008 Letter of Appreciation for Bravery into the record. He thanked Mr. Neddenriep, on behalf of the entire Sheriff's Office and the community, for his "selfless and assertive act of bravery." The Board of Supervisors, City staff, and the citizens present applauded Mr. Neddenriep. Mayor Teixeira thanked Mr. Lewis, Mr. Neddenriep, and Mr. Carrillo, on behalf of the Board of Supervisors and the community. He thanked Sheriff Furlong for his presentation.

4. CONSENT AGENDA (8:43:20) - Mayor Teixeira entertained requests to separately hear items from the consent agenda. When none were forthcoming, he entertained a motion. **Supervisor Livermore moved approval of the consent agenda, consisting of item 4-1, from the Sheriff; 4-2, one item from Development Services / Engineering; 4-3, one item from Purchasing and Contracts; 4-4, one item from the City Manager, with special recognition to the reappointment of Paul Pugsley to the Carson River Advisory Committee; 4-5, Finance, to adopt Resolution 2008-R-32; and two items, 4-6, from the Treasurer, for the consent agenda, as published and approved. Supervisor Staub seconded the motion.** Mayor Teixeira called for comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 5-0.**

4-1. SHERIFF - ACTION TO APPROVE THE ACCEPTANCE OF THE FY09 ENFORCING UNDERAGE DRINKING LAWS GRANT IN THE AMOUNT OF \$15,000.00

4-2. DEVELOPMENT SERVICES ENGINEERING - ACTION TO APPROVE A WATERLINE AND SEWERLINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND SOUTH CARSON, LLC REGARDING ASSESSOR'S PARCEL NUMBERS 009-266-03 AND 009-268-02, LOCATED AT 4500 SOUTH CARSON STREET IN CARSON CITY, NEVADA, WHICH WILL BENEFIT OWNERS OF APN 009-265-02, APN 009-265-03, APN 009-267-05, APN 009-267-06, APN 009-281-01, AND APN 009-282-02

4-3. PURCHASING AND CONTRACTS - QUARTERLY REPORT FOR THE PERIOD APRIL 1, 2008 THROUGH JUNE 31, 2008 FOR EACH PUBLIC WORK AWARDED PURSUANT TO NRS 338.1444(1)(a)

4-4. CITY MANAGER - ACTION TO APPOINT PAUL PUGSLEY TO THE CARSON RIVER ADVISORY COMMITTEE, TERM TO EXPIRE JULY 2011

4-5. FINANCE - ACTION TO ADOPT A RESOLUTION TO LEVY THE CARSON CITY FISCAL YEAR 2008-09 AD VALOREM TAX RATE SUBJECT TO CERTIFICATION BY THE NEVADA TAX COMMISSION

4-6. TREASURER

4-6(A) PRESENTATION OF UPDATED CITY INVESTMENT POLICY

4-6(B) PRESENTATION OF REPURCHASE AGREEMENT COUNTER PARTIES FOR APPROVAL

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ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

5. CITY MANAGER

5(A) PRESENTATION AND UPDATE BY NEVADA RURAL HOUSING AUTHORITY REGARDING THE 2008 PRIVATE ACTIVITY BOND CAP ALLOCATION, THEIR NEW PROGRAMS, AND FUTURE PLANS (8:44:29) - City Manager Larry Werner introduced Nevada Rural Housing Authority ("NRHA") Executive Director Gary Longaker, who referred to documentation distributed to the Board of Supervisors and City staff prior to the start of the meeting. Mr. Longaker reviewed details of the various programs outlined in the distributed documentation. He introduced NRHA Community Development Director Lynn Gondorson and commended her "great work." He commended Assessor Dave Dawley, Development Services Director Walter Sullivan, Engineering Division staff, and Planning Division Director Lee Plemel for their assistance. He introduced NRHA Human Resources Director Melanie Evans.

Mr. Longaker provided background information on the private activity bond cap and the NRHA single-family program. He reviewed the Reversions of Volume Cap figures, pertinent to Carson City, as outlined in the table included in the distributed documentation. In response to a question, he discussed county participation in the program. He responded to additional questions of clarification regarding program marketing. He acknowledged a request for Carson City to allocate its share of private activity bonds. Mayor Teixeira thanked Mr. Longaker for his presentation.

5(B) ACTION TO ADOPT A RESOLUTION PROVIDING FOR THE TRANSFER OF CARSON CITY'S SHARE OF THE 2008 PRIVATE ACTIVITY BOND CAP TO THE NEVADA RURAL HOUSING AUTHORITY, AND OTHER MATTERS PROPERLY RELATED THERETO (8:59:43) - In response to a question, Mr. Werner recommended adopting the resolution in accordance with Mr. Longaker's presentation. Mayor Teixeira called for public comment. (8:59:54) Sam Dehne advised of having attended "every government meeting in northern Nevada, ... in the Reno area, since basically 1995" and that he had never heard of the program described by Mr. Longaker. He commended the program and Mr. Longaker's presentation, and suggested changing the name of the Nevada Rural Housing Authority. Mr. Longaker reviewed the program criteria, explained the "rural" designation of the agency's name, and reviewed the list of cities eligible to participate in the program.

Mayor Teixeira entertained a motion. **Supervisor Livermore moved to adopt Resolution 2008-R-33, a resolution providing for the transfer of Carson City's share of the 2008 private activity bond cap to the Nevada Rural Housing Authority, and other matters properly related thereto. Supervisors Aldean and Williamson seconded the motion. Motion carried 5-0.**

6. PUBLIC WORKS

6(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.06, INDUSTRIAL WASTEWATER DISCHARGE - SEWER DESIGN STANDARDS, SECTION 12.06.245, SEWERAGE USE - GREASE INTERCEPTORS REQUIRED, BY ESTABLISHING STANDARDS FOR EXISTING AND NEW BUSINESSES THAT PROVIDE LIMITED FOOD SERVICE, AND OTHER MATTERS PROPERLY RELATED THERETO (9:03:07) - Deputy Public Works Director Ken Arnold reviewed the agenda report, and advised that the amendment will "provide for some common sense." He expressed appreciation to Supervisor Aldean and Carson Area Chamber of Commerce Executive Director Ronni Hannaman for their assistance in developing the proposed amendment. He provided background information on the existing ordinance, and reviewed the mechanism of the proposed amendment as outlined in the agenda materials.

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(9:06:23) Ms. Hannaman responded to questions regarding the former Long John Silver's restaurant. She acknowledged that the property has been sold, and Mr. Werner offered further clarification regarding reasons for the former restaurant's closure. Ms. Hannaman discussed the applicability of the proposed amendment to various restaurant establishments, and described the proposed amendment as a "very good compromise." Supervisor Aldean thanked Ms. Hannaman and the Chamber of Commerce for "being so proactive," and City staff for their open-mindedness in "working with the business community to resolve this issue." She described various situations which the proposed amendment resolves, and expressed appreciation for staff's efforts. Mayor Teixeira entertained public comment. (9:09:24) Dave Morgan discussed benefits of the proposed amendment to a certain non-profit organization.

Mayor Teixeira entertained a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 126, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.06, Industrial Wastewater Discharge, Sewer Design Standards, Section 12.06.245, Sewerage Use - Grease Interceptors Required, by establishing standards for existing and new businesses that provide limited food service, and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0.** Mayor Teixeira thanked Mr. Arnold for his presentation. Supervisor Aldean thanked Mr. Arnold, Mr. Werner, and Public Works Department Director Andrew Burnham.

6(B) ACTION TO RECOMMEND THAT THE NEVADA STATE ENGINEER APPROVE WATER APPLICATIONS 76871, 76872, AND 76873, FOR THE USE OF WATER FROM INDUCTION WELLS IN CARSON CITY TO SERVE USERS WITHIN THE SERVICE AREA OF CARSON CITY WATER UTILITY, AS WELL AS THE DAYTON VALLEY PORTION OF THE SERVICE AREA OF LYON COUNTY UTILITIES (9:11:21) - Mr. Arnold reviewed the agenda report. Mayor Teixeira called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Williamson moved to recommend that the Nevada State Engineer approve Water Applications 76871, 76872, and 76873, for the use of water from induction wells in Carson City to serve users within the service area of Carson City water utility, as well as the Dayton Valley portion of the service area of Lyon County Utilities. Supervisor Aldean seconded the motion** and noted, for the record, that the subject water rights are owned by Vidler Water Company not Carson City. Mayor Teixeira called for a vote on the pending motion; **motion carried 5-0.** Mayor Teixeira recessed the meeting at 9:12 a.m. and reconvened at 9:19 a.m.

7. DEVELOPMENT SERVICES - STATUS REPORT REGARDING THE RACE TRACK NUISANCE (9:19:22) - Mayor Teixeira introduced this item. Building Official Kevin Gattis advised of having recently spoken with a Reynen and Bardis representative, who informed him they are awaiting word from the lending institution "as to whether or not they can fund this." Mr. Gattis further advised of having informed the Reynen and Bardis representative that the City has begun the "paperwork" portion of the abatement process and could have City crews on site the first part of August. In response to a question, Mr. Gattis referred to the May 5, 2008 letter, included in the agenda materials, from the City to Reynen and Bardis. Reynen and Bardis has provided the City no written documentation. Mr. Gattis acknowledged the understanding that Reynen and Bardis will do nothing unless their lender approves funding. Mayor Teixeira pointed out there had been no distinction between Lennar and Reynen and Bardis at the time the Board of Supervisors approved the project. Mr. Werner acknowledged the accuracy of his statement. Mayor Teixeira expressed the opinion that the current condition of the site "reflects the project." In response to a question, Mr. Werner explained that any lien, as a result of proceeding with the abatement, would be attached to the property owner, Reynen and Bardis. Mayor Teixeira reviewed background information on the Board of Supervisors' approval of the project, noting the amount of time invested by City representatives to accommodate the developers and the project itself. Mr. Werner discussed the two

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distinct issues of the tentative subdivision map extension and the race track abatement. Mayor Teixeira acknowledged understanding of the two issues, but noted the distinction between the two developers, one which seems to be proceeding responsibly and the other which is not.

Supervisor Livermore expressed appreciation for the Mayor's comments, and discussed the importance of corporate responsibility. He suggested that a Reynen and Bardis representative should have attended the meeting. In response to a question, Mr. Gattis was uncertain as to the lending institution(s) from which Reynen and Bardis has sought funding. In response to a further question, he advised that nuisance abatement of the entire property would be very expensive. He explained that the City would ensure public safety "rather than abate the whole nuisance." He estimated the cost of "making the property safe" at under \$100,000. Supervisor Aldean noted the resources typically available to a large organization, and suggested the City could work with Reynen and Bardis to abate the nuisance in phases, if necessary. She further noted the possibility of the developer advancing the costs and negotiating additional funds from the lending institution, as costs related to property development. She expressed the opinion that the corporation's alleged financial inability to perform the abatement work is not legitimate. In response to a comment, she noted that Lennar would be detrimentally impacted by not granting the request for extension on the tentative subdivision map. She suggested the likelihood of a joint venture agreement between the two developers which would permit Lennar to abate the nuisance and negotiate reimbursement from Reynen and Bardis. In response to a question, Mr. Gattis reiterated the City's responsibility to ensure public safety. He agreed the responsibility for the nuisance abatement is that of the property owners.

(9:31:12) Lionel, Sawyer, and Collins Attorney Noel Waters, representing Lennar Communities and Schulz Ranch Development, introduced Lennar Communities representatives. Mr. Waters emphasized that Reynen and Bardis is the owner of the race track property which is the subject of the proposed nuisance action. Lennar has no ownership interest, right of entry, or development agreement with Reynen and Bardis.

(9:32:17) Larry Gualco, of Lennar Communities, reiterated there is no joint venture agreement between Reynen and Bardis and Lennar Communities. "These two properties are separate entities, separate economics, separate time lines, separate lending, completely separate." Mr. Gualco advised of no authority to force Reynen and Bardis to cover any costs associated with the property. He acknowledged communication with Reynen and Bardis representatives. Mayor Teixeira advised that Lennar Communities and Reynen and Bardis are common partners in the open space of the development. He reiterated that the project was not presented to the Board of Supervisors by two separate developers, and expressed extreme disappointment over the situation. In response to a question, Mr. Gualco estimated that Lennar Communities is a larger developer nationwide than Reynen and Bardis. He acknowledged that Reynen and Bardis is experiencing financial difficulties. He further acknowledged that the project has not yet begun "because of the economy and financing." In response to a further question, he advised that the "parcel that goes first would construct the infrastructure with a cost share regarding the common infrastructure." In response to a further question, he expressed understanding for the Board of Supervisors' position. He discussed complications associated with the projects not going forward as quickly as initially envisioned due to the economy and Reynen and Bardis' "financial issues." In response to a comment, Mayor Teixeira advised that the subject item had been agendaized before the Board of Supervisors on two separate occasions without any representation by Reynen and Bardis. Mr. Gualco advised that Reynen and Bardis representatives have been in contact with City representatives. He expressed the opinion that Reynen and Bardis has been "responsive to the City in terms of giving the City the status of their situation."

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Mayor Teixeira inquired as to the possibility of continuing this item in favor of requesting a Reynen and Bardis representative to appear before the Board of Supervisors. He expressed resistance to expending taxpayer dollars and attaching a lien to the property. Mr. Waters expressed concern over the tentative map expiring on August 21st. He re-emphasized that Lennar Communities is not the legal owner of the race track property. "We don't have the tool that you have to put a nuisance lien or to have the ability to recover the ... money for the clean up." Mr. Waters suggested that legal counsel review NRS 278.360(2) in terms of the tentative map approval process. Mayor Teixeira expressed the hope that Lennar Communities would work together with Reynen and Bardis to mitigate the problem "that this City didn't create."

Supervisor Staub expressed hesitation over holding Lennar Communities responsible for the problem Reynen and Bardis should address. On behalf of the City, he requested a commitment from Lennar Communities that their property will be maintained in a fashion which will not become a nuisance now or in the future. Mr. Waters advised of a contract to clean up the Lennar Communities property, and expressed the understanding that it will be accomplished within the next thirty days. He expressed the belief that Lennar Communities is "doing everything possible to be a good neighbor ... and honor our responsibilities to the City." Supervisor Staub expressed shock that there was no Reynen and Bardis representative in attendance at the meeting. He suggested requesting a Reynen and Bardis representative to appear before the Board at the next meeting, and agendizing the item for action prior to "expending any of Carson City's ... money." Mayor Teixeira noted the subject item was agendized as a status report.

8. DEVELOPMENT SERVICES - ENGINEERING

8(A) ACTION TO ADOPT BILL NO. 125, 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, BY MODIFYING THE DEFINITION OF CHILD CARE FACILITY, AND OTHER MATTERS PROPERLY RELATED THERETO (9:59:34) - Ms. Pruitt introduced this item, and reviewed the agenda report. She advised of having received no additional comments regarding this item since the first reading on June 19, 2008. Mayor Teixeira called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Williamson moved to adopt Bill No. 125, on second reading, Ordinance No. 2008-26, amending Carson City Municipal Code, Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words and Terms Defined, by modifying the definition of Child Care Facility, and other matters properly related thereto. Supervisor Aldean seconded the motion. Motion carried 5-0.** Mayor Teixeira thanked Ms. Pruitt.

8(B) ACTION TO APPROVE AN EXTENSION OF ONE YEAR FOR FILING A FINAL MAP FOR THE SUBDIVISION KNOWN AS SCHULZ RANCH, LOCATED BETWEEN CENTER DRIVE AND BIGELOW DRIVE, TSM-05-144 (9:42:00) - Senior Planner Jennifer Pruitt introduced this item, and provided an overview of the agenda materials. She noted that similar extensions of time have been granted in the past for other developments. She requested Board action on the item or a continuance, as noted by discussion of item 7. She acknowledged that action could be postponed until the first Board of Supervisors meeting in August. In response to a further question, she committed to being ready for the August 7th Board of Supervisors meeting. She acknowledged that Manhard Consulting, Ltd. Project Planner Paul Dalka had submitted the request for extension of time on behalf of the Schulz Ranch Development.

(9:44:41) Lennar Communities Vice President of Finance Dustin Barker provided background information on Schulz Ranch Development, LLC, a joint venture partnership between Lennar and a "third-party builder" that owns the property adjacent to the race track property. He advised that Lennar Communities

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is the managing member of Schulz Ranch Development, which owns the property. Schulz Ranch Development has requested the tentative map extension. Mr. Barker acknowledged that the joint venture does not include Reynen and Bardis; however, Reynen and Bardis property is included on the tentative map. He acknowledged that Reynen and Bardis would benefit from the extension of time. In response to a question, he advised that the "third-party builder" is Alameda Investments. The partners each own a 50 percent share in the property. In response to a further question, Mr. Barker reiterated that the joint venture does not include the Reynen and Bardis property. Of the 550 parcels, 296 are owned by Schulz Ranch Development, with Lennar Communities as the managing partner.

In response to a question, Mr. Gualco pointed out that the entitlements were granted over two separate properties. He suggested the City could have approved the projects separately with separate conditions, in acknowledgment of the two separate ownerships. "Each property is responsible for their compliance with the conditions." Mr. Gualco acknowledged there are two separate properties with two separate construction companies, and one set of conditions over both properties. He further acknowledged that Lennar Communities could start their project without Reynen and Bardis, and vice versa. He expressed the opinion that the City isn't "giving away anything" by granting the extension of time for the tentative subdivision map. "I think, if anything, they're enhancing the ability that the race track gets cleaned up someday because, if the map goes away, there's no incentive for the property to clean up whether it's R&B, the lender, or the subsequent purchaser if it's sold." Mr. Gualco expressed the further opinion that continuing the subject item "doesn't serve anyone, the City or the property owners."

Supervisor Aldean reiterated previous comments that the Board of Supervisors' intent was not to jeopardize the developers' approval, but to "apply some pressure" through Lennar Communities to Reynen and Bardis. In response to a question, Mr. Gualco advised of a recorded agreement providing for reimbursement of infrastructure costs. He further advised that Lennar Communities designed the common infrastructure. He explained that one of the Reynen and Bardis principles has filed bankruptcy. "The entity is working, as best they can, on numerous properties, both in Nevada and California, to work out the situation. They're bound ... by their creditors. It's not that they don't want to clean it up." Mr. Gualco advised that he will be able to do nothing more between now and the first Board of Supervisors meeting in August. Supervisor Aldean expressed understanding for Mr. Gualco's position, but reiterated concern over the fact that there was no Reynen and Bardis representative at the meeting. She expressed the hope that a Reynen and Bardis representative would appear before the Board of Supervisors to "provide ... some reassurance that, to the extent feasible, they will clean up their property and be a good neighbor to the people who live in that area. That is the primary reason for delaying action on this ..."

Supervisor Williamson agreed with Supervisor Aldean's comments. Mr. Barker acknowledged that the motivation to clean up the property would be gone if the tentative subdivision map is allowed to expire. Supervisor Williamson expressed support for the project as a good opportunity to offer new housing stock in the community. She reiterated the challenge of getting Reynen and Bardis' attention to clean up the property without using taxpayer funds to do so. Mr. Gualco suggested pursuing the nuisance abatement and attaching the lien. "That gets to them and their lender to raise the seriousness of it." Mr. Gualco reiterated that the maps have been recorded, and requested to be able to continue working with the lenders to clean up the Lennar property. He expressed concern over "putting us in limbo for another month where we can't accomplish any of those things."

Mayor Teixeira reiterated that granting the extension will benefit Reynen and Bardis. He further reiterated that the project was "not an easy sell," and that there was never any indication the project would be accomplished by two builders on two separate properties. He advised that Carson City is the injured party.

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Mr. Gattis acknowledged that Lennar Communities was required to abate a nuisance as well. Mayor Teixeira suggested agendizing action to lien the property in order to move forward with the nuisance abatement at the next meeting.

In response to a comment, Mr. Gualco clarified that Reynen and Bardis is not in bankruptcy. John Reynen, a Reynen and Bardis principle, has filed Chapter 11 in Sacramento. Supervisor Staub pointed out that no lien could be attached to property within the jurisdiction of the bankruptcy court. Mayor Teixeira entertained a motion. Mr. Gattis requested direction regarding the current abatement process. Ms. Bruketta advised that staff has the authority to move forward with abating the nuisance. Mayor Teixeira requested Mr. Gattis to reagendize the item for the July 17th meeting. In response to a question, he directed Mr. Gattis to suspend the abatement process until the July 17th Board of Supervisors meeting. In response to a question, Ms. Pruitt noted the recommendation to approve the one-year extension of time. **Supervisor Livermore moved to rehear the issue of the extension of one year for filing of a final map, from August 21, 2008 to August 21, 2009, for a subdivision known as Schulz Ranch, located between Center Drive and Bigelow Drive, the rehearing to occur on July 17th. Supervisor Staub seconded the motion. Motion carried 5-0.** Mayor Teixeira thanked Ms. Pruitt.

9. PARKS AND RECREATION - ACTION TO APPROVE THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE TO AUTHORIZE MAYOR TEIXEIRA TO SIGN AN OFFER AND PURCHASE CONTRACT FOR THE FEE TITLE PURCHASE OF THE WILSON TRUST PROPERTIES, APNs 007-091-26 AND 007-031-04, CONTAINING APPROXIMATELY 111 ACRES, LOCATED ON ASH CANYON ROAD AT THE RIDGE OF THE CARSON RANGE, AND TO ACCEPT A REIMBURSABLE LEGACY GRANT FOR APPROXIMATELY \$450,000.00 TOWARD THIS ACQUISITION (10:00:44) - Open Space / Property Manager Juan Guzman oriented the Board members to the location of the Wilson Trust property on a displayed topographical map, and provided background information with regard to the same. He advised that the two parcels are described under one deed. He discussed the importance of the property, as access into “the back country” and for watershed protection. He described the property’s characteristics, and discussed its relationship to adjacent properties. Open Space Coordinator Ann Bollinger displayed slides of the subject property. In response to a question, Mr. Guzman provided background information on the Wilson Trust, as the property owner. He advised that unless escrow closes before January 2009, the Wilson Trust will “have to pay a bundle of taxes.” He is negotiating the sale in light of this issue as well as the issue of retaining the grant funding. He advised that the Wilson Trust has agreed to sell in spite of the possibility of not closing escrow before January 2009. In response to a question, he advised that the total price is \$585,000 for 111 acres. The grant funding would amount to approximately \$450,000; the remainder to be allocated from the Open Space Program. Mr. Guzman described the acquisition as “a good deal for Carson City.”

Mayor Teixeira opened this item to public comment; however, none was forthcoming. Supervisor Aldean referred to the June 17, 2008 memorandum included in the agenda materials, and noted the donation, by the Nevada Division of Forestry, of the cost of developing a forestry plan. In response to a question, Mr. Guzman reviewed the recommendations outlined in the forestry plan and estimated that ongoing maintenance obligations will be relatively inexpensive. Discussion followed.

At Supervisor Staub’s request, (10:08:10) Bob Rusk provided background information on his family’s acquisition of the subject property. He acknowledged a willingness to sell the property. In response to a comment, he discussed his involvement as a Nevada Land Conservancy board member over the past several years. Mayor Teixeira described the acquisition as a “win / win / win; the [Wilson Trust], the people, and

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Carson City.” He entertained a motion. Supervisor Williamson thanked Mr. Rusk, and **moved to approve the recommendation of the Open Space Advisory Committee to authorize Mayor Teixeira to sign an offer and purchase contract for the fee title purchase of the Wilson Trust properties, APNs 7-091-26 and 7-031-04, containing approximately 111 acres located on Ash Canyon Trail at the ridge of the Carson Range, and to accept the reimbursable Legacy Grant for approximately \$450,000 toward this acquisition. Supervisor Aldean seconded the motion. Motion carried 5-0.** Mayor Teixeira thanked Mr. Rusk, Mr. Guzman, and Ms. Bollinger.

10. DISTRICT ATTORNEY - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSES AND BUSINESS REGULATIONS, ADDING CHAPTER 4.03, NATIONAL BACKGROUND CHECKS, SECTION 4.03.010, NATIONAL FINGERPRINT - BACKGROUND CHECK FOR BUSINESS LICENSE APPLICANTS, TO REQUIRE CERTAIN APPLICANTS TO SUBMIT TO A NATIONAL FINGERPRINT - BACKGROUND CHECK WITH THE FEDERAL BUREAU OF INVESTIGATION, AND OTHER MATTERS PROPERLY RELATED THERETO (10:12:12) - Ms. Bruketta introduced this item, and reviewed the agenda materials. Mayor Teixeira called for public comment and, when none was forthcoming, entertained a motion. Supervisor Staub moved to introduce, on first reading, Bill No. 127, an ordinance amending Carson City Municipal Code, Title 4, Licenses and Business Regulations, adding Chapter 4.03, National Background Checks, Section 4.03.010, National Fingerprint - Background Check for Business License Applicants, to require certain applicants to submit to a national fingerprint - background check with the Federal Bureau of Investigation, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.

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NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:13:24) - Pursuant to NRS 241.015(B)(2), Ms. Bruketta advised that the Board of Supervisors would hold a closed session to discuss existing or potential litigation and possibly deliberate toward a decision on certain matters.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (10:13:49) - Supervisor Williamson discussed the Curry Street Promenade, and advised that the first Farmer’s Market was held last Saturday, June 28th. Another event is scheduled for Saturday, July 5th. Supervisor Williamson estimated 1,500 to 2,000 people participated in the event. She invited the Board members and citizens to participate in the upcoming events. She anticipates “more and more activities” as the summer proceeds. She described the Curry Street Promenade as “a wonderful place to meet and greet your neighbors, get some produce, entertain your children, and enjoy what’s really good about living in Carson City.” Mayor Teixeira and the Board members commended Supervisor Williamson’s promotion of the events.

STAFF COMMENTS AND STATUS REPORT (8:44:48) - Treasurer Al Kramer thanked Purchasing and Contracts Manager Cheryl Adams for her assistance with a recent securities lending request for proposal process. He advised of Ms. Adams’ retirement, effective July 2, 2008. Mayor Teixeira noted that Ms. Adams had served the City for 28 years, and wished her a very, very happy retirement.

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12. ACTION TO ADJOURN (10:14:49) - Supervisor Aldean moved to adjourn the meeting at 10:14 a.m. Supervisor Livermore seconded the motion. Motion carried 5-0.

The Minutes of the July 3, 2008 Carson City Board of Supervisors meeting are so approved this 7th day of August, 2008.

MARV TEIXEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder