

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 1

DRAFT

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, December 2, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor Robert Crowell
Supervisor Robin Williamson, Ward 1
Supervisor Shelly Aldean, Ward 2
Supervisor John McKenna, Ward 3
Supervisor Molly Walt, Ward 4

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

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

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:30:25) - Mayor Crowell called the meeting to order at 8:30 a.m. Roll was called; a quorum was present. St. Peter's Episcopal Church Father Jeff Paul provided the invocation. Mayor Crowell led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - November 4, 2010 and November 10, 2010 (8:31:45) - Supervisor Aldean moved to approve the minutes, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. ADOPTION OF AGENDA (8:32:08) - Mayor Crowell entertained modifications to the agenda; however, none were forthcoming.

7. PUBLIC COMMENTS AND DISCUSSION (8:32:17) - Mayor Crowell entertained public comment; however, none was forthcoming.

8. CONSENT AGENDA (8:32:44) - Mayor Crowell entertained requests to hear items separate from the consent agenda and, when none were forthcoming, a motion. **Supervisor Aldean moved to approve the consent agenda, consisting of two items from the Treasurer's Office, one item from Finance, five items from Purchasing and Contracts; she noted Resolution No. 2010-R-60 in connection with item 8-3(B); she noted the errata sheet relative to item 8-3(D); she noted the two consent agenda items for the City Manager, and congratulated Jim Mallery on his reappointment to fill a two-year term on the Regional Transportation Commission, and Karin Mracek and Bernard Sease on their reappointments to the 9-1-1 Surcharge Advisory Committee; and the consent agenda item from Public Works. Supervisor Williamson seconded the motion.** In reference to the errata sheet, Mayor Crowell advised that it clarifies the effective date of the agreement as December 2, 2010. He entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

8-1. TREASURER

8-1(A) ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 008-861-29 (1615 GREGG STREET) FROM THE 2006 / 2007,

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 2

DRAFT

2007 / 2008, 2008 / 2009, 2009 / 2010, AND 2010 / 2011 REAL PROPERTY TAX ROLL, PURSUANT TO NRS 361.4734, IN THE AMOUNT OF \$541.50

8-1(B) ACTION TO ORDER AND DIRECT THE CARSON CITY TREASURER TO SELL, AFTER GIVING NOTICE OF SALE, FOR A TOTAL AMOUNT NOT LESS THAN THE AMOUNT OF TAXES, COSTS, PENALTIES, AND INTEREST LEGALLY CHARGEABLE AGAINST THE PROPERTY AS STATED IN THE ORDER THE FOLLOWING PROPERTIES: APNs 1-032-04 AT 2110 NORTH CARSON STREET FOR \$11,882.06; 2-093-10 AT 325 DAN STREET FOR \$848.04; 2-244-04 AT 1464 RAND AVENUE FOR \$44,439.83; 2-272-07 AT 1975 MARIAN AVENUE FOR \$3,259.99; 2-368-04 AT 1881 EAST LONG STREET FOR \$25,741.56; 2-593-03 AT 1779 SPOONER DRIVE FOR \$5,046.23; 3-142-16 AT 221 SOUTH RICHMOND AVENUE FOR \$6,241.77; 3-285-02 AT 201 WEST CAROLINE STREET FOR \$28,444.78; 3-285-03 AT NORTH CURRY STREET FOR \$3,345.40; 4-141-02 AT 1200 PALO VERDE DRIVE FOR \$8,127.51; 5-061-01 AT 2205 ARROWHEAD DRIVE FOR \$50,864.32; 7-473-20 AT 2043 EMILY COURT FOR \$22,939.94; 8-123-29 AT OLD HOT SPRINGS ROAD FOR \$7,245.87; 8-152-09 AT 1727 HIGHWAY 50 EAST FOR \$27,278.03; 8-172-14 AT 2190 DORI WAY FOR \$4,094.74; 8-352-02 AT 1603 BROWN STREET FOR \$8,594.82; 8-352-03 AT 1615 BROWN STREET FOR \$25,159.85; 8-591-01 AT 3501 SHERMAN LANE FOR \$1,482.00; 9-311-64 AT 1200 RACE TRACK ROAD FOR \$7,339.22; 9-413-02 AT 725 SONOMA STREET FOR \$2,250.93; 9-481-10 AT 508 LANDER DRIVE FOR \$7,595.41; 9-527-05 AT 1116 FREMONT STREET FOR \$3,606.23; 9-542-11 AT 4 HAZELWOOD COURT FOR \$4,428.01; 9-551-34 AT 1851 SOUTH ROOP STREET, #115 FOR \$59,434.04; 9-692-14 AT 304 SOMERSET DRIVE FOR \$2,828.27; 10-351-10 AT 3915 FAIRVIEW DRIVE FOR \$24,136.54; 10-541-19 AT AIRPORT ROAD FOR \$2,731.37

8-2. FINANCE DEPARTMENT - ACTION TO ACCEPT THE CONDITION OF EACH FUND IN THE TREASURY THROUGH NOVEMBER 22, 2010, PURSUANT TO NRS 251.030

8-3. PURCHASING AND CONTRACTS

8-3(A) ACTION TO APPROVE CONTRACT NO. 1011-173, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS DISPOSAL DESIRABLE AND IN THE BEST INTERESTS OF CARSON CITY

8-3(B) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE FOUR (4) PIECES OF MISCELLANEOUS SURPLUS PROPERTY HAVE REACHED THE END OF THEIR USEFUL LIVES AND WILL BE DONATED TO ANOTHER GOVERNMENTAL ENTITY OR TO A REQUESTING NON-PROFIT ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE, OR EDUCATIONAL PURPOSES, AS SET FORTH IN NRS 372.3261 (FILE NO. 1011-174)

8-3(C) ACTION TO AWARD CONTRACT NO. 1011-154 TO SHAHEEN BEAUCHAMP BUILDERS, LLC, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR AN AMOUNT OF \$94,674.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$9,500.00, TO BE FUNDED FROM THE CDBG CAPITAL PROJECTS / CC ADA RESTROOMS AND QUESTION #18, AS PROVIDED IN FY 2010 / 2011

8-3(D) ACTION TO APPROVE CONTRACT NO. 1011-176, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530 WITH TRI-STATE SURVEYING, LTD. TO PROVIDE ON

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 3

DRAFT

CALL PROFESSIONAL LAND SURVEYING SERVICES THROUGH DECEMBER 1, 2012, FOR A NOT-TO-EXCEED AMOUNT OF \$100,000.00 TO BE FUNDED FROM VARIOUS CAPITAL IMPROVEMENT PROJECT FUND ACCOUNTS, AS PROVIDED IN FY 2010 / 2011 AND FY 2011 / 2012

8-3(E) ACTION TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND TO APPROVE THE RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$50,232.95, FOR CONTRACT NO. 0910-127, TITLED PRODUCTION WELL 24 AND WELL 41 RE-EQUIPPING PROJECT TO RESOURCE DEVELOPMENT COMPANY

8-4. CITY MANAGER

8-4(A) ACTION TO APPOINT ONE MEMBER TO THE REGIONAL TRANSPORTATION COMMISSION TO FILL A TWO-YEAR TERM THAT WILL EXPIRE ON DECEMBER 31, 2012

8-4(B) ACTION TO APPOINT TWO MEMBERS TO THE 9-1-1 SURCHARGE ADVISORY COMMITTEE FOR TWO-YEAR TERMS THAT WILL EXPIRE ON DECEMBER 31, 2012

8-5. PUBLIC WORKS DEPARTMENT - ACTION TO APPROVE A PERMANENT EASEMENT FOR A PEDESTRIAN PATHWAY BETWEEN THE NEVADA DIVISION OF STATE LANDS, FOR AND ON BEHALF OF THE DEPARTMENT OF CORRECTIONS AND THE NEVADA ARMY NATIONAL GUARD (GRANTORS) AND CARSON CITY, WHICH WILL ALLOW CARSON CITY TO CONSTRUCT AND MAINTAIN THE FAIRVIEW DRIVE PEDESTRIAN PATHWAY, WHICH IS ON GRANTORS' PROPERTY, AND CONCURRENTLY CONSTRUCT THE NORTH / SOUTH WATER TRANSMISSION MAIN PHASE II PROJECT

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

9. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:35:02) - None.

10. PURCHASING AND CONTRACTS - ACTION TO APPROVE THE PURCHASE OF A TYMCO MODEL 500X BAH STREET SWEEPER, PURSUANT TO NRS 332.115(1)(m) FROM TYMCO, INC. FOR \$203,508.00 TO BE FUNDED FROM WATER AND WASTEWATER EQUIPMENT FUNDS, AS PROVIDED IN FY 2010 / 2011 (P.O. #2011-044) (8:35:02) - Mayor Crowell introduced this item and, at his request, Public Works Department Director Andy Burnham explained the purpose for the subject contract and the funding source. In response to a question, Purchasing and Contracts Coordinator Sandy Scott-Fisher explained that the City would join with another agency's contract for the subject purchase, pursuant to the provisions of NRS 332.115. Mr. Burnham provided additional clarification, noting the resulting cost and time savings. In response to a further question, he reviewed details of the subject sweeper, estimating the general cost at \$225,000 to \$235,000, "and we're getting this for \$206,000." He acknowledged the City has responsibility over additional streets following recent relinquishment by the State.

Supervisor Aldean noted the three funding sources: "water, wastewater, and sewer." Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 4

DRAFT

to approve the purchase of a TYMCO Model 500x BAH Street Sweeper, pursuant to NRS 332.115(1)(m) from TYMCO, Inc. for \$203,508 to be funded from the water and wastewater equipment funds and the sewer fund, as provided for in FY 2010 / 2011, P.O. #2011-044, Contract No. 1011-175. Supervisor Aldean seconded the motion. Motion carried 5-0. In response to a question, Mr. Burnham anticipates the equipment will be delivered within six months.

11. PUBLIC WORKS DEPARTMENT - ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT, BY AND BETWEEN CARSON CITY AND THE STATE OF NEVADA DEPARTMENT OF ADMINISTRATION, DIVISION OF BUILDINGS AND GROUNDS, ADDRESSING FUNDING FOR ENGINEERING DESIGN AND CONSTRUCTION OF IMPROVEMENTS TO THE MARLETTE LAKE WATER SYSTEM (8:39:50) - Mayor Crowell introduced this item, and Mr. Burnham reviewed the agenda materials. Mr. Burnham acknowledged the cost estimate is fairly conservative, and advised he anticipates the cost will be below \$2.5 million. He described the subject construction area as “fairly tough,” but noted no traffic control will be necessary and the project itself is fairly straightforward. He discussed the challenge of keeping the other pipeline in service while the subject pipeline is replaced. In response to a question, he advised that the subject pipeline provides water to Carson City and Storey County. He acknowledged that Storey County pays into the system. “They use such a small amount in comparison to us; we pay probably 98 percent of the costs of the water.”

Supervisor Williamson encouraged Supervisor-elect Karen Abowd and Supervisor McKenna to schedule a tour of the Marlette Lake Water System. Mr. Burnham noted significant improvements to the system over the past five years. In response to a question, he explained that the pipeline will be buried appropriately so as to avoid crushing in the event of the need for emergency vehicle access. He responded to additional questions regarding the Marlette Lake Water System.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to adopt Resolution No. 2010-R-61, a resolution approving and authorizing the Mayor to sign an interlocal agreement, by and between Carson City and the State of Nevada Department of Administration, Division of Buildings and Grounds, addressing funding for engineering design and construction of improvements to the Marlette Lake Water System. Supervisor Williamson seconded the motion. Motion carried 5-0.**

12. AIRPORT AUTHORITY - ACTION TO CONSIDER LEGISLATIVE CHANGES PROPOSED BY THE CARSON CITY AIRPORT AUTHORITY REGARDING ELIGIBILITY FOR APPOINTMENT TO THE AIRPORT AUTHORITY BOARD (8:48:45) - Mayor Crowell introduced this item, and disclosed that Airport Authority Counsel Steve Tackes is his law partner. Mayor Crowell cited NRS 281.420, and advised of having spoken with the District Attorney regarding this item which addresses legislation on the makeup of the Airport Authority. He expressed the belief that the subject item has nothing more to do with either Mr. Tackes or himself which would preclude him from participating in discussion and action on this item.

(8:49:35) Airport Authority Counsel Steve Tackes reviewed the agenda materials. He acknowledged that the Airport Authority had reviewed and approved the recommendation. He committed to keeping the City informed as the bill draft moves through the legislature.

Discussion took place regarding the possibility of a former member of the Board of Supervisors serving as one of the three members “who represent the general public ...” Supervisor Aldean noted a clerical

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 5

DRAFT

correction to Sec. 4(b) of the bill draft request language. Supervisor McKenna provided historic information on the formation of Airport Authority, and suggested the possibility of “rethink[ing] the entire makeup of the [Authority].” He inquired as to “any nexus between being a manufacturer in Carson City and being on the Airport [Authority].” Mr. Tackes commended the observation, and advised of having discussed the possibility with the Airport Authority. He advised that having the input of manufacturers on the Airport Authority “has been really good because they’re typically driven business people. ... they’re the ones who seem to be the most up on negotiating with contractors ..., the most up on the employ[er] / employee issues. They just represent an element on the Airport Authority that’s been very useful to us.” He expressed concern over a “wholesale revision of the law. We think this would be a particularly bad legislative session to do anything large.” He offered to convey Supervisor McKenna’s comments to the Airport Authority for consideration. In consideration of Supervisor McKenna’s comments, Supervisor Aldean discussed the importance of ensuring that the Airport Authority’s activities are consistent with the expectations of the general public and residents adjacent to the airport as well as the expectations of the manufacturers who have made a substantial investment in businesses immediately adjacent to the airport.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to approve the bill draft request being sought by the Airport Authority. Supervisor Walt seconded the motion. Motion carried 5-0.**

13. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION

13(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.4.7, ADMINISTRATION, EXCEPTIONS, TO MODIFY THE REGULATIONS RELATING TO THE DISPLAY OF TEMPORARY BANNERS AND OTHER TEMPORARY SIGN DEVICES, AND OTHER MATTERS PROPERLY RELATED THERETO (9:02:20) - Mayor Crowell introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials. He advised that the Planning Commission had recommended approval of the proposed ordinance by unanimous vote. In response to a question, he advised that the Planning Division has been dealing with individual complaints in various locations. He noted that the Chamber of Commerce had supported the ordinance amendment in the past. He discussed the need for enforcement, and advised of having received positive feedback from the business community.

Supervisor McKenna suggested permanently amending the code, and revising it in the future, if necessary. Discussion followed, and Supervisor Aldean suggested requesting Chamber of Commerce representatives to caution the business community relative to working within the framework of the amended ordinance. Mr. Plemel advised of having had a similar suggestion from a Planning Commissioner, and committed to discussing the matter with Chamber of Commerce representatives.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 116, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, Section 4.4.7, Administration, Exceptions, to modify the regulations relating to the display of temporary banners and other temporary sign devices, and other matters properly related thereto. Supervisor Walt seconded the motion. Motion carried 5-0.**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 6

DRAFT

13(B) ACTION TO AUTHORIZE A REQUEST FOR PROPOSALS FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (“CHDOs”) TO SUBMIT PROPOSALS FOR CONSTRUCTION, SALE AND MONITORING OF A SINGLE-FAMILY RESIDENCE ON CARSON CITY PROPERTY LOCATED AT 1180 PALO VERDE DRIVE, APN 004-141-05, TO DEVELOP AFFORDABLE HOUSING FOR A FAMILY WHOSE INCOME AT THE TIME OF APPLICATION FOR SUCH HOUSING DOES NOT EXCEED 80 PERCENT OF THE MEDIAN GROSS INCOME FOR FAMILIES IN CARSON CITY, PURSUANT TO THE PROVISIONS OF NRS 244.287 (9:10:57) - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials. In response to a question, Mr. Plemel advised that the subject item was not within the purview of the Planning Commission and, therefore, not presented to them.

Supervisor Williamson advised that she serves as a member of the Western Nevada Home Consortium Board. She expressed support for disposing of City property which is not being used for City purposes, but concern with regard to whether or not there is an actual shortage of affordable rental property in the current real estate market. In response to a question, Mr. Plemel noted the requirement that the home would be constructed for purchase. In response to a further question, he advised that designating the home as affordable housing for a period of 50 years would be accomplished by deed restriction. He further advised that the property would be taxable. Supervisor Williamson expressed concern over the Brown Street property, and urged City officials to focus on getting it developed in such a way as to lessen the exposure to all the counties involved in the Western Nevada Home Consortium.

In response to a question, Mr. Plemel advised that the subject parcel was not originally intended for park purposes. “It was a lot created with the subdivision.” In response to a further question, he advised that the parcel was obtained by the City for a well site at some point. Mr. Werner provided additional clarification on City acquisition of the parcel. Supervisor Aldean suggested obtaining a title report on the property. In consideration of Supervisor Williamson’s comments, Supervisor Aldean acknowledged many well-designed and well-executed affordable housing projects. She expressed the hope that monitoring the property relative to its use for affordable housing would also include monitoring for maintenance.

In response to a question, Mr. Plemel advised that adjacent neighbors had not been contacted prior to the subject presentation. “That would be the next step.” Supervisor McKenna expressed a preference that the adjacent neighbors be informed prior to the Board taking action. In response to a further question, Mr. Plemel expressed the opinion that construction of a single-family residence would be the highest and best use of the parcel. “It would fit in with the neighborhood ...” Supervisor McKenna inquired as to the timing, and Mr. Plemel advised that “these discussions, in trying to get to this point, have been going on for a couple years ... However, the organizations that actually want to build a house are still interested in doing this.”

Mr. Plemel acknowledged that the Parks and Recreation Department never intended the subject parcel as an entrance to Mills Park. Supervisor Aldean read into the record NRS 244.287(8), copies of which were included in the agenda materials, noting the performance requirement. Mayor Crowell inquired as to the reason for not providing notice to the neighbors prior to taking action on this item. Mr. Plemel advised that the statute establishes the steps to be taken following the Board’s authorization to receive requests for proposals, “which includes that notice.” Public Works Department Director Andy Burnham explained the importance of first presenting the item to the Board. He acknowledged the logic associated with notifying the neighbors, and suggested this as the next step prior to publishing the request for proposals. Mr. Werner suggested that public outreach could be included as part of the request for proposals process. Supervisor Williamson agreed, and expressed the hope that the design will be compatible with the surrounding

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 7

DRAFT

neighborhood. Supervisor McKenna suggested that the adjacent neighbors may have different ideas, “hopes and dreams” relative to the property. He discussed a preference to “talk to the people that are there before we start thinking about what we’re going to do with the property.”

Mayor Crowell entertained comments from the Nevada Rural Housing Authority (“NRHA”) representative. (9:29:25) In reference to Supervisor Williamson’s comments, NRHA Real Estate Project Manager Lisa Dayton advised of the intent to incorporate the subject property in the statewide land trust, the provisions of which she reviewed. In response to a question, she explained that “to keep the home affordable, the land and the improvements are separated on two ... deeds. And when a home buyer purchases the home, they actually ... enter into a long-term lease on the property. Within the lease agreement are the terms that outline how the home will be kept affordable for future generations.” In response to a further question, Ms. Dayton advised that ownership of the land is retained by the NRHA. She acknowledged that the NRHA then leases the property to the person who constructs the home. She explained the purpose for entering into a lease agreement “so that we have some ... amount of ongoing monitoring.” In reference to Supervisor Aldean’s comments, Ms. Dayton advised that the lease agreement provides NRHA “some authority to take action if the property is not being maintained to the levels that the City would expect.”

In response to a question, Ms. Dayton explained that the NRHA is a quasi-governmental agency with a defined non-profit status. In response to a further question, she explained “the agreement that we have with Carson City, based on the Assessor’s input, was that Carson City wanted to continue to collect property tax on the value of not only the improvements but the value of the land. ... It really just transfers that burden to the homeowner because they would make that payment.” The City has the option to forgive the property tax. In response to a previous question, Ms. Dayton advised that the NRHA doesn’t “typically feel compelled to tell an adjoining property owner that their neighbor is a land trust homeowner because there’s really no difference on the surface. They’re obligated to maintain the property the same so they really don’t function any differently once they’re in the property.” In response to a further question, Ms. Dayton advised there is no time frame associated with the Board’s action on the subject item. She acknowledged there are many affordable homes on the market. “The challenge on our part will be that we can’t build a home for less, even with donated land, ... than what the adjoining house is on the market for. ... It shouldn’t hinder us from acquiring or creating properties that are going to be permanently affordable. Because property values are so low right now, this is the time to create those long-term affordable properties.” Ms. Dayton noted the jobs created by new construction, and expressed the opinion that “it’s good press.” Based on the construction time frame of the surrounding residences, she suggested that “they’re probably somewhat lacking in that area.” Ms. Dayton discussed the intent to partner with “at least one foundation that would be offering environmental grants. So that would allow us to spend a little bit extra money, incorporate ... some renewable energy sources, tighten up the envelope, add ... insulation.” She noted the “prototype value and ... some much-reduced ongoing maintenance costs.”

Discussion took place regarding the appropriate action, and **Supervisor Aldean moved to delay action on this item to allow staff to develop a public outreach program to solicit input from the adjacent property owners. Supervisor Walt seconded the motion.**

(9:40:08) John Hamer, representing the Sierra Nevada Community Land Trust (“SNCLT”), advised there are two Community Housing Development Organizations in northern Nevada. Mr. Hamer expressed an interest in the parcel, and advised that the SNCLT administers an identical program to the one previously described by Ms. Dayton. Mr. Hamer advised that the SNCLT “only deal[s] with ownership. We don’t deal in the rental properties.” He advised that the SNCLT “target[s] people at the 80 percent or lower income level.” He further advised, “our program is a 99-year lease on the land. People get a 30-year

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 8

DRAFT

mortgage on the balance of the property and they participate in the equity at the time they decide to sell with our land trust. That keeps our property permanently affordable to the next buyer.” Mayor Crowell reviewed the pending motion, and Mr. Hamer acknowledged the importance of notifying the adjacent neighbors. He emphasized the importance of not stigmatizing a buyer “because they’re moving into ‘an affordable house.’”

(9:42:42) Morris White expressed the opinion that encumbering the property as low income “will depress the value of that property and the surrounding properties and will cost the City property tax monies. That’s not acceptable.” He expressed the further opinion that disposal of City property “should be done on an open and competitive bid.” In response to a question, he expressed the opinion that designating the property for affordable housing “is just another way of saying low income. They go hand in hand, the two terms ...”

Mayor Crowell entertained further comments or questions and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

Mr. Plemel acknowledged that staff would develop a public outreach program prior to reagendaizing the item for Board action. Supervisor Aldean noted the number of rental properties in the neighborhood and requested Mr. Plemel to ensure that property owners as well as occupants are contacted. Discussion took place regarding the method by which to address similar requests. In response to a question, Supervisor Williamson provided background information on the Brown Street property. Ms. Dayton provided a status report on the Brown Street property “in that we recently initiated a follow-up phase 1 environmental because there has been some dumping on the property.”

13(C) ACTION TO DETERMINE THAT CITY PROPERTY, LOCATED ON KARIN DRIVE, APN 004-374-01, APPROXIMATELY 3,900 SQUARE FEET IN SIZE, IS NOT DESIRED FOR USE BY THE CITY AND, AS A RESULT OF ITS SIZE, IS TOO SMALL TO ESTABLISH AN ECONOMICALLY VIABLE USE BY ANYONE OTHER THAN A PERSON WHO OWNS REAL PROPERTY ADJACENT TO IT PURSUANT TO NRS 268.061(1)(e), AND DIRECT STAFF TO INITIATE A SALE OF THE PROPERTY TO THE ADJACENT PROPERTY OWNER

(9:48:43) - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. He responded to questions of clarification regarding the adjacent property boundaries, and discussed restrictions relative to the possibility of future park or residential development. He clarified that “the City owns the whole thing, the right-of-way and ... this park parcel. If you just get rid of the park parcel, it’s not a developable lot. It’s substandard. ... And, with the right-of-way, you would have to dedicate it back to the adjacent property owners for no compensation because it was dedicated with the map.” Mr. Plemel further clarified staff’s recommended action to determine that the parcel is only valuable to the adjacent property owner. He acknowledged that the subsequent abandonment process would be coordinated in such a way as to provide Mr. Morris and his neighbors with half the right-of-way and the neighbors to the west with half the right-of-way.

Mr. Plemel acknowledged that the subject right-of-way was dedicated with the subdivision map. He advised of having been informed by the District Attorney that the Board’s action must be by resolution, which would be agendaized for a future meeting. In response to a question, Mr. Werner explained that the open space requirement was introduced with planned unit development law in the late 1970s. He was unaware of any legal encumbrance which would prohibit deeding the park and right-of-way property to the adjacent property owners. “Knowing that area and knowing the age,” Mr. Werner expressed the belief that “Lee’s description is absolutely correct. You’ve got a piece of surplus property and you’ve got a dedicated

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 9

DRAFT

right-of-way and you have to treat those two differently.” Supervisor Aldean expressed concern over preserving the rights of other property owners with equal claims to this property, and suggested the Board direct staff to initiate sale of the property to the adjacent property owners. Discussion followed.

Mayor Crowell invited Bob Morris to the podium. (9:57:49) Bob Morris advised that he and his wife, Kay Ellen Armstrong, are interested in purchasing the subject property. He further advised of an agreement with Mrs. Moore, the property owner to the east adjacent to the park property, and with the Granges, the property owners to the west. He provided background information on he and his wife’s interest in purchasing the property and their efforts to do so over the past two years. In response to a question, Mr. Morris advised that an agreement with Mrs. Moore provides Mr. Morris and Ms. Armstrong the right to negotiate with the City to purchase the property. “The main condition is that ... we’re going to give her an easement to get into her side yard. ... With the Granges, we’re acquiring their right to half of the abandonment.” Mr. Morris explained that, following the purchase, requests for road abandonment and a boundary line adjustment will be presented to the Board. He noted a complication in the form of an earthquake scarp “that goes through that area.” He advised of the intent to landscape the property as part of his backyard and to install a swimming pool. In response to a question, he corrected the information relative to the agreement with Mrs. Moore, which provides for relinquishment of a portion of the property rather than an easement. He advised that this had been negotiated between Mrs. Moore and his attorney, Thomas Perkins.

In response to a question, Mr. Plemel advised that the recommended Board action waives the requirement for a full appraisal. He reiterated that the remnant parcel is not fully developable, which distinguishes it from a “full appraisal and auction-type sale.” He explained that Planning Division staff would subsequently work with Regional Transportation staff to determine valuation of the remnant right-of-way parcel. Open Space / Property Manager Juan Guzman explained the statutory provision allowing purchase of portions of ground “not useful for a whole bunch” to be sold or disposed of without appraisal. “That’s what this action is.” In response to a further question, Mr. Plemel provided additional clarification of the recommended action. He acknowledged the goal to end up with one parcel through lot line adjustments. Getting to that point requires presentation of an abandonment request to the Planning Commission and the Board of Supervisors, at which time the conditions will be determined. Discussion took place with regard to the process associated with accomplishing the sale, the abandonment, and the lot line adjustment.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to determine that City property located at Karin Drive, APN 4-374-01, approximately 3,900 square feet in size, is not desired for use as a City park and, as a result of its size, is too small to establish an economically viable use by anyone other than a person who owns real property adjacent to it, pursuant to NRS 268.061(1)(e), and to direct staff to initiate the sale of property to the adjacent property owners. Supervisor Walt seconded the motion.** In response to a question, Mr. Plemel explained the statutory requirement for the Board to make the determination by resolution. In response to a further question, he advised that the Board’s action provides sufficient direction to staff to agendize action on a resolution. Mayor Crowell called for a vote on the pending motion. **Motion carried 5-0.**

14. CITY MANAGER

14(A) ACTION TO APPOINT SUPERVISOR MOLLY WALT TO THE PARKS AND RECREATION COMMISSION TO FILL THE UNEXPIRED TERM OF FORMER SUPERVISOR PETE LIVERMORE, ENDING DECEMBER 31, 2011 (10:10:17) - Mayor Crowell introduced and provided background information on this item. He entertained public comment and, when none was

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 10

DRAFT

forthcoming, a motion. **Supervisor Aldean moved to appoint Supervisor Molly Walt to the Parks and Recreation Commission to fill the unexpired term of former Supervisor Livermore ending December 31, 2011. Supervisor Williamson seconded the motion. Motion carried 5-0.**

14(B) REVIEW OF THE CARSON CITY OPERATIONS SCORECARD (10:11:27) - Mayor Crowell introduced this item. Mr. Werner provided an overview of a recent presentation at the Nevada Association of Counties annual conference, and discussed the purpose of the operations scorecard to ultimately determine from the community whether City government is efficiently delivering the kinds of services they believe are important. He advised that a meeting will be scheduled with the new Board after the new year to review the City's goals and the data being monitored to determine whether those goals are being met.

Supervisor Williamson commended Mr. Werner on the presentation made at the Nevada Association of Counties conference. She advised that the operations scorecard process was well received with "a lot of curiosity from other counties." She noted that the information is available via the City's website, and encouraged the citizens to review it. She noted that "once again, it's where Carson City is leading the State in being responsive to our residents." She expressed appreciation for Mr. Werner taking time to speak at the NACO conference. Mayor Crowell noted the importance of facts, as presented by the operations scorecard data. Supervisor Aldean noted the importance of City staff being required to quantify the impacts of their programs on the community. In response to a question, Supervisor Aldean advised of having spoken with Transportation Manager Patrick Pittenger about formalizing the opening of the Roop Street widening project with a ribbon-cutting ceremony.

In response to a question, Mr. Werner explained that the operations scorecard report is prepared by the middle of each month. He reviewed the briefing book which was displayed in the meeting room and included in the agenda materials. In response to a question, he offered to check into the housing voucher program for people in need. He noted the operations scorecard was included in the agenda materials and available via the City's website. In response to a question, he advised there are no plans to renovate the Community Center signage at this time. He has requested Parks and Recreation Department Director Roger Moellendorf to provide an outline of activities and capital projects which are appropriate and necessary for the Community Center. He advised of the possibility that the building will require re-roofing. The evaluation will include energy retrofit and the possibility of installing solar panels.

15. BOARD OF SUPERVISORS NON-ACTION ITEMS:

STATUS REVIEW OF PROJECTS (10:35:27) - Mr. Werner provided an overview of the November 22nd Carson Nugget Development Advisory Committee meeting. He discussed plans to present a report to the Board of Supervisors to address concerns relative to project design, parking, etc. In response to a comment, Mr. Werner expressed appreciation to Supervisor Williamson for her efforts in "driv[ing] the whole project ... forward." Supervisor Williamson noted that "success is sustained effort," and encouraged more of the same relative to economic development in Carson City.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:31:21) - Supervisor Williamson announced the Silver and Snowflakes Christmas tree lighting event scheduled for 5:30 p.m., and reviewed the various elements of the event. Supervisor Walt commended Parks and Recreation Department and Public Works Department staff on installation of the ice skating rink. Mr. Werner thanked Supervisor Walt for the kind words and advised he would pass them along. He reviewed some difficulties associated with the installation. Supervisor-elect Karen Abowd announced the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the December 2, 2010 Meeting

Page 11

DRAFT

Greenhouse Project groundbreaking ceremony scheduled for 12:00 p.m. on Friday, December 3rd. She invited the Board members to attend. (10:37:51) Supervisor Williamson announced that this year's Christmas tree ornament depicts the V&T Depot. She anticipates that some of the downtown shops will be selling them during the Silver and Snowflakes event this evening, and she listed various shops at which the ornaments will be available for purchase.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS - None.

STAFF COMMENTS AND STATUS REPORTS - None.

16. ACTION TO ADJOURN (10:38:34) - Supervisor Aldean moved to adjourn the meeting at 10:38 a.m. The motion was seconded and carried 5-0.

The Minutes of the December 2, 2010 Carson City Board of Supervisors meeting are so approved this _____ day of January, 2011.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder