

Item # 1

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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, October 19, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

**PRESENT:**

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

**STAFF PRESENT:**

Linda Ritter	City Manager
Alan Glover	Clerk-Recorder
Michael Griffin	District Court Judge, Dept. 1
William Maddox	District Court Judge, Dept. 2
Robey Willis	Justice of the Peace, Dept. 1
John Tatro	Justice of the Peace, Dept. 2
Larry Werner	City Engineer
Walter Sullivan	Community Development Director
Tom Minton	Finance Director
Daren Winkelman	Health Director
Ann Silver	Human Resources Director
Kevin Haggarty	Information Services Director
Roger Moellendorf	Parks and Recreation Director
Steve Albertsen	Undersheriff
Rory Planeta	Alternative Sentencing Chief
Cheryl Adams	Purchasing and Contracts Manager
Ken Arnold	Public Works Operations Chief of Special Projects
Michael Suglia	Senior Deputy District Attorney
Josephine "Cookie" Gallagos	Administrative Assistant
Natalie Pieretti	Chief Deputy District Court Clerk
Katherine McLaughlin	Recording Secretary

(BOS 10/19/06 Recording 8:28:25)

**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, INVOCATION** - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. A quorum of the Board was present although

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Supervisor Williamson had not yet arrived. Rev. Ken Haskins of the First Christian Church lead the Pledge of Allegiance. Supervisor Williamson arrived-8:32 a.m. The entire Board was present, constituting a quorum. Rev. Haskins gave the Invocation.

**PUBLIC COMMENTS AND DISCUSSION (8:30:10)** - Sam Dehne espoused his belief that he should be allowed to bring and play his guitar. He also believed that the Attorney General had found in his favor regarding having Public Comments on nonagenized items agenized for each Board. He acknowledged that the opinion allows the Board to continue its practice of having only one Public Comment period for nonagenized items as is clearly articulated on the agenda. He felt that the allowance "violates the law and allow you to get away with it". He then espoused his belief that the election process in Reno/northern Nevada is flawed. He alleged that the official ballot is forged with the wrong date on it. He opined that Mr. Dean Heller is a "masquerader" for Halloween as he is running for Congress and is counting the votes. As he is running of the Washoe County Commission, he did not want Mr. Heller to count his votes. Additional public comments were solicited.

Judges Willis and Tatro explained their need to clarify a news article that indicated they were keeping fees collected for weddings performed during their normal Monday through Friday work days. The fees collected for marriages during these periods are turned over the City for inclusion in the General Fund. The amount collected for this service was \$17,000. Of that amount \$7,885 was turned over to the General Fund. Five dollars from every marriage performed goes to the State Domestic Violence Fund. Judge Willis' tax statement for last year indicated that he collected \$2,275 for marriages performed after hours. Judge Tatro indicated that the maximum total he had collected for marriages performed after hours was \$2,800. Judge Pro-Tem Carl Neathammer explained that he has and does weddings on the weekends. He had done so for ten years. He supported the representations made by Judges Willis and Tatro indicating that the media information was false. He had been performing weddings for ten years. Additional comments were solicited but none were given.

1. **ACTION ON APPROVAL OF MINUTES - SEPTEMBER 21, 2006 (8:36:27)** - Supervisor Aldean moved to approve the Minutes of the Carson City Board of Supervisors meeting of September 21, 2006, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. **CHANGES TO THE AGENDA (8:36:10 and 8:36:40)** - None.

3. **CONSENT AGENDA (8:36:57)**

3-1. **PARKS AND RECREATION - OPEN SPACE - ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE TO AUTHORIZE THE OPEN SPACE MANAGER TO ENTER INTO A CONTRACT WITH WOOD RODGERS, INC., FOR PHASE III OF THE OPEN SPACE WETLAND REHABILITATION PROJECT FOR A NOT-TO-EXCEED SUM OF \$92,620. THE WETLAND IS LOCATED NORTH OF NORTH-RIDGE DRIVE, SOUTH OF COLLEGE PARKWAY, WEST OF LOMPA LANE, AND EAST OF THE NORTHRIDGE/MOUNTAIN PARK SUBDIVISIONS**

3-2. **PURCHASING AND CONTRACTS**

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**A. ACTION TO APPROVE THE RENEWAL OF CONTRACT NO. 0405-060 WITH HYDROTECH, INC., TO PROVIDE CLEANING OF SEWER MAINS ON AN AS-NEEDED BASIS THROUGH DECEMBER 15, 2007, SUBJECT TO THE FUNDS BEING BUDGETED IN THE SEWER FUND AND WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS SUBJECT TO NEGOTIATIONS**

**B. ACTION TO APPROVE CONTRACT NO. 0607-043, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEMITS DISPOSAL DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY**

**3-3. PUBLIC WORKS - ENGINEERING - ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE RELEASE AND CANCELLATION OF THE IMPROVEMENT AGREEMENT BETWEEN SILVER OAK DEVELOPMENT COMPANY AND CARSON CITY FOR SILVER OAK PUD, PHASE 11**

**3-4. CITY MANAGER - ACTION TO REAPPOINT CHRIS FREEMAN TO THE NEVADA TAHOE CONSERVATION DISTRICT FOR A TWO YEAR TERM ENDING DECEMBER 31, 2008**

**3-5. AIRPORT AUTHORITY**

**A. ACTION TO APPROVE THE CARSON CITY AIRPORT LEASE AMENDMENT AND RESTATEMENT BETWEEN CARSON CITY AIRPORT AUTHORITY AND CUBIX CORPORATION**

**B. ACTION TO APPROVE THE AMENDMENT TO CARSON CITY AIRPORT LEASE AGREEMENT BETWEEN THE AIRPORT AUTHORITY AND PATRICK DANG ENTERPRISES, LLC.** - Supervisor Livermore moved to approve the Consent Agenda consisting of seven items; one item from Parks and Recreation Open Space, two items from Purchasing and Contracts; one item from Public Works; one item from the City Manager with special recognition to Chris Freeman who is being reappointed to the Nevada Tahoe Conservation District for a two-year term and recognition of his longevity and service for Carson City's benefit; and two items from the Airport Authority for a total of seven items submitted today. Supervisor Staub seconded the motion. Motion carried 5-0.

**4. DISTRICT, JUSTICE AND MUNICIPAL COURTS - PRESENTATION OF THE FIRST JUDICIAL DISTRICT CONSOLIDATION PLAN AND UPDATE ON CRIMINAL JUSTICE AGENCY STREAMLINING INITIATIVE (8:37:49)** - Judges William Maddox and Robey Willis, Josephine "Cookie" Gallegos, Judges John Tatro and Michael Griffin, Sam Dehne - Judge Maddox supported the consolidation and explained his need to leave as he had a jury trial that is to reconvene shortly. Discussion explained the benefits of the consolidation program including its ability to cross train the employees and provide accountability. Current technologies and procedures will be explored and implemented as deemed appropriate. The consolidation will provide more efficient transmittal of information and eliminate duplication of entries. There will be a single point of contact. The City's consolidation of City and County functions allows the change to be made without stepping on anyone's toes. All the information will be immediately available to the Courts, District Attorney, and Sheriff's offices. Comments complimented Ms. Ritter, Ms. Gallegos, Ms. Silver, Mr. Glover, and Undersheriff Albertsen for their assistance and cooperation. Although a large amount of savings will not be generated

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initially, it was felt that the consolidation will reduce the need for two or three more staff members in the future. Ms. Gallegos corrected a media report that indicated \$75,000 will be saved annually. The actual amount of savings that will be made is only \$25,000. Comments also indicated that Judge Griffin has been deeply involved in the program. The program is receiving national recognition. Judge Griffin has given presentations at national conventions regarding it. The program is user friendly and readily accessible. Diane Crow from the Public Defender's Office was present to support the program. Comments also indicated that jail inmates' uniforms will be changed to black and white stripes. Mayor Teixeira compared the concept to walking on hallowed ground. He complimented them on their willingness to break from tradition. The City's consolidation allows them to work together for the community's betterment. He, again, complimented them on making changes that will benefit everyone. He, too, felt that the program should be showcased. Judge Griffin felt that, once the participants get over the ego problem of having to give up some turf, it is seen as a remarkable program. Supervisor Staub also complimented the participants on the program. Discussion indicated that the court clerk functions will remain the same. The hope is to eventually have one entry area and have all of the public service clerks in one area. Supervisor Staub supported this concept rather than having the departments spread over several blocks as some jurisdictions do. Comments were solicited.

Mr. Dehne expressed his support for the program. He hoped that anyone found innocent will be treated in the same manner as convicted individuals when it comes to getting the information into the system. Additional comments were solicited but none were given. No formal action was required or taken on this item.

**5. CARSON CITY SCHOOL DISTRICT - PRESENTATION BY SUPERINTENDENT MARY PIERCZYNSKI AND DIRECTOR OF OPERATIONS MIKE MITCHELL REGARDING THE CARSON CITY SCHOOL DISTRICT BOND QUESTION (8:57:11) - Carl Neathammer -** Dr. Pierczynski and Mr. Mitchell thanked the Board for the opportunity to make the presentation regarding the School Bond issue. The Bond proposal was developed by a citizens' committee. Members Karl Neathammer and David Ruf were present. A list of others who had served on the committee were limned. The proposed bond will continue the School District's current \$0.47 rate. The District's Bond Consultant Marty Johnson was also present to respond to any questions. The Nevada Statutes do not allow the use of these tax revenues for personnel costs. The funds can only be used for capital improvements and new facilities. Clarification indicated that the current School District tax rate will remain the same if the bond issue is approved. Mr. Mitchell described the facility improvements that will be made with the funds. Justification for the improvements was provided. Discussion indicated that, as the School District cannot guarantee that nine of the portable structures do not contain any mold, their salvage value is small. They can be used by ranchers for storage but are not to be used for habitation. The other portable structures that are in good shape will be relocated to other facilities and used. Defeat of the bond proposal will encourage benign neglect of the facilities.

Mr. Neathammer explained his term on the committee. School officials are prohibited by law from asking people to vote for the bond. Reasons he supported the bond issue were limned. The proposal will not increase the property taxes. The funds will be used in the community. He urged the public to vote for the

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bond issue. Mayor Teixeira thanked him for his presentation and Mr. Ruf for their commitment to the program. He explained that if the improvements are not made now, they will cost the community more when they are done. Mr. Neathammer also explained that if the bonds are not approved, funding that should go for education will have to be used for maintenance. Mayor Teixeira thanked Dr. Piercznski and Mr. Mitchell for looking at tomorrow's needs. Dr. Piercznski thanked the Board for its time and the opportunity to speak. No formal action was taken or required.

**6. PUBLIC WORKS - ACTION TO APPROVE AN AGREEMENT BY AND BETWEEN CARSON CITY AND THE WASHOE TRIBE OF NEVADA AND CALIFORNIA WHEREBY CARSON CITY PROVIDES SEWER OPERATION, MAINTENANCE AND RELATED SERVICES (9:12:48)** - Public Works Operations Chief of Special Projects Ken Arnold, City Engineer Larry Werner - The agreement covers 138 connections and allows annual review of the usage. The City will be responsible for only the maintenance of the Stewart system. No replacement is provided for Stewart. The City owns the Carson Colony system and will do replacement and service there. The agreement is a ten-year renewal of the current agreement. The Stewart Indian School is included in the agreement. Mr. Werner explained that the State is a "regular customer" and does not have a special agreement.

Supervisor Staub explained to the Tribal Representatives, who were present, an RTC concern about Old Clear Creek Road and the attempts to reach an amicable decision regarding the maintenance and repair of this "dangerous roadway". He hoped the Tribe will participate in the roundtable efforts to find a solution to the upgrading and maintenance issues of the roadway. He also hoped that the City's cooperation on this agreement is recognized and the same aura of cooperation can be used to reach a solution on the roadway. He had not found this during previous discussions but hoped that it will occur in the future. Additional comments regarding the sewer operation, maintenance and related services agreement were solicited but none given.

Supervisor Williamson moved to approve an agreement by and between Carson City and the Washoe Tribe of Nevada and California whereby Carson City provides sewer operation, maintenance, and related services and fiscal impact is approximately \$5,000. Supervisor Livermore seconded the motion. Following discussion, Supervisor Williamson corrected the fiscal impact to be \$5,000 in increased revenues. Supervisor Livermore concurred. Motion carried 5-0.

**7. PARKS AND RECREATION - ACTION TO ACKNOWLEDGE CARSON CITY'S AGENCY FUNDING PARTNERS, INCLUDING NEVADA DEPARTMENT OF WILDLIFE, SIERRA PACIFIC RESOURCES FOUNDATION, AND THE CARSON VALLEY CONSERVATION DISTRICT, AND THE CITY'S COMMUNITY PARTNERS, KEVIN "CK" BAILY AND LUMOS AND ASSOCIATES, INC., FOR ALL THEIR CONTRIBUTIONS TO THE URBAN FISHING POND AT THE CARSON CITY FAIRGROUNDS/FUJI PARK (9:18:32)** - Parks Planner Vern Krahn, Former Parks and Recreation Director Steve Kastens, "C.K." Bailey, Carson Valley Conservation District Representative James Settelmeyer, Sierra Pacific Power Company Representative Bruce Bullock, State Department of Wildlife Division Chief Laura Richards and Representative Mark

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Warren - Mr. Krahn described Mr. Bailey's role in the creation of the pond and efforts to obtain funding for it. Mr. Kastens limned the efforts to find a location for the pond and Mr. Bailey's commitment to its development. Mr. Kastens hoped that in two years it will be possible to have the same youth recreational fishing at the pond as is currently conducted at Douglas County's Lampe Park. He also hoped that adults will recognize it as a youth activity and not fish there. Mr. Krahn introduced State Department of Wildlife Division Chief Laura Richards and Representative Mark Warren whom Mr. Bailey had contacted. They were willing to provide the funding for the development of the project. Delays in the construction were described including the need for Sierra Pacific Power to move a power pole. Sierra Pacific Power Co. Representatives Bruce Bullock, Chuck Adams, and John Parra were introduced. Sierra Pacific's Resources Foundation had committed a \$25,000 grant for the relocation project. The Carson Valley Conservation District Representative Paul Pugsley's role in the environmental permitting was limned. Lumos and Associates efforts to keep the design costs at a minimum were explained. Discussion explained that the pond will be one surface acre in size and compared it to the slough in Lampe Park. Discussion indicated that the fishing pond will cost at least \$400,000 and that contributions are providing the funding. It will provide a nice location for grandfathers to take the grandchildren for fishing. Sportspersons should pursue their sport in other locations. Mayor Teixeira thanked each recipient and presented plaques to Mr. Bailey, Mr. Settelmeyer, Mr. Long, Ms. Turner, Mr. Bullock, Ms. Richards and Mr. Warren.

Mr. Bailey indicated that he had been hoodwinked into attending the meeting under the pretext that he was to present plaques to the other recipients. He also advised that he had been working on the project for eight years. He thanked the other participants for their cooperation and participation and the Board for its recognition.

Mr. Settelmeyer thanked the Board for the recognition and noted that the proposed pond will be larger than Lampe Park's fishing area. He also hoped that the City will be able to provide the District with some funding when its budget is considered next year.

Lumos and Associates Representatives Randall Long and Project Engineer Georgia Turner were introduced. Mr. Krahn advised that the drawings are done and that the project should go out to bid shortly. The contract should be submitted to the Board in a month or two.

Mr. Bullock explained his initial contact with Mr. Bailey and that the power pole was part of the main distribution system. He introduced Engineer Parra, Senior Designer Adams, and Foundation Representative Ross. Mr. Krahn indicated that the relocation of the transmission lines had not been easy to do.

Ms. Richards thanked the Board for the plaque. The project is one that they are excited to see in Northern Nevada. The funding came from the Conservation Question 1 bonds and the Department. Mr. Warren explained his role in the project. He felt that Mr. Krahn is an asset for the City as indicated by his

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dedication to the project and willingness to find ways to overcome the obstacles that had been encountered. He also indicated that the Agency's contract and its amendment should be in Mr. Krahn's office today. He thanked the Board for its assistance in the process and the recognition.

Supervisor Livermore explained the Parks and Recreation Commission's role in the process and complimented the participants on their dedication and efforts. He advised that the pond will be open to the public. The project provides the residents with an opportunity not normally found in a community. Mr. Krahn described the timetable for the project. He felt that fishing may be possible in September. Mayor Teixeira again thanked everyone for their efforts.

Supervisor Livermore moved to acknowledge Carson City's agency funding partners including the Nevada Division of Wildlife, Sierra Pacific Resources Foundation, and the Carson Valley Conservation District, and the City's community partners, Kevin "C.K." Bailey and Lumos and Associates, Inc., for all their contributions to the urban fishing pond at the Carson City Fairgrounds/Fuji Park. Supervisor Aldean seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 9:42 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:50 a.m., constituting a quorum.

**8. PUBLIC WORKS - PLANNING AND ZONING - Community Development Director Walter Sullivan**

**A. ACTION TO APPROVE A TENTATIVE SUBDIVISION MAP APPLICATION KNOWN AS COMBS CANYON, LLC, FROM LUMOS ENGINEERING (PROPERTY OWNER: COMBS CANYON, LLC, C/O SELINGER, STEVE WITH BARTON PROPERTIES, INC.) TO SUBDIVIDE APPROXIMATELY 57 ACRES INTO 23 RESIDENTIAL LOTS, ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED APPROXIMATELY 350 FEET NORTHWEST OF THE INTERSECTION OF TIMBERLINE DRIVE AND COMBS CANYON ROAD, APN 007-091-91 (FILE TSM-06-168) (9:49:05) -** Discussion pointed out that Condition 29 will be controlled through the CC&Rs. The two - five acre lots will remain as they are. The 16-acre parcel, APN 007-091-72, is not part of the PUD. It was felt that the project was an improvement over the original concept discussed approximately two years ago. It is acceptable to the neighborhood. Supervisor Aldean moved to approve a Tentative Subdivision Map application known as Combs Canyon, LLC, from Lumos Engineering, property owner: Combs Canyon, LLC, c/o Selinger, Steve, with Barton Properties, Inc., to subdivide approximately 57 acres into 23 residential lots on property zoned Single Family One Acre, SF1A, located approximately 350 feet northwest of the intersection of Timberline Drive and Combs Canyon Road, APN 007-091-91, subject to the findings and conditions of approval contained in the staff report, File No. TSM-06-168. Supervisor Williamson seconded the motion. Motion carried 5-0. Mr. Sullivan commended Mr. Long for working with the staff. Mr. Long thanked the Board for its approval and indicated his pride at having a project which could be supported by the Board.

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



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**CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN, SECTION 1.3 LIGHT AND GLARE TO CLARIFY WHEN UPWARD LIGHTING IS ALLOWED, AND TO REMOVE NUMBERING REDUNDANCY AND OTHER MATTERS PROPERLY RELATED THERETO (FILE ZCA 06-181) (9:54:34)** - Mr. Sullivan's introduction included reading Section 1.31 which the Planning Commission modified during its meeting. Justification for the Commission's action was provided. The ordinance will allow upward lighting so long as it does not spill over the roof top. Supervisor Aldean had purportedly given staff a booklet that explained architectural designs that cap the upper area and eliminate spillage. Mayor Teixeira explained his belief that the City looks the best during the Christmas season and his appreciation of soft lighting on the government buildings. He felt that the Capitol dome should be lite as it is the center piece of the community. Discussion indicated that the ordinance will allow soft lighting to occur. The Carson-Tahoe Regional Hospital was cited as an example of soft lighting. Mr. Sullivan also indicated that there are two buildings in the industrial area and two new motels who have soft lighting. Lighting on older buildings was not controlled. The Commission supported soft lighting due to the belief that it could be an asset for the community. Discussion indicated that ordinance revisions may be submitted in the future due to the need for lighting for large casinos. The ordinance should be a balanced approach. Mayor Teixeira espoused his belief that the casinos need other considerations that are not part of a hospital environment. He urged the staff to not change the rules in the middle of the game and indicated a concern regarding investments being made by individuals who are relocating to the City. Supervisor Staub cautioned that the criteria for the lighting should not be subjective. It should have sustainable criteria while allowing for supportable exceptions. Mr. Sullivan advised that such approvals are considered ministerial and are handled as part of the building permit process. Decisions made at this level can be negotiated with the contractor/property owner. Notices to the adjacent property owners are not required on building permit items. Supervisor Staub reiterated the need to have objective criteria so that staff's reviews of the exceptions are not viewed as biased or prejudicial. Ms. Ritter explained that the ordinance is created by the current Code which prohibits upward lighting. The City has nice facilities that have been back lit. The ordinance allows staff to work with the developers and make the structures more attractive.

Supervisor Williamson pointed out David Campbell's request to have his comments made a part of the record. As he was unable to attend the meeting, she read his letter into the record. (A copy is in the file.) Mr. Campbell opposed the revisions. He brought the issue to the staff's attention due to the number of violations to the Code he was observing in the community. He felt that the proposed ordinance allows the director to make subjective decisions. He wanted to keep the night sky attributes of the community.

Supervisor Aldean read Section 1.3.3 into the record indicating that reflective glare is to be handled by architectural designs. This allows staff to enforce the restrictions. She also felt that the Capitol dome could be handled with a variance as a unique building and circumstance. The article she had given Mr. Sullivan provided balance as indicated by the belief that star gazers do not watch the night sky in urban areas. Enforcement of laws retroactively are "patently" unfair. It also indicated some very extreme ordinances, which she did not believe the City should consider. She suggested a change to the language as proposed was: "That an exception to downward lighting be upward wall lighting which must be



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projected and aimed only toward the building in an architecturally highlighted manner and shielded from the sky by a roof overhang or other structure to control spillage." Some of her verbiage was taken from the article which she believed was a fair compromise without jeopardizing the dark sky. Mayor Teixeira pointed out that the Laxalt Building has soft lighting and beautiful architectural features. It should not have an overhang. Supervisor Aldean felt that variances could be given for it and other similar assets that are of historical significance. Those buildings should not be retrofitted. Mayor Teixeira suggested that the Code should include exceptions for buildings of the historical and architectural significance. The Attorney General's building and the Capitol dome were cited to support his position. He did not wish to be "painted into a box" and prohibited from granting exceptions. The need to illuminate the City's assets was stressed. He also voiced a concern about lighting on buildings five and six stories high. Their lighting needs to be restricted. Discussion indicated that neon lighting is a part of the sign ordinance. The two structures using LED lighting were approved under the special use permit process and are to be reviewed this week. Supervisor Livermore felt that they create a significant distance glare. Mr. Sullivan explained that these signs were to have lighting turned up in the daytime to compensate for the sunlight and turned down at night to reduce the glare. Supervisor Livermore explained his opinion of the multi-colored lighting he observes when traveling east on Interstate 80 in Reno. Mr. Sullivan indicated that he understood his concern. Supervisor Staub suggested that the ordinance be deferred and questioned whether the City had any control over the lighting of State buildings. Mr. Sullivan explained that the City has some control if the structure was built after 1974 or if additions/remodels are constructed. He felt that the Capitol building may not be controlled by the City. Supervisor Aldean indicated that the article included a listing of outdoor lighting and acknowledgement of the need for safety and promotion of the community. It should be a fair compromise. Discussion questioned the status of an oil derrick with flames shooting into the air. Mr. Sullivan indicated that this would be a sign and could be considered. Supervisor Staub moved to defer Item 8B and to refer it back to staff for further work. Supervisor Williamson seconded the motion. Comments were solicited but none were given. Motion carried 5-0.

**9. HEALTH AND HUMAN SERVICES - Director Daren Winkelman - ACTION TO APPROVE A CONTINUING GRANT AWARD IN THE AMOUNT OF \$309,683.00 FROM THE NEVADA DEPARTMENT OF HUMAN RESOURCES, HEALTH DIVISION, FOR PUBLIC HEALTH PREPAREDNESS AND TERRORISM RESPONSE ACTIVITIES (10:19:42) -** Comments indicated that the grant had been included in the Department presentation regarding its duties that were heard at the last meeting. The position is eliminated when the funding expires. Supervisor Williamson moved to approve a continuing grant award in the amount of \$309,683 from the Nevada Department of Human Resources, Health Division, for public health preparedness and terrorism response activities. Supervisor Aldean seconded the motion. Comments were solicited but none were given. The motion was voted and carried 5-0.

**10. CITY MANAGER - Linda Ritter**

**A. ACTION TO SEEK LEGISLATION THAT WILL ALLOW GAS TAXES COLLECTED PURSUANT TO NRS 373 (RTC FUEL TAXES) TO BE USED FOR MAINTENANCE AS WELL AS NEW CONSTRUCTION IN COUNTIES WITH POPULATIONS**

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**LESS THAN 100,000 (10:39:53)** - Discussion noted a "missal" which the Mayor had distributed on a \$6 million pedestrian project in Clark County, right-of-way issues, NDOT's policy of returning streets to communities who become responsible for their maintenance, and the "giving of everything to the State". Supervisor Staub moved to seek legislation that will allow gas taxes collected pursuant to NRS 373 RTC Fuel Taxes to be used for maintenance as well as new construction in counties with populations less than 100,000. Supervisor Aldean seconded the motion. Motion carried 5-0.

**B. ACTION TO SEEK A CHANGE TO THE CARSON CITY CHARTER THAT INCREASES THE NUMBER OF POSITIONS DESIGNATED BY THE CARSON CITY SHERIFF AS EXEMPT FROM THE MERIT PERSONNEL SYSTEM FROM 5 TO 6 AND ALLOWS FOR NON-SWORN AS WELL AS THE SWORN POSITIONS TO OCCUPY THOSE POSITIONS (10:35:52)** - Justification was provided for the proposed Charter change. The revision will not create a fiscal impact. The Charter revision must be approved by the Legislature. Undersheriff Albertsen did not add any comments to Ms. Ritter's introduction. Supervisor Aldean moved to seek a change to the Carson City Charter that increases the number of positions designated by the Carson City Sheriff as exempt from the merit personnel system from five to six and allows for non-sworn as well as the sworn positions to occupy those positions. Supervisor Williamson seconded the motion. Motion carried 5-0. Discussion indicated that an email containing the proposal should be sent to the Charter Review Committee for its information.

**C. PRESENTATION BY REPRESENTATIVES OF CARSON-TAHOE BEHAVIORAL HEALTH SERVICES ON THE USE OF THE FUNDS PREVIOUSLY GRANTED BY THE BOARD AND ON THE FUTURE STATUS OF ADOLESCENT TREATMENT SERVICES IN CARSON CITY (10:21:21)** - Behavior Health Services Director Patrick Hardy - Dr. Hardy thanked the Board of its assistance and noted that he had sent them a report. (A copy is in the file.) The Service has been able to turn its finances around and is now in the black. Their 2007 budget has been submitted and "looks good". He thanked the community partners including the Board for their support. He announced a November 17 luncheon to which the Board will be invited. He emphasized that the Service is "here to stay". Discussion estimated that the clientele for all of the services provided by the Agency was between 500 and 600 individuals. It provides an intensive outpatient program for juveniles who are "shooting themselves in the foot and pushing others away" which include both substance abuse and mental problems. Meth is still a problem in the community. Programs at the schools were described. Mayor Teixeira invited Dr. Hardy to make a second presentation to the anti-meth coalition. Dr. Hardy indicated that he planned to make a presentation at its next meeting. Mayor Teixeira indicated a desire to have Dr. Hardy participate on the coalition as a hospital representative. Discussion indicated the Agency's intent to be independent from any special money and that contributions do help with the bottom line. Dr. Hardy felt that it may be possible for the Service to continue to operate if the City is unable to provide assistance particularly if they are certified by Medicaid and can continue to contract with service providers. The use of service contractors was explained. Board comments stressed the community's need for the Agency. A majority of the Agency's clientele are Carson City residents. Funding from other Counties for their residents has not been sought but may be in the future. A partnership with the Western Nevada Youth Center is being developed. Dr. Hardy also indicated that there are no plans at this time to seek funding from the City.

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They have been receiving court referrals from other Counties. Efforts are made to identify a funding source for these referrals. They have also received some inpatient adult court referrals. Supervisor Staub encouraged Dr. Hardy to seek funding from the other Counties for such individuals. Dr. Hardy agreed and indicated that the request for juvenile services is more regional than the request for adult services which includes individuals from California. He also explained that some contracted services provided to the School District are being considered by other jurisdictions. If services are requested by those jurisdictions, a contract for them will be developed. Supervisor Williamson hoped that the service will be able to continue as the community's need had been clearly indicated. She urged him to not wait to call for assistance *until the doors are closed*. Mayor Teixeira also felt that the community had been sensitized to the need for the service. Dr. Hardy agreed to work with the School District and juvenile services. The need to address the community's mental health is a clear indication of the need to take care of ourselves. Discussion also indicated that Carson Mental Health provides some services, however, it has a long waiting list. Supervisor Livermore explained his personal knowledge of Dr. Hardy and Dr. Runyon's desire to keep the patient first on their priority list and the business operation in second position. Financial stability is needed. Dr. Hardy explained that Dr. Runyon had left for that reason. Supervisor Livermore complimented Dr. Hardy's employees on their important service and stressed the need for the Agency to remain in the community for the benefit of the clientele. No formal action was required or taken.

**D. DISCUSSION OF 2006 GENERAL ELECTION BALLOT QUESTIONS AND THEIR POSSIBLE EFFECTS ON CARSON CITY GOVERNMENT (10:41:45)** Undersheriff Steve Albertsen - Discussion ensued on the impact of the ballot questions. Question 1 did not have a fiscal impact. Question 2 will have to be approved twice by the electorate before becoming law. It will eliminate the ability to use eminent domain for any reason. It could delay projects and increase costs and the number of frivolous lawsuits that are filed. Appraisals will have to consider any future use of the property. The project must be completed in five years. It felt that this was a "back east" proposal which tells the community how to run its business. It could be a "show stopper" for the V&T reconstruction. The electorate was encouraged to vote against this question. Questions 4 and 5 place an enforcement burden on law enforcement. They may impact *tourism and entertainment*. Davis, California, was cited to illustrate the law. Whichever question obtains the most aye votes will be implemented. Question 5 was felt to be more restrictive. Question 7 was another "back east proposal" which is heavily funded by it. The Question allows law enforcement officials, teachers, doctors, and other professionals to possess and use marijuana. It also contradicts a business' ability to prescreen employees. Mayor Teixeira expressed his personal belief that its use leads to heavier drugs. Comments also pointed out that Feds say it cannot be sold or possessed. Question 8 will allow the City to collect sales taxes on used vehicles. A no vote will eliminate the exemption. A yes vote will keep the exemption. A no vote on the School Bond issue will allow the \$0.47 tax to go to other entities. The City would gain \$270,000. A no vote does not eliminate the tax. It only changes the recipient. A no vote will significantly impact the students' housing. Additional comments were solicited. None were given. No formal action was required or taken on any of these issues.

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

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**DRAFT**

**A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:54:48)**

- Discussion indicated that the Air Force Band concert was sold out. Supervisor Williamson announced the Ghost Walk and a Question 18--the City's Open Space Initiative--celebration to recognize the benefits of the tax initiative were scheduled for Saturday. The candidates' forum will be held at the Brewery Arts Center this evening. The public was urged to attend these functions. Mayor Teixeira announced that Supervisor Williamson's birthday is tomorrow. No formal action was required or taken.

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

**12. ACTION TO ADJOURN** - Supervisor Aldean moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 10:56 a.m.

The Minutes of the October 19, 2006, Carson City Board of Supervisors meeting

ARE SO APPROVED ON \_\_\_\_\_, 2006.

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

ATTEST:

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