

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

February 15, 2007, Regular Meeting
March 1, 2007, Regular Meeting

DRAFT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 15, 2007, Meeting

Page 1

DRAFT

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, February 15, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Richard S. Staub	Supervisor, Ward 4
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Sue Johnson	Finance Director
	Roger Moellendorf	Parks and Recreation Director
	Andrew Burnham	Public Works Director
	Rory Planeta	Chief of Alternative Sentencing
	Melanie Bruketta	Chief Deputy District Attorney
	Nick Providenti	Senior Accounting Manager
	Ken Arnold	Public Works Operations Manager
	Cheryl Adams	Purchasing and Contracts
	Claudia Saavedra	Alternative Sentencing Coordinator
	Katherine McLaughlin	Recording Secretary
	Kevin McCoy	Senior Compliance Officer

(BOS 2/15/07 Recording 8:30:42)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed following the Department's heading. Any other individuals who spoke are listed immediately following the item's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Sheriff Ken Furlong led the Pledge of Allegiance. Reverend Ken Haskins of the First Christian Church gave the Invocation.

PUBLIC COMMENTS AND DISCUSSION (8:32:08) - Lou deBottari submitted a written copy of his remarks to the Clerk. (A copy is in the file.) He applauded the Board's decision to increase the water rates as water is "wet gold" in the West. He espoused his belief that water should not be controlled by a few to the detriment of many. The December 7, 2006, Board decision to contract with Vidler allegedly points in that direction. He had been unable to find a copy of the RFP for this contract. He questioned the City's ability to implement any project if the Vidler contract is terminated. He also questioned the reasons for needing additional water rights in the future if the City has, as alleged, an adequate number of water rights to reach

buildout. The five-year Vidler contract ties future Board's ability to negotiate other contracts. Is it a legal and binding contract? The lack of an AG's opinion on this was also questioned. Why is the City pushing for a bill to allow water districts to enter into for profit contracts with a private for profit company? His concern regarding the public's lack of an ability to comment on such contracts was voiced. He believed that it was a "cozy arrangement" as an alleged City employee is now working for Vidler after expressing a belief that the City lacked knowledgeable personnel to run such a program. He urged the Board to act to reconsider its original action and conduct a public hearing on the subject. After the public hearing has been held, new bids should be solicited for the necessary personnel who will not share in any profits. All of the proceeds should go to the City. The City should be able to improve the water system, decrease the arsenic level, and provide high quality water for the parks and golf courses. Selling the reclaimed water to entities outside the City limits will prevent the City from ever having the ability to use the water in the future for recharging our groundwater supply. Mayor Teixeira asked him to contact his office so that they can discuss his concerns. No formal action was taken or required. Additional public comments were solicited.

Gil Yanuck, representing the Carson City Fair Water Rate Coalition, thanked City Manager Ritter and Supervisor Livermore for attending the February 8 meeting with City staff on the water rates. The Coalition is awaiting answers on some of the questions/issues. A presentation containing that information will be made to the Board in the future. Additional comments were solicited.

Mayor Teixeira reminded Sam Dehne that his guitar is to be considered a prop and not be played. Mr. Dehne felt that other individuals will support his playing and questioned the Mayor's ear for music. He announced that he is running for president, gave his website address, and encouraged the public to read it. He noted the proposal to have the Democratic presidential contenders debate the issues next week at the Community Center. He voiced his belief that the American media is corrupt and that something should be done about it. He also felt that politics in America and the voting system are deceptive. The voting system should return to the paper and pencil format used 50 years ago with your friends counting the ballots. The public would then know its vote had counted. Additional comments were solicited but none were given. No formal action was taken or required on any of the items.

1. ACTION ON APPROVAL OF MINUTES - 1/4/07 AND 1/18/07 REGULAR SESSIONS AND THE SPECIAL 1/9/07 WESTERN NEVADA LEGISLATIVE COALITION MEETING AND LEGISLATOR WELCOME LUNCHEON (8:41:00) - Supervisor Aldean moved to approve the regular meeting minutes of the Carson City Board of Supervisors dated January 4, 2007, and January 18, 2007, as presented and, in addition to that, she moved to approve the Special Meeting Minutes from the Carson City Board of Supervisors from the January 9, 2007, Western Nevada Legislative Coalition meeting. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (8:41:50) - None.

3. LIQUOR AND ENTERTAINMENT BOARD (8:41:55) - Mayor Teixeira then recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

BOARD OF SUPERVISORS (8:46:03) - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 15, 2007, Meeting

Page 3

DRAFT

quorum.

4. CONSENT AGENDA

4-1. FINANCE -ACTION TO ADOPT THE CARSON CITY PLAN OF CORRECTIVE ACTION FOR FY 05-06 STATUTORY VIOLATIONS INCLUDED IN THE ANNUAL AUDIT

4-2. PURCHASING AND CONTRACTS - ACTION TO APPROVE CONTRACT NO. 0607-069, FY 2006-2007 ANNUAL AUDIT WITH KAFOURY, ARMSTRONG AND CO. THROUGH MARCH 1, 2008, FOR A NOT TO EXCEED COST OF \$71,500

4-3. CITY MANAGER - ACTION TO REMOVE ONE PROPOSED BILL DRAFT REQUEST FROM THE CARSON CITY LEGISLATIVE AGENDA REGARDING CHANGING THE CARSON CITY CHARTER TO ALLOW THE BOARD OF SUPERVISORS TO, BY ORDINANCE, PROVIDE THE SAME BENEFITS PROVIDED TO UNCLASSIFIED PERSONNEL TO ELECTED OFFICIALS (8:46:15) - Supervisor Livermore moved to approve the Consent Agenda consisting of three items, 4-1 from Finance, 4-2 from Purchasing and Contracts, and 4-3 from the City Manager, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

5. FINANCE - Director Sue Johnson - ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF WATER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSALS TO ISSUE GENERAL OBLIGATIONS THEREFORE; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (8:46:36) - Lou deBottari, Public Works Operations Manager Ken Arnold, City Manager Linda Ritter - Discussion between the Board and Ms. Johnson indicated that \$9 million in bonds have already been issued for water projects. The proposed \$20 million will make a grand total of \$29 million. Capital improvement projects proposed for these bonds total \$27 million dollars. The City does not have the ability to fund the projects without the bonds. If not approved, Ms. Johnson will have to ask for a \$40 million bond next year. Supervisor Aldean moved to adopt Resolution No. 2007-R-1, A RESOLUTION CONCERNING THE FINANCING OF WATER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSALS TO ISSUE GENERAL OBLIGATIONS THEREFORE; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact water fund estimate of \$33,168,428 includes principal and interest. Supervisor Williamson seconded the motion.

Mr. Arnold described the projects which will be funded with the bond proceeds for Mr. deBottari. They included maintenance programs, a large arsenic project, Marlette and Hobart systems and the repayment of their bonds, two new wells, tank maintenance, and extension/replacement of water lines. Some of the projects will bring the City's system into compliance with EDA and EPA requirements, provide additional sampling, and make system improvements to meet future mandates that go beyond the arsenic requirements. Mayor Teixeira noted that the use of the bonds will provide the improvements. The bonds will be repaid by the user base fees. Mr. deBottari indicated that he supported the use of bonds for capital improvements but not for maintenance items. He alleged that the School District has gotten into trouble by doing maintenance improvements with bonds, e.g., the replacement of carpet. It is wrong to include maintenance items in the bonds. Mr. Arnold explained that the term "maintenance" is misleading. The normal service and supply account provides for the day-to-day maintenance items. The proposal is for system upgrades. Ms. Ritter

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 15, 2007, Meeting

Page 4

DRAFT

indicated that there is an established list of capital improvements that will be made. Mayor Teixeira encouraged Mr. deBottari to attend the meeting as suggested earlier. Supervisor Aldean reiterated that the bonds total \$29 mill and that \$27 million is for capital costs and improvements to the system.

The motion to adopt Resolution No. 2007-R-1 was voted and carried 5-0.

6. HEALTH - CODE ENFORCEMENT - Senior Compliance Officer Kevin McCoy - ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO (8:52:57) - Treasurer Al Kramer - Supervisor Livermore requested information regarding the number of citations issued by the volunteer patrol under this Section and the amount of fines that had been paid. He did not have a problem with the proposed fine. Mr. Kramer advised that a count of the citations indicated that there had been approximately 500 issued. Approximately 50% of these citations were waived as the individual had a placard but had failed to place it in the designed location. His Department had not tracked the citations by the individual writers. Reasons for Supervisor Livermore's request were provided. Mr. Kramer acknowledged that there had been an increase in the number of citations issued under this Section when the volunteer patrol enforcement program was started. He had thought that the percentage of "write offs" was higher than the count indicated. Mayor Teixeira pointed out that the revision is to comply with the Statutes. He also felt that there is no valid reason for able-bodied individuals to park in the handicapped spaces. Supervisor Williamson moved to introduce on first reading Bill No. 104, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Williamson complimented Mr. McCoy on his dedication and service to the community. She indicated that Mr. McCoy is patient and professional and works to resolve issues.

7. PARKS AND RECREATION - OPEN SPACE - Manager Juan Guzman - DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE AND SALE AGREEMENT CALLING FOR THE USE OF OPEN SPACE FUNDS TO MAKE AN OFFER FOR THE FEE TITLE ACQUISITION OF THE DESORMIER 19-ACRE PROPERTY LOCATED AT 4706 GOLDEN EAGLE LANE, APN 10-502-01 (8:57:52) - Computerized maps and slides of the area were shown and explained. Access concerns were noted. Mr. Guzman explained that the access "license" over BLM property can be transferred to the City after the City purchases the property. This access route was indicated on the aerial map. Discussion noted the appraiser's background, his experience, and his assumptions that were used to establish the property's value—that the property can be parceled into three lots and that each lot could have a residence constructed on it. It was felt that the topography may not support three residences and questioned whether the access road could meet the minimum requirements for the three residences. Mr. Guzman indicated that the proposed aquatic access to the River is located further downstream. The property's river frontage is not being considered as a location for this purpose. He also indicated that BLM intends to acquire the two properties located across the River from this site through the use of the Southern Nevada Public Lands funds.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 15, 2007, Meeting

Page 5

DRAFT

Potential access routes to the property were noted. Supervisor Staub's personal knowledge of the area was disclosed. Electrical power is within 1300 feet of the property. Supervisor Williamson acknowledged that it may be expensive to develop the property, however, it has nice views of the river and the Open Space Advisory Committee's number one priority is to acquire River property. Its wildlife was noted. Other parcels in the Tortilla Flats area have been acquired by BLM and more are in negotiations. Their acquisitions will complete the trails master plan. The parcel will provide a public recreational area. Current vehicular use of the area was noted. Mr. Guzman also explained that if the Question 18 funds are used to acquire the property, Question 1 funds will be requested to reimburse the Question 18 funds. Concerns regarding a clause in the Question 1 funding contract requiring reimbursement of any Question 1 funds should the State decide to use the area for a roadway were noted. This clause is the reason a contract(s) seeking State Question 1 reimbursement for other properties has not been submitted to the Board for consideration. Mr. Guzman reiterated that the Desormiers had accepted the City's offer of \$300,000, which is the appraised value. The access issue will be addressed after escrow closes. Public comments were solicited but none were given. Supervisor Aldean expressed her concerns regarding the value of the property, whether three single family homes could be constructed on the site, and the purchase price's ability to establish the market value for other properties in the area. She believed that the offer was too high. Additional comments were solicited but none were given. Supervisor Livermore moved to approve the purchase and sale agreement calling for the use of Open Space funds to make an offer for the fee title acquisition of the Delmeyer (Desormier) 19-acre property located at 4706 Golden Eagle Lane, APN 10-502-01; fiscal impact is approximately \$300,000 from the Open Space Acquisition Fund plus approximately \$2,500 for the close of escrow and \$3,000 for an environmental review phase 1. Supervisor Williamson seconded the motion. The motion was voted by roll call with the following result: Supervisor Williamson - Yes; Supervisor Aldean - No; Supervisor Staub - No; Supervisor Livermore - Yes; and Mayor Teixeira - Yes. Motion carried 3-2.

RECESS: A recess was declared at 9:16 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:23 a.m., constituting a quorum.

8. ALTERNATIVE SENTENCING - PRESENTATION OF THE DEPARTMENT OF ALTERNATIVE SENTENCING ANNUAL REPORT BY DIRECTOR RORY PLANETA (9:23:00) - Justice of the Peace Robey Willis, Sheriff Ken Furlong, Alternative Sentencing Coordinator Claudia Saavedra - Judge Willis summarized the history of the Department including the hiring of Ms. Saavedra. He complimented Mr. Planeta on his management skills based on his belief that the Department is being run better than it ever has. He believed that wrongful arrests will be at their minimum due to the current maturity of the staff. He also complimented Mr. Planeta on his work to educate the community on its drug problems and the Assistant Chief on his skills and maturity. He felt that they were the right people for their jobs. Mayor Teixeira thanked him for his comments.

Mr. Planeta introduced Assistant Chief Summers, Community Service Coordinator Saavedra, and Grant Position Officer De Guzman, who were present. Mr. Planeta summarized his report. (A copy is in the file.) He thanked Matt Fisk for his assistance in preparing the report. Mayor Teixeira noted Mr. Planeta's active participation in the anti-drug program and the need for additional drug testing. Discussion indicated that the Division can collect fees for drug tests if the court orders it. The drug testing fees were described. It was felt that approximately half of the individuals who have tested positive were using meth. Board comments thanked Mr. Planeta and his staff for the successful program and for saving the community money as the individuals are able to continue working in the community and are not setting in jail. Problems encountered

CARSON CITY BOARD OF SUPERVISORS

DRAFT

Minutes of the February 15, 2007, Meeting

Page 6

with the weekend inmates were noted. Mr. Planeta explained that his Division is not involved with these individuals until after they complete their jail sentences. Discussion noted that the City had recently taken back the City's electronic monitoring program. Justification for this decision was provided. Mayor Teixeira encouraged staff to discuss the possibility of contracting the supervision of individuals living in adjacent counties with their counterparts. Justification for the suggested contracting was provided.

Sheriff Furlong opined that the relationship between his Department and Alternative Sentencing is the best it has ever been. He also felt that it was essential for them to work together for the safety of the community. He believed that better automation systems would improve the Division's ability to function. The lack of funding is keeping this from occurring.

Ms. Saavedra explained that 25% of the caseload is sentenced to perform community service. The main focus has been to support and give back to the community. She attempts to place younger individuals in areas where they can obtain a skill. Examples illustrating the benefits of this effort were noted. Locations where individuals have been placed were listed. Clarification indicated the age of her "young people" starts at 18. Supervisor Livermore suggested that benefits created from the embarrassment of having the community see an individual picking up trash along the highway/roadways could be an added incentive to change his/her direction. Ms. Saavedra explained that in the beginning the effort was to have the individual perform community service. The current effort is directed toward helping rehabilitate the individual. She described the effort to eliminate graffiti in the community. Originally, she had used whatever color of paint she had to cover the graffiti. Today, she attempts to remove it and match the paint. Supervisor Livermore explained his personal knowledge of her speedy efforts to cover the graffiti. He complimented her on that effort. Ms. Saavedra explained that the Sheriff's Deputies are great at reporting any graffiti that they find. She responds as quickly as possible when told about it.

Supervisor Staub explained his desire to see the individuals make restitution whenever possible. Justification for addressing the victims was provided. Mr. Planeta supported implementing a program to ensure restitution occurs. Mr. Planeta then continued his report. Comments indicated that the low 25% recidivism rate illustrates that the program works. Clarification indicated that, if an individual has not made restitution as court ordered before completing his sentencing, the judge may extend the sentence. It was also indicated that the individual may have other outstanding requirements as well as the restitution. The individual will then remain under the Department's supervision. Letters advising the individual that he/she has failed to pay all of the fines and fees are sent to his/her address. Warrants can be issued if no response occurs. Garnishment may be considered in the future. The Department is considered the enforcement arm for the Judges and District Attorney's office. Comments indicated that restitution may be difficult and not cost effective to obtain. It is a necessary requirement. Supervisor Staub questioned whether a criminal judgement could be used to obtain a garnishment. He urged staff to analyze this issue before implementation.

Mayor Teixeira complimented the Department on the progress that had been made since it was originally established. He urged staff to develop memorandums of understanding with the surrounding Counties in order to make supervision more cost effective when supervising those individuals who live in other Counties. Mr. Planeta indicated that staff is working on an agreement with Washoe and Lyon Counties that address this issue. Mayor Teixeira hoped that the caseload will decrease over time and that funding from other sources can be found. He complimented staff on the program. Ms. Saavedra acknowledged that a lot of changes have

CARSON CITY BOARD OF SUPERVISORS

DRAFT

Minutes of the February 15, 2007, Meeting

Page 7

occurred since the Department was established. She believed that the Department is on the right track. They all have the same goals and objectives. No formal action was required or taken.

9. **CITY MANAGER** - Linda Ritter

A. ACTION TO ADD A PROPOSAL TO ALLOW CARSON CITY TO CREATE A 474 FIRE DISTRICT IN THE SAME MANNER AS OTHER NEVADA COUNTIES TO THE CARSON CITY LEGISLATIVE AGENDA (9:57:48) - Fire Chief Stacy Giomi - An explanation of the 473 and 474 Districts, their purposes, and benefits which would be open to the City was provided. A 474 District must be approved by the Board and the electorate before being established. It could protect the City from having to pay for fighting wildland fires. The original bill draft was developed to update the 50-year-old language. Adding Carson City's ability to establish a 474 District is only one line in the bill. Supervisor Williamson moved to add a proposal to allow Carson City to create a 474 Fire District in the same manner as other Nevada Counties to Carson City's Legislative Agenda. Supervisor Aldean seconded the motion. Motion carried 5-0.

B. UPDATE ON TAHOE REGIONAL PLANNING AGENCY ACTIVITIES BY MEMBER SHELLY ALDEAN (10:04:30) - Supervisor Aldean explained the reasons for giving the presentation. She then gave a power point presentation highlighting the importance of Lake Tahoe, its uniqueness, the purpose of TRPA, its goals, core values, the effort to improve the clarity level and reduce the Lake's degradation, the threshold categories which monitor the impact on the region, its effort to reduce the noise level created by recreational uses on the Lake, the environmental improvement program including control and/or eradication of invasive plants and crustaceans, TRPA's major undertakings including the pathway plan, and the Agency's consideration of the natural, social, and financial wealth and well-being of the area that changed the Agency's direction to a moderate course as illustrated by its current position that only scientifically defensible positions are to be pursued. Political pressures are no longer allowed to dictate the direction. The pier policy was used to describe this change in philosophy. Environmental groups are opposed to the decision to allow over the next 22 years a total of 220 additional private docks and 10 additional public docks. Private property owners without docks do not believe this is an adequate number. As a dock adds value to the shoreline property, the fee for a dock was established at \$100,000. Again, the environmentalists believe this is not enough while the private property owners think it is too much. The funds may be used to develop public access to the Lake. The shores land plan theory is to go slow in determining where they should be located. Mitigation measures should be used to minimize the impacts of a project. She then explained her effort, as Carson City's representative, to take a moderate stance. Safeguarding the environment and protecting private property rights are not mutually exclusive. There are ways under which both can be done. She supported staff's proposal to have scientifically defensible decisions, specifically, as it is necessary to defend their actions in court. This will avoid being paralyzed by special interest groups while providing a balance between the environment, the economy, and the social needs of people in the region. The Lake is a huge resource for the City and should not be taken for granted. It promotes tourism and enhances the recreational opportunities for people who live and work in the Carson City area. She appreciated the faith that had been placed in her by the Board. She has enjoyed the four years she has spent on TRPA. There is more to be accomplished. She requested an opportunity to provide periodic reports on the Agency. Mayor Teixeira complimented her on the report. Discussion explained that meetings are held monthly beginning at 8:30 a.m. and are rather lengthy. Issues that will be considered in the near future/the next meeting included a review of the Heavenly Valley environmental issues and a development at

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 15, 2007, Meeting

Page 8

DRAFT

Homewood. Mayor Teixeira noted that she takes the time to do the necessary homework and loves the work. He could not find anyone else who would accept the position at the time she was appointed. The feedback that he has received regarding her appointment has been positive and indicates that she provides the needed balance on the Board. No formal action was required or taken.

10. BOARD OF SUPERVISORS - NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:24:09) -

Mayor Teixeira described the successful Legislators' Welcome. He complimented the Nugget staff on the dinner and the City staff on their roles. More than 30 sponsorships for the event had been sold which paid for the entire reception. No formal action was required or taken.

B. STAFF COMMENTS AND STATUS REPORT - None.

11. ACTION TO ADJOURN (10:26:45) - Supervisor Aldean moved to adjourn. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 10:27 a.m.

The Minutes of the February 15, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____, 2007.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder

DRAFT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 1

DRAFT

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

PRESENT:

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

STAFF PRESENT:

Linda Ritter	City Manager
Alan Glover	Clerk-Recorder
Ken Furlong	Sheriff
Al Kramer	Treasurer
Larry Werner	Development Services Dir./City Engineer
Sue Johnson	Finance Director
Stacy Giomi	Fire Chief
Andrew Burnham	Public Works Director
Melanie Bruketta	Chief Deputy District Attorney
Cheryl Adams	Purchasing and Contracts Manager
Ken Arnold	Public Works Operations Manager
Nick Providenti	Senior Accounting Manager
Katherine McLaughlin	Recording Secretary

(BOS 3/1/07 Recording 8:31:20)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed following the Department's heading. Any other individuals who spoke are listed immediately following the item's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Chief Deputy District Attorney Melanie Bruketta led the Pledge of Allegiance. Rev. Louie Locke of the Fountainhead Foursquare Church gave the Invocation.

PUBLIC COMMENTS AND DISCUSSION (8:32:54) - Lou deBottari read his prepared statement into the record. During the reading, he handed the Board and Clerk a copy of his prepared statement and the email it referenced. (A copy of both documents is in the file.) He explained that he had been looking into the Vidler agreement and questioned the reasons other companies had not responded to the RFQ. He felt the RFQ was written to eliminate competition. He alleged that it violated NRS 533.550 as the Board does not and did not have the authority to enter into the agreement. He has purportedly asked the City Manager

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 2

DRAFT

to have the District Attorney's office provide a written opinion regarding NRS 533.550 and whether the Board had the authority to enter into the agreement. He has not received a response to this request. He then explained that his review of the Charter Committee's June 27 Minutes indicates to him that the Committee did not understand the intent of the proposed Charter amendment to allow the City utility to become a water district. He alleged that the Charter amendment will circumvent NRS 533.550. He also alleged that NRS 533.550 does not allow a public agency to share water sale proceeds with a private company. His reading of the legislative bill draft request, as approved by the Board of Supervisors on July 20th, purportedly fails to detail how the net income is to be shared. He questioned whether the citizens should testify at the Legislature on this bill draft request. He felt that the Vidler contract should be declared null and void as time is of the essence. If the Board wishes to reconsider the Vidler agreement and the District Attorney's office determines it has the authority to do so, the meeting should be held in the evening so that the public can attend. He asked that appropriate information be provided early enough to the public so that the public can understand the agreement. He believed that the public will want the Board to retain all proceeds obtained from water sales for the City even if the initial cost is higher. City Manager Linda Ritter explained that the proposed Charter amendment adds water district language to the City's Charter. It does not set up a separate district. The City will remain a consolidated city-county operating a water company. The City does not qualify as a water district under the law. Discussion between Ms. Ritter and Mr. deBottari indicated that NRS 533.550 will still apply.

Sam Dehne described his military background. He alleged that he had invited the Legislators to attend the Board meeting. None were present. He supported Mr. deBottari's comments. He alleged that Vidler is "fiddling with water in Reno and that people adamantly oppose it there". He then explained that he had broken his attendance record at the Reno City Council meetings yesterday as he had not attended its meeting. He purported that people want to hear him play his guitar at the Board meetings and questioned the Mayor's rationale in not allowing him to do so. Mayor Teixeira suggested that Mr. Dehne get some new material and asked for additional public comments. None were given.

1. ACTION ON APPROVAL OF MINUTES - FEBRUARY 1, 2007 (8:40:30) - Supervisor Aldean moved to approve the Minutes for the Carson City Board of Supervisors meeting for February 1, 2007, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (8:40:53) - None.

11. BOARD OF SUPERVISORS - NON-ACTION ITEMS

B. STAFF COMMENTS AND STATUS REPORTS (8:40:55) - Fire Chief Stacy Giomi advised that the Nevada Taxpayers Association had awarded the Cashman Good Government Award to Carson City and Douglas County for the removal of the emergency services boundary between the two entities. Both Carson City and Douglas County respond to emergencies in the area between the Clearview and Plymouth. The cooperative effort reduces the staffing needs for both communities and is believed to have resulted in an overall savings of approximately \$1 million. He thanked the Board for its support of the program. The Departments recognize the daily need to do government better. The trophy was

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 3

DRAFT

unveiled. The Board congratulated him on the award. The revolving trophy will be shared by Carson City and Douglas County for a year. Discussion indicated that financial recognition is not part of the award. Mayor Teixeira commended the Departments on their cooperative efforts.

3. LIQUOR AND ENTERTAINMENT BOARD (8:44:15) - Mayor Teixeira then recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

BOARD OF SUPERVISORS (9:01:35) - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

4. CONSENT AGENDA

4-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 004-091-18 (LOCATED AT 201 S. ROOP ST.) FROM THE 2006/07 REAL PROPERTY TAX ROLL PER NRS 361.140 IN THE AMOUNT OF \$1,194.92

4-2. TREASURER - ACTION TO APPROVE THE REDUCTION OF THE REAL PROPERTY TAX ROLL FOR PROPERTY BOUGHT BY THE CARSON CITY AIRPORT AUTHORITY AND THE REFUNDING OF \$3,842.15 IN TAXES ALREADY PAID. AFFECTED LAND WAS PART OF PARCELS 8-206-01, 8-206-02, 8-206-13, 8-206-04 AND 8-206-05

4-3. DEVELOPMENT SERVICES - ACTION TO RESCIND AND CANCEL ORDINANCE NO. 1992-63, A WATER LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND IRON MOUNTAIN ACQUISITION COMPANY REGARDING ASSESSOR'S PARCEL NUMBER 009-215-02, LOCATED AT SHADOW VALLEY SUBDIVISION PHASE I, CARSON CITY, NEVADA; WHICH BENEFITTED THE OWNERS OF APNS: 009-214-04 AT 1070 EAST ROLAND STREET; 009-214-02 AT 1079 EAST APPION WAY; 009-186-12 AT 1060 EAST APPION WAY; 009-186-05 AT 1079 EAST OVERLAND STREET; 009-184-10 AT 1070 EAST OVERLAND STREET; 009-185-13 AT 4433 BIGELOW DRIVE; 009-185-14 AT 4475 BIGELOW DRIVE; FORMERLY 009-185-06 AT 4551 BIGELOW DRIVE, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE CANCELLATION

4-4. CITY MANAGER - ACTION TO APPROVE AN AGREEMENT WITH THE CARSON CITY FIRE FIGHTERS ASSOCIATION LOCAL 2251 TO TRANSFER PERSONNEL AND THE TERMS AND CONDITIONS OF THE THEN EXISTING COLLECTIVE BARGAINING AGREEMENT SHOULD THIS FUNCTION BE TRANSFERRED TO A FIRE DISTRICT AS DEFINED BY NRS 474 - Sam Dehne requested Item 4-4 be pulled for discussion. Supervisor Livermore moved to approve the remaining Consent Agenda consisting of three items, one from the Assessor, one from the Treasurer, and one from Development Services, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

4-4. (9:02:03) - City Manager Linda Ritter introduced the item. She indicated that they are not certain that a 474 Fire District will be established. It allows the transfer of the bargaining unit to the District if one is established. Mr. Dehne was not aware of there being any individuals from the Fire

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 4

DRAFT

Department besides the Fire Chief present. He felt that the Action Request Form should have indicated that the Board was assuring the Fire Department that no one will lose their jobs or seniority and that there will be no change in their current status. Any firemen who may be watching the Board meeting on television would have had a better understanding about the potential change had this information been indicated. Ms. Ritter indicated that the statement is included in the actual agreement. Mr. Dehne explained that he was thinking about the firemen who may not go online to find that information. As Ms. Ritter had stated that those assurances and that the contract is online, the assurances have been made part of the public record. Supervisor Williamson moved to approve an agreement with the Carson City Firefighters Association Local 2251 to transfer personnel and the terms and conditions of the then existing collective bargaining agreement should this function be transferred to a Fire District as defined by NRS 474. Supervisor Aldean seconded the motion. Motion carried 5-0.

5. **HEALTH - Senior Compliance Officer Kevin McCoy - ACTION TO ADOPT ON SECOND READING BILL NO. 104, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO (9:05:31)** - Public comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 104, Ordinance No. 2007-6, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. **FINANCE - Director Sue Johnson - ACTION TO ADOPT A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES; AUTHORIZING THE CITY MANAGER OR CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (9:06:41)** - Public Works Director Andrew Burnham, Sam Dehne, Carson City Coalition for Fair Water Rates Member Gil Yanuck, City Manager Linda Ritter - Discussion between Mayor Teixeira and Ms. Johnson explained that the financial consultant had developed the repayment schedule based on the proposed rate increases and the projected revenue stream. Ms. Johnson committed to bringing financial information to the Board prior to the sale of any bonds and illustrating the revenue stream necessary to repay the bonds. Future Boards will not be locked into approving the indicated increases. Discussion also explained that the proposal is to make \$27 million worth of improvements during the next five years. The bonds are for \$20 million and will be repaid more than 30 years. The utility has funds to pay for \$7 million of the improvements. The

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 5

DRAFT

bonds will be sold as funds are needed. This process allows them to revamp the project listings and/or make changes to the capital program as conditions warrant.

Mr. Dehne felt that smaller numbers had originally been proposed. It is a large amount of money. The agenda should have included the amount. He supported the project as he felt it is needed due to the City's growth. Flexibility is needed when addressing the City's water needs. The proposed fee increases are small and will have little impact on his house in Carson City. He was uncertain what the impact will be on businesses. They need water also and the City needs to protect its water.

Mr. Yanuck invited anyone to participate with the Coalition who desires to do so. The Coalition currently has six members and is growing in size. He felt that there have been productive meetings with the City staff. He questioned the reasons for needing to collect \$2 million from the recent fee increase before selling \$20 million in bonds. Mayor Teixeira reiterated that the enterprise water fund is almost entirely depleted. Ms. Ritter explained that some of the funding is needed for operational items in addition to the capital items. She also indicated that if more revenue is generated than is needed, the fee increase may be reduced. Mayor Teixeira reminded Mr. Yanuck that the enterprise operation had not been run correctly. With the Coalition's assistance, it is now on the right track. Mr. Yanuck concurred and indicated an intent to provide a better resolution for the future.

Supervisor Williamson moved to adopt Resolution No. 2007-R-2, A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES; AUTHORIZING THE CITY MANAGER OR CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact is Water Fund estimate of \$33,168,428 which includes principal and interest; and the funding source is the Water Fund Service Charges. Supervisor Aldean seconded the motion. Motion carried 5-0.

7. PUBLIC WORKS - OPERATIONS - Manager Ken Arnold - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE "CENTRALIZED WATER TREATMENT PLANT FOR WELLS NO. 4 AND 49 - DESIGN AND CONSTRUCTION RELATED CONSULTING SERVICES PROJECT", CONTRACT NO. 2006-119, FROM THE SDWA -ARSENIC FUND AS PROVIDED FOR IN FY2006/2007, TO BROWN AND CALDWELL, LOCATED AT 3264 GONIROAD, SUITE 153, CARSON CITY, NEVADA 89706, FOR A CONTRACT AMOUNT OF \$282,722 AND A CONTINGENCY AMOUNT OF \$28,000 (9:19:07) - Public Works Director Andrew Burnham - Discussion between Mr. Arnold and the Board explained the Federal mandate requiring the improvements and described the project, the cost of new wells, and the blending of other wells. Churchill County has spent \$30 million to reduce its water arsenic content. The consultant's fee was estimated to be 18 to 20% of the total cost of the project, which is fairly high. Mr. Burnham pointed out that the cost includes services during construction. The design phase is only 7 to 10% of the fee. The

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 6

DRAFT

original fee was higher but staff was able to reduce it during contract negotiations. Supervisor Aldean moved to accept Public Works recommendation and award the Centralized Water Treatment Plant for Wells No. 4 and No. 49 - Design and Construction Related Consulting Services Project, Contract No. 2006-119, from the SDWA Arsenic Fund as provided for in FY 2006-2007 to Brown and Caldwell, located at 3264 Goni Road, Suite 153, Carson City, Nevada 89706, for a contract amount of \$282,722 and a contingency amount of \$28,000. Supervisor Williamson seconded the motion. Supervisor Williamson also noted that the City is operating under a three-year extension. The mandates were originally to have been effective in 2006. The City has gone through the appeals and the review of designs. We must do it. Motion carried 5-0.

8. PUBLIC WORKS - Director Andrew Burnham - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE "SALIMAN ROAD RECLAIMED WATER MAIN EXTENSION PROJECT", CONTRACT NO. 2006-097, FROM THE SEWER CAPITAL PROJECTS FUND AS PROVIDED FOR IN FY2006/2007, TO (BIDDER NO. 1) GRADEX CONSTRUCTION COMPANY, INC., LOCATED AT 800 BENNIE LANE, RENO, NEVADA 89512, FOR A CONTRACT AMOUNT OF \$367,387.96 AND A CONTINGENCY AMOUNT OF \$37,000 (9:26:35) - There were six bidders. The contract is under the estimate. The project was designed by City staff. A description of the project was provided. The remaining portion of the project must have an NDOT permit. Staff was not willing to accept the conditions placed on the permit by NDOT for it. It may be necessary for Mayor Teixeira to accompany/assist staff in the negotiations with NDOT. Mr. Burnham committed to having both the Saliman Road portion and the Fifth Street portion completed before the resurfacing/overlays occur. RTC may consider the overlay/resurfacing contract(s) in February. Supervisor Livermore moved to accept Public Works recommendation and award the Saliman Road Reclaimed Water Main Extension Project, Contract No. 2006-097, from the Sewer Capital Projects Fund as provided in FY 2006-2007 to Bidder No. 1, Gradex Construction Company, Inc., located at 800 Bennie Lane, Reno, Nevada 89512, for a contract amount of \$367,387.96 and a contingency amount of \$37,000; Project Estimate: \$490,000; Projected Budget: \$300,000 in fiscal year 06-07 and \$400,000 in the budget fiscal year 05-06. Supervisor Williamson seconded the motion. Supervisor Staub explained RTC's original intent to repave Saliman from Fifth Street to Highway 50. He had asked staff to include Saliman from Fairview to Fifth Street in the same project. Justification for its inclusion was provided. Funding is purportedly available for both projects. The work will be done during the summertime. Mayor Teixeira noted the RTC commitment. The motion was voted and carried 5-0.

RECESS: A recess was declared at 9:32 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:37 a.m., constituting a quorum.

9. PARKS AND RECREATION - Parks Planner Vern Krahn - UPDATE REGARDING THE STATUS OF THE CARSON CITY URBAN FISHING POND PROJECT LOCATED AT THE CARSON CITY FAIRGROUNDS (9:37:07) - Chief Storm Water Engineer John Benzing, Parks and Recreation Director Roger Moellendorf, Lou deBottari - Mr. Krahn's introduction included an explanation of the funding partnership, the history of the concept and its support, and an intent to discuss the funding shortfall and project with NDOW. Mayor Teixeira noted that the "pond" will have an acre of surface

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 7

DRAFT

water and is larger than Lampe Park's fishing area. Mr. Krahn continued his explanation of the community support for the fishing area, its goals, justification for its depth, and its change from a community facility to a regional facility. He also noted that it will be at the City's southern gateway and can be seen from Highway 395. Its low maintenance and safety features were limned. Ground water was found at the six to seven foot level in the test hole the City dug. The ground water will provide fresh water for the pond. In order to construct the pond, it will be necessary to dewater the area. Dewatering will cost \$350,000. Supervisor Livermore pointed out that the dewater requirement had been missed by the design consultant. The firm is a professional, local, reputable engineering company that designs ponds. All of the necessary permits had been obtained for the pond. Sierra Pacific was to move the power lines. Mr. Krahn explained John Benzing's efforts to identify the concerns. Mr. Benzing explained the City's test hit water at five feet. Flowing water was found between seven and eight feet deep. The sides caved in at ten feet. The bidders were present during the test. Both had different dewatering techniques which may be the reason Horizon bid \$97,000 for that portion. The other companies, who had not bid the job, had indicated the belief that the project would be over the estimate and had, therefore, discontinued their bid preparation efforts. He acknowledged the belief that the project may be in the \$600,000 range even though the current funding level is only \$438,000. Mr. Benzing disclosed that he had questioned the consultants about the project and the bids. It was felt that they had not perceived any problems with the project. Supervisor Livermore disclosed his request that the staff ask other contractors for their opinions on the project. Mr. Moellendorf explained the reasons this had not occurred. Supervisor Livermore explained his reasons for suggesting the opinions be obtained. He questioned the effort to find another location for the pond. Mr. Moellendorf was not certain about the extent of a search for an alternate location. The Ross Gold site was considered. Justification for the Fairground location was provided. He explained that the City must accept or reject the bid soon as the bid is only valid for another 30 days. If it is accepted, additional funding must be found. He was uncertain whether NDOW will provide the additional funds. Supervisor Livermore felt that the NDOW grant will not disappear. He did not want to abandon the project. Mr. Krahn indicated that the commitment for the grant requires completing the project by December 2007. It may be possible to extend this deadline if progress is occurring. He also reminded the Board of the attempt to develop a fishing pond at Ross Gold. It lacks inflow and outflow sources. Justification for the Fairground location was provided. He had discussed the depth requirement with NDOW. They were willing to decrease the depth although discussions with the contractors indicated that this will save only \$8,000. NDOW wants the pond to have one acre of surface. The proposed ADA features were limned. It may be possible to eliminate/reduce some of the ADA features although it is more cost effective to do them during the original construction. Public comments were solicited.

Mr. deBottari expressed his surprise at the concept to mix ground water with surface water. He was uncertain whether NDEPA will allow it. When a well is drilled, you are not allowed to mix the two. He wanted to ensure that the Health Department will approve the concept. His concern was created by his personal experience in a different state.

Mayor Teixeira noted that staff "has it work to do". He believed that the Fairgrounds is the correct location for the pond. It is a good project. It is, however, \$600,000 short of funds. Mr. Krahn commended both Mr. Moellendorf and City Manager Ritter for their support even when he had informed

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 8

DRAFT

them of the bids and funding shortage. His unofficial discussions with NDOW had indicated support for the project even without the handicapped fishing pier. He was willing to seek additional funding. Funding commitments from NRCS and Trout Unlimited were noted. He solicited funds from anyone wishing to make a donation. He also indicated that it may be necessary to go out to bid again although Horizon has expressed a willingness to extend the bid commitment date if progress on the funding is being made. No formal action was required or taken.

10. CITY MANAGER - Linda Ritter

A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CHAPTER 12.04 SENIOR CITIZENS ASSISTANCE TO PROVIDE A REDUCTION, RATHER THAN A REBATE, IN SEWER CHARGES AND TO PROVIDE A REDUCTION IN WATER CHARGES BASED UPON HOUSEHOLD INCOME, INCREASING THE HOUSEHOLD INCOME LIMITS, ALLOWING FOR DISCONTINUANCE OF THE DISCOUNT TO ANY APPLICANT WHO WASTES WATER OR VIOLATES THE LIMITATIONS ON IRRIGATION AND OTHER MATTERS PROPERLY RELATED THERETO (10:01:04) - Discussion explained that the proposal could provide funding for low income homes to offset the water increases. It is for seniors living on very fixed incomes. Supervisor Aldean expressed concern about possible abuse of the program when multiple people live in the same residence. She suggested that the residential terminology include "any co-occupants" to the household income request. Ms. Ritter explained that the wording was taken from the State and the desire for the terminology to be the same for both applications. This will allow the use of one application for all purposes. She agreed to analyze the suggestion and bring it back on second reading if a change is needed. Public comments were solicited but none were given. Supervisor Staub moved to introduce Bill No. 105 on first reading, AN ORDINANCE AMENDING CHAPTER 12.04 SENIOR CITIZENS ASSISTANCE, TO PROVIDE A REDUCTION, RATHER THAN A REBATE, IN SEWER CHARGES AND TO PROVIDE A REDUCTION IN WATER CHARGES BASED UPON HOUSEHOLD INCOME, INCREASING THE HOUSEHOLD INCOME LIMITS, ALLOWING FOR DISCONTINUANCE OF THE DISCOUNT TO ANY APPLICANT WHO WASTES WATER OR VIOLATES THE LIMITATIONS ON IRRIGATION AND OTHER MATTERS PROPERLY RELATED THERETO; fiscal impact is estimated at \$20,000 per year from the Water Fund. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CHAPTER 4.04, BUSINESS LICENSES, TO MOVE BUSINESS LICENSE ADMINISTRATION FROM THE CARSON CITY TREASURER TO THE DEVELOPMENT SERVICES DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO (10:05:25) - Treasurer Al Kramer - Discussion indicated that the relocation will be cost effective. Liquor Licenses will remain with the Treasurer for the time being. The Statutes allow the transfer to occur. It will relieve three parking spaces at City Hall. The service level will remain the same. Supervisor Aldean moved to introduce on first reading Bill No. 106, AN ORDINANCE AMENDING CHAPTER 4.04, BUSINESS LICENSES, TO MOVE BUSINESS LICENSE ADMINISTRATION FROM THE CARSON CITY TREASURER TO

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 9

DRAFT

THE DEVELOPMENT SERVICES DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. ACTION TO REVIEW, EVALUATE AND RECOMMEND FOR APPROVAL THE COMMUNITY DEVELOPMENT (CDBG) PROJECT FUNDING PRIORITIES FOR FY2007-08, AND TO OPEN A 30-DAY PUBLIC COMMENT PERIOD FROM MARCH 15 TO APRIL 13, 2007, FOR REVIEW OF THE CARSON CITY CDBG 2007-08 ANNUAL ACTION PLAN TO IMPLEMENT DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM (10:07:47) - Chief Deputy District Attorney Melanie Bruketta, CDBG Review Committee Chairperson Karl Neathammer, Community Development Block Grant and Citizen Outreach Coordinator Ramiro "Javier" Ramirez, Transportation Program Manager Patrick Pittenger, Boys and Girls Club Director Hal Hansen - Mr. Neathammer indicated that the Committee had reviewed all of the applications. If adequate funding had been available, all would have been funded. As the amount of funding is finite, the funding recommendations were based on projects that will enhance the community. It was an open and transparent process. All applications were considered on an even and fair basis. He suggested that the Sierra Room be used for the evaluations if the process is used in the future so that the public can see and understand the process. He complimented the team members for serving on the Committee. They believed that it was a fair process. He also complimented Mr. Ramirez on his participation. Mayor Teixeira, on behalf of the Board, thanked him and the Committee members for their service. He concurred that there are many fine projects but not enough money for everything. He also noted the plethora of paperwork involved with the process. CDBG is a unique program. Compliance with all of the requirements is sometimes a problem. He also thanked Mr. Ramirez for his services.

Mayor Teixeira disclosed that he had discussed his position with the District Attorney's office. He regretted the need to have to recuse himself from the process; however, in view of his position on the Board of Directors for the Boys and Girls Club of Western Nevada, his heavy involvement with the Club, and desire to continue his involvement with it, he will not vote on its portion and will leave the building. This will eliminate any perceived conflict of interest. He will be at his office. The funding is from the Feds. He also disclosed that he had posed the question to the District Attorney's office. Ms. Bruketta concurred with this statement and expressed her appreciation to him for disclosing the matter.

Mr. Ramirez introduced the item by explaining the process used to develop the forms and priorities and establishment of the committee whose members were listed. The funding has not yet been established by Congress. Therefore, the grant program was based on last year's funding level. Discussion explained the funding level allocated for public service projects of \$68,639 and \$297,435 for public improvement projects. Last year's unallocated total for public improvement projects of \$10,405 is available for capital improvements, economic development, or it can be carried forward to next year. The Committee's recommendations can be accepted, revised, or amended to meet the community needs. The Board's action will open the 30-day comment period. The Board will then act on the allocations at the end of that period. The Board then discussed the public service projects. The Ron Wood Reach Up Program had not been implemented. It does have in-kind contributions. The recommended funding level was \$31,520. The

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 9

DRAFT

THE DEVELOPMENT SERVICES DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

C. ACTION TO REVIEW, EVALUATE AND RECOMMEND FOR APPROVAL THE COMMUNITY DEVELOPMENT (CDBG) PROJECT FUNDING PRIORITIES FOR FY2007-08, AND TO OPEN A 30-DAY PUBLIC COMMENT PERIOD FROM MARCH 15 TO APRIL 13, 2007, FOR REVIEW OF THE CARSON CITY CDBG 2007-08 ANNUAL ACTION PLAN TO IMPLEMENT DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM (10:07:47) - Chief Deputy District Attorney Melanie Bruketta, CDBG Review Committee Chairperson Karl Neathammer, Community Development Block Grant and Citizen Outreach Coordinator Ramiro "Javier" Ramirez, Transportation Program Manager Patrick Pittenger, Boys and Girls Club Director Hal Hansen - Mr. Neathammer indicated that the Committee had reviewed all of the applications. If adequate funding had been available, all would have been funded. As the amount of funding is finite, the funding recommendations were based on projects that will enhance the community. It was an open and transparent process. All applications were considered on an even and fair basis. He suggested that the Sierra Room be used for the evaluations if the process is used in the future so that the public can see and understand the process. He complimented the team members for serving on the Committee. They believed that it was a fair process. He also complimented Mr. Ramirez on his participation. Mayor Teixeira, on behalf of the Board, thanked him and the Committee members for their service. He concurred that there are many fine projects but not enough money for everything. He also noted the plethora of paperwork involved with the process. CDBG is a unique program. Compliance with all of the requirements is sometimes a problem. He also thanked Mr. Ramirez for his services.

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CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 10

DRAFT

remainder of the public service funds were allocated to the Community Counseling Center for its Methamphetamine Treatment Project. This program is already operating on a full-time basis and has community funding. The recommended funding level by the Committee for the Ron Wood Reach Up Program had been unanimously supported. The Community Counseling Center's funding had been approved on a 4-1 vote. Supervisors Aldean and Livermore supported the Committee's funding recommendations for public service projects. Mayor Teixeira explained his support of the Community Counseling Center's program and belief that the community will continue to support the Ron Wood Center and its program if the CDBG funds are not provided. He stressed the need for programs to address the methamphetamine problem and its related psychological impacts. He did not support starting new programs when it dilutes older, established programs and, specifically, not during times of funding shortages. He felt that the commitment to the Community Counseling Center should be maintained. The Ron Wood Reach Up Program should be started and reports given to the Board indicating its impact and results. Discussion explained that the \$10,500 in last year's leftover funds can only be used for economic development. The \$91,518 can only be used for planning, research, reports and administrative functions. Comments pointed out that the Community Counseling Center's funding request was for only \$58,343 which will leave a balance that could be used for another project. **Supervisor Livermore moved to allocate the Community Development Block Grant funds for public service projects to fully fund the Methamphetamine Treatment Project from the Community Counseling Center for \$58,343 and the remaining amount of money eligible to Ron Woods for the creation of a pilot program. Supervisor Staub seconded the motion.** Supervisor Williamson shared the enthusiasm for fighting meth, however, she was concerned about the impact changing the Committee's recommendation may have. She and Supervisor Aldean had served on the Committee. It is lots of work. The Ron Wood project received a score of 92%. The Community Counseling Center received a lower score. She wished to acknowledge and support the volunteers' time and commitment. **The motion to allocate \$58,343 to the Community Counseling Center and the remaining funds to the Ron Woods Reach Up Program was voted by roll call with the following result: Mayor Teixeira - Yes; Supervisor Livermore - Yes; Supervisor Staub - Yes; Supervisor Williamson - No; and Supervisor Aldean - No. Motion carried 3-2.** Mayor Teixeira indicated his respect for the Board. He indicated that he will now leave the room and passed the gavel to Mayor Pro-Tem Staub. (A quorum was still present.)

Mr. Ramirez then explained the public facilities improvement projects and the Committee's rankings and recommendation. Ms. Ritter explained a proposal to utilize funding from the landfill for ADA sidewalk improvements. The proposed grant will only fund a small portion of the overall ADA sidewalk needs.

Supervisor Aldean explained her belief that the Boys and Girls Club could fund its project through community support. She disclosed her knowledge of the sidewalk deficiencies and, specifically, the lack ADA sidewalk improvements in the community. The proposed program funds only 40 ramps. It will be a start. She disclosed that she had talked to one of the Committee members. They had put a lot of work into reviewing, weighing, and discussing the applications. There was a lot of disparity in the scoring. She also recognized the Boys and Girls Club's need for the playing fields. She pointed out that the funding for sidewalks is only a "drop in the bucket". The liability will increase in the future.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 11

DRAFT

Supervisor Livermore questioned how the area had been selected for the sidewalk improvements. He believed that the Board should have participated in the area selection process. His awareness of the need and use of the Boys and Girls Club and its facilities were noted. Its lease will soon run out. The need for the children to have outside activities was expressed. They cannot be kept inside all the time. He acknowledged the difficulty that was experienced in attempting to establish a priority among the projects. He also pointed out that the neighborhood had been there for years. There are others that also have sidewalk needs. He again questioned how the neighborhood had been selected. Ms. Ritter explained that it had been based on the income level of the surrounding residents. Supervisor Livermore suggested that the City develop a ten-year program for sidewalks and/or consider using Federal or City funding for a long-term loan to pay for the sidewalk improvements.

Mayor Pro-Tem Staub explained his evaluation of the projects involved the consideration of benefits to the low and moderate income families. He understood the need to address the sidewalk liability issue. He respected the Committee volunteers and attempts to defer to their recommendations due to their expertise and knowledge of the programs. The recommendations, however, can only go so far. The Board must make every decision. The Boys and Girls Club works 24-7 to help individuals with low and moderate incomes care for their children. He thanked the Clubs representatives and supporters who were present for their efforts. He recognized the imminent position the Club is facing. They are staying in a facility "on borrowed time". Their efforts to obtain funding for the new location, its building(s), and facilities were noted. Outside areas are needed for recreational purposes for the children. The fields will be an asset for them and benefit the children and the public who use the facility. He could not think of a better use of the funds than granting them to the Club. He acknowledged RTC's awareness of the sidewalk needs in the community. It provides funding for sidewalks and signals and will continue to do so. The sidewalks may need to have a stronger urgency placed upon their status. He implored the Board, with apologies to the Committee, to reallocate the grant and give the Club \$253,500. Mr. Ramirez suggested that the remainder be used for the sidewalks.

Discussion between Supervisor Aldean and Mr. Pittenger indicated that there is a sidewalk deficiency inventory and that the funding would be used on its priorities. It is not necessary to address all of the neighborhood's deficiencies at one time. Any funds that are allocated can be used to benefit the area. Supervisor Aldean recommended funding the project at any level possible. Mayor Pro-Tem Staub suggested that the unallocated funds from the previous year be added to the remaining funds which will total \$54,240 and can be used for public improvement projects. Public comments were then solicited.

Mr. Hansen thanked the Board for the ability to apply for the grant. The grant will complete a project that commenced six years ago. The Club's Board raises over \$1 million annually for operations and has raised over \$5 million for the facility. The fields are vital to the operation. The grant will be a tremendous opportunity and support for the program. The new facility is twice the current facility's size. It contains 12,000 square feet which Club Board Member Piercznski thinks is a "small elementary school". The children are outside year-round. The fields need to be developed. Mayor Pro-Tem Staub thanked him for his remarks.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 12

DRAFT

Supervisor Livermore moved to approve the public facility improvements of the CDBG grant and allocate \$253,500 to the Boys and Girls Club of Western Nevada and the remaining amount of \$42,000 plus the \$10,000 remaining from last year, (creating a) remaining amount of \$52,400—following discussion the amount was corrected to be—\$54,340 for the ADA project at the desired located. Supervisor Aldean seconded the motion. Supervisor Williamson explained that in the past CDBG funds have gone for sidewalks. This is how the sidewalks were installed on Hot Springs and Saliman Roads. She complimented staff for considering other funding alternatives. Supervisor Aldean advised that the Committee had been complimentary about Mr. Pittenger's presentation. Mr. Ramirez acknowledged the difficulty experienced by the Board in making such decisions. He also complimented the Board, as a private citizen, on its community support. He acknowledged that there is a small amount of funding available which makes the decisions difficult for the Board. **The motion to allocate the CDBG grant to the Boys and Girls Club in the amount of \$253,500 and the remainder of \$54,340 to the City's ADA sidewalk project was voted and carried 4-0-1 with Mayor Teixeira absent.** Mayor Pro-Tem Staub thanked the Boys and Girls Club representatives and supporters for attending the meeting.

(10:55:18) Following Mayor Pro-Tem Staub's reminder, Supervisor Livermore amended his motion to include opening the 30-day public comment period. Supervisor Aldean concurred with the amendment. The amendment was voted and carried 4-0-1 with Mayor Teixeira absent.

11. BOARD OF SUPERVISORS - NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:51:58)

- Supervisor Aldean noted the media coverage on the TRPA's eight hour meeting that had included the Heavenly Valley improvements. She explained for the record that the paper had failed to report on the environmentalists concerns regarding the need to remove large trees for the new lift line. Another alternative to the tree removals would have required cut and fill that would have removed more than 30,000 cubic yards of material. The second alternative would have created a substantial impact to some environmentally sensitive areas. Support for TRPA's decision was provided by the TRPA staff, the APC—which is a technical advisory arm to the Agency, as well as the Forest Service. TRPA had weighed the pros and cons and, she believed, made the best decision for the environment and the need to protect the Lake's clarity. There had been tremendous public comments on both sides of the issue. She felt that Vail Resorts have a real sense of community obligation. They must mitigate the impact on an old stand of trees which is not a pristine area. The mitigation will be made to a pristine old stand of trees.

Supervisor Williamson invited the public to attend the Saturday Wine Walk in Downtown Carson City from 1 p.m. to 5 p.m. The cost is \$10 per glass. Mayor Pro-Tem Staub reminded the public of the Cowboy Poetry event which will occur on March 10. Tickets are available at 883-8520 or 883-1532. No formal action was required or taken on these topics.

B. STAFF COMMENTS AND STATUS REPORT - None.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 1, 2007, Meeting

Page 13

DRAFT

12. ACTION TO ADJOURN (10:56:01) - Supervisor Livermore moved to adjourn. Supervisor Aldean seconded the motion. Motion carried 4-0 with Mayor Teixeira absent. Mayor Pro-Tem Staub adjourned the meeting at 10:57 a.m.

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

ARE SO APPROVED ON _____, 2007.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder