

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 21, 2008 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, August 21, 2008 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
Nick Providenti, Finance Department Director
Sue Johnson, Internal Auditor
Joel Benton, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION (8:31:52) - Mayor Teixeira called the meeting to order at 8:31 a.m. Roll was called; a quorum was present. Supervisor Staub led the pledge of allegiance. Fountainhead Foursquare Church Reverend Louie Locke gave the invocation.

PUBLIC COMMENTS AND DISCUSSION (8:33:08) - None.

1. ACTION ON APPROVAL OF MINUTES - July 17, 2008 (8:33:15) - Supervisor Aldean noted a correction to page 11, changing the word "entitled" to the words "in title." Mayor Teixeira entertained a motion. Supervisor Aldean moved to approve the minutes of July 17, 2008, subject to the previously-noted correction. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (8:34:15) - Mr. Werner noted a change to the item 3-4 agenda report in that there was no need for a resolution. (10:35:10) Mayor Teixeira modified the agenda to address item 13(B) prior to item 13(A).

3. CONSENT AGENDA (8:35:09) - Mayor Teixeira entertained requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion. **Supervisor Livermore moved for approval of the consent agenda, consisting of a total of five items: 3-1, Sheriff; two items from Public Works, 3-2(A) and (B); one item from the City Manager, 3-3, with special recognition to Stanley Zuber's re-appointment to the Advisory Board to Manage Wildlife; and one item from Parks and Recreation, 3-4, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.**

3-1. SHERIFF - ACTION TO APPROVE THE ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY JOINING FORCES GRANT IN THE AMOUNT OF \$23,700

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3-2. PUBLIC WORKS

3-2(A) ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A DRAINAGE EASEMENT BETWEEN THE STATE OF NEVADA DIVISION OF STATE LANDS AND CARSON CITY WHEREBY THE STATE OF NEVADA DIVISION OF STATE LANDS AGREES TO GRANT TO CARSON CITY A NON-EXCLUSIVE EASEMENT FOR A SURFACE WATER DRAINAGE SYSTEM, WITH THE RIGHT TO MAINTAIN, INSPECT, REPAIR, AND RECONSTRUCT A WATER DRAINAGE SYSTEM FOR THE TIMBERLINE AND COMBS CANYON WATERSHED STABILIZATION, STORM WATER STORAGE AND SEDIMENTATION STORAGE PROJECT

3-2(B) ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A PERMANENT WATERLINE EASEMENT BETWEEN THE STATE OF NEVADA DIVISION OF STATE LANDS ON BEHALF OF THE DIVISION OF BUILDINGS AND GROUNDS AND CARSON CITY WHEREBY THE STATE OF NEVADA DIVISION OF STATE LANDS ON BEHALF OF THE BUILDINGS AND GROUNDS AGREES TO GRANT TO CARSON CITY A NON-EXCLUSIVE EASEMENT FOR UNDERGROUND WATERLINE FACILITIES AND APPURTENANCES

3-3. CITY MANAGER - ACTION TO APPOINT STANLEY ZUBER TO THE ADVISORY BOARD TO MANAGE WILDLIFE FOR A THREE-YEAR TERM ENDING JULY 2011

3-4. PARKS AND RECREATION - ACTION TO APPROVE THE STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIVISION OF STATE PARKS PROJECT AGREEMENT TO PROVIDE \$150,000 IN GRANT FUNDING FOR THE CONSTRUCTION FO THE MORGAN MILL TRAILHEAD

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

4. TREASURER - PRESENTATION OF INVESTMENT PORTFOLIO EARNINGS FOR SECOND QUARTER 2008 (8:35:59) - Treasurer Al Kramer provided background information on this item, and reviewed the Investment Report included in the agenda materials. He acknowledged the City's investment portfolio is "doing better than anticipated." He explained that the Finance Department conservatively estimates the return on the investment portfolio each year. "For the year that just ended, we beat our budget significantly." Mayor Teixeira thanked Mr. Kramer and congratulated him and the Treasurer's Office staff on a job well done.

5. CARSON CITY CONVENTION AND VISITORS BUREAU - ACTION TO ADOPT, ON SECOND READING, BILL NO. 129, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSE AND BUSINESS REGULATIONS, BY AMENDING CHAPTER 4.08, ROOM RENTAL TAX, SECTION 4.08.080, IMPOSITION AND RATE OF TAX, AND OTHER MATTERS PROPERLY RELATED THERETO (8:38:56) - Mayor Teixeira introduced this item, and entertained citizen comments. When none were forthcoming, he entertained a motion. Supervisor Aldean moved to adopt Bill No. 129, on second reading, Ordinance No. 2008-30, an ordinance amending the Carson City Municipal Code, Title 4, License and Business Regulations, by amending Chapter 4.08, Room Rental Tax, Section 4.08.080, Imposition and Rate of Tax, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.

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6. PARKS AND RECREATION - OPEN SPACE - INTRODUCTION AND WELCOME OF MS. GENNY WILSON, NEWLY APPOINTED U.S. FOREST SERVICE CARSON DISTRICT RANGER (8:39:52) - Mayor Teixeira introduced this item. Open Space Coordinator Ann Bollinger introduced U.S. Forest Service (“USFS”) Carson District Ranger Genny Wilson, and provided background information on her involvement as the Waterfall Fire Burn Area Emergency Response Team Leader.

(8:40:45) At Mayor Teixeira’s request, Ms. Wilson introduced herself for the record. She reviewed a resumé, copies of which she had distributed to the Board members and staff prior to the start of the meeting. She discussed her experience with the Waterfall Fire Burn Area Emergency Response Team, and her background in fire rehabilitation. She reviewed and discussed a list of Current Events in the Carson Ranger District, as outlined on the backside of the resumé. In response to a question, she advised that Lake Tahoe has a fuels management plan which is separate from the recently-published Carson Ranger District ten-year fuels management plan. She described the Carson Ranger District plan boundaries as “Highway 80 down to the state line in Douglas County.”

In response to a question, Ms. Wilson advised that the new USFS barracks is proposed for a BLM parcel on the south side of Arrowhead Drive. She responded to additional questions regarding the barracks design. In response to a further question, she advised that groundbreaking is scheduled for February 2009 and that the USFS “will still be stationed out of the Minden Airport.”

Mayor Teixeira welcomed Ms. Wilson and looked forward to a good working relationship between the City and the USFS. In response to a question, Ms. Wilson explained the Wild Land Fire Use emphasis employed by the USFS over the last couple years. She advised that most of the wilderness areas have been identified as wild land fire use areas. She acknowledged that natural fires occurring in these areas are monitored and mitigated only if the fire becomes a threat to citizens.

Ms. Wilson responded to further questions regarding her experience as a member of the Governor’s Sage Grouse Team, and the significance of adding the sage grouse to the endangered species list. “It would mean quite a change in the way we do business, mostly in terms of mining activity and grazing.” In response to a further question, Ms. Wilson advised of having served as the Acting USFS Carson District Ranger in 2005, while Gary Schiff was on detail in the Washington office. She further advised of having served in an acting capacity last year in Las Vegas.

Mayor Teixeira advised of having recently secured a \$300,000 earmark for Waterfall Fire restoration. Ms. Wilson offered to provide a bi-annual update of USFS activities. In response to a question, she advised of consideration given to locating a fire station closer to the national forest, but of no knowledge regarding the extension of Stewart Street to Curry Street. Mayor Teixeira and the Board members welcomed Ms. Wilson.

7. HEALTH AND HUMAN SERVICES - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 9, HEALTH AND WELFARE, CHAPTER 9.04, HEALTH DIVISION PERMIT AND FEE SCHEDULE, TO ADD NEW SECTION 9.04.065, ADDITIONAL FEES, WHICH ALLOWS THE DEPARTMENT TO SET REASONABLE FEES FOR PROVIDING SERVICES TO MEMBERS OF THE PUBLIC, AND OTHER MATTERS PROPERLY RELATED THERETO (8:54:41) - Mayor Teixeira introduced this item. Disease Prevention and Control Investigator Dustin Boothe reviewed the agenda report. He

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acknowledged that the proposed ordinance allows Health and Human Services Department staff to adjust fees as part of a cost recovery program. In response to a further question, he explained that the ordinance provides for established fees. Additional fees are charged in the clinic. Mr. Boothe acknowledged no fees are being increased, and reiterated the proposed ordinance will provide for cost recovery. Mr. Werner provided additional explanation of the purpose of the ordinance to provide more clarity for the Health and Human Services Department to establish fees to recover costs. In response to a question, Supervisor Aldean read a portion of Section 9.04.065, Additional Fees, into the record.

Mayor Teixeira entertained a motion. **Supervisor Williamson moved to introduce, on first reading, Bill No. 130, amending Carson City Municipal Code, Title 9, Health and Welfare, Chapter 9.04, Health Division Permit and Fee Schedule, to add a new section, 9.04.065, Additional Fees, which allows the department to set reasonable fees for providing services to members of the public, and other matters properly related thereto. Supervisor Aldean seconded the motion. Motion carried 5-0.**

8. FIRE - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 14, FIRE, SECTION 14.02.045, SECTION 105.7 - REQUIRED CONSTRUCTION PERMITS, TO PROVIDE FOR A TECHNICAL CORRECTION TO AN INTERNAL REFERENCE, AND BY AMENDING SECTION 14.02.115, SECTION 903 - FIRE SPRINKLERS, TO REVISE THE METHOD FOR THE DETERMINATION OF TOTAL FLOOR AREA, AND OTHER MATTERS PROPERLY RELATED THERETO (8:59:08) - Fire Chief Stacey Giomi introduced and provided background information on this item, and reviewed the agenda report. He acknowledged the proposed amendment to Section 14.02.115, 903, Fire Sprinklers, represents a win-win for the City and the Builders Association of Western Nevada ("BAWN"). He further acknowledged the Chief Building Official will be authorized to determine total floor area, as defined within the exterior walls. He noted that the Fire Code is generally a maintenance code, not a construction code. Therefore, the portions of the code addressing construction "best belong" under the purview of the Chief Building Official.

Mayor Teixeira entertained public comment. (9:01:58) BAWN Director of Governmental Affairs Sheena Beaver provided additional background information on development of the proposed amendment to Section 14.02.115, 903 - Fire Sprinklers.

Mayor Teixeira called for additional public comment and, when none was forthcoming, entertained a motion. **Supervisor Staub moved to introduce, on first reading, Bill No. 131, an ordinance amending the Carson City Municipal Code, Title 14, Fire, Section 14.02.045, Section 105.7 - Required Construction Permits, to provide for a technical correction to an internal reference; and by amending Section 14.02.115, Section 903 - Fire Sprinklers, to revise the method for the determination of total floor area, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

9. PURCHASING AND CONTRACTS - ACTION TO APPROVE AN AMENDMENT NO. 1 TO THE ORIGINAL CONTRACT 0708-134, "ARCHITECTURAL AND ENGINEERING SERVICES FOR CARSON CITY INDOOR RECREATION CENTER/MULTI-PURPOSE GYM" WITH VALENTINER CRANE ARCHITECTS, TO CHANGE THE SCOPE OF WORK, EXTEND THE COMPLETION DATE TO OCTOBER 31, 2010, AND INCREASE THE CONTRACT AMOUNT BY \$92,000.00, AND INCLUDE A CONTINGENCY AMOUNT OF \$25,000.00 FROM

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THE QUESTION #18 ACCOUNT, AS PROVIDED IN FY 2008 / 2009 (9:04:07) - Purchasing and Contracts Coordinator Sandy Scott introduced this item, and reviewed the agenda report. In response to a question, Parks and Recreation Department Director Roger Moellendorf estimated \$90,000 had been spent thus far. He provided background information on the purpose for the amendment. In response to a further question, he explained the requirement to “go back and separate the buildings and look at designing a separate facility from the Boys and Girls Clubs.” He advised that approximately 23 percent of the work originally done by Valentiner Crane will carry over to the new project. This includes the traffic, sewer / water, and lighting studies, and topographical mapping.

Mayor Teixeira reviewed costs associated with the recreation center project, thus far. He expressed the hope that some progress will be made on construction in the near future “rather than just taking a ton of money in engineering and architectural work.” Supervisor Livermore discussed the flexibility of design and material use which a stand-alone building will provide. He noted the community’s need for an indoor recreation facility, and expressed the belief that the facility will be delivered, as planned, with the available capital. In response to a question, Mr. Moellendorf advised that the \$818,900 figure reflected in the agenda report represents the total contract with the architect / engineering firm, including the construction drawings. The subject amendment will add \$92,000 to the contract. Mr. Moellendorf acknowledged that additional architecture will “eat into the total project budget,” but expressed the hope there may be savings in design of the stand-alone facility. In reference to Supervisor Livermore’s comments, he reiterated that the stand-alone design will not be restricted to matching the design of the Boys and Girls Clubs facility, nor will the exact same materials be required.

Supervisor Staub noted the additional benefit of being able to determine the optimal location for the structure on the parcel, in consideration of potential future expansion of both the Boys and Girls Clubs and the recreation facilities. Supervisor Aldean agreed that spending the additional funding is unfortunate, but noted previously-expressed citizen concerns over “being joined at the hip with the Boys and Girls Clubs.” The stand-alone facility provides a certain degree of autonomy which is important in terms of protecting the City’s investment. Mr. Moellendorf agreed and, in reference to Supervisor Staub’s comments, advised that the original design was “really hampered” by being physically joined to the Boys and Girls Clubs facility. He reiterated that the stand-alone facility design can be maximized in consideration of utilities and future amenities such as water features. In response to a comment, Mr. Moellendorf advised that the City could have continued with the co-joined building if either party could have agreed to one owner of the facility. “Neither party ... for good reasons, wanted to give up ownership of their facility.” Mayor Teixeira commented the project now makes much more sense.

Mayor Teixeira entertained a motion. At Supervisor Livermore’s request, Mr. Moellendorf reviewed the project time table. Supervisor Aldean noted a change to page 2 of the contract. **Supervisor Livermore moved to approve Amendment No. 1 to the Original Contract 0708-134, “Architectural and Engineering Services for Carson City Indoor Recreation Center / Multi-Purpose Gym” with Valentiner Crane Architects to change the scope of work, extending the completion date to October 31, 2010, and increasing the contract amount by \$92,000.000, and include a contingency amount of \$25,000.00 from the Q18 Account, as provided in FY 2008 / 2009 with reference to the amendment sheet provided today on the same contract. Supervisor Staub seconded the motion. Motion carried 5-0.**

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10. DEVELOPMENT SERVICES - PLANNING AND ZONING

10(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.115.8, TEMPORARY USE PERMITS, TO MODIFY LANGUAGE ASSOCIATED WITH OUTDOOR SALES AND ACTIVITIES FOR CONSISTENCY PURPOSES; AMENDING CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITIONS OF BEAUTY SHOP, MOTEL, PERSONAL SERVICES, TO DEFINE ANIMALS AND FOWL, AND TO DELETE THE DEFINITION OF FULL SERVICE BEAUTY SALON AND MOBILE CANTEEN; AMENDING CHAPTER 18.04, USE DISTRICTS, SECTION 18.04.120, NEIGHBORHOOD BUSINESS, TO ADD THE SPECIFIC OUTDOOR SALES AND ACTIVITIES REFERENCE; AMENDING SECTION 18.04.130, RETAIL COMMERCIAL, TO MODIFY LANGUAGE ASSOCIATED WITH OUTDOOR SALES AND ACTIVITIES FOR CONSISTENCY PURPOSES, AND TO DELETE FACIAL COSMETIC SHADING, PERMANENT, FROM ACCESSORY USES FOR CONSISTENCY; AMENDING SECTION 18.04.135, GENERAL COMMERCIAL, TO MODIFY LANGUAGE ASSOCIATED WITH OUTDOOR SALES AND ACTIVITIES AND OUTSIDE STORAGE FOR CONSISTENCY PURPOSES, AND TO ADD FACIAL COSMETIC SHADING, PERMANENT, AS A PRIMARY PERMITTED USE; AMENDING SECTION 18.04.145, LIMITED INDUSTRIAL, TO MODIFY LANGUAGE ASSOCIATED WITH OUTDOOR SALES AND ACTIVITIES AND OUTSIDE STORAGE FOR CONSISTENCY PURPOSES; AMENDING SECTION 18.04.150, GENERAL INDUSTRIAL, TO MODIFY LANGUAGE ASSOCIATED WITH OUTDOOR SALES AND ACTIVITIES AND OUTSIDE STORAGE FOR CONSISTENCY PURPOSES, AND TO CORRECT PAINT MANUFACTURING TO ALPHABETICAL ORDER; AMENDING SECTION 18.04.155, AIR INDUSTRIAL PARK, CORRECTING OUTDOOR STORAGE TO OUTSIDE STORAGE FOR CONSISTENCY PURPOSES; AMENDING SECTION 18.04.185, PUBLIC REGIONAL, CORRECTING MUSEUM TO ALPHABETICAL ORDER; AMENDING CHAPTER 18.05, GENERAL PROVISIONS, SECTION 18.05.045, HOME OCCUPATION, CORRECTING OUTDOOR STORAGE TO OUTSIDE STORAGE FOR CONSISTENCY PURPOSES; AMENDING SECTION 18.05.065, USES REQUIRED TO BE WITHIN A STRUCTURE, CORRECTING OUTSIDE SALES TO OUTDOOR SALES FOR CONSISTENCY PURPOSES; AMENDING CHAPTER 18.14, EXTRACTION OPERATIONS, SECTION 18.14.030, TEMPORARY ON-SITE AGGREGATE FACILITIES / PRODUCTION, CORRECTING OUTSIDE SALES TO OUTDOOR SALES FOR CONSISTENCY PURPOSES; AMENDING CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, SECTION 1.2, SITE DESIGN, CORRECTING OUTDOOR STORAGE TO OUTSIDE STORAGE FOR CONSISTENCY PURPOSES; AMENDING SECTION 1.12, OUTSIDE STORAGE, TO CLARIFY OUTSIDE STORAGE PURPOSE; AMENDING SECTION 1.19, ADULT MERCHANDISE RETAIL ESTABLISHMENT PERFORMANCE STANDARDS, CORRECTING OUTSIDE SALES TO OUTDOOR SALES FOR CONSISTENCY PURPOSES; AND AMENDING SECTION 3.7, TREES, CORRECTING OUTSIDE DISPLAY TO OUTDOOR DISPLAY FOR CONSISTENCY PURPOSES; AND MAKING VARIOUS TECHNICAL CORRECTIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (9:15:37) - Planning Division Director Lee Plemel introduced this item, and reviewed the agenda report. He responded to questions regarding permitted uses included in the Code. He pointed out a correction to Section XIV, 1.12(2), in that the words "or limited industrial" will be added after the word "commercial." Supervisor

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Aldean noted the Planning Commission's suggested revision to Section XV, 1.19(2) to delete the word "outdoors." Supervisor Aldean pointed out additional revisions on pages 12 and 14.

Mayor Teixeira entertained a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 132, an ordinance amending various portions of the Carson City Municipal Code, Title 18, including clarifications relating to the provisions for outside storage and outdoor sales and activities, and including various technical corrections, as published on the agenda and based on the findings contained in the staff report, including the technical corrections discussed at this meeting; and the elimination, on page 26, of the reference to "outdoors" in Section XV, 1.19(2), and the addition, on page 25, to Section XIV, 1.12(2) to read, "Storage areas allowed, as an accessory use, in a commercial or limited industrial zoning district ..."** Supervisor Staub seconded the motion. **Motion carried 5-0.**

10(B) ACTION TO APPROVE AN EXTENSION OF ONE YEAR FOR FILING OF A FINAL MAP FOR THE SUBDIVISION KNOWN AS SCHULZ RANCH, LOCATED BETWEEN CENTER DRIVE AND BIGELOW DRIVE (9:22:52) - Mr. Plemel introduced this item, and reviewed the agenda report. Mayor Teixeira invited Reynen and Bardis and Lennar Communities representatives to the podium.

(9:24:10) Reynen and Bardis Division President Ted Erkan, Lennar Communities Vice President of Finance Dustin Barker, and Lionel, Sawyer & Collins Attorney Craig Etem, representing Lennar Communities, introduced themselves for the record. In response to a question, Mr. Erkan referred to the testimony he provided at the July 17, 2008 Board of Supervisors meeting. He advised of having continued to work with "our bank," and "continued to try to have a dialogue." He further advised of having been made aware of the meeting between Mayor Teixeira and Bank of the West representatives. He was uncertain as to any resolution. He advised that Reynen and Bardis was still in no position to mitigate the nuisance without the financial assistance of the bank.

Mr. Barker advised that Lennar Communities had completed the "clean up that was on the property owned by the venture that we had." He further advised that Lennar Communities is "not in a position either to mitigate the race track clean up at this point in time." In response to a question, he advised that no parcels have been sold by Lennar Communities. The bank had a trustee sale on the property, "so technically the bank owns the property at this point in time." In response to a further question, Mr. Barker estimated 11 parcels are currently held by the bank. He acknowledged that Lennar Communities is "out of the picture" from a legal standpoint as far as ownership, but advised of the intent to have continued involvement in the property into the future. In response to a question, he advised that Lennar Communities representatives are "currently working with the bank to figure out what our involvement is, if it's potential ownership or potential management of the project. We're still here in support of this tentative map because it's our intent to be involved in the project on a go-forward basis. That capacity currently is undefined, but we're in the process of working through that."

Development Services Director Walter Sullivan advised of having received a letter of intent from Bank of the West, on August 19th, a portion of which he read into the record. He advised of having received a telephone call from Supervisor Aldean yesterday to express concern over the hazardous material. He further advised of having spoken with Mark Rotter, of Manhard Consulting, Ltd., who advised that a phase 1 environmental study had been conducted on the property. Supervisor Aldean provided background information regarding her request concerning the phase 1 environmental study. She noted that a phase 2

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environmental study is specifically excluded under the contract between the bank and the company contracted to do the clean up. This “means that if there is an abatement issue, the City will have to pay and will not be entitled to reimbursement.” Mr. Erkan advised that no phase 2 study was required by the bank.

Chief Building Official Kevin Gattis acknowledged having visited the property with the bank’s contractor. He further acknowledged the understanding that the offer by Bank of the West is genuine and that the details can be worked out. Mayor Teixeira thanked Mr. Gattis, Mr. Sullivan, Mr. Benton, and Supervisor Livermore for their assistance in addressing this matter. He advised of having participated in a telephone conference call with “their attorneys and with Bank of the West.” He further advised that his faith in corporate America had been restored. “They stepped up to the plate, they did the right thing and we don’t have to mitigate it. They’ll do it on their nickel. We don’t have to ... tax lien the property and we can mitigate this; ... that both the developers have been remiss in their responsibility to this community.” Mayor Teixeira expressed support for the extension of the tentative map, emphasizing that said support had “nothing to do with Lennar ... and Reynen and Bardis.” He passed the gavel and **moved to approve an extension of one year for filing of a final map from August 21, 2008 to August 21, 2009 for a subdivision known as Schulz Ranch, located between Center Drive and Bigelow Drive. Supervisor Livermore seconded the motion.**

Mayor *Pro Tem* Staub called for public comment; however, none was forthcoming. Mayor Teixeira provided background information on resolution of this matter through Bank of the West. “They did move as rapidly as I’ve ever seen an institution move to assist us and do the right thing for this community.” In response to a question, Mr. Benton expressed concern over a separate issue between conditioning the extension and whether the item was properly agendaized. Supervisor Livermore discussed the “corporate responsibility that is owed the citizens of Carson City, ... from the developers and engineering firms and investors that stood here before this community ...” He discussed the importance of fair and equitable dealing. He commended Mayor Teixeira’s work with the lender “to somewhat salvage one part of this partnership stepping up to fund something that’s appropriate of theirs to fund.” He expressed support for the motion because of Bank of the West’s willingness to “step up and understand their responsibility.” Mayor *Pro Tem* Staub expressed begrudging support for the extension, based on the fact that the “developers did ... nothing to bring this matter forward. It was strictly the impetus of the Mayor and Supervisor Livermore and other individuals in contacting the bank and getting the bank to come forward with the funds in order to abate this and save Carson City taxpayers a huge, huge expenditure that we probably wouldn’t recover in the future.” He expressed a preference to “leave it pasture land at this point, but we need to get the old race track taken care of.” He expressed support “because the abatement will occur, as represented today.” Mayor *Pro Tem* Staub called for additional comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 5-0.** Mayor Teixeira recessed the meeting at 9:37 a.m. and reconvened at 9:46 a.m.

11. PUBLIC WORKS

11(A) UPDATE ON THE WATER SUPPLY AND RELATED ISSUES (9:46:24) - Public Works Department Director Andrew Burnham provided an overview of the presentation, and reviewed the agenda report. He noted the consistent 90-degree temperatures through the summer and the lack of rainfall. He advised that the west side streams have dropped off about 66 percent from the beginning of summer to the present. He clarified that water flow is usually lost over the summer but not to the present extent. The wells have dropped as well, as they do every summer. As the water table decreases, the efficiency of wells decreases and supply is lost. Mr. Burnham estimated an approximately 16 percent loss of production

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capability over the summer. He advised of a 20 million gallon per day demand, and that generally 20 million gallons per day has been produced. Some of the equipment has needed repair, and well 41 was inoperable for about three days. Mr. Burnham advised that “just about every one of our booster stations serving Timberline and Lakeview” was lost at one time or another over the summer. Parts were available due to previous planning and the booster stations were repaired in one day. Mr. Burnham noted that the Marlette Lake water, which in past summers has supplied approximately 10 percent of the total supply, was not available this summer. He advised that cooler weather this week significantly decreased demand, and that demand generally decreases after Labor Day. He anticipates making it through the summer.

Mr. Burnham anticipates that Marlette Lake will be available next July and August with more capacity from a “brand new system.” In addition, he anticipates water from the Vidler well will be available until such time as Lyon County needs it. In response to a question, he advised the City will purchase the water at \$50 per acre foot “which is a steal.” He further advised of a test well at the south end of town, with “pretty good success.” He anticipates 1200 to 1500 gallons per minute from this well which he hopes to have operational by next summer. In response to a question, he advised that Carson City owns “plenty of water rights. It’s how do we get that water into our system.” With regard to the Vidler well, he acknowledged additional supply will have to be provided for the long term. “In the interim, it’s a good bridge ...”

Mr. Burnham advised that the “arsenic rules kick in” next year. An item will be agendized in September to award bids for the arsenic treatment plant at wells 4 and 49. In response to a question, Mr. Burnham anticipates the arsenic treatment plan will be operational by May 2009. In response to a further question, he advised, “We’re living with uranium wells now and regulations are in effect.” Deputy Public Works Director Ken Arnold employs an annual averaging method each quarter to ensure the wells can be used. Mr. Arnold explained the locational running annual average (“LRAA”) method applied to the wells. At Mr. Burnham’s request, he explained the method by which River water rights are now applied. In reference to the recent stage 1 voluntary water restriction, Mr. Arnold advised of having discovered an open valve which was subsequently closed. “Now Prison Hill tank is acting more like itself.” In response to a question, Mr. Burnham advised of fewer water patrol personnel this year. There haven’t been “nearly as many problems with water loss.” Mr. Burnham acknowledged the diligence of the citizens.

Mr. Burnham advised that the City is working with Vidler Water Company and Douglas County to produce water. He noted the City owns significant water rights in the Carson Valley and “we’re working with our partners to try to figure out how to produce that water in the future.” Consideration has been given to alternatives to the uranium treatment plant, which construction cost Mr. Burnham estimated at \$20 million. “It has an ongoing operating cost that’s quite high and creates a radioactive waste” that has to be transported to Wyoming for disposal. Mr. Burnham anticipated that using water from Carson Valley may be an opportunity to avoid construction of the uranium treatment plant. He discussed the need to move water from the east side of town to the west side and from north to south. This is necessary to blend water with the uranium-affected water.

Mr. Burnham advised that Public Works Department staff continues to work with Nevada Division of Environmental Protection (“NDEP”) staff in consideration of disposing of effluent water into the River. One of the opportunities presented is the possibility of an augmentation credit and, in turn, the potential for additional water supply from the River. In response to a question, Mr. Burnham estimated 2,000 acre feet of water flows from the Brunswick Canyon Reservoir into the River. In response to a further question, he advised the City will apply for credit once the permit is issued for the springs, which he anticipates

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receiving at “any time.” He acknowledged the Brunswick Canyon Reservoir will continue to flow to the River. In response to a further question, he reviewed the permitting process. He acknowledged the water from the Brunswick Canyon Reservoir is “very good quality.” (10:02:35) In response to a question, he advised of an agreement to acquire “whatever water rights the Schulzes are able to get from the State Engineer. But we don’t believe they’re going to get very many rights.”

11(B) ACTION TO APPROVE CONTRACT NO. 0809-100 WITH BLACK AND VEATCH CORPORATION, IN THE AMOUNT OF \$869,818.00, WITH FUNDING FROM THE USEPA IN THE AMOUNT OF \$478,400.00 AND \$391,418.00 FROM CARSON CITY WATER FUND, TO PROVIDE CARSON CITY WITH A CALIBRATED WATER MODEL AND AN INTEGRATED WATER SUPPLY PLAN (10:01:50) - Mr. Burnham explained the NDEP water modeling requirement. (10:03:08) Mr. Burnham expressed the hope that \$150,000 will be awarded by the Carson Water Subconservancy District (“CWSD”) toward the contract. In response to a question, he reiterated the requirement for the water model and advised of a directive, by the State Water Engineer, to develop a water supply plan. He explained the State Water Engineer’s concern that the City has used up its reserve over a period of time.

Mayor Teixeira entertained a motion. **Supervisor Williamson moved to approve Contract No. 0809-100 with Black and Veatch Corporation in the amount of \$869,818.00, with funding from USEPA in the amount of \$478,400.00 and \$391,418.00 from Carson City Water Fund, to provide Carson City with a calibrated water model and an integrated water supply plan, with the correction that on page 4 of 20, under paragraph 5.1, the amount is corrected to indicated \$869,818.00.** At Mayor Teixeira’s request, **Supervisor Williamson amended her motion to indicate a maximum amount of \$391,418.00 from the Carson City Water Fund, with the hope of securing support from the Carson Water Subconservancy District. Supervisor Livermore seconded the motion. Motion carried 5-0.**

11(C) PRESENTATION TO THE BOARD OF SUPERVISORS REGARDING THE ACTIVITIES OF THE PUBLIC WORKS DEPARTMENT (10:06:23) - Mr. Burnham narrated a PowerPoint / SlideShow presentation, a copy of which was provided to the recording secretary. He responded to questions regarding recent amendments to state statute requiring the City to repair residential sidewalks. Mr. Werner provided additional clarification regarding the process for prioritizing sidewalk complaints / repairs. Mr. Burnham responded to questions of clarification, and brief discussion took place, regarding various aspects of the Public Works Department activities, as presented. Transportation Manager Patrick Pittenger responded to questions regarding the Jump Around Carson Transit System.

In response to a question, Mr. Burnham advised that capital projects are approved by the Board of Supervisors as part of the annual budget process. Supervisor Livermore requested to add the Community Center west side parking lot to the capital projects list. Mr. Burnham advised that the project is on the capital projects request list, but has never been funded. In response to a question, Mr. Werner reviewed the capital projects process which is prioritized for funding by the Board of Supervisors. Supervisor Livermore requested to have the west side parking lot designated as a higher priority. Mayor Teixeira thanked the Public Works Department staff for their presentation.

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12. FINANCE - PRESENTATION OF YEAR-TO-DATE SALES TAX INFORMATION AND PROJECTION FOR THE GENERAL FUND FOR THE REMAINDER OF FISCAL YEAR 2008

(10:31:00) - Mayor Teixeira introduced this item. Mr. Providenti acknowledged he would be presenting a report on “all of our tax revenue points” in September. He reviewed the agenda report and the attachments, and responded to questions of clarification. Mayor Teixeira entertained questions or comments of the Board members; however, none were forthcoming.

13. CITY MANAGER

13(A) STATUS REPORT ON VACANT GENERAL FUND POSITIONS (10:37:17) - Mayor Teixeira introduced this item, and Mr. Werner reviewed the agenda materials. In response to a question, he discussed plans to present a priority ranking of suspended positions at a future Board meeting. He acknowledged the agreement with the Sheriff that six entitled positions have been reduced to three. He further acknowledged the Sheriff has utilized the funding from the three eliminated positions to support existing positions. In response to a further question, he discussed the interview process for the new Human Resources Director. Mayor Teixeira thanked Mr. Werner for his report.

13(B) ACTION TO APPROVE A RESOLUTION PROVIDING FOR THE TRANSFER OF CARSON CITY’S ADDITIONAL 2008 PRIVATE ACTIVITY BOND CAP, PROVIDED PURSUANT TO THE HOUSING AND ECONOMIC RECOVERY ACT OF 2008, TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

(10:35:17) - Mayor Teixeira introduced this item, and Mr. Werner reviewed the agenda report. Mayor Teixeira entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve Resolution No. 2008-R-40, a resolution providing for the transfer of Carson City’s additional 2008 Private Activity Bond Cap, provided pursuant to the Housing and Economic Recovery Act of 2008, to the Nevada Rural Housing Authority, and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0.**

13(C) ACTION TO ENDORSE THE “CARSON CITY VITAL COMMUNITY ACT OF 2008,” A BILL INTRODUCED IN THE U.S. SENATE PROVIDING FOR THE TRANSFER AND SALE OF CERTAIN FEDERAL LANDS WITHIN CARSON CITY

(10:40:40) - Mayor Teixeira recessed the meeting at 10:40 a.m., reconvened at 10:45 a.m., and introduced this item. Planning Division Director Lee Plemel introduced Open Space / Property Manager Juan Guzman, reviewed the agenda report, and provided an overview of the presentation.

Mr. Guzman introduced representatives of Senators Reid’s and Ensign’s offices, U.S. Forest Service and Bureau of Land Management representatives, and Open Space Advisory Committee Chairperson Steve Hartman and Member Bruce Scott. Mr. Plemel provided background information on development of the federal lands bill, and advised of its introduction in the Senate and, most recently, the House of Representatives. He discussed the benefits of the federal lands bill to Carson City, particularly the opportunity to manage public lands at the urban interface; protection of open space and parks and recreation properties within and surrounding the City; and economic development in appropriate areas. Consistent with the City’s comprehensive master plan, Mr. Plemel noted that the federal lands bill provides for compact growth, protecting the designated lands from expansion. This results in more efficient use of City resources “in the long run.”

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Mr. Guzman reviewed and discussed the federal lands bill map, which was displayed in the meeting room. At Supervisor Livermore's request, Mr. Guzman pointed out and described five acres associated with the Edmonds Sports Complex. In response to a question, Mr. Guzman advised that the acreage will be transferred to the Washoe Tribe. Supervisor Livermore expressed concern over the need for a secondary access to the Edmonds Sports Complex. Mr. Guzman expressed the belief there are other areas which would accommodate the secondary access. Supervisor Livermore advised of the need to see the other areas in order to support the transfer of acreage. Mr. Plemel advised of an access on the east side of the church from the Edmonds Sports Complex to Snyder Avenue. Supervisor Livermore advised that the Edmonds Sports Complex master plan provides for an access from Snyder Avenue. Mr. Guzman acknowledged an understanding of Supervisor Livermore's concern. He further acknowledged a request could be made of the Washoe Tribe to provide an access easement.

Supervisor Aldean referred to that portion of the federal lands bill which amends the Southern Nevada Public Lands Management Act ("SNPLMA") to provide funding to Carson City for the purchase of lands for parks and natural areas adjacent to the Carson River and within the flood plain. She noted the language is not specific as to whether the flood plains are required to be in Carson City, and inquired as to the potential benefit to all jurisdictions adjacent to the Carson River. Mr. Guzman speculated that since the bill was drafted specifically for Carson City, the benefit would only be to Carson City. Supervisor Aldean noted that the flood plain is considered continuous without much attention to jurisdictional boundaries. In response to a question, Mr. Guzman reiterated the intent to serve only Carson City. He requested the Board's approval of this item.

Mayor Teixeira opened this item to public comment. (11:01:14) Open Space Advisory Committee ("OSAC") Chairperson Steve Hartman expressed support for the federal lands bill. He advised of significant debate among the OSAC members regarding the bill during its development. Principle concerns included the west side watershed and acquisition of the Borda Meadow. Mr. Hartman advised of a "terrific relationship with the BLM for a number of years." He expressed the hope to "renew a great relationship with the [U.S.] Forest Service" with Carson District Ranger Genny Wilson's recent appointment. He advised of an ongoing concern relative to the SNPLMA language. He discussed the need to identify a funding source for the U.S. Forest Service to ensure the west side watershed continues to function for the community. He noted the benefit of managing the west side watershed as a "continuous property" with the resources to properly maintain it. He further noted that watershed management concerns were particularly heightened after the Waterfall Fire. He referred to a Resource Concepts, Inc. presentation to the Board of Supervisors regarding the west side watershed and potential issues. In reference to Title II, Sec. 204, Section 4(e)(5), page 18 of the bill included in the agenda materials, Mr. Hartman suggested adding a paragraph (C) for the watershed within the Eagle Valley. With additional language in the body of Section 4(e)(5), he expressed the belief this will provide for rehabilitation, restoration, "whatever language ... the delegation believes is appropriate for indicating ... the need to ... protect that watershed for this community." In response to a question, he advised of having discussed the suggested addition with the Congressional delegation representatives, and that he will also be submitting the suggestion in writing.

In reference to Title I, Sec. 101(f)(2), Management Plan, page 10 of the bill included in the agenda materials, Mr. Hartman suggested making the language stronger. He advised that U.S. Forest Service and City representatives have committed to developing a joint management plan. He suggested the possibility of committing Open Space Program funds on a match basis.

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Mr. Hartman acknowledged his proposal to amend the current language to allow SNPLMA funding to be used for watershed restoration and management. Supervisor Aldean pointed out that SNPLMA funds are not inexhaustible, and suggested the possibility of creating an endowment. Mr. Hartman advised of having discussed this possibility with the Congressional delegation representatives. The issue is “what to tap for the endowment.” Mr. Hartman acknowledged that an amendment would have to be very specific to provide for using the funding as a corpus for future revenue generated from interest earnings. He noted the difficulty of identifying “buckets of money that can sustain these kinds of activities for long periods of time.”

Mr. Hartman acknowledged the suggested language would specify intent with regard to watershed management. “We don’t want to tie [U.S. Forest Service] hands, but we want to hold hands ...” in the form of a cooperative agreement. Mr. Hartman further acknowledged the need to identify a funding mechanism. “In the interim, we have ... SNPLMA money” which could serve as the source for a period of time. Mr. Hartman noted the availability of Question #18 funds, as well. He further noted that Open Space Coordinator Ann Bollinger had acquired several grants. He anticipates accessing funds to work in cooperation with the U.S. Forest Service. Mr. Hartman acknowledged endorsement of the Carson City Vital Community Act of 2008. He expressed the opinion “these are not major issues ... and we can all cooperate and work together, as we’ve been doing, to solve them.”

Mayor Teixeira discussed his recent experience in Washington, D.C. promoting the federal lands bill. He expressed the opinion the Carson City lands bill is one of the better ones to ever come out of Nevada. He complimented City staff, federal representatives, the OSAC, and everyone involved in developing “a lands bill that will benefit the community far into the future.” He expressed appreciation for Mr. Hartman’s suggestion to amend the language now.

Supervisor Williamson echoed Mayor Teixeira’s comments and thanked him for his effective lobbying on behalf of the lands bill. She commented that the lands bill embodies “what we’ve heard from our Carson City residents that they have wanted in terms of limiting our parameters and allowing the City to have the urban interface ...” providing for access to federal lands. She noted that ownership of the Silver Saddle Ranch will be transferred to Carson City “with some caveats.” She discussed the benefits of Carson City’s ownership of the Silver Saddle Ranch, and noted the importance of partnering together with the BLM and the U.S. Forest Service. She thanked the offices of Senators Reid and Ensign “for their ongoing interest and their savvy in how to present” a successful legislative package. She noted the absence of protestors and special interest groups which have felt betrayed by other federal lands bills from neighboring counties. She further noted the open and inclusive nature of Carson City’s federal lands bill process. She expressed the hope that passage of the bill will be “as close to what we want ... as possible.” She suggested attaching any public comments to the City’s letter of recommendation. Mayor Teixeira thanked Supervisor Williamson for her kind words, but stated “all the hard work was done way before” his trip to D.C. He complimented Supervisor Williamson and all who had a role in developing a “make-sense project.” He reiterated the future benefits of the federal lands bill to this community and others.

Mayor Teixeira called for additional public comment. (11:14:44) Bureau of Land Management Associate Manager Brian Smith advised that the BLM views the act as “largely consistent with what we’ve been doing for the last several decades.” He listed, as examples, the transfer of public lands to the City for development of the Edmonds Sports Complex, the Eagle Valley Golf Course, JohnD Winters Centennial Park, the landfill; and to the Nevada Department of Transportation for development of the freeway. He

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noted the lands bill is consistent with BLM “long-range planning.” Mayor Teixeira noted the V&T Railway project as another example. Mr. Smith advised that the BLM had provided agency comments which are “working their way formally and informally back to the delegation.” He further advised of having provided comments to City staff, as well. In conjunction with the displayed federal lands bill map, he suggested revisions to property descriptions which could “speed the process along and minimize costs to the City.” He reiterated the federal lands bill is consistent with BLM’s decades-long practices.

Mayor Teixeira called for additional public comment. (11:17:05) Senator John Ensign’s Rural Director Kevin Kirkeby commended everyone involved in development of the City’s federal lands bill, particularly Mr. Guzman, Mr. Plemel, City Manager’s staff, the Board of Supervisors, federal agency partners, and the OSAC. He expressed support for the reasonable suggestions proposed at this meeting, and advised that they would be presented to the staff in the Washington office. Mr. Kirkeby acknowledged Senator Ensign’s staff is coordinating with Representative Dean Heller’s staff. Mr. Kirkeby further acknowledged the likelihood the bill will not be passed until next session.

Supervisor Livermore credited the ten-year history of the Open Space Program for the smooth, “clean process” associated with development of the federal lands bill. Senator Harry Reid’s Regional Representative Matthew Tuma acknowledged the accuracy of Supervisor Livermore’s statement, and noted the smooth process as a testament to the citizens and all federal and Tribal lands stakeholders.

Supervisor Aldean inquired as to the necessity of amending the map to include property to accommodate the envisioned eastern portal. In response to a question, Mr. Plemel advised of discussions which indicated other administrative processes to accommodate development of the eastern portal. He anticipates “ending up with some of the property ... under the Recreation and Public Purpose designation” as part of the suggested revisions to property descriptions discussed by Mr. Smith.

Mayor Teixeira entertained a motion. **Supervisor Williamson moved to endorse the Carson City Vital Community Act of 2008, as introduced in the U.S. Senate and U.S. House of Representatives, and direct staff to forward this endorsement to the Congressional delegation, along with the comments of staff and the Open Space Advisory Committee representative, as presented today. Supervisor Aldean seconded the motion. Motion carried 5-0.**

14. PARKS AND RECREATION (11:22:56) - Mayor Teixeira inquired as to the number of citizens present to testify on the Parks and Recreation Department items. He noted one citizen in addition to City staff, and requested said citizen to provide her testimony.

14(A) ACTION TO FIND THE PROPOSED “CARSON CITY FAIRGROUNDS 2008 / 2009 FEES AND CHARGES” DOES NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS, AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET - Deferred.

14(B) ACTION TO APPROVE THE “CARSON CITY FAIRGROUNDS 2008 / 2009 FEES AND CHARGES” - Deferred.

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14(C) ACTION TO FIND THE PROPOSED “CARSON CITY COMMUNITY CENTER / BOB BOLDRICK THEATER 2009 USAGE FEES” DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICTS THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (11:23:30)

- Mayor Teixeira entertained public comment. Molly Walt, representing the Pinkerton Ballet Theater, reviewed annual presentations which utilize the Bob Boldrick Theater. She advised of having been previously unaware of the August 5th public meeting on the business impact statement. She further advised of having spoken with Parks and Recreation Department Director Roger Moellendorf, who agreed to schedule a meeting with Pinkerton Ballet Theater representatives to “go over the fees.” Ms. Walt discussed annual fund raising activities which are necessary “in order to even use this venue ...” She expressed the hope to discuss with Mr. Moellendorf the possibility of offsetting fees and costs by donations of time. In response to a question, Ms. Walt advised that the Pinkerton Ballet Theater has been annually producing the Nutcracker for twenty years.

Supervisor Livermore advised that the Cultural Commission will be reviewing theater operations. He provided an overview of discussion which took place at the August 19th Parks and Recreation Commission meeting with regard to theater fees. He discussed the disparity in collection of direct costs between the Fairgrounds or Mills Park and the theater, the importance of including replacement costs in consideration of establishing fees, and retaining replacement costs in a separate fund. Mayor Teixeira agreed with the need to consider the taxpayers who “paid ... to build” the facility, and who “pay for the employees and the operational costs of the facility.” He expressed concern over charging “those same taxpayers additional costs” to use the facility. He suggested that non-residents should be charged at least 100 percent cost recovery to use the facility. He noted that the Community Center was not built to hold church services, and suggested that such users should be required to pay the “going rate.” He expressed concern that continuing to increase fees for local presentations will “destroy these events.” He discussed the benefit of local presentations to the community, and expressed opposition to supporting any increase to “those entities within our community that provide such a vital service.” He suggested the Board should “rethink the position that we put Parks and Rec in.” He thanked Ms. Walt for her attendance and participation.

In light of the comments presented and that the fees wouldn't be enacted until January 1st, Supervisor Williamson suggested deferring action on this item. Mr. Werner noted the recommendation of the Parks and Recreation Commission, and suggested remanding the issue for further discussion, to include the previously-approved resolution. In response to a question, Mr. Moellendorf advised that the resolution only covers direct costs. “In a sense, there's really no money coming in to the general fund.” Mayor Teixeira reiterated that allocation of the revenue stream is at the discretion of the Board of Supervisors. Mr. Werner suggested keeping in mind that although there are non-residents sponsoring functions and presentations, “it is the residents of this community that then pay the fees to enter those things.” He reiterated the suggestion to remand the issue to the Parks and Recreation Commission.

Supervisor Livermore expressed the opinion the Cultural Commissioners have the expertise to address the theater fees. Mayor Teixeira suggested that the Parks and Recreation Commission was simply responding to the Board of Supervisors. Supervisor Staub suggested considering “benchmarks as to how ... discount percentages and increase percentages” were established. He recalled that the fees were established in consideration of cost recovery only, and expressed concern over the basis for establishing discounts. In

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consideration of profit versus non-profit fees, he suggested establishing a base point and requiring participation by percentage in the profit from the function.

(11:39:10) Dave Morgan discussed the benefit of the Cultural Commission to advise the Board of Supervisors in terms of qualitative elements “so you know what you’re buying.”

Supervisor Aldean expressed understanding for the importance of arts productions in the community, but pointed out “they are supported through general fund revenues.” Not everyone attends the productions, “but they are subsidizing them.” She discussed the opportunity for considering sponsorships to help offset production costs.

Mr. Moellendorf advised “nobody in parks and recreation departments across the country enjoys setting fees. ... fees are convoluted. They’re fraught with politics and emotions ...” In light of the discussion at this meeting, he suggested considering all parks and recreation fees in order to ensure consistency. He agreed with Supervisor Livermore that there are inconsistencies in the resolution which should be addressed. He requested direction from the Board for staff and for the Parks and Recreation Commission to examine the resolution. Mayor Teixeira requested Mr. Moellendorf to present options and potential fiscal impacts to the Board of Supervisors. Discussion followed. Mr. Werner noted that the Board established a resolution under which the Parks and Recreation Department had been operating. He advised that establishing new parameters to amend the existing resolution will take “major community involvement.” Mr. Moellendorf agreed with the suggestion to thoroughly examine the issue as part of a public process. Mayor Teixeira suggested continuing the four items.

(11:50:21) Joe Eiben advised of his background in theater, fine arts, and movie production. He suggested that Carson City can become a performing arts destination “if you keep the fees for your theater reasonable for productions ...” He agreed with taking the time “to do this right.”

In response to a question, Mr. Moellendorf advised that the theater capacity is 792. He further advised that Carson City’s proposed fees have been compared to similar venues in this community and adjacent counties. “By and large, ... we’re the cheapest venue.” Consensus of the Board of Supervisors was to continue items 14(A), (B), (C), and (D).

14(D) ACTION TO APPROVE THE PROPOSED COMMUNITY CENTER / BOB BOLDRICK THEATER FEES FOR CALENDAR YEAR 2009 - Deferred.

15. BOARD OF SUPERVISORS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD

(11:53:17) - Supervisor Livermore advised of having read Bill Goni’s obituary earlier in the day. He commended Mr. Goni’s service to the community as a county commissioner, and his long-time residence in Carson City. He recognized the life and benefit of Bill Goni to the community, and noted “he will be dearly missed as an icon and an anchor.” Supervisor Aldean referred to a recent *Nevada Appeal* article

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regarding the Tahoe Summit held at Valhalla on the west shore, and discussed her experience at the event. She advised that \$54 million was awarded from the Southern Nevada Public Lands Management Act. Supervisor Williamson invited everyone to the Farmer's Market and Pop-Up Park scheduled for Saturday, August 23rd.

STAFF COMMENTS AND STATUS REPORT - None.

16. ACTION TO ADJOURN (11:55:34) - Supervisor Livermore moved to adjourn the meeting at 11:55 a.m. Supervisor Staub seconded the motion. Motion carried 5-0.

The Minutes of the August 21, 2008 Carson City Board of Supervisors meeting are so approved this 18th day of September, 2008.

MARV TEIXEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder