A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 2, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	Linda Ritter	City Manager
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Daren Winkelman	Health Director
	Larry Werner	City Engineer
	Cheryl Adams	Purchasing and Contracts Manager
	Michael Suglia	Senior Deputy District Attorney
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Contracts Coordinator
	(BOS 11/2/06 Recording 8:26:36)	

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. City Engineer Larry Werner led the Pledge of Allegiance. Rev. Elaine Morgan of the Episcopal Diocese of Nevada gave the Invocation.

PUBLIC COMMENTS AND DISCUSSION (8:28:15) - Dennis Johnson explained his intent to respond to comments made during a recent Board meeting regarding Question 2. He disclosed that he had discussed his concerns with Mayor Teixeira yesterday and appreciated his time. Mr. Johnson briefly described his real estate background, the need for eminent domain, and that there had been benefits as well as abuses of the eminent domain process. The difference between eminent domain and condemnation was noted. His email to Mayor Teixeira explained the reasons Ballot Question 2 had been created. His explanation indicated that it was an effort to correct a Supreme Court ruling. Justification for making it a constitutional amendment was provided. He alleged that Carson City had never abused its eminent domain powers but has misused it. He referenced three specific property acquisitions for public projects in which he alleged that the property owner had not discussed with the City whether eminent domain was

part of the transaction. Supreme Court rulings and Attorney General's opinions purportedly state that every transaction by a public agency, unless eminent domain is clearly waived, is an eminent domain action. The closing costs for the three transactions were alleged to have been split between the seller/property owner and the City which are not relative to just compensation. The four tenants were residing in those properties may or may not have received relocation benefits as required by the NRS and the Uniform Relocation Act, if federal money is involved with the project. He alleged that the City took ten years before recognizing and complying with NRS 342. He also alleged that even then the Statute was not followed correctly regarding the adoption of its rules. The most egregious fault in the transactions was cheating the seller out of the relocation benefits. He also indicated that a business could have used eminent domain clauses to obtain IRS tax benefits if the proprietor had known it was involved. He also felt that out-of-state funds drive all ballot issues regardless of the topic. He then indicated an intent to speak during discussion of Item 10B. Additional comments were solicited.

Mayor Teixeira expressed on behalf of the Board to Sam Dehne the Board's condolences on the loss of Mr. Dehne's mother. Mr. Dehne thanked him for the comment. Mayor Teixeira noted that Mr. Dehne's family has some history in the community. Mr. Dehne then disclosed that he supported Mr. Johnson's comments regarding Question 2 and that he voted for it. He also alleged to have seen abuses of eminent domain in Reno. He pointed out that a voter should vote as he desires. He alleged that the voting system could not, however, be trusted. He also indicated that the pro and con arguments for Question 2 were confusing. His ballot is on the internet if an individual wishes to see it. He then announced that he had voted for Ms. Titus as Governor, Ms. Derby as Secretary of State, and the reelection of Reno's Incumbent Mayor Bob Cashell. His reasons for supporting Mayor Cashell were indicated. He expressed his belief that he was assisting in the spread of name recognition for both Mayors Cashell and Teixeira. He espoused his belief that Carson City's Nevada Day Parade was one of the biggest in America. He felt that the Nevada Day activities needed to be extended to cover three days. Mayor Teixeira explained that the number of parade entries had been reduced to 200 from its high of 300. Mr. Dehne explained that he was unable to participate in the parade due to another commitment. Mr. Dehne then announced his plans to be a part of the Reno Veterans' Day Parade on November 11. He indicated that Rich Lamb is the most dedicated, capable, unpaid/volunteer code enforcement official in Carson City. He also recommended that any Reno electorate vote for him for District 2. District 2 borders on the north side of Carson City. He alleged that he resides as close to the Carson City Airport as Mayor Teixeira. If he is elected, he will continue to recommend scheduled air line service at the Carson Airport. Additional comments were solicited but none were given.

1. ACTION ON APPROVAL OF MINUTES - OCTOBER 5, 2006 (8:38:50) - Supervisor Aldean moved to accept the Minutes of the Carson City Board of Supervisors dated October 5, 2006, as presented. Supervisors Williamson and Staub seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (8:39:06) - None.

3. LIQUOR AND ENTERTAINMENT BOARD (8:39:15) - 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 (8:50:36) - 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 (8:50:45)

4-1. PURCHASING AND CONTRACTS

A. ACTION TO APPROVE CONTRACT NO. 0607-045, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE SALE OF ONE (1) 2002 CHEVROLET IMPALA VIN#2G1WF55K129189761 TO THE STATE OF NEVADA COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING FOR $6,087.20 EXEMPT FROM COMPETITIVE BIDDING

B. ACTION TO RENEW CONTRACT NO. 0304-048, CRACK FILL MATERIAL WITH CONSTRUCTION SEALANTS AND SUPPLY TO PROVIDE CRAFCO POLY FLEX TYPE II THROUGH DECEMBER 4, 2009, AT THE SAME TERMS AND CONDITIONS AS ORIGINALLY AWARDED ON DECEMBER 4, 2003, AT THE COST OF 31¢ PER POUND DELIVERED AND TO AUTHORIZE ITS USAGE BY PUBLIC WORKS PROVIDED THAT CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED

4-2. PUBLIC WORKS AND FIRE - ACTION TO APPROVE A GRANT OF RIGHT OF ENTRY TO REAL PROPERTY AND FORESTRY WORK PROJECT AGREEMENT BETWEEN THE STATE OF NEVADA, DIVISION OF FORESTRY, AND THE CONSOLIDATED MUNICIPALITY OF CARSON CITY FOR A COST OF $52,500 WITH FUNDING FROM THE LANDFILL FUND

4-3. PUBLIC WORKS - ACTION TO RE-APPROVE AN AGREEMENT BY AND BETWEEN CARSON CITY AND LYON COUNTY FOR TECHNICAL SUPPORT AND MAINTENANCE OF THE NDOT TRAFFIC SIGNAL AT THE INTERSECTION OF HIGHWAY 50 AND DAYTON VALLEY ROAD AND ASSOCIATED LIGHTING

4-4. PUBLIC WORKS - CONTRACTS - ACTION TO ACCEPT THE RECOMMENDATION OF PUBLIC WORKS TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND AUTHORIZE THE RELEASE OF FINAL PAYMENT IN THE AMOUNT OF $17,085 ON THE QUILL RANCH WATER TANK INTERIOR AND EXTERIOR RE-PAINTING PROJECT, CONTRACT NO. 2005-026, TO OLYMPUS AND ASSOCIATES, INC., P.O. BOX 8015, RENO, NEVADA 89506

4-5. PUBLIC WORKS - ENGINEERING -ACTION TO APPROVE AN EASEMENT DEED FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A BICYCLE/PEDESTRIAN PATH ACROSS A PORTION OF LAND OWNED BY CARSON TAHOE REGIONAL HEALTH CARE, ASSESSOR'S PARCEL NUMBER 007-531-12

4-6. PARKS AND RECREATION - OPEN SPACE - ACTION TO APPOINT AND

AUTHORIZE THE MAYOR, THE CITY CLERK- RECORDER, OR DESIGNEE TO SWEAR LYN C. NORBERG AS THE APPRAISER FOR CARSON CITY WITH REGARD TO THE SELF-CONTAINED APPRAISALS OF THE FOLLOWING PROPERTIES IN CARSON CITY: APN 10-121-42, 10-121-43 AND 10-121-44, LOCATED SOUTH OF THE MEXICAN DAM AND NORTH OF THE TERMINUS OF GOLDEN EAGLE LANE IN THE VICINITY OF THE CARSON RIVER

4-7. CITY MANAGER - ACTION TO APPOINT ONE REX HAROLD TO THE SHADE TREE COUNCIL, TERM TO EXPIRE JANUARY 1, 2008 - Supervisor Staub disclosed, regarding Item 4-5, that he is a non-paid member/volunteer of the Board of Finance for the Carson-Tahoe Regional Health Care and will participate in this action. Supervisor Livermore asked that Item 4-5 be removed from the Consent Agenda as he will not be participating in its discussion. Mayor Teixeira indicated the intent is to pull the item from the Consent Agenda so that it can be heard separately. Sam Dehne asked that Item 4-3 be pulled so that he can discuss the labor and equipment costs as they are not included in the information on the item. Supervisor Aldean requested Item 4-2 be pulled as she had a question on it. Supervisor Livermore moved to approve the Consent Agenda consisting of five remaining items, two items under heading 4-1 Purchasing and Contracts, one item from Public Works Contracts, one item under heading 4-6 for Parks and Recreation - Open Space, and the remaining item for the City Manager with special recognition of the appointment of Rex Harold to the Shade Tree Council for a term which will expire on January 1, 2008, as presented. Supervisor Staub seconded the motion. Motion carried 5-0.

4-2. (8:52:58) Supervisor Aldean felt that it was a wonderful thing for the City to use the Honor Crews pro-actively. The Finance Department had allegedly expressed a concern about the liability issues related to the use of the Honor Crews. The City's insurance company has indicated that the City is covered for any losses. She suggested that the contract be amended to include articles regarding the liability. Fire Chief Stacy Giomi stressed the need to have the agreement signed posthaste due to the desire to get the "troops on the ground and work started". He has worked on the proposed agreement since January. The agreement was "reviewed by a lot of people". They will continue to work on the next agreement which will share the liability and responsibilities equally. It should be finalized before the proposed agreement expires on June 30, 2007. City Manager Linda Ritter explained that an interlocal agreement could not be used as it does not solve the liability issue. The crews are needed and the work needs to be done now. The City's insurance pool has assured the City that it is covered. She could not guarantee that in the future the liability issue will be covered but staff will work on it. Fire Chief Giomi also pointed out that the $52,000 represents $250,000 in actual labor. It is hard to turn down this offer. Mayor Teixeira concurred that it is a good deal. Supervisor Aldean moved to approve a grant of right of entry to real property and forestry work project agreement between the State of Nevada, Division of Forestry, and the consoldidated municipality of Carson City for a cost of $52,500 with funding from the Landfill Fund; fiscal impact is $52,500. Supervisors Livermore and Williamson seconded the motion. Motion carried 5-0.

4-3. (8:57:32) Public Works Operations Chief of Special Projects Ken Arnold was present to respond to questions. Sam Dehne complimented the staff/Board on the agenda format which he felt was readable. He also expressed his belief that public comments on non-agenized items needs to be allowed when the Liquor and Entertainment Board is convened. He pointed out that Carson City will be paying

for and overseeing the Highway 50 intersection signal. He believed that the Highway 50 agreement needs to be extended and include four lanes to the Silver Springs airport. Mayor Teixeira pointed out that Highway 50 is under NDOT's purview. Mr. Dehne indicated that he knew that. He questioned the reasons for Carson City to be paying for a signal in Lyon County. As 75 percent of the people in Lyon County are commuting to Carson City, they should pay for it as it is important to them. He also indicated that it is important that all Highway 50 issues be handled clear to Silver Springs. When the Tahoe-Reno Industrial 120 acre complex is expanded the airport in Silver Springs will become a cargo site for the area. If it is not built up, the cargo will come to Carson City. He repeated his belief that Carson City's airport needs to have scheduled airline service as well as cargo service. For these reasons he "adamantly" supported the proposal if it is "within a logical price tag", which he was sure it was.

Supervisor Aldean indicated that she had given Mr. Arnold some clerical corrections which will be made to the final document before signing. Supervisor Aldean moved to re-approve an agreement by and between Carson City and Lyon County for technical support and maintenance of the NDOT traffic signal at the intersection of Highway 50 and Dayton Valley Road and associated lighting; fiscal impact will generate minimal revenue as indicated by the reimbursement rates on Attachments A and B. Supervisor Williamson seconded the motion. Motion carried 5-0.

4-5. (9:01:44) City Engineer Larry Werner explained the purpose and location of the easement. Supervisor Williamson moved to approve an easement deed for the purpose of constructing and maintaining a bicycle/pedestrian path across a portion of land owned by Carson-Tahoe Regional Health Care, Assessor's Parcel Number 007-531-12. Supervisor Aldean seconded the motion. Motion carried 4-0-1 with Supervisor Livermore abstaining.

5. PUBLIC WORKS - PLANNING AND ZONING - Community Development Director Walter Sullivan -**ACTION TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DECISION OF DENIAL OF A SPECIAL USE PERMIT APPLICATION FROM YESCO SIGN CO. (PROPERTY OWNER: BAUER, HERMAN AND H & E TRUST) TO ALLOW INSTALLATION OF A 28-FOOT HIGH, 400 SQUARE-FOOT OFF-PREMISES SIGN (BILLBOARD), ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 4440 HIGHWAY 50 EAST, APN 008-281-11 (FILE SUP-06-164) (9:02:30) -** Applicant's Attorney James Rankl, Young Electric Sign Company's Outdoor Manager Daniel Schulte, Kris Wickstead, Melissa Wickstead, Sam Dehne, Mary Moline - Mr. Rankl referenced his appeal letter. (A copy is in the file.) The applicant has met all of the requirements mandated for a special use permit, which he listed. He also met the purpose of the sign ordinance as defined. Reasons for believing that they met the requirements of Paragraphs 5 and 7, on which the Commission had based its denial, were limned. The sign's lighting will comply with the City ordinances. It will be downward lighting with shielding. A letter from the sign manufacturer was distributed to the Board, Clerk, Deputy District Attorney and Mr. Sullivan. (A copy is in the file.) Mr. Rankl summarized the letter and indicated that it is similar to other signs in the community. He agreed to work with staff and meet all of the ordinance requirements regarding the lighting. Discussion between Mr. Sullivan and Mayor Teixeira explained the billboard ordinance which had been revised during Mayor

Teixeira's first term of office. Mr. Sullivan indicated that the application meets all of the sign requirements with 20 conditions. Public comment were then solicited.

Mr. Wickstead explained that they lived behind the applicant's property. He had allegedly submitted a letter to Mr. Foley, however, it was not included in the packet. He also purported to having a letter from Thelma Marcin. Mr. Sullivan indicated that his introduction had included her letter. Mr. Wickstead then read their letter into the record. It explained that all of the windows on the south side of his home will face the sign. The sign will obstruct their view of the mountains and will lower their property's value. Photographs illustrating these points were given to the Board. (A copy is in the file.) The residence is currently impacted by lighting from surrounding neighbors which is unshielded. Thick window coverings will be required to mitigate the lighting. They believed that the sign will increase this impact. He acknowledged that it is more than 300 feet between the billboards in his neighborhood. In order to have a fence tall enough to hide the sign, a fence must be engineered. The billboard should have a fencing requirement rather than the residents. They are unable to afford raising the fence. Ms. Wickstead was concerned about the type of advertising that will be allowed on the sign. Mayor Teixeira explained that the advertising content will be controlled by the sign ordinance. Mr. Wickstead indicated that the same concern is included in their letter. Following his summarization of the comments, he asked that the Board deny the application.

Discussion between Mr. Sullivan and Mayor Teixeira explained the ordinance requirement mandating that fences more than six feet in height be engineered and a building permit be obtained.

Supervisor Aldean disclosed her visit to the site which she felt is currently challenged. Her concern regarding the trees was explained. She suggested that they be pruned. She did not wish to see them removed. She felt that additional shielding for the residences to the north needed to be provided. Mr. Sullivan indicated that staff will look into her issues. He reiterated the need to direct the lighting downward. He committed to having nighttime observations conducted to ensure that the lighting is located as indicated. He explained that the trees are Russian Olives which need to be pruned. He then explained the stipulation prohibiting the removal/topping of the trees. He assured the Board that staff will work with the applicant on pruning the trees and that they will not be removed. Supervisor Aldean also committed to working with the applicant to keep the trees. Discussion also indicated that the trees will impact the residents' vistas. Mr. Sullivan reiterated his commitment to work with the applicant and the Wicksteads on this issue. Discussion between Mr. Wickstead and Supervisor Livermore indicated that it is approximately 305 feet from the fence to the proposed billboard location. Mr. Sullivan concurred that the site has been targeted for a billboard since the ordinance was originally drafted. He also believed that G&G Motors, the tenant on the adjacent property, has lighting. Clarification indicated that G&G Motors had recently moved. Mr. Schulte indicated that G&G Motors had been replaced by Roberts with a second business on the rear of the property that sells heavy construction type of equipment. It is lit at night.

Mr. Dehne felt that the Wicksteads have valid concerns. He felt that trees will mitigate the view and that the fence's engineering issues should be waived as a compromise. He also understood their concerns about the type of advertising that will be allowed. He indicated that the sign will be the same size as the

Board's meeting room wall.

Mr. Schulte explained the firm's standards will not allow signage that is unacceptable to the community. The firm has been in business since the 1920 and is very involved with the communities in which it puts signs. He will lose his job if he fails to maintain the community's standards. There will not be any advertisements for alcohol, cigarettes, or adult "situations".

Mr. Rankl stipulated that the trees will be "trimmed". If the trees obscure the sign, they will defeat the purpose of the sign. He also explained that other communities consider Russian Olive Trees to be nuisances/weeds. They kill other species. They do not have a "central leader" and, therefore, cannot be topped.

Discussion indicated that staff will work with the neighbors to address the lighting problem. When new building permits are obtained, new lighting restrictions are imposed. It may be difficult to modify older lighting fixtures. Mr. Sullivan committed to working with the neighbors through the use of shields and/or other fixtures to address the concern. Mayor Teixeira advised that the "world cannot be fixed with the sign ordinances". Although he sympathized with the Wicksteads, the special use permit must be issued if the applicant meets all of the requirements. Additional comments were solicited but none were given.

Supervisor Livermore moved to approve the appeal and reverse the Planning Commission's decision of denial of a Special Use Permit application from YESCO Sign Company, property owner: Bauer, Herman and H and E Trust, to allow installation of a 28-foot high, 400 square foot off-premise sign, billboard, on property zoned General Commercial located at 4440 Highway 50 East, APN 008-281-11, File SUP-06-164, subject to the findings and conditions of approval contained in the staff report. Supervisor Aldean seconded the motion.

Ms. Moline expressed her love of trees and the need to respect God's trees. They should not be jeopardized by signs. She felt that no consideration was being given to the Wicksteads' property value. She did not wish to have a home near a billboard. She urged the Board to consider this concern. Additional public comments were solicited.

Supervisor Aldean explained that the trees had been addressed. They will be trimmed and not removed. Mr. Sullivan will work with the Wicksteads to minimize their impacts. She disclosed that she had worked with the Chamber's of Commerce sign committee on amendments to the sign ordinance. Billboards are an amendment to the Code. There are strict conditions on new billboards. There are few locations remaining for billboards. She felt that eventually through attrition the number of billboards will be reduced. Additional comments were solicited but none were given.

The motion to overturn the Commission's decision and approve the special use permit was voted by roll call with the following vote: Yes - Supervisors Livermore, Staub, Aldean, and Williamson, and Mayor Teixeira. Nayes - None. Motion carried 5-0.

RECESS: A recess was declared at 9:29 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:35 a.m.

6. PARKS AND RECREATION - Director Roger Moellendorf

A. ACTION TO APPROVE THE PARKS AND RECREATION COMMISSION'S RECOMMENDATIONS ON THE ALLOCATION OF FISCAL YEAR 2006-07 RESIDENTIAL CONSTRUCTION TAX (RCT) FUNDS FOR: FOUNDATION FOR THE BETTERMENT OF CARSON CITY PARKS & RECREATION - WUNGNEMA AND ROBERT'S HOUSES SIGNS - $4000; YOUTH SPORTS ASSOCIATION - GOVERNOR'S FIELD TREES NEAR THE BABE RUTH FIELD - $6,900; CARSON CITY HISTORICAL SOCIETY - DESIGN OF THE ROBERT'S HOUSE CARRIAGE HOUSE - $54,000; AND, CARSON CITY RECREATION DIVISION - BOB BOLDRICK THEATER IMPROVEMENTS - $75,000 (9:35:35) - Discussion questioned the reasons the engineering costs for the proposed Roberts' House Carriage House were $54,000 when the project is estimated to cost $200,000. Supervisor Livermore described John Copoulos' conceptual design which was for $10,000. The final design must be engineered correctly to meeting City standards and include an engineer's stamp. The project also carries some liabilities which must be mitigated. Mayor Teixeira acknowledged that the Parks and Recreation Commission had reviewed the application. He also explained his feeling that the engineering had been overloaded. The Residential Construction Tax funds are being paid for the project. Supervisor Aldean also explained the need to account for these RCT funds. Mr. Moellendorf was not certain how accounting for the funds occurs. He indicated that he will check the process and report back to the Board. Supervisor Aldean also pointed out that if the funds are not used for the specific project(s), it must be returned. Mr. Moellendorf indicated that the funding level is a not to exceed amount. Mayor Teixeira asked for comments from the applicants or their representatives. Supervisor Livermore indicated that he could represent the Youth Sports Association.

Jed Block advised that Dorothy Nolan and her daughter are members of the Historical Society. He disclosed that he had spoken to her and explained the reasons she may not be in attendance. He also disclosed that he is a member of the Society and supported the project.

Supervisor Livermore moved to approve the Parks and Recreation Commission's recommendations on the allocation of fiscal year 2006-2007 Residential Construction Tax funds as presented. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira thanked the individuals who are working for the betterment of Carson City. Discussion also pointed out that $75,000 of the funding applications had been for lighting improvements in the Bob Bolderick's Theater.

B. ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE TO MAKE AN OFFER TO HALL AND DEBORAH HUTCHISON FOR THE PURCHASE OF APPROXIMATELY 40 ACRES IN FEE TITLE ON PROPERTY LOCATED AT KINGS CANYON ROAD TWO MILES WEST OF THE PAVED TERMINUS OF KINGS CANYON ROAD AND EAST OF HORSE CREEK RANCH, APN 7-051-07 (9:42:31) - Open Space Manager Juan Guzman - Mr. Guzman used a map to illustrate the location, the parcel(s) that the Forest Service is interested in acquiring, and the location of the Horse Creek Ranch which the City has

already acquired. The appraisal values the property at $10,000 an acre for a total of $400,000. The view of the property from the site as well as from Carson City was indicated. Discussion indicated that the property with the house on it is to the north of the proposed acquisition site. The Forest Service purportedly has expressed an interest in acquiring that site. The proposed acquisition will then be surrounded on three sides by Forest Service property with the Schulz' property being on the remaining side. Discussion pointed out the need for a legal access to the property. Supervisor Aldean felt that without a legal access, the property value should be decreased. Mr. Guzman explained that the Forest Service cannot "landlock" the property. He was not aware of any effort to obtain a legal access. Appraiser Leck believed that the property was worth his appraised value. Mr. Fagan had not indicated a desire to obtain the property. Mr. Guzman then explained that an agreement is being developed that will provide legal access through the Forest Service property to a location below the "vista point" and a "social trail" to those areas that are considered "workable". Mayor Teixeira disclosed that he had declined Mr. Guzman's offer to tour the site. Dennis Johnson then indicated that he will discuss his questions in private later. They related to the "high property value". Supervisor Williamson moved to accept the recommendation of the Open Space Advisory Committee to make an offer to Hall and Deborah Hutchinson for the purchase of approximately 40 acres in fee title on property located at Kings Canyon road two miles west of the paved terminus of Kings Canyon Road and east of Horse Creek Ranch, APN 7-051-07; and the fiscal impact is $400,000 plus one-half of the escrow related fees and costs, approximately $1,000; the State of Nevada Question 1 Conservation Grant has awarded 75% of the estimated cost for this transaction. Supervisor Livermore seconded the motion . Motion carried 4-1 with Supervisor Aldean voting due to her belief that it is too much money.

7. PUBLIC WORKS - ENGINEERING - City Engineer Larry Werner

A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A PARTICIPATION AGREEMENT BETWEEN THE RIBEIRO COMPANIES, 6490 SOUTH MCCARREN, BUILDING E, RENO, NEVADA 89509, AND CARSON CITY FOR SANITARY SEWER ENGINEERING DESIGN AND CONSTRUCTION ON THE OLD ALIGNMENT OF PATRICK STREET, UNDERNEATH SOUTH CARSON STREET, BETWEEN THE TERMINUS OF THE EXISTING SEWER LINE ON THE EAST SIDE OF SOUTH CARSON STREET TO THE INTERSECTION OF JUNCTION DRIVE AND PATRICK STREET ON THE WEST SIDE OF SOUTH CARSON STREET IN WHICH CARSON CITY AGREES TO REIMBURSE THE RIBEIRO COMPANIES AN AMOUNT, AS SPECIFIED IN THE AGREEMENT, NOT TO EXCEED A TOTAL OF $205, 900 FROM THE SEWER FUND AND OTHER MATTERS PROPERLY RELATED THERETO (9:49:24) - Mr. Werner's introduction included Ribeiro's Engineer Georgia Turner of Lumos and Associates. Discussion indicated that the project will be a public-private partnership. Construction should occur in the next 60 to 90 days. He also explained a need for an easement on the Defur property which may require eminent domain action by the Board. If so, a request will be made at the next Board meeting. Justification for needing the easement and the use of eminent domain was provided. Problems with the sewer line on the west side of Carson Street near Albertson's were explained and justified bringing the line across/under Carson Street. Another alternative is for Mr. Ribeiro to extend the sewerline from the north, however, this would require giving just compensation to

the firm/individual who had extended the line to its current terminus. The proposed extension will service the entire "block". If a pumping station is required, it will be a major pumping station for the entire area. Mr. Ribeiro will not be reimbursed for any portion of the line. NDOT's requirements for crossing 395 were limned. Mayor Teixeira's assistance in obtaining the NDOT permit may be necessary. Supervisor Williamson moved to approve and authorize the Mayor to sign a participation agreement between The Ribeiro Companies, 6490 South McCarren, Building E, Reno, Nevada 89509, and Carson City for sanitary sewer engineering design and construction on the old alignment of Patrick Street, underneath South Carson Street, between the terminus of the existing sewer line on the east side of South Carson Street to the intersection of Junction Drive and Patrick Street on the west side of South Carson Street in which Carson City agrees to reimburse The Ribeiro Companies an amount, as specified in the agreement, not to exceed $205,900 from the Sewer Fund and other matters properly related thereto. Supervisor Staub seconded the motion. Motion carried 5-0.

B. PRESENTATION, DISCUSSION AND ACTION ON THE EAST HIGHWAY 50 SEWER AND WATER SERVICE AREA STUDY; TO ACCEPT THE EAST HIGHWAY 50 SEWER AND WATER SERVICE AREA STUDY; TO DIRECT STAFF TO NOTIFY THE PROPERTY OWNERS OF THE RANGE OF POTENTIAL COST; TO CONDUCT A WORKSHOP TO DETERMINE THE ACCEPTANCE OF THE PROPOSED PROJECT; AND THEN TO REPORT THE RESULTS OF THE WORKSHOP TO THE BOARD OF SUPERVISORS TO DETERMINE WHETHER THE FORMATION OF A LOCAL IMPROVEMENT DISTRICT SHOULD PROCEED (9:58:13) - A computerized slide presentation was given illustrating the area. (Copies of the slides are in the file.) Discussion included the history of the development within the area, the need for a master plan for the area, Lyon County's decision not to extend sewer service to the County line, justification for including Drako Way in the project area, the three alternative routes, staff's recommended route, justification for using an improvement district to bring the service to the area, the lack of development in the area due to the lack of sewer service, the properties' zoning, and the need to acquire right-of-way before extending the lines unless other routes are developed. Only property which is deemed as potentially developable is included within the proposed project area. If the Board supports moving forward with the project, staff will contact the property owners, conduct a workshop, and provide each property owner with the estimated costs. The highest and best use for each parcel will be determined by the master plan designations. The lines will be sized by that proposed use. The City's proposed land bill will be used to acquire the Federal land needed for the lines. The City will benefit from providing the service based on the revenue that will be generated by commercial developments. Staff had not considered having Moundhouse connected to the City's line in its analysis. Staff will consider this potential before finalizing the plan as it will change the cost ratio for the property owners. Mr. Werner then explained the water line needs for the area. The main trunk lines have already been installed to the water tank. The local distribution lines need to be installed. Discussion explained that the individuals who have needed to connect to the service are already connected. Their usage has been included in the water and sewer master plans. Discussion ensued on the cost to the property owners who will be responsible for repaying the bonds that are used to make the improvements. The City cannot front the money for the property owners. Justification for accepting the report at this time was provided. The notification process and steps to establish the improvement district were limned. If the property

owners reject the district concept, the Board has the ability to override the property owners if it becomes a public health issue. Federal funds have not been included in the funding source. State bonds provide a better financial conduit. Supervisor Staub suggested that staff contact Rev. Ken Haskins regarding the project as he understands and supports the concept. Staff has met with several of the major property owners who may support the project. Public comments were solicited but none were given. Supervisor Livermore pointed out that the project will provide the area with an ability to maximize the development under one large public works project rather than more expensive small projects. It will be beneficial to the property owners as it will allow development to occur on under utilized parcels. Mayor Teixeira also pointed out that the majority of the City's commercial sites have already been developed. Development is, therefore, going into Lyon County. The concept may provide additional locations for commercial development. Supervisor Williamson moved to accept the East Highway 50 Sewer and Water Service Area Study; to direct staff to notify the property owners of the range of potential costs; to conduct a workshop to determine the acceptance of the proposed project; and then to report the results of the workshop to the Board of Supervisors to determine whether the formation of a local improvement district should proceed. Supervisors Aldean and Staub seconded the motion. Motion carried 5-0.

8. PUBLIC WORKS - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND ACCEPT THE RENTAL AGREEMENT BETWEEN CARSON CITY PUBLIC WORKS DEPARTMENT AND J.S. COLE COMPANY FOR THE EMERGENCY RENTAL OF A D9T DOZER FOR THE CARSON CITY SANITARY LANDFILL IN A MONTHLY AMOUNT OF $20,500 MINUS A WINTER DISCOUNT OF 10% IS $18,450 AND A TRANSPORTATION CHARGE OF $4,700 FOR DROP-OFF AND $4,700 FOR PICK-UP FROM THE CARSON CITY LANDFILL EQUIPMENT RENTAL FUND 550-6804-441-0445 (10:29:52) - Public Works Operations Chief of Special Projects Ken Arnold, City Manager Linda Ritter, Fire Chief Stacy Giomi - Discussion indicated that there was a fire burning underground in the construction area at the landfill when the City took over the operation from a private contractor. There are funds in the Landfill Accounts to cover the costs. Justification for not including the item on the Consent Agenda was noted. Other alternatives to the proposed plan and previous attempts to stop the fire were noted. Nevada Department of Environmental Protection will not allow the City to let it continue burning. They have not made any recommendations on how to handle the fire. Staff could not open the pit during the summertime due to the hazardous fire conditions which could have spread the fire. Staff is uncertain how large the fire area is. Supervisor Aldean moved to accept Public Works recommendation and accept the Rental Agreement between Carson City Public Works Department and J. S. Cole Company for the Emergency Rental of a D9T Dozer for the Carson City Landfill in a monthly amount of $20,500 minus a winter discount of ten percent which amounts to $18,450, and presumably they will be able to complete the project during the winter months, and a transportation charge of $4,700 for drop-off and $4,700 for pick-up from the Carson City Landfill Equipment Rental Fund 550-6804-441-0445. Supervisor Livermore seconded the motion. Mr. Arnold indicated that the project will not affect the use of the landfill. The motion was voted and carried 5-0.

9. CITY MANAGER - Linda Ritter **- ACTION TO ADOPT A RESOLUTION ESTABLISHING A CONTROLLED PARKING ZONE ON MUSSER STREET BETWEEN CARSON STREET AND**

DIVISION STREET WHICH WILL LIMIT PARKING TO TWO HOURS BETWEEN THE HOURS OF 8:00 A.M. AND 6:00 P.M., MONDAY THROUGH FRIDAY, EXCEPT ON HOLIDAYS (10:36:31) - Jed Block, Joe Lyman - Supervisor Williamson explained that the citizens' committee had discussed the concept and supported the implementation of additional timed parking areas. They also suggested controlled parking in front of the antique shop on King Street. Discussions are occurring with the NDOT regarding this area. The need for additional parking was limned.

Mr. Block opposed Mr. Dehne's demeanor and hoped that he would find another activity. Mr. Block then explained his belief that the action would create the impression that there is a shortage of parking spaces in the downtown area. He felt that there are adequate parking spaces available, however, there is a lack of directional signage and awareness of the parking lot locations. Supervisor Williamson indicated that Mr. Block has a good point, however, the parking study will not be completed for five or six months. Additional recommendations may be made at that time.

Discussion between Supervisors Williamson and Staub indicated that a majority of the State employees are using the parking lots, however, there are some parking issues. Ms. Ritter indicated that an organized meeting with the State will occur where the matter will be discussed.

Mr. Lyman indicated that he and his wife own a business in the downtown area. They felt that the State employees are not the only employees taking advantage of the parking in front of businesses. He preferred to have three or four-hour parking rather than the current two hour parking limit. Reasons for his recommendation were provided. He supported Mr. Block's recommendation that additional signage be utilized. He also indicated that some residents/tourists are unaware of the shopping potentials in the downtown area. He then explained the Wine Walk scheduled for Saturday and encouraged the Board and public to attend.

Supervisor Williamson moved to adopt Resolution No. 2006-R-38, A RESOLUTION ESTABLISHING A CONTROLLED PARKING ZONE ON MUSSER STREET BETWEEN CARSON STREET AND DIVISION STREET WHICH WILL LIMIT PARKING TO THREE HOURS BETWEEN THE HOURS OF 8 A.M. AND 6 P.M. MONDAY THROUGH FRIDAY EXCEPT ON HOLIDAYS. Supervisor Aldean seconded the motion. Motion carried 5-0.

10. BOARD OF SUPERVISORS -NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:43:32) - The Board complimented the Nevada Day Committee and its volunteers on the parade and other Nevada Day activities. The Board's participation in those activities were limned. The Friday evening shooting incident on Longridge was felt to have been most unfortunate and that the community is very upset about it. Community response to it was noted. The need to mitigate such problems were noted. An increase in law enforcement was not felt to be the only answer to such problems. Law enforcement needs community support to be productive. Concern regarding the lack of information regarding the incident from the 100 or more participants at the event was stressed. A line of communication must be opened so

that a concerted effort to prohibit a repeat of the incident was felt to be the appropriate course of action. Supervisor Aldean explained a local effort to send holiday greetings to the troops in Iraq and thanked the community for its participation. The status of the new TRPA master plan was given. She questioned whether TRPA should provide a report on the interim plan. She also explained the reason she will be making a concerted effort to provide quarterly status reports on TRPA in the future. Board comments suggested that she provide written reports or agenize the reports. Supervisor Williamson announced the Saturday evening Wine Walk and encouraged the Board and public to attend. She also announced that the Christmas ornaments will go on sale on Thursday. This year's ornament is of the Capitol Building. Supervisor Staub commented on the Friday evening incident and indicated the need to remind the public that such incidents cross all ethnic and racial lines. The entire community needs to become involved and communication lines opened to solve/stop such incidents. Mayor Teixeira also indicated that without community support the meth coalition cannot make inroads into solving that problem either. He felt strongly that the community is up to the task and can and will respond in a proactive manner regarding both the incident and the meth problem. Supervisor Livermore announced the opening of the Cancer Center and urged the public to tour the facility. No formal action was taken on any of the issues.

B. STAFF COMMENTS AND STATUS REPORT - None.

11. PUBLIC WORKS - PRESENTATION OF SNOW POLICY AND DISPLAY OF NEW SNOW REMOVAL EQUIPMENT (10:54:07) - City Manager Linda Ritter explained the protocol to be followed. Senior Public Works Operations Chief Curtis Horton highlighted the policy. There were no changes in it from the last review. Mayor Teixeira indicated that the Board will go to the parking lot to look at the equipment after adjournment. He also disclosed that the City plows the roads on which the Board members reside after the other roads are plowed. Discussion explained the proposed process for notifying the public when chains or snow tires are required in the City. Under this plan public releases will be given to the media. The 911 and its reverse communications are for emergencies only. No formal action was taken or required.

12. ACTION TO ADJOURN (10:57:05) - Supervisors Aldean and Williamson moved to adjourn. Supervisor Staub seconded the motion. Motion carried 5-0. Mayor Teixeira adjourned the meeting at 10:58 a.m.

The Minutes of the November 2, 2006, Carson City Board of Supervisors meeting

ATTEST: ARE SO APPROVED ON __January 4___, 2007.

/s/ /s/

Alan Glover, Clerk-Recorder Marv Teixeira, Mayor