

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the April 15, 2010 Meeting**

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, April 15, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell  
Supervisor Robin Williamson, Ward 1  
Supervisor Shelly Aldean, Ward 2  
Supervisor Pete Livermore, Ward 3  
Supervisor Molly Walt, Ward 4

**STAFF:** Larry Werner, City Manager  
Alan Glover, Clerk - Recorder  
Neil Rombardo, 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 Clerk during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

**1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE**  
(8:30:00) - Mayor Crowell called the meeting to order at 8:30 a.m. Roll was called; a quorum was present. United Methodist Church Retired Pastor Bill McCord provided the invocation. Planning Division Director Lee Plemel led the pledge of allegiance.

**5. ACTION ON APPROVAL OF MINUTES - March 18, 2010** (8:32:33) - Supervisor Aldean noted a correction to page 16, and moved to approve the minutes, as amended. Supervisor Williamson seconded the motion. Motion carried 5-0.

**6. ADOPTION OF AGENDA** (8:33:30) - Mayor Crowell noted that item 8 had been addressed prior to item 5. He entertained additional modifications to the agenda and, when none were forthcoming, deemed it adopted. (10:03:00) Mayor Crowell modified the agenda to address item 20(B) prior to item 18.

**7. PUBLIC COMMENTS AND DISCUSSION** (8:33:46) - Mayor Crowell entertained public comments. (8:34:14) Day Williams discussed concerns over the businesses at the "north end of town." He requested the Board to consider "putting some attention to that area of town." He read a quote from Supervisor Williamson into the record, and suggested "maybe it's time to shut down downtown redevelopment, put the money back in the general fund so we can put some money out on the north end of town." He further suggested "coordinat[ing] with NDOT to get signs that say 'gas, food, and lodging' so people know that they can get gas, food, and lodging at the exit at the north end of town."

(8:35:30) Sunset Carson City Apartments Manager Dennis Manchester discussed "some pretty severe issues ... with the teenage kids, the high school kids," over the past several months. He advised of having called the Sheriff's Department and Carson High School, and of having been informed, "there's nothing they can do ..." He advised of having received complaints from tenants of verbal abuse and littering. He further advised of having coordinated a clean-up project, last Sunday, with several children from the apartment complex, and that they "picked up about 2,000 cigarette butts and garbage from my fence line." He discussed issues of vandalism relative to a new fence, and inquired as to "what can be done." In

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response to a question, he advised of having called the Sheriff's Department "every time [he sees] it," and of having provided video and photographic evidence. He reiterated the response has been, "nothing they can do. They will show up when I call them but, by that time, the damage is already done." He requested the Board's assistance, and advised he is "losing business because of" the problems. Mr. Werner acknowledged the ongoing problem, and advised that he would schedule a meeting with Mr. Manchester and appropriate City officials to discuss addressing it. Supervisor Aldean advised of having encouraged Mr. Manchester to address the Board, and suggested the possibility of utilizing Sheriff's Department volunteers to address the issue. A brief discussion followed, and Mr. Manchester advised of having assumed the management responsibilities of the apartment complex approximately 13 months ago. He described efforts "to clean it up," and advised he does not rent to gang members.

**8. NATIONAL ANTHEM - CHORUS OF THE COMSTOCK** (8:30:48) - Mayor Crowell introduced the Chorus of Comstock, whose members sang the National Anthem.

**9. SPECIAL PRESENTATIONS:**

**9(A) PRESENTATION OF A PROCLAMATION TO THE CHORUS OF THE COMSTOCK FOR BARBERSHOP HARMONY WEEK, APRIL 12 - 19, 2010** (8:41:15) - Mayor Crowell stepped from the dais to the podium, and invited the Chorus of the Comstock members to the podium. He thanked them for singing the National Anthem, and read the language of the subject Proclamation into the record. He presented the original Proclamation to the Chorus of the Comstock, and the Board members, City staff, and citizens present applauded.

**9(B) PRESENTATION OF A PROCLAMATION TO THE DONATE LIFE AWARENESS WALK OF NORTHERN NEVADA COMMITTEE FOR DONATE LIFE MONTH, APRIL 2010** (8:42:53) - Mayor Crowell introduced this item, and Tracy Copeland joined him at the podium. Mayor Crowell read the language of the subject Proclamation into the record, and presented the original to Ms. Copeland. (8:45:00) Ms. Copeland thanked the Mayor and the Board of Supervisors, and provided background information on her experience as an organ recipient. She announced the 3<sup>rd</sup> Annual Donate Life Walk, scheduled for May 16<sup>th</sup> at the Sparks Marina. She invited everyone to participate, and distributed gifts to the Board members. The Board members, City staff, and citizens present applauded.

**9(C) PRESENTATION OF A PROCLAMATION FOR ARCHAEOLOGY AWARENESS AND HISTORIC PRESERVATION MONTH, MAY 2010** (8:47:33) - Mayor Crowell introduced this item, and invited Historic Resources Commission Chair Mike Drews to the podium. Mayor Crowell read the language of the subject Proclamation into the record, and presented it to Mr. Drews. Mayor Crowell advised that, while attending the Mayor's Institute on City Design, historic preservation was emphasized as critical to a community's urban fabric. The Board members, City staff, and citizens applauded. (8:49:35) Mr. Drews thanked Mayor Crowell and the Board members for "joining with the State and the rest of the country in proclaiming [the month of] May as National Historic Preservation and Archaeology Month." He acknowledged the importance of recognizing the historic fabric of the community, and discussed a survey indicating that a good percentage of Carson City tourism is history-based. He noted the irreplaceable cultural resources in the community, and thanked the Board for the Proclamation. He advised that he would present Historic Preservation Awards at the first Board of Supervisors meeting in May.

**10. RECESS BOARD OF SUPERVISORS** (8:50:21) - Mayor Crowell recessed the Board of Supervisors, and passed the gavel to Redevelopment Authority Chair Robin Williamson.

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**REDEVELOPMENT AUTHORITY**

**11. CALL TO ORDER AND ROLL CALL** (8:50:35) - Chairperson Williamson called the Redevelopment Authority to order at 8:50 a.m., noting the presence of a quorum.

**12. ACTION ON APPROVAL OF MINUTES - January 21, 2010** (8:50:43) - Vice Chairperson Aldean moved to approve the minutes, as presented. Member Walt seconded the motion. Chairperson Williamson entertained public comment and, when none was forthcoming, called for a vote on the pending motion. Motion carried 5-0.

**13. REDEVELOPMENT AUTHORITY CONSENT AGENDA** (8:51:15) - Chairperson Williamson entertained requests to hear items separate from the consent agenda. Member Livermore requested to separately hear item 13-1(C). Chairperson Williamson entertained additional requests and, when none were forthcoming, a motion to approve the remainder of the consent agenda. **Member Crowell moved to approve items 13-1(A), (B), and (D), noting that each of them had been submitted to the Redevelopment Authority at the recommendation of the Redevelopment Authority Citizens Committee. Vice Chairperson Aldean seconded the motion.** Chairperson Williamson reviewed the items for the benefit of the public, and called for public comments. When none were forthcoming, she called for a vote on the pending motion. **Motion carried 5-0.**

**13-1. OFFICE OF BUSINESS DEVELOPMENT**

**13-1(A) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE EXPENDITURE OF \$7,000 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE WILD WEST TOUR / EVENINGS OF BLISS AND TASTE OF DOWNTOWN, AS EXPENSES INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**13-1(B) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE EXPENDITURE OF \$10,750 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE NEVADA DAY CELEBRATION, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**13-1(C) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE EXPENDITURE OF \$75,500 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT A 15-WEEK CURRY STREET PROMENADE, INCLUDING THE SUMMER CONCERTS 2010, THE SATURDAY MORNING FARMERS MARKET, AND RELATED FAMILY ACTIVITIES ALONG CURRY STREET AND AT THE BREWERY ARTS CENTER, AS EXPENSES INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN** (8:53:04) - Chairperson Williamson introduced this item. Business Development Manager Joe McCarthy provided background information and reviewed the agenda materials. Member Livermore noted that the "master plan calls for events downtown but also calls for a weaning of the event," and that the subject request constitutes "a continuation of another \$75,500 that you expended last year." He thanked Business Development staff for providing the itemization of 2009 expenses for the subject event. He expressed the opinion that the agenda materials are "very incomplete. There's an application in it, and I hope that you don't treat all applications that come to the Redevelopment like this

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application.” He noted there was no information included in the agenda materials “about how many amounts of monies you got previously. There’s nothing in it about a business plan. ... There’s no reference in this package whatsoever about the RCAA’s [sic] approval of this. There’s no minutes of that meeting, and I hope they didn’t approve this thing in the blank form that I have here before me.” Member Livermore expressed appreciation for the summer concert series and the “events it brings downtown.” He expressed concern over the community in the struggling economy, and reviewed the funding allocations for the Curry Street Promenade and the ice rink in 2009 and 2010. “It’s great to form a party. It’s great to have events. It’s not like this is the only farmers market in town. We have an existing farmers market at the Pavilion ... that has been going.” He expressed opposition to continuing to “support the continuing waste of redevelopment money.”

Member Walt suggested Member Livermore’s comments relative to “wasting redevelopment money,” equated to “a waste to the families ... because 8,222 visitors visited that ice skating rink. Who were they? They were the youth, they were the families, and ... it was recreational. It enhanced the quality of life.” Member Walt suggested that the farmers market also enhances the community’s quality of life. She disagreed with describing it “as a waste to the community ...,” and suggested the visitors to downtown events venues would also disagree. She further disagreed with describing any enhancement or improvement to the community’s quality of life as “a waste of money.”

Vice Chairperson Aldean expressed an interest in hearing Redevelopment Authority Citizens Committee (“RACC”) Vice Chair Stan Jones’ comments. (9:05:07) Mr. Jones advised of “a good discussion” at the most recent RACC meeting “on all the agenda items.” He expressed disagreement with Member Livermore’s comments, and the opinion that “the \$75,500 is well spent.” He commended Mr. McCarthy and Deputy Business Development Manager Tammy Westergard for developing the farmers market into “a huge draw for Carson City.” He noted “there was nothing in town before Fridays at Third,” and that “there are a lot of things we do in this town that don’t pay for themselves,” citing the JAC Transit System as an example. He expressed opposition to Member Livermore’s characterization of the downtown events as “a party.”

Vice Chairperson Aldean expressed the understanding that the redevelopment incentive funding applications are “scrutinized by the District Attorney’s Office” to ensure compliance with redevelopment statutes, and that challenging the legitimacy of the expenditures is invalid, from a legal standpoint. She discussed the importance of providing sufficient information necessary for the Redevelopment Authority to make a reasoned decision. She noted the recapitulation of expenditures for FY 2009, and requested a budget for the 2010 events. She commended the quality of the downtown events and their intended benefits, and discussed the importance of “tightening up the process a little bit.” She proposed approving the expenditure based on the commitment that the Office of Business Development will return to the Redevelopment Authority with a detailed budget for the events, including anticipated income which might offset expenses. Mr. McCarthy explained that as event details are finalized, more information will be available with regard to anticipated expenses, which he offered to provide. He further explained that the 2009 expenditure recapitulation was provided “because, in a lot of ways, that mirrors what we’re trying to do because we’ve had a lot of success with the model that we’ve established.”

Member Livermore noted that the 2009 recapitulation of expenses was provided to the Board members by e-mail late yesterday afternoon. He took exception to Mr. Jones’ comments and the idea that the District Attorney’s Office had reviewed the application materials. He expressed an interest in having the

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application materials submitted “as a formalized plan,” in agendizing a discussion regarding “the best use of redevelopment dollars,” and in reviewing the “past record of the Office of Business Development. How many businesses did you start? How many businesses did you work with? How many businesses are here today because of your efforts and expenditures of redevelopment dollars?”

Chairperson Williamson entertained public comment. (9:12:27) Brewery Arts Center Executive Director John Procaccini advised that the approximately “\$6,000 that’s owed is owed to the Brewery Arts Center and, as a result, we have struggled making payroll on many occasions because of this money not coming in.” He expressed opposition to Member Livermore’s characterization of Mr. Jones’ comments, and advised of having been offered assistance in collecting the outstanding balance from Mom and Pop’s Diner. “Shortly after you made those comments to me of how you were going to assist me, you turned around and approved \$40,000 to the people that stiffed us.” He advised that not having downtown community events and activities will turn Carson City into “a ghost town.” He expressed concern over losing the community center, and requested the Redevelopment Authority’s consideration.

(9:14:03) Pat Pepper-Reynolds expressed concerns over the lack of a plan included in the agenda materials. She commended the downtown events, and expressed an interest in accountability. She expressed appreciation for the “arts in this town,” and an interest in spreading events throughout the City. She agreed with earlier comments that “the north is dying,” and expressed an interest in “a little bit more development in the north.”

Chairperson Williamson advised that the subject event has a budget and represents “a continuation of events and a process that has gone on for several years.” She explained “this is a redevelopment project,” and provided background information on the source of redevelopment revenue. She advised that the North Towne Center is within the redevelopment area, and that numerous attempts have been made to work with the owners to attract new business; efforts will continue. She assured the citizens, “It’s not your property taxes, unless you live in the redevelopment area, ... involved in these special event fundings.” Chairperson Williamson acknowledged that the information is available to the public.

Ms. Westergard provided the web address for Downtown Answers, information with regard to navigating the website, and background information on community involvement in the subject street life program.

(9:19:32) Day Williams advised that he is a taxpayer. “The redevelopment money doesn’t go into the general fund, but I feel that I go downtown and I have a right to talk about it. I help pay the salary for people in economic development.” He further advised that when he writes to or calls the City Manager, the District Attorney, or the Clerk-Recorder, he “get[s] a response. When I wrote Joe McCarthy Sunday night and said, basically, ‘show me your budget and plan,’ I got nothing.” He suggested that providing the 2009 recapitulation “last night” is “not accountability.” He requested the “URL on the web ... where I can see the budget for this project and the business plan.” He inquired as to whether “there were any bids on the sound man?” He commended Mr. Procaccini as “a nice guy,” but noted “he’s Joe McCarthy’s successor from the Brewery Arts Center.” He inquired as to why the Brewery Arts Center is paid “for sound when we basically own it.” He inquired as to whether “they have talked to downtown merchants and the farmers market people, ‘saying, you guys need to set this up. You guys need to contribute all you can. Why is there even a downtown merchants association if they can’t put this together?’” In reference to Member Livermore’s comments, he noted, “The Citibank building is vacant, and having a street party is very nice but it’s not going to fill that building. We need to make active efforts to fill that building and

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a lot of the vacant buildings around town.” He noted the redevelopment audit adopted by the Redevelopment Authority approximately “one year ago. ... You were going to tighten up from there. Here we are, a year later, I go on line for supporting materials for the expenditure of \$75,000. Can’t find it. Asked the department head, ‘Where can I find it?’ and get no answer. That is not accountability. That is not transparency.” He expressed concern over “back room deals,” and “people ... getting money that they aren’t necessarily entitled to.”

Member Crowell inquired as to whether Mr. Williams had provided these comments to the RACC. Upon Mr. Williams statement that he had not, Member Crowell inquired as to the reason. Mr. Williams stated, “I don’t have time to go to every meeting.” Member Crowell expressed understanding for the politics, but advised that the RACC has “been in existence for a long time. As a result of the audit, we placed a lot of faith and trust in the RACC to vet projects and, frankly, a lot of what you’re saying should have been presented to them so that they could have the opportunity of hearing what you say before they bring it to us.” Member Crowell noted that the subject application was recommended to the Redevelopment Authority for approval by the RACC. He inquired again as to the importance of bringing concerns to the Redevelopment Authority without first having presented them to “the people who vetted it in the first place.”

In response to a question, Member Crowell advised of having received the 2009 recapitulation last night and inquired again as to Mr. Williams’ reason for not having presented his concerns to the RACC. Member Crowell discussed the purpose of advisory committees to the Board of Supervisors. Mr. Williams advised of having researched the supporting materials “last Sunday night,” and of having expected to see a budget and a business plan. Upon finding none, he reiterated having asked the department head and that he received no response. He expressed concern over having “been here a year before talking about tightening up the process and it hasn’t happened.” He inquired as to when the Redevelopment Authority will “hold this department head accountable.”

(9:25:49) Mike Drews advised of having spent “half [his] life in this town.” He expressed understanding for Member Livermore’s concern over “the lack of process,” but suggested, “you don’t throw the baby out with the bath water.” He commended the downtown events as having “done more to stimulate interest in downtown, bring people downtown than anything ... before with maybe the exception of the Nevada Day parade.” He further commended the effort as “worthwhile,” and suggested that Mr. McCarthy can put a budget together which likely would “not show the intangible benefits of bringing people downtown.” He agreed with the importance of accountability in the process, but suggested “throw[ing] it out right now just because that accountability isn’t there, because every dollar hasn’t been accounted for, is a mistake.” He expressed agreement with continued support of downtown events and the opinion that “it’s the only way Carson City’s going to grow. It’s the only way the north end of town is going to develop is if we bring people into town, get them interested in events and show off what we have.”

(9:27:06) In reference to Member Livermore’s comments, Third and Curry Streets Downtown Market Manager, Nevada Certified Farmers Market Association Acting Director, and Carson City citizen Linda Marrone read into the record a list of small community businesses which are assisted by the farmers market. She expressed disagreement with Member Livermore’s characterization of the redevelopment incentive funding allocation as “a waste.” Ms. Marrone provided anecdotal information with regard to having taught cooking classes at the Boys and Girls Clubs last summer and the kitchen at the Community Center. She suggested that “everything has a value at one time.” She read into the record a prepared statement

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regarding “positive effects” of the Third and Curry Streets Farmers Market. She encouraged the Redevelopment Authority’s support of “this worthwhile project.”

Member Livermore clarified that his comments were “not about the quality of the market that you do.” In response to a question regarding the farmers market held at the Mills Park pavilion, Ms. Marrone advised that the \$6,000 fee was waived. “The City also pays the \$57 per vendor.” Member Livermore commended Ms. Marrone on her management of the farmers market, and reiterated his concerns were pertinent to the use of redevelopment funding.

Chairperson Williamson thanked Ms. Marrone, and advised that, “If this is approved, the market will be bigger and better this year because we’re getting a lot of energy.” She provided background information on the struggle of the previous farmers market due to a lack of support from surrounding businesses. She advised that the previous farmers market had been allocated redevelopment funding for a period of several years. “When she elected to move to the Pony Express Pavilion, we certainly continued to support her until she said she was comfortable and didn’t need future financial support from redevelopment ...” Chairperson Williamson anticipates the current street life program will experience a similar transition process to financial independence from the Redevelopment Authority. She pointed out that the Nevada Day parade receives continual support from the general fund and the Redevelopment Authority, as well as the Taste of Downtown and other events.

Member Walt discussed the opportunities for local dance and gymnastics organizations to “showcase everything that they’re doing throughout the year.” (9:36:03) Ms. Marrone advised that, because of the success of the Third and Curry Streets Farmers Market, “we’re going to open a little early spring market” on Highway 395 and Eighth Street in the parking lot of the Carson Station. She stated, “the market couldn’t be what it is without the support of the community, without your support, with the support of the Office of Business Development. It’s a labor of love.”

In reference to earlier comments, Mr. McCarthy advised of having presented “a lot of detail relative to ... anticipated ... costs” at the time the subject project was originally presented to the Redevelopment Authority several years ago. He noted that the project “has already been approved and is already successful.” He advised of having provided “a very limited application because we made an assumption that you already were in support of this in recognizing that this was a quality project for this community.” He offered to provide a full business plan and a full budget, but advised “it’ll be very similar to what you have approved in the past and what you have celebrated and come down and enjoyed ...” He advised that the statements of certain members of the public “were never present when we presented to you initially and you were enthusiastically in support of this project.”

Ms. Westergard expressed heartfelt thanks to John Procaccini and Linda Marrone and “their teams of support from the Brewery Arts Center and Linda’s Carson City Farmers Market Board ...” Ms. Westergard advised that Ms. Marrone’s comment that “this is a labor of love is an understatement. If you ... review every single task and all the responsibilities that they’re charged with, the amount of money that they are returned to do that, you can see the disparity very easily. The balance is made up by passionate, caring people like them, like myself ..., and like many of you.” She reiterated gratitude for “their absolute passion for this community,” and stated, “they make me proud to live here.” Mr. McCarthy advised that Mr. Williams’ “e-mail was offensive ... insulting ... When he wants to send me a polite request for information,” Mr. McCarthy expressed a willingness to provide it. “His e-mail was off the charts.”

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Vice Chairperson Aldean expressed appreciation for the level of commitment from community members and Office of Business Development staff. She suggested focusing on agreement to improve the process. She further suggested that redevelopment “is always going to be closely scrutinized. We just have to accept that as a reality, not necessarily because of anything we’ve done but because redevelopment, by its very nature, has been controversial.” She expressed an interest in the number of in-kind hours donated by Ms. Marrone “in terms of making the case … that this is a community-driven event and that the amount of money that the Redevelopment Authority is investing is minuscule compared to the amount of time, energy, and personal effort being invested by members of the community.” She reiterated an earlier suggestion to approve expenditure of the funding, subject to submission of a final budget for 2010.

Chairperson Williamson entertained a motion. **Vice Chairperson Aldean moved to approve and recommend to the Board of Supervisors approval of the expenditure of \$75,500 from the revolving fund for the Redevelopment Agency to support a 15-week Curry Street Promenade, including the summer concerts for 2010, the Saturday Morning Farmers Market, and related family activities along Curry Street and at the Brewery Arts Center, as expenses incidental to carrying out the redevelopment plan, subject to the submission of a final budget for FY 2010 to be submitted to the Redevelopment Authority at its next meeting.** Member Walt seconded the motion. Member Livermore expressed appreciation for Vice Chairperson Aldean’s comments “about the transparency and the emotion that redevelopment has created in this community.” He agreed that redevelopment is closely scrutinized and often an emotional topic in the community. Mr. McCarthy assured the Redevelopment Authority that the Office of Business Development will provide sufficient information for informed decisions. Chairperson Williamson entertained additional comments and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 4-1.**

### **13-1(D) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE EXPENDITURE OF \$2,500 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE MILE HIGH JAZZ BAND ASSOCIATION, INC., AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**14. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY** (9:44:59) - Chairperson Williamson adjourned the Redevelopment Authority at 9:44 a.m.

**15. RECONVENE BOARD OF SUPERVISORS** (9:45:17) - Mayor Crowell reconvened the Board of Supervisors.

**16. BOARD OF SUPERVISORS CONSENT AGENDA** (9:45:20) - Mayor Crowell entertained requests to hear items separate from the consent agenda. Supervisor Livermore requested to separately hear item 16-1(C). Mayor Crowell entertained additional requests and, when none were forthcoming, a motion. **Supervisor Livermore moved to approve the consent agenda, consisting of eight items: item 16-1(A), Resolution No. 2010-R-14; item 16-1(B), Resolution No. 2010-R-15; item 16-1(D), Resolution No. 2010-R-16; item 16-2, Treasurer; item 16-3, Fire, with Resolution No. 2010-R-17; item 16-4, Purchasing and Contracts; item 16-5, City Manager; item 16-6, Public Works, for a total of eight items, as published and presented.** Supervisor Aldean seconded the motion. **Motion carried 5-0.**

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**16-1. OFFICE OF BUSINESS DEVELOPMENT**

**16-1(A) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$7,000 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE WILD WEST TOUR / EVENINGS OF BLISS AND TASTE OF DOWNTOWN, AS EXPENSES INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**16-1(B) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$10,750 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE NEVADA DAY CELEBRATION, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**16-1(C) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$75,500 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT A 15-WEEK CURRY STREET PROMENADE, INCLUDING THE SUMMER CONCERTS 2010, THE SATURDAY MORNING FARMERS MARKET, AND RELATED FAMILY ACTIVITIES ALONG CURRY STREET AND AT THE BREWERY ARTS CENTER, AS EXPENSES INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN** (9:46:59) - Mayor Crowell introduced this item. Supervisor Livermore noted the requirement for a two-thirds majority vote to pass the subject resolution. He requested to incorporate his previous comments relative to "how redevelopment money is expended." He expressed "a continuing sensitivity towards funding projects when ... you're better needed use of redevelopment money throughout our community." He advised he would not support the subject item.

Mayor Crowell entertained public comment, and advised that previous comments could be incorporated. When no public comments were forthcoming, he entertained a motion. **Supervisor Aldean moved to approve and recommend to the Board of Supervisors approval of the expenditure of \$75,500 from the revolving fund for the Redevelopment Agency to support a 15-week Curry Street Promenade, including the Summer Concert Series for 2010, the Saturday Morning Farmers Market, and related family activities along Curry Street and at the Brewery Arts Center, as expenses incidental to carrying out the redevelopment plan, subject to the submission of a final budget for FY 2010 to the Redevelopment Authority and the Board of Supervisors at next month's meeting.** Supervisor Williamson seconded the motion, noting the Resolution No. 2010-R-18. Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-1.**

**16-1(D) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$2,500 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE MILE HIGH JAZZ BAND ASSOCIATION, INC. AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN**

**16-2. TREASURER - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF TAXES TO THE 2009 - 2010 REAL PROPERTY TAX ROLL ON PARCELS NOS. 003-037-01, 10-271-22, 10-531-23, 10-457-13, 003-033-10, 009-322-17, 009-758-13, 003-361-13, 009-501-02, 008-798-11, 002-672-16, 009-751-06, 002-637-06, 008-031-06, AND 008-093-05, DUE TO DONATION OF VETERAN'S EXEMPTION TO THE VETERAN'S HOME**

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**16-3. FIRE DEPARTMENT - ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT OF THE LAKE TAHOE FIRE CHIEFS ASSOCIATION AMENDED AND RESTATED FIRE AND EMERGENCY MUTUAL AID AGREEMENT BASED UPON THE SUPPLEMENTAL INTERSTATE COMPACT FOR EMERGENCY MUTUAL ASSISTANCE BETWEEN THE STATE OF NEVADA AND THE STATE OF CALIFORNIA, AND OTHER MATTERS PROPERLY RELATED THERETO**

**16-4. PURCHASING AND CONTRACTS - ACTION TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND TO APPROVE THE RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$35,623.41 FOR CONTRACT NO. 0809-237, TITLED CARSON CITY FREEWAY PHASE 2B UTILITY RELOCATIONS SOUTH EDMONDS DRIVE SEWER PROJECTS TO A&K EARTH MOVERS, INC.**

**16-5. CITY MANAGER - REVIEW OF THE QUARTERLY SUMMARY FOR ALL ACTIVE GRANTS MADE TO CARSON CITY AS WELL AS A LISTING OF ALL PENDING GRANTS**

**16-6. PUBLIC WORKS DEPARTMENT - ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT BETWEEN JOOST LAND AND CATTLE COMPANY, LLC AND CARSON CITY REGARDING A PURCHASE OF WATER RIGHTS FOR A SUM NOT TO EXCEED \$170,100.00 AND A DONATION OF APPROXIMATELY 6.17 ACRES OF LAND**

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**17. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME** - Please see the minutes for item 16-1(C). Mayor Crowell recessed the meeting at 9:49 a.m. and reconvened at 10:02 a.m.

**18. DISTRICT COURT - ACTION TO APPROVE THE FIRST JUDICIAL DISTRICT COURT PROPOSED BUDGET FOR FISCAL YEAR 2011 FOR REIMBURSEMENT FROM THE STATE CHILD SUPPORT ENFORCEMENT PROGRAM IN THE AMOUNT OF \$20,790.00** (10:04:37) - Mayor Crowell introduced this item, and Court Administrator Max Cortes reviewed the agenda materials. Mayor Crowell entertained public and Board member comments. When none were forthcoming, he entertained a motion. Supervisor Williamson moved to approve the First Judicial District Court proposed budget for fiscal year 2011 for reimbursement from the State Child Support Enforcement Program in the amount of \$20,790. Supervisor Walt seconded the motion. Motion carried 5-0.

**19. HEALTH AND HUMAN SERVICES DEPARTMENT - DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF TO CONTINUE TO PURSUE ENABLING LEGISLATION REGARDING THE ESTABLISHMENT OF HEALTH DISTRICTS IN RURAL NEVADA IN SUPPORT OF THE RURAL HEALTH DISTRICT STUDY AND POTENTIAL 2011 LEGISLATION** (10:05:45) - Mayor Crowell introduced this item. Mary Walker, of Walker & Associates, reviewed the agenda report, a memo dated April 2, 2010, and responded to questions of clarification. Mayor Crowell suggested including a provision to terminate any agreement between the health district and

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any provider in the event the underlying funding mechanism is eliminated. Ms. Walker agreed to include the language, and continued reviewing the April 2<sup>nd</sup> memo.

In response to a question, Ms. Walker discussed adjacent counties' level of interest in participating in a health district. In response to a question, Health and Human Services Department Director Marena Works advised of no way to avoid serving residents of adjacent counties. She clarified there will be limitations in consideration of such things as restaurant inspections, and that immunization services are fee based. With regard to family planning services, she explained that poverty guidelines may apply. "... we collect all that data and all those numbers and it gives us more buying power, if you will, when we go and renegotiate grant money with that funding and we say, 'We are serving people from these counties even though they're not in our jurisdiction.'" Supervisor Aldean inquired as to the possibility of integrating a reimbursement arrangement into the legislation if, in fact, the costs are not covered by federal grant funding. Ms. Walker expressed understanding and the opinion that including such a provision would likely kill the legislation "because the other counties will come in and be opposed to it." Discussion followed and, in response to a question, Mr. Werner advised that services could be refused if the cost of serving out-of-county residents becomes an issue. Ms. Works advised that the Health and Human Services Department staff could check county of residence. She reiterated that as long as grant funds can be secured, serving out-of-county residents is a benefit. Additional discussion followed.

Supervisor Williamson described the subject item as a proactive measure to provide opportunities depending upon future legislative action. Supervisor Livermore expressed support for the subject item. In response to a question, Ms. Walker advised that Clark and Washoe Counties have the ability to increase property taxes by 3.5 cents. In response to a further question, Ms. Works explained a Title 10 requirement to not deny service based on ability to pay or residency. Supervisor Livermore discussed concerns regarding enabling legislation to increase taxes. He expressed support for the concept. In response to a comment, Ms. Walker advised "all of this would be done in public hearings and you would have double oversight, both at the health district level" as well as the Board of Supervisors. In response to a further comment, Ms. Walker advised that the subject legislation would exclude mental health. Additional discussion followed, and Mr. Werner advised of the concern that the City may be responsible "regardless, and not have an ability to address the revenue stream." He expressed the opinion that, "from an enabling standpoint, this absolutely makes sense ..."

Mayor Crowell entertained public comment; however, none was forthcoming. He suggested "we rang the bell last legislative session." He expressed the opinion that establishing a health district "adds to our credibility as a regional resource and it's also something where we are dealing with a lot of these problems right now. Let's see if we can stay ahead of the power curve." Supervisor Livermore advised of having always supported the concept of a public health district, and reiterated concern regarding additional taxes. He advised he would not support the item "in the sense of the tax element to it ..." He expressed support for public health.

Mayor Crowell entertained a motion. **Supervisor Williamson moved to direct staff to continue to pursue enabling legislation regarding the establishment of health districts in rural Nevada in support of the Rural Health District Study and potential 2011 legislation. Supervisor Walt seconded the motion.** Mayor Crowell entertained discussion. Supervisor Aldean expressed understanding for Supervisor Livermore's position, and noted the Board's frequent discussion of the community's quality of life. Supervisor Aldean expressed regret over people taking advantage of the system, but agreed with Mr.

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Werner's prediction "this is going to be forced upon us. We can ... be prepared to accept that responsibility and do what is necessary to provide for our citizens. Keeping people healthy is just as important as supporting our police department, supporting our fire department." Supervisor Aldean suggested that failing to "at least position ourselves to be able to be in charge of our own destiny if we're forced to become independent" would be irresponsible. Supervisor Livermore suggested that such a legislative action would constitute an unfunded mandate. Supervisor Aldean pointed out "it's not like they're creating a new program that they're demanding that we fund. These are existing programs that somebody's going to have to fund ... This is an opportunity for us to take charge of our own destiny." In response to a question, Ms. Walker stated, "you could do this with either a single county or with multiple counties. It's flexible." Ms. Walker and Ms. Works responded to questions of clarification. Mayor Crowell entertained additional comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 4-1.**

### 20. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION

**20(A) ACTION TO ACCEPT THE HISTORIC RESOURCES COMMISSION ANNUAL REPORT FOR 2009 (HRC-10-002)** (10:47:25) - Mayor Crowell introduced this item. Principal Planner Jennifer Pruitt introduced Planning Division Director Lee Plemel and Historic Resources Commission ("HRC") Chair Michael Drews. Ms. Pruitt reviewed the agenda materials.

In consideration of the City's current economic status, Mr. Drews expressed appreciation to Mr. Werner and the Board in keeping the Planning Division functioning and serving the HRC. "Without them, we just couldn't do our work." He commended Mr. Plemel, Ms. Pruitt and the Planning Division staff, as well as Mr. Glover and his staff. In response to a question, Mr. Drews explained the practical implications of an updated survey to provide a context for the commission's evaluations. In response to a further question, he advised that the 501(c)(3) organization to assist with rehabilitation of historic structures is pending. He advised of having spoken with Ms. Pruitt about possible revenue generating proposals. Supervisor Williamson thanked Mr. Drews for his commission service and for helping to preserve the community's historic structures. She thanked Mr. Plemel and Ms. Pruitt also. Mr. Drews invited the Board members to attend an HRC meeting. In response to a question, Ms. Pruitt advised that the survey referenced in the agenda materials will include historic structures on the east side of town. In consideration of the National Register of Historic Places recognizing properties that are 50 years of age and older, Mr. Drews advised that some of the post-World War II structures are being re-evaluated. He further advised that Carson City's historic district is not listed on the National Register of Historic Places. "There were some reasons ... we didn't do that when we first established the district," having to do with commission purview. Mr. Drews noted the history of the HRC to work with people and "for the common good there," and discussed an interest in getting the historic district listed on the National Register.

Mayor Crowell entertained public comment and, when none was forthcoming, thanked Mr. Drews and the Historic Resources Commissioners. Mayor Crowell noted the importance of historic buildings to the community's urban fabric, and commended the HRC on maintaining our identity. Mayor Crowell entertained a motion. **Supervisor Aldean moved to accept the Historic Resources Commission annual report for 2009. Supervisor Livermore seconded the motion. Motion carried 5-0.**

**20(B) ACTION TO ADOPT BILL NO. 103, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.04, USE DISTRICTS, SECTION 18.04.081, MANUFACTURED OR MOBILE HOMES**

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**AUTHORIZED, TO ALLOW MANUFACTURED HOMES OR MOBILE HOMES THAT ARE MORE THAN 15 YEARS OLD TO BE PLACED WITHIN MOBILE HOME PARKS UNDER CERTAIN CIRCUMSTANCES, AND OTHER MATTERS PROPERLY RELATED THERETO**

(10:03:12) - Mayor Crowell introduced this item and, in response to a question, Planning Division Director Lee Plemel advised of having received no additional information since introduction of the bill. Mayor Crowell entertained public and Board member comments. When none were forthcoming, he entertained a motion. **Supervisor Aldean moved to adopt Bill No. 103, on second reading, Ordinance No. 2010-4, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.04, Use Districts, Section 18.04.081, Manufactured or Mobile Homes Authorized to allow manufactured homes or mobile homes that are more than 15 years old to be placed within mobile home parks under certain circumstances, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

**20(C) ACTION TO RECOMMEND TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) APPROVAL OF THE CARSON CITY 2010-11 ANNUAL ACTION PLAN TO IMPLEMENT PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) PROGRAM AND TO FORWARD THE PLAN TO HUD** (11:02:29) - Mayor Crowell introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials in conjunction with a table displayed in the meeting room. He commended CDBG Coordinator Janice Brod for learning the CDBG Program criteria and developing the annual action plan. He thanked Health and Human Services Department staff, as well as the State Housing Division and the Nevada Rural Housing Authority for their assistance. He noted additional information, included in the agenda materials, provided by The Greenhouse Project, and advised that the application qualifies under the economic development category of the CDBG Program. He advised that all the CDBG Program applicants were informed of this meeting and invited to attend.

In response to a question, Mr. Plemel referred to Alternative C, the recommendation of the application review work group to allocate any additional funding to the Nevada Health Centers. He responded to questions of clarification with regard to funding alternatives.

Mayor Crowell entertained public comment. (11:14:43) Nevada Health Centers Development Manager Sandy Wallace, representing Chief Development Officer Shirley Hampton, provided a brief overview of the Sierra Family Health Center application for funding new construction of the waiting room and children’s play area. She commended the Board’s earlier discussion regarding the importance of community health, and requested the Board’s consideration of Sierra Family Health Center being a “major safety-net provider in Nevada.” She reviewed statistical information on the number of patients served in 2009 in Carson City and statewide. She expressed appreciation for the application review work group’s recommendation to receive additional funding, if available, and requested the Board to approve the recommendation.

(11:18:28) The Greenhouse Project President Karen Abowd provided background information on the original application. She advised of having recently attended a poverty and economic development meeting, which “reinforces the whole concept behind what we are doing. The level at which poverty and economic development deals with people, it’s families at the point of trying to break the cycle of being in need.” Ms. Abowd explained that the Greenhouse Project addresses poverty “at the youth level, and helps these kids understand the importance of eating healthy, growing food, and giving them business skills so

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that they're not subject to the parameters that some of them are living under right now." She further explained that the low to moderate income aspect "is the free and reduced lunch." She requested the Board's consideration of the funding application.

(11:20:22) Nevada Rural Counties RSVP Executive Director Janice Ayres advised of having asked to be reconsidered based on being "the only program ... dedicated to keeping seniors home as long as possible." She provided statistical information on the costs associated with institutionalization. She discussed a national movement "to keep elderly people home as long as possible." She requested the Board's reconsideration of the funding application.

Mayor Crowell entertained additional public comment; however, none was forthcoming. Supervisor Williamson noted an additional opportunity to address some of the funding requests through the community support services grants process. Extensive discussion took place with regard to funding alternatives. Mayor Crowell entertained a motion. **Supervisor Walt moved to recommend to the Department of Housing and Urban Development approval of the Carson City 2010 / 2011 Annual Action Plan to implement programs associated with the CDBG Program and to forward the plan to HUD, including the funding distributions, presented as Alternative Y at this meeting.** Supervisor Williamson **seconded the motion.** Motion carried 3-2.

### 21. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION

**21(A) ACTION TO AUTHORIZE THE OPEN SPACE MANAGER TO EXECUTE AN ADVANCED FUNDING REQUEST, DEED RESTRICTION, AND FUNDING AGREEMENT FOR APPROXIMATELY \$2,793,000 (75 PERCENT OF THE ACQUISITION COST) FROM STATE OF NEVADA QUESTION #1 CONSERVATION GRANTS TOWARDS PURCHASE OF THE JARRARD RANCH, LOCATED AT CARSON RIVER ROAD; 21(B) ACTION TO APPROVE AN AGREEMENT FOR THE ACQUISITION OF THE JARRARD RANCH, APPROXIMATING 368.78 ACRES LOCATED AT CARSON RIVER ROAD, FOR AN ESTIMATED TOTAL COST OF \$3.72 MILLION** (11:35:13) - Mayor Crowell introduced this item. Open Space / Property Manager Juan Guzman introduced Open Space Advisory Committee members Bruce Scott and Dan Jacquet and Attorney Chris MacKenzie, and reviewed the agenda reports. Mr. Guzman advised of the requirement to comply with the Uniform Relocation and Assistance Act, which includes the City covering all the escrow closing costs. He noted that the agreement included in the agenda materials would need to be revised accordingly, but clarified that "it will not affect the ... overall budget." Also in compliance with the Uniform Relocation and Assistance Act, he emphasized that eminent domain will not be used under any circumstance to obtain the property with Open Space Program funding. He has emphasized with Mr. MacKenzie, and Mr. MacKenzie has acknowledged, the voluntary nature of the transaction. Mr. Guzman advised that the value of the property was determined by appraisal.

As part of the transaction, Mr. Guzman advised that the seller will continue to utilize the property until water rights are sold. He discussed the corresponding advantages to the City. Mr. Guzman further advised that once the water rights are sold, the City will be committed to continue providing irrigation water for a period not to exceed three years. This will provide sufficient time to relocate or change the ranching operation.

Supervisor Livermore expressed concern over the "clean up of the property and the dilapidated buildings and structures ... there." Mr. Guzman acknowledged that acquisition of the property will provide the

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opportunity to remove the structures. Supervisor Livermore expressed an interest in reviewing an inventory of the ranching fixtures, and the method by which their historic value will be preserved. In response to a question, Mr. Guzman advised that the Uniform Relocation and Assistance Act requires an inventory of personal property.

Mr. Guzman oriented the Board members to the location of the subject property using a displayed aerial photograph, noting its adjacency to property managed by the Parks and Recreation Department. He pointed out public access points, noting that “the people and the cows ... will be kept separate.” In response to a question, he advised that the City will be responsible for enforcement relative to the property. Day-to-day operations will continue to be conducted by Mickey Andersen, pursuant to contract. In response to a further question, Mr. Guzman advised that the agreement provides for public access and use. Relative to the ranching operation, the agreement provides the public will not interfere.

Supervisor Aldean advised of having had a previous discussion with Mr. MacKenzie. In reference to paragraph 19, at page 10 of 18 of the draft agreement included in the agenda materials, she inquired as to the location of reclaimed water lines relative to the property, the costs associated with extending them to the property, and the associated time frames. Mr. Guzman advised that the effluent water line is presently at the Moffat property, approximately one-half mile to the north. A project has been designed to extend the effluent line to the subject property and the Silver Saddle Ranch. Two other alternatives involve the use of River water, which is more suitable for irrigation. One is to physically transport water from the Brunswick Canyon reservoir; the other would be to “change the place where you take the water and use the water. This would be an exercise of paperwork.” Using effluent water for irrigation involves a very rigorous process in order to ensure compliance with NDEP regulations. Mr. Guzman and Deputy Public Works Director Ken Arnold reviewed cost estimates associated with the three options, and Mr. Arnold responded to questions of clarification.

(11:55:58) Bruce Scott suggested considering the transaction in terms of water rights currently controlled by the City “as well as other potential water rights which might be brought to this area.” He noted the “fairly active movement of water rights along the River,” and advised that the infrastructure exists in the Mexican Dam system to bring water to the Jarrard Ranch. “The City does have the primary and secondary permits on the springs that flow into the River downstream. So those water rights are in place. It’s a question of how can we move effectively to get them upstream should the need arise under this agreement.” Mr. Scott advised that the proposed regional pipeline system has the potential to free up water rights. “It brings additional water to the City’s overall bank of available waters and allows for more flexibility in how you allocate or reallocate waters that the City has. The waters coming from the south should be a better quality and not require treatment and so the City will be in the position to make choices about turning off wells or changing supplies that require treatment and substituting ... water that doesn’t need treatment from the new source.” Mr. Scott discussed the potential for the re-use of effluent for the Silver Saddle Ranch and the Andersen properties. He expressed a personal preference, in the future, for “a little greater commitment of water out there in terms of fuller production potential for those two ranches.” In reference to the earlier discussion of public access, he discussed the importance of careful consideration. He explained that the City of Boulder, Colorado has “tremendous land management problems because their laws require absolute open access to anybody because it is publicly owned property.” He suggested the importance of a “balance, respecting the operation and, at the same time, making what is potentially a wonderful addition to the City, fully usable in terms of the benefits to Carson City, open space, trails ...”

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Mr. Scott acknowledged the Open Space Advisory Committee is satisfied that the City will not be responsible for additional costs relative to keeping the property green in compliance with the State grant requirements. He noted the “fairly significant window ... with regard to the potential for water.” He acknowledged some expenditure of funds will be necessary to bring water to the property at some point in time. “Those are not eminent,” and he didn’t consider these things as “immediate concerns.” Mr. Scott expressed the belief that the Open Space Advisory Committee’s general sense is that “this is a key acquisition for Carson City and ... first choice ... would be to have the water rights with it. That’s not an option. But in the intermediate ... and short term, the ... use of those water rights by ... Vidler Water Company is very static because of the nature of the housing market. They own other water rights in the Dayton Valley and they would probably utilize those before any consideration of moving these waters from this location would occur.” Mr. Scott advised of the Open Space Advisory Committee’s strong recommendation to pursue the transaction.

In response to a question, Mr. MacKenzie advised that “the only agreement we have is with Vidler and they have extended their option ... It originally started in 2007. It’s currently running through 2011. If they don’t exercise by then, there’s nothing in ... writing beyond that. There have been verbal assurances that they want to stay in it; ... we’re prepared to as long as they’re prepared to and we foresee no difference in that relationship beyond that time.” Mr. MacKenzie further explained that if Vidler doesn’t exercise their option, the water rights stay with his client. In that event, “anybody that wants to purchase it, I’m sure would be entertained.” He provided background information on water rights value differences between Dayton and Carson City at the time the agreement was entered into with Vidler. He acknowledged that Vidler has a vested interest because of making option payments, and that these would ultimately be applied toward the purchase price.

In reference to Attachment A, paragraph 19, at page 10 of 18, Supervisor Aldean suggested deleting the word “effluent.” She noted the range of options and expressed a preference to avoid the literal interpretation of extending the effluent water line. Supervisor Williamson congratulated the Open Space Advisory Committee and the Jarrard family “because this is a wonderful thing for the residents of Carson City and for users of the River, both upstream ... and downstream.” She commended the Open Space Advisory Committee for developing and continuing to implement the Open Space Master Plan element. She discussed the importance of keeping the property green and allowing managed public access.

In reference to previous discussion regarding public access, Mr. MacKenzie noted “some people know how to behave around ... ongoing ranching operations ... and others don’t.” He advised that his client is required to carry liability insurance, and discussed the importance of managed public access. He noted the 25-acre parcel on the east side of the River to be retained by his client. The City will acquire 368 acres.

Supervisor Walt thanked City staff, the Open Space Advisory Committee, and Mr. MacKenzie “for all their hard work.” Supervisor Livermore expressed confidence that the neighbors of the Jarrard Ranch, on Buzzy’s Ranch Road, will be pleased with the acquisition. In reference to the Project Summary, at page 7 of 18, Supervisor Aldean requested staff to amend the number of parcels from 5 to 3.

(12:10:10) Bruce Scott advised that acquisition of the property, “as soon as safety can be met, will immediately allow access all the way along the River.” He described the public access routes.

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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to authorize the Open Space Manager to execute an advanced funding request, deed restriction, and funding agreement for approximately \$2,793,000, 75 percent of the acquisition cost, from the State of Nevada Question #1 conservation grants toward the purchase of the Jarrard Ranch, located at Carson River Road, with the corrections noted by Supervisor Aldean.** Supervisor Walt seconded the motion. **Motion carried 5-0.**

Mayor Crowell entertained public comment relative to item 21(B) and, when none was forthcoming, a motion. **Supervisor Williamson moved to approve an agreement for the acquisition of the Jarrard Ranch, approximately 368.78 acres, located at Carson River Road for an estimated total cost of \$3.72 million; funding sources are Question #1 and Question #18.** Supervisor Livermore seconded the motion. Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.** Mayor Crowell recessed the meeting at 12:13 p.m.

**22. DISTRICT ATTORNEY - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 8, PUBLIC PEACE, SAFETY, AND MORALS, CHAPTER 8.08, NUISANCES, SECTION 8.08.030, DEFINITIONS, BY ADDING A DEFINITION OF "CRIMINAL GANG"; AMENDING SECTION 8.08.070, NUISANCES PER SE, BY PROVIDING THAT CERTAIN ACTIVITIES RELATING TO CRIMINAL GANGS ARE NUISANCES PER SE; AND AMENDING CHAPTER 8.09, ENFORCEMENT PROVISIONS FOR NUISANCES, BY ADDING A NEW SECTION, SECTION 8.09.490, INJUNCTIONS AGAINST MEMBERS OF CRIMINAL GANGS, WHICH AUTHORIZES THE DISTRICT ATTORNEY TO SEEK CIVIL INJUNCTIONS AGAINST MEMBERS OF CRIMINAL GANGS; AND OTHER MATTERS PROPERLY RELATED THERETO** (12:22:32) - Mayor Crowell reconvened the meeting at 12:22 p.m. and introduced this item. Mr. Rombardo provided background information and reviewed the agenda materials. At Mayor Crowell's request, he explained the affect of the proposed ordinance. Mr. Rombardo responded to questions of clarification, and discussion followed.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 104, an ordinance amending Title 8, Public Peace, Safety, and Morals, Chapter 8.08, Nuisances, Section 8.08.030, Definitions, by adding a definition of "criminal gang;" amending Section 8.08.030, Nuisances Per Se, by providing that certain activities related to criminal gangs are nuisances per se; and amending Chapter 8.09, Enforcement Provisions for Nuisances, by adding a new section, Section 8.09.490, Injunctions Against Members of Criminal Gangs, which authorizes the District Attorney to seek civil injunctions against members of criminal gangs; and other matters properly related thereto.** Supervisor Walt seconded the motion. **Motion carried 5-0.**

**23. CITY MANAGER**

**23(A) ACTION TO ADOPT A RESOLUTION AUTHORIZING EXPENDITURES OF FUNDS TO NON-PROFIT ORGANIZATIONS FOR FY 2010 - 2011** (12:34:15) - Mayor Crowell introduced this item. Mr. Werner provided background information and reviewed the agenda materials. Extensive discussion took place with regard to funding allocation alternatives in consideration of the City's ending fund balance.

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Mayor Crowell entertained a motion. Supervisor Aldean acknowledged the community service provided by the Boys and Girls Clubs and the Retired Senior Volunteer Program. She suggested that the established process has been adhered to “pretty rigorously,” and that the organizations rely on said process. **Supervisor Aldean moved to adopt Resolution No. 2010-R-19, a resolution authorizing expenditures of funds to non-profit organizations for FY 2010 / 2011, as enumerated in the fiscal impact section of the agenda report. Supervisor Livermore seconded the motion. Motion carried 4-1.** Supervisor Williamson explained her dissenting vote was relative to a preference to allocate additional funding from the City’s ending fund balance.

**23(B) REVIEW OF THE CARSON CITY OPERATIONS SCORECARD AND REPORTING OF MEASURES AND INFORMATION AFFECTING THE 2009 / 2010 BUSINESS PLAN** (12:44:42) - Linda Ritter reviewed the April Business Review and Operations Scorecard which were displayed in the meeting room and included in the agenda materials, and responded to questions of clarification. Ms. Ritter advised that next month’s report will focus on the Board’s goal for a healthy community. She requested the Board’s input with regard to additional data to include. Mayor Crowell entertained public comment; however, none was forthcoming.

### **24. BOARD OF SUPERVISORS NON-ACTION ITEMS:**

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS** (12:57:10) - In response to a question, Mr. Werner advised of having provided direction to City department heads, in previous election years, to refer all candidate questions to the City Manager’s Office. He will reiterate the direction at the next City Manager’s staff meeting. He advised that he does not expect City department managers to address City business on weekends, except for in emergency situations. A brief discussion took place with regard to using the Board of Supervisors meetings as a campaign forum.

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS** - None.

**STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS** (1:05:15) - Supervisor Walt announced the Partnership Carson City prescription roundup scheduled for May 8<sup>th</sup> at all three Save-Mart stores. A brief discussion followed. Supervisor Williamson announced the Comstock Shoot-Out Soccer Tournament scheduled to begin Saturday, May 8<sup>th</sup>. Supervisor Livermore announced the opening day of Girls Softball last weekend. He advised that opening day for Carson City Little League is scheduled for April 24<sup>th</sup>.

**STAFF COMMENTS AND STATUS REPORTS** (1:08:59) - Mr. Werner provided an overview of the publicity campaign for the Charter Review Committee.

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**25. ACTION TO ADJOURN** (1:09:26) - Supervisor Williamson moved to adjourn the meeting at 1:09 p.m. Supervisor Aldean seconded the motion. Motion carried 5-0.

The Minutes of the April 15, 2010 Carson City Board of Supervisors meeting are so approved this 20<sup>th</sup> day of May, 2010.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder