

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, January 20, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor Robert Crowell
Supervisor Karen Abowd, Ward 1
Supervisor Shelly Aldean, Ward 2
Supervisor John McKenna, Ward 3
Supervisor Molly Walt, Ward 4

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
Randal Munn, Chief Deputy District Attorney
Kathleen King, Deputy Clerk / 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 (8:31:17) - Mayor Crowell called the meeting to order at 8:31 a.m. Mr. Glover called the roll; a quorum was present. Deni French led the pledge of allegiance. Mark Escalera of Autumn Funerals and Cremations provided the invocation.

5. ACTION ON APPROVAL OF MINUTES - December 16, 2010 (8:35:14) - **Supervisor Aldean** noted several corrections, and **moved to approve the minutes, as amended. Supervisor McKenna seconded the motion. Motion carried 5-0.**

6. ADOPTION OF AGENDA (8:36:31) - Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, deemed it adopted. (10:02:06) Mayor Crowell introduced items 13(A) and (B) together.

7. PUBLIC COMMENTS AND DISCUSSION (8:36:43) - Mayor Crowell entertained public comment. (8:37:14) Deni French submitted informational materials to the Clerk regarding "a recent advisory on a recall relating investors." Mayor Crowell entertained additional public comment; however, none was forthcoming.

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION OF A PROCLAMATION TO ROBIN WILLIAMSON FOR HER TEN YEARS OF SERVICE AS THE CHAIRPERSON OF THE REDEVELOPMENT AUTHORITY AND THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE (8:39:00) - Mayor Crowell introduced this item, and invited Redevelopment Authority Citizens Committee Member Jed Block to the podium. Mr. Block provided background information, invited former Redevelopment Authority Chair Robin Williamson to the podium, read into the record the language of the Proclamation, and presented the same to Ms. Williamson. The Board members, City staff, and citizens present applauded, and Ms. Williamson thanked Mr. Block.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 2

Mayor Crowell invited the Board members to join him at the podium. On behalf of the Board members, Mayor Crowell expressed “deep appreciation” for everything former Supervisor Williamson has done for the community “since 1999 being on the Carson City Board of Supervisors.” He noted that former Supervisor Williamson and Supervisor Aldean were the longest-serving Board members among those present, and commended former Supervisor Williamson on her “great grace and [having] carried out [her] duties with intellect and a wonderful attitude.” He presented a plaque to former Supervisor Williamson on behalf of Carson City, the Board of Supervisors, and the Office of Mayor for her “hard work, dedication and vision as City Supervisor from 1999 to 2010. Your efforts on behalf of the citizens of Carson City are truly appreciated.” The Board members, City staff, and citizens present applauded.

(8:43:15) Former Supervisor Williamson announced the arrival of her grandson, December 15, 2010. She stated that Carson City is in her heart, and commended the invocation in consideration of the difficult times being faced by the community. She quoted Proverbs 29:18, “Without a vision, the people perish,” and expressed the hope that “working together, we will keep a vision of making Carson City the capital in all ways in Nevada.” She expressed trust in the Board of Supervisors to accomplish that goal, and offered her assistance. She expressed appreciation for the commendations; and the Board members, City staff, and citizens present again applauded her.

Mayor Crowell invited additional commendations. (8:44:49) Tami Westergard read a prepared statement into the record, commending former Supervisor Williamson on her “contributions over the last 12 years working hard on behalf of our community as an elected official whose efforts have demonstrated valuable leadership.” Mayor Crowell thanked Ms. Westergard for her attendance and presentation.

Mayor Crowell invited additional commendations. Supervisor Aldean provided background information on her appointment to replace former Supervisor Jon Plank, who died unexpectedly in office. Supervisor Aldean advised of having been warmly welcomed by former Supervisor Williamson who “made [her] feel right at home.” Supervisor Aldean concurred with the other commendations. “Robin is very passionate, very dedicated, very fair-minded. She’s been an absolute joy to work with.” Supervisor Aldean wished former Supervisor Williamson the best and expressed the hope to continue working with her on important projects in Carson City. Mayor Crowell invited additional commendations and, when none were forthcoming, again thanked former Supervisor Williamson for her years of service.

8(B) PRESENTATION OF A PROCLAMATION FOR CATHOLIC SCHOOL WEEK, JANUARY 30 THROUGH FEBRUARY 5, 2011 (8:50:29) - Mayor Crowell introduced this item, invited St. Teresa’s Catholic School Principal Chris Perdomo to the podium, and read into the record the language of the Proclamation. He thanked Ms. Perdomo for her passion for education and her service, and presented her with the Proclamation. The Board members, City staff, and citizens present applauded.

(8:53:10) Ms. Perdomo reviewed activities scheduled for Catholic School Week, and invited the Board members to participate. She invited Mayor Crowell to the opening ceremony on Monday, January 31st. Mayor Crowell agreed to attend, and thanked Ms. Perdomo.

9. CONSENT AGENDA (8:56:15) - Mayor Crowell entertained requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion. **Supervisor Aldean moved to approve the consent agenda, as published, consisting of one item from the Assessor’s Office; three**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 3

items from Finance; one item from Purchasing and Contracts; and two items from the City Manager's Office. Supervisor McKenna seconded the motion. Motion carried 5-0.

9-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL AND REFUND OF A PORTION OF THE TAXES FROM PARCEL NUMBERS 010-681-01 AND 010-681-02 (PARCELS LOCATED NORTHEAST OF HELLS BELLS ROAD) FROM THE 2010 / 2011 REAL PROPERTY TAX ROLL, PURSUANT TO NRS 361.060, IN THE AMOUNT OF \$2,484.12

9-2. FINANCE DEPARTMENT

9-2(A) ACTION TO ADOPT THE CARSON CITY PLAN OF CORRECTIVE ACTION FOR FY 09 / 10 STATUTORY VIOLATION INCLUDED IN THE ANNUAL AUDIT

9-2(B) ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY THROUGH JANUARY 11, 2011, PURSUANT TO NRS 251.030

9-2(C) ACTION TO APPROVE THE APPLICATION TO REMOVE THE UNCOLLECTIBLE ACCOUNTS RECEIVABLE SPECIFIED IN THE APPLICATION FROM THE RECORDS OF THE AMBULANCE FUND FOR A TOTAL AMOUNT OF \$623,726.11 IN UNCOLLECTIBLE ACCOUNTS RECEIVABLE

9-3. PURCHASING AND CONTRACTS - ACTION TO APPROVE CONTRACT NO. 1011-188, THE PURCHASE OF EQUIPMENT AND SERVICES ASSOCIATED WITH SYSTEMS OF COMMUNICATION AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115(1)(q), TO BE PROVIDED BY AT&T FOR A NOT-TO-EXCEED COST OF \$215,725.40, TO BE FUNDED FROM THE 911 SURCHARGE FUND, AS PROVIDED IN FY 2010 / 2011, P.O. #2011-050

9-4. CITY MANAGER

9-4(A) REVIEW OF THE QUARTERLY SUMMARY FOR ALL ACTIVE GRANTS MADE TO CARSON CITY AS WELL AS A LISTING OF ALL PENDING GRANTS

9-4(B) ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF DECEMBER 8, 2010 THROUGH JANUARY 11, 2011

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

10. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:57:04) - None.

11. CITY MANAGER - PRESENTATION AND UPDATE REGARDING NEVADA ASSOCIATION OF COUNTIES (NACo) BY JEFF FONTAINE, EXECUTIVE DIRECTOR (8:57:10) - Mayor Crowell introduced this item and invited Nevada Association of Counties Executive Director Jeff Fontaine to the podium. (8:57:32) Mr. Fontaine acknowledged former Supervisor Williamson, who served as past president and as a member of the NACo Board of Directors for many years. He commended her "tremendous leadership ... in getting us ready for the upcoming session." Mr. Fontaine

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 4

thanked the Board of Supervisors for their support of NACo over the years, Supervisor Walt for her participation as a member of the NACo Board of Directors, Mayor Crowell for his assistance as a member of the recently-formed NACo Legislative Committee, Mr. Glover for his many years of service representing clerks and recorders on the NACo Board, Mr. Werner, and others.

Mr. Fontaine provided an overview of his presentation and NACo's involvement in last year's special legislative session. He discussed NACo's involvement in federal public lands issues, and noted the importance of carefully following efforts to reduce the federal deficit which will affect such things as community development block grants and other revenues allocated to local governments. He discussed issues relative to the upcoming legislative session, including the 54 percent deficit in the State's general fund and corresponding potential impacts to the counties. He reviewed the bill draft requests submitted by NACo, and noted the importance of a "unified, very focused voice in the legislature." He requested the Board of Supervisors' participation.

Mayor Crowell thanked Mr. Fontaine for his presentation, and commended his leadership and representation. Mayor Crowell discussed the far-reaching effects of Dillon's rule and, in consideration of the budget shortfall, offered the City's cooperation. He discussed Carson City's efforts to consider and implement regional solutions to the infrastructure costs. He requested Mr. Fontaine to keep the Board members informed.

Supervisor McKenna commended Mr. Fontaine's presentation, and inquired as to prisons, museums, and freeway issues, and the "north / south divide" with the replacement of Senator Raggio. Mr. Fontaine expressed the opinion that the north / south issue is likely to come to light very quickly, primarily as a result of redistricting. He noted the fourth congressional seat and the corresponding attention focused on the method by which that district will be divided. He expressed the opinion that the "bigger concern is in our legislature and representation ... and the possibility of the loss of members of the Assembly and a Senate seat or two." He acknowledged the associated concerns. He recalled Senator Greg Brower as a "fine Assemblyman," and described him as a "very bright individual" who "will do a fine job." He described Senator Raggio as "one of a kind," who will be "hard to replace." In consideration of the issues associated with prisons, museums, and the freeway, he discussed the various methods by which to consider a balanced budget. He advised that very little of the State's general fund is allocated to museums and libraries. "Corrections, of course, is a bigger picture, more complicated." He advised of previous proposals to close the State prison facility in Carson City, "and the legislature didn't agree to it." With regard to the freeway, he acknowledged the need to complete the project. He advised of many advocates for increasing construction spending, and suggested this may be something to look forward to.

Supervisor Walt thanked Mr. Fontaine for his presentation, and commended his service and the updates provided to the Board members. She committed to being available, whenever possible, to participate in relevant legislative hearings. Supervisor Aldean requested a white paper for matters needing Board member participation. She noted the philosophical difficulty associated with balancing additional county autonomy and accepting the corresponding additional responsibility which is devoid of funding. She echoed the offers of cooperation and assistance. Mr. Fontaine advised that the NACo Board will develop principles related to broad topics, and assured the Board members that if they are requested to testify, NACo representatives will be present and will provide talking points. Supervisor Abowd commended Mr. Fontaine's service, and discussed the severe impacts to the tourism industry. She offered her assistance and requested information relative to museums, arts and culture, etc. With regard to the potential of the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 5

State passing services along to the counties, Mayor Crowell suggested first giving consideration to the service, the most efficient method by which to provide the service, and the method by which to fund the service. Mr. Fontaine agreed that local governments may be better equipped to provide certain services, “but this has to be done thoughtfully, deliberately and with you at the table. This isn’t going to work if the governor and the legislature decide to simply abandon a service because they can save ‘x’ amount of dollars and then expect the counties to pick it up. It needs to be done in cooperation and that’s all we can ask them for.” Mayor Crowell entertained additional Board member questions or comments and public comments; however, none were forthcoming. He thanked Mr. Fontaine for his presentation.

12. CLERK / RECORDER

12(A) DISCUSSION AND POSSIBLE ACTION TO APPOINT DEBORAH MARZOLINE AS THE PUBLIC GUARDIAN OF CARSON CITY FOR A TERM OF FOUR (4) YEARS AT GRADE, UNC 23 (9:23:59) - Mayor Crowell introduced this item, and Mr. Glover provided background information. He invited Public Guardian Susan Swenson to the podium and thanked her for “her nine years of very dedicated work to Carson City and the elderly of our City.” The Board members, City staff, and citizens present applauded.

(9:24:55) Ms. Swenson thanked Mayor Crowell and the Board of Supervisors for the opportunity to have served the community in her capacity as Public Guardian. Mayor Crowell thanked Ms. Swenson.

Mr. Glover introduced Deborah Marzoline, reviewed the agenda materials, and invited Ms. Marzoline to the podium. In response to a question, Mr. Glover advised that the position of Public Guardian is unclassified, reviewed the salary range, and advised that Ms. Marzoline will start at slightly above the starting salary. At Mayor Crowell’s request, Ms. Marzoline described the type of cases over which the Public Guardian has responsibility and provided background information on her education and experience. She acknowledged that the Public Guardian may have responsibility over both an individual and their financial resources. She advised of having trained with Ms. Swenson over the last two weeks, and commended her “heart for it.” She advised of having met many of the clients, and expressed appreciation for the opportunity to start in the position today. In response to a question, she discussed the criteria for accepting a client. She acknowledged there is no statutory requirement obligating a family member to take responsibility for a potential client. She further acknowledged a main responsibility of the Public Guardian to protect the client’s assets from predators. Supervisor Aldean wished Ms. Marzoline the best. In response to a further question, Ms. Marzoline advised that the average case load is approximately 43. The national average is 30 cases. Supervisor Abowd wished Ms. Marzoline the best. Ms. Marzoline responded to additional questions regarding the method by which client accounts are established or administered.

Mr. Glover advised that there are clients both with assets and without, and reviewed the anticipated annual revenue. He further advised that, through Ms. Swenson’s efforts, approximately \$100,000 was generated for the general fund last year. In response to a question, Mr. Glover advised that many clients are incompetent to change their Last Will and Testament. He acknowledged that unpaid obligations associated with the public guardianship can be attached from the estate of a deceased client.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to appoint Deborah Marzoline as the Public Guardian of Carson City for a term of four years at grade UNC 23. Supervisor Walt seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Marzoline and Ms. Swenson and wished them well.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 6

12(B) ACTION TO ADOPT A RESOLUTION ESTABLISHING POLICIES AND GUIDELINES FOR THE PUBLIC GUARDIAN OF CARSON CITY (9:35:26) - Mayor Crowell introduced this item. Mr. Glover provided background information and reviewed the agenda materials. He acknowledged that the proposed resolution complies with the City's statutory obligations. He further acknowledged the Board approved a fee schedule in 2006, establishing \$180 per hour. He advised of having discussed the possibility of increasing the fee with the district judges, who expressed the opinion that, due to the current state of the economy, a fee increase would be inappropriate. He expressed the opinion that public guardian cases are getting more complicated with a lot more mental illness.

In response to a question, Mr. Glover advised that the proposed resolution will not affect the current case load. He acknowledged that the public guardian will decide the case load. In response to a further question, he explained the term "extraordinary circumstances," as referenced at paragraph 2(a) of the proposed resolution. In response to a question, Ms. Swenson advised that the 60-year age referenced in the proposed resolution is statutory and the national standard. She discussed the importance of the Office of the Public Guardian continuing to insist that family members take responsibility and distinguishing between mental illness and incompetency.

In response to a question regarding paragraph 3 of the proposed resolution, Mr. Glover explained the court action required to discharge guardianship. In response to a question, Ms. Swenson explained the criteria for determining a mentally ill person as incompetent. Discussion took place regarding exceptions for accepting a person under the age of 60 years.

Mayor Crowell entertained public comment; however, none was forthcoming. He noted corrections to the proposed resolution and entertained a motion. **Supervisor Walt moved to adopt Resolution No. 2011-R-3, a resolution establishing policies and guidelines for the public guardian of Carson City with the changes to paragraph 4. Supervisor McKenna seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Mr. Glover, Ms. Swenson, and Ms. Marzoline for their service.

13. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION

13(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO AMEND THE ZONING DESIGNATIONS OF PROPERTY LOCATED IN AND AROUND THE VICINITY OF THE CARSON CITY LANDFILL, FLINT DRIVE AREA, CHANGING APN 008-011-19 FROM GENERAL INDUSTRIAL TO GENERAL COMMERCIAL (25 ACRES) AND PUBLIC REGIONAL (15 ACRES), CHANGING APN 008-052-20 FROM CONSERVATION RESERVE TO PUBLIC REGIONAL (328 ACRES) AND GENERAL COMMERCIAL (48 ACRES), AND CHANGING APNs 008-531-03 AND 10-011-01 AND -29 FROM CONSERVATION RESERVE TO PUBLIC REGIONAL (ZMA-10-087); and 13(B) ACTION TO APPROVE A MASTER PLAN AMENDMENT APPLICATION TO MODIFY THE LAND USE MAP DESIGNATION OF PROPERTY LOCATED IN AND AROUND THE VICINITY OF THE CARSON CITY LANDFILL, FLINT DRIVE AREA, CHANGING AN APPROXIMATE 15-ACRE PORTION OF APN 008-011-19 EAST OF THE V&T RAILROAD TRACK FROM PUBLIC CONSERVATION TO PUBLIC / QUASI-PUBLIC, CHANGING APN 008-521-20 FROM PUBLIC CONSERVATION (311 ACRES) AND MIXED-USE COMMERCIAL (65 ACRES) TO PUBLIC / QUASI-PUBLIC (193 ACRES), OPEN SPACE (135 ACRES) AND MIXED-USE COMMERCIAL (48 ACRES), AND CHANGING APNs 008-531-03 (178 ACRES), 10-011-01 (108 ACRES), AND 10-011-29 (520 ACRES) FROM PUBLIC CONSERVATION TO PUBLIC / QUASI-PUBLIC (MPA 10-086) (9:51:55) - Mayor

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 20, 2011 Meeting
Page 7

Crowell recessed the meeting at 9:51 a.m. and reconvened at 10:02 a.m. He introduced items 13(A) and (B). Planning Division Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. In response to a question, he advised that the existing right-of-way would provide for laying the V&T track without a special use permit.

Mayor Crowell entertained public comment. (10:09:08) Deni French expressed concern over “facing the same considerations for special use permitting of solar panels which would be detrimental to the view from the train.” He expressed support for the subject property serving as a “possible alternative location for solar panels in the future if they would be put without being involved with the train view and restrictive of that.”

Mayor Crowell called for a representative of Manhard Consulting; however, no one was forthcoming. Mr. Plemel reviewed the public noticing process, as outlined in the November 17, 2010 Planning Commission agenda materials, and advised of having received no response. He advised of having received a few inquiries from property owners and of having spoken to Ken Dorr, of Manhard Consulting, who also had no objection to the recommended action. Mr. Plemel responded to questions of clarification relative to the locations of the rifle range and adjacent public regional parcels, as depicted on a displayed map. At Mayor Crowell’s request, he reviewed the procedure associated with the zoning map and master plan amendments.

Mayor Crowell entertained additional public comment. (10:13:24) At Carol Howell’s request, Mr. Plemel pointed out the radio controlled complex on a displayed map. In response to a further question, he advised that the rifle range is presently zoned public regional. The radio controlled complex would be zoned the same as the rifle range upon passage of the proposed bill. Mr. Plemel noted that the two parcels are identified, on the master plan map, as parks and recreation facilities. Mayor Crowell entertained additional public comment; however, none was forthcoming.

Supervisor Aldean suggested revisions to the proposed bill. In response to a question, Mr. Munn provided direction with regard to the action to be taken on both items. Mayor Crowell entertained a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 101, with the revisions suggested by Supervisor Aldean, an ordinance to amend the zoning designations of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, as published on the agenda, based on the findings contained in the staff report. Supervisor Aldean seconded the motion. Motion carried 5-0.**

Mayor Crowell entertained a motion for item 13(B). **Supervisor Abowd moved to approve a master plan amendment application to modify the land use map designation of property located in and around the vicinity of the Carson City Landfill, Flint Drive area, as published on the agenda, based on the findings contained in the staff report. Supervisor McKenna seconded the motion. Motion carried 5-0.**

13(C) ACTION TO ACCEPT THE CARSON CITY MASTER PLAN ANNUAL REPORT, INCLUDING RECOMMENDED ACTIONS FOR THE IMPLEMENTATION OF THE GOALS AND POLICIES OF THE MASTER PLAN (MPA 10-085) (10:17:03) - Mayor Crowell introduced this item. Mr. Plemel provided background information and reviewed the agenda materials. He acknowledged that accepting the annual report allows for future suggestions and improvements to the redevelopment districts. Supervisor Aldean inquired as to Mr. Plemel’s intention to revisit some of the master plan strategies and proposed actions. In consideration of previous discussions regarding the downtown branding

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 8

program and focusing redevelopment funding more on infrastructure, she suggested large grease interceptors which could be accessed by multiple downtown restaurants. Discussion followed, and Mr. Plemel acknowledged the Board's purview to reprioritize any of the master plan strategies and proposed actions. He advised that suggestions such as Supervisor Aldean's are more programmatic and could be directed to staff without necessarily amending the master plan. Supervisor Aldean expressed an interest in discussing specifics relative to accomplishing the objectives without considering a master plan amendment. "It isn't an amendment; it's merely a refining of the strategies." Mr. Werner suggested having the discussion during the Board's strategic planning session, and discussion followed.

Supervisor McKenna expressed an interest in ensuring that discussions take place to "rethink everything that Carson City's doing because ... we're in a different economy and going to be ... for quite awhile. And these decisions were made under a different economic model and a lot of them probably are no longer valid. And it's also under a different philosophical model in that I believe we need to take Carson City Planning to a 10 to 15 year process and to make Carson City ... debt free so that it will be able to compete in a future world."

In response to a question, Mr. Plemel explained that the master plan is a policy document, subject to some interpretation by the Board. Mr. Plemel expressed the belief that the master plan is flexible in the method by which the local government interprets the policies adopted for implementation. In response to a question, Mr. Werner discussed the community-based master plan process necessary if a divergence is determined between the Board's policies and the master plan. He responded to questions of clarification relative to review of design codes and standards.

Supervisor Aldean discussed tools to provide staff in order to accomplish what has already been identified as a master plan strategy. Mr. Werner acknowledged that the discussion would take place during the strategic planning session. Supervisor Aldean expressed an interest in focusing on the master plan strategy to develop and adopt specific design standards for commercial development and public use development within the V&T special planning area. She expressed concern in preserving the integrity of the view corridor for the train given the community's huge investment. Mr. Werner agreed, and advised that the master plan does not establish City staff's work plan. "That needs to come from you, through strategic planning discussions through what you see you want us to accomplish in the upcoming year, couple years ..." In response to a question, Mr. Plemel expressed the belief that the term "bicycle friendly community" is more recent than 2006. He referenced the unified pathways master plan and parks and recreation master plan elements which may include the concept.

Mayor Crowell entertained public comment. (10:44:52) Morris White implored the Board not to narrow Main Street. He expressed the opinion that "further encumber[ing] the traffic on Main Street" is inappropriate when "one of your goals is to make downtown easier to access so people will come downtown. If you make Main Street a nightmare again, people won't come downtown."

(10:46:02) Deni French expressed the opinion that "this is another example of where this Bill 114 ... should be considered as a concern. Any strategy you have as far as zoning, public planning, downtown development is going to be vulnerable to it." He expressed the opinion that the City is "very vulnerable to some of the bills that are to come up as far as your City planning."

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 9

Mayor Crowell entertained additional comments and, when none were forthcoming, a motion. **Supervisor McKenna moved to accept the Carson City Master Plan Annual Report, including recommended actions for the implementation of the goals and policies of the master plan. Supervisor Aldean seconded the motion. Motion carried 5-0.**

13(D) ACTION TO AUTHORIZE A REQUEST FOR PROPOSALS FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOs) TO SUBMIT PROPOSALS FOR THE CONSTRUCTION, SALE, AND MONITORING OF A SINGLE-FAMILY RESIDENCE ON CARSON CITY PROPERTY, LOCATED AT 1104 PALO VERDE DRIVE, APN 004-141-05, TO DEVELOP AFFORDABLE HOUSING FOR A FAMILY WHOSE INCOME, AT THE TIME OF APPLICATION FOR SUCH HOUSING, DOES NOT EXCEED 80 PERCENT OF THE MEDIAN GROSS INCOME FOR FAMILIES IN CARSON CITY, PURSUANT TO THE PROVISIONS OF NRS 244.287 (10:48:15) - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. Supervisor Abowd and Supervisor Aldean suggested revisions to the draft Request for Proposals, Section 4, Scope of Work. Mr. Werner and Mr. Plemel responded to questions of clarification, and discussion ensued, relative to the language of Section 2, Section 9, and Section 6. Supervisor McKenna thanked Mr. Plemel for facilitating the visit to the property, and requested him to “go out wide and get as innovative a proposal as possible that fits the neighborhood.”

Mayor Crowell entertained public comment. (10:56:19) Deni French inquired as to the regulations under which the residence will be constructed. Mayor Crowell explained the proposal to construct consistent with existing zoning and any other restrictions associated with the property. In response to a further question, he advised that the affordable housing proposal will be submitted to the bidders. The actual design and construction will be consistent with existing zoning laws and the covenants, conditions, and restrictions associated with the property.

(10:57:40) Susan Bunker-Niles referred to her e-mail correspondence included in the agenda materials, and discussed current use of the property for overflow parking for Mills Park events. She expressed concern over event attendees parking in other places along Palo Verde Drive. She requested an increased presence by the Sheriff’s Department during Mills Park events. Ms. Walt referred Ms. Bunker-Niles to the Carson City Convention and Visitors Bureau Events Coordinator. Discussion followed.

(11:02:55) Morris White requested the Board to deny the subject action. He described the property as “valuable and highly desirable,” and expressed the opinion “it should be disposed of in an open, competitive public bid.”

(11:03:38) Sierra Nevada Community Land Trust Executive Director Anje deKnijf advised that the subject property is being considered for affordable housing. She discussed green construction and the Sierra Nevada Community Land Trust’s mission to provide affordable housing and “to be the steward of those people that buy them.” She assured the Board that Sierra Nevada Community Land Trust representatives would monitor the property, and assist the homeowner with credit issues and maintenance advice.

In response to a question, Mr. Plemel advised that the City receives Community Development Block Grant funding, which includes an obligation to affirmatively further fair housing. He further advised of having identified property elsewhere in the City, as part of the master plan, that could potentially be disposed of

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 10

in the future. "This is ... an opportunity to help the City meet its responsibility of furthering fair housing." He reviewed statistical information on work force housing in Carson City.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to authorize a request for proposals for community housing development organizations to submit proposals for the construction, sale, and monitoring of a single-family residence, on Carson City property, located at 1104 Palo Verde Drive, APN 004-141-05, to develop affordable housing for a family whose income, at the time of application for such housing, does not exceed 80 percent of the median gross income for families in Carson City, pursuant to the provisions of NRS 244.287. Supervisor Walt seconded the motion. Motion carried 5-0.** In response to a comment, Mr. Plemel advised that the proposals will be submitted to the Board for approval.

13(E) ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A SPECIAL USE PERMIT TO ALLOW PLACEMENT OF PHOTOVOLTAIC ARRAYS AT EAGLE VALLEY MIDDLE SCHOOL, ON PROPERTY ZONED PUBLIC (P), LOCATED AT 4151 EAST FIFTH STREET, APN 010-035-27 (11:07:54) - Mayor Crowell introduced this item. Supervisor McKenna disclosed having served on the Carson City School Board and having encouraged the School District to use alternative energy. He advised of never having been involved in any particular project, that he has no conflict of interest, and of his intent to participate in action on this item. Mayor Crowell made a similar disclosure, and provided direction with regard to the procedure by which to address this item.

Principal Planner Jennifer Pruitt reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel reviewed the provisions of NRS 278.0208 which prohibits unreasonably restricting the use of solar panels. He read pertinent portions of the statute into the record. In response to a question, he advised that the applicant provided information, at the Planning Commission meeting, on the cost and efficiency of the systems based on the four proposed locations. Mayor Crowell entertained additional Board member questions; however, none were forthcoming.

Mayor Crowell called for the appellant. (11:20:38) Dean Altus referred to the agenda materials and advised that the basis for the appeal was the statutory requirement for "livable neighborhoods." He further advised that both the applicant and Planning Division staff "have both indicated that the solar array will not have ... an economic impact on the neighborhood and surrounding homes." Mr. Altus expressed disagreement, and clarified that his opposition was relative to the proposed location of the proposed solar array, not the solar array itself. He read into the record a written statement. Supervisor Abowd thanked Mr. Altus for the letters to the Board of Supervisors.

(11:30:06) Diane Benson (Altus) narrated a "rendering ... of potentially what we will be looking out on" which was displayed in the meeting room. Mr. Munn cautioned the Board against reviewing evidence which was not presented to the Planning Commission. In response to a question, Ms. Benson advised of having been informed that the inverter is "anywhere from soundless to the decibel level of a normal conversation; that it could sound like an idling truck or a whine. We haven't really gotten any definitive description of what it will sound like. We were told that they would try to put the ... [in]verter box as far away as they could from the residence." Discussion took place regarding whether or not Ms. Benson's rendering represented substantial new evidence. Mayor Crowell entertained additional comments of the appellant; however, none were forthcoming.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 11

Mayor Crowell called for the applicant. (11:35:08) Carson City School District Director of Operations Mark Korinek commended Ms. Pruitt's thorough presentation. Mr. Korinek provided background information on the special use permit process, neighborhood meetings, and the preference for Option A. He noted that the burden of proof for solar panels negatively impacting property values belongs to the appellant. He advised that the School Board has expressed a preference for site C to be left open for future development and for the solar panel array to be located at site A. He respectfully requested the Board to uphold the Planning Commission's decision.

(11:38:34) Carson City School District Fiscal Services Director Anthony Turley advised of having spoken with real estate brokers who have expressed the opinion "it's so early in the process of these types of implementations of solar panels that there's really no solid evidence, one way or another, of what the property values will be impacted by ... the installation of these types of projects." He noted this as the basis for stating that there is no knowledge of a property value impact. He noted the City's comprehensive master plan and advised that the School District has a similar master plan. He acknowledged that the solar panel array construction costs would not be impacted by moving from site A to site C, but advised that the School District's master plan would need to be revised. "And so there would be an economic impact to the District by moving our site from site A to site C ..." Mr. Turley acknowledged that staff and consultant costs would be incurred to revise the School District's master plan. He advised of having had an acoustical engineer evaluate the decibel level of the inverters at various distances, and reviewed the results. He offered copies of the evaluation to any interested citizen. He noted the appraisal used to verify the economic impact on the residence, and expressed concern that if the School District grants "a view corridor of that hill, that impacts the school's ability to do any type of development on that property because anything that we would do ... would impact their view corridor of that hill." He expressed concern over creating an implied easement which would have to be maintained. "... there is no implied easement to view for that property. It is public property, school property that is there for the development and use of the School District to provide education and operations of the schools." He advised that there is no implied easement for view of that hill from the perspective of the School District. He advised that site C was entertained as an option due to not having had the soil samples returned at the time of the Planning Commission meeting. "The soil samples have come back and the soil is conducive to what we need to do with excavation and putting the footings in. So that's another reason why we feel that site A is still ... the best location from the School District's perspective."

In response to a question, Mr. Turley advised that the School District's master plan was not presented to the Planning Commission. (11:45:41) In response to a question, former School District Director of Operations Mike Mitchell advised of having assisted in developing the School District's master plan. "Imbedded in that master plan document were recommendations regarding Eagle Valley site and the master plan committee made recommendations to the School Board which they adopted that suggested improvements be made to the Eagle Valley Middle School. And they did not get into a lot of specifics about what those recommendations were. They involved adding facilities on the ... P.E. side of the facility, a new gymnasium, expanding the lunch room, making the kitchen more updated, locker room improvements, library improvements, site access, traffic, thus access to that site. So it was a wide-ranging kind of analysis of that site and they laid the case that that was needed just in the way of updating." Mr. Mitchell advised that the master plan committee recognized the decrease in enrollment, "that was done by design. We actually rezoned Eagle Valley over the past few years, shifting kids over to Carson Middle." Mr. Mitchell further advised that the master plan committee "felt that it was important to make improvements to Eagle Valley to bring it up on an equity basis to the other schools in Carson City." In

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 20, 2011 Meeting
Page 12

response to a question, he advised that the master plan does not address facility location. "That was left and is generally left up to design consultants and experts as to how to solve those problems based on architectural and engineering parameters, not done at a master plan level."

In response to a question, Mr. Korinek advised of not having provided Supervisor McKenna a tour of the property. Supervisor McKenna advised of not having been in contact, since the appeal was filed, with either side except to tell them we would hear the evidence today.

In response to a question, Mr. Turley stated "there will be expansion in the bond that was passed in November. We are in the process of getting in place the owners' representative and the construction manager, design. We are just not into the process where we have specific locations where all of that expansion will take place. But the expansion is happening and will be taking place between this summer and next summer." Supervisor Walt advised of having previously worked at Eagle Valley Middle School, and agreed with the need for expansion of the cafeteria and the gymnasium. In response to a question, Mr. Korinek advised that the master plan committee conducted charrettes to receive public and staff input relative to expansion plans. "Now, we have a bond oversight committee that will also advise on how we are doing the process. ... we will also go to the site and talk to teachers and their committee to find out, more specifically, what their needs are." In response to a question, Mr. Turley expressed the belief that the master plan committee consisted of School District representatives, school administrators, teachers' union representatives. "It was a wide variety. There were members of the community at large, there were PTO organizations represented on the master plan committee." In response to a question, Mr. Korinek estimated the acreage between the existing basketball courts to Fifth Street at 2 to 3 acres. Supervisor Walt advised of having taught physical education at Eagle Valley Middle School, and that she "did not use a large part ... from Fifth Street in of that baseball field when conducting class." In response to a question, Mr. Turley discussed liabilities associated with solar panel arrays serving as shade structures. He responded to additional questions regarding the preference for site A.

Supervisor Aldean expressed appreciation to Mr. Korinek and Mr. Turley for having conducted the on-site visit, as she had been previously unfamiliar with the layout of Eagle Valley Middle School. She expressed uncertainty as to the use identified for site A in the School District's master plan. In response to a question, Mr. Korinek advised that specific solar array sites were not identified in the master plan. "It was identified that we wanted to pursue it and put them at as many schools as we could. The rebate program came up with NV Energy. We ... had five sites that we could put them on, but not a specific site." Mr. Korinek advised there would be no reason to amend the master plan. In response to a question, Mr. Turley advised that no location for a gymnasium has been identified on the property. "As part of the future ... uses of that property was the possibility of a joint-use gymnasium-type facility that would be jointly used by the Parks and Recreation Department and the School District and, at one time, it was looked at going very close to where site C would be." Supervisor Aldean suggested that "regardless of where the array goes, it may precipitate a master plan amendment." Mr. Turley advised that the master plan is an overriding document with "policy portions," and that the "underlying decisions that go with the bond oversight committee is where those decisions would be made as to where the location of the traffic flow would be, where the location of the gymnasium would be and still fall under the general umbrella of the master plan as a policy document."

Supervisor Abowd also expressed appreciation to Mr. Korinek and Mr. Turley for the on-site visit. In response to a question, Mr. Turley advised that there would be no impact on the solar panel array efficiency at site C. In reference to previous comments relative to accommodating the adjacent neighbors, Mr.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 20, 2011 Meeting
Page 13

Korinek advised of having offered to relocate portable classrooms “to make room northward for the current proposed site. ... That way we could ... scoot it up ... and make it more rectangular.” He further advised of having offered to “change the arrangements of the panels to elongate them so that they sit as much as possible below the site line.” He advised of plans to excavate the site so that the panels “at least along the property line” can be below the fence line and “to stay flat on the way out rather than in the sketch that was shown going up the hill with the contour.” He further advised of having offered to “shift the array footprint northward to the space formerly occupied by the portables. They also suggested it would save on our wire run ...; excavate three sides of the site so that it would sit down in the hillside as much as possible. We plan on doing that. Install landscaping across the south and the west edges of the array enclosure to camouflage their location. We would do that as much as possible without shading it. ... We’ve also offered to place some trees at the appellants or at other neighbors there. And minimize ... the east side setback. It seems right now that 30 feet is too close but, at this point, they were asking if we could make it less so that it was closer to their fence line so they wouldn’t see it.” Mr. Korinek expressed a willingness to accommodate the neighbors’ needs.

In response to a question, Mr. Korinek advised that site C would be “shifted slightly if that had to be the site. You couldn’t go too far west because you’d start getting closer to the road and there’d be additional sight lines for other neighbors as well.” He acknowledged some maneuverability. Mr. Turley advised that if site C is chosen, the array would be elongated “along the hillside rather than have it go down into the property.” He expressed the understanding this would not impact the special use permit conditions of approval.

In response to a question, Mr. Turley advised that the School District has indicated site A as the preferred option for the solar panel array. He and Mr. Korinek responded to questions of clarification relative to design modifications necessary to accommodate the solar array at site C. “The footprint becomes much larger for the excavation and fill than the actual acre and a half. ... it cuts into the use of that property much further than the acre and a half that we would do at site A. Mayor Crowell discussed differences in topography between the Eagle Valley Middle School and Seeliger Elementary School sites. He requested the School District representatives to express the considerations which went into the decision making process. Mr. Turley acknowledged the visual impact of locating the solar panel arrays at site A. “We knew that at Seeliger that impact would be limited because we could lower the height. Lowering the height here would impact the efficiency of the arrays and really have no meaningful visual impact on what they would see.” Mr. Turley expressed the opinion that the only way to mitigate the visual impact is through landscape, “planting trees along the fence line that would grow enough to where it would help with the visual impact but would not shade the structure.” He advised of having carefully considered the feasibility of site C. “It’s just that, from our Board’s perspective, as we presented the options to them, ... the impact on the future use of that property and the design and build of this was a more prevalent impact than that visual ...” Mr. Turley acknowledged the difficult decision, and advised of having taken the opinions and views of the neighbors into careful consideration. “We had to look at it ... overall, not just one thing outweighing all the other options.”

Mayor Crowell entertained additional comments from the applicant’s representatives. (12:12:02) Mr. Mitchell explained that the School District’s master planning process is much different than the City’s. “It’s an advisory group of people that comes together and assists the School District in looking at its facilities ... over a five and ten year period of time and making recommendations to the School District and then to the School Board. So it’s a recommending body. There’s really no legal ... mechanism that says

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 14

we have to follow that and, in the case of Eagle Valley, there's no recommendation from the master plan that says, 'You are to use this property in this way.'" Mr. Mitchell acknowledged a previous proposal to install "many, many windmills and a 56-stall bus barn and solar panels ... about the area of property C at Eagle Valley." He described details of the proposal, and advised of a lot of dialogue during School Board meetings. "... it was ultimately deemed to not be an appropriate use of that area of the site so the School District backed off of that at that time." Mayor Crowell entertained additional comments from the applicant's representatives; however, none were forthcoming.

Mayor Crowell entertained rebuttal from the appellants. (12:15:06) Diane Benson (Altus) thanked Mayor Crowell and School Board Member Ron Swirczek for visiting the Altus residence. Ms. Benson expressed uncertainty over how the excavated hillside will look. She thanked Mr. Korinek for considering the previously listed suggestions, but advised "they were very early on in the process when the array was oriented a different direction." She advised of having visited the site again and "demarked how big a footprint that's going to be," and expressed the opinion that no "amount of landscaping or excavation are going to block it out of our sight." She acknowledged having considered the potential development of adjacent school property at the time she and her husband purchased their residence. She advised of having expected "something of a continuation of the architectural style. That is a very attractive school." She expressed concern over "wip[ing] out a prime area for expansion of the school." She expressed a preference for requiring the solar panel array to be located at site C. Mayor Crowell entertained additional comments of the appellants; however, none were forthcoming.

Mayor Crowell entertained public comment. (12:18:44) Bob Walters described the location of his residence relative to proposed site A. He advised of having been asked by a School District representative his opinion of the potential for a two and a half story gymnasium on the site. He advised of having expressed a preference for the gymnasium "because we know what a building is ... But here we have a 60,000 square foot black thing that none of us have lived or resided next to being proposed to be put right there. ... That's a huge thing. It's a foreign thing for any of us to reside next to and, while they're commonly used in commercial applications, ... nobody lives right there." Mr. Walters expressed the opinion that, "as a good neighbor," the School District should thoroughly consider the 40 acres comprising Eagle Valley Middle School. In response to a question, he advised of having sent the School Board members 15 individual letters with the signatures of residents in the immediate proximity of site A.

(12:24:03) Deni French advised of having "originally been given a 65 dB level as a consideration. It had since gone up to 75 ..." He recommended pressing the applicants for the exact locations of the inverters. He advised of a recent recall of Xantrex GT Series grid tie solar inverters, and suggested considering this in light of "the complexity that still exists with the tie-in to any grid situation." He expressed no opposition to solar energy, and the opinion that "due to the restraints that are put on them to get this rebate, they're looking past their master plan and this project's really being forced into the corner because of their master plan ..." He expressed an interest in whether the master plan "involve[s] anything else that would have a special use permit requirement." He expressed concern over "grid interconnects," and strong opposition "because they haven't addressed that directly ..."

(12:29:35) Carol Howell expressed appreciation for the School District's consideration of energy savings. As a property owner, she also expressed appreciation for "what these homeowners are getting ready to live with." She disagreed with the opinion that property values will not be affected, and suggested installing "a few more panels and hooking them up to this system as a reimbursement for that loss, both now and

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 15

when they get ready to sell so that future buyers might have the same benefits of less utility costs by virtue of having to put up with this view that they've lost." Supervisor McKenna advised of having considered a regional coalition between the School District and the property owners to provide energy to all of the properties. He suggested that the neighbors could negotiate with the School District, and expressed support for a way of new thinking instead of considering solar panels as a blight on the view. He commended Ms. Howell's idea and expressed the hope that someone will pursue it with the School District.

(12:32:49) Kevin and Amber Law introduced themselves for the record and described the location of their residence relative to site A. Ms. Law described the subject situation as "bittersweet" in that her children attended Eagle Valley Middle School. "We want what's best for the school and the community." She advised that the solar panel array "is all we'll see," and expressed a preference for site C. If the solar panel array is installed at site A, she expressed appreciation for the offer to plant trees and other landscape. She expressed concern over the solar panel array being "directly on our property line, facing our home." Mr. Law inquired as to whether they would be precluded from planting trees along their property line. He acknowledged having considered potential development at the adjacent school property at the time they purchased their home. Ms. Law acknowledged the Board's "tough situation." She advised of having "laid quiet because we are all for solar and we know that's the way we need to head. When our neighbors met with us and we actually saw the taping and the poles out there, it was so overwhelming." Ms. Law advised of having been "a little misled. ... Literally, that is all we'll see is just solar panels." She requested additional consideration be given to alternatives.

(12:36:16) Paul Eastwood advised of having contacted a professional engineer at Nevada Controls who is in the business of installing solar panels and who walked the Eagle Valley site with him. He advised that the engineer expressed a preference for site C or site D. Mr. Eastwood advised of having "decided to do the study," and described details of the same. He reviewed the engineer's suggestions for alternative sites.

Mayor Crowell entertained additional public comment; however, none was forthcoming. He briefly summarized the testimony, and entertained additional Board member questions or comments. Supervisor Walt noted the site options, and expressed empathy with the adjacent residents. She expressed support for solar energy and for the School District's efforts to save on operating costs. She disclosed that she and her husband are Carson City School District employees. Supervisor McKenna expressed the opinion that the discussions held at this meeting "should have taken place at either the School District or at the Planning Commission." He noted the appeal of the Planning Commission's decision is based upon the facts heard at the Planning Commission meeting and any statements or proof provided by the appellant. He reviewed the provisions of the Carson City Municipal Code relative to appeals of Planning Commission decisions, and expressed a preference for the Board to approve the School District's request and for School District representatives to work with the neighbors. He expressed the opinion that the subject appeal represents "two land owners butting heads." He emphasized the requirement for the Board to make a decision based upon the record created at the Planning Commission.

Mayor Crowell entertained a motion. Supervisor Aldean acknowledged the differences between the subject appeal and the appeal relative to the Seeliger Elementary School location. She noted the Board's larger constituency and the associated responsibility. **Supervisor Aldean moved to modify the Planning Commission's decision and approve only Option C as the location for the placement of the photovoltaic array on the Eagle Valley Middle School campus subject to the applicable conditions contained in the staff report and based on the fact that findings 2 and 7 cannot be made with respect**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 16

to the approval of option A. Supervisor Walt seconded the motion. Mayor Crowell read into the record findings 2 and 7 from the agenda materials. He advised of having visited the site, and expressed understanding for the School District's plans. "It just seems that where there's an alternative ... and where we're in compliance with the law, it's a better move that we go with option C on this one." Supervisor Abowd agreed with Mayor Crowell's comments in consideration of "mov[ing] in the direction of the good neighbor policy ..." Supervisor McKenna acknowledged Mayor Crowell's comments, and expressed no opposition to option C "because the School District will at least get ... their grant ..." He expressed concern over the lack of legal background for the vote. He reiterated the reference to the CCMC appeal procedure, and expressed the opinion "it's been let's make a deal time." He expressed the further opinion that voting in favor of the motion indicates a lack of consideration for the law. Discussion followed, and Mayor Crowell entertained additional comments. When none were forthcoming, he called for a vote on the pending motion. **Motion carried 4-1.**

14. CITY MANAGER

14(A) REVIEW OF THE CARSON CITY OPERATIONS SCORECARD (12:49:55) - Mr. Werner acknowledged that this item would be reagendaized for the February 3rd Board meeting. Mayor Crowell recessed the meeting at 12:50 p.m. and reconvened at 1:06 p.m.

14(B) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE APPLICATION FORM, A TIME LINE AND SCHEDULE FOR THE APPOINTMENT OF A REPLACEMENT JUSTICE OF THE PEACE, AND TO AUTHORIZE THE CITY MANAGER TO APPOINT A SELECTION COMMITTEE, AS SET FORTH IN NRS 4.150 (1:06:55) - Mayor Crowell introduced this item. Mr. Werner provided background information and reviewed the agenda materials. Discussion took place regarding the "30-day rule," and Mr. Munn advised of having researched the matter. He explained that the Attorney General has opined that someone can revoke their resignation from elective office right up to the effective date, "but once it's effective ... they can't revoke it after the effective date." He advised that as long as the appointment process does not result in a decision by the Board until after the effective date of the resignation, there should be no problem.

Extensive discussion took place regarding the method by which to appoint the selection committee, the application materials, the salary range, coverage for the interim, and composition of the selection committee. Both Supervisors Aldean and Walt expressed an interest in reviewing a list of all the applicants. Extensive discussion took place regarding the salary range, and consensus of the Board was to establish a range of \$85,000 to \$105,000.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to approve the application form, time line, and schedule for the appointment of a replacement justice of the peace, and to authorize the City Manager to appoint a selection committee, as set forth in NRS 4.150, subject to the comments and amendments on the record. Supervisor Walt seconded the motion.** In response to a question, Mr. Werner explained the time line set forth in the agenda materials. Mayor Crowell called for a vote on the pending motion. **Motion carried 5-0.**

15. BOARD OF SUPERVISORS NON-ACTION ITEMS:

STATUS REVIEW OF PROJECTS (2:34:02) - Mr. Werner advised that staff will present the City Center project to the Board at the February 17th meeting.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 20, 2011 Meeting
Page 17

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS (2:33:22) - Supervisor Aldean advised she would be absent from the February 3rd Board of Supervisors meeting.

STAFF COMMENTS AND STATUS REPORT (2:32:54) - Mr. Werner reminded the Board members of the legislative reception scheduled for 5:30 p.m. on Tuesday, February 8th at the Brewery Arts Center Grand Ballroom, and of the strategic planning workshop scheduled for Monday, February 14th.

16. CITY MANAGER - ACTION TO APPOINT ONE MEMBER TO THE PLANNING COMMISSION TO FILL A TERM THAT WILL EXPIRE IN JUNE 2012 (1:43:42) - Mayor Crowell introduced this item. Mr. Werner provided an overview of the interview process, and introduced Ann Cox.

(1:45:14) Mayor Crowell welcomed Ann Cox and, in response to a question, she discussed her interest in serving on the Planning Commission. She acknowledged she is a Carson City resident and an understanding of the membership term, ending in June 2012. Supervisor Aldean provided background information on the downtown design charrette conducted in 2005, and reviewed details of the subsequent vision. In response to a question, Ms. Cox expressed the opinion that the vision “would be a good basis for future decisions. Things change as years go on.” With regard to the downtown area, she observed “it could be more diverse.” She discussed the importance of attracting more diverse businesses to the downtown core. She acknowledged that the vision, as described by Supervisor Aldean, has merit for the downtown area. In response to a further question, she advised of no familiarity with smart growth principles for urban design. Supervisor McKenna inquired as to Ms. Cox’s experience with technical writing. Ms. Cox provided background information on her 15-year experience with technical writing while in the oil business, and grant writing while working for the Yakima Nation Housing Authority. Supervisor Walt thanked Ms. Cox for her application. In response to a question, Ms. Cox expressed understanding for general resident concerns over installation of renewable energy facilities in neighborhoods. She expressed the opinion that “with any issue, you ... have to take a really hard look at all of the facts and then assess where the least amount of impact or the least amount of heartbreak is going to come.” She expressed support for businesses and economics, “but we can’t make many people in the neighborhood very, very upset because we’re putting solar panels ...” In response to a further question, Ms. Cox advised of little familiarity with the City Center project. She advised of the intent to spend sufficient time “coming up to speed on all those issues” if appointed. Mayor Crowell thanked Ms. Cox for her application, and welcomed her to stay for the remaining interviews.

(1:55:17) Mayor Crowell welcomed Paul Eastwood and thanked him for his application. In response to a question, Mr. Eastwood discussed his interest in serving on the Planning Commission. In response to a further question, he expressed the opinion that residents “don’t have too much of a choice” over installation of renewable energy facilities in neighborhoods. He expressed opposition to “neighborhoods ... with that type of energy going in, but I realize we have no choice.” He discussed the importance of considering the facts of each case. In response to a further question, he advised of “very little” familiarity with the City Center project. Supervisor McKenna referenced Mr. Eastwood’s 38 years experience in the private sector. In response to a question, Mr. Eastwood advised that his experience is in the area of machine technology. He expressed the opinion that he would relate well to local manufacture and industry representatives.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 18

Supervisor Aldean provided background information on the City Center project and reviewed details of the vision which resulted from the 2005 downtown design charrette. Mr. Eastwood acknowledged that the vision still has merit, and discussed difficulties associated with downtown parking and the crosswalks. In response to a question, Mr. Eastwood advised of no familiarity with cluster growth principles. Supervisor Abowd inquired as to his opinion regarding green design. Mr. Eastwood stated, "That's why we have engineers and designers and also rules and regs ..." He expressed the understanding that Planning Division staff provides the commissioners with all the information needed to make a good decision. He acknowledged the trend toward green design. Mayor Crowell thanked Mr. Eastwood for his application, and discussed the Planning Commission's role.

(2:04:52) Mayor Crowell welcomed Edwin James and, in response to a question, he discussed his interest in serving on the Planning Commission and his involvement in the community over the years. Supervisor McKenna expressed concern over conflicts of interest relative to Mr. James' position as Executive Director of the Carson Water Subconservancy District. Mr. James expressed the belief there would be no conflict, and the hope to serve as a "voice of the public to you because you can't be everywhere. It's another way of hearing what's going on out there, getting the information." He assured the Board that he would recuse himself from any issue over which there may be a conflict. Supervisor McKenna clarified that his concern was not personal; his question was for purposes of the record. Mr. James acknowledged recollection of the 2005 downtown design charrette, and Supervisor Aldean reviewed details of the resulting vision. In response to a question, Mr. James expressed support for the concept of making downtown "more user friendly." He expressed the opinion that the community's concern over the vision is relative to cost. "... where are you going to get the money to pay for this when everything's so tight?" Mr. James expressed the opinion that "timing is everything when you get into it." He expressed the further opinion that "having a vital downtown is critical for any community," and that he's always been supportive of the concept. He noted the balance between meeting the community's vision without bankrupting it. Supervisor Abowd disclosed that she is the Board's representative to the Carson Water Subconservancy District. In response to a question, Mr. James discussed his understanding of cluster growth and expressed strong support for avoiding urban sprawl. In response to a further question, he expressed strong support for green design. "Any time you can do things that are eco-friendly, it benefits the whole community; not only just people who live here but people who come from areas around. ... The alternative costs a whole lot more and doesn't always provide you what you're looking for." He noted a balance between energy efficiency and "disrupting the whole neighborhood. You have to have appropriate placement ..., but when you put that appropriation in there and it's working there, you're going to have a much better community." Supervisor Walt thanked Mr. James for his application. In response to a question, Mr. James reiterated the importance of avoiding disruption to an entire neighborhood "when ... trying to do something good." He expressed the opinion that noise and aesthetic issues must be taken into consideration, and reiterated the importance of doing what's appropriate for the community. In response to a further question, he advised of not having been deeply involved in the City Center project. He discussed the intent to delve into the details if appointed to the commission. Mayor Crowell thanked Mr. James for his application, and discussed the importance of the City's boards, commissions, and committees.

(2:17:15) Mayor Crowell welcomed Mark Sattler and thanked him for his application. In response to a question, Mr. Sattler discussed his interest in serving on the Planning Commission and his community involvement over the years. Mr. Sattler acknowledged recollection of the 2005 downtown design charrette, and Supervisor Aldean reviewed details of the resulting vision. In response to a question, Mr. Sattler expressed the opinion that the downtown vision "would ... add to the ambiance," and that the freeway has

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 20, 2011 Meeting

Page 19

“taken the pressure off ...” He noted the importance of “listen[ing] to the people that are down there as to what their desires are ...” In response to a question, Supervisor Aldean noted the RTC’s recent capacity projects, including the Roop Street Widening Project and the Stewart Street extension, in anticipation of the freeway completion and narrowing Carson Street. Mr. Sattler expressed support for the concept, and uncertainty as to the funding source. In response to a question, he expressed little familiarity with the concept of cluster growth. In response to a further question, he expressed the opinion that green design is “very critical.” He discussed his experience with public relations in both his professional and community service roles. In response to a question, he expressed support for renewable energy facilities with careful consideration given to costs and benefits. In response to a further question, he described himself as “very familiar” with the City Center project and advised that he has followed it quite closely. In response to a question, Mr. Werner advised that Mr. Sattler’s Debt Management Commission membership should be no problem. Mayor Crowell thanked Mr. Sattler for his application, and discussed the importance of the City’s boards, commissions, and committees.

The Board members discussed the applicants’ experience and qualifications, and Mayor Crowell entertained the Board members’ nominations. Following discussion, Mayor Crowell entertained a motion. **Supervisor Aldean moved to appoint Mark Sattler to the Carson City Planning Commission to fill a vacancy for a term ending June 2012. Supervisor Walt seconded the motion. Motion carried 5-0.**

17. ACTION TO ADJOURN (2:34:34) - Supervisor Walt moved to adjourn the meeting at 2:34 p.m. The motion was seconded and carried unanimously.

The Minutes of the January 20, 2011 Carson City Board of Supervisors meeting are so approved this 17th day of February, 2011.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder