

item # 1

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

October 5, 2006, Regular Meeting

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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, October 5, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT: Linda Ritter City Manager
Sue Johnson Internal Auditor
Ann Silver Human Resources Director
Walter Sullivan Community Development Director
Andrew Burnham Public Works Director
Juan Guzman Open Space Manager
Cheryl Adams Purchasing and Contracts Manager
Mary Margaret Madden Deputy District Attorney
Katherine McLaughlin Recording Secretary
Jennifer Pruitt Senior Planner
(BOS 10/5/06 Recording 8:29:45)

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

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Deputy District Attorney Mary Margaret Madden lead the Pledge of Allegiance. Rev. Bruce Henderson of the Airport Road Church of Christ gave the Invocation. Supervisor Williamson recognized and commended Rev. Henderson on his long-term blood donations. She also encouraged others to follow his example.

PUBLIC COMMENTS AND DISCUSSION (8:32:15) - Eddie Mayo opined that Carson City is not doing enough to encourage public comments and public involvement. He cited the recent announcement regarding the landfill, its shooting range, and the Silver Saddle Ranch to illustrate his point. He then read a prepared "letter" into the record espousing his beliefs. He requested a response to its suggestion that presentations be made in each ward so that the residents will know the impacts. Mayor Teixeira indicated that City Manager Ritter will contact him regarding his requests. He also indicated that meetings regarding the topics will be conducted. Mr. Mayo alleged that no one had been informed about the proposals. The Friends of Silver Saddle Ranch had not been contacted and were unaware of the plans. More public participation is needed. Additional comments were solicited.

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Mayor Teixeira advised Sam Dehne that he should not play his guitar as it is disturbing and he would have him removed if he does play it. Mr. Dehne indicated that he was not being contentious and wanted his three minutes for public comments. Mayor Teixeira indicated that Mr. Dehne could speak under public comments but was not to play the guitar. Mr. Dehne indicated that the donation of blood is important. He alleged that he donates all the time and has raised \$1,000 from his blood donations. Mr. Dehne then espoused his disappointment and dismay at the corruption that is occurring in Nevada due to the voting system. He alleged that the gentleman running for Congressional office counts the ballots or has his people count them. The Board has purview over this process. He then explained that he is attempting to do away with "billboardists" who are people who vote for individuals with ads on billboards. He indicated that he has available "Vote for Sam" CDs for the public. The individual receiving the CD must commit to voting for him and reading the literature that is enclosed with the CD. He felt that it contains lots of "good" information regarding government. He claimed that he brought his guitar as "people have been wandering why he had not taken it to the podium. People want it." He alleged that, if a secret ballot is taken, it would support his claim. He also alleged that he taught Bob Dylan half of what he knows. Additional public comments were solicited but none were given.

1. **ACTION ON APPROVAL OF MINUTES (8:41:09)** - Supervisor Aldean moved to approve the Minutes from the Carson City Board of Supervisors dated September 7, 2006, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. **AGENDA MODIFICATIONS (8:41:35)** - City Manager Linda Ritter explained that Consent Agenda Item 3-5 had been pulled for corrections.

3. **CONSENT AGENDA (8:41:55)**

3-1. PURCHASING AND CONTRACTS

A. **ACTION TO APPROVE AMENDMENT NO. 2 FOR CONTRACT NO. 0506-035, CARSON CITY COMMUNITY TRANSIT SERVICE OPERATIONS TO MV TRANSPORTATION, INC., WHICH WILL RESULT IN \$86,584.60 IN SAVINGS DURING THE PERIOD OF OCTOBER 1, 2006, THROUGH SEPTEMBER 30, 2007, AND IN \$88,999.64 IN SAVINGS DURING THE PERIOD OF OCTOBER 1, 2007, THROUGH SEPTEMBER 30, 2008, TO THE CARSON CITY TRANSIT FUND**

B. **ACTION TO APPROVE CONTRACT NO. 0607-036, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY MACWEST MARKETING TO PROVIDE PROFESSIONAL LEVEL MARKETING SERVICES TO THE CITY'S FIXED-ROUTE TRANSIT SYSTEM - JUMP AROUND CARSON (JAC) THROUGH OCTOBER 4, 2007, FOR A NOT TO EXCEED COST OF \$77,000 FROM THE TRANSIT FUND**

C. **ACTION TO APPROVE CONTRACT NO. 0607-042, A REQUEST TO HAVE THE BOARD OF SUPERVISORS DETERMINE THAT THE LISTED CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTEREST OF CARSON CITY**

3-2. **PUBLIC WORKS - CONTRACTS - ACTION TO ACCEPT THE RECOMMENDATION OF PUBLIC WORKS TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND APPROVE THIS RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$91,980.77, ON THE SALIMAN ROAD TO MILLS PARK RECLAIMED WATER MAIN EXTENSION PROJECT, CONTRACT #2005-001, TO RAPID**

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CONSTRUCTION, INC.

3-3. PUBLIC WORKS - ENGINEERING

A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN RELEASE AND CANCELLATION OF AN ORDINANCE NO. 1991-58 AND A DEVELOPMENT AGREEMENT BETWEEN SNAP-ON TOOLS AND CITY OF CARSON CITY REGARDING ASSESSOR'S PARCEL NUMBER 10-051-37, PREVIOUSLY APN 10-051-12 AND 10-051-13, LOCATED AT 1880 FAIRVIEW DRIVE, CARSON CITY, NEVADA

B. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE RELEASE AND CANCELLATION OF THE IMPROVEMENT AGREEMENTS BETWEEN CARSON CITY AND:

C STANTON PARK DEVELOPMENT, INC., FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO DEVELOPMENT OF MOUNTAIN PARK SUBDIVISION, UNIT NO. 11;

C NORTHRIDGE LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO DEVELOPMENT OF NORTHRIDGE SUBDIVISION, PHASE 11;

C NORTHRIDGE LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO DEVELOPMENT OF NORTHRIDGE SUBDIVISION, PHASE 8,

C ALEXANDER K. BERNHARD AND LENORE J. BERNHARD, CO-TRUSTEES OF THE BERNHARD FAMILY TRUST, FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS RELATED TO HIDDEN MEADOW ESTATES, UNIT 4

3-4. PUBLIC WORKS - PLANNING - ACTION TO APPROVE A REQUEST FROM JENNIFER VERIVE AND GARY CAIN, PROPERTY OWNER, FOR A CARSON CITY HISTORICAL TAX DEFERMENT ON PROPERTY LOCATED AT 412 NORTH CURRY STREET, APN 003-225-10. (FILE HRC-06-160)

3-5. PARKS AND RECREATION - OPEN SPACE - ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE TO AUTHORIZE THE OPEN SPACE MANAGER TO ENTER INTO A CONTRACT WITH WOOD RODGERS, INC., FOR PHASE III OF THE OPEN SPACE WETLAND REHABILITATION PROJECT FOR A NOT-TO-EXCEED SUM OF \$92,620. THE WETLAND IS LOCATED NORTH OF NORTHRIDGE DRIVE, SOUTH OF COLLEGE PARKWAY, (WEST) EAST OF LOMPA LANE, AND (EAST) WEST OF THE NORTHRIDGE/MOUNTAIN PARK SUBDIVISIONS - None of the items were pulled for discussion. Supervisor Livermore moved to approve the Consent Agenda consisting of three items from Purchasing and Contracts, one item from Public Works - Contracts, two items from Public Works - Engineering, and one item from Public Works - Planning, for a total of seven items. Supervisor Staub seconded the motion. Motion carried 5-0.

4. JUSTICE COURT - ACTION TO APPROVE SETTING THE MINIMUM COMPENSATION FOR THE JUSTICES OF THE PEACE OF THE CITY OF CARSON CITY AT \$68,151.65 (8:42:32) - City Manager Linda Ritter, Sam Dehne - Ms. Ritter indicated that there is no maximum limit on the Justices' compensation. Mr. Dehne recommended the pay be \$150,000 for the Justices. Supervisor Staub moved to approve setting the minimum compensation for the Justices of the Peace of the City of Carson City at \$68,151.65. Supervisor Livermore seconded the motion. Motion carried 5-0.

5. HUMAN RESOURCES - Director Ann Silver - ACTION TO INSTITUTE A PRE-EMPLOYMENT DRUG SCREENING PROCEDURE FOR ALL CANDIDATES SEEKING EMPLOYMENT

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EFFECTIVE NOVEMBER 1, 2006, THAT WILL TEST FOR AMPHETAMINES, MARIJUANA, COCAINE, OPIATES (HEROIN, MORPHINE, OXYCODONE AND VICODIN), AND PCP (8:44:37)

- The estimated cost for the testing is \$10,500. Discussion indicated that random testing of current employees must be negotiated with their Associations. At this time only public safety employees and employees involved in "problems" are being tested. Ms. Silver believed that the Internal Auditor's concerns regarding the staffing level of her Department is a long-standing concern. Concentra performs the testing at its office. Her staff does not interface with the individuals being tested. Mayor Teixeira explained his support of the program. He thanked Ms. Silver for bringing the matter forward. Supervisor Livermore moved to approve the implementation of a pre-employment drug screening program for all Carson City employees; fiscal impact is \$10,500 and the funding source is the General Fund. Supervisor Staub seconded the motion.

Mr. Dehne espoused his belief that current employees should be tested. He indicated that he is not casting aspersions on the current employees but felt that it was a fair and reasonable requirement. He also recommended inclusion of all elected officials in the testing program. He also suggested that alcohol be included in the testing.

The motion to approve the pre-employment testing program was voted and carried 5-0.

6. INTERNAL AUDITOR - Sue Johnson

A. PRESENTATION OF INTERNAL AUDIT REPORT REGARDING HEALTH INSURANCE PREMIUMS; AND B. ACTION TO APPROVE A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF CARSON CITY AND SAINT MARY'S HEALTHFIRST FOR OVERPAID INSURANCE PREMIUMS FOR THE PERIOD JULY 2003 THROUGH JUNE 2006 (8:51:00)-

Mayor Teixeira complimented Ms. Johnson on finding the error. Discussion indicated that there is a similar issue with the Dental and Vision Policies although the amount may be less. Ms. Johnson explained the new auditing procedures and her belief that it is providing good billing checks. Justification was provided for allowing reimbursement to occur over a 32-month period. Supervisor Livermore corrected the Agenda Report to indicate that reimbursement ends in June 2009. Notification and billing improvements made by both the Human Resources Department and Saint Mary's were described. It was felt that these improvements will prevent a recurrence of the overpayment and has opened the lines of communication between the two entities. Ms. Johnson justified starting her audit date on 7/1/03 as that was when the City began contracting with Saint Mary's HealthFirst. Supervisor Staub moved to approve a reimbursement agreement between the City of Carson City and Saint Mary's HealthFirst for overpaid insurance premiums for the period July 2003 through July 2006; fiscal impact: a reimbursement agreement has been drafted, in the amount of \$152,588.19, between the City of Carson City and Saint Mary's HealthFirst for the outstanding balance of overpaid insurance premiums; this amount is to be reimbursed to the City in 32 monthly installments of \$4,768.38, beginning November 1, 2006, and ending June 1, 2009. Supervisor Livermore seconded the motion. Supervisor Williamson thanked Ms. Johnson and the Human Resources staff for following through with the audit. She explained for the record that she had opposed the previous individual auditor and was not opposed to such audits. The audit was the type she had been looking for. She thanked Ms. Johnson for the report. She indicated an intent to support the motion. The motion was voted and carried 5-0. Mayor Teixeira reiterated his compliment of Ms. Johnson and her work.

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7. PUBLIC WORKS - PLANNING AND ZONING - Community Development Director Walter Sullivan

A. ACTION TO ADOPT, ON SECOND READING, BILL NO. 124, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY 12,000 (SF-12) AND GENERAL INDUSTRIAL (GI) TO GENERAL COMMERCIAL (GC), ON PROPERTY AT 4820 EAST NYE LANE, APN 008-382-14 (SF-12), AND 4880 EAST NYE LANE, APN 008-382-36 (GI). (FILE NO. ZMA-06-144) - Comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 124, Ordinance No. 2006-22, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY 12,000, SF-12, AND GENERAL INDUSTRIAL, GI, TO GENERAL COMMERCIAL, GC, ON PROPERTY AT 4820 EAST NYE LANE, APN 008-382-14, SF-12, AND 4880 EAST NYE LANE, APN 008-382-36, GI, subject to the findings contained in the staff report. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. ACTION TO ADOPT ON SECOND READING, BILL NO. 125, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF THE EASTERN HALF OF PROPERTY LOCATED AT 7051, 7101, 7171 AND 7207 CENTER DRIVE, APN'S 009-311-29, -30, -31 AND -46, A TOTAL OF APPROXIMATELY 4.7 ACRES, FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 6,000 (SF6). (FILE NO. ZMA-06-137) (9:00:54)- Comments were solicited but none were given. Supervisor Livermore moved to adopt on second reading Bill No. 125, Ordinance No. 2006-23, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF THE EASTERN HALF OF PROPERTY LOCATED AT 7051, 7101, 7171 AND 7207 CENTER DRIVE, APN'S 009-311-29, -30, -31 AND -46, A TOTAL OF APPROXIMATELY 4.7 ACRES, FROM SINGLE FAMILY ONE ACRE TO SINGLE FAMILY 6,000 based on the findings contained in the staff report. Supervisor Staub seconded the motion. Motion carried 5-0.

C. ACTION TO ADOPT, ON SECOND READING, BILL NO. 126, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, DIVISION 2 PARKING AND LOADING, SECTION 2.2(A) RESIDENTIAL PARKING REQUIREMENTS BY DELETING PARKING REQUIREMENTS SPECIFIC TO PLANNED UNIT DEVELOPMENTS AND ADDING A REQUIREMENT TO PROVIDE GUEST PARKING SPACES WHEN PUBLIC STREET WIDTHS ARE REDUCED TO PRECLUDE ON-STREET PARKING, AND OTHER MATTERS PROPERLY RELATED THERETO. (FILE ZCA 06-138) (9:02:18) - Sam Dehne - Comments were solicited. Mr. Dehne noted that he had spoken when the item was introduced two weeks ago. He supported the ordinance. He found its wording, however, to be confusing as it indicates that it will delete parking requirements and later adds requirements for guest parking spaces. The concept will make it "tougher" for developers unless enough parking is provided. He alleged that the majority of the residents are concerned about gridlock, road rage, noise, and parking in new developments. He repeated his contention that the wording "this Code amendment will make the parking standard for PUDs with other residential parking requirements" should be "similar to others" or "more restrictive than". He felt that there was a typo in this sentence which should be corrected. Additional comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 126, Ordinance No. 2006-24, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, DIVISION 2 PARKING AND LOADING, SECTION 2.2.A, RESIDENTIAL PARKING REQUIREMENTS BY DELETING PARKING REQUIREMENTS SPECIFIC

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TO PLANNED UNIT DEVELOPMENTS AND ADDING A REQUIREMENT TO PROVIDE GUEST PARKING SPACES WHEN PUBLIC STREET WIDTHS ARE REDUCED TO PRECLUDE ON-STREET PARKING, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

D. ACTION TO ADOPT, ON SECOND READING, BILL NO. 127, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF A PORTION (0.246 ACRES) OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM SINGLE FAMILY ONE ACRE (SF1A) TO PUBLIC COMMUNITY (PC), AND TO CHANGE THE ZONING OF A PORTION (0.053 ACRES) OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PUBLIC COMMUNITY (PC) TO SINGLE FAMILY ONE ACRE (SF1A). (FILE NO. ZMA-06-125) (9:05:16) - Supervisor Williamson moved to adopt on second reading Bill No. 127, Ordinance No. 2006-25, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF A PORTION, 0.246 ACRES, OF APN 008-754-19, LOCATED AT 653 SHENANDOAH DRIVE, FROM SINGLE FAMILY ONE ACRE TO PUBLIC COMMUNITY, AND TO CHANGE THE ZONING OF A PORTION, 0.053 ACRES, OF APN 008-754-21, LOCATED TO THE NORTHEAST OF APN 008-754-19, FROM PUBLIC COMMUNITY TO SINGLE FAMILY ONE ACRE, SF1A, subject to the findings contained in the staff report. Supervisors Livermore and Aldean seconded the motion. Comments were solicited but none were given. Motion carried 5-0.

E. ACTION TO ADOPT, ON SECOND READING, BILL NO. 128, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000 PLANNED UNIT DEVELOPMENT (MH6-P) ON 5.4 ACRES LOCATED AT 3860 EAST NYE LANE, ASSESSOR'S PARCEL NUMBER 008-192-69. (FILE ZMA-06-142) (9:06:56) - Supervisor Aldean moved to adopt on first reading Bill No. 128, Ordinance No. 2006-26, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM MOBILE HOME 12,000, MH12, TO MOBILE HOME 6,000 PLANNED UNIT DEVELOPMENT, MH6-P, ON 5.4 ACRES LOCATED AT 3860 EAST NYE LANE, ASSESSOR'S PARCEL NUMBER 008-192-69 based on the findings contained in the staff report. Supervisor Williamson seconded the motion. Following discussion, Supervisor Aldean amended her motion to indicated that the ordinance was being heard on second reading. Supervisor Williamson concurred with the amendment. The motion to adopt Ordinance 2006-26 was voted and carried 5-0.

F. ACTION TO ADOPT, ON SECOND READING, BILL NO. 129, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE (SF1A)/RETAIL COMMERCIAL (RC) TO MULTIFAMILY APARTMENT-PLANNED UNIT DEVELOPMENT (MFA-PUD), ON PROPERTY NORTH OF OVERLAND STREET AND SOUTH OF ROVENTINI WAY, APN'S 009-263-02, 009-263-03, 009-263-04 AND 009-263-05. (FILE ZMA-06-145) (9:08:14) - Comments were solicited but none were given. Supervisor Livermore moved to adopt on second reading Bill No. 129, Ordinance No. 2006-27, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE/RETAIL COMMERCIAL TO MULTIFAMILY APARTMENT-PLANNED UNIT DEVELOPMENT ON PROPERTY NORTH OF OVERLAND STREET AND SOUTH OF ROVENTINI WAY, APN'S 009-263-02, 009-263-03, 009-263-04 AND 009-263-05 subject to the findings contained in the staff report. Supervisor Williamson seconded the motion. Comments were solicited. None were given. The motion was

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voted by roll call with the following result: Supervisor Staub - Yes; Supervisor Livermore - Yes; Supervisor Aldean - No; Supervisor Williamson - Yes; and Mayor Teixeira - No. Motion carried 3-2.

8. PUBLIC WORKS - CONTRACTS - Public Works Director Andrew Burnham - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE HEALTH SERVICES BUILDING 1ST FLOOR REMODEL PROJECT, CONTRACT NO. 2006-038, FROM THE FISCAL YEAR 2006/2007 CONSTRUCTION PROJECTS/HEALTH SERVICES BUILDING ACCOUNT 330-0000-441-7821, FOR THE FOLLOWING WORK SCOPE NUMBERS 1, 2, 3, 4, 5, 6, 7, 8 AND 10 AS PROVIDED IN THE BID TABULATION, FOR A CONTRACT AMOUNT OF \$281,974 AND A CONTINGENCY AMOUNT OF \$28,000 (9:10:00) - The project will remodel the first floor for the City's Health, Welfare, and Health Clinic building. Discussion explained that the budget for this project totals \$350,000. The proposed contract and its contingency are not to exceed amounts. The Detox Center is using the second floor. The top floor is for the Community Counseling Center. It currently uses half of that floor. Some of the costs are created by the HEPPA requirements. Additional discussions need to be held with Community Counseling regarding the top floor. Previous discussions have included the possibility of sharing conference rooms on the lower floor. Supervisor Aldean moved to accept Public Works recommendation and award the Health Services Building First Floor Remodel Project, Contract No. 2006-038, from the fiscal year 2006-2007 Construction Projects/Health Services Building Account 330-0000-441-7821, for the following work scope numbers: 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, as provided in the bid tabulation for a contract amount of \$281,974 and a contingency amount of \$28,000; fiscal impact not to exceed \$309,974. Supervisor Staub seconded the motion. Motion carried 5-0.

9. PUBLIC WORKS - OPERATIONS - Public Works Director Andrew Burnham

A. UPDATE ON THE ARSENIC REDUCTION PROGRAM - Public Works Operations Manager Tom Hoffert - Discussion indicated the Feds recently decreased the acceptable standard for arsenic to 10 ppm. The original estimated cost for reducing the arsenic was \$10,000,000. It is now estimated that the cost is only \$2,000,000. The City's water meets this standard due to its ability to blend different wells. Fallon reducing had cost \$50 million. The Feds had provided a lot of the funding for it. The City has applied for similar funds. These applications have been unsuccessful to date. Large communities were given some small amounts of funding for their early planning efforts. The City's costs are similar to those experienced in other jurisdictions. Staff is being creative in its approaches. Douglas County has a new program which staff is watching. The Subconservancy provided some of the funding for its program. This program may be used to reduce the costs for Carson City. Mr. Hoffert then explained that the City has two wells which need to have their arsenic contents reduced. They are looking for a mobile unit which can be stored when the wells are not in use. The public should not be concerned about the City's water quality as it meets the standards overall. Staff is working to keep the quality well above that mandated by State and Federal regulations. The wells are tested on either a monthly or bimonthly basis to ensure that compliance is maintained. In the future surface water regulations may be increased. Mr. Hoffert also indicated that as scientific information increases the knowledge about medical concerns, tighter regulations will be imposed. Staff is working to be ahead of the curve on these issues even though there is no firm data on them. Staff supports those regulations which are felt to be at an acceptable standard. Discussion indicated that a private property owner with a well could test his/her water by contacting either Mr. Hoffert, the State Bureau of Safe Water, or the Health Department. Discussion explained future concerns including the "disinfection byproduct" issues created by mixing chlorine with other chemicals found in water. It may be necessary to change the disinfection process to avoid

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these byproduct issues. These issues may not be considered for two to five years. Long term treatment issues created by an episode "back east" were noted. Phase II storm water impacts could also be a concern in the future. These regulations may change what is currently being done to meet Federal regulations.

Mr. Hoffert complimented the public on its compliance and cooperation during the summer high usage period. There had been no critical periods this summer. They had not pumped Marlette as the City had more surface water than it needed. The creek flows on the west side were at their highest level that he had ever seen. Ninety percent of the surface water was used except during the muddy periods. Four wells with arsenic concerns were not turned on. Four new wells had reduced the demand on older wells. No formal action was required or taken on this item.

B. ACTION TO APPROVE AN AMENDED INTERLOCAL AGREEMENT WITH THE REGIONAL TRANSPORTATION COMMISSION AND CAMPO TO INCLUDE STREET MAINTENANCE FUNCTIONS, AWARD OF BIDS, AND PROPERTY ACQUISITION AS A PART OF THE RTC OVERSIGHT RESPONSIBILITIES (9:29:58) - Sam Dehne - Mr. Burnham's introduction corrected Page 3, Section 1, changing "Supervisors" to "Board". Supervisor Staub summarized the purpose of the agreement. Mr. Burnham indicated that the budget authority will remain with the Board. The agreement provides for coordination of Street Maintenance and RTC as RTC funds major functions performed by Street Maintenance, i.e., overlays. It allows RTC to oversee Street Maintenance. Supervisor Aldean indicated a need to retain a portion of the originally deleted Paragraph 3 on Page 3. Discussion concurred due to the intent to have RTC execute contracts and award bids and the need to include these powers in the agreement.

Mr. Dehne indicated his support for the agreement. He questioned the identification of acronyms, such as "CAMPO", who the members of RTC are, and whether they are elected or appointed. He opposed allowing elected officials to have the right to use eminent domain. Mayor Teixeira advised that RTC does not have the ability to use eminent domain. Mr. Dehne then indicated that this power is being left to the Board. He then indicated that the Board's modus operandi is different from Reno's as Carson City allows a "good play back and forth" between staff and the Board. This play back makes the meetings a good, user-friendly operation, however, he should be allowed to play his guitar.

Supervisor Staub moved to approve an Amended Interlocal Agreement with the Regional Transportation Commission and Carson Area Metropolitan Planning Organization, CAMPO, to include street maintenance functions, award of bids, and property acquisition as a part of the RTC/CAMPO oversight responsibilities with the following amendments: Page 3, Item 1, delete the word "Board" and insert the word "Supervisors" and on Page 3, Item 3, include the paragraph: "To award and execute street and highway contracts based on projects included in annual budgets and recommended for award by the RTC or designated staff", and staff will change the numerical assignments to the following paragraphs. Supervisor Aldean and Livermore seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 9:37. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:43 a.m., constituting a quorum.

C. STAFF PRESENTATION OF FY06-07 CAPITAL IMPROVEMENT PROGRAM AND STATUS OF CURRENT PROJECTS UNDERWAY (9:42:45) - Capital Projects Manager Kim Belt gave

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a computer enhanced slide presentation on the program and its status. (Copies of the slides are included in the packet.) Discussion pointed out that there are \$139 million worth of projects. The increase in the estimates for the Stewart Street extension and the wastewater improvements were noted. The ability to fund all of the identified projects was questioned. Funding priorities may be established in the future. Mr. Burnham indicated that the projects have not all gone out to bid. The estimates in the packet had been increased in an effort to estimate inflation's impact on the cost of materials, etc. The agreement with NDOT regarding Freeway Project Phase 2A is included in today's agenda packet. There are three projects included in the Phase 2A agreement. The first two parts of it may go out to bid soon. The third portion may not go out to bid until sometime after July 2007. The City is not holding up the bid. The current budget includes funding for the freeway projects. NDOT may be sending its portion out to bid December 14. Mayor Teixeira stressed the need to have the project under construction by the time the Legislature convenes. The next State Transportation Board meeting includes selling \$200 million in bonds which includes funding for the Carson City project(s). Justification for Mayor Teixeira's concerns were based on the City's funding and the belief that the project's timetable had slipped approximately one year. The City is meeting its commitments and is not delaying the project. He hoped that NDOT will be able to meet its own timetable. The City has committed to being out of the Fairview area by April. This date is being held to by the City. Construction work occurring on it was limned. An agreement with NDOT for completion of Phase 2A to Fairview contains a fall of 2008 date. An amendment to that agreement has not been considered/approved. Mr. Burnham agreed that it may be more realistic to have a 2009 date but at this time the agreement is for completion in the fall of 2008. Funding has been coming to the City in accordance with the three-year window provided in an agreement. Clarification of the graph heading "under study" includes preliminary work required before the design contract is issued. A definition of the term was provided. Discussion indicated that Finance Director Minton has expressed some concerns regarding the doability of the CIP list due to the revenue stream particularly if the wastewater improvements are undertaken. Fee increases for it may be required. Mr. Burnham concurred that there are financial challenges facing development of some of the projects which may cause some projects to be dropped either temporarily or permanently. The listing included all of the projects for the General Fund as well as the Enterprise Funds. The projects will not go to design or construction without adequate funding sources. The list as provided has not been prioritized. Projects were listed in order of their account numbers. Mayor Teixeira complimented staff on the listing and the report. He acknowledged that there will be challenges facing the City in order to accomplish all of them. Additional comments were solicited. Discussion pointed out the need for some of the projects to be constructed during certain times of the year, i.e., road construction is weather dependent. As the City has a short construction period for those items, they could be delayed as much as a year. The website is to have a map illustrating the projects under construction. Mayor Teixeira suggested that the website hits be tracked. Ms. Ritter agreed to do so and to keep the Board posted on any delays. No formal action was taken or required.

10. PUBLIC WORKS - ENGINEERING - Senior Projects Manager Robb Fellows

A. ACTION TO ADOPT, ON SECOND READING, BILL NO. 122, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, BY ADDING DIVISION 13, EROSION AND SEDIMENT CONTROL, WHICH CONTAINS SECTION 13.1 INTRODUCTION; SECTION 13.2 MINIMUM REQUIREMENTS FOR EROSION AND SEDIMENT CONTROL; SECTION 13.3 CONSTRUCTION SWPPP; SECTION 13.4 CHECKLISTS FOR CONSTRUCTION SWPPPS; SECTION 13.5 BEST MANAGEMENT PRACTICES; APPENDIX 1 RECOMMENDED STANDARD NOTES FOR EROSION

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CONTROL PLANS AND REFERENCES (10:04:51) - Builders Association of Western Nevada Representative Sheena Beaver distributed copies of a letter to the Board and read it into the record. (A copy is in the file.) Comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 122, Ordinance No. 2006-28, an Ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16 Development Standards, adding a new Division to the Carson City Development Standards, titled Division 13, Erosion and Sediment Control, which contains Section 13.1 Introduction; Section 13.2 Minimum Requirements for Erosion and Sediment Control; Section 13.3 Construction Storm Water Pollution Prevention Plan; Section 13.4 Checklists for Construction Storm Water Pollution Prevention Plans; Section 13.5 Best Management Practices; (and) Appendix 1 Recommended Standard Notes for Erosion Control Plans and References. Supervisor Williamson seconded the motion. Motion carried 5-0.

B. ACTION TO ADOPT, ON SECOND READING, BILL NO. 123, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 12, WATER, SEWERAGE, AND DRAINAGE BY ADDING A NEW SECTION TITLED CHAPTER 12.18 EROSION AND SEDIMENT CONTROL. THIS NEW SECTION CONTAINS CHAPTERS 12.18.010 DEFINITIONS; 12.18.020 APPLICABILITY; 12.18.030 EXCEPTIONS TO APPLICABILITY; 12.18.040 PERMITS AND FEES; 12.18.050 FAILURE TO COMPLETE THE WORK; 12.18.060 DENIAL OF PERMIT; 12.18.070 RESPONSIBILITY OF PERMITTEE; 12.18.080 GENERAL REQUIREMENTS; 12.18.090 INSPECTION OF SITES UNDER PERMITS; 12.18.100 MAINTENANCE REQUIREMENTS; 12.18.110 NOTIFICATION OF NEEDED MAINTENANCE ; 12.18.120 ACTS RESULTING IN VIOLATION OF FEDERAL CLEAN WATER ACT; 12.18.130 ENFORCEMENT AND 12.18.130 REQUEST FOR HEARING (10:09:17) - Supervisor Aldean moved to introduce (adopt) on second reading Bill No. 123, Ordinance No. 2006-29, amending the Carson City Municipal Code Title 12, Water, Sewerage, and Drainage by adding a new Section titled Chapter 12.18 Erosion and Sediment Control; this new section contains Chapters 12.18.010, Definitions; 12.18.020 - Applicability; 12.18.030 - Exceptions to Applicability; 12.18.040 - Permits and Fees; 12.18.050 - Failure to Complete the Work; 12.18.060 - Denial of Permit; 12.18.070 - Responsibility of Permittee; 12.18.080 - General Requirements; 12.18.090 - Inspection of Sites Under Permits; 12.18.100 - Maintenance Requirements; 12.18.110 - Notification of Needed Maintenance; 12.18.120 - Acts Resulting in Violation of Federal Clean Water Act; 12.18.130 - Enforcement; and 12.18.130 - Request for Hearing. Supervisor Williamson seconded the motion. Motion carried 5-0.

C. ACTION TO APPROVE AN AGREEMENT BETWEEN THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) AND CARSON CITY FOR THE ADJUSTMENT OF UTILITY FACILITIES FOR A PORTION OF THE CARSON CITY FREEWAY PROJECT, PHASE 2A FROM COLORADO STREET TO THE LINEAR PARK DITCH (10:10:40) Public Works Director Andrew Burnham - Discussion indicated that the estimated cost for the project is \$3 million. The item was in the Capital Improvement Projects discussed earlier. The agreement grants the City the ability to obtain reimbursement from the State for the project. Mr. Burnham explained that the agreement for this item is at the back of the supporting documents and that the agreement for the following item is immediately after the Agenda Report. Supervisor Staub moved to approve and authorize the Mayor to sign the Agreement between the Nevada Department of Transportation, NDOT, and Carson City for the Adjustment of Utility Facilities for a portion of the Carson City Freeway Project, Phase 2A, from Colorado Street to the Linear Park Ditch; the fiscal impact is \$3,101,843 to the Sewer and Water Capital Accounts. Supervisor Livermore seconded the motion. Discussion between Mayor Teixeira and Mr. Burnham advised that the City will be reimbursed by the State for \$2.6 million. The City's cost is \$470,000. The City must pay for the entire project and be

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reimbursed by the State. Therefore, the City's budget must include the entire amount. Mr. Burnham estimated that the City will be responsible for approximately \$50 million of the total project. Mayor Teixeira suggested that Washoe and Clark County pay a similar portion of its highway projects. Mr. Burnham indicated that they do the utility relocations. Mayor Teixeira pointed out that the City's population is only 58,000. This is the biggest, most significant contribution being made in the State of Nevada. Discussion indicated that it is approximately \$1 million per person. Mr. Burnham indicated that staff is working on negotiations with NDOT at this time. The linear ditch portion is small compared to the utility relocation costs. The construction on the ditch occurs on the "upper portion" and not "the bottom". The cattails and other flora will not be removed from the ditch. The motion to approve the agreement was voted and carried 5-0.

D. ACTION TO APPROVE AN AGREEMENT BETWEEN THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) AND CARSON CITY FOR THE ADJUSTMENT OF UTILITY FACILITIES FOR A PORTION OF THE CARSON CITY FREEWAY PROJECT PHASE 2A FROM EAST FIFTH STREET AND THE LINEAR PARK DITCH TO THE WASTEWATER TREATMENT PLANT (10:15:20) - Public Works Director Andrew Burnham - Comments were solicited but none were given. Supervisor Aldean moved to approve and authorize the Mayor to sign the Agreement between the Nevada Department of Transportation, NDOT, and Carson City for the adjustment of utility facilities for a portion of the Carson City Freeway Project, Phase 2A from East Fifth Street and the Linear Park Ditch to the Wastewater Treatment Plant; the fiscal impact is \$6,404,668 to the Sewer and Water Capital Accounts; fiscal impact is \$6,404,668 of which approximately \$2,928,457 is reimbursable by NDOT leaving a total fiscal impact to Carson City of approximately \$3,476,211. Supervisor Staub seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10:18 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:25 a.m., constituting a quorum.

11. BOARD OF HEALTH (10:24:29) - Mayor Teixeira recessed the Board of Supervisors session and immediately convened the Board of Health. For Minutes of the Board of Health, see its folder.

BOARD OF SUPERVISORS (11:47:01) - Following adjournment of the Board of Health, Mayor Teixeira reconvened the Board meeting. He reiterated his announcement regarding a commitment at the Nevada League of Cities seminar at Incline Village. A quorum of the Board was present although Supervisor Aldean had stepped from the room-11:48 a.m.

RECESS: Mayor Teixeira declared a recess at 11:48 a.m. Mayor Pro-Tem Williamson reconvened the meeting at 11:55 a.m. A quorum was present although Mayor Teixeira was absent as noted and Supervisor Aldean was out of the room.

12. REDEVELOPMENT AUTHORITY (11:54:30) - Mayor Pro-Tem Williamson then recessed the Board of Supervisors session and immediately convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

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BOARD OF SUPERVISORS (12:45:20) - Following adjournment of the Redevelopment Authority, Mayor Pro-Tem Williamson reconvened the Board of Supervisors session. A quorum of the Board was present although Mayor Teixeira was absent as previously indicated.

13. BOARD OF SUPERVISORS - NON-ACTION ITEMS:

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

B. STAFF COMMENTS AND STATUS REPORT - None.

14. ACTION TO ADJOURN (12:45:28) - Supervisor Aldean moved to adjourn. Supervisor Staub seconded the motion. Motion carried 4-0. Mayor Pro-Tem Williamson adjourned the meeting at 12:46 p.m.

The Minutes of the October 5, 2006, Carson City Board of Supervisors meeting

ARE SO APPROVED ON _____, 2006.

Marv Teixeira, Mayor

ATTEST:

Alan Glover, Clerk-Recorder