

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 1

A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, January 4, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Mary 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
	Alan Glover	Clerk-Recorder
	Neil Rombardo	District Attorney
	Roger Moellendorf	Parks and Recreation Director
	Andrew Burnham	Public Works Director
	Larry Werner	Development Services Director/City Engineer
	Ken Arnold	Public Works Operations Manager
	Edward Oueilhe	Senior Deputy District Attorney
	Jennifer Pruitt	Senior Planner
	Katherine McLaughlin	Recording Secretary

(BOS 1/4/07 Recording 8:30:15)

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. District Attorney Neil Rombardo led the Pledge of Allegiance. Rev. Elaine Morgan of the Episcopal Diocese of Nevada gave the Invocation.

**PUBLIC COMMENTS AND DISCUSSION (8:32:04)** - Sam Dehne expressed his appreciation for having the Sheriff and his Deputies present and protecting property and lives. He was also glad to see District Attorney Neil Rombardo present to ensure that the Open Meeting Law is adhered to. He felt that the Board had done a good job of adhering to the Open Meeting Law since he (Mr. Dehne) started attending the meetings. He liked the City, which he felt was nice but not perfect. He thanked the Board for addressing the Meth problem, which he felt is prevalent in Reno and Carson City. He was glad to see the Pow Wow which will be held next week. He espoused his belief that the Nevada Workers Compensation Program supported the employers and did not assist the employees as indicated by his example. He felt that this program should be run by a governmental agency and not by a private business. He hoped that the people watching in "tv land" understand his comments and take them to heart. Additional comments were solicited but none were given.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 2

**1. ACTION ON APPROVAL OF MINUTES - 11-2-06 AND 11/16/06 (8:36:40)** - Supervisor Aldean moved to approve the meeting minutes of the Carson City Board of Supervisors meeting of November 2, 2006, as presented and the minutes from the Carson City Board of Supervisors meeting of November 16, 2006, as amended. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:37:23)** - None.

**3. CONSENT AGENDA (8:37:29)**

**3-1. CLERK-RECORDER - ACTION TO APPOINT / REAPPOINT MEMBERS TO THE BOARD OF EQUALIZATION; TERMS TO EXPIRE IN JANUARY 2011**

**3-2. DEVELOPMENT SERVICES**

**A. ACTION TO APPROVE A DEDICATION FROM STANTON PARK DEVELOPMENT, INC., TO CARSON CITY FOR TWO PERMANENT EASEMENTS UPON, OVER AND ACROSS CERTAIN REAL PROPERTY DESCRIBED AS APN 008-307-17, WHICH CONSISTS OF 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS IN TWO LOCATIONS AS SHOWN ON THE DEDICATION DOCUMENTS**

**B. ACTION TO RESCIND AND CANCEL ORDINANCE NO. 1991-40, A SEWER-LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND DYNAMIC DIVERSIFIED DEVELOPMENT ENTERPRISES REGARDING APN 008-801-08, LOCATED AT 1907 GREGG STREET, AND APN 008-801-07, LOCATED AT 4379 RAMUNA CIRCLE, CARSON CITY, NEVADA; WHICH BENEFITTED OWNERS OF APNS: 008-801-09 AT 1893 GREGG STREET, 008-801-10 AT 4300 STAMPEDE, 008-802-02 AT 1952 GREGG STREET, 008-802-03 AT 1942 GREGG STREET, 008-202-04 AT 1900 GREGG STREET, AND 008-802-05 AT 1890 GREGG STREET, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE CANCELLATION**

**C. ACTION TO RESCIND AND CANCEL ORDINANCE NO. 1989-27, A SEWER-LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND STANTON PARK DEVELOPMENT, INC., REGARDING FORMER APN 010-061-75, KNOWN AS SHADOW HILLS DEVELOPMENT II, CARSON CITY, NEVADA; WHICH BENEFITTED PREVIOUS OWNERS OF APNS: 010-051-14 ON FAIRVIEW DRIVE, 010-051-15 ON FAIRVIEW DRIVE, 010-051-16 ON FAIRVIEW DRIVE, 010-051-17 ON FAIRVIEW DRIVE, 010-061-06 ON FAIRVIEW DRIVE, 010-061-52 ON FAIRVIEW DRIVE, 010-061-53 ON FAIRVIEW DRIVE, 010-061-16 ON FAIRVIEW DRIVE, 010-061-17 ON FAIRVIEW DRIVE, 010-061-59 ON FAIRVIEW DRIVE, 010-061-44 ON LOMPA LANE, 010-061-47 ON LOMPA LANE, 010-061-60 ON LOMPA LANE, 010-061-61 ON LOMPA LANE, 010-061-62 ON LOMPA LANE, 010-061-15 ON LOMPA LANE, 010-061-20 ON LOMPA LANE, 010-061-21 ON LOMPA LANE, 010-061-22 ON LOMPA LANE, 010-061-14 ON LOMPA LANE, AND 010-061-37 ON LOMPA LANE, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE CANCELLATION**

**D. ACTION TO RESCIND AND CANCEL ORDINANCE NO. 1991-39, A SEWER-LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND HOLMES ENTERPRISES REGARDING FORMER APN 008-054-10, APN 008-054-11 AND APN 008-054-12, LOCATED ON NORTH CARSON STREET, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE CANCELLATION**

**3-3. PUBLIC WORKS - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE "RONALD D. WILSON MEMORIAL PARK-PHASE II PROJECT", CONTRACT NO. 2006-025, AND AUTHORIZE THE CARSON CITY PARKS AND**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 3

**RECREATION DEPARTMENT TO ISSUE PAYMENTS TO JEFF CODEGA PLANNING/DESIGN, INC., 433 WEST PLUMB LANE, RENO, NEVADA, 89509, FOR AN AMENDMENT NO. 1 AMOUNT OF \$6,200 AND A CONTINGENCY AMOUNT OF \$3,406 AS PROVIDED FOR IN FISCAL YEAR 2006/2007 FROM THE RESIDENTIAL TAX CONSTRUCTION RONALD D. WILSON ACCOUNT**

**3-4. CITY MANAGER - ACTION TO APPROVE AN AVIATION TRUST FUND**

**GRANTEE'S AGREEMENT BETWEEN CARSON CITY AND THE NEVADA DEPARTMENT OF TRANSPORTATION** - Supervisor Williamson pulled Item 3-4 for discussion. Supervisor Livermore moved

to approve the Consent Agenda consisting of six items, one item from the Clerk-Recorder with special recognition to Marilyn Koschella and Mary Sanada for their appointments to the Board of Equalization, four items from Development Services, one item from Public Works - Contracts as presented. Supervisor Aldean seconded the motion. Motion carried 5-0.

**3-4. (8:38:34)** Supervisor Williamson explained that she had pulled the item so that the grant could be recognized. City Manager Linda Ritter explained the effort to obtain State funds to match FAA grants. During the last Legislative session the Legislators provided \$500,000 in funding for this purpose. The maximum grant amount is \$50,000, for which the Airport has applied. It will be used to match a \$5 million FAA grant. It is good to see the State step up and help rural airports.

Sam Dehne supported Supervisor Williamson's reasons for pulling the grant. He felt that the amount, however, was a small pittance compared to the grants obtained for the Reno Airport. He recommended contacting it to determine how it obtains its grants. Mayor Teixeira explained that this is a State grant for \$50,000. It is the maximum allowed under the grant program. Discussion between Mayor Teixeira and Mr. Dehne explained that the FAA grants must be obtained before the State will provide its grant funds. Mr. Dehne reiterated his contention that Reno's airport is obtaining more funds and has a "bottomless pit" of funding for every function. Reno and Washoe County know how to work the system. The City should find out how and do the same thing. With additional funding it will be possible to have scheduled airline service at the Carson Airport.

Supervisor Williamson moved to approve an Aviation Trust Fund Grantee's Agreement between Carson City and the Nevada Department of Transportation; fiscal impact is a \$50,000 grant award. Supervisor Livermore seconded the motion. Motion carried 5-0.

**4. DEVELOPMENT SERVICES - PLANNING AND ZONING** - Senior Planner Jennifer Pruitt - **ACTION TO ADOPT BILL NO. 131, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.12.055 OBTAINING A BUILDING PERMIT, REQUIRING THE PAYMENT OF UTILITY CONNECTION FEES AT EITHER SUBMITTAL OF BUILDING PLANS OR AT THE ISSUANCE OF BUILDING PERMIT, AND OTHER MATTERS PROPERLY RELATED THERETO. (FILE ZCA-06-207) (8:42:30)** - Supervisor Aldean moved to adopt Bill No. 131 on second reading, Ordinance No. 2007-1, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18 ZONING, CHAPTER 18.12.055 OBTAINING A BUILDING PERMIT, REQUIRING THE PAYMENT OF UTILITY CONNECTION FEES AT EITHER SUBMITTAL OF BUILDING PLANS OR AT THE ISSUANCE OF BUILDING PERMIT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 4

**5. PUBLIC WORKS - City Manager Linda Ritter**

**A. ACTION ON A MOTION FINDING THAT THE PROPOSED ORDINANCE AMENDING TITLE 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020 SCHEDULE OF RATES BY INCREASING ALL RATES 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND AMENDING SECTION 12.01.030 SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES BY INCREASING ALL CHARGES AND FEES, EXCEPT WATER CONNECTION CHARGES REMAIN THE SAME, 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND OTHER MATTERS PROPERLY RELATED THERETO DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED AND IS ON FILE WITH THE BOARD OF SUPERVISORS AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (8:44:08)** - Sam Dehne - Supervisor Staub moved to make the finding that the proposed ordinance amending Title 12, Water, Sewerage and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by increasing all rates 14% effective on bills dated on or after February 1, 2007, and 14% effective on bills dated on or after July 1, 2007, and amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets and Meter Set Fees, by increasing all charges and fees, except water connection charges remain the same, 14% effective on bills dated on or after February 1, 2007, and 14% effective on bills date on or after July 1, 2007, and other matters properly related thereto does impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business, that a business impact statement has been prepared, accepted and is on file with the Board of Supervisors and that the requirements of the act have been met. Supervisor Williamson seconded the motion. Mr. Dehne expressed a desire to speak after the presentation has been made. Mayor Teixeira explained the need to make the finding before considering the ordinance. Mr. Dehne could speak after that presentation. Supervisor Aldean corrected the last page of the Impact Statement in Paragraph 5 to indicate that the monthly charges are annual charges which total \$8 million. Staff agreed. The motion to approve the finding as indicated was voted and carried 5-0.

**B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING TITLE 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020 SCHEDULE OF RATES BY INCREASING ALL RATES 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND AMENDING SECTION 12.01.030 SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES BY INCREASING ALL CHARGES AND FEES, EXCEPT WATER CONNECTION CHARGES REMAIN THE SAME, 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND OTHER MATTERS PROPERLY RELATED THERETO (8:46:35)** - Public Works Director Andrew Burnham, Public Works Operations Manager Ken Arnold, Charles Carter, Gil Yanuck, Rich Wontorski, David Ruf, Sam Dehne, Mary Ann Jennings, Jim Bagwell - Ms. Ritter gave a computerized slide presentation describing the financial status of the water utility. (A copy is in the file.) Her explanation

## CARSON CITY BOARD OF SUPERVISORS

### Minutes of the January 4, 2007, Meeting

Page 5

included efforts to reduce the capital costs, the pending 2011 deficit unless rates are increased, the utility expenditures including the low personnel costs and the repayment of a State bond for Marlette improvements. Mr. Burnham explained the City's agreement with the State mandated the bond repayment even when no water is pumped from Marlette. When water is pumped, an additional amount is paid for the water which is above the bond payment. Water has been obtained from Hobart, which does not require pumping. Last year was the best water season the City has had for sometime. Improvements to Marlette will increase the amount of water that can be pumped. They will, however, require time to complete. This water could be used to assist with the ground water recharge program. Mr. Burnham then described the improvements that have and will be made to Marlette. He also indicated that Virginia City receives its water from Hobart and is not part of the Marlette system. No one shares the Marlette pipeline with the City. Discussion noted the proposal to have the City "wheel" the Marlette water to other Counties. If this occurs, that County(ies) will pay their share of the cost of the bond and the State will reduce the City's cost.

Ms. Ritter continued her presentation beginning with a report regarding the capital improvements that will be made to the system. Discussion explained the need to relocate waterlines due to the freeway which must be completed between 2006 and 2011. The Board will be seeing a contract for Phase 2A this year and a second contract for Phase 2B next year. Discussion then explained the City's connection fee and compared it to surrounding Counties' connection fees. The projects are completed on a "just in time" schedule. If the housing market drops, the ability to repay the bonds may be reduced. Clarification indicated that the connection fees are not restricted funds, however, growth pays for its expansion of the infrastructure. The connection fees should not pay for operations. Mayor Teixeira pointed out that the problem is the failure to increase the water fees annually which created the need for a sudden large increase. Discussion again detailed the water connection fees for other Counties and explained the rate adjustment made in 2002-2003 which did not create any additional revenue for the utility. Mayor Teixeira stressed his belief that the City should operate the fund like any other business and have incremental increases rather than periodic large increases. Although businesses can pass the increase on to their clientele, they had not expected such a large increase. Supervisor Staub pointed out that a water rate study had been conducted in 2002. It had recommended a 7% and a second 7% increase in 2003. An enterprise utility cannot continue to operate without periodic increases. If asked, the Public Utility Commission would state the same thing. The utility has not been operated as a business. Although the Board did not like the position it is in, the service must be delivered which is forcing the Board to face the issue. Supervisor Aldean pointed out that the City should recognize that the utility is a monopoly that has not kept pace with inflation. She then explained a 2005 Board request that the staff look at seasonal rates which would lessen the impact on high water users and to amend the landscaping standards to provide for seasonal rates and the justification for them. Ms. Ritter agreed to analyze the concept which would reduce the summer costs while increasing the winter rates to average out the usage. She felt that a report on it could be provided in March or April. Discussion between Ms. Ritter and Supervisor Livermore pointed out that the market report that he had seen several weeks ago had indicated that the City is below the market rate. Discussion between Mayor Teixeira and Mr. Arnold explained that the restriction on Monday irrigation had rested the wells and provided the ability to keep the tanks full. It, however, had not reduced the consumption rate. The average customer did not use less water. (9:10:55) Supervisor Williamson explained that the rate increase is driven by capital needs. There are some operating costs. Discussion pointed out that the electrical rates are higher during peak demand periods, however, it is difficult to reduce the pumping peak periods which are early morning and after work hours. Staff attempts to pump to Brunswick Reservoir during off peak periods. The flooding last spring caused them to do more pumping than normal. Staff attempts to be cognizant of the peak demand periods.

## CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 6

Ms. Ritter continued her presentation by explaining that in the next three years increases of 6%, 5% and 5% are recommended. Annual reports will be submitted to the Board justifying these increases. Comparison of rates for residential and commercial users were shown. The larger users are being charged more. A comparison of rates in other counties indicated that the City has the lowest rate for the lowest users. Ms. Ritter agreed to research rebate programs for seniors. Such a program should be based on income and be "means" tested. Mayor Teixeira felt that the majority of the seniors are tenants and was uncertain whether the administrative costs would justify the program benefits. Ms. Ritter concurred that it is labor intensive to have to perform "means" testing, however, it is the fairest way to go. Supervisor Aldean indicated that she had received a similar telephone call regarding the impact to seniors and the feeling that people may neglect their landscaping to conserve. She had assured the individual(s) that Code Enforcement will watch it and make sure the property does not become a public nuisance. Ms. Ritter indicated that Cooperative Extension will conduct workshops illustrating how to irrigate efficiently. Mayor Teixeira cited Clark County as an example. He also explained that the bonds must be issued and the improvements made. The utility must be run as a business enterprise. After these increases, smaller increases will be made like other businesses do. Public comments were solicited. Mayor Teixeira indicated that he sympathizes with the residents but they must do it.

Mr. Carter questioned the Board's belief that the hookup fees pay for expansion. Supervisor Staub had purportedly explained to him that the increase was not a surprise to the Board. He felt that the monthly utility bills should have included a notice regarding the proposed rate increase. It appears as though it is mismanagement of the utility. The residents must accept the rates. He suggested that they be spread out. A 5% increase two times a year for the next three years would provide the same funding. Then annual increases should be made. Mayor Teixeira reiterated his desire to have the increases as indicated and smaller ones in the future. Mr. Carter repeated his request that the rate be "smoothed" out. He then explained that the residents have dutifully limited their water use for many years, however, the City irrigates at 4 p.m. on windy days. Mayor Teixeira asked him to call him or the Utility Department when he has observes such violations. He personally has seen irrigation at Mills Park and the State offices in violation of the ordinances. Discussion explained that the State no longer owns a water system. They pay the City for their water. Mr. Burnham also pointed out that some of the open space areas are on effluent. Mr. Carter felt that the public needed to be educated on this usage.

Mr. Yanuck noted that he is one of the individuals who pay the higher tier for his service. The proposed fee increase will raise his \$500 bill to \$640. The City has a monopoly on the system and should run it in the best manner possible. He believed that the public could not examine the books. If they could, they may provide fresh ideas on how to operate it. Business owners find ways to reduce their operating costs. There are two classes of payers in Carson City—the residential users who foot the bill and the commercial users who can pass the fee on to their clientele. The concept makes the residents responsible for their own usage plus that passed on by the businesses. The residents could go to the adjacent County(ies) and avoid this extra cost. He also pointed out that as growth occurs in the City, additional water will be needed. He then explained the need to find other uses for effluent as this growth occurs. He questioned whether additional funding is needed for effluent. He suggested that all of the utilities be placed on the table. A "monstrous" capital improvement bill should be developed with bonds being sold to address those capital needs. This will address the water usage, its piping, and the sewage. These costs should be spread among all of the property owners, both residential and commercial, in the tax bill. He did not believe that any business in the community will agree to reduce his/her profit margin. Mayor Teixeira explained that the Board had been attempting to be proactive and

## CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 7

develop a funding mechanism for the \$25 million in infrastructure demands that are coming while also finding purchasers willing to buy the effluent to provide revenue and offset the costs. This proactive approach includes private-public partnerships. He then explained that a contract had been let considering proactive programs which, if successful, will mean significant dollars to the community. The proposal will address this one piece. Mr. Yanuck hoped that it will.

(9:28:33) Discussion with Mr. Wontorski explained that his residence is zoned Agricultural. He urged the Board to consider freezing the rate for irrigation of his pasture and water for his livestock. Mr. Burnham indicated that he is charged the residential rate. Mr. Wontorski owns R&K Ranch and Rich's Mobile Detailing and Car Wash. He alleged that he uses a lot of water. He urged the Board to push the desert landscaping for new homes. Water should not be automatically served in restaurants. He urged the restaurants to serve it only when asked to do so. Water costs should be averaged over the year. The two increases of 14% are upsetting. Both Mayor Teixeira and Mr. Burnham indicated that he is not charged for the sewer system. Mr. Wontorski reiterated his request that they consider the agricultural uses in the rates. He uses a lot of energy efficient equipment. The rate increases will force him to increase his prices his customers. He also alleged that the City is charging a fuel charge. He asked if he was going to have a water charge also. Mayor Teixeira encouraged him to talk to Mr. Yanuck regarding the rates. He agreed that it is a tough situation and that he understood the concern.

Mr. Ruf explained the rate increases he had received last year. He alleged that in three years he will have experienced a 60% increase in his water rates. The rates will impact businesses as people will look at the retail costs and seek the better prices. He reminded the Board of his request for effluent for irrigation purposes. He believed that now is the time to work with the businesses and to bring the effluent lines to the south side of the City as work on the freeway includes the effluent lines. The Summer Hawk project will start construction soon. He urged the Board/staff to work with the School District and get them on effluent. Adding the schools should reduce the water demand. His request for effluent is small in comparison, perhaps two to four acre feet per year. As a business owner, he strives to educate people on how to properly water and conserve as much as possible. People are being proactive. The high water rate increases are not being assessed in the other Counties. He urged the Board to reconsider the tiers and reduce the rate if at all possible. Mayor Teixeira felt that it may be possible to study the rates, however, at this time they must impose the rates. He also explained that his largest concern is the impact that the rates will have on businesses and their sustainability. Mr. Ruf then described the benefits of having well maintained landscaping as it conserves energy by lowering the air conditioning and heating requirements. Carson City does not have the extreme weather conditions experienced in Las Vegas, Phoenix, and Tuscon. With proper management, the City can provide adequate water to meet the needs of the community without mandating all of the landscaping be done with rocks. Residents should be conscientious and use Xeroscape , not zero scape, with good irrigation and proper installation in a water conscious yard of drought tolerant plants. Mayor Teixeira thanked him for the "editorial".

Discussion ensued between the Board, Mr. Burnham, Mr. Arnold, and Mr. Ruf indicating that an individual with a water truck and proper NDEP permits could obtain effluent for irrigation purposes. Clarification indicated that a separate irrigation line is required for effluent. The City water lines cannot be connected to that line. A direct application of the effluent is required. Mr. Burnham then described the status of the effort to get the schools on effluent. Mayor Teixeira pointed out that if large areas use effluent, it will reduce the water consumption and may lower the revenue for the water utility. The Board has not discussed charging

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 8

for the effluent although the ordinance allows it. If the City brings the effluent to Mr. Ruf's location, a bond will be issued for the infrastructure. The users will have to pay for the extension. Mr. Ruf suggested that the purple pipes be laid in the utility ditches now being constructed to relocate the utilities for the freeway. The labor costs for doing it now will be less than that charged in five to ten years. He was encouraged to check with the staff regarding the EPA requirements for purple pipe. Additional public comments were solicited.

Mr. Dehne supported using effluent and urged the City/Board/staff to investigate some of the great potentials for its use and revenue potential. He also suggested that a committee be established to study the rates and make recommendations on the water system. Mayor Teixeira and Supervisor Staub explained that a committee had been established in 2003 and had made recommendations on the rates. Mr. Dehne pointed out that this is 2007 and reconsideration may be in order. He also explained that he pays 60% more at his Reno home than the Carson City residents do for water. He believed that the rates will increase the water costs for his Carson City property to \$100 a year and reduce the Reno rate to 30%. The Carson City businesses receive a "percentage" break, however, the volume will be a disaster for them. Carson City is behind Reno and is not charging the same rate it does. He also suggested that any County that benefits from the City's projects be assessed for that benefit.

Ms. Jennings explained that she is a retired State worker who is living on a fixed income. She found it discouraging when looking at a rate increase and, specifically, when burdened with medical problems and taxes. She also indicated for the record that she opposed the water rate increase. She wished that there was some other way to pay for the improvements and asked that she be on the record as opposing the increase. Mayor Teixeira concurred with her comments.

Mr. Carter requested an evening meeting on the topic so that the residents could chastise the Board. He also supported Mr. Ruf's comments regarding the real costs of Xeroscape. His personal experience with it was limned. He pointed out that lawns help recharge the groundwater table and can be used for drinking, etc.

Mr. Bagwell felt that the City's problems were created by the lack of long term planning. He believed that property owners are encouraged to have large lots and to do something with them. When they do, they are charged for it. He urged the Board to place a moratorium on large lots regardless of whether they are owned by developers or residents. The individuals who had opposed the change of land use for one acre lots to 6,000 square foot residential uses was a small group compared to the turnout for the proposed water increase. Discussion between Mr. Bagwell and Mayor Teixeira indicated that four homes could be placed on his half acre lot. They would use more water than he is and create more runoff. Mr. Bagwell reiterated his belief that the Board is caught in a Catch 22 spot which it had not created. It was created by the lack of foresight in planning 20 to 40 years ago. He urged the Board to look at long term lifestyle changes to address this problem and keep it from growing larger. Additional public comments were solicited but none given.

Supervisor Williamson summarized the comments by indicating that there is an opportunity to look at seasonal rates and other items including the landscape requirements. She invited anyone desiring to do so to come and look at the City's finances. They are open to anyone's review. Suggestions will be accepted. If it is determined in the future that more revenue is being generated than needed, the rates can be adjusted. Ms. Ritter indicated that the rates will be analyzed annually. She hoped that in the future the rate can be less. Supervisor Aldean pointed out that the staff report indicates that the demand for water is driven by use and not by growth. It may be possible to forego future increases if other refinements and conservation occur. She

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 9

assured the public that staff will diligently explore these opportunities. Mayor Teixeira pointed out that it is necessary to make the rate increases today. Supervisor Staub asked staff to look at the agricultural issue and whether to create a third tier in the rate structure. Ms. Ritter explained that the majority of the agricultural users have their own wells. Staff will look at the issue. Supervisor Staub also pointed out that the public has clearly indicated that the rate adjustments need to be leveled and “pushed out”. Unfortunately, the Board cannot do that at this time. Ms. Ritter agreed and indicated that to do so at this time will impact the City’s bonding ability. If it had been possible, staff would have recommended spreading the fee increases over many years.

Supervisor Williamson then moved to introduce Bill No. 101, AN ORDINANCE AMENDING TITLE 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.01 WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020 SCHEDULE OF RATES BY INCREASING ALL RATES 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND AMENDING SECTION 12.01.030 SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES BY INCREASING ALL CHARGES AND FEES, EXCEPT WATER CONNECTION CHARGES REMAIN THE SAME, 14% EFFECTIVE ON BILLS DATED ON OR AFTER FEBRUARY 1, 2007, AND 14% EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2007, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. He also explained that the utility relocations created by the freeway are being paid for by the rate payers. Transportation/RTC or a freeway cost should pay for the relocation and not the rate payers. Mayor Teixeira explained that the public must understand that the community is putting up five cents of its gas tax for the freeway. This amount totals \$1,000 for each Carson City resident. The Washoe County residents have not paid anything for their freeway. He felt that the City had been unfairly singled out. The motion to introduce Bill No. 101 on first reading was voted and carried 5-0.

RECESS: A recess was declared at 9:59 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:04 a.m., constituting a quorum.

**6. CITY MANAGER - Linda Ritter**

**A. ACTION TO ADOPT ON SECOND READING, BILL NO. 132, AN ORDINANCE REPEALING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY FRANCHISES AND REQUIREMENTS, CHAPTER 5.19 CABLE SYSTEMS WHICH REGULATES THE OCCUPANCY AND USE OF PUBLIC WAYS BY CABLE SYSTEMS AND PROVIDES FOR THE ESTABLISHMENT OF CUSTOMER SERVICE STANDARDS AND OTHER MATTERS PROPERLY RELATED THERETO (10:28:58)** - Supervisor Aldean moved to adopt on second reading Bill No. 132, Ordinance No. 2007-2, AN ORDINANCE REPEALING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY FRANCHISES AND REQUIREMENTS, CHAPTER 5.19 CABLE SYSTEMS WHICH REGULATES THE OCCUPANCY AND USE OF PUBLIC WAYS BY CABLE SYSTEMS AND PROVIDES FOR THE ESTABLISHMENT OF CUSTOMER SERVICE STANDARDS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Williamson seconded the motion. Motion carried 5-0.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 10

**B. ACTION TO APPOINT ONE MEMBER TO THE PARKS AND RECREATION COMMISSION TO FULFILL A PARTIAL TERM ENDING JANUARY 2008 (10:04:20)** - The Board interviewed Peter Hansell and Rich Wontorski. Mayor Teixeira apologized for the delay in conducting the interviews and thanked both for applying. There are three applicants but only one position. The Board was polled. Comments supporting each Supervisor's candidate were provided. Comments also noted the quality of the applicants and the enthusiasm of the two that were interviewed. Supervisor Livermore moved to appoint "Wrangler" Rich Wontorski to the Parks and Recreation Commission to fulfill a partial term to expire in January 2008. Supervisor Aldean seconded the motion. Motion carried 5-0.

**7. BOARD OF SUPERVISORS - NON-ACTION ITEMS:**

**A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:29:55)** -

None.

**B. STAFF COMMENTS AND STATUS REPORT (10:30:02)** - None.

RECESS: A recess was declared at 10:30 a.m. following Mayor Teixeira's brief explanation of the purpose of this evening's informational meeting. Public input was encouraged. A quorum of the Board was present when Mayor Pro-Tem Williamson reconvened the meeting at 6 p.m. Mayor Teixeira was absent. Staff members present included City Manager Ritter, Sheriff Furlong, Fire Chief Giomi, Parks and Recreation Director Moellendorf, Assistant Fire Chief Van Cleemput, Principal Planner Plemel, Deputy District Attorney Madden, and Recording Secretary McLaughlin.

**8. PLANNING AND PARKS AND RECREATION** - Parks and Recreation Director Roger Moellendorf and Principal Planner Lee Plemel - **DISCUSSION AND POSSIBLE DIRECTION FROM THE BOARD OF SUPERVISORS REGARDING A CARSON CITY FEDERAL LANDS BILL MAP TO IDENTIFY A PREFERRED ALTERNATIVE THAT WILL BE USED AS THE BASIS TO CREATE A FEDERAL LANDS BILL FOR CARSON CITY CONSISTING OF PROPOSED LEGISLATION TO BE CONSIDERED BY THE U.S. CONGRESS TO ALLOW FOR THE EXCHANGE AND/OR TRANSFER IN OWNERSHIP OF LANDS OWNED BY THE FEDERAL GOVERNMENT IN CARSON CITY (6:00:42)** - Mike Pavlakis, U.S. Senator Ensign's Rural Coordinator Kevin Kirkabee, Roland Paine, Leonard Switzer, Carson City Resident and President of the Lahontan Audubon Society Karen Kish, John Devaney, Gary Stone, Maggie "Sohow", Randy Spiker, Jim Bagwell, Joe Childs, Phyllis Atchinson, Fire Chief Stacy Giomi - Mayor Pro-Tem Williamson welcomed the audience and explained the purpose of the meeting. Mr. Plemel's introduction included an explanation of the protocol that would be used during the meeting and an introduction of the other staff members who had worked on the map. A definition of a Federal Lands Bill was given including examples illustrating what several other Nevada Counties have had in their bills. The need to complete the master plan prior to working on the bill was limned. Staff has also worked with Nevada's Congressional Delegates and Senator Reid to determine future uses of the Federal lands within Carson City's border. Its public participation process was limned. City staff made recommendations based on principles, which he described, and the public comments. The resulting map was presented to the public two months ago. Additional comments have been received during the presentation process which resulted in the revised map now being presented to the Board. The land use map has been reviewed to ensure that the proposed uses are consistent with the master plan. Any Federal parcels surrounding the City's urban area that are to be transferred to City ownership will be deed restricted to open

## CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 11

space uses and withdrawn from any potential development potential. The withdrawal will be included in the Lands Bill. This implements the comments heard during the master planning process indicating that the public wants the City to stay within its boundary and not spread onto the hillside. All of the parcels will have a designated range of uses. The Land Bill will restrict the deeds to those uses. For example, any parcel coming to the City for open space uses will be withdrawn from any future potential development. Development would be allowed only if a second Congressional act is approved. He also explained that "compact growth" will conserve the City's resources as it makes more efficient use of City services. He supported Mr. Bagwell's comments regarding the larger parcels and the summer-winter uses. He then explained that the advice given by the Congressional Delegates was to develop a look for the community in 50 years or more as it is difficult to change the bill once it is adopted. This period is longer than the 20-year life of the master plan. The statistics included on Page 5 of the Bill were limned. Mr. Plemel then displayed and explained the proposed ownership map. The explanation included a designation of the current owner-BLM, the Forest Service, or City, the proposed owner-BLM, the Forest Service, or City, a description of the parcels, their proposed future uses, and justification for those designations. Mr. Pavlakis' letter regarding the Forest Service parcel adjacent to the Comstock Country RV Park and Costco and the intent to have the "C" and Flag areas placed in City ownership were noted. Discussion with the Board noted Parcel 10's proposed transfer to the Washoe Tribe. The Tribe had also asked for a portion of Parcel 11, however, it was not included in the proposed Bill. Their request will be considered and the boundary of Parcel 10 may be revised. The letter from the Department of Agriculture indicated that disposal of Forest Service property must result in a transfer of equal value. The proposed transfer conveys more Carson City land to the Forest Service than vice versa making this a nonissue. The Sierra Club had questioned this requirement and whether BLM has the same mandate. The Club also questioned whether the use of Southern Nevada Land funds for the acquisition of the Silver Saddle Ranch could breach the good faith contract by transferring the land to Carson City from BLM. Mr. Plemel agreed that the Forest Service's equal value mandate will have to be addressed, however, Congress can override it, if desired. The problem with the Forest Service's transfers relates to its requirement mandating the value be based on the highest and best use of the land and does not recognize the use of deed restrictions. This is more difficult for the City to determine a value as the Forest Service believes that the City is receiving the land that is closer to the City even though it is more costly to manage. The funding used to acquire the Silver Saddle Ranch will be identified in the Bill. BLM does not want to manage the land. BLM has a more established disposal process than the Forest Service. (6:22:44) Mr. Plemel continued his explanation of the parcels, their proposed uses, and justification for those designations. Discussion with the Board ensued regarding a State owned parcel adjacent to Parcel 30 on which State Housing has proposed development of affordable housing and the desire to include Parcel 30 in its development. The BLM recreational and public purposes designation will allow this proposed use even though the majority of the uses under this designation are for truly recreational and public purposes. This use must have the City's approval. The City's process will include rezoning the parcel. Until a project is submitted for City review, Mr. Plemel was uncertain whether the project could be developed on the State owned portion. He indicated that the State has other property it could use for this purpose. Discussion indicated that the State may own 80 to 100 acres in that vicinity. Mr. Plemel explained the State's desire for the property and the residents' objection to the proposed use. Only one resident had supported the State's proposal. Both the Open Space Advisory Committee and the Parks and Recreation Commission had supported the residents and their desire to maintain the area as open space. Staff and the Planning Commission had recommended that the property be transferred to the City without a use designation. The current uses will be allowed to continue under this scenario. This would allow the master planning process to determine its future use. Staff could not advocate the State's housing project until it has an opportunity

## CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 12

to review the plans. Staff also believed that the long term use needs to be considered before withdrawal from any future development potentials. This evening's meeting is to allow for public input on the proposed map. A final decision will not be made this evening. The public input and Board comments will provide direction on the final map that will be considered on January 18. Staff will take that map and work with the Congressional Delegates, the Forest Service, Washoe Tribe, and other groups to draft the bill for Congress. Mr. Plemel then thanked the Board for the opportunity to work on the map as it is more political than normally found with the typical land use planning.

Mayor Pro-Tem Williamson recognized Kevin Kirkabee's presence. He represents Senator Reid's office and is well aware of the political process. She also noted that the bill may take two years to get through Congress. During that time changes can and may be made to the bill. She also reminded the audience that other Counties have submitted land bills for private development. The City/staff is not proposing this use. The recommendation is to keep the land in public ownership with deed restrictions for open space or recreation on 10,000 plus acres. The remaining 144 acres are marked for disposal to private development. The importance of hearing from the public regarding the proposed bill was stressed.

Discussion between Supervisor Aldean and Ms. Ritter explained that the Federal Building had not been included as it is managed by the GSA. The City is interested in acquiring it. Land Bills normally consider vacant land. Acquisition of the Federal Building can be pursued by other methods. Mayor Pro-Tem Williamson concurred and indicated that it could be used for other services.

Mr. Plemel then explained Page 6 which contained estimated fuel maintenance costs for the parcels. Supervisor Livermore explained his reasons for wanting information regarding the maintenance costs. Ms. Ritter indicated that fuel mitigation is the major maintenance cost identified at this time. The urban interface area will have more intense mitigation requirements. The Open Space Advisory Committee will pay to maintain open space. Some of the parcels have been identified as having storm drainage and water shed benefits. For example, Ash Canyon provides 30% of the City's water. Additional water could be obtained from it with proper maintenance for a small amount of funding. Parks and Recreation funding will be impacted when the Silver Saddle Ranch is developed as a regional park. These funds are part of the General Fund. Discussion indicated that the estimated cost to the water fund will be \$54,000 for Ash Canyon. The total amount of \$174,000 is for all of the properties.

Supervisor Aldean pointed out the public concern regarding the long term costs. The RCI financial analysis of the maintenance costs also indicates that Federal funding cannot be relied upon. The City will need to protect its citizens and their property. This will require reduction of the fire hazards. The residents will have a basic expectation. Ms. Ritter explained that this was the reason for developing the estimated maintenance costs. Fuel mitigation will reduce the hazard. It will not stop all of the fires. Supervisor Aldean suggested that the management agreements be amended to do a better job of jointly managing these properties regardless of the ownership. Ms. Ritter indicated that as the bill is being developed, a lot of discussion will occur with the Federal Agencies and the Congressional Delegates about what we are looking for and, perhaps, the City's goals and whether there is an alternative method of reaching that goal without acquiring the property. She also noted that Congress may revise the City's map based on its consideration of the entire nation and its needs. She committed to keeping the Board apprised of the bill's status. Supervisor Aldean supported having flexibility in the process. The public needs to know what is occurring. The City may not want to be land barons due to the liability and obligations associated with ownership. The City may prefer to amend the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 13

management agreements to achieve the same results. Ms. Ritter agreed that this could be the Board's ultimate direction. The proposed map is as recommended by the various advisory committees/commissions.

(6:44:04) Public comments were then solicited. Mr. Pavlakis indicated that he represented the owners of the Comstock Country RV Park. They do not want to see the City become land barons. They support divesting Federal land in the urban interface areas. The location of Parcel 14 was described. An access to Highway 50 for it was felt to be unrealistic. It has purportedly been identified on various maps as suitable for economic development and not open space. They are interested in having the property disposed of and not held by the City. Disposal should occur in an open public process similar to an auction. A private sale should not be allowed. They are willing to support the inclusion of this parcel if the City supports their position. Without that assurance, the parcel should not be included in the Lands Bill. Supervisor Livermore disclosed that he had met with Mr. Lepire. The parcel contains approximately three acres. The City had targeted it for economic development some time ago. Its acquisition has never occurred. He announced his intent, should the City obtain the parcel, is for its disposal to occur. The City should not become a land baron. The parcel provides an opportunity for a meaningful purpose activity to occur on it that will benefit the City's future. Mr. Pavlakis reiterated his request to have the property disposed of through a public process. Additional comments were solicited.

Mr. Kirkabee explained his contact with the Washington office indicated that the disposal of public lands obtained under a Lands Bill for commercial development must go through a public bidding process. As the parcel is owned by the Forest Service it will have to be through the Department of Agriculture with the Secretary of Agriculture handling it. He felt that the City/staff had a "good handle on the Federal components of a Land Bill". He explained that the Forest Service does not have a mechanism for the disposal of land. It must be done legislatively. The BLM has several different procedures for disposals. Some of these procedures are more pertinent to the disposal for commercial development while others relate to municipal uses such as the R&PP procedures. He offered his office and his assistance as a resource in sorting through these processes. Supervisor Aldean explained that White Pines' Lands Bill had included funding for fuel reduction in the Carson Range in Douglas and Washoe Counties outside Tahoe. These funds may be available to the Forest Service for use in reducing the fuel loading along the east side of the Sierras adjacent to Carson City. Mr. Kirkabee indicated that this is correct. Supervisor Alden then explained a suggestion that some of the funding from the Southern Nevada land sales be used to establish an endowment. Could the White Pine funds be used in conjunction with the Southern Nevada funds? Under the proposed concept the interest would be used to reduce fuel loads in the Carson Range. Mr. Kirkabee indicated a willingness to "look at it". The White Pine bill was purportedly an amendment from the Southern Nevada Public Lands Management Act. It is not money from White Pine. The funds are from land sales in Clark County. Supervisor Aldean briefly explained the reasons for considering the endowment. Mr. Kirkabee indicated a willingness to pass this information on to Senator Ensign. Ms. Ritter complimented Mr. Kirkabee on his helpfulness and assistance. She then explained the reasons for wanting to acquire Parcel 14 as it has some City drainage improvements which will require a lot line adjustment so that they remain in the City's ownership. The remaining portion(s) should be disposed. Additional comments regarding the Forest Service parcels on the west side of the community were solicited but none were given. Comments regarding the BLM parcels on the east side of the community were then solicited.

(6:51:45) Mr. Paine questioned the utility costs for the Highway 50 parcel that is to be developed for economic purposes. The City has been challenged in getting utilities to the City's landfill and the Pinion Hills

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 14

areas. The proposal will transfer BLM land to the City and utilities are to be installed in these areas. The Silver Saddle Ranch was a jewel and should be maintained as one. He acknowledged the economic challenges facing the City. He hoped that open space and the pristine nature of that area will be retained. A regional park is nice but keeping respectfulness of the wildness of an area that is almost completely within Carson City's boundaries will set the City aside as a marvelous example of how wildness can be immigrated into the City's uses. Disposal of BLM lands adjacent to residential neighborhoods should be transparent. Ms. Ritter explained that the Utilities Division had made a presentation to the Board regarding the formation of a local improvement district to bring the utility infrastructure to those areas. Disposal of the land to a private party does not guarantee that utilities will be brought to the area. The property owners will be asked to participate in the cost of extending the infrastructure. The individual acquiring the property will be part of the discussion. The City is presently contacting the property owners about this concept. Supervisor Aldean explained that it will be more cost effective for the participants if the property is in private ownership. Supervisor Livermore explained that improvement districts are established to assist an area. Only those property owners within the district share the cost for the improvements desired by the district. They are the only ones who will benefit from the infrastructure improvements. Ms. Ritter explained that the components of the regional park concept for the Silver Saddle Ranch have not been identified. It is possible that the Ranch will remain in its current state. The process to develop a regional park is extensive. Staff does not at this time know the community's desire for that site. She also supported retaining the wild nature of the area. Mayor Pro-Tem Williamson indicated that the Minutes and discussions on the area should include discussions/requests regarding the future of the site at this time.

Mr. Switzer distributed a packet of information to the Board. (None was given to the Clerk.) Mr. Switzer alleged to have circulated a petition on the east side of the City that had been addressed to the State Housing Committee. Many individuals are opposed to the State's proposal for that property. He urged the Board to remember them when making a final decision regarding Parcel 30. The residents want the property designated as open space and made into a local park that adjoins the Prison Hill property. It could be used as a staging area for hikers/equestrian uses. Issues regarding why they do not believe that it should be used for affordable housing will be addressed with the State. The Board's assistance with this effort would be appreciated. He then expressed concern regarding the property on the north side of Fifth Street which is presently owned by the State. It is possible that it will be developed for housing. He did not believe that this was an appropriate use for the property. Mr. Plemel indicated that the master plan designation for the site is Conservation Reserve which allows one home per 40 acres.

Ms. Kish indicated that the Lahontan Audubon Society is one of two Chapters in Nevada that are associated with the National Audubon Society. Its membership was described. Their interest in speaking and attending the meeting related to the uses proposed for the Silver Saddle Ranch. Their position is to urge the Board to retain the Ranch as a natural resource and that it be enhanced as such. They felt they were stakeholders due to the City memberships and the involvement they have had with the Ranch over the years. They are concerned about the birds and bird habitat located on the Ranch. It is healthy at this time. It is a jewel. A letter will be submitted listing their activities. She mentioned for the record that the bird check list for the Ranch is produced with their assistance. There are 126 different species of migratory or resident birds that have been identified in that area. This large number of bird species is due to the habitat found there. They have also produced a "Nevada Birding Map" which lists Silver Saddle Ranch as four stars out of a possible five stars as a location for natural areas. The National Audubon Society has identified the need to have urban nature centers as a large segment of the City's population cannot get into a car and drive for three to four

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 4, 2007, Meeting

Page 15

hours in order to enjoy nature. Cities having National Audubon established nature centers were listed. The book Last Child in the Woods was cited to illustrate the value of children being outside which included physical, mental and emotional values. The importance of the area was stressed. (The map and listings were given to the Board. They were later given to the Clerk for the record. They are in the file.) Ms. Kish then explained the bird count conducted on Christmas Day at the Ranch and that the Ranch has also been surveyed for the Breeding Bird Atlas.

(7:05:29) Mr. Devaney disclosed that he had made comments on several items regarding Parcel 30 which had been summarized by Mr. Plemel. He felt that the parcel should be used as open space and combined with Prison Hill and its recreational concept. It should not be used for housing for the work force. The majority of the committees/commissions had supported that view. The door should be closed on its economic development based on the information provided by RCI. Justification for this position was reinforced by three points made on Page 41 of the staff report. A handout supporting this position was distributed to the Board. (A copy was later given to the Clerk and is in the file.) (During his comments Supervisor Staub stepped from the room—7:07 p.m.—and returned—7:09 p.m. A quorum was present the entire time.) Mr. Devaney thanked the Board for the meetings and allowing him to make the presentation. Additional comments were solicited.

Mayor Pro-Tem Williamson explained to Mr. Stone that the term “state work force housing” is the State’s term. This plan has not been promoted by the Board or City staff. Mr. Plemel explained that there are different guidelines for Federal and State affordable housing. The different guidelines were briefly limned. Mayor Pro-Tem Williamson explained the need to obtain the City’s approval on zone changes and master plan amendments prior to constructing the development. This will require public hearings. Only an initial hearing has been held on it to date. Mr. Plemel explained that staff has not seen any plans for the project. The State has expressed an interest in the parcel, however, it has not come back to the staff with anything since the neighborhood meeting. Mr. Stone urged the City to consider the lack of services within a walking distance of the parcel before approving the State’s plans.

Ms. “Sohow” thanked Mr. Plemel for responding to her emails. She disclosed that she represented the equestrian view. The east side of Carson City contains the only good riding areas available to the residents. This includes the Ambrose Park, Silver Saddle Ranch, and the Pinion Hills. They want to keep it as natural as possible. Riding in developed areas is dangerous to them.

Mr. Spiker polled the audience to determine the number of individuals who were present regarding Parcel 30 and those that oppose it. The majority were opposed.

Mr. Bagwell explained that his residence is located below Buzzy’s Ranch. He did not want to see that property developed. He also noted that he had been to the Board a year ago begging for another ingress and egress for the area. He is still begging for that ingress/egress.

Mr. Childs opposed inclusion of Parcel 30. He thanked the staff for the opportunity to provide input at the meetings. The residents from the surrounding area have made their opposition known. The advisory committees supported their desire to keep it as open space. The parcel needs to be deed restricted now based on the comments. It will be harder to do in a year or so if it is designed for economic development.

## CARSON CITY BOARD OF SUPERVISORS

### Minutes of the January 4, 2007, Meeting

Page 16

Ms. Atchinson disclosed that she is on the Board for preserving the Silver Saddle Ranch. She indicated that Ms. Kish had covered her points. The Silver Saddle Ranch is a great historical and archaeological resource and value to the City. She offered the Friends of the Silver Saddle Ranch willingness and desire to be a part of whatever comes up in the future regarding its development. She advised that the ranch currently has some structures on it. She asked if discussions had included maintaining the ranch as it is as opposed to how it may look in 20 to 30 years as a regional park. Ms. Ritter indicated that the City had received the figures from BLM. The staff is aware of the management costs currently being created by the ranch. Ms. Atchinson listed the structures that are there now. She stressed that the ranch is not just land. More than fire prevention needs to be considered. Ms. Ritter agreed that the management is different as it is not as much of a fire issue as it the management of structures. Additional comments were solicited from the public. None were given.

Mayor Pro-Tem Williamson and Supervisor Staub thanked the audience for attending the meeting. Mayor Pro-Tem Williamson disclosed that she had seen people at the previous meetings and that she appreciated their comments and attendance. The public's involvement will give the community something that meets the needs of the community. She thanked them for their involvement. Discussion indicated that all of the material that will be presented to the Board will be placed on the City's website prior to the January 18<sup>th</sup> meeting. The final decision will be published by the media. Supervisor Aldean pointed out that she had already made her fiscal concerns known and the suggestion that the issues may be handled by revisions to the management agreements. In her opinion Carson City has done its fair share of providing work force housing. She was distressed about the lack of affordable housing in neighboring Counties/communities. The City houses a lot of people who work elsewhere. This issue needs to be discussed with them. She recommended an amendment to the proposed uses for Parcel 30 to open space as public purpose will not prevent the use for work force housing. Mr. Plemel indicated that open space could be used for parks or fire stations. He suggested that economic development be removed from the designation. It is distinguished separately from public purpose as it indicates that there is something beyond what is typically considered open space. Supervisor Aldean recommended the removal of economic development as a potential use. Supervisor Livermore seconded the motion. Discussion indicated that staff was to be directed to do this without the Board taking action. Supervisor Staub felt that a strong message should be included in the Lands Bill to retain the parcel as open space. This would remove the Planning Commission's recommendation to run it flexibly through the master plan. The Board's intent is to leave it as open space. He also understood the staff's recommendation. He supported Supervisors Aldean and Livermore's comments regarding maintaining the area at an open space level of development. There is also the issue of economic development which may need some flexibility. Supervisor Livermore recommended that Parcel 30 be abandoned and that the area be included in Parcel 41 which is confined to open space. This eliminates Parcel 30 and enlargens the recreational area of Prison Hill, Area 41, to include the 30+ acres from Parcel 30. Discussion between the Board and Fire Chief Giomi indicated that this action will prevent construction of a recreation center or fire station. Supervisor Aldean did not wish to tie the hands of future Board. The intent is to eliminate the potential of work force housing but should not foreclose the use of the parcel for truly public purposes that are beneficial to the neighborhood. Ms. Ritter felt that the staff understood the Board's opinion regarding this parcel. Supervisor Staub indicated his support for Supervisor Aldean's comments. Supervisor Livermore then indicated that the City's intent is not to have any long term ownership of Parcel 14. Once the land is transferred, the intent is to go through the public auction process and dispose of it. Mayor Pro-Tem Williamson agreed so long as it is after the lot line adjustment has been made. Ms. Ritter explained that, once the City acquires the parcel and the lot line adjustment has been made, staff will follow the Statutes for disposal which may include an auction.

CARSON CITY BOARD OF SUPERVISORS  
Minutes of the January 4, 2007, Meeting  
Page 17

Fire Chief Giomi thanked Supervisor Aldean for raising the funding issues. He stressed the need to responsibly manage the property once it is acquired which includes fire protection and noxious weed abatement. Fire prevention is beneficial to enhancing the resource value of the land as it will produce more water and provide better wildlife habitat. He cited the small wildland fire that occurred yesterday to illustrate the difficulty in stopping fires. Funding must be set aside for fuel management and fire suppression. If the City owns it, all maintenance aspects must be covered. Additional comments were solicited but none were given. No formal action was taken or required.

**9. ACTION TO ADJOURN (7:29:28)** - Supervisor Aldean moved to adjourn. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Pro-Tem Williamson adjourned the meeting at 7:30 p.m.

The Minutes of the January 4, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON February 15, 2007.

/s/  
Marv Teixeira, Mayor

ATTEST:

/s/  
Alan Glover, Clerk-Recorder