

CARSON CITY BOARD OF SUPERVISORS  
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, March 1, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

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

STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Larry Werner	Development Services Dir./City Engineer
	Sue Johnson	Finance Director
	Stacy Giomi	Fire Chief
	Andrew Burnham	Public Works Director
	Melanie Bruketta	Chief Deputy District Attorney
	Cheryl Adams	Purchasing and Contracts Manager
	Ken Arnold	Public Works Operations Manager
	Nick Providenti	Senior Accounting Manager
	Katherine McLaughlin	Recording Secretary

(BOS 3/1/07 Recording 8:31:20)

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. Chief Deputy District Attorney Melanie Bruketta led the Pledge of Allegiance. Rev. Louie Locke of the Fountainhead Foursquare Church gave the Invocation.

**PUBLIC COMMENTS AND DISCUSSION (8:32:54)** - Lou deBottari read his prepared statement into the record. During the reading, he handed the Board and Clerk a copy of his prepared statement and the email it referenced. (A copy of both documents is in the file.) He explained that he had been looking into the Vidler agreement and questioned the reasons other companies had not responded to the RFQ. He felt the RFQ was written to eliminate competition. He alleged that it violated NRS 533.550 as the Board does not and did not have the authority to enter into the agreement. He has purportedly asked the City Manager

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to have the District Attorney's office provide a written opinion regarding NRS 533.550 and whether the Board had the authority to enter into the agreement. He has not received a response to this request. He then explained that his review of the Charter Committee's June 27 Minutes indicates to him that the Committee did not understand the intent of the proposed Charter amendment to allow the City utility to become a water district. He alleged that the Charter amendment will circumvent NRS 533.550. He also alleged that NRS 533.550 does not allow a public agency to share water sale proceeds with a private company. His reading of the legislative bill draft request, as approved by the Board of Supervisors on July 20<sup>th</sup>, purportedly fails to detail how the net income is to be shared. He questioned whether the citizens should testify at the Legislature on this bill draft request. He felt that the Vidler contract should be declared null and void as time is of the essence. If the Board wishes to reconsider the Vidler agreement and the District Attorney's office determines it has the authority to do so, the meeting should be held in the evening so that the public can attend. He asked that appropriate information be provided early enough to the public so that the public can understand the agreement. He believed that the public will want the Board to retain all proceeds obtained from water sales for the City even if the initial cost is higher. City Manager Linda Ritter explained that the proposed Charter amendment adds water district language to the City's Charter. It does not set up a separate district. The City will remain a consolidated city-county operating a water company. The City does not qualify as a water district under the law. Discussion between Ms. Ritter and Mr. deBottari indicated that NRS 533.550 will still apply.

Sam Dehne described his military background. He alleged that he had invited the Legislators to attend the Board meeting. None were present. He supported Mr. deBottari's comments. He alleged that Vidler is "fiddling with water in Reno and that people adamantly oppose it there". He then explained that he had broken his attendance record at the Reno City Council meetings yesterday as he had not attended its meeting. He purported that people want to hear him play his guitar at the Board meetings and questioned the Mayor's rationale in not allowing him to do so. Mayor Teixeira suggested that Mr. Dehne get some new material and asked for additional public comments. None were given.

**1. ACTION ON APPROVAL OF MINUTES - FEBRUARY 1, 2007 (8:40:30)** - Supervisor Aldean moved to approve the Minutes for the Carson City Board of Supervisors meeting for February 1, 2007, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

**2. CHANGES TO THE AGENDA (8:40:53)** - None.

**11. BOARD OF SUPERVISORS - NON-ACTION ITEMS**

**B. STAFF COMMENTS AND STATUS REPORTS (8:40:55)** - Fire Chief Stacy Giomi advised that the Nevada Taxpayers Association had awarded the Cashman Good Government Award to Carson City and Douglas County for the removal of the emergency services boundary between the two entities. Both Carson City and Douglas County respond to emergencies in the area between the Clearview and Plymouth. The cooperative effort reduces the staffing needs for both communities and is believed to have resulted in an overall savings of approximately \$1 million. He thanked the Board for its support of the program. The Departments recognize the daily need to do government better. The trophy was

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unveiled. The Board congratulated him on the award. The revolving trophy will be shared by Carson City and Douglas County for a year. Discussion indicated that financial recognition is not part of the award. Mayor Teixeira commended the Departments on their cooperative efforts.

**3. LIQUOR AND ENTERTAINMENT BOARD (8:44:15)** - Mayor Teixeira then recessed the Board of Supervisors session and convened the Liquor and Entertainment Board. For Minutes of the Liquor and Entertainment Board, see its folder for this date.

**BOARD OF SUPERVISORS (9:01:35)** - Following adjournment of the Liquor and Entertainment Board, Mayor Teixeira reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

**4. CONSENT AGENDA**

**4-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 004-091-18 (LOCATED AT 201 S. ROOP ST.) FROM THE 2006/07 REAL PROPERTY TAX ROLL PER NRS 361.140 IN THE AMOUNT OF \$1,194.92**

**4-2. TREASURER - ACTION TO APPROVE THE REDUCTION OF THE REAL PROPERTY TAX ROLL FOR PROPERTY BOUGHT BY THE CARSON CITY AIRPORT AUTHORITY AND THE REFUNDING OF \$3,842.15 IN TAXES ALREADY PAID. AFFECTED LAND WAS PART OF PARCELS 8-206-01, 8-206-02, 8-206-13, 8-206-04 AND 8-206-05**

**4-3. DEVELOPMENT SERVICES - ACTION TO RESCIND AND CANCEL ORDINANCE NO. 1992-63, A WATER LINE REIMBURSEMENT AGREEMENT BETWEEN CARSON CITY AND IRON MOUNTAIN ACQUISITION COMPANY REGARDING ASSESSOR'S PARCEL NUMBER 009-215-02, LOCATED AT SHADOW VALLEY SUBDIVISION PHASE I, CARSON CITY, NEVADA; WHICH BENEFITTED THE OWNERS OF APNS: 009-214-04 AT 1070 EAST ROLAND STREET; 009-214-02 AT 1079 EAST APPION WAY; 009-186-12 AT 1060 EAST APPION WAY; 009-186-05 AT 1079 EAST OVERLAND STREET; 009-184-10 AT 1070 EAST OVERLAND STREET; 009-185-13 AT 4433 BIGELOW DRIVE; 009-185-14 AT 4475 BIGELOW DRIVE; FORMERLY 009-185-06 AT 4551 BIGELOW DRIVE, CARSON CITY, NEVADA; AND AUTHORIZE THE MAYOR TO SIGN THE CANCELLATION**

**4-4. CITY MANAGER - ACTION TO APPROVE AN AGREEMENT WITH THE CARSON CITY FIRE FIGHTERS ASSOCIATION LOCAL 2251 TO TRANSFER PERSONNEL AND THE TERMS AND CONDITIONS OF THE THEN EXISTING COLLECTIVE BARGAINING AGREEMENT SHOULD THIS FUNCTION BE TRANSFERRED TO A FIRE DISTRICT AS DEFINED BY NRS 474** - Sam Dehne requested Item 4-4 be pulled for discussion. Supervisor Livermore moved to approve the remaining Consent Agenda consisting of three items, one from the Assessor, one from the Treasurer, and one from Development Services, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

**4-4. (9:02:03)** - City Manager Linda Ritter introduced the item. She indicated that they are not certain that a 474 Fire District will be established. It allows the transfer of the bargaining unit to the District if one is established. Mr. Dehne was not aware of there being any individuals from the Fire

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Department besides the Fire Chief present. He felt that the Action Request Form should have indicated that the Board was assuring the Fire Department that no one will lose their jobs or seniority and that there will be no change in their current status. Any firemen who may be watching the Board meeting on television would have had a better understanding about the potential change had this information been indicated. Ms. Ritter indicated that the statement is included in the actual agreement. Mr. Dehne explained that he was thinking about the firemen who may not go online to find that information. As Ms. Ritter had stated that those assurances and that the contract is online, the assurances have been made part of the public record. Supervisor Williamson moved to approve an agreement with the Carson City Firefighters Association Local 2251 to transfer personnel and the terms and conditions of the then existing collective bargaining agreement should this function be transferred to a Fire District as defined by NRS 474. Supervisor Aldean seconded the motion. Motion carried 5-0.

**5. HEALTH - Senior Compliance Officer Kevin McCoy - ACTION TO ADOPT ON SECOND READING BILL NO. 104, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO (9:05:31)** - Public comments were solicited but none were given. Supervisor Staub moved to adopt on second reading Bill No. 104, Ordinance No. 2007-6, AN ORDINANCE AMENDING CHAPTER 10.24 STOPPING, STANDING AND PARKING, SECTION 10.24.145 ENFORCEMENT OF HANDICAPPED PARKING SPACES ON PRIVATE PROPERTY, BY CHANGING THE SECTION TO CONFORM TO STATE LAW AS SET FORTH IN NEVADA REVISED STATUTE 484.408 AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

**6. FINANCE - Director Sue Johnson - ACTION TO ADOPT A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES; AUTHORIZING THE CITY MANAGER OR CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF (9:06:41)** - Public Works Director Andrew Burnham, Sam Dehne, Carson City Coalition for Fair Water Rates Member Gil Yanuck, City Manager Linda Ritter - Discussion between Mayor Teixeira and Ms. Johnson explained that the financial consultant had developed the repayment schedule based on the proposed rate increases and the projected revenue stream. Ms. Johnson committed to bringing financial information to the Board prior to the sale of any bonds and illustrating the revenue stream necessary to repay the bonds. Future Boards will not be locked into approving the indicated increases. Discussion also explained that the proposal is to make \$27 million worth of improvements during the next five years. The bonds are for \$20 million and will be repaid more than 30 years. The utility has funds to pay for \$7 million of the improvements. The

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bonds will be sold as funds are needed. This process allows them to revamp the project listings and/or make changes to the capital program as conditions warrant.

Mr. Dehne felt that smaller numbers had originally been proposed. It is a large amount of money. The agenda should have included the amount. He supported the project as he felt it is needed due to the City's growth. Flexibility is needed when addressing the City's water needs. The proposed fee increases are small and will have little impact on his house in Carson City. He was uncertain what the impact will be on businesses. They need water also and the City needs to protect its water.

Mr. Yanuck invited anyone to participate with the Coalition who desires to do so. The Coalition currently has six members and is growing in size. He felt that there have been productive meetings with the City staff. He questioned the reasons for needing to collect \$2 million from the recent fee increase before selling \$20 million in bonds. Mayor Teixeira reiterated that the enterprise water fund is almost entirely depleted. Ms. Ritter explained that some of the funding is needed for operational items in addition to the capital items. She also indicated that if more revenue is generated than is needed, the fee increase may be reduced. Mayor Teixeira reminded Mr. Yanuck that the enterprise operation had not been run correctly. With the Coalition's assistance, it is now on the right track. Mr. Yanuck concurred and indicated an intent to provide a better resolution for the future.

Supervisor Williamson moved to adopt Resolution No. 2007-R-2, A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) FOR THE PURPOSE OF FINANCING WATER PROJECTS FOR THE CITY; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICES; AUTHORIZING THE CITY MANAGER OR CITY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE BONDS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF; fiscal impact is Water Fund estimate of \$33,168,428 which includes principal and interest; and the funding source is the Water Fund Service Charges. Supervisor Aldean seconded the motion. Motion carried 5-0.

**7. PUBLIC WORKS - OPERATIONS - Manager Ken Arnold - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE "CENTRALIZED WATER TREATMENT PLANT FOR WELLS NO. 4 AND 49 – DESIGN AND CONSTRUCTION RELATED CONSULTING SERVICES PROJECT", CONTRACT NO. 2006-119, FROM THE SDWA - ARSENIC FUND AS PROVIDED FOR IN FY2006/2007, TO BROWN AND CALDWELL, LOCATED AT 3264 GONI ROAD, SUITE 153, CARSON CITY, NEVADA 89706, FOR A CONTRACT AMOUNT OF \$282,722 AND A CONTINGENCY AMOUNT OF \$28,000 (9:19:07)** - Public Works Director Andrew Burnham - Discussion between Mr. Arnold and the Board explained the Federal mandate requiring the improvements and described the project, the cost of new wells, and the blending of other wells. Churchill County has spent \$30 million to reduce its water arsenic content. The consultant's fee was estimated to be 18 to 20% of the total cost of the project, which is fairly high. Mr. Burnham pointed out that the cost includes services during construction. The design phase is only 7 to 10% of the fee. The

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original fee was higher but staff was able to reduce it during contract negotiations. Supervisor Aldean moved to accept Public Works recommendation and award the Centralized Water Treatment Plant for Wells No. 4 and No. 49 - Design and Construction Related Consulting Services Project, Contract No. 2006-119, from the SDWA Arsenic Fund as provided for in FY 2006-2007 to Brown and Caldwell, located at 3264 Goni Road, Suite 153, Carson City, Nevada 89706, for a contract amount of \$282,722 and a contingency amount of \$28,000. Supervisor Williamson seconded the motion. Supervisor Williamson also noted that the City is operating under a three-year extension. The mandates were originally to have been effective in 2006. The City has gone through the appeals and the review of designs. We must do it. Motion carried 5-0.

**8. PUBLIC WORKS - Director Andrew Burnham - CONTRACTS - ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE "SALIMAN ROAD RECLAIMED WATER MAIN EXTENSION PROJECT", CONTRACT NO. 2006-097, FROM THE SEWER CAPITAL PROJECTS FUND AS PROVIDED FOR IN FY2006/2007, TO (BIDDER NO. 1) GRADEX CONSTRUCTION COMPANY, INC., LOCATED AT 800 BENNIE LANE, RENO, NEVADA 89512, FOR A CONTRACT AMOUNT OF \$367,387.96 AND A CONTINGENCY AMOUNT OF \$37,000 (9:26:35)** - There were six bidders. The contract is under the estimate. The project was designed by City staff. A description of the project was provided. The remaining portion of the project must have an NDOT permit. Staff was not willing to accept the conditions placed on the permit by NDOT for it. It may be necessary for Mayor Teixeira to accompany/assist staff in the negotiations with NDOT. Mr. Burnham committed to having both the Saliman Road portion and the Fifth Street portion completed before the resurfacing/overlays occur. RTC may consider the overlay/resurfacing contract(s) in February. Supervisor Livermore moved to accept Public Works recommendation and award the Saliman Road Reclaimed Water Main Extension Project, Contract No. 2006-097, from the Sewer Capital Projects Fund as provided in FY 2006-2007 to Bidder No. 1, Gradex Construction Company, Inc., located at 800 Bennie Lane, Reno, Nevada 89512, for a contract amount of \$367,387.96 and a contingency amount of \$37,000; Project Estimate: \$490,000; Projected Budget: \$300,000 in fiscal year 06-07 and \$400,000 in the budget fiscal year 05-06. Supervisor Williamson seconded the motion. Supervisor Staub explained RTC's original intent to repave Saliman from Fifth Street to Highway 50. He had asked staff to include Saliman from Fairview to Fifth Street in the same project. Justification for its inclusion was provided. Funding is purportedly available for both projects. The work will be done during the summertime. Mayor Teixeira noted the RTC commitment. The motion was voted and carried 5-0.

RECESS: A recess was declared at 9:32 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:37 a.m., constituting a quorum.

**9. PARKS AND RECREATION - Parks Planner Vern Krahn - UPDATE REGARDING THE STATUS OF THE CARSON CITY URBAN FISHING POND PROJECT LOCATED AT THE CARSON CITY FAIRGROUNDS (9:37:07)** - Chief Storm Water Engineer John Benzing, Parks and Recreation Director Roger Moellendorf, Lou deBottari - Mr. Krahn's introduction included an explanation of the funding partnership, the history of the concept and its support, and an intent to discuss the funding shortfall and project with NDOW. Mayor Teixeira noted that the "pond" will have an acre of surface

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water and is larger than Lampe Park's fishing area. Mr. Krahn continued his explanation of the community support for the fishing area, its goals, justification for its depth, and its change from a community facility to a regional facility. He also noted that it will be at the City's southern gateway and can be seen from Highway 395. Its low maintenance and safety features were limned. Ground water was found at the six to seven foot level in the test hole the City dug. The ground water will provide fresh water for the pond. In order to construct the pond, it will be necessary to dewater the area. Dewatering will cost \$350,000. Supervisor Livermore pointed out that the dewater requirement had been missed by the design consultant. The firm is a professional, local, reputable engineering company that designs ponds. All of the necessary permits had been obtained for the pond. Sierra Pacific was to move the power lines. Mr. Krahn explained John Benzing's efforts to identify the concerns. Mr. Benzing explained the City's test hit water at five feet. Flowing water was found between seven and eight feet deep. The sides caved in at ten feet. The bidders were present during the test. Both had different dewatering techniques which may be the reason Horizon bid \$97,000 for that portion. The other companies, who had not bid the job, had indicated the belief that the project would be over the estimate and had, therefore, discontinued their bid preparation efforts. He acknowledged the belief that the project may be in the \$600,000 range even though the current funding level is only \$438,000. Mr. Benzing disclosed that he had questioned the consultants about the project and the bids. It was felt that they had not perceived any problems with the project. Supervisor Livermore disclosed his request that the staff ask other contractors for their opinions on the project. Mr. Moellendorf explained the reasons this had not occurred. Supervisor Livermore explained his reasons for suggesting the opinions be obtained. He questioned the effort to find another location for the pond. Mr. Moellendorf was not certain about the extent of a search for an alternate location. The Ross Gold site was considered. Justification for the Fairground location was provided. He explained that the City must accept or reject the bid soon as the bid is only valid for another 30 days. If it is accepted, additional funding must be found. He was uncertain whether NDOW will provide the additional funds. Supervisor Livermore felt that the NDOW grant will not disappear. He did not want to abandon the project. Mr. Krahn indicated that the commitment for the grant requires completing the project by December 2007. It may be possible to extend this deadline if progress is occurring. He also reminded the Board of the attempt to develop a fishing pond at Ross Gold. It lacks inflow and outflow sources. Justification for the Fairground location was provided. He had discussed the depth requirement with NDOW. They were willing to decrease the depth although discussions with the contractors indicated that this will save only \$8,000. NDOW wants the pond to have one acre of surface. The proposed ADA features were limned. It may be possible to eliminate/reduce some of the ADA features although it is more cost effective to do them during the original construction. Public comments were solicited.

Mr. deBottari expressed his surprise at the concept to mix ground water with surface water. He was uncertain whether NDEPA will allow it. When a well is drilled, you are not allowed to mix the two. He wanted to ensure that the Health Department will approve the concept. His concern was created by his personal experience in a different state.

Mayor Teixeira noted that staff "has it work to do". He believed that the Fairgrounds is the correct location for the pond. It is a good project. It is, however, \$600,000 short of funds. Mr. Krahn commended both Mr. Moellendorf and City Manager Ritter for their support even when he had informed

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them of the bids and funding shortage. His unofficial discussions with NDOW had indicated support for the project even without the handicapped fishing pier. He was willing to seek additional funding. Funding commitments from NRCS and Trout Unlimited were noted. He solicited funds from anyone wishing to make a donation. He also indicated that it may be necessary to go out to bid again although Horizon has expressed a willingness to extend the bid commitment date if progress on the funding is being made. No formal action was required or taken.

**10. CITY MANAGER - Linda Ritter**

**A. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CHAPTER 12.04 SENIOR CITIZENS ASSISTANCE TO PROVIDE A REDUCTION, RATHER THAN A REBATE, IN SEWER CHARGES AND TO PROVIDE A REDUCTION IN WATER CHARGES BASED UPON HOUSEHOLD INCOME, INCREASING THE HOUSEHOLD INCOME LIMITS, ALLOWING FOR DISCONTINUANCE OF THE DISCOUNT TO ANY APPLICANT WHO WASTES WATER OR VIOLATES THE LIMITATIONS ON IRRIGATION AND OTHER MATTERS PROPERLY RELATED THERETO (10:01:04)** - Discussion explained that the proposal could provide funding for low income homes to offset the water increases. It is for seniors living on very fixed incomes. Supervisor Aldean expressed concern about possible abuse of the program when multiple people live in the same residence. She suggested that the residential terminology include "any co-occupants" to the household income request. Ms. Ritter explained that the wording was taken from the State and the desire for the terminology to be the same for both applications. This will allow the use of one application for all purposes. She agreed to analyze the suggestion and bring it back on second reading if a change is needed. Public comments were solicited but none were given. Supervisor Staub moved to introduce Bill No. 105 on first reading, AN ORDINANCE AMENDING CHAPTER 12.04 SENIOR CITIZENS ASSISTANCE, TO PROVIDE A REDUCTION, RATHER THAN A REBATE, IN SEWER CHARGES AND TO PROVIDE A REDUCTION IN WATER CHARGES BASED UPON HOUSEHOLD INCOME, INCREASING THE HOUSEHOLD INCOME LIMITS, ALLOWING FOR DISCONTINUANCE OF THE DISCOUNT TO ANY APPLICANT WHO WASTES WATER OR VIOLATES THE LIMITATIONS ON IRRIGATION AND OTHER MATTERS PROPERLY RELATED THERETO; fiscal impact is estimated at \$20,000 per year from the Water Fund. Supervisor Livermore seconded the motion. Motion carried 5-0.

**B. ACTION TO INTRODUCE ON FIRST READING, AN ORDINANCE AMENDING CHAPTER 4.04, BUSINESS LICENSES, TO MOVE BUSINESS LICENSE ADMINISTRATION FROM THE CARSON CITY TREASURER TO THE DEVELOPMENT SERVICES DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO ( 10:05:25)** - Treasurer Al Kramer - Discussion indicated that the relocation will be cost effective. Liquor Licenses will remain with the Treasurer for the time being. The Statutes allow the transfer to occur. It will relieve three parking spaces at City Hall. The service level will remain the same. Supervisor Aldean moved to introduce on first reading Bill No. 106, AN ORDINANCE AMENDING CHAPTER 4.04, BUSINESS LICENSES, TO MOVE BUSINESS LICENSE ADMINISTRATION FROM THE CARSON CITY TREASURER TO

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THE DEVELOPMENT SERVICES DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Motion carried 5-0.

**C. ACTION TO REVIEW, EVALUATE AND RECOMMEND FOR APPROVAL THE COMMUNITY DEVELOPMENT (CDBG) PROJECT FUNDING PRIORITIES FOR FY2007-08, AND TO OPEN A 30-DAY PUBLIC COMMENT PERIOD FROM MARCH 15 TO APRIL 13, 2007, FOR REVIEW OF THE CARSON CITY CDBG 2007-08 ANNUAL ACTION PLAN TO IMPLEMENT DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM (10:07:47)** - Chief Deputy District Attorney Melanie Bruketta, CDBG Review Committee Chairperson Karl Neathammer, Community Development Block Grant and Citizen Outreach Coordinator Ramiro "Javier" Ramirez, Transportation Program Manager Patrick Pittenger, Boys and Girls Club Director Hal Hansen - Mr. Neathammer indicated that the Committee had reviewed all of the applications. If adequate funding had been available, all would have been funded. As the amount of funding is finite, the funding recommendations were based on projects that will enhance the community. It was an open and transparent process. All applications were considered on an even and fair basis. He suggested that the Sierra Room be used for the evaluations if the process is used in the future so that the public can see and understand the process. He complimented the team members for serving on the Committee. They believed that it was a fair process. He also complimented Mr. Ramirez on his participation. Mayor Teixeira, on behalf of the Board, thanked him and the Committee members for their service. He concurred that there are many fine projects but not enough money for everything. He also noted the plethora of paperwork involved with the process. CDBG is a unique program. Compliance with all of the requirements is sometimes a problem. He also thanked Mr. Ramirez for his services.

Mayor Teixeira disclosed that he had discussed his position with the District Attorney's office. He regretted the need to have to recuse himself from the process; however, in view of his position on the Board of Directors for the Boys and Girls Club of Western Nevada, his heavy involvement with the Club, and desire to continue his involvement with it, he will not vote on its portion and will leave the building. This will eliminate any perceived conflict of interest. He will be at his office. The funding is from the Feds. He also disclosed that he had posed the question to the District Attorney's office. Ms. Bruketta concurred with this statement and expressed her appreciation to him for disclosing the matter.

Mr. Ramirez introduced the item by explaining the process used to develop the forms and priorities and establishment of the committee whose members were listed. The funding has not yet been established by Congress. Therefore, the grant program was based on last year's funding level. Discussion explained the funding level allocated for public service projects of \$68,639 and \$297,435 for public improvement projects. Last year's unallocated total for public improvement projects of \$10,405 is available for capital improvements, economic development, or it can be carried forward to next year. The Committee's recommendations can be accepted, revised, or amended to meet the community needs. The Board's action will open the 30-day comment period. The Board will then act on the allocations at the end of that period. The Board then discussed the public service projects. The Ron Wood Reach Up Program had not been implemented. It does have in-kind contributions. The recommended funding level was \$31,520. The

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remainder of the public service funds were allocated to the Community Counseling Center for its Methamphetamine Treatment Project. This program is already operating on a full-time basis and has community funding. The recommended funding level by the Committee for the Ron Wood Reach Up Program had been unanimously supported. The Community Counseling Center's funding had been approved on a 4-1 vote. Supervisors Aldean and Livermore supported the Committee's funding recommendations for public service projects. Mayor Teixeira explained his support of the Community Counseling Center's program and belief that the community will continue to support the Ron Wood Center and its program if the CDBG funds are not provided. He stressed the need for programs to address the methamphetamine problem and its related psychological impacts. He did not support starting new programs when it dilutes older, established programs and, specifically, not during times of funding shortages. He felt that the commitment to the Community Counseling Center should be maintained. The Ron Wood Reach Up Program should be started and reports given to the Board indicating its impact and results. Discussion explained that the \$10,500 in last year's leftover funds can only be used for economic development. The \$91,518 can only be used for planning, research, reports and administrative functions. Comments pointed out that the Community Counseling Center's funding request was for only \$58,343 which will leave a balance that could be used for another project. **Supervisor Livermore moved to allocate the Community Development Block Grant funds for public service projects to fully fund the Methamphetamine Treatment Project from the Community Counseling Center for \$58,343 and the remaining amount of money eligible to Ron Woods for the creation of a pilot program. Supervisor Staub seconded the motion.** Supervisor Williamson shared the enthusiasm for fighting meth, however, she was concerned about the impact changing the Committee's recommendation may have. She and Supervisor Aldean had served on the Committee. It is lots of work. The Ron Wood project received a score of 92%. The Community Counseling Center received a lower score. She wished to acknowledge and support the volunteers' time and commitment. **The motion to allocate \$58,343 to the Community Counseling Center and the remaining funds to the Ron Woods Reach Up Program was voted by roll call with the following result: Mayor Teixeira - Yes; Supervisor Livermore - Yes; Supervisor Staub - Yes; Supervisor Williamson - No; and Supervisor Aldean - No. Motion carried 3-2.** Mayor Teixeira indicated his respect for the Board. He indicated that he will now leave the room and passed the gavel to Mayor Pro-Tem Staub. (A quorum was still present.)

Mr. Ramirez then explained the public facilities improvement projects and the Committee's rankings and recommendation. Ms. Ritter explained a proposal to utilize funding from the landfill for ADA sidewalk improvements. The proposed grant will only fund a small portion of the overall ADA sidewalk needs.

Supervisor Aldean explained her belief that the Boys and Girls Club could fund its project through community support. She disclosed her knowledge of the sidewalk deficiencies and, specifically, the lack ADA sidewalk improvements in the community. The proposed program funds only 40 ramps. It will be a start. She disclosed that she had talked to one of the Committee members. They had put a lot of work into reviewing, weighing, and discussing the applications. There was a lot of disparity in the scoring. She also recognized the Boys and Girls Club's need for the playing fields. She pointed out that the funding for sidewalks is only a "drop in the bucket". The liability will increase in the future.

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Supervisor Livermore questioned how the area had been selected for the sidewalk improvements. He believed that the Board should have participated in the area selection process. His awareness of the need and use of the Boys and Girls Club and its facilities were noted. Its lease will soon run out. The need for the children to have outside activities was expressed. They cannot be kept inside all the time. He acknowledged the difficulty that was experienced in attempting to establish a priority among the projects. He also pointed out that the neighborhood had been there for years. There are others that also have sidewalk needs. He again questioned how the neighborhood had been selected. Ms. Ritter explained that it had been based on the income level of the surrounding residents. Supervisor Livermore suggested that the City develop a ten-year program for sidewalks and/or consider using Federal or City funding for a long-term loan to pay for the sidewalk improvements.

Mayor Pro-Tem Staub explained his evaluation of the projects involved the consideration of benefits to the low and moderate income families. He understood the need to address the sidewalk liability issue. He respected the Committee volunteers and attempts to defer to their recommendations due to their expertise and knowledge of the programs. The recommendations, however, can only go so far. The Board must make every decision. The Boys and Girls Club works 24-7 to help individuals with low and moderate incomes care for their children. He thanked the Clubs representatives and supporters who were present for their efforts. He recognized the imminent position the Club is facing. They are staying in a facility "on borrowed time". Their efforts to obtain funding for the new location, its building(s), and facilities were noted. Outside areas are needed for recreational purposes for the children. The fields will be an asset for them and benefit the children and the public who use the facility. He could not think of a better use of the funds than granting them to the Club. He acknowledged RTC's awareness of the sidewalk needs in the community. It provides funding for sidewalks and signals and will continue to do so. The sidewalks may need to have a stronger urgency placed upon their status. He implored the Board, with apologizes to the Committee, to reallocate the grant and give the Club \$253,500. Mr. Ramirez suggested that the remainder be used for the sidewalks.

Discussion between Supervisor Aldean and Mr. Pittenger indicated that there is a sidewalk deficiency inventory and that the funding would be used on its priorities. It is not necessary to address all of the neighborhood's deficiencies at one time. Any funds that are allocated can be used to benefit the area. Supervisor Aldean recommended funding the project at any level possible. Mayor Pro-Tem Staub suggested that the unallocated funds from the previous year be added to the remaining funds which will total \$54,240 and can be used for public improvement projects. Public comments were then solicited.

Mr. Hansen thanked the Board for the ability to apply for the grant. The grant will complete a project that commenced six years ago. The Club's Board raises over \$1 million annually for operations and has raised over \$5 million for the facility. The fields are vital to the operation. The grant will be a tremendous opportunity and support for the program. The new facility is twice the current facility's size. It contains 12,000 square feet which Club Board Member Piercznski thinks is a "small elementary school". The children are outside year-round. The fields need to be developed. Mayor Pro-Tem Staub thanked him for his remarks.

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**Supervisor Livermore moved to approve the public facility improvements of the CDBG grant and allocate \$253,500 to the Boys and Girls Club of Western Nevada and the remaining amount of \$42,000 plus the \$10,000 remaining from last year, (creating a) remaining amount of \$52,400—following discussion the amount was corrected to be—\$54,340 for the ADA project at the desired located. Supervisor Aldean seconded the motion.** Supervisor Williamson explained that in the past CDBG funds have gone for sidewalks. This is how the sidewalks were installed on Hot Springs and Saliman Roads. She complimented staff for considering other funding alternatives. Supervisor Aldean advised that the Committee had been complimentary about Mr. Pittenger's presentation. Mr. Ramirez acknowledged the difficulty experienced by the Board in making such decisions. He also complimented the Board, as a private citizen, on its community support. He acknowledged that there is a small amount of funding available which makes the decisions difficult for the Board. **The motion to allocate the CDBG grant to the Boys and Girls Club in the amount of \$253,500 and the remainder of \$54,340 to the City's ADA sidewalk project was voted and carried 4-0-1 with Mayor Teixeira absent.** Mayor Pro-Tem Staub thanked the Boys and Girls Club representatives and supporters for attending the meeting.

(10:55:18) Following Mayor Pro-Tem Staub's reminder, Supervisor Livermore amended his motion to include opening the 30-day public comment period. Supervisor Aldean concurred with the amendment. The amendment was voted and carried 4-0-1 with Mayor Teixeira absent.

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

**A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (10:51:58)**

- Supervisor Aldean noted the media coverage on the TRPA's eight hour meeting that had included the Heavenly Valley improvements. She explained for the record that the paper had failed to report on the environmentalists concerns regarding the need to remove large trees for the new lift line. Another alternative to the tree removals would have required cut and fill that would have removed more than 30,000 cubic yards of material. The second alternative would have created a substantial impact to some environmentally sensitive areas. Support for TRPA's decision was provided by the TRPA staff, the APC—which is a technical advisory arm to the Agency, as well as the Forest Service. TRPA had weighed the pros and cons and, she believed, made the best decision for the environment and the need to protect the Lake's clarity. There had been tremendous public comments on both sides of the issue. She felt that Vail Resorts have a real sense of community obligation. They must mitigate the impact on an old stand of trees which is not a pristine area. The mitigation will be made to a pristine old stand of trees.

Supervisor Williamson invited the public to attend the Saturday Wine Walk in Downtown Carson City from 1 p.m. to 5 p.m. The cost is \$10 per glass. Mayor Pro-Tem Staub reminded the public of the Cowboy Poetry event which will occur on March 10. Tickets are available at 883-8520 or 883-1532. No formal action was required or taken on these topics.

**B. STAFF COMMENTS AND STATUS REPORT - None.**

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**12. ACTION TO ADJOURN (10:56:01)** - Supervisor Livermore moved to adjourn. Supervisor Aldean seconded the motion. Motion carried 4-0 with Mayor Teixeira absent. Mayor Pro-Tem Staub adjourned the meeting at 10:57 a.m.

The Minutes of the March 1, 2007, Carson City Board of Supervisors meeting

ARE SO APPROVED ON March 15, 2007.

/s/  
Marv Teixeira, Mayor

ATTEST:

/s/  
Alan Glover, Clerk-Recorder