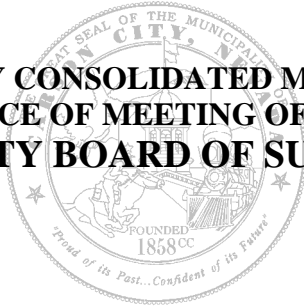


**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS**



Day: Thursday
Date: December 20, 2007
Time: Beginning at 8:30 a.m.
Location: Community Center, Sierra Room
851 East William Street
Carson City, Nevada

Agenda

Call to Order

Roll Call

Invocation - Alan Dorway, First Presbyterian Church

Pledge of Allegiance

Public Comments and Discussion: *The public is invited at this time to comment on and discuss any item not on the agenda that is relevant to, or within the authority of, the Carson City Board of Supervisors, the Carson City Liquor and Entertainment Board and the Carson City Redevelopment Authority. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Public comment during individual agenda items will be taken on the item at the time the item is called for hearing.*

1. **Action on Approval of Minutes**
2. **Changes to the Agenda**

Board of Supervisors
Consent Agenda

3.

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All matters listed under the consent agenda are considered routine and may be acted upon by the Board of Supervisors with one action and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting. The Mayor, or the Mayor Pro-Tem, retains discretion in deciding whether or not an item will be pulled off the consent agenda.
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3-1. Assessor

- A) Action to approve the partial removal and partial refund of taxes for parcel numbers 010-651-24 (public utility easement), 010-651-25 (portion of Lepire Dr. P.U.E dedication) and 010-652-01 (Etta Place and Cassidy Court, R/W dedication) from the 2007/08 Real Property Tax Roll per NRS 361.060 and NRS 361.484 in the amount of \$6.30.

Staff Summary: The properties located within Sundance Ridge Phase II were dedicated to Carson City on 10/19/07. These properties are now tax exempt per NRS 361.060 and NRS 361.484. The Assessor's

office is asking that the taxes be prorated from July 1, 2007 thru October 19, 2007 and that the remaining amount be removed and refunded from the 2007/08 Real Property Tax Roll.

- B) Action to approve the partial removal (\$361.45) and partial refund (\$89.45) of the taxes for parcel number 010-281-33 (located at 5587 Carson River Rd.) from the 2007/08 Real Property Tax Roll per NRS 361.050.

Staff Summary: The property located at 5587 Carson River Rd. was purchased by the United States of America on November 1, 2007 (APN: 010-281-33). This property is now tax exempt per NRS 361.050. The Assessor's office is asking that 2007/08 taxes be prorated from July 1, 2007 thru November 1, 2007 and that the remaining taxes be removed from the 2007/08 Real Property Taxes. The Assessor's office is also asking for a partial refund of the taxes paid.

3-2. Public Works

Action to approve a request by the Commission for the Reconstruction of the V & T Railway for the City to pay the costs to relocate a water main for the Phase 2C Railroad Construction Project.

Staff Summary: This action would provide for Public Works-Water Division to assist in the relocation of a water main which serves the new city east tank out ahead of construction of the railroad project.

3-3. Parks & Recreation

Action to appoint and authorize the Mayor, the City Clerk Recorder, or designee to swear Johnson & Perkins (Mrs. Cindy Fogel, representative) as the appraiser for Carson City with regard to the self-contained appraisal of the following property in Carson City: Boys and Girls Club of Western Nevada, approximately 14.32 acres, APN 2-101-85.

Staff Summary: Appraisals are required by state law in order to determine the value of property that may be purchased. This action is for appointment of Johnson & Perkins (Cindy Fogel representative) as the appraiser for the property, as required by NRS. 244.275. The funds will be paid from the Parks and Recreation budget account for professional services.

3-4. Development Services - Engineering

Action to approve and authorize the Mayor to sign the Notice of Completion of Improvement Agreement between Carson City and Carson City Hotel, LLC for Dolphin Bay Apartments for Parcel Map, formerly known as Assessor's Parcel No. 008-053-31 located in Carson City, Nevada; Recorded No. 307082 of the official records of Carson City, Nevada and adopted by the Board of Supervisors on October 3, 2003.

Staff Summary: Staff is requesting that the Board of Supervisors sign the Notice of Completion of Improvement Agreement between Carson City and Carson City Hotel, LLC.

(End of Consent Agenda)

Ordinances, Resolutions, and Other Items

4. Clerk Recorder

Action to introduce, on first reading, an ordinance amending the Carson City Municipal Code Title 2, Administration and Personnel, Chapter 2.28, Compensation for Election Board Officers, by deleting the

2.28.010 in its entirety and replacing with “The compensation and conditions of employment for voting board officers, counting board officers, those employed for the purpose of conducting early voting, specially appointed deputy sheriffs and other election board officers shall be fixed by resolution of the Board of Supervisors” and other matters properly related thereto.

Staff Summary: CCMC 2.28.010 sets the pay for election board workers. This ordinance was put into place in 1984 and is restrictive. The Board of Supervisors should have more flexibility to set pay. This change would do that by setting pay for election works by Resolution instead of in the Code.

5. Development Services - Building Division

Action to adopt Bill No. 141, on second reading, an ordinance amending the Carson City Municipal Code, Title 15, Building and Construction, Chapter 15.05, Building Code, by repealing Section 15.05.010, Adoption of International Building Code, Appendices and Amendments, and adding Section 15.05.020, Adoption and Administration of Building and Construction Codes, which adopts the 2006 edition of the International Building Code, Uniform Plumbing Code, International Residential Code, Uniform Mechanical Code, International Energy Conservation Code, International Property Maintenance Code and International Existing Building Code, the 2005 version of the National Electric Code and the 2007 Northern Nevada Amendments, and adds various provisions for the administration of the adopted Codes and repealing Chapter 15.06, Residential Code, Chapter 15.07, Existing Building Code, Chapter 15.09, Plumbing Code, Chapter 15.13, National Electrical Code, Chapter 15.14, International Code Council Electrical Code, Chapter 15.16, Mechanical Code, and Chapter 15.30 Appeals, and other matters properly related thereto.

Staff Summary: The proposed language would modify the text of the Carson City Municipal Code by changing/adding to the format of the current ordinance by replacing the current amendments to the adopted codes with the 2007 Northern Nevada amendment package that will provide consistency throughout the Northern Nevada region. In addition, there will now be one administrative chapter to cover all of the adopted building codes which is not a part of the 2007 Northern Nevada amendment package.

6. Fire

Action to adopt on second reading Bill No. 142, an ordinance amending Carson City Municipal Code Title 14 Fire, Chapter 14.01 General Provisions by amending Section 14.01.025 False Alarms to increase the service charge for false alarms from \$150 per occurrence after the first occurrence to \$300 per occurrence after the third occurrence, deleting Section 14.01.030 Hazard Abatement and adding it into the new Chapter 14.05, amending Chapter 14.02 International Fire Code by adopting the 2006 International Fire Code and making various amendments to the code, amending Chapter 14.04 Wildland Interface, by changing the definition of Wildland Urban Interface and amending the provisions regarding water supply and fire sprinkler systems, adding Chapter 14.05 Hazard Abatement by placing responsibility for hazard abatement on the property owner and outlining the procedure to be followed for hazard abatement and other matters properly related thereto.

Staff Summary: The International Code Council updates the model code series on a three year basis. The latest version of the code is the 2006 International Fire Code. This ordinance formally adopts the 2006 code and makes various amendments to Title 14 that have been suggested by the community.

7. Development Services

Action to introduce on first reading an ordinance repealing Ordinance No. 2007-30, Bill No. 129, and amending Title 17 Subdivision, Chapter 17.03 Parcel Maps, Lot Line Adjustments and Deletions, Reversion to Acreage Maps, and Merger and Resubdivision of Land, Section 17.03.010 Application and Review, Section 17.03.015 Application and Review, Section 17.03.020 Application and Review, Section 17.03.025 Reversion to Acreage Maps, and Section 17.03.030 Merger and Resubdivision Maps; Chapter 17.04 Land Division Maps, Section 17.04.005 Application and Review; Chapter 17.05 Tentative Maps, Section 17.05.005 Application Process and Section 17.05.025 Fees and Service Charges, Chapter 17.06 Subdivision Final Maps, Section 17.06.005 Map Submittal for Approval; Chapter 17.09 Planned Unit Development, Section 17.09.040 Application for Tentative Approval; Chapter 17.11 Improvement and Procedure, Section 17.11.035 Inspection Fee, by deleting any reference to fees being set by resolution of the Board of Supervisors and amending Section 17.11.035 Development Filing and Checking Fees, by adding references to Title 18 Zoning and Title 18 Appendix - Development Standards for fees to be charged by the city and other matters properly related thereto.

Staff Summary: The original ordinance changing Engineering and Planning fees was adopted as Ordinance No. 2007-30. Ordinance No. 2007-30 was drafted based on the Carson City Municipal Code as codified at the time. There were several ordinances that had been adopted modifying Title 17 that had not been codified. Ordinance No. 2007-30 did not reflect the changes of the previously adopted ordinances, therefore, the ordinance presented herein is to repeal Ordinance 2007-30 and to correctly present the previously approved fee modifications.

8. Development Services - Planning and Zoning

- A) Action to introduce, on first reading, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, Section 4.4.7, Exemptions, modifying the provisions for open house signs by adding regulations to allow off-premise “open house” signs with certain limitations, and other matters properly related thereto. (File ZCA-07-171)

Staff Summary: Open house signs are presently only allowed by City code to be placed on the lot of the open house. The proposed ordinance would allow off-premise open house signs to be placed consistent with a trial policy that was implemented during the past two summers, subject to limitations on the location and number of signs.

- B) Action to approve a Master Plan Amendment application from the Carson City Parks and Recreation Department/Open Space Division (property owner: Carson City) to change the Master Plan land use designation of APN 010-071-25, approximately 86 acres located east of Carson River Road, a portion of property formerly known as Buzzy’s Ranch, from Low Density Residential and Rural Residential to Open Space. (File MPA 07-163)

Staff Summary: Carson City recently purchased the subject property through the City’s open space program. The proposed Master Plan Amendment would change the designation for the future use of the property to reflect the current public ownership and the intent to keep the property for open space.

- C) Action to accept the Carson City Master Plan Annual Report and recommendations from the Planning Commission regarding the implementation of the goals and policies of the Master Plan and other matters properly related thereto. (File MPA 07-166)

Staff Summary: State law (NRS 278.190) requires the Planning Commission to annually make recommendations to the Board of Supervisors regarding the implementation of the Master Plan.

- D) Action regarding an appeal of the Planning Commission's decision to reduce the requested sign height for a freestanding shopping center sign from 65.5 feet to 45 feet as part of an approval of Special Use Permit SUP-07-161 to allow a third freestanding shopping center sign within the North Carson Crossing shopping center near the future Home Depot store adjacent to the freeway on property Zoned Limited Industrial (LI), located on Market Street on the south side of College Parkway, APN 002-755-161. (File No. SUP-07-161)

Staff Summary: Decisions of the Planning Commission may be appealed to the Board of Supervisors. The Planning Commission approved the Special Use Permit application but required a reduction in the height of the sign as part of the approval. The applicant is appealing this aspect of the approval and requesting that the sign be allowed at 65.5 feet rather than 45 feet.

- E) Action to consider an extension of one year for the Tentative Planned Unit Development application and a Special Use Permit application known as Eagle Village Condominium Project from Western Engineering (property owners: Michael and Judith Bray and Jonathan and Susan Warren), to develop 36 multi-family residential dwelling units (condominiums) on 3.66 acres north of Eagle Station Lane, Assessor's Parcel Number 009-123-32 based on the staff report findings and subject to the recommended conditions of approval as contained in the staff report. File TPUD-05-191 and SUP-05-192.

Staff Summary: The Eagle Village Condominium Planned Unit Development (PUD) is a proposed residential development consisting of 36 two bedroom two bathroom units grouped into six, two story 7,038 square foot buildings and is requesting tentative map approval. This proposal includes (24) 1,284 square foot ground units and (12) 1,236 second story units. The units are designed with four condo units on the ground floor and two condo units on the second floor. Each unit is proposed with an open floor plan and patios for the ground level units and private balconies for the upper units. The zoning of this property is General Commercial (GC). The applicant at this time is requesting a one year extension from the time frame noted in the January 19, 2006 Board of Supervisors approval. It is the recommendation of staff that the BOS approve the requested one year extension for the Tentative Map request and the Special Use Permit request. If these extensions are approved the new expiration date for the Tentative Map approval and the Special Use Permit approval will be January 19, 2009.

9. District Attorney

- A) Discussion and possible action to approve the Settlement Agreement between Carson City Nugget, Inc., Carson Nugget, Inc. and Carson City Regarding Abandonment of Streets.

Staff Summary: The City sought judicial review of its decision to charge for the abandonment of streets in the part of the city that encompassed the federal townsite. Capital City Entertainment joined in the suit seeking reimbursement. Following its decision to seek reimbursement, two other owners of property which had paid for the abandonment of streets also sought relief. The District Court held that the City should not have charged for the abandonment of the streets that were a part of the Federal Townsite Act. The City appealed the decision to the Nevada Supreme Court, which upheld the District Court decision, but stated that there were some defenses to repayment of the purchase price of the streets. The City pursued those defenses in the District Court and lost. The case was again appealed to the Nevada Supreme Court but settled in the Supreme Court settlement program.

In 2000, Carson City Nugget, Inc. sued Carson City for damages and injuries it claimed to have suffered due to the payment for the abandonment of certain portions of Plaza Street, recorded November 1, 1974 and certain portions of Spear Street, recorded November 10, 1980. This agreement settles all claims the Nugget has against the City due to the abandonment of the streets.

- B) Possible action to declare The Seasons Limited Partnership in breach of the Ground Lease between Carson City and the Seasons Limited Partnership for a portion of APN 002-121-09 in Carson City, Nevada for failure to pay property taxes as required pursuant to the terms of the lease and to authorize staff to send a Notice of Default to The Seasons Limited Partnership.

Staff Summary: Carson City and The Seasons Limited Partnership entered into a ground lease for a portion of APN 002-121-09 in Carson City, Nevada. The Seasons Limited Partnership built the Autumn Village Senior Housing project on the land that was the subject of the ground lease. Pursuant to the terms of the ground lease, The Seasons Limited Partnership contractually agreed to pay all real property taxes. After constructing the Autumn Village Senior Housing project, The Seasons Limited Partnership applied for and was approved for a statutory exemption (NRS 361.082) from real property taxes for low income senior housing. The Seasons Limited Partnership has failed to pay real property taxes, as required pursuant to the terms of the ground lease, since having been granted the statutory exemption.

10. Public Works

Action to approve and authorize the Mayor to sign an Improvement Agreement between Vidler Water Company, Inc. and Carson City for the construction of a well and infrastructure to provide water to Carson City and Lyon County.

Staff Summary: Approval of this Improvement Agreement will enhance the quantity and flexibility of delivery of water for the region and will provide additional water to Carson City at no cost.

11. City Manager

- A) Action to approve an Agreement between Carson City and Community Counseling Center for the ratification by Carson City of the payment of a debt owed by Community Counseling Center and Agreement by Community Counseling Center to pay the money to Carson City.

Staff Summary: In August, 2006, officials from Community Counseling approached the City regarding an operating loan that was putting their ability to continue to operate the residential drug and alcohol treatment center at risk. It was agreed that we would propose that the City pay this debt and require full repayment, with interest, from Community Counseling Center in order to insure the continuation of this important service. We have recently discovered that this payment was made prior to entering into a repayment agreement with Community Counseling. This action will ratify the payment and set forth the repayment plan. The repayment will include 5% interest and will be paid at \$3,000 per month until it is fully paid in March, 2011.

- B) Presentation by the Carson City Municipal Golf Corporation of a status update of activities at the Eagle Valley Golf Course during calendar year 2007.

Staff Summary: In July 1997, Carson City leased the Eagle Valley Golf Course to the Carson City Municipal Golf Corporation. The term of the lease was 5 years, with additional 5 year terms upon mutual agreement and until such time as the lease is terminated. Representatives from Carson City Municipal

Golf Corporation will appear before the Board to provide an update on current operations of the Eagle Valley Golf Course.

- C) Action to accept the Carson City Comprehensive Annual Financial Report for the fiscal year ended June 30, 2007.

Staff Summary: City staff and representatives from Kafoury, Armstrong and Co. will be making a presentation of the City’s financial status as well as recommendations for improvement.

- D) Update on the current and future financial condition of the Carson City General Fund.

Staff Summary: Staff would like to provide monthly updates on actual budget results, revised projections and cost reduction strategies being implemented to address the deficit included in the 2007/2008 General Fund Budget. No action is requested at this time.

– LUNCH BREAK –

RETURN – APPROXIMATE TIME – 1:30 P.M.

- E) Action to appoint two members to the Open Space Advisory Committee for four year terms expiring January 1, 2012.

Staff Summary: CCMC, Chapter 13.06.040 provides for a committee of seven members that serve staggered four year terms. There are two vacancies due to terms expiring.

- F) Action to appoint four members to the Parks and Recreation Commission for four year terms ending January 2011.

Staff Summary: Carson City Municipal Code Chapter 2.16 and NRS 244.3076 provide for a Parks and Recreation Commission to be composed of not more than nine members who shall be appointed by the Board of Supervisors. There are four vacancies due to terms expiring.

12. Board of Supervisors

Non-Action Items:

- Internal communications and administrative matters
- Correspondence to the Board of Supervisors
- Status reports and comments from the members of the Board
- Staff comments and status report

13. Action to Adjourn

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Copies of information related to the above items can be viewed at the reference desk at the Carson City Public Library.
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Titles of agenda items are intended to identify specific matters. If you desire detailed information concerning any subject matter itemized within this agenda, you are encouraged to call the responsible agency or the City Manager’s Office. You are encouraged to attend this meeting and participate by commenting on any agenda item.
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“Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Manager’s Office in writing at 201 North Carson Street, Carson City, NV, 89701, or by calling (775)887-2100 at least 24 hours in advance.”

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This meeting can be viewed on Channel 26. For specific dates and times - www.bactv.org.

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This agenda and backup information are available on the City’s website at
www.carson-city.nv.us

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This notice has been posted at the following locations:
Community Center - 851 East William Street
Public Safety Complex - 885 East Musser Street
City Hall - 201 North Carson Street
Carson City Library - 900 North Roop Street

Date: December 13, 2007