

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



Day: Thursday
Date: April 3, 2008
Time: **Beginning at 3:00 p.m.**
Location: Community Center, Sierra Room
851 East William Street
Carson City, Nevada

Agenda

Call to Order

Roll Call

Invocation - Ken Haskins, First Christian 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. Parks and Recreation

Action to authorize the Open Space Manager to sign a funding agreement with the Natural Resources Conservation Service providing for \$258,280.00 to be used for Carson City Waterfall Fire restoration.

Staff Summary: The Natural Resources Conservation Service agreement provides \$258,280.00 to be used for the design and project construction as part of the rehabilitation efforts after the Waterfall Fire. The project was conceptually designed as part of last year's grant. These monies were obtained through the efforts of Mayor Teixeira and Linda Ritter in Washington D.C. and the office of Senator Reid.

3-2. Purchasing and Contracts

- A) Action to approve Contract No. 0708-127 a request to have the Board of Supervisors determine that the listed City property is no longer required for public use and deem its sale by public auction desirable and in the best interest of Carson City.

Staff Summary: Staff has requested the following vehicles and/or equipment to be declared surplus and authorize their disposal by public auction to be conducted by TNT Auctions on April 12, 2008.

- B) Action to determine that Contract No. 0708-117 is a contract for the services of a professional engineer; that the selection was made on the basis of the competence and qualifications of the engineer for the type of services to be performed and not on the basis of competitive fees; and therefore not suitable for public bidding pursuant to NRS 625.530; and to approve Contract No. 0708-117 with CH2M HILL, INC. for Carson City Freeway Phase 2B Muldoon Street West Utility Relocation Engineering Services through December 31, 2008 for a not to exceed cost of \$40,240 to be funded from the Water Fund: NDOT Freeway Non-Reimbursable 520-3505-435-7893 as provided in FY 2007/2008 & FY 2008/2009 and Sewer Fund: NDOT Freeway Non-Reimbursable 515-0000-434-7999 as provided in FY 2007/2008 & FY 2008/2009.

Staff Summary: The project involves the preliminary engineering of sewer, reclaimed water and water facilities between Muldoon Street and South Carson Street to be relocated or extended due to the construction of Phase 2 of the Carson City Freeway by the Nevada Department of Transportation. This is the initial work required to complete the design engineering necessary to complete the Freeway utility relocations. Contract amendments will be brought to the Board for the specific construction projects required for completion. CH2M Hill, Inc was selected as a qualified consultant in May of 2007 through a consultant selection process (Request for Qualifications 2006-153). NDOT will be reimbursing the City for their share of the relocation costs.

- C) Action to adopt a resolution adopting and approving an Intrastate Interlocal Contract for the provision of Juvenile Detention-Center Facility Services, and other matters properly related thereto, between the Department of Health and Human Services, Division of Child and Family Services, a Department of the State of Nevada and Carson City, a consolidated municipality and political subdivision of the State of Nevada. (File 0708-139)

Staff Summary: This contract enables the State Department of Health and Human Services, Division of Child and Family Services, to hold youths who are on State Parole status in the Carson City Juvenile Detention Center Facility for violating their terms of parole or for violations of local and state ordinances.

- D) Action to determine that Contract No. 0405-078 is a contract for supplies, materials or equipment that are available pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this State and therefore not suitable for public bidding pursuant to NRS 332.115 and to approve the extension of Contract No. 0405-078 a request for the purchase of Cationic Emulsion Polymer at \$0.99 per pound including freight from Ashland Specialty Chemical (formerly known as Stockhausen LLC) through January 31, 2009 on an as-needed basis to be funded from Wastewater Fund Chemicals 510-3201-434-0637 as provided in FY 2007/2008 and FY 2008/2009.

Staff Summary: The Carson City Wastewater Reclamation Plant is in need of a contract to purchase Polymer to use in their Solids Handling operation. Polymer is a flocculent which is required for the Centrifuges to de-water the sludge and make as light weight as possible product, "Sludge Cake," that is

disposed of at the landfill. The Ashland Inc. product is superior to all of the products that staff has tested and is less expensive to operate with than any other product tested.

- E) Action to determine that Contract No. 0708-140 is a contract for supplies, materials or equipment that are available pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this State and therefore not suitable for public bidding pursuant to NRS 332.115 and to approve Contract No. 0708-140 a request for the purchase of Office Supplies from OfficeMax through May 31, 2009 providing Carson City's approved funding and purchasing procedures are followed.

Staff Summary: Contract No. 001260 by and between the County of Oakland, Michigan and OfficeMax Contract, Inc. for the supply and delivery of office supplies, paper, furniture, technology, janitorial supplies, and copy solutions allows for other governmental entities to purchase from the contract.

3-3. City Manager

- A) Action to appoint Douglas Martin to the Advisory Board to Manage Wildlife for a term that expires July 2009.

Staff Summary: There is one vacancy to be filled on the Advisory Board to Manage Wildlife due to a member's resignation. The Advisory Board has interviewed the applicant and recommends appointment of Douglas Martin to fill this term to expire July 2009.

- B) Action to approve an Interlocal Agreement for the Western Nevada Home Consortium (WNHC).

Staff Summary: This interlocal agreement must be renewed every three years. There have been no changes to the agreement.

3-4. Development Services - Engineering

Action to accept a Correction Order vacating and abandoning a portion of unnamed and unimproved right of way extending along the northern boundaries of previous APN 08-023-03 and 08-023-04, resulting in abandonment of 929 square feet of unnamed and unimproved right of way across APN 08-023-23.

Staff Summary: Staff is requesting that the Board of Supervisors approve a Correction Order vacating and abandoning a portion of an unnamed and unimproved public right-of-way. This Correction Order would result in abandonment of 929 square feet of right of way across APN 08-023-23 that should have been abandoned by previous Board action on February 2, 1986. The past Board action approved a request from Howard F. Collett and Preston D'Artez (property owner) to vacate and abandon a portion of an unnamed and unimproved public right-of-way extending along the northern boundaries of previous APN 8-023-03 and 8-023-04. As it turns out, the Assessor map shows the right of way as having already been abandoned, so there will be no change to the property as far as the Assessor is concerned.

(End of Consent Agenda)

Ordinances, Resolutions, and Other Items

4. Development Services - Planning and Zoning

- A) Action to adopt Bill No. 113, on second reading, an ordinance amending Carson City Municipal Code Title 17, Division of Land, Subdivision of Land at Chapter 17.03 Parcel Maps, Lot Line Adjustments and

Deletions, Reversion to Acreage Maps, and Merger and Resubdivision of Land Section, 17.03.020 Lot Line Deletions by adding the requirement for a legal description of property (Metes and Bounds description); Title 18, Zoning, Chapter 18.02 Administrative Provisions, Section 18.02.055 Fees and Service Charges for Changes including correcting the name Change of Land Use to Zoning Map Amendment, adding and clarifying fees and service charges including adding costs and fees for processing of a Minor Administrative Variance, Recreational Vehicle Park, and Manufactured Home in Single Family Zoning; Chapter 18.03 Definitions at 18.03.010 Words and Terms Defined to add the definition of Medical Durable Goods used as assistive devices used to aid the disabled; Section 18.04.110.3 Residential Office Conditional Uses to add Medical Durable Goods to conditional uses; Title 18.16, Development Standards, Division 1 Land Use and Site Design at Section 1.6 Child Care Facilities Performance Standards to clarify areas of responsibility for State of Nevada Division of Child and Family Services and Carson City Health Division, including all concerns must be satisfied prior to activation of a Special Use Permit; Section 1.9 Wireless Telecommunication Facilities and Equipment to clarify requirements adding the word Freestanding to say that “Freestanding” facilities shall not exceed 120 feet in height above grade and “Freestanding” facilities and equipment shall be located no closer than four times the facility height from any residentially zoned property, and add an Administrative Permit or Special Use Permit may be required for facilities which exceed the height restrictions of the zoning district where the facility is proposed; typographical corrections and other matters properly related thereto. (ZCA-07-172)

Staff Summary: This ordinance included minor modifications to Title 17 and Title 18 of the CCMC to add a requirement for Lot Line Deletion applications to include legal description (Metes and Bounds description) prepared by a licensed surveyor; add and clarify fees, service charges, correct name and add service fees; add a definition for Medical Durable Goods used as assistive devices used to aid the disabled; add Medical Durable Goods as a conditional use in the Residential Office (RO) zoning district; clarify areas of responsibility for the State of Nevada Division of Child and Family Services and Carson City Health Department in Child Care Facilities and that they must be satisfied prior to activation of the Special Use Permit; clarify text regarding freestanding telecommunication equipment and facilities and when additional review is required for height.

- B) Action to adopt Bill No. 114, on second reading, an ordinance to change the zoning of approximately a six acre portion of APNs 010-581-05 and -06, property located at 5080 Hells Bells Road, from Agriculture (A) to Single Family One Acre (SF1A). (ZMA-07-219)

Staff Summary: The proposed amendment would change the zoning of a portion of the property to allow the development of four 1.5-acre lots, as conceptually shown by the applicant, while retaining the remainder of the property for open space and public use.

5. **Public Works**

Action to adopt, on second reading, Bill No. 115 an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.12, Solid Waste Management, Section 12.12.047, Landfill Rates and Fees, by increasing out-of-county rates 25 percent for compacted and uncompact municipal solid waste and class III waste, increasing in-county tonnage rates for compacted and uncompact municipal solid waste and class III waste by 4.82 percent and increasing in-county minimums by \$1.00 and other matters properly related thereto.

Staff Summary: Staff recommends that the Board of Supervisors consider an increase in landfill rate fees to support general fund operations and capital requirements, with a 25% increase to all out-of-county rates for Municipal Solid Waste (MSW) compacted and uncompact and Class III (construction/demolition)

wastes, a 4.82% CPI increase to in-county tonnage fees for compacted and uncompacted MSW and Class III waste and \$1.00 increase to the in-county minimums (\$5 vs \$4).

6. Parks and Recreation

Action to adopt a resolution developing a community vision for Silver Saddle Ranch and the Carson River using a community design charette process hosted by the Friends of Silver Saddle Ranch, a non-profit organization; the National Parks Service; the Bureau of Land Management, Carson City Field Office; and Carson City, to provide for general parameters for the process, desired outcomes, and partnerships engaged in this planning process.

Staff Summary: The Friends of Silver Saddle Ranch, a non-profit group, has secured a grant from the National Parks Service for the planning of public uses and management of the Silver Saddle Ranch and the Carson River corridor. These organizations are working together with the Bureau of Land Management and Carson City to organize a public process to obtain feedback from user groups and citizens regarding the long-term plans for the public lands in this area. The purpose of this resolution is to validate and make the Commission and public aware of the proposed planning process.

7. District Attorney

- A) Discussion and possible action to approve a Settlement Agreement between Andersen Family Associates, Hugh Ricci, P.E., State Engineer, in the matter of permit 68984, Division of Conservation and Natural Resources, State of Nevada, and Carson City, real party in interest, which establishes Andersen Family Associates percentage share of Ash Canyon Creek at 24% and Carson City's percentage share of ownership at 5.8762%.

Staff Summary: On June 23, 2003, Andersen Family Associates filed a Petition for Judicial Review alleging that the State Engineer failed to correctly ascertain the true and correct percent of ownership Carson City has to Ash Canyon Creek. Specifically, Andersen Family Associates alleges that the State Engineer erroneously granted 6.2757% of water rights when it should have only been 2.7% and that this act has affected all water users of Ash Canyon Creek. The State Engineer has reviewed the percentages and believes that it would be in the parties best interests to settle this matter by slightly increasing Andersen Family Associates ownership to 24% and decreasing Carson City's ownership to 5.8762%.

- B) 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 that section 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 who had paid for the abandonment of streets also sought relief, one of which is the Carson City Nugget. The District Court held that the City should not have charged for the abandonments. 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 some of the defenses in the Capital City Entertainment case and again lost in District Court. The case was appealed to the Nevada Supreme Court and was settled in the settlement program. This is the last abandonment case to be settled.

8. 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

EVENING SESSION - 6:00 P.M.

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9. Public Works

- A) Staff presentation regarding Associated Press news release on pharmaceuticals in drinking water.

Staff Summary: A recent news report from the Associated Press has caused alarm across the nation regarding the detection of pharmaceuticals in drinking water supplies. Staff will present local issues and Federal guidelines regarding pharmaceutical disposal practices.

- B) Staff presentation regarding the National Flood Insurance Program’s (NFIP) Community Rating System (CRS) as it relates to Carson City.

Staff Summary: The National Flood Insurance Reform Act of 1994 codified the Community Rating System in the NFIP. Under the CRS, flood insurance premium rates are adjusted to reflect the reduced flood risk resulting from community activities that meet the three goals of the CRS: Reduce flood losses; facilitate accurate insurance rating; and promote awareness of flood insurance. Staff will show a 15-minute video followed by five minutes of questions and answers.

10. Supervisor Williamson

Discussion of the Carson City Downtown Consortium outreach and public reaction to the information and call to action.

Staff Summary: Many public presentations have been made to a variety of organizations to acquaint residents with the vision for downtown and the opportunities for participation in that effort. Staff wishes to update the Board of the presentation and the action plans that will be developed.

11. 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: March 27, 2008