



**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS
AND CARSON CITY LIQUOR AND ENTERTAINMENT BOARD
AND JOINT MEETING WITH THE CHARTER REVIEW COMMITTEE**

Day: Thursday
Date: July 17, 2008
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 - Bruce Henderson, Airport Road Church of Christ

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**

(Recess as Board of Supervisors)

Liquor and Entertainment Board

Call to Order & Roll Call

Action on Approval of Minutes

3. Development Services - Planning

- A) Action to approve a dining room with beer and wine liquor license for Raphael Cohen dba Galaxy Fandango, located at 4000 S. Curry St., Carson City.

Staff Summary: Per CCMC 4.13 all liquor license requests are to be reviewed by the Liquor Board.

- B) Action to approve a full liquor license for Thomas W. Fletcher and Cheri E. Fletcher dba Crowbar, located at 4750 Hwy 50 E, Ste #1, Carson City.

Staff Summary: Per CCMC 4.13 all liquor license requests are to be reviewed by the Liquor Board.

Action to Adjourn

Board of Supervisors Consent Agenda

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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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4-1. Public Works

- A) Action to approve Amendment #3 to Interlocal Agreement PR561-03-015 by and between NDOT and Carson City (Phase 1B Freeway Agreement) to provide for the City maintaining a storm drainage facility adjacent to the North Carson Crossing commercial shopping center and the Carson City Freeway.

Staff Summary: This amendment to the Phase 1B Freeway Agreement provides for the City maintaining a drainage channel and trash rack on lands to be disposed of by NDOT to the North Carson Crossing commercial development which will allow for additional commercial development to be accommodated at the center. The action facilitates the disposal action by NDOT. The City already is obligated to maintain drainage facilities along College Parkway which feed into this channel.

- B) Action to approve a Channel Maintenance and Easement Agreement between North Carson Crossing, LLC and Carson City, providing legal access for the City to maintain a storm drainage facility adjacent to the North Carson Crossing commercial shopping center and the Carson City Freeway.

Staff Summary: This Agreement provides the legal access for the City to maintain a drainage channel and trash rack on lands to be disposed of by NDOT to the North Carson Crossing commercial development which will allow for additional commercial development to be accommodated at the center. The action facilitates the disposal action by NDOT. The City already is obligated to maintain drainage facilities along College Parkway which feed into this channel. This Agreement is related to Amendment #3 to Interlocal Agreement PR561-03-015 by and between NDOT and Carson City under separate Board action.

4-2. Purchasing and Contracts

- A) Action to determine that the lease of Suites 9, 10, 23, & 24 at 2621 Northgate Lane to the State of Nevada, Emergency Response Commission, for \$1,000 per month effective August 1, 2008 through July 31, 2011 will be in the best interest of Carson City pursuant to NRS 244.281 and to adopt a resolution adopting and approving Lease No. 0809-053 and other matters properly related hereto.

Staff Summary: The previous lease will expire on July 31, 2008.

- B) Action to determine that Canyon Creek Construction Inc. is the lowest responsive and responsible bidder pursuant to NRS. Chapter 332 and to award Contract No. 0809-003 Road Base Aggregate to Canyon Creek Construction Inc. to provide Type II Class B Aggregate Base Material at \$7.70 per ton delivered in bottom dump trains or at \$9.95 per ton delivered in single semi or end dump effective August 8, 2008 through June 30, 2013 with the option to renew for three (3) additional years subject to negotiation on

an as-needed basis to be funded from Street Repair Maintenance 256-3038-31-0480, Sewer Line Repair Maintenance 510-3202-434-0470, and Water Line Repair Maintenance 520-3502-435-0470 as provided in FY 2008/2009, FY 2009/2010, FY 2010/2011, FY 2011/2012, and FY 2012/2013.

Staff Summary: The final renewal for Contract No. 0304-007 Road Base Aggregate with Canyon Creek Construction Inc. will expire on August 7, 2008.

- C) Action to determine that Western Nevada Supply Co. is the lowest responsive and responsible bidder pursuant to NRS. Chapter 332 and to award Contract No. 0809-002 Water Inventory Parts to Western Nevada Supply to be ordered on an as-needed basis through June 30, 2009 with the option to renew for five (5) years subject to negotiation.

Staff Summary: The final renewal for Contract No. 0304-088 Water Inventory parts with Ferguson Waterworks (formerly known as R Supply Co.) and Western Nevada Supply Co. expired on June 30, 2008.

4-3. Parks and Recreation

- A) Action to adopt a resolution approving an interlocal contract with the Carson Water Subconservancy District to provide \$7,500 in grant funds to plant native vegetation for erosion control and water quality improvements at Carson City's Carson River Park.

Staff Summary: City staff has applied for and received grant funds from the Carson Water Subconservancy District to plant native vegetation, control erosion and improve water quality around the existing asphalt parking lot, concrete boat ramp, and picnic area on City property commonly known as Carson River Park. If the Board of Supervisors approves this interlocal contract, it will allow City staff to begin implementation of the Phase II conceptual site development plan, approved on June 8, 2008.

- B) Action to adopt a resolution approving an interlocal contract with the Carson Water Subconservancy District to provide \$20,000 in grant funding for wetlands enhancement and water quality improvements at Carson City's Fulstone Wetlands.

Staff Summary: City staff has applied for and received grant funding from the Carson Water Subconservancy District to perform activities connected to wetlands enhancement at the Fulstone Wetlands. The project site is located on Northridge Drive, across the street from the new Boys and Girls Club property. If the Board of Supervisors approves this interlocal contract, it will allow City staff to begin implementation of site improvements designed by Wood Rodgers, Inc.

- C) Action to approve a resolution amending the interlocal contract approved by the Board of Supervisors pursuant to Resolution No. 2007-R-17 to provide for an expiration date extension to June 30, 2009, with the Carson Water Subconservancy District for \$80,000 in grant funds for various site improvements at Carson City's Morgan Mill Road River Access Area.

Staff Summary: City staff applied for and received grant funds in the 2007/2008 funding cycle from the Carson Water Subconservancy District (CWSD) to make site amenity, river bank stabilization, and water quality improvements to City property commonly known as the Morgan Mill Road River Access Area. Typically, CWSD grants are for one year. If the Board of Supervisors approves this addendum to the interlocal contract, it will allow City staff to proceed with the project within the 2008/2009 funding cycle.

- D) Action to approve a Grant of Easement Option for Public Trail between Alpha Homes, LLC. and Carson City; containing 21,908 square feet ± from APN #10-191-21; and authorize the Mayor to sign the Grant of Easement Option document.

Staff Summary: Parks and Recreation staff is requesting that the Board of Supervisors accept this Grant of Easement Option for Public Trail between Alpha Homes, LLC and Carson City for the construction and maintenance of a regional equestrian and pedestrian trail system, over and across certain real property, and is properly shown on Exhibit A and B of the easement.

4-4. Treasurer

- A) Action to approve the partial removal and partial refund of taxes to the 2007-2008 Real Property Tax Roll on parcels #10-457-13; #3-033-10; #9-322-17; #9-758-13; #9-501-02; #8-798-11; #8-031-06; #8-093-05 due to donation of Veteran's Exemption to the Veteran's Home.

Staff Summary: Per NRS 361.0905 Section 1, qualified Veteran's Exemption can go to State Veteran's Home established pursuant to NRS 417.145.

- B) Presentation of Securities Lending Contract for Ratification.

Staff Summary: While the Treasurer has the authority to enter into contract concerning the investing of City funds, in order for this contract to be eligible to be a joiner contract allowing other public entities to also join in its terms the contract should be ratified by the governing body.

4-5. City Manager

Action to appoint Bernard Sease, Karin Mracek, Daniel Berger, Anne Keast, and Tina Petersen, to fill the positions on the 9-1-1- Surcharge Advisory Committee with Tina Peterson specifically filling the position as "the representative of an incumbent local exchange carrier which provides service to persons in Carson City," and establishing their initial terms. The appointments are initially staggered, three terms of the appointed members to end on December 31, 2009 and two terms of the appointed members to end on December 31, 2008.

Staff Summary: Per Carson City Municipal Code Chapter 4.05 Section 4.05.030 creates a five member advisory committee called the "9-1-1 Surcharge Advisory Committee." There are five positions to be filled and five applicants. Chief Giomi has recommended the appointments of Tina Petersen, Daniel Berger and Anne Keast to end on December 31, 2009 and appointments of Karin Mracek and Bernard Sease to end on December 31, 2008. Tina Peterson to serve as the "representative of an incumbent local exchange carrier which provides service to persons in Carson City."

(End of Consent Agenda)

Ordinances, Resolutions, and Other Items

Joint Meeting with the Carson City Charter Review Committee

Call to Order and Roll Call of the Charter Review Committee

5. Charter Review Committee

- A) Status report and briefing on the work of the Charter Review Committee.

Staff Summary: The Charter Review Committee will provide a briefing of their meetings held on March 25, 2008, April 22, 2008 and May 20, 2008.

- B) Action to adopt a recommendation from the Charter Review Committee to recommend to the Nevada State Legislature that they amend the Carson City Charter Section 1.090, to require amendments to the Charter to be reviewed by the Charter Review Committee prior to review by the Carson City Board of Supervisors.

Staff Summary: The Carson City Charter Review Committee brought forth, discussed and took action on this item at their May 20, 2008 meeting.

Action to Adjourn the Charter Review Committee

6. Assessor

Presentation and overview of current and future activities of the Assessor's Office.

Staff Summary: Carson City Assessor Dave Dawley will be updating the Board on their operations.

7. Public Works

Action to adopt, on second reading, Bill No. 126, an ordinance amending Title 12, Water, Sewerage and Drainage, Chapter 12.06, Industrial Wastewater Discharge - Sewer Design Standards, Section 12.06.245, Sewerage Use-Grease Interceptors Required, by establishing standards for existing and new businesses that provide limited food service ,and other matters properly related thereto.

Staff Summary: The proposed ordinance revision establishes new criteria and exemptions for new and existing food related businesses regarding the installation of grease interceptors.

8. Parks and Recreation

- A) Action to find the proposed "Carson City Recreation Food Vendor/Concessionaire Responsibilities/Rules/Release of Liability," enabled by Ordinance No. 2007-39/138, "An ordinance amending the Carson City Municipal Code Title 13, Parks and Recreation, Chapter 13.02, Parks, by adding Section 13.02.270, Mobile Business Operations in Parks, and Other Matters Properly Related Thereto," which sets forth rules that govern the actions of mobile vendors who wish to conduct business in City parks and sets forth a fee for permits to conduct business in City parks at \$200 per event or \$400 per program, does impose a direct and economic burden on a business or directly restricts 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.

Staff Summary: On November 15, 2007, the Board of Supervisors adopted on second reading Ordinance No. 2007-39/138, "An ordinance amending the Carson City Municipal Code Title 13, Parks and Recreation, Chapter 13.02, Parks, by adding Section 13.02.270, Mobile Business Operations in Parks, and Other Matters Properly Related Thereto." This ordinance allows the Parks and Recreation Department to regulate mobile businesses such as mobile canteens and vendors who wish to conduct business in City parks. Through this ordinance, mobile businesses have to obtain permits from the Parks and Recreation Department in order to conduct business in City parks. Vendors must have a current Carson City Business License, a current Health Inspection Report and Food Permit issued by the Health Department, proof of insurance with the City of Carson City listed as an additional insured, and a signed

Carson City Parks and Recreation Department “Responsibilities/Rules/Release of Liability” form. The fee for the permit is \$200 per event or \$400 per program (i.e. Adult Soccer).

- B) Action to approve the proposed rules, regulations, and application procedures governing mobile vendors doing business in City parks.

Staff Summary: On November 15, 2007, the Board of Supervisors adopted on second reading Ordinance No. 2007-39/138, “An ordinance amending the Carson City Municipal Code Title 13, Parks and Recreation, Chapter 13.02, Parks, by adding Section 13.02.270, Mobile Business Operations in Parks, and Other Matters Properly Related Thereto.” This ordinance allows the Parks and Recreation Department to regulate mobile businesses such as mobile canteens and vendors who wish to conduct business in City parks. Through this ordinance, mobile businesses have to obtain permits from the Parks and Recreation Department in order to conduct business in City parks. Vendors must have a current Carson City Business License, a current Health Inspection Report and Food Permit issued by the Health Department, proof of insurance with the City of Carson City listed as an additional insured, and a signed Carson City Parks and Recreation Department “Responsibilities/Rules/Release of Liability” form. The fee for the permit is \$200 per event or \$400 per program (i.e. Adult Soccer). Attached are proposed rules and regulations for the Board of Supervisors’ approval. These rules and regulations were approved and recommended by the Parks and Recreation Commission during its February 8, 2008, meeting. A business impact study was conducted by the Department including a public hearing regarding this matter on June 17, 2008.

9. District Attorney

Action to adopt on second reading Bill No. 127 “An Ordinance Amending Carson City Municipal Code Title 4 Licenses and Business Regulations, Adding Chapter 4.03 National Background Checks, Section 4.03.010 National Fingerprint-Background Check for Business License Applicants to Require Certain Applicants to Submit to a National Fingerprint-Background Check with the Federal Bureau of Investigation and other Matters Properly Related Thereto.”

Staff Summary: The Federal Bureau of Investigation (FBI) has informed Carson City that, after August 29, 2008, the FBI will no longer accept fingerprint cards submitted for national, criminal-background checks for business license applicants unless there is an underlying local ordinance authorizing the practice. Nevada Revised Statute (NRS) 239B.010 (1) (a) authorizes political subdivisions of the state to request of and receive from the FBI information on the background and personal history of persons seeking licenses. However, the FBI requires a more specific authorization that allows the fingerprint-background-check practice at the ordinance level. In particular, the FBI requires that such an ordinance express: (1) the specific business, profession, or occupation to which an application for a license applies, for which applicants must be fingerprinted; (2) specific authorization for the submission of the fingerprints for a national, criminal-background check; and (3) a reference to the authorizing state statute, NRS 239B.010 (1) (a). The proposed ordinance fulfills the requirements set forth by the FBI, so that Carson City may continue to submit fingerprint cards to the FBI for a national, criminal-background check of certain business-license applicants. In particular, the business license applicants affected by the ordinance are: (1) applicants seeking an alcoholic beverage license; (2) applicants seeking a pawnbroker’s license, pawnshop license, second-hand dealer’s license, or an antique dealer’s license; and (3) applicants seeking a solicitor’s license.

10. Finance

Presentation of year to date sales tax information and projection for the General Fund for the remainder of Fiscal Year 2008.

Staff Summary: Staff will present year to date sales tax information (through April 2008) and will provide a projection of General Fund revenues and expenditures for the remainder of Fiscal Year 2008.

11. City Manager

A) Status Report on Vacant General Fund Positions.

Staff Summary: The Board asked that the City Manager report on the change of General Fund positions and potential budget impacts at the second Board meeting of each month.

B) Action to approve the agreement between Carson City, the Nevada Rural Housing Authority and Carson Southgate Associates, LLC to provide for a payment in lieu of ad valorem property taxes on the property located at 2100 California Street, Carson City, NV, APNs 003-303-03 and 003-303-99.

Staff Summary: The Nevada Rural Housing Authority and Carson Southgate Associates, LLC are eligible for an exemption for taxes on real property and tangible personal property for the property located at 2100 California Street. The land (APN 003-303-03) is owned by the Nevada Rural Housing Authority. Pursuant to NRS 361.060, land owned by the Nevada Rural Housing Authority is exempt from taxation. The improvements on the land (APN 003-030-99) were owned by the Nevada Rural Housing Authority, but are now owned by Carson Southgate Associates, LLC. Pursuant to NRS 361.082, Carson Southgate Associates, LLC is eligible to apply for an exemption from taxes on real property and tangible personal property for the improvements. The Nevada Rural Housing Authority and Carson Southgate Associates, LLC wish to enter into an agreement with Carson City for a payment in lieu of the taxes on real property and tangible personal property for which there is an exemption. The payment in lieu will be equal to ten percent (10%) of the Sheltered Rent collected on the property. Sheltered Rent is defined as the total charges collected from all tenants minus the cost paid for utilities.

12. Development Services

Action to approve ratifying the staff's abatement of a nuisance at 1200, 1210, 1220, 1230, 1240, and 1300 Race Track Road, Carson City, Nevada 89701 (APN 009-311-64) and action to authorize the recording of a lien pursuant to CCMC 8.09.290, against Reynen and Bardis (Carson) LLC (APN 009-311-64) for the purpose of recovering the cost of abating the subject nuisance.

Staff Summary: By this action, the Board will ratify the staff moving forward with the abatement of the nuisance at 1200, 1210, 1220, 1230, 1240, and 1300 Race Track Road, Carson City, Nevada 89701 (APN 009-311-64). Furthermore, the Board will authorize the recording of a lien against the subject property to recover the cost of the clean up pursuant to CCMC 8.09.290 and NRS 244.360.

13. Development Services - Planning and Zoning

A) Action to approve an extension of one year for filing of a final map for the subdivision known as Schulz Ranch, located between Center Drive and Bigelow Drive. (TSM-05-144)

Staff Summary: Tentative Map approvals remain valid for one year for recording of a subsequent final map once an initial final map is recorded. A one year extension may be granted by the Board of Supervisors for filing of a final map. If this extension is approved the new expiration date for the Tentative Map approval will be August 21, 2009.

B) Action to introduce, on first reading, an ordinance amending the Carson City Municipal Code Title 17, Division of Land, Subdivision of Land, Chapter 17.17 Residential Condominiums, Section, 17.17.070

Pace of Conversions by reducing the twice yearly requirement for vacancy rate determination to once yearly; amending Title 18.16, Development Standards, Division 1 Land Use and Site Design, Section 1.1 Architectural Design, 1.1.7 to add language regarding the exclusion of the screening requirement for roof-mounted solar panels; amending Section 1.3 Lighting Standards, 1.3.3(4) to modify light fixture height criteria when adjacent to residential zones; amending Section 1.14 Cornices, Porches and Projections into Setbacks to add language for clarification of encroachments into required setbacks for landing places, outside stairways, railings and guardrails; and amending Development Standards 2 Parking, Division 2.1.12 by deleting the inaccurate term of an Administrative Variance and adding the appropriate terminology of an Administrative Permit; including various technical corrections; and other matters properly related thereto. (File ZCA-08-056)

Staff Summary: The purpose of this Zoning Code Amendment is to delete the requirement for twice yearly vacancy rate determination by the Planning Division per the direction of the Planning Commission which will allow the vacancy rate to be determined by the Planning Division yearly; the inclusion of language specific to roof-mounted solar equipment; the inclusion of a graduated light fixture height requirement for commercial uses adjacent to residential zones; the clarification of text regarding encroachments into required setbacks for landing places, outside stairways, railings and guardrails; and the deletion of the inaccurate term of Administrative Variance and the addition of the appropriate terminology of Administrative Permit associated with drive-thru windows facing a street.

- C) Action to adopt a resolution amending the number of residential building permit allocations under the Carson City Growth Management Ordinance for the years 2009 and 2010 and estimating the number of residential building permits for the years 2011 and 2012; establishing the number of residential building permit allocations available within the development and general property owner categories; and establishing a maximum average daily water usage for commercial and industrial building permits as a threshold for Growth Management Commission review. (GM-08-040)

Staff Summary: The Board of Supervisors is required to annually establish the number of residential permits that will be available for the following calendar year. This has historically been based upon a maximum growth rate of three percent, and is recommended to be 711 residential permits for 2009. The commercial and industrial daily water usage threshold has historically been 7,500 gallons per day, above which Growth Management Commission approval is required.

14. Clerk-Recorder

Action to adopt a resolution establishing an advisory question for the general election ballot regarding the enactment of a sales tax of one-eighth of one percent in order to contribute \$10 million to the Virginia and Truckee Railroad construction project in return for 5% of the gross ridership revenue for 99 years and other matters properly related thereto.

Staff Summary: Nevada Revised Statute (NRS) 293.482 requires the Board of Supervisors to adopt a resolution to establish the advisory question for the Virginia and Truckee Railway to be placed on the 2008 general election ballot.

15. Board of Supervisors

- A) Mayor Teixeira

Action to declare the City's support and sponsorship of the Carson City Sesquicentennial Celebration.

Staff Summary: Carson City will celebrate its Sesquicentennial or 150th Birthday in 2008 with events and activities planned for August 16, 2008.

- B) 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

– LUNCH BREAK –

RETURN – APPROXIMATE TIME – 1:30 P.M.

16. City Manager

- A) Action to appoint three members to the Convention & Visitor’s Bureau. One appointment to represent the Business/Commercial interests, one appointment to represent the Hotel/Motel operators and one to represent the Citizens-at-large. These appointments are for two year terms ending July 2010.

Staff Summary: Nevada Revised Statute (NRS) 244A.599 provides for the Board of Supervisors to appoint five representatives to the fair and recreation board, known as the Convention & Visitor’s Bureau. Three positions are open due to members terms expiring. The appointments are to represent the Business/Commercial interests, the Hotel/Motel operators in the City and the Citizens-at-large.

- B) Action to appoint seven members to the Cultural Commission establishing their initial terms. The appointments are initially staggered, two terms ending January 1, 2009, three terms ending January 1, 2010, and two terms ending January 1, 2011.

Staff Summary: Per Carson City Municipal Code Chapter 2.41 Section 2.41.040 “The Carson City Cultural Commission shall consist of seven (7) members appointed by the Board of Supervisors.”

17. 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:
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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: July 10, 2008