



**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS
AND CARSON CITY REDEVELOPMENT AUTHORITY**

Day: Thursday
Date: November 20, 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 - Chuck Durante, St. Teresa of Avila Catholic Community

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**
- 3. Development Services - Business License/Carson City Convention & Visitor's Bureau**

A show cause hearing regarding the business license of Ralph Ahmad dba Downtowner Motor Inn (Business License #08-13472) and business license of SFT Corporation dba Downtowner Inn (Business License #08-26104) located at 801 North Carson Street, Carson City, APN 002-164-02, for failure to maintain city accounts in good standing, ie Carson City Convention and Visitor's Bureau's room tax and possible action to suspend, cancel or revoke the business license of Ralph Ahmad dba Downtowner Motor Inn (Business License #08-13472) and/or SFT Corporation dba Downtowner Inn (Business License #08-26104) (CCMC 4.04.40-D)

Staff Summary: The Carson City Convention & Visitor's Bureau has requested the Development Services Department start the revocation process for the business license of Ralph Ahmad, dba Downtowner Motor Inn and SFT Corporation dba Downtowner Inn, for non-payment of Carson City Convention & Visitor's Bureau room tax. Pursuant to CCMC 4.04.210, the Board of Supervisors may cause the suspension, cancellation, or revocation of any license issued by the provisions of this chapter for the following causes: 1A-D; D: Failure to maintain city accounts in good standing including but are not limited to personal property, taxes, and room tax. Notice to Mr. Ahmad and SFT Corporation has been served and this Board of Supervisor's meeting has been designated to be the show cause hearing as to why Mr. Ahmad's and SFT Corporation's business license should not be revoked.

4.

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. Assessor

Action to approve the partial removal/refund of taxes for parcel number 002-153-06 (located at 1212 Johnson St.) from the 2008/09 Real Property Tax Roll per NRS 361.060 in the amount of \$ 661.73 (refund in the amount of \$203.73).

Staff Summary: The property located at 1212 Johnson St. was purchased by Carson City on October 10, 2008 (APN: 002-153-06). This property is now tax exempt per NRS 361.060. The Assessor’s office is asking that the taxes be prorated from July 1, 2008 thru October 10, 2008 and that the remaining amount be removed from the 2008/09 Real Property Tax Roll.

4-2. Purchasing and Contracts

Action to accept the Work as completed, to accept the Contract Summary as presented, and to approve the Release of Final Payment in the amount of \$88,144.77 for Contract No. 2007-065 titled Carson City Fairgrounds/Fuji Park-Rodeo Arena Improvements, Phase IV, Part 2 Project to Horizon Construction, Inc.

Staff Summary: On November 15, 2007, the Board of Supervisors awarded Contract No. 2007-065 to Horizon Construction, Inc., for the reconstruction of the Carson City Fairgrounds/Fuji Park Rodeo Arena complex. The project included construction of new Water Lines, Sewer Lines, and Storm Drain Facilities, as well as a new Arena, and Announcer’s Booth. It also include the reconstruction of the Grandstands and Bleachers which had been saved from the old Rodeo Arena. A very late addition to the project was the installation of a Public Address System. All work on the contract has been completed with the exception of the Public Address System, which due to long lead times for some components will be finished in the near future. Staff recommends release of payment and retention on the original, base contract with a \$58,394.03 hold back for later completion of the Public Address System.

4-3. City Manager

Action to authorize the Mayor to execute a Landlord Estoppel related to the ground lease for the Autumn Village Senior Housing Project.

Staff Summary: In 2005, the Board of Supervisors entered into a Ground Lease with The Seasons, LP for the Autumn Village Senior Housing Project. The Seasons II, LP has completed construction on Autumn Village II and is seeking permanent financing. Because the Project is located on leased land, the lender is requiring the Seasons II, LP to obtain a landlord estoppel from Carson City. In summary, the terms of the landlord estoppel provide that The Seasons II, LP is not currently in breach of the lease and that Carson City will provide the lender with notice prior to modifying the lease or seeking remedies for a breach of the lease.

(End of Consent Agenda)

Ordinances, Resolutions, and Other Items

5. Carson City Airport Authority

Action to introduce, on first reading, an ordinance amending the Carson City Municipal Code Title 19, Airport Rules and Regulations; amending definitions, deleting obsolete references, renumbering sections, establishing chain of command in absence of Airport Manager, addressing insurance and cleaning obligations for special events, establishing vehicle driving rules and limitations on pedestrian traffic in operation areas, replacing unconstitutional advertising restrictions, updating and raising traffic pattern altitude; adopting good pilot practices from the FAA Airman's Information Manual; incorporating fire regulations linked to CCMC Title 14 (Fire Code), establishing procedures for inspections of hangars, requiring reimbursement from applicants for cost of Authority engineering and legal review, adopting new provisions to define non-aviation business activities on the Airport; improving the list of information that must be included as support for Applications for business licenses on the Airport; clarifying language as to Class 1 through Class 5 Fixed Base Operators (FBOs); prohibiting residential uses except for emergency operations and with Airport Manager approval; requiring minimum aircraft ownership for certain FBOs; prohibiting outside storage of derelict aircraft; requiring that aircraft hangars be used for aircraft storage and information on aircraft registration; updating outdated insurance minimums; adding training requirements for Airport personnel; improving cooperative arrangement between the Airport, Sheriff's Office (which continues to have law enforcement authority upon the Airport) and the District Attorney such that offenses can be prosecuted and penalties can be assessed; adopting late payment penalties for lease payments; Prohibiting dumping and trespass upon the Airport; Allowing revocation of a Through-the-Fence Permit for failure to pay fees; contain a newly revised Traffic Pattern Chart and other matters properly related thereto.

Staff Summary: The Carson City Airport Authority has worked for the last 2 years in multiple public workshops and hearings to update and revise Title 19 of the Carson City Municipal Code which addresses permitted activities, operations, construction and safety issues on the Carson City Airport. The Authority has gone line by line through the entire Code, eliminated obsolete terms and references, updated language and brought references to safety codes in compliance with FAA, state and Carson City standards and codes.

6. Development Services - Planning and Zoning

Action to introduce, on first reading, an ordinance amending the Carson City Municipal Code Title 18 Zoning, Chapter 18.02.080 Special Use Permit (Conditional Uses), to allow the Planning Commission to extend the expiration date of Special Use Permit approvals; amending Chapter 18.02.085 Variances, to allow the Planning Commission to extend the expiration date of Variance approvals; amending Chapter 18.05 General Provisions, Section 18.05.055 Accessory Structures, to clarify when an Administrative Permit is required; amending Chapter 18.16 Development Standards Division 1 Land Use Site and Design, Section 1.17 Multi-Family Apartment Development Standards to modify and clarify the required open space criteria for Multi Family Apartment units, specifically for projects of 10 units or less; amending Development Standards Division 1.18 Residential Development Standards in Non-Residential Districts to modify and clarify the required open space criteria for Multi Family Apartment units, specifically for projects of 10 units or less; amending Development Standards Division 2 Parking and Loading, Section 2.3 General Parking Requirements to add an exception to commercial vehicle parking in residential districts for deliveries and similar activities; and making various technical corrections and other matters properly related thereto. (ZCA-08-095)

Staff Summary: The proposed amendments would allow the Planning Commission to extend the expiration period for Special Use Permits and Variances beyond the present maximum of two years; amendment to 18.05.055 is to clarify when an Administrative Permit is required for accessory structures; amendment to DS 1.17 is to clarify the required open space criteria for Multi Family Apartment units, specifically for projects of 10 units or less; amendment to DS 1.18 is to clarify the required open space criteria for Multi Family Apartment units, specifically for projects of 10 units or less and amendment to DS 2.3 is to add an exception to commercial vehicle parking in residential districts for deliveries and similar activities.

7. Development Services

Presentation and action to endorse the regional Sierra Green building program for the Builders Association of Western Nevada (BAWN).

Staff Summary: Representatives from BAWN and the UNR Business Environmental Program will give the presentation. The Sierra Green Program is a regional, voluntary “green building” rating system developed by the building community. The program has been endorsed in Reno and focuses on building a sustainable community by supporting the construction of efficient homes that conserve energy and water. BAWN is working with Development Services staff to assist with the program in Carson City.

8. Purchasing and Contracts

Action to determine that Contract No. 0809-139 is a contract for the services of a professional engineer; that the selection was made on the basis of 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. 0809-139 with Manhard Consulting, Ltd through June 30, 2010, for a not to exceed cost of \$357,500.00 to be funded from the Stormwater Fund as provided in FY 2008-2009.

Staff Summary: The scope of work for this project includes: 1) hydrologic/hydraulic analysis and corresponding report of the Vicee, Ash, Kings, and Voltaire Canyons watersheds; 2) FEMA Letter of Map Revision (LOMR) applications and processing for several of the floodplains associated with the watersheds; 3) coordination efforts for additional FEMA floodplain mapping revisions provided by another consultant engaged by FEMA; and 4) a detailed investigation into the watershed and infrastructure improvements upstream of the frequently inundated S. Carson Street/S. Stewart Street intersection area. The resulting benefit to the city will be revisions to FEMA flood mapping with likely reduction in the extent of the floodplains and which there should result in significant flood insurance cost savings to residents.

9. Finance

Presentation of August 2008 sales tax and CTX information and presentation of various other funds information through October 2008.

Staff Summary: Staff will present various fiscal 2009 year to date revenue information on sales tax, CTX revenues (through August 2008) and various other funds information through October 2008.

10. 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) Discussion and action on the recommendations presented in the November 9, 2008 memorandum from the City Manager on the status of the General Fund and to direct staff to: 1) Present an ordinance to the Board for increasing the Right-of-Way Toll from 1% to 3%; 2) Close the Landfill on Sundays beginning December 7, 2008; 3) Reduce funding for the Internal Auditor to \$60,000; 4) Charge all of the functions of the Office of Business Development to the Redevelopment Authority; and 5) Eliminate the “set-aside” for auto dealers from the General Fund.

Staff Summary: Currently the FY2008/2009 General Fund revenues are estimated to be approximately \$3.5 million below budget. Although the City has reserves to carry it through the next year or so, it may have major budget problems 4 or 5 years from now if the economy remains the same. The City Manager will present his recommendations.

- C) Action to set the meeting date for the first regularly scheduled Board of Supervisors meeting in January 2009 on Monday, January 5, 2009 beginning at 10:00 a.m.

Staff Summary: The first regularly scheduled meeting of the Board of Supervisors falls on a holiday. Pursuant to CCMC 2.02.040 “By a motion made in a properly noticed meeting, the board may take action to change the date of a regularly scheduled future board meeting if the board finds that it is the best interest of the public and if the board acts to change the meeting date at least twenty days before the date of the meeting to be changed.” We are starting the meeting at 10:00 am to allow for the swearing-in of the new officers which will take place in the Sierra Room at 8:30 am.

11. Parks and Recreation

- A) Presentation on the new conceptual building floor plans and elevations, including site and landscape plans for the multi-purpose indoor recreation center located directly south of the Boys and Girl’s Club of Western Nevada club house located at Northridge Drive and Russell Way.

Staff Summary: On September 6, 2007, the Board of Supervisors approved the partnership between the Boys and Girls Club of Western Nevada (BGCWN) and the City regarding the indoor recreation center. In addition, this action approved the center’s location on BGCWN’s property at the intersection of Northridge Drive and Russell Way. Also, on March 6, 2008, the Board of Supervisors approved a Memorandum of Understanding between the BGCWN and the City regarding the project. Since then, the project’s architect and City management team have developed a design concept based on a co-joined building. Unfortunately, due to property ownership issues and building codes, that original design concept had to be abandoned for a new design concept with separate buildings and single ownerships. This presentation will provide a project overview on the new architectural and site design concepts, including the recreational programming components for the entire project.

- B) Discussion regarding the use of General Fund money to support the on-going operations and maintenance of the proposed Recreation Center adjacent to the Boys and Girls Club if the revenue generated by the center is not sufficient to cover the operations and maintenance of the center.

Staff Summary: At the March 6, 2008, Board of Supervisors’ meeting, staff gave a presentation regarding an operations pro-forma or business plan for the proposed indoor recreation center that was developed by Ballard*King Associates of Denver, Colorado. The pro-forma determined probable revenue and expenditure estimates; made recommendations on staffing levels, marketing plans, fees and charges schedules, and the operations for the proposed indoor multipurpose recreation center. The pro-forma

projected annual expenditures of \$897,816 and revenues of \$837,024, which results in a 93% cost recovery rate. Included in the revenues was \$120,000 payment returned from the Boys & Girls Club for operations and maintenance of the facility. Since the latest design has separated the buildings, this payment should not be factored as a revenue. Therefore, the cost recovery rate without this payment is 80% which amounts to an operating deficit of \$180,792. Given the current City budget situation, the City Manager and Parks & Recreation Director are asking the Board to discuss if they are comfortable with this level of subsidy for the proposed recreation center.

(Recess as Board of Supervisors)

Redevelopment Authority

Call to Order & Roll Call

Action on Approval of Minutes

12. Office of Business Development

- A) Action to approve Joint Funding of Ice Rink Agreement.

Staff Summary: The Carson Nugget, the City, the RDA and the Downtown Consortium are proposing to collaborate on the development of a first-time holiday season ice skating venue in Downtown Carson City. The Carson Nugget's parking lot on Carson and Robinson Streets will be transformed into an ice skating venue this December thanks to a partnership between the Carson Nugget, the City, the Redevelopment Authority, the Downtown Consortium and Ice Rinks Events/Frozen Water L.P. The goal is to bring an exciting holiday experience to Downtown that becomes a tradition of fun and festivity, in keeping with the successful Curry Street Promenade and the direction laid out in the *Taste of the High Sierra* Branding action plan.

- B) Action to consent to the Board of Supervisors approval of Addendum One to the Settlement Agreement Between Carson City Nugget, Inc., Carson Nugget, Inc., and Carson City Regarding Abandonment of Streets.

Staff Summary: The parties entered into an agreement on April 3, 2008 to settle a lawsuit regarding the abandonment of certain streets. The parties desire to amend the agreement to allow Carson City to reduce the interest payment to the Nugget to pay with Redevelopment Authority funds the final costs of a transformer, switch gear equipment, site prep and installation as needed for power for the ice rink if improvement is not covered by projected rink revenue.

- C) Action to approve Lease Agreement Number 0809-137 to lease the Carson Nugget's main street parking lot located at 525 North Curry Street, Carson City, Nevada to install and operate a recreational ice skating rink for \$.10 per day effective through February 23, 2009 from Redevelopment Funds.

Staff Summary: On November 6, 2008, the Redevelopment Authority approved the collaboration between the Carson Nugget, the Redevelopment Authority and the Downtown Consortium on the Development of a first-time Holiday Season Ice Skating Rink. This action will allow for Carson City Redevelopment Authority to enter into an agreement with the Carson City Nugget for this purpose.

- D) Action to approve Contract No. 0809-140 pursuant to NRS 279.462 a request for professional services to be provided by Ice Rink Events/Frozen Water, L.P. through February 24, 2008, for a not to exceed cost of \$134,200.00 to be funded from the Redevelopment Fund as provided in FY 2008/2009.

Staff Summary: This agreement allows for the professional installation, support services and equipment rental for a Holiday Season Ice Skating Rink to be located in the Carson Nugget Main Street Parking Lot. The Ice Skating Rink will be open from December 4, 2008 through February 16, 2009.

- E) Presentation by Richard Campagni to brief the RDA on the progress and timelines associated with his new Toyota Store's construction project.

Staff Summary: Mr. Campagni will discuss his project, present visuals and answer questions regarding the upcoming project to build his new Toyota store on South Carson Street.

- F) Action to approve an amended and restated Commitment Agreement for Continuing Business Operations between Carson City and Richard Campagni that specifies November 30, 2009 as the date for completion of construction of the new Toyota Store and the revised terms of the repayment of the financial assistance provided by the City.

Staff Summary: The Redevelopment Plan for Project Area No. 2 provides for public-private partnerships to retain and expand Carson City's auto sales sector. On March 17, 2005, the Board of Supervisors adopted Resolution No. RAR-2, a resolution to allow the Redevelopment Authority/Board of Supervisors to consider, on an individual basis, projects/incentive packages that are clearly designed to secure and stimulate auto sales investment along South Carson Street. In July of that year, Mr. Campagni and the City have negotiated a Commitment Agreement that pledges the dealerships to remain in Carson City for a minimum of fifteen years. The agreement called for completion of the construction of the new store in 2008. Delays caused by Factory plan approvals and ingress and egress issues, normal in these types of development projects, require an amended completion of construction date. The repayment of the City financial assistance provision has also been amended to a fifteen-year term to better reflect market realities.

Action to Adjourn as the Redevelopment Authority

Board of Supervisors

- G) Action to approve Joint Funding of Ice Rink Agreement.

Staff Summary: The Carson Nugget, the City, the RDA and the Downtown Consortium are proposing to collaborate on the development of a first-time holiday season ice skating venue in Downtown Carson City. The Carson Nugget's parking lot on Carson and Robinson Streets will be transformed into an ice skating venue this December thanks to a partnership between the Carson Nugget, the City, the Redevelopment Authority, the Downtown Consortium and Ice Rinks Events/Frozen Water L.P. The goal is to bring an exciting holiday experience to Downtown that becomes a tradition of fun and festivity, in keeping with the successful Curry Street Promenade and the direction laid out in the *Taste of the High Sierra* Branding action plan.

- H) Action to approve Addendum One to the Settlement Agreement Between Carson City Nugget, Inc., Carson Nugget, Inc., and Carson City Regarding Abandonment of Streets.

Staff Summary: The parties entered into an agreement on April 3, 2008 to settle a lawsuit regarding the abandonment of certain streets. The parties desire to amend the agreement to allow Carson City to reduce the interest payment to the Nugget to pay for the final costs of a transformer, switch gear equipment, site prep and installation as needed for power for the ice rink if improvement is not covered by projected rink revenue.

- I) Action to consent to an amended and restated Commitment Agreement for Continuing Business Operations between Carson City and Richard Campagni that specifies November 30, 2009 as the date for completion of construction of the new Toyota Store and the revised terms of the repayment of the financial assistance provided by the City.

Staff Summary: The Redevelopment Plan for Project Area No. 2 provides for public-private partnerships to retain and expand Carson City's auto sales sector. On March 17, 2005, the Board of Supervisors adopted Resolution No. RAR-2, a resolution to allow the Redevelopment Authority/Board of Supervisors to consider, on an individual basis, projects/incentive packages that are clearly designed to secure and stimulate auto sales investment along South Carson Street. In July of that year, Mr. Campagni and the City have negotiated a Commitment Agreement that pledges the dealerships to remain in Carson City for a minimum of fifteen years. The agreement called for completion of the construction of the new store in 2008. Delays caused by Factory plan approvals and ingress and egress issues, normal in these types of development projects, require an amended completion of construction date. The repayment of the City financial assistance provision has also been amended to a fifteen-year term to better reflect market realities.

13. Parks and Recreation - Open Space

Discussion only regarding the status of a draft conservation easement with Mr. Michael Fagen limiting the future development and providing for the agricultural use of Horse Creek Ranch, APN 7-051-78.

Staff Summary: Staff and Michael Fagen will update the Board of Supervisors regarding the draft Horse Creek Ranch conservation easement. Once reviewed by the Board, there will be an appraisal made of the cost and be placed on the Board of Supervisors agenda for action.

14. 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

15. 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: November 13, 2008