

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 21, 2005, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Al Kramer	Treasurer
	Sheila Banister	Chief Juvenile Probation Officer
	Andrew Burnham	Development Services Director
	Tom Minton	Finance Director
	Stacy Giomi	Fire Chief
	Daren Winkelman	Health Director
	Lisa Roth	Human Resources Director
	Roger Moellendorf	Parks and Recreation Director
	Steve Albertsen	Undersheriff
	Larry Werner	City Engineer
	Phil Herrington	Chief Building Official
	Melanie Bruketta	Chief Deputy District Attorney
	John Flansberg	Deputy City Engineer
	Cheryl Adams	Deputy Purchasing Director
	Tom Hoffert	Public Works Operations Manager
	Beverly Moltz	Chief Deputy Sheriff
	Barbara Singer	Recreation Superintendent
	Larry Nair	Skilled Trades Technician
	Michael Dulude	Transportation/Transit Planner
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 7/21/05 Tape 1-0012)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. The entire Board was present, constituting a quorum. Chief Deputy District Attorney Melanie Bruketta led the Pledge of Allegiance. Rev. Ken Haskins of the First Christian Church gave the Invocation.

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CITIZEN COMMENTS (1-0036) - None.

1. ACTION ON APPROVAL OF MINUTES - 5/16/05 SPECIAL BUDGET SESSION AND 6/16/05 AND 7/7/05 REGULAR SESSIONS (1-0038) - Supervisor Aldean moved to approve the Minutes from the special budget session of the Board of Supervisors dated May 16, 2005, the Minutes from the regular Board meeting of June 16, 2005, and the regular Board meeting of July 7, 2005. Supervisor Williamson seconded the motion. Following a request for an amendment, Supervisor Aldean amended her motion to include with the corrections on Page 13. Supervisor Williamson concurred. Motion carried 5-0.

2. AGENDA MODIFICATIONS (1-0055) - None.

3. SPECIAL PRESENTATIONS (1-0056) - Human Resources Director Lisa Roth

A. ACTION TO APPROVE SAVINGS WITHOUT END AWARDS TO TONY TORKEO, SHERIFF'S DEPARTMENT IN THE AMOUNT OF \$5,000, CHRISTINE PAIGE, SHERIFF'S DEPARTMENT, IN THE AMOUNT OF \$1,365, AND CURTIS FISHER, STREET DEPARTMENT IN THE AMOUNT OF \$1,634 PURSUANT TO THE SAVINGS WITHOUT END AWARDS PROGRAM - City Manager Linda Ritter introduced each individual and explained the changes each had made to create a savings for their Divisions. Mayor Teixeira congratulated each recipient. Ms. Ritter thanked the recipients and encouraged other City employees to submit their ideas. Mr. Torkeo described the revisions he had implemented. Supervisor Williamson moved to approve Savings Without End Awards to Tony Torkeo, Sheriff's Department, in the amount of \$5,000; Christine Paige, Sheriff's Department, in the amount of \$1,365; and Curtis Fisher, Street Department, in the amount of \$1,634, pursuant to the Savings Without End Awards Program. Supervisor Aldean seconded the motion. Motion carried 5-0. Mayor Teixeira again congratulated the recipients.

B. PRESENTATION OF LENGTH OF SERVICE AWARDS TO CITY EMPLOYEES (1-0150) - Ms. Roth introduced each recipient. Mayor Teixeira presented the awards to each recipient and congratulated each recipient who was present. Recipients of the 10 year awards were: Pamela Beer; Kimberly Beil; Kimberly Christiansen; John Hornung; Alvin Kramer; Albert Martinez; Christine Paige; Richard Palmer; Guy Peery; Natalie Pieretti; John Tatro; and Daren Winkelman. Recipients of the 15 year awards were: Dan Albee; Scott Baker; Teresa Brown; Christine Garrison; Michael Glancy; Juan Guzman; Thomas Ledbetter; Steve Morgan; Jeffry Novakovich; Wade Penegor; Edward Smith; John Symons; Nancy Volk and Jerry Welch. Recipients of the 20 year awards were: Jerry Casey; Rayburn Duke; William Mabray; Earl Marshall; and Robert Stanford. Recipients of the 25 year awards were: Richard Arigoni; Beatrix Haakinson; June James; and Norman Smith. No formal action was required or taken.

4. CONSENT AGENDA (1-0292)

4-1. DEVELOPMENT SERVICES

A. ACTION TO APPROVE THE RELEASE AND CANCELLATION OF THE IMPROVEMENT AGREEMENT FOR HIDDEN MEADOWS ESTATES, UNITS #3, (WAS APN 010-072-08 NOW IS APN 010-631-01 TO 14 AND 010-632-01 TO 20)

B. ACTION TO APPROVE THE RELEASE AND CANCELLATION OF THE DEVELOPMENT AGREEMENT FOR FINAL MAP FOR CARSON QUAIL PARK AN INDUS-

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TRIAL SUBDIVISION, (WAS APN 09-052-08 NOW IS APN 09-052-16,17,18 AND WAS APN 09-052-14 NOW IS APN 09-052-19,21,22,23)

C. ACTION TO APPROVE THE TRAFFIC SIGNAL COORDINATION AGREEMENT BETWEEN NEVADA DEPARTMENT OF TRANSPORTATION, DOUGLAS COUNTY, CARSON AREA METROPOLITAN PLANNING ORGANIZATION, AND THE CITY OF CARSON CITY TO IMPLEMENT NEVADA DEPARTMENT OF TRANSPORTATION TRAFFIC SIGNAL COORDINATION PLAN FOR ALL SIGNALIZED INTERSECTIONS ALONG US 395 FROM KOONTZ LANE IN CARSON CITY TO PLYMOUTH DRIVE IN DOUGLAS COUNTY

4-2. PURCHASING AND CONTRACTS - ACTION TO APPROVE CONTRACT NO. 0506-036 A REQUEST FOR THE PURCHASE OF ONE (1) ENERGY DYNAMICS / BALDOR GENERATOR FROM NEVADA ENERGY SYSTEMS, INC. FOR A NOT TO EXCEED COST OF \$43,376 EXEMPT FROM COMPETITIVE BIDDING - Supervisor Aldean pulled Item 4-1-C for discussion. Supervisor Livermore noted the size of the Consent Agenda and moved to approve the Consent Agenda which consists of three items; 4-1-A (and) 4-1-B (from Development Services); and 4-2 from Purchasing and Contracts as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

4-1-C. (1-0307) Deputy City Engineer John Flansberg and Supervisor Aldean explained the purpose of the agreement and the changes that were made to the agreement by CAMPO. Since that meeting an additional revision was made to the agreement giving NDOT the authority to resolve any appeals of CAMPO's decisions. Staff felt that Douglas County will support the revisions. Clerical corrections were also made to make "party" plural when appropriate. Supervisor Aldean moved to approve the Traffic Signal Coordination Agreement between Nevada Department of Transportation, Douglas County, Carson Area Metropolitan Planning Organization, and the City of Carson City to implement Nevada Department of Transportation Traffic Signal Coordination Plan for all signalized intersections along US 395 from Koontz Lane in Carson City to Plymouth Drive in Douglas County with the changes as enumerated by Mr. Flansberg. Supervisor Livermore seconded the motion. Motion carried 5-0.

5. HEALTH - Director Daren Winkelman - ACTION TO ADOPT, ON SECOND READING, BILL NO. 117, AN ORDINANCE DELETING CHAPTER 8.08 OF THE CARSON CITY MUNICIPAL CODE, NUISANCES, AND ADDING A NEW CHAPTER 8.08, PUBLIC NUISANCES, AND CHAPTER 8.09, ENFORCEMENT PROVISIONS FOR NUISANCES, AND OTHER MATTERS PROPERLY RELATED THERETO (1-0359) - Senior Compliance Officer Kevin McCoy - Mayor Teixeira noted that no one was present to speak about the proposed ordinance. He complimented the staff members who had worked on the ordinance on their efforts to mitigate any issues. Supervisor Aldean moved to adopt on second reading Bill No. 117, Ordinance No. 2005-18, AN ORDINANCE DELETING CHAPTER 8.08 OF THE CARSON CITY MUNICIPAL CODE, NUISANCES, AND ADDING A NEW CHAPTER 8.08, PUBLIC NUISANCES, AND CHAPTER 8.09, ENFORCEMENT PROVISIONS FOR NUISANCES, AND OTHER MATTERS PROPERLY RELATED THERETO with the one addition on Page 18 under Section 8.08.110 Subsection 1-d which now reads: "Junk or unregistered vehicles on private property of a licensed dealer, manufacturer, distributor or rebuilder" of vehicles with the added language of: "if properly zoned". Supervisor Williamson seconded the motion. She also pointed out that the ordinance provides the ability for the City to contact owners of vacant lots or property with overgrown vegetation or debris and, hopefully, this will enable the City to control fires. Her personal observations during her drives through the community indicate that there are lots of vacant lots with overgrown vegetation. These lots may pose a fire hazard for their neighbors.

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Hopefully, the owners of those properties will conscientiously clean their lots. Supervisor Livermore explained that the only telephone call he had received regarding the ordinance was from a resident about the need for the City to address a weed problem in his/her neighborhood. Discussion between Supervisor Livermore and Mr. McCoy indicated the address is on Sonoma. (No action was taken by the Board on this complaint.) The motion to approve the ordinance as amended was voted and carried 5-0.

Discussion between Mayor Teixeira and Mr. Winkelman indicated that the ordinance provides the Department with the authority to address nuisances by issuing administrative citations which will not require court resolution. A pamphlet announcing the Code Enforcement Division was given to the Board and Clerk. (A copy is in the file.) It is a proactive attempt to notify the residents about the Division and explain how to handle their nuisance complaints. Mayor Teixeira directed that the pamphlets be included in the monthly utility bills and placed on the City's website. City Manager Ritter and Mr. Winkelman concurred.

6. PARKS AND RECREATION - Director Roger Moellendorf - PROPERTY MANAGEMENT

A. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO EFFECT THE PURCHASE OF THE LAND AND BUILDING AT 1005-1007 E. MUSSER STREET (APN 004-176-09) FROM DOROTHY E. BARKSDALE TRUST FOR A SUM OF \$415,000 PLUS 3% COMMISSION OF \$12,450 TO SPERRY VAN NESS AND HALF OF ALL ESCROW FEES AND RECORDING COSTS (1-0480) - Mr. Moellendorf's introduction included a description of the landscaping, the memorial to Dr. Burke, and justification for acquiring the parcel. Supervisor Livermore explained that when the Public Safety Complex was constructed, it took over a park previously known as the "Jail Park". A commitment was made at that time to find a replacement park somewhere in the vicinity. Efforts to locate such a site have been unsuccessful. The proposed use provides a smaller park and meets the commitment. He asked that the record indicate that the City has kept its promise to replace the "Jail Park". Supervisor Livermore moved to approve and authorize the Mayor to sign all documents necessary to effect the purchase of the land and building at 1005-1007 East Musser Street, APN 004-176-09, from Dorothy E. Barksdale Trust for a sum of \$415,000 plus three percent commission of \$12,450 to Sperry Van Ness and half of all escrow fees and recording costs; fiscal impact is \$427,450 plus half of the escrow fees and recording costs; and the funding source is Capital Facilities; Public Safety; Land Acquisition 330-0000-422-7401. Supervisor Williamson and Staub seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO ENTER INTO THE LEASE AGREEMENT FOR THE STATE OF NEVADA, STATE EMERGENCY RESPONSE COMMISSION (SERC) TO LEASE SUITE NO. 10 AT 2621 NORTHGATE LANE FOR A PERIOD OF 3 YEARS AT \$1,000 PER MONTH WITH OPTIONS TO RENEW AND NEGOTIATE AN INCREASE IN RENT (1-0545) - Discussion noted the rental rate and location. Supervisor Aldean moved to approve and authorize the Mayor to enter into the Lease Agreement for the State of Nevada, State Emergency Response Commission, SERC, to lease Suite No. 10 at 2621 Northgate Lane for a period of three years at \$1,000 per month with options to renew and negotiate an increase in rent. Supervisor Williamson seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 9:06 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 9:12 a.m., constituting a quorum.

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7. DEVELOPMENT SERVICES - PLANNING AND ZONING - Community Development Director Walter Sullivan

A. ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE SELECTION OF A GROWTH MANAGEMENT RATE OF 3% AND A SPECIFIC NUMBER OF RESIDENTIAL BUILDING PERMIT ENTITLEMENTS AND SET A THRESHOLD LIMIT AS TO THE AMOUNT OF GALLONS OF WATER A COMMERCIAL, INDUSTRIAL, OR INSTITUTIONAL USE MAY UTILIZE (1-0590) - Senior Planner Jennifer Pruitt - Discussion indicated that the City's growth rate may never again reach three percent. The trend is for the growth rate to be at 35 percent. Its average is 50 percent. The history of the allotment program was briefly limned. Discussion indicated that Timberline and Lakeview are exempt from the process as they dedicated water rights to the City some time ago. Discussion also pointed out that if the rate is revised from the present three percent level, the builders need to participate in the decision making process. It was also pointed out that a two percent level would more than adequately meet their needs and has been able to meet the needs for sometime. Mr. Sullivan expressed his belief that the number of allotments may increase in the near future as there are subdivisions which will be submitted for approval soon. The master plan is also evaluating the allotment process. Both City Engineer Werner and Public Works Operations Manager Hoffert made presentations to the Commission on the water system and water rights. The water system is the main key to growth management. Supervisor Williamson moved to adopt Resolution No. 2005-R-29, Option 1, a Resolution in support of the selection of a Growth Management rate of 3 percent and a specific number of residential building permit entitlements and set a threshold limit as to the amount of gallons of water a commercial, industrial, or institutional use may utilize; no fiscal impact. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Aldean indicated that a correction is needed on page 1 at Line 22 to change the year to 2005, e.g., "The 2005 year end balance of unused permits shall be voided and returned to the utility manager." No formal action was taken.

(1-0718) Supervisor Livermore disclosed a telephone interview by a *Nevada Business Weekly* reporter regarding the City's Growth Management Ordinance. The reporter was astonished to learn the length of time the ordinance has been effect and questioned him regarding how the industry and community have accepted the ordinance. He pointed out that, during his six year tenure on the Board, the public and the builders have not voiced a concern about the ordinance. He also pointed out that more units are added to the program annually. He did not foresee any problems with the ordinance.

C. ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT OF WAY APPLICATION FROM ERIC CRISP (PROPERTY OWNER: TOSCANA VILLAGE LLC) TO ABANDON A PORTION OF RANDELL DRIVE OF APPROXIMATELY 5,816 SQUARE FEET AND A PORTION OF THE SOUTHWEST CORNER OF FIGUERO DRIVE AND REAVIS LANE OF APPROXIMATELY 1,533 SQUARE FEET, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS (NB), LOCATED AT RANDELL WAY AND FIGUERO WAY, APN 004-016-01 SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE STAFF REPORT AND TO AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT (1-0753) - Senior Planner Jennifer Pruitt - Justification for abandoning the right-of-way before considering the planned unit development was provided. Public comments were solicited but none were given. Discussion explained the proposed location of the

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cluster boxes for the mail. The developer will be responsible for paying for the cost to relocate the mail boxes. Supervisor Williamson moved to approve an abandonment of public right-of-way application from Eric Crisp, property owner: Toscana Village LLC, to abandon a portion of Randell Drive of approximately 5,816 square feet and a portion of the southwest corner of Figuero Drive and Reavis Lane of approximately 1,533 square feet on property zoned Neighborhood Business located at Randell Way and Figueroa Way, APN 004-016-01, subject to the conditions of approval contained in the staff report and to authorize the Mayor to sign the order of abandonment. Supervisor Livermore seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE A PLANNED UNIT DEVELOPMENT APPLICATION KNOWN AS TOSCANA VILLAGE, FROM ERIC CRISP (PROPERTY OWNER: TOSCANA VILLAGE LLC) FOR A TENTATIVE SUBDIVISION MAP OF 48 ATTACHED SINGLE-FAMILY DWELLING UNITS, SIX COMMERCIAL UNITS INCLUDING VARIANCES TO THE MINIMUM REQUIRED SITE AREA, PERIPHERY SETBACK, PARKING REQUIREMENTS AND MINIMUM LOT SIZE, CONDITIONAL USES IN THE NEIGHBORHOOD BUSINESS (NB) ZONING DISTRICT TO ALLOW RESIDENTIAL USE IN A MIXED USE PROJECT AND TEMPORARY SALES OFFICE WITH FLAGPOLES, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS (NB), LOCATED AT RANDELL WAY AND FIGUERO WAY, APN 004-016-01 (1-0830) - Senior Planner Jennifer Pruitt, R. O. Anderson Engineering and the Applicants' Representative Stephanie Cox, Chief Deputy District Attorney Melanie Bruketta - Discussion explained that the common open space does not include the roadway. The common open space does include "some of the" yards, the perimeter landscaping, and the park. The streets will be maintained by the homeowners' association as they do not meet City standards.

Ms. Cox indicated that the homeowners' association will maintain the streets including snow removal. The association includes the retail portion of the project. There will be CC&Rs. Ms. Cox agreed that the drawings of the development had erroneously included shading for the private common areas adjacent to Lots 7, 8, 9, and 10. Reasons a clause has not been included in the CC&Rs requiring the units to be owner occupied were discussed.

Ms. Pruitt explained that the planned unit development (PUD) includes a third emergency access/egress and reasons it is included in the plan. This access/egress is to be used primarily by pedestrians but can be used for emergency vehicles. It will help disburse traffic more evenly if an emergency exit is required. The variance for the parking was created by the location of the parking rather than the amount of parking spaces provided. Parking on Figuero provides two spaces in front of each dwelling. All of the other streets have one parking space. Barossa Way has commercial parking that is provided at the rear of the commercial dwellings. The Code does not allow this location to be used for commercial parking. Supervisor Staub voiced his concern about commercial clients using the parking area in front of the residential dwellings on Barossa Way. Ms. Cox indicated that they did not feel that there would be a problem with parking in this area. She agreed that some of the park users may use residential parking spaces. The residents have a garage and some of the dwellings have parking in front of the garage which will reduce the impact from visitors and commercial clientele. She pointed out that the commercial parking spaces will be available after hours for overflow residential parking and guests. During the daytime, the converse is possible as the residents will be working, etc. Supervisor Staub encouraged her to be certain that the buyers are aware of this plan. He did not wish to have to have the City post and enforce residential parking in the PUD. Ms. Cox felt that the CC&Rs could address his concerns. Mayor Teixeira pointed out that it is a private PUD. The City cannot provide internal

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signage. Ms. Pruitt concurred. Supervisor Staub agreed and reiterated that if the association cannot resolve the issue, the City will be asked to intervene. Therefore, he wanted it to be known upfront that the City cannot intercede and that the developer should make full disclosures regarding the PUD. Ms. Cox agreed and explained that the developer plans to keep some of the commercial buildings and to participate in the association.

Supervisor Livermore expressed his support for the small park and its amenities. He also pointed out that the PUD is located adjacent to Governors Field where T-ball is played and that more park amenities are located there. He asked her to discuss with the Parks and Recreation Department the park and what uses will be allowed there. He also suggested that they consider whether to restrict small animals as they will need an exercise area. Governors Field does not currently allow dogs. Ms. Cox indicated that this issue had not been considered but will be. Justification for Supervisor Livermore's suggestion was provided.

Discussion between Mr. Sullivan and Ms. Bruketta explained the City's review of the CC&Rs. Mr. Sullivan felt that it does not bind the City to be a party to the CC&Rs. Ms. Bruketta stressed the need for the CC&Rs to meet City Codes and not bind the City to monitoring in the future. Mr. Sullivan indicated that the CC&Rs include provisions which will allow the City to maintain the roadways if the association does not. The cost for this maintenance will be liened against the property. This provision has been in the Code for many years. Ms. Bruketta asked that Condition 21 be amended to reflect the Code as written and that the motion include this amendment.

Discussion between Supervisor Livermore and Mr. Sullivan indicated that the PUD is subject to the Residential Construction Tax (RCT) and that the revenue will be part of the RCT pool distributed by Parks and Recreation.

Supervisor Aldean moved to approve a Planned Unit Development application known as Toscana Village from Eric Crisp, property owner: Toscana Village LLC, for a tentative planned unit development map of 48 attached single-family dwelling units and six commercial units including variances to the minimum required site area, periphery setback, parking requirements and minimum lot size and conditional uses in the Neighborhood Business, NB, zoning district to allow residential use in a mixed use project and temporary sales office with flagpoles, on property zoned Neighborhood Business, NB, located at Randell Way and Figuero Way, APN 004-016-01, subject to the findings and conditions of approval of the staff report subject to one modification under Condition 21 which will now read that "the District Attorney and Planning and Community Development Division shall review the CC&Rs prior to recordation of the final map to ensure that the document complies with the provisions of the Municipal Code". Supervisor Williamson seconded the motion. Motion carried 5-0.

D. ACTION TO APPROVE A MASTER PLAN AMENDMENT TO CHANGE THE MASTER PLAN DESIGNATION OF APNS 8-303-27 AND 28, 8-306-14 AND 8-307-14 AND 16 FROM LOW DENSITY RESIDENTIAL-MOBILE HOME TO COMMERCIAL CONSISTENT WITH THE CURRENT COMMERCIAL ZONING FOR THE PARCELS; AND TO APPROVE THE BROWN STREET SPECIFIC PLAN AREA TO CHANGE THE MASTER PLAN DESIGNATION AND ZONING OF APNS 8-303-07, 10, 29, 30, 31, 36, 37, 38 AND 39, 8-306-05, 06, 07, 08, 09, 11, 15 AND 16, 8-307-05, 06, 07, 11, AND 17, AND 8-308-01 FROM LOW DENSITY RESIDENTIAL-MOBILE

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HOME AND MOBILE HOME 12,000 TO HIGH DENSITY RESIDENTIAL AND MULTI-FAMILY APARTMENT, RESPECTIVELY, INCLUDING SPECIFIC DEVELOPMENT STANDARDS, GUIDELINES AND POLICIES, FOR DEVELOPMENT OF THE AREA, ON PROPERTY GENERALLY LOCATED ON BROWN STREET AND NORTH EDMONDS DRIVE BETWEEN GORDON STREET AND REEVES STREET; AND, E. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE EFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM MOBILE HOME 12,000 (MH12) TO MULTI-FAMILY APARTMENT (MFA) FOR PARCELS GENERALLY LOCATED ON BROWN STREET AND NORTH EDMONDS DRIVE BETWEEN GORDON STREET AND REEVES STREET, CARSON CITY, NEVADA, APNS 8-303-07, 10, 29, 30, 31, 36, 37, 38 AND 39, 8-306-05, 06, 07, 08, 09, 11, 15 AND 16, 8-307-05, 06, 07, 11, AND 17, AND 8-308-01 (1-1195) - Principal Planner Lee Plemel, Doris Swift, Evelyn Westsmith, Randy Millard - Discussion indicated Mr. Plemel's belief that the project will be a mix of owner occupied and rental units. A portion of the project includes apartments.

Ms. Swift voiced her opposition to allowing apartments into the area and her belief that the project will negatively impact her ability to obtain VA and FHA loans for residential properties in the area. Her efforts to clean up a drug problem in the area were noted. She also explained her belief that the project will negatively impact the value of her home. She felt that redevelopment is needed in the area but that the project should not be similar to Como Street with the residents living "on top of one another". She wanted to see single family dwelling units which could be acquired by medium income workers, first time home owners, etc. She did not want to see a return of the former drug problem. Mayor Teixeira encouraged her to attend the focus groups' meetings and develop a plan for the area. The Specific Planned Area (SPA) process does not establish a concrete plan at this level. The project is an effort to try to enhance the area. Mr. Sullivan pointed out that by using a SPA approach, flexibility is provided in the zoning requirements, setbacks and heights. It provides an opportunity to be creative.

Ms. Westsmith explained the location of her property in the area and her history with it. She felt that it was a rundown area which did not command high rents. Until the City puts in the sewer infrastructure, it is not feasible for her to replace the one mobile home that burned down. She believed that a majority of the residents in the area support doing something to improve the area. She supported the SPA and urged the Board to do something to rejuvenate the area.

Mr. Millard indicated that the developer is waiting for approval of this application before bringing in their plans. He thanked staff for its professionalism and assistance. He indicated that there will be a major section between Brown and Edmonds for stucco apartments. Apartments are needed in Carson City. The project will improve a blighted area. Additional comments were solicited but none were given.

Supervisor Staub moved to approve a Master Plan Amendment to change the Master Plan designation of APNs 8-303-27 and 28, 8-306-14 and 8-307-14 and 16 from Low Density Residential - Mobile Home to Commercial consistent with the current commercial zoning for parcels; and to approve the Brown Street Specific Plan Area to change the Master Plan designation and zoning of APNs 8-303-07, 10, 29, 30, 31, 36, 37, 38, and 39, 8-306-05, 06, 07, 08, 09, 11, 15 and 16, 8-307-05, 06, 07, 11, and 17, and 8-308-01 from Low Density Residential-Mobile Home and Mobile Home 12,000 to High Density Residential and Multi-Family Apartment, respectively, including specific development standards, guidelines and policies for development

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of the area, on property generally located on Brown Street and North Edmonds Drive between Gordon Street and Reeves Street based upon findings contained in the staff report. Supervisor Livermore seconded the motion. Motion carried 5-0.

Supervisor Staub moved to introduce on first reading Bill No. 119, AN ORDINANCE EFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM MOBILE HOME 12,000, MH12, TO MULTI-FAMILY APARTMENT, MFA, FOR PARCELS GENERALLY LOCATED ON BROWN STREET AND NORTH EDMONDS DRIVE BETWEEN GORDON STREET AND REEVES STREET, CARSON CITY, NEVADA, APNS 8-303-07, 10, 29, 30, 31, 36, 37, 38, AND 39, 8-306-05, 06, 07, 08, 09, 11, 15, AND 16, 8-307-05, 06, 07, 11, AND 17, AND 8-308-01. Supervisor Livermore seconded the motion. Motion carried 5-0.

Mayor Teixeira thanked Ms. Swift for her comments. He indicated that they are improving the area. Landlords are now responsible for their tenants. The meth problem will be addressed. Run down areas will no longer be allowed. She had helped raise the bar. He thanked her for her comments.

F. ACTION TO APPROVE A TENTATIVE SUBDIVISION MAP APPLICATION KNOWN AS CURRY VILLAGE, FROM LUMOS AND ASSOCIATES (PROPERTY OWNER: METCALF DEVELOPMENT LTD.) ON PROPERTY ZONED RETAIL COMMERCIAL (RC), LOCATED AT 1460 SOUTH CURRY STREET, APN 003-064-13 (1-1666) - Chief Deputy District Attorney Melanie Bruketta - Supervisor Staub disclosed that he is an investor in the project and will have financial gain from it. Therefore, he recused himself. Mayor Teixeira asked for public comments but none were given. He indicated that there had been no public comments at the Planning Commission meeting. This is the first of the mixed uses for the downtown area. Mr. Sullivan indicated that there will be a minimum of six residences. Supervisor Livermore felt that the mixed use program would be beneficial to the community as it reduces the need for transportation and provides affordable housing near the work place. Supervisor Aldean explained that her study of the map indicates that the balcony is marked limited common area for the exclusive use of Parcel 12. The balcony is a parking garage. Unless it is a parking garage amenity, the designations are wrong. She suggested that the developer and/or engineer change the map. She also pointed out that Condition 14 needs to be amended to reflect Ms. Bruketta's request for consistency with the previous CC&R issue. Ms. Bruketta responded that Mr. Sullivan had not included the District Attorney's approval in this condition. Mr. Sullivan explained that the process is a challenging exercise as the units are being designed in space. Everything must fit. The project had been a very challenging exercise to get the condominium mixed use design to work. He complimented the developer's design team. Supervisor Livermore moved to approve a Tentative Subdivision Map application known as Curry Village from Lumos and Associates, property owner: Metcalf Development, Ltd., on property zoned Retail Commercial located at 1460 South Curry Street, APN 003-064-13, subject to the findings and conditions of approval contained in the staff report with a modification to Condition 14 to reflect the CC&R approval by the District Attorney's Office. Following a request for an amendment, Supervisor Livermore amended his motion to reflect the CC&R review of the Municipal Code by the District Attorney's Office. Supervisor Aldean seconded the motion. Motion carried 4-0-1 with Supervisor Staub abstaining.

G. ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING

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CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.070, MASTER PLAN, TO MODIFY VARIOUS PROVISIONS RELATING TO THE PROCESSING OF MASTER PLAN AMENDMENTS SUCH AS MAKING THE CODE CONSISTENT WITH THE PROVISIONS OF STATE LAW BY LIMITING THE NUMBER OF TIMES IN A YEAR A MASTER PLAN CAN BE AMENDED AND CLARIFYING THAT THE BOARD OF SUPERVISORS REVIEWS AND ACTS ON ALL MASTER PLAN AMENDMENTS, CORRECTING MINOR TYPOGRAPHICAL ERRORS AND OTHER MATTERS PROPERLY RELATED THERETO (1-1840) - Chief Deputy District Attorney Melanie Bruketta - Discussion explained that the Master Plan amendments must come to the Board. The portion in the original Code requiring only appeals to be considered by the Board will be eliminated if this ordinance is adopted. This portion of the original Code was in violation of two other sections of the Code. The ordinance also contains consistency revisions. Supervisor Williamson then moved to introduce on first reading Bill No. 120, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.070, MASTER PLAN, TO MODIFY VARIOUS PROVISIONS RELATING TO THE PROCESSING OF MASTER PLAN AMENDMENTS SUCH AS MAKING THE CODE CONSISTENT WITH THE PROVISIONS OF STATE LAW BY LIMITING THE NUMBER OF TIMES IN A YEAR A MASTER PLAN CAN BE AMENDED AND CLARIFYING THAT THE BOARD OF SUPERVISORS REVIEWS AND ACTS ON ALL MASTER PLAN AMENDMENTS, CORRECTING MINOR TYPOGRAPHICAL ERRORS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Aldean seconded the motion. Motion carried 5-0.

RECESS: A recess was declared at 10:26 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 10:34 a.m., constituting a quorum.

VIII. ACTION ON AN APPEAL OF THE CONDITION OF APPROVAL OF A TENTATIVE PARCEL MAP WHEREIN APPELLANT REQUESTS REIMBURSEMENT FOR VARIOUS SECTIONS OF THE NEW WATER MAIN ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 4501 GARNET WAY, APN 008-093-10 (PROPERTY OWNER: ROBERT MCCLEARY (1-1995)) - Applicant's Representative Chuck Ek, City Engineer Larry Werner, Chief Deputy District Attorney Melanie Bruketta - Mayor Teixeira explained the protocol for the appeal hearing. Board options were noted.

Mr. Ek explained his belief that a misinterpretation of his May 12 letter had occurred. He then explained that his understanding that requirements 1 and 3 are in accordance with the Code and that the Planning Commission cannot adjudicate them. He then indicated that these Codes are being appealed to the Board and were not waived. Item 2 of the letter is the main issue. He felt that the Code was written to handle large subdivisions and not infills similar to his proposal. He then used a map to explain the location of his property, the location of the City waterline, the area it needs to be extended over, the locations where "T" are required in the line, and the housing along that line. He also pointed out that the City, from time to time, extends the sewer line at its cost. He believed that, if the City extends the water line at some future date before expiration of the reimbursement agreement, he will lose his ability to obtain reimbursement when the property owners connect. He also expressed his belief that the Code was ambiguous when it indicated that existing homes are exempt from the reimbursement requirement. Mr. Werner has purportedly explained the rationale behind this Code exemption by indicating that it was an attempt to recognize the financial commitment that the property

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owner had in his/her well. He urged the Board to require existing homes to reimburse him for the cost of extending the water line. Discussion ensued explaining the number of vacant lots that may at some time connect to the water line. Mayor Teixeira explained the requirement that homeowners must connect to the line if their wells fail as they will not be allowed to drill another well. Mr. Ek agreed and explained his concern that if the City extends the waterline down Ruby Lane from his "T", he will not be reimbursed by those homeowners. He asked the Board to grant him a prorated share of the reimbursement costs if the homeowners on Ruby connect to the water line.

Mr. Werner explained that the City does not extend waterlines. The land development permit requires extension of the waterline. The City does extend the main water lines, construct tanks, etc., that are the backbone for the system. It does not do distribution extensions. He also explained that the reason existing homes are not required to reimburse those individuals who extend the waterline is due to the belief that the individual may connect to the waterline rather repair their failed/failing well. The applicant in this case is the only one who needs the waterline. The exemption and Code were written ten years ago, which was before Mr. Werner's time with the City. All of the developers are treated alike. It is their action that causes the need for the extension. An example was given to illustrate his point—Stanley's restaurant. He also indicated that the cost to drill a well may or may not be more than extending the City's line.

Supervisor Staub explained that he had been required to extend the waterline. The reimbursement agreement for this extension is almost up. Mr. Werner explained that the number of wells in operation in the City does not impact the City's water table. It is desirous for the City to get people to connect when a new City well is drilled as it may impact the residential wells. Board comments indicated the need to address this issue. Supervisor Williamson pointed out that the Code mixes residential and commercial development. Mr. Werner responded that the Code Section deals primarily with residential development. Commercial developers are responsible for extending water mains. Infills are where the problems occur. The extension requirement is discussed with parcel maps or land splits occur. This allows the developer/resident to know up front what the requirements are. Discussion explained an unrelated case indicating that a developer/resident had been told both in writing and verbally what his/her development requirements were. Mr. Werner suggested that Supervisor Williamson contact "David" regarding this matter. Mr. McCleary had also been told the same thing in the same fashion.

Mr. Ek then explained that throughout the process he had been informed by "Kathy Streeter", primarily, and different staff members that he would be reimbursed. He pointed out that Mr. McCleary must reimburse the City \$750 for the extension of a sewerline. When Mr. Ek raised the issue regarding equity, it was indicated by Mr. Werner that Mr. Ek is not eligible for reimbursement. He was not certain whether he would have gone forward with his project if he had known that he would not be reimbursed in the beginning. His project is an infill project and he will make money on it only because he had split the parcel. He alleged that the cost to extend the waterline from Arrowhead would cost between \$25,000 and \$30,000.

(1-2850) Supervisor Aldean read Section 6 and expressed her feeling that it is ambiguous and an equity issue. An individual who makes the capital investment should not be penalized when others connect. She suggested that the issue be returned to staff for reconsideration. Mayor Teixeira concurred. Public comments were solicited but none were given.

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Discussion explained the Board's options regarding the appeal. Returning the issue to staff and reworking the Code may require 90 to 120 days, or longer, to complete. The process will include public workshops with the developers. Mr. Ek indicated that they would continue to move forward on developing the lot. He felt that the Board should agree that Mr. McCleary has an existing home and participates in the section in front of his property only. He would understand that he is not being reimbursed for any of the other section. The Board can then rewrite the Code. Mayor Teixeira indicated that the Board could not do what he suggested. Mr. Ek then indicated that they could move forward with their project with a "footnote on their participation with the City" and follow the Code when it is finally rewritten. Mr. Werner explained that rewriting the Code could be more extensive due to the need for public meetings, determination of value, noticing to property owners, and reasonability factors. The process must follow the Statutes for special assessment districts in order to assure due process. He was not certain what a rewrite will entail and could not guarantee it would provide the relief desired by Mr. Ek. Ms. Bruketta cautioned the Board against assuring Mr. Ek of the outcome. Mr. Werner's research allegedly indicated that none of the surrounding jurisdictions have participation agreements. Mayor Teixeira indicated that this research does not make it right for Carson City.

Mr. Ek then indicated for the record his desire to know if the Board is the correct forum for the other two prescribed issues. One of those issues is the reimbursement agreement's life of ten years. They feel that the ten-year period was arbitrary. As the value runs with the land, the reimbursement agreement should be for an indefinite period. Mayor Teixeira indicated that this is impossible. Mr. Ek then indicated that the second issue is upgrading from six inch lines to eight inch lines. He stated for the record that as these conditions are written in the Code. Mayor Teixeira indicated that "upsizing the envelop will not work". Mr. Ek indicated that when they rewrite the Code these issues should also be considered. They must be equitable. Mayor Teixeira pointed out that the City is running out of dirt. Infill is now occurring. The Code needs to be reviewed at this time. He did not wish to have to continue hearing appeals on this issue. Mr. Ek had brought issues to the Board's attention that need to be analyzed. Discussion ensued on the action that should be taken by the Board. Supervisor Aldean acknowledged the fact that in Mr. Werner's opinion staff had correctly interpreted the Code but, irrespective of that, the Board would like to direct staff to redraft the Code provisions dealing with reimbursement for the extension of waterlines. Mr. Werner concurred. Mayor Teixeira ruled her comments were a motion. Supervisor Williamson seconded the motion. Motion carried 5-0.

I. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION OF APPROVAL OF A SPECIAL USE PERMIT APPLICATION FROM APS ENERGY SERVICES (PROPERTY OWNER: STATE OF NEVADA) TO ALLOW THE OPERATION OF A RENEWABLE ENERGY CENTER CONSISTING OF ONE BIOMASS-WOOD FIRED BOILER, CO-GENERATION PLANT AND PHOTOVOLTAIC FACILITY AT THE NORTHERN NEVADA CORRECTIONAL CENTER, ON PROPERTY SPLIT ZONED PUBLIC (P) AND AGRICULTURE (A), LOCATED AT 1721 SNYDER AVENUE, APN 010-281-46 (1-3075) - APS Energy Services Business Development Manager Jay Johnson, Appellants' Attorney Jason Woodbury, Applicant's Attorney Kathleen Drakulich, Applicant's Technical Engineer Rich Minetto from RM Engineering, Dave Campbell, Janet Johnson, Northern Nevada Correctional Center Warden Don Helling, Jason Prock, Marilyn Payne, Fire Safe Council Representative Elwood Miller, Sally Zola - Mr. Sullivan advised that he had received a fax late yesterday afternoon with information from Branch Environmental Corporation dealing with scrubber units and a pamphlet from the Applicant. He was uncertain whether the pamphlet was the same as the one distributed during the Commission meeting or if it contained new information. He had forewarned the

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Applicant and the Appellants that new information will return the application to the Commission. Supervisor Staub reminded the audience that an appeal must be based on evidence presented at the Commission hearing. The Code requires the Board to return the application to the Planning Commission if new information is provided during the appeal. Mr. Sullivan indicated that he was uncertain whether the fax's information supporting scrubbers was provided by the Applicant at the Commission hearing. The Appellant may have said something in his presentation about scrubbers. Mr. Woodbury could answer the question. The Appellant should present his/her case first.

Mr. Johnson indicated that his information was the same as had been given to the Commission but in a different order. It addresses the items in the appeal.

The Board disclosed to the public that it had received a lot of telephone calls regarding the item.

Mr. Woodbury indicated that the pamphlet information on a specific scrubber was not discussed at the Commission meeting. Scrubbers in general, however, were discussed. It is his interpretation that the information is not new and that it is not a new issue. He would leave it up to the Board to determine whether the pamphlet should be considered. Mayor Teixeira felt that it was part of the products that are available for that type of equipment. Mr. Woodbury explained whom he represented and indicated that they were not trying to kill the project. The project has some benefits and one fatal flaw. They recognize the need for renewable energy sources and are not trying to obstruct that effort. The problem that they have with the project is the emissions and, specifically, the particulate matter that will be emitted. They offered scrubbers as a reasonable solution to that problem even though it will require a modification to the special use permit to add one condition. He then indicated that the project's emissions will release particulates into air which have a significant impact on human health. The solution is that technology is available at a feasible cost that can significantly reduce the amount of particulates and risk to human health. He illustrated the size of the particulates by creating a dust cloud from a vacuum sweeper bag. The dust represents PM 10 which he alleged is same size as that of the particulates. It was alleged that the plant will emit 253 lbs. of PM 10 every day for 365 days a year. A natural gas plant creating one megawatt of power emits 1.8 lbs of particulates a day. Over a 25-year life of the operation the plant will emit 2.3 million pounds of PM 10 particulates. The human nose is unable to filter out this size of particulates. The health issues caused by them were limned. He felt that the Applicant will indicate that the particulates are at a lower level, however, the National Resources Defense Council and the American Lung Association allege that the lower level are just as dangerous. The Environmental Protection Agency (EPA) is currently analyzing its standard and may reduce it in the near future. The date of this ruling has yet to be determine and it is possible that a change will not be made. The residents should not be forced to live with this condition while the EPA studies the issue. Particulates create haze. Carson City already has all of the ingredients for bad air quality, which he listed. The plant will not consider inversions, good or bad days. It will operate 24 - 7, 365 days a year. The Appellants were also concerned about the impact having the plant in the vicinity of their residences will have on their property values. They will have to disclose its location if and when they sell their properties. The technology is available to reduce the emissions. It is both feasible and scientifically acceptable. The Appellants have provided one source of this technology. There may be more and better methods available. He was not lobbying for one specific type of equipment. The suggested source can reduce the PM 10 by 90%, which is what the Appellants want. The scrubber equipment costs approximately \$120,000. Its operational maintenance cost totals six man hours a month. These costs are reasonable for a \$6.3 million project. It can be funded by the prison and State tax

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revenues. The State has purported that the project will cost \$6.3 million and will save \$1.5 million. Mr. Woodbury urged the Board to hold the line on the particulate issue and not make the area become another Los Angeles with its polluted environment. He also pointed out that if the project is successful, there will be a line of applicants wanting to install the same technology. Today's decision will set the bar for future applicants. The Appellants support the project but want it done correctly to minimize the public health risk and impact to the Carson City air quality.

(2-0225) Supervisor Aldean explained her research on the topic indicates that there are lots of technology and scrubbers on the market that address PM 10. The wet scrubbers produce waste water which is another problem. Vermont has 23 boilers of the proposed type. Vermont is very environmentally conscious. Several of their plants are located at schools. Their systems were described. Her contact also mentioned that the EPA may or may not change its standards for PM 10. The Virginia stacks are 25 to 30 feet in height. The proposed plant will have a 50-foot high stack which will disperse the ash and change the fall pattern. The benefits of discussing the plant with other communities were noted. She also pointed out that one catastrophic fire at Lake Tahoe will set back the water quality for 100 years in addition to the contamination of the Lake and City's air quality. She urged the public to think about the issue globally rather than locally.

Supervisor Staub referenced the June 13, 2005, report from *Branch Environmental* and questioned the amount of contamination created by a unit that will burn at 1400 degrees. Mr. Woodbury indicated that he was not an expert in this difficult field. He could not represent anything beyond his basic understanding of the scrubber which is that it will reduce the emissions by 90% for the \$120,000 cost. He cannot represent that the equipment is the best or most cost effective.

Mr. Woodbury then explained to Supervisor Williamson that he had attempted to obtain figures regarding the contamination currently created by a forest fire and the landfill. He agreed that anyone burning slash must have a permit from the Director of the Division of Air Pollution who ensures that the burning occurs on "good burn days" so that the particulates will get into the atmosphere and be dispersed. The proposed boiler will pull fuel from a 50-mile radius which he felt will have a larger impact than occasional burning slash. Supervisor Livermore pointed out that forest operations and agricultural burning create an inversion layer that will set across the valley for an unspecified period. The agricultural burns will continue. Mr. Woodbury agreed that the current processes lack controls. He agreed that new technology could make the operation better.

(2-0365) Ms. Drakulich advised that the project will cost \$6.5 million and generate \$8 million over the next 15 years which provides a net gain of \$1.5 million. Her background was explained. Supervisor Staub asked that she address the scrubbing issue and/or a compromise. There is a lot of information in the Planning Commission record. The Board is aware of the project and is trying to resolve the appeal issue. Mayor Teixeira supported his approach. He also pointed out that the Appellants and community support the project, however, the particulate issue must be resolved. Ms. Drakulich pointed out that the current method of disposal is open air burning. Open air burning is currently allowed in Carson City without any emission controls. They produce approximately 36.9 lbs of pollutants per ton of wood. The proposed plant will produce 6.4 lbs per ton of wood. The City is not controlling the open air burns at this time. Mayor Teixeira explained that the issue is the particulates and, specifically, during inversion periods. Burning is not allowed during inversions. The plant must operate 24 - 7, 365 days a year once it is started and cannot stop for an inversion. Ms.

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Drakulich indicated that the plant does not have any environmentally visible pollutants and questioned whether the City has jurisdiction over the plant. The Public Utility Commission (PUC) requires them to have an EPA permit and will determine if the plant's operation is safe for the valley and if the scrubber is required. The public can participate in these hearings. The EPA controls the permit that is required from Bureau of Air Pollution Control and that the Division of Environmental Control will oversee the project. These layers of review will consider the technical aspects of the project and determine if the technology is required. Supervisor Livermore indicated his respect for her comments regarding the layers of review. The operation costs 17 cents a day. This is less than a penny an hour. He questioned her reasons for not providing the community with the level of comfort desired. The issue is not money but rather public health. Ms. Drakulich responded that it is the taxpayers' money. Supervisor Livermore responded that it is our City that is being impacted. Ms. Drakulich indicated that they do not want to put good money into a project where there will be no measurable results. They want the Division of Environmental Protection and the environmental review to ensure that the appropriate technology will accomplish what is being requested. Ms. Drakulich agreed that the State EPA could implement requirements exceeding the national EPA standards. She agreed with Supervisor Aldean that there is a wide range of technology available which have advantages and disadvantages related to the issues. Ms. Drakulich explained that the term "use of the best control technology possible" is contained in the Statute under which the PUC must operate and evaluate projects.

Discussion between Supervisor Staub and Mr. Sullivan indicated that the Board could require scrubbers as a condition. If the environmental review later determines they are not needed or will not help the air quality, the Applicant can submit the information to the City and will not have to install it. Ms. Drakulich explained their hesitation to agree to this requirement due to the fact that the actual components of the plan have yet to be determined.

Mr. Minetto explained his and his firm's background in this area. He indicated that he is an expert witness and that he is the only one speaking who is not an attorney. He agreed that the only issue is the PM 10 particulates. He would exclude the issues in the media coverage on the project as it lacked "merit" and the Appellant had failed to address them. He disagreed with inclusion of the scrubber as it is an improper method of solving the particulate issue. The suggested scrubber is a wet operation. His experience in this field was limited. Emission control technology for this project cannot use wet scrubbers. It may work well for larger particulates. State and Federal agencies have established a standard which the plant will have to meet. California's standard is more restrictive than the Federal standards. The proposed operation complies with California's standard. Woodburning facilities are proposed for South Lake Tahoe. Vermont's units either have some or no level of particulate controls. Particulates are created from the burn temperature and the type of fuel used. The boiler temperature ranges between 1,200 and 1,400 degrees. It exceeds the suggested scrubber's 400 degrees. They have not yet developed a preliminary design for the project. They will file air quality standards and conduct the appropriate studies when the permitting stages are reached. They will meet all of the control standard requirements for the project. A scrubber has not been considered at this stage. Mr. Minetto then indicated that the pounds of particulates that will be created had been included within their preliminary documents which was based on the boiler manufacturer's data. They have not selected a boiler manufacturer at this stage of the project. He questioned the State's PM standard and then explained that the burning mechanisms of 1,000 fire places produces the same amount of PM 10 as the plant on one day of burning. The Board indicated that it currently controls particulate matters now. They have recognized the particulate impact from fireplaces and control it during inversions. The Board does not want to see this

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problem exasperated. Mr. Minetto contended that the suggested scrubber will only reduce the particulates by 30%. Supervisor Staub suggested that a reduction percentage between 30 and 90 be considered as a compromise. Mr. Minetto refused to consider it as the cost of the scrubber had not been included in the preliminary design and could impact a secondary project--the photovoltaic plans--and its fiscal feasibility. Mayor Teixeira explained that there is a lot of information regarding the project which the Board lacks the technical expertise to understand. It is a good project that works and is environmentally desirable. It will save the State money. The Board's responsibility is to the community. He did not feel that the community is asking for the moon. The community wants the project to be more environmentally friendly. The Board's job is to get the best product possible for the community even if it requires the Applicant to step up to the plate and provide a better product. He felt that the Board wanted a minimum of 30 to 40 percent reduction in the PM 10 emissions. Mr. Minetto indicated that only the standards that are currently in place will be used for the design. If that is the Board's standard and they cannot meet it, the project is done.

Ms. Drakulich requested an opportunity to clarify Mr. Sullivan's suggestion. She had felt that it was reasonable but needed to discuss it.

RECESS: A recess was declared at 12:12 a.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 12:24 p.m., constituting a quorum.

Mayor Teixeira indicated that, if they had not reached a compromise during the recess and additional time is needed, the issue may have to be continued.

(2-0744) Ms. Drakulich indicated that the issue is about the design and the cost of the emission control device. If the device costs too much, it will eliminate the photovoltaic power project. A State mandate requires the production of solar energy. She was also concerned that the emission control could reduce the net gain to zero. Mr. Minetto agreed that the photovoltaic project could be added later. The current plan uses the cash flow created by the savings from the biomass steam generator to supplement the photovoltaic project. He felt that they were close to a compromise. He offered to provide the appropriate technology to reduce the PM 10 particulates by 30% over the Nevada Bureau of Air Pollution Control's allowable standard. He then asked that Condition 22 be removed from the Conditions of Approval as it refers to the color of the structure of the photovoltaic project. They wished to reserve the option of removing this project due to the cost of the emission control. The color was to be earth tone. They did not want references to photovoltaic binding them to this project.

Mr. Woodbury expressed his concerns about the suggested offer due the possibility that the structure will meet the standard without any control devices. He preferred that the Board place a condition on them requiring them to reduce the 253 lbs. per day. His clients would like to see that number reduced by 90%. In an effort to be reasonable, he was open to reducing the 253 lbs. of emissions by 50%. Mr. Minetto indicated that he had misspoke earlier. They were willing to agree to a 30% in the 253 lbs.

Supervisor Staub moved to deny the appeal and uphold the Planning Commission's decision of approval of a Special Use Permit Application from APS Energy Service, property owner: State of Nevada, to allow the operation of renewable energy center consisting of one biomass-wood fired boiler, cogeneration plant, with the option of adding a photovoltaic facility, at the Northern Nevada

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Correctional Center on property split zoned Public and Agriculture located at 1721 Snyder Avenue, APN 010-281-46, conditioned upon the following: That the Applicant include in their design mechanisms which will reduce the PM emissions by a minimum of 50% with referencing the 253 lbs. of daily emission and receiving approvals from all State and Federal environmental authorities that will be reviewing the application. Comments indicated the review was already in the Conditions of Approval. **Supervisor Staub then withdrew the portion of his motion dealing with the State and Federal environmental approvals. Supervisor Livermore seconded the motion. Public comments were solicited on the motion.**

(2-0851) Mr. Campbell indicated that he did not have any problems with the technology but the agenda report indicated to him that they will not be able to obtain the necessary fuel to operate the plant if the number of trips is limited to three a day. He questioned the need to haul the material from the dump. It should be burned at the dump and put in the necessary power lines. He felt that it was a “goofy” project. He appreciated the staff report requirements regarding light pollution, however, it had failed to adequately address noise pollution. The Conditions purportedly restrict the noise volume to 85 dbas at an unspecified location. The Condition further insinuates that this noise level should then become acceptable by the time it leaves the property. He felt that the wording of this requirement was not strong enough to make it at an acceptable level. He urged the Board to include a Condition establishing a specific noise level requirement at a level for when it leaves the property. Additional comments were solicited.

Ms. Johnson wanted her opposition to the project to be on the record. She opposed the project 100% with or without conditions. She had to work the evening of the Planning Commission meeting. She felt that the community had said no to the project. She wanted to know why the Board is voting yes on a project the public did not want. She felt that a government “for, by, and of the people” is no longer occurring. The public had said no but the project is still moving forward. All of the mitigation in the world will not stop the fact that it will pollute the air. Carson City is a small town. She had come to the area when it was 17,000 people with blue sky and mountains. The area is now growing fast and the project will make it even worse. She wanted to know what they were doing for Carson City. She acknowledged that the State and prison are doing the work with tax dollars. All kinds of figures have been discussed for the project that range from \$1.5 million to \$9 million. She questioned what the real figure is. She did not believe that they will save that much money over the long run. The utility bills will be paid at the prison with or without the project. Additional comments were solicited.

(2-0930) Mr. Helling indicated that the project may not be the perfect solution. It will limit pollution. It will have particulate matter. It will spread the 253 lbs. over a restricted area that will be smaller than the dump currently uses. The prison’s medical facility is within 100 meters of the proposed project site. It has very sick residents. If he felt that the project would create a hazard for the inmates or the guards or make his job more complex than it currently is, he would oppose it. He felt that the Board should approve the project.

Mr. Prock explained his employment. He advised the Board that the State of Nevada granted \$80,000 and the U.S. Forest Service granted \$250,000 for the project. He repeated the numbers for similar plants in the northeastern portion of the United States. He felt that the technology is proven, based on those numbers, and that the project should be approved.

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Ms. Payne expressed her belief that Vermont has severe air quality problem with long cold winters and uses heavy fuels. This project may be an improvement to their standard of living and environment. Carson City has pristine air. She believed that the community currently lacks any air quality monitoring at this time. Mayor Teixeira corrected her by explaining the air quality monitoring that he was aware of and is being done in the community at this time. The City is well below the emissions standard. Ms. Payne then explained that the particulates that will be produced creates a haze. The human body cannot filter them out. She felt that the community does not need the project. It will bring wood to the City for burning. The proposed project will operate 24 - 7, 365 days a year. She also pointed out that the slash burning and agricultural burning only occur three months out of a year. The proposed grants are irrelevant to the project and health of the community. The City needed to be objective and deny the request due to the high price it will have on the community's health.

Mr. Miller explained his representation of the Fire Safe Council and its missions which support biomass development. Reasons for supporting the project were the limited disposal methods available at this time, the current slash/open air burning and their impact on the air quality, the current disposal at the landfill and that impact on the landfill's life. The air quality and emission controls should be left to the PUC and EPA boards. He also pointed out the amount of acreage burned by wildland fires this year.

Ms. Zola pointed out that the PUC will address the environmental issues for the entire State. The residents of Carson City look to the Board for their comfort level regarding this topic. This is the reason the residents had turned out on this issue.

Supervisor Williamson explained that she was uncomfortable with the required 50% reduction of particulates. She questioned whether it is possible to obtain that level. She would not support the motion due to the percent age. Her support for renewable energy was indicated. She also pointed out that the use of biomass will reduce the dependency on natural gas which could be used for other things.

Ms. Drakulich was uncertain whether it will be possible to reduce the particulates by 50%. Mr. Minetto felt certain that they could be reduced by 30% without being detrimental to the project. Fifty percent could kill the project.

Supervisor Aldean indicated that this is her concern. She also noted that Carson City is the Board's principal concern, however, they do not live in a vacuum. Lake Tahoe is a jewel and an asset to the area. A fire there will impact the region's quality of life. She must look beyond the borders when considering the project.

Mr. Sullivan explained that the discussion with the Applicants during the recess had indicated that the Applicants believed the 50% would be detrimental to the project. The Board had indicated 30% to 40%. The Applicant believed that 30% was doable. In deference to the public, he preferred a 40% reduction which leaves 150 lbs. a day. He suggested that Condition 26 be that the emissions be no more than 150 lbs. per day. This condition will give the Applicant something to work towards. Mayor Teixeira questioned who would weigh the emissions. Mr. Sullivan indicated that there are methods of determining the amount of emissions. The Applicant's engineer had addressed this issue at the Commission hearing. Mayor Teixeira pointed out that the Board represents the public. The other side is mixed with attorneys, lobbyists, and a mixed bag of individuals who do not represent Carson City. The Board is not the experts. The Board is attempting to do

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what they believe is right for the community. This is the State capitol and we are partners with the State. We must work together. Fifty percent may not “fly”.

The motion to deny the appeal and uphold the Planning Commission’s decision of approval to allow the operation of a renewable energy center consisting of one biomass-wood fired boiler, cogeneration plant with the option of adding a photovoltaic facility at the Northern Nevada Correctional Center with an added Condition that the Applicant include in their design a mechanism which will reduce the PM emissions by a minimum of 50% of the 253 lbs. of daily emissions was voted upon by roll call with the following result: Supervisor Aldean - No; Supervisor Livermore - Yes, conditioned on and explaining my vote as the Mayor had purportedly stated I could do at this point, respectfully, the two ladies have had time to comment; I support renewable energy, but I feel there is a comfort level; I don’t believe this will be the only plant that exists in Carson City; I believe that there may be others, and because of that I believe we need to put limits on it in some fashion; and that is why I support at least a 50% reduction; let’s see if technology can get there; if it can’t get there, it will be the wrong place on the wrong day; Supervisor Staub - Yes; Supervisor Williamson - No; and Mayor Teixeira - I am sitting in the ‘cat bird seat’, okay, this does not kill the project; this just makes you work harder; maybe—can’t get there, if it doesn’t, come back - I will vote Yes. Motion carried 3-2.

RECESS: A recess was declared at 12:51 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 1:40 p.m., constituting a quorum.

8. CITY MANAGER - Linda Ritter

A. ACTION TO APPOINT THREE MEMBERS TO THE PLANNING COMMISSION, TWO MEMBERS FOR 4-YEAR TERMS EXPIRING JUNE 2009 AND ONE APPOINTMENT TO COMPLETE A TERM OF A FORMER COMMISSIONER EXPIRING IN JUNE 2006 (2-1215) - The Board thanked each of the Applicants for applying and pointed out that there were only three vacant positions and eight applicants. The Board interviewed: (2-1224) Hope Tingle; (2-1424) Bill Vance; (2-1645) Ernie Magge; (2-1870) John Peery; (2-2146) Kevin Hill; (2-2497) Allen Greene; (2-2690) Charles “Chuck” Adams; and (2-2998) Connie Bisbee. During Mr. Peery’s interview Supervisor Staub disclosed that he serves on the Senior Citizens Center Advisory Board with Mr. Peery. Mayor Teixeira voiced his support for Messrs. Peery and Vance. The round robin process was used to nominate two individuals to four year terms. Supervisor Aldean moved to appoint John Peery and Bill Vance to the Carson City Planning Commission for four year terms ending June 2009. Supervisor Williamson seconded the motion. Motion carried 5-0.

During the next round robin nomination process, the Board’s comments explained their reasons for supporting their nominees and noted the quality of the Applicants. Supervisor Livermore then moved to appoint Connie Bisbee to the Planning Commission to complete a resigning Commissioner’s term ending June 2006. Supervisor Williamson seconded the motion. Motion carried 5-0. Mayor Teixeira pointed out that Ms. Bisbee will be serving on a male dominated Commission. Ms. Bisbee thanked the Board for the appointment.

RECESS: A recess was declared at 3:10 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 3:18 p.m., constituting a quorum.

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B. ACTION TO ADOPT BILL NO. 118, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY FRANCHISES AND REQUIREMENTS, BY ADDING CHAPTER 5.19 CABLE SYSTEMS WHICH REGULATES THE OCCUPANCY AND USE OF PUBLIC WAYS BY CABLE SYSTEMS AND PROVIDES FOR THE ESTABLISHMENT OF CUSTOMER SERVICE STANDARDS AND OTHER MATTERS PROPERLY RELATED THERETO (3-0118) - Administrative Assistant Liz Teixeira, Charter Communications Vice President of Government Relations Marsha Berkbigler - Ms. Berkbigler acknowledged that this is second reading of the ordinance. Charter Communications' opposition to several items in the ordinance had purportedly been submitted in writing. These items included the definition of gross revenue on which the franchise fee must be paid. Both the FCC and case law have defined gross revenues. The ordinance is so broadly written that it is not restricted to just franchise fees for cable services. She felt that the ordinance mandates the collection of franchise fees from individuals not served by her company. The FCC has allegedly determined that gross revenue for "other payments received for programming" is a contra expense and not a revenue. Franchise fees must be paid on revenue and not contra expenses. To make payments on them will violate the FCC ruling. She believed that Section 7, application for new or renewed franchise, violates their rights for renewal under the Cable Act and could not negotiate a franchise under those terms. She also advised that there are other items which she had not listed. She indicated a desire to have it on the record. Mayor Teixeira indicated that the Board understood her intent and respect her for it. This is the reason the City has a highly paid consultant who will assist with the negotiations. He indicated a desire to proceed with the adoption of the ordinance. Supervisor Aldean pointed out that the agreement includes a separability clause. If the ordinance regulating the franchise agreement contains illegal clauses, they can be removed from the negotiations. Public comments were solicited but none were given. Supervisor Aldean moved to adopt Bill No. 118 on second reading, Ordinance No. 2005-19, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 5 PUBLIC UTILITY FRANCHISES AND REQUIREMENTS, BY ADDING CHAPTER 5.19 CABLE SYSTEMS WHICH REGULATES THE OCCUPANCY AND USE OF PUBLIC WAYS BY CABLE SYSTEMS AND PROVIDES FOR THE ESTABLISHMENT OF CUSTOMER SERVICE STANDARDS AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisors Livermore and Staub seconded the motion. Mayor Teixeira noted that Ms. Berkbigler's comments were on the record. Motion carried 5-0.

C. ACTION TO ADOPT A RESOLUTION ESTABLISHING CUSTOMER SERVICE STANDARDS FOR CABLE OPERATORS IN CARSON CITY (3-0178) - Administrative Assistant Liz Teixeira, Charter Communications Vice President of Government Relations Marsha Berkbigler- Ms. Teixeira's introduction noted that a signature page for the Resolution had been given to the Clerk. She also advised that the City could exceed the Federal guidelines. Discussion with the consultant had indicated that none of the requirements in the resolution should pose a problem for the City. Discussion indicated that using Reno's standards as a base for Carson City may save the City some money on the consultant's costs.

Ms. Berkbigler explained that Charter does not collect a deposit from its customers nor does it maintain a bank account in Nevada. Its corporate office in St. Louis handles all of its financial issues. This office would prohibit them from establishing a bank account in Nevada. They have a number of problems with the "ordinance". She had not seen the resolution until yesterday as she was out of the office until then. She acknowledged that the resolution was received by her office on the 15th. Her major concerns relate to the fact that the industry is rapidly changing and competition is growing. SBC will allegedly have cable services and

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satellite services available in this area next year. SBC does not pay franchise fees which creates competition issues. They are also concerned about the requirement for monthly reports. She is required to provide Federal reports on a quarterly basis. Additional staff will be required to provide the monthly reports. The cost for this individual(s) will be passed on to the customers. Reno purportedly requires quarterly reports. Their requirement was revised during their negotiations. She asked that the resolution be revised to allow this change in reporting.

Ms. Teixeira pointed out that Section 11 allows the City Manager to make changes to the reporting requirement, if needed. Ms. Berkbigler was concerned that a change in City Managers/personnel could reverse the requirement unless the resolution is changed at this time. She also indicated an intent to submit their concerns in writing. She then advised that Page 3, Item h, created a grave concern for the Company as their computer program does not at this time provide for this type of tracking for service and repairs. The information is not provided to other jurisdictions. They can provide the City with a response on a customer's complaint but it would not be on a daily basis unless the City had received the initial complaint. She felt that the cost for such a tracking system would be several hundred thousand dollars for the computer software to provide the information required in this section of the Resolution. This cost would have to be passed on to the customer. She did not want to have to do that.

Discussion reiterated that Ms. Ritter could waive this requirement per Section 11 based on the finding of a hardship. The City does not wish to create a hardship for the Company. Negotiations and/or an inspectional audit by Ms. Ritter/the consultant can address the issue.

Supervisor Livermore expressed his belief that the standards are items which Charter should embrace as a "good corporation". Examples illustrating his point were provided. Discussion then explained Ms. Berkbigler's concerns with the requirement that the Company provide mandatory refunds to people whose service is out. The majority of their agreements specify a specific period for the refund. The requirement for the issuance of a refund for four or more hours was noted. The Company allegedly provides refunds to those individuals who contact them, however, they have no way of knowing the size of the "blackout area". Mayor Teixeira felt that the resolution could be revised and that the staff and consultant will negotiate these issues with her. Ms. Berkbigler indicated a desire to work with the consultant and repeated her request that her concerns be on the record.

Discussion between Supervisor Staub and Ms. Ritter indicated that if the Company requests an appeal of any item she waives or fails to waive, the Board will consider the issue. Ms. Ritter's powers were restricted to granting relief. She cannot add any requirements that are not in the resolution. Public comments were solicited but none were given.

Supervisor Aldean moved to adopt Resolution No. 2005-R-30, A RESOLUTION ESTABLISHING CUSTOMER SERVICE STANDARDS FOR CABLE OPERATORS IN CARSON CITY. Supervisor Livermore seconded the motion. Motion carried 5-0.

REDEVELOPMENT AUTHORITY (3-0410) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

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BOARD OF SUPERVISORS (3-0766) - Following adjournment of the Redevelopment Authority, Chairperson Williamson returned the gavel to Mayor Teixeira who reconvened the Board of Supervisors session. The entire Board was present, constituting a quorum.

9. REDEVELOPMENT MANAGER - Joe McCarthy - ACTION TO APPROVE A COMMITMENT AGREEMENT FOR CONTINUING BUSINESS OPERATION BETWEEN CARSON CITY AND DICK CAMPAGNI WHICH WILL PROVIDE A FINANCIAL INCENTIVE TO ASSIST DICK CAMPAGNI TO ACQUIRE APN 09-051-10 FOR THE PURPOSE OF BUILDING A NEW TOYOTA SALES FACILITY IN EXCHANGE FOR A COMMITMENT TO MAINTAIN ALL CAMPAGNI AUTO DEALERSHIPS IN CARSON CITY FOR A PERIOD OF NOT LESS THAN 15 YEARS (3-0768) - Dick Campagni - Supervisor Staub moved to approve a Commitment Agreement for Continuing Business Operation between Carson City and Dick Campagni which will provide a financial incentive to Dick Campagni to acquire APN 09-051-10 for the purpose of building a new Toyota sales facility in exchange for a commitment to maintain the Campagni auto dealerships in Carson City for a period of 15 years with the changes so noted on Page 4 and as stated by Supervisor Aldean and noted that the fiscal impact is \$3.6 million and the funding source is the General Fund to Redevelopment Project Area 2 Fund. Supervisor Livermore seconded the motion. Mr. Campagni expressed his desire to have the incentive and his pleasure at working with the City and Mr. McCarthy. It is exciting to build a new store. Toyota has allegedly indicated that when a dealer builds a new store it increases the sales between 25% and 40%. He was looking forward to that increase. His plans for the current store were limned. He felt that this change would also provide a tremendous increase in sales at all of his stores. It is an excellent deal for everyone. He thanked the Board for its participation. The motion was voted and carried 5-0.

RECESS: A recess was declared at 4:02 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 4:06 p.m., constituting a quorum.

10. DEVELOPMENT SERVICES - Director Andrew Burnham

A. REVIEW OF EFFORTS FOR MITIGATION OF THE EFFECTS FROM THE WATERFALL FIRE DURING THE PAST YEAR, INCLUDING PROJECT STATUS, COSTS TO DATE AND COSTS TO COMPLETE PROJECTS (3-0823) - A slide presentation was given illustrating the extent of the fire, the rehabilitation efforts, the erosion control efforts, the salvage logging program, and volunteer programs. Comments thanked the residents for conserving water during the fire and the volunteers for their assistance in rehabilitating the area. Efforts to obtain Federal assistance for rehabilitation were noted. Mr. Burnham explained the efforts to motivate the Forest Service to rehabilitate and salvage timber on its property. A letter encouraging this effort will be considered under Item 10 C. He then limned the list of projects needing to be complete the rehab project. Mr. Burnham was not sure what kind of commitments had been made to the property owners regarding "rebuilding" permits. Supervisor Livermore indicated that one property owner had been told to "get in line like everyone else" when he/she had attempted to get a "free permit". The individual may have wanted to make some changes to the original plan. Mr. Burnham agreed to check into the situation. No formal action on the item was required or taken.

B. ACTION TO REQUEST THE BOARD TO AUTHORIZE AND APPROVE FUND TRANSFERS FROM THE STABILIZATION FUND IN THE AMOUNT OF \$111,150, THE

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INSURANCE FUND IN THE AMOUNT OF \$153,879, AND THE WATER FUND IN THE AMOUNT OF \$76,573 TO THE WATERFALL FIRE FUND; AND, C. ACTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER TO THE FOREST SERVICE REQUESTING THEY PROCEED WITH TIMBER SALVAGE OF USFS LANDS AFFECTED BY THE WATERFALL FIRE (3-0935) -

Finance Director Tom Minton, City Manager Linda Ritter, Fire Chief Stacy Giomi - Mayor Teixeira expressed his amazement that the City costs were not more, specifically, in view of the cost of some of the homes that were lost. Mr. Minton explained that FEMA had picked up a lot of the drainage costs. The City had bonded for \$1.2 million for its 25% match of these projects. Without FEMA's funds, the drainage improvements would have cost the City an additional \$1.2 million. He then requested Board action to approve the transfers as indicated. Ms. Ritter explained Mr. Guzman's ability to assist with the logging program. Staff's dedication and efforts helped the City obtain assistance prior to anyone else. She commended staff on its dedication and follow through on what had been an extremely large project. Mr. Burnham reiterated that the City had been able to take advantage of FEMA's funding and do some needed storm drainage improvements. The bonds had provided the required matching funds. Senior Engineer Rob Fellows had worked extensively with FEMA to obtain its 75% funding. Discussion explained that the State Division of Forestry had paid for the Lyon County's fire truck that was destroyed in the fire. There had been a negotiated agreement spelling out responsibilities for such losses. Lyon County was made "whole" through the use of the Forestry's funds and/or its own insurance funds. Supervisor Williamson complimented the staff and community on its clean up efforts after the fire. Some of these efforts have made the community safer. She also reminded the Board that the Subconservancy had given the City \$100,000. Discussion indicated that these funds were used to make the Vicee Canyon improvement(s). Mr. Minton indicated that there is \$3.5 million left in the stabilization program. Mayor Teixeira cautioned against using these funds unless absolutely necessary. Supervisor Livermore moved to approve transfers to the Waterfall Fire Fund from the Stabilization Fund in the amount of \$111,150; Insurance Fund in the amount of \$153,879, and the Water Fund in the amount of \$76,573 and, in addition, authorize the Chairman to sign a letter to the Forest Service regarding their proceeding with timber salvage of the USFS lands affected by the Waterfall Fire; fiscal impact \$341,602. Supervisor Williamson seconded the motion. Motion carried 5-0.

11. BOARD OF SUPERVISORS - NON-ACTION ITEMS: INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS AND STAFF COMMENTS AND STATUS REPORT (3-1080) -
None.

RECESS: A recess was declared at 4:21 p.m. The entire Board was present when Mayor Teixeira reconvened the meeting at 6:04 p.m., constituting a quorum. Staff members present included: City Manager Ritter, Finance Director Minton, Redevelopment/Economic Development Manager McCarthy, Deputy District Attorney Madden, Recording Secretary McLaughlin, and Deputy Economic Development/Redevelopment Officer Barosso.

REDEVELOPMENT AUTHORITY (3-1088) - Mayor Teixeira then recessed the Board of Supervisors session and passed the gavel to Chairperson Williamson who convened the Redevelopment Authority. For Minutes of the Redevelopment Authority, see its folder.

BOARD OF SUPERVISORS - ACTION TO ADJOURN (3-2652) - The Board was adjourned at 7:19 p.m. by mutual consent due to the action taken to adjourn the Redevelopment Authority.

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The Minutes of the July 21, 2005, Carson City Board of Supervisors meeting

ARE SO APPROVED ON August 18, 2005.

/s/
Marv Teixeira, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder