

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 1

DRAFT

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, September 17, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor Robert Crowell
Supervisor Robin Williamson, Ward 1
Supervisor Shelly Aldean, Ward 2
Supervisor Pete Livermore, Ward 3
Supervisor Molly Walt, Ward 4

STAFF: Larry Werner, City Manager
Joel Benton, Senior Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the Clerk during the meeting are public record. These materials are available for review, in the Clerk-Recorder's Office, during regular business hours.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:34:06) - Mayor Crowell called the meeting to order at 8:34 a.m. Roll was called; a quorum was present. First Christian Church Pastor Ken Haskins provided the invocation. Mayor Crowell led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - August 20, 2009 (8:35:34) - Supervisor Aldean moved to approve the minutes, as presented. Supervisor Livermore seconded the motion. Motion carried 5-0.

6. ADOPTION OF AGENDA (8:36:11) - Mayor Crowell provided background information on item 24(A), and inquired as to the Board of Supervisors' preference for hearing said item at this meeting or for deferring it to a future meeting in order to provide the opportunity for review of the subject application by the Redevelopment Authority Citizens Committee ("RACC"). Mayor Crowell clarified there was no requirement to first submit the application to the RACC. Supervisor Livermore advised of having discussed this matter with Mayor Crowell earlier in the week, and referred to the adopted redevelopment incentive program policies and procedures. Supervisor Livermore described the RACC as "the eyes and ears of this Board for the public to comment and to have an opportune time to discuss issues ..." He suggested deferring item 24(A) in favor of providing the RACC an opportunity to review the subject application.

Supervisor Walt expressed confusion and, in response to a question, Mayor Crowell advised that special events applications would not normally be submitted to the Board of Supervisors. He reviewed the intent of a motion, made at the September 3, 2009 Board of Supervisors meeting, to direct Parks and Recreation Department staff to prepare and submit an application to the Redevelopment Authority. He reiterated the redevelopment incentive program policies and procedures "are very clear that that type of ... events application does not need to go to the Redevelopment Authority Citizens Committee." He provided background information on discussion, at the September 3rd Board meeting, which indicated a preference that the application be provided to the RACC members for review and comment on an informal basis. He expressed the understanding that Office of Business Development staff had attempted to schedule a special RACC meeting, but was unable to convene a quorum. He reiterated the inquiry as to the Board's preference for hearing the item today, and the Board's purview for addressing the item at this meeting.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 2

DRAFT

Mr. Benton acknowledged the Board has authority to take action on the application “because the policies and procedures don’t require it to go to the citizens committee.” He further acknowledged that RACC members would be within the requirements of the Nevada Open Meeting law to review the application and provide their comments only to the City Manager. He clarified, however, that the City Manager would be subsequently unable to present those comments to the Board. In response to a further question, he advised that the application was provided to the RACC members as part of a special public meeting agenda. “If the members of RACC were to testify as to their personal opinion, as long as we didn’t have a quorum of them here testifying, … we wouldn’t run afoul of the Open Meeting law.” Supervisor Aldean expressed a preference to hear item 24(A) in consideration of citizens who planned to be in attendance at this meeting and to provide testimony. Mayor Crowell entertained a motion to adopt the agenda. **Supervisor Aldean so moved. Supervisor Williamson seconded the motion. Motion carried 5-0.**

7. PUBLIC COMMENTS AND DISCUSSION (8:42:43) - Mayor Crowell entertained public comment. (8:43:00) Jim Shirk commended the Board of Supervisors’ leadership ability and thanked them for their service. He referred to recent e-mail correspondence to each of the Supervisors “outlining how our community can obtain an item from the World Trade Center rubble,” and requested the Board’s support for doing so. He provided an overview of discussion which took place, at the September 15, 2009 Cultural Commission meeting, “about the possibility of having a World Trade Center memorial” in Carson City. He expressed the understanding that the Cultural Commission “fully supports” the concept, and suggested that Supervisor Molly Walt could provide additional background on the discussion. He expressed the further understanding that Fire Chief Stacey Giomi and Sheriff Ken Furlong “both fully support the World Trade Center memorial for Carson City.” Mr. Shirk discussed the possibility of non-profit organization funding for the proposed memorial. He provided background information on his discussions with representatives of the Port Authority of New York and New Jersey, “who manage and store the items from the rubble of the World Trade Center.” He emphasized the importance of the Board of Supervisors’ support for the request, and advised that a letter would be required “stating why our community wishes to obtain an item from the rubble.” He emphasized the importance of the Fire Department and Sheriff’s Office support, and the importance of moving quickly to send the request letter.

Supervisor Walt provided additional background information on discussion, at the recent Cultural Commission meeting, of the proposed World Trade Center memorial. She discussed the Cultural Commission’s focus on “public art.” Mr. Shirk offered to provide sample letters, and provided an overview of the process following submission of the request letter. In response to a question, Mr. Benton advised that Board action would be required for the subject request. Mayor Crowell requested Mr. Shirk to discuss the matter with Mr. Werner in order to have it properly agendized for a future meeting. Mayor Crowell entertained additional public comment; however, none was forthcoming.

8. CONSENT AGENDA (8:51:38) - Mayor Crowell entertained requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion. **Supervisor Livermore moved approval of the consent agenda, consisting of ten items: Item 8-1, Human Resources; item 8-2, Purchasing and Contracts, with adoption of Resolution No. 2009-R-49; item 8-3, Fire, with adoption of Resolution No. 2009-R-50; City Manager items 8-4(A) and (B); Health and Human Services item 8-5(A), with adoption of Resolution No. 2009-R-51, and item 8-5(B), with adoption of Resolution No. 2009-R-52; Public Works item 8-6(A), with adoption of Resolution No. 2009-R-53, and items 8-6(B) and (C), as presented and published. Supervisor Aldean seconded the motion. Motion carried 5-0.**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 3

DRAFT

8-1. HUMAN RESOURCES - ACTION TO APPROVE A SETTLEMENT AGREEMENT WITH CHRISTINE SMITH IN THE AMOUNT OF \$60,000.00

8-2. PURCHASING AND CONTRACTS - ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BY AND BETWEEN CARSON CITY AND THE U.S. DEPARTMENT OF THE ARMY FOR DESIGN AND CONSTRUCTION ASSISTANCE FOR THE PRISON HILL WATER TANK #2

8-3. FIRE - ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION, ON BEHALF OF TRUCKEE MEADOWS COMMUNITY COLLEGE ("TMCC"), AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, ON BEHALF OF THE CARSON CITY FIRE DEPARTMENT FOR PLACEMENT OF TMCC STUDENTS IN THE EMS TRAINING EXPERIENCE AT CARSON CITY FIRE DEPARTMENT, AND OTHER MATTERS PROPERLY RELATED THERETO

8-4. CITY MANAGER

8-4(A) ACTION TO RESCIND THE LEASE ENTERED INTO BETWEEN CARSON CITY AND COMMUNITY COUNCIL ON YOUTH AND TO APPROVE THE LEASE BETWEEN CARSON CITY AND PARTNERSHIP CARSON CITY, A NON-PROFIT ORGANIZATION

8-4(B) ACTION TO APPROVE THE THIRD AMENDED LEASE AGREEMENT BETWEEN CARSON CITY AND COMMUNITY COUNSELING CENTER, A NON-PROFIT ORGANIZATION

8-5. HEALTH AND HUMAN SERVICES

8-5(A) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION, ON BEHALF OF WESTERN NEVADA COLLEGE, AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, ON BEHALF OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT, TO PROVIDE A TRAINING SITE FOR THE COLLEGE'S NURSING STUDENTS, AND OTHER MATTERS PROPERLY RELATED THERETO

8-5(B) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES, ON BEHALF OF THE IMMUNIZATION PROGRAM, AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, ON BEHALF OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT, TO PROVIDE FACILITY USE AND INFORMATION TECHNOLOGY SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 4

DRAFT

8-6. PUBLIC WORKS

8-6(A) ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN THE JOINT FUNDING AGREEMENT FOR WATER RESOURCES INVESTIGATIONS, CARSON CITY, AND THE U.S. DEPARTMENT OF THE INTERIOR, U.S. GEOLOGICAL SURVEY

8-6(B) ACTION TO APPROVE THE MUTUAL TERMINATION OF LEASE AGREEMENT BETWEEN CARSON CITY AND RURAL COUNTIES RSVP PROGRAM, INC. FOR EXISTING LEASE OF A FACILITY LOCATED AT 3303 BUTTI WAY

8-6(C) ACTION TO APPROVE THE LEASE AGREEMENT BETWEEN CARSON CITY AND NEVADA RURAL COUNTIES RSVP PROGRAM, INC. FOR LEASE OF A FACILITY LOCATED AT 2621 NORTHGATE LANE, SUITE 6

9. RECESS BOARD OF SUPERVISORS (8:53:03) - Mayor Crowell recessed the Board of Supervisors at 8:53 a.m.

LIQUOR AND ENTERTAINMENT BOARD

10. CALL TO ORDER AND DETERMINATION OF QUORUM (8:53:08) - Chairperson Crowell called the Liquor and Entertainment Board to order. He noted the presence of a quorum, including Member Ken Furlong.

11. ACTION ON APPROVAL OF MINUTES - August 20, 2009 (8:53:23) - Member Aldean moved to approve the minutes, as presented. Member Livermore seconded the motion. Motion carried 6-0.

12. PUBLIC WORKS DEPARTMENT BUSINESS LICENSE DIVISION

12(A) ACTION TO APPROVE STEVE AURAND AS THE LIQUOR MANAGER FOR WIZE GUYZ BAR AND SALOON, FULL BAR LIQUOR LICENSE NO. 10-26549, LOCATED AT 288 EAST WINNIE LANE, CARSON CITY (8:53:44) - Principal Planner Jennifer Pruitt introduced this item, and reviewed the agenda materials. She advised that the applicant also holds a liquor license in Lyon County, and noted staff's recommendation of approval of the subject application.

(8:54:43) In response to a question, Mr. Aurand advised that underage drinking will not be allowed in his establishment. In response to a further question, he explained that an employee will be stationed at the door to examine the identification of each patron. He advised that the bartenders will also request identification "if they feel that the person at the door let somebody in ..." He provided background information on compliance checks at his Dayton bar, and advised of having passed "a couple times." He had "one person that didn't and they were let go." He advised that any employee selling alcohol to a minor "will be let go."

Chairperson Crowell entertained a motion. **Member Livermore moved to approve Steve Aurand as the liquor manager for Wize Guyz Bar and Saloon, full bar liquor license no. 10-26549, located at 288 East Winnie Lane, Carson City, Nevada. Member Aldean seconded the motion. Motion carried 6-0.** In response to a question, Mr. Aurand anticipated his bar would open "in the next day or two." Member Williamson wished him good luck.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 5

DRAFT

12(B) ACTION TO APPROVE DAVINDER SINGH AND KULWANT KAUR AS THE LIQUOR MANAGERS FOR JM DISCOUNT LIQUOR, PACKAGED LIQUOR LICENSE NO. 10-26823, LOCATED AT 1501 EAST FIFTH STREET, SUITE 102, CARSON CITY (8:56:32) - Ms. Pruitt introduced this item, and reviewed the agenda materials. She advised that the applicants also hold a liquor license in Douglas County, and noted staff's recommendation of approval of the subject application.

(8:57:14) In response to a question, Kulwant Kaur advised that the sale of alcohol to minors will be prevented in their establishment by checking identification. In response to a further question, she explained that the identity of the customer, as well as their age, will be verified. In response to a further question, she discussed plans to check the identification of anyone appearing to be under the age of 30. Chairperson Crowell advised that "most people will ... check everybody's ID when they come in just to avoid the issue of folks trying to get around the law." Ms. Kaur acknowledged that she and Mr. Singh will be the only authorized sellers of alcohol. She further acknowledged having participated in the Sheriff's Office alcohol servers training program. Member Furlong offered to visit the store and provide assistance as to methods for preventing the sale of alcohol to minors.

Chairperson Crowell entertained public comment and, when none was forthcoming, a motion. **Member Williamson moved to approve Davinder Singh and Kulwant Kaur as the liquor managers for JM Discount Liquor, packaged liquor license no. 10-26823, located at 1501 East Fifth Street, Suite 102, Carson City**, and wished Mr. Singh and Ms. Kaur good luck. **Member Walt seconded the motion.** **Motion carried 6-0.**

12(C) ACTION TO APPROVE ANDREA JACKSON AS THE LIQUOR MANAGER FOR JACKSON'S #139, PACKAGED LIQUOR LICENSE NO. 10-26857, LOCATED AT 1615 EAST FIFTH STREET, CARSON CITY (9:00:15) - Ms. Pruitt introduced this item, and reviewed the agenda materials. She advised that the applicant also holds liquor licenses in Oregon, Idaho, Washington, and Utah, and noted staff's recommendation of approval.

(9:00:53) Chairperson Crowell recognized Andrea Jackson. Ms. Pruitt acknowledged the understanding there was no Sheriff's report attached to the agenda materials because of the fairly recent review of a similar packaged liquor license application for the Rand Avenue Jackson's store. Member Furlong advised that said review was conducted in May 2009. Chairperson Crowell explained to Ms. Jackson the requirement to appear before the board. In response to a question, Ms. Jackson advised that the Rand Avenue store is doing well, and provided an overview of improvements to the store thus far. Member Williamson welcomed Ms. Jackson and thanked her for investing in Carson City.

Chairperson Crowell entertained a motion. **Member Aldean moved to approve Andrea Jackson as the liquor manager for Jackson's #139, packaged liquor license no. 10-26857, located at 1615 East Fifth Street, Carson City.** **The motion was seconded and carried 6-0.**

13. ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (9:02:45) - Chairperson Crowell adjourned the meeting at 9:02 a.m.

14. RECONVENE BOARD OF SUPERVISORS (9:02:53) - Mayor Crowell reconvened the Board of Supervisors.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 6

DRAFT

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

15. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME
(9:02:58) - None.

16. SHERIFF - ACTION TO ADOPT, ON SECOND READING, BILL NO. 121, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL, BY AMENDING CHAPTER 2.32, LOST OR ABANDONED PROPERTY, AMENDING SECTION 2.32.050, DISPOSITION OF UNCLAIMED PROPERTY, WHICH CREATES A PROCEDURE FOR THE DISPOSAL OF UNCLAIMED PROPERTY THROUGH INTERNET-BASED AUCTIONS, AMENDING SECTION 2.32.060, PUBLIC AUCTION, WHICH ALLOWS THE SALE OF UNCLAIMED PROPERTY THROUGH INTERNET-BASED PUBLIC AUCTIONS TO TAKE PLACE WITHOUT STANDARD NOTICE, AND OTHER MATTERS PROPERLY RELATED THERETO (9:03:05) - Mayor Crowell introduced this item. Sheriff Ken Furlong reviewed the agenda report. In response to a question posed by Supervisor Livermore at the September 3rd Board meeting, Sheriff Furlong advised that "in a small community, approximately 22,000 [people], their internet-based sales generated an estimated \$2,500 to \$3,000 in one year." The Las Vegas Metropolitan Police Department receives approximately \$3,300 per month. "They've experienced a 300 to 400 percent increase in income just from jewelry alone." Sheriff Furlong advised that the Carson City Sheriff's Office is "backlogged about three years" with unclaimed property. Supervisor Livermore wished the Sheriff success. In response to a question, Sheriff Furlong advised that the sales proceeds will be allocated to the general fund. Discussion followed, and Sheriff Furlong advised that the proposed ordinance will enable the internet-based auctions. A contract will be developed for submission to the Board at a future meeting.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt, on second reading, Bill No. 121, Ordinance No. 2009-20, an ordinance amending Carson City Municipal Code, Title 2, Administration and Personnel, by amending Chapter 2.32, Lost or Abandoned Property, amending Section 2.32.050, Disposition of Unclaimed Property, which creates a procedure for the disposal of unclaimed property through internet-based auctions, amending Section 2.32.060, public auction, which allows the sale of unclaimed property through internet-based public auctions to take place without standard notice, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

17. AIRPORT AUTHORITY - REPORT FROM CARSON CITY AIRPORT AUTHORITY ON STATUS OF THE AIRPORT (9:06:58) - Mayor Crowell noted that this item was not agendized for action. In response to a question regarding abstention from discussion of this item due to his law partnership with Airport Authority Counsel Steve Tackes, Mr. Benton advised Mayor Crowell to pass the gavel to Mayor *Pro Tem* Aldean, which he did.

Mayor *Pro Tem* Aldean recognized Airport Authority Chairperson Steve Lewis, who provided background information on his service to the Airport Authority. He introduced Airport Authority Member Walter Sullivan, Airport Manager Casey Pullman, Airport Authority Counsel Steve Tackes, and past Airport Authority Member Harlow Norvell. Mr. Lewis provided background information on the 1989 Cooperative Agreement enabling the Airport Authority to manage the Carson City Airport, and reviewed Airport Authority membership criteria. Mr. Lewis reviewed the September 8, 2009 activity summary, copies of

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 7

DRAFT

which were included in the agenda materials. He offered to provide a personal tour of the airport to any interested Board member, and expressed appreciation for the opportunity to have served as a member of the Airport Authority.

Supervisor Livermore advised of having attended the September 16, 2009 Chamber of Commerce breakfast meeting during which he had the opportunity to recognize the airport's contribution to the City's economy. He commended the Airport Authority members, expressed appreciation to Mr. Lewis and Mr. Sullivan for their service, and wished Mr. Pullman much success. Supervisor Williamson thanked Mr. Lewis and Mr. Sullivan for their service to the community, and Mr. Lewis for his presentation. Mr. Lewis noted former Supervisor Staub's Airport Authority service, and expressed the hope that the Airport Authority will continue to be proactive in providing periodic reports to the Board. Mr. Lewis reiterated the invitation to provide airport tours to any interested Board member. Mayor *Pro Tem* Aldean advised of having recently received very few complaints from residents in her ward who are airport neighbors. She commended the Airport Authority on their proactive approach to "keep in touch with those neighbors and to fully address their concerns." She provided historic information on consideration once given to whether the airport might be better used as "additional area for manufacturing." She noted that, as a consequence, "the airport has become more proactive and more engaged ... to assure the members of this community that that valuable piece of property is being used to its highest and best purpose." Mayor *Pro Tem* Aldean expressed appreciation for the Airport Authority's effort. Mr. Lewis discussed the "wonderful opportunities" which will open up for the airport upon completion of the freeway.

Mayor *Pro Tem* Aldean called for additional comments. (9:26:42) Mr. Sullivan expressed appreciation for the opportunity to have served as a member of the Airport Authority. He commended Mr. Lewis' presentation, and expressed the opinion that the Airport Authority had succeeded in "making the neighbors aware ..." He discussed the American Recovery and Reinvestment Act funding allocated to the airport to implement master plan projects.

(9:28:47) Mr. Pullman introduced himself, and discussed his vision for the airport. He emphasized the importance of the airport being part of the community rather than "an isolated entity." He discussed a recent airport open house, and advised of having received favorable comments from attendees. He discussed plans to reach out to the area schools to "get them more involved with the airport."

Supervisor Williamson advised that Howard Putnam, former CEO of Southwest Airlines, was a speaker at the recent Nevada Association of Counties State Conference. She suggested Mr. Putnam as a resource for the Carson City Airport. In response to a question, Mr. Pullman advised of indirect "spillover" from the Reno Air Races. Mayor *Pro Tem* Aldean opened this item to public comment; however, none was forthcoming. She thanked the Airport Authority members and representatives for their attendance and participation, and returned the gavel to Mayor Crowell.

18. PUBLIC WORKS DEPARTMENT BUILDING DIVISION - ACTION TO ADOPT BILL NO. 122, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.05, BUILDING CODE, SECTION 15.05.020, ADOPTION AND ADMINISTRATION OF BUILDING AND CONSTRUCTION CODES, BY REPEALING THE ADOPTION OF SECTIONS 1214.3, 1214.3.1, 1214.3.2, AND 1214.3.3 OF THE 2007 NORTHERN NEVADA AMENDMENTS (9:33:48) - Mayor Crowell introduced this item. Chief Building Official Kevin Gattis reviewed the agenda report, and advised of having received no comments or questions since introduction of the bill, on first reading. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 8

DRAFT

adopt Bill No. 122, on second reading, Ordinance No. 2009-21, an ordinance amending the Carson City Municipal Code, Title 15, Buildings and Construction, Chapter 15.05, Building Code, Section 15.05.020, Adoption and Administration of Building and Construction Codes, by repealing the adoption of Sections 1214.3, 1214.3.1, 1214.3.2, and 1214.3.3 of the 2007 Northern Nevada Amendments. Supervisor Williamson seconded the motion. Motion carried 4-0-1, Supervisor Livermore had temporarily left the meeting room.

19. PUBLIC WORKS DEPARTMENT PLANNING AND ZONING DIVISION

19(A) ACTION TO APPROVE A REQUEST FOR A TWO-YEAR EXTENSION FOR A TENTATIVE PUD KNOWN AS SILVER OAK, LOCATED IN THE NORTHWEST PORTION OF CARSON CITY BETWEEN U.S. HIGHWAY 395 ON THE EAST, THE WESTERN NEVADA COLLEGE CAMPUS AND THE UNIVERSITY HEIGHTS SUBDIVISION ON THE WEST, AND THE EAGLE VALLEY CHILDREN'S HOME AND CARSON TAHOE REGIONAL HOSPITAL TO THE NORTH, TO REMAIN VALID, AND THE FILING TIME FRAME FOR A FINAL MAP TO BE EXTENDED TO JULY 27, 2011, PURSUANT TO THE APPROVED AND RECORDED DEVELOPMENT AGREEMENT (9:36:21) - Mayor Crowell introduced this item, and Principal Planner Jennifer Pruitt reviewed the agenda report. She read into the record a letter provided to the Board members and the Clerk by Silver Oak Development Company representative Mark Turner, who was unable to attend the meeting. She noted staff's recommendation of approval of the subject request. In response to a question, she advised of one previous one-year extension. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to approve a request for a two-year extension for a tentative PUD, known as Silver Oak, located in the northwest portion of Carson City between U.S. Highway 395 on the east, Western Nevada College campus and the University Heights subdivision on the west, and the Eagle Valley Children's Home and Carson-Tahoe Regional Medical Center to the north, to remain valid, and the filing time frame for a final map to be extended to July 27, 2011, pursuant to the approved and recorded development agreement.** Supervisor Aldean seconded the motion. Motion carried 5-0.

19(B) ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM CONNIE MUIR (PROPERTY OWNER: WILLIAM BURNAUGH TRUST) TO ABANDON A 14-FOOT PORTION ON THE NORTH SIDE OF MUSSER STREET RIGHT-OF-WAY, ON PROPERTY LOCATED AT 201 NORTH PRATT AVENUE AND 204 NORTH HARBIN AVENUE, APNs 004-172-06 AND 004-172-12, AND AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT (9:39:15) - Mayor Crowell introduced this item, and Ms. Pruitt reviewed the agenda materials. She noted two parcels of land included in the application with an alleyway between, and advised that the proposed abandonment will not impact the existing configuration of the alleyway.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve an abandonment of public right-of-way application for Connie Muir, property owner William Burnaugh Trust, to abandon a 14-foot portion of the north side of the Musser Street right-of-way, on property located at 201 North Pratt Avenue and 204 North Harbin Avenue, APNs 004-172-06 and 004-172-12, based on seven findings and 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.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 9

DRAFT

20. PUBLIC WORKS DEPARTMENT

20(A) ACTION TO NOT ADOPT BILL NO. 119, ON SECOND READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.030, SCHEDULE OF CONNECTION FEES AND HOOK-UP CHARGES, BY DECREASING CONNECTION CHARGES, AND OTHER MATTERS PROPERLY RELATED THERETO (9:41:37) - Mayor Crowell introduced this item, and Deputy Public Works Director Ken Arnold reviewed the agenda report. Mayor Crowell entertained a motion. **Supervisor Williamson moved to not adopt Bill No. 119, on second reading, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.030, Schedule of Connection Fees and Hook-Up Charges, by decreasing connection charges, and other matters properly related thereto.** Supervisor Walt seconded the motion. Motion carried 5-0.

20(B) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.030, SCHEDULE OF CONNECTION FEES AND HOOK-UP CHARGES, BY DECREASING CONNECTION CHARGES, AND OTHER MATTERS PROPERLY RELATED THERETO (9:42:42) - Mayor Crowell introduced this item. Deputy Public Works Director Ken Arnold reviewed the agenda report and the provisions of the proposed ordinance included in the agenda materials. Supervisor Aldean advised of having researched, with the assistance of Planning Division Director Lee Plemel, the current vacancy rate in Carson City. She advised of 389 residential vacancies, and noted the "substantial number of vacancies in the commercial arena." She expressed no opposition to amending the ordinance to reduce the burden on single-family residential property owners, but expressed increasing concern over "how this might encourage people to pick up land, relatively inexpensively, build more commercial or more multi-family units when we have a glut of vacancies currently." She expressed the preference that interested retailers consider the City's existing inventory. She suggested that new commercial construction will ultimately only "prolong our ability to try to re-market and re-fill those commercial vacancies." She reiterated serious concerns over using the proposed ordinance as an incentive for commercial properties. She referred to citizen comments provided at the September 3rd Board meeting, and reiterated concern over re-tenanting existing commercial and multi-family residential buildings.

Supervisor Williamson expressed the belief that the proposed reduction in connection fees will assist potential investors in rehabilitating and / or re-using existing properties. Mr. Arnold advised of numerous small business owners who are awaiting the outcome of the proposed ordinance. "It's making the difference for them to be able to go into an area that's ... vacant right now." In response to a question, Mr. Werner advised that connection fees are currently based on flows. Re-use of existing buildings would require payment of connection fees. "By this ordinance, they would now be able to take advantage of that reduction." Supervisor Aldean inquired as to the possibility of excluding new construction from the provisions of the proposed ordinance, and reiterated her concern over the current vacancy rate and the diminished value of land. Discussion followed, and Mayor Crowell expressed support for the proposed ordinance to stimulate "all areas" of development. "In today's environment, ... we need to focus on new demand, existing ... buildings, and our infrastructure and ... blend all that together."

Mayor Crowell entertained public comment. (9:50:13) Northern Nevada Development Authority Executive Director Rob Hooper expressed support for the proposed ordinance. He agreed with Supervisor Aldean's concerns over filling vacant buildings, but noted "the buildings we have don't always fit the company ..." Without "the ability to have new construction, we won't have those new companies." Mr. Hooper

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 10

DRAFT

discussed the competition for jobs in Nevada, and reviewed corresponding statistical information. “The ability to provide a localized incentive such as this will give us a huge tool ... to attract companies to Carson City. It will give us a fighting chance to bring the jobs here that are so desperately needed.” Mr. Hooper expressed support for the proposed ordinance.

(9:53:45) Business Development Manager Joe McCarthy advised of a recent visit to Carson City by a national retailer, representatives for which are considering a vacant property. He advised that the proposed ordinance “doesn’t help them in any way because it’s the same use ... , but it did send a message to them. ... They really felt that Carson City was being proactive as far inviting new business and allowing for new construction in the area which will help their business.” Mayor Crowell inquired as to the possibility of tracking increases in sales tax, property tax, and additional revenues by virtue of the proposed ordinance. He suggested “if we can quantify ... that effect over this two-year period of time, ... we could have ... an intergovernment fund transfer of some of the revenues generated from this program” for future water and sewer infrastructure, if necessary. Mr. McCarthy advised that the “economic development impact” and “additional fiscal benefit from this from sales tax” can “definitely” be tracked. Mr. Werner provided additional clarification with regard to tracking the information. He advised that building division records will indicate the offset. Mr. McCarthy advised that the national retailer’s representative has indicated the potential for 100 new jobs, 25 percent of which would be in “the management capacity.” He anticipates that the “net effect on our community” would generate approximately \$300,000 in additional sales tax revenues. He reiterated that the proposed ordinance conveyed the message that “Carson City is a pro-business community.” Supervisor Aldean suggested requesting potential retailers to complete a short survey. Mr. McCarthy acknowledged that an automatic sunset clause in the ordinance would serve to encourage potential retailers “to get into town and work in our community as quickly as possible.” He expressed concern over “too much of a heavy trigger,” noting that “our work is not just in the next two years.” Discussion followed, and Mayor Crowell expressed an interest in reviewing data from the Public Works Department that justifies the rate. Mr. Werner responded to questions of clarification regarding the effective date for “re-use properties.”

Mayor Crowell entertained additional public comment. (10:01:17) Builders Association of Western Nevada (“BAWN”) CEO Rick DeMar expressed understanding for Supervisor Aldean’s concerns. “From the Association’s perspective, there are different conversations.” Mr. DeMar explained that the BAWN “are home builders primarily. And a stimulus of, basically, \$9,000 per lot in conjunction with the federal government’s \$8,000 first-time home buyer credit, ... will benefit our industry and, consequently, our community by generating more new home sales.” Mr. DeMar advised of having presented the proposed ordinance to the BAWN Board of Directors, who endorsed the same. He thanked the Board for being proactive.

(10:02:50) Jim Feser with Ridgeline Development, a local home builder, expressed support for the proposed ordinance. He advised of “a couple projects in the hopper that we’re ready to move on should the Board choose to pass this ordinance.”

(10:03:39) Brad Bonkowski, representing the Sierra Nevada Association of Realtors, expressed support for the “pro-business and proactive” ordinance.

In reference to previous comments, Supervisor Aldean reminded the Board members and the citizens of the possibility of additional federal mandates relative to water quality, and corresponding improvements to the City’s infrastructure. She assured the citizens that “any money that we cobble together as a result of connection fees is not going to be misspent. It’s going to be spent on infrastructure improvement work

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 11

DRAFT

or enhancing what we have today even though it may not result in major expansion.” She further assured the citizens that the City has not “somehow been gouging the public and misspending public dollars because that is not the case.” She expressed concern that there will be insufficient funding to make necessary improvements, many of which are outside the City’s control. She discussed citizen concerns over the feasibility of refunds for buildings which have not actually connected to the water / wastewater system.

Mayor Crowell entertained additional public comment. (10:06:02) Don Robertson expressed the opinion that the City should refund the difference between connection fees paid under the existing ordinance for buildings which are not yet receiving City water / wastewater service. He noted the distinction between the connection fee, which he paid, and the building permit application fee, which was paid by the original developer.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. Supervisor Williamson suggested that Mr. Robertson’s issue could be addressed separately from the proposed ordinance. **Supervisor Williamson moved to introduce, on first reading, Bill No. 123, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.030, Schedule of Connection Fees and Hook-Up Charges, by decreasing connection charges, and other matters properly related thereto. Supervisor Walt seconded the motion.** In response to a question, Mr. Werner reminded the Board members that staff had evaluated the possibility of refunds prior to the September 3rd Board meeting, and of the recommendation that the Board not retroactively refund any connection fees. He discussed the dilemma associated with deciding “who to include … and who not to include.” He further reminded the Board that retroactively refunding connection fees places a financial burden on the City. “We’re not in the position to pay money back …” Supervisor Williamson clarified the intent of her earlier comments to indicate no desire to further revise the ordinance at this meeting. Discussion followed, and Mr. Werner expressed a willingness to discuss the issue with concerned citizens and suggested the possibility of agendizing a separate item for a future Board meeting. In response to a question, Mr. Werner provided background information on the research conducted into the refund issue. Discussion followed and, in response to a question, Mr. Werner explained the fee exemption for connecting to the wastewater system in the event of a failing septic system.

Mayor Crowell called for additional public comment; however, none was forthcoming. Supervisor Aldean expressed understanding for the incentive provided by the proposed ordinance, and reiterated concern over diminishing resources. She expressed philosophical support for the intent of the proposed ordinance, and concern over the unintended consequences. Supervisor Livermore expressed support for the economic opportunities represented by the proposed ordinance, and concern over the issue of refunds for buildings which have not yet connected to the water / wastewater system. He expressed support for the motion, and regret over citizens who may be “a victim” of the effective date. Mayor Crowell expressed sympathy over issues created by the effective date. He expressed support for the motion “as the right thing to do for Carson City at this time, given the lack of building construction that we’re seeing right now.” He expressed understanding for Supervisor Aldean’s concerns, and a preference for the ordinance to sunset after two years. “But, that’s not where we are today.” Mayor Crowell noted the importance of moving forward to “stimulate all levels of demand in this community to keep commerce flowing and keep our community growing,” including filling existing buildings. He called for additional comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 4-1.**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 12

DRAFT

20(C) ACTION TO NOT ADOPT BILL NO. 120, ON SECOND READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY REDUCING WATER CONNECTION FEES, AND OTHER MATTERS PROPERLY RELATED THERETO (10:19:45) - Mayor Crowell entertained a motion. Supervisor Williamson moved not to adopt Bill No. 120, on second reading, an ordinance amending Title 12, Water Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by reducing water connection fees, and other matters properly related thereto. Supervisor Walt seconded the motion. Motion carried 5-0.

20(D) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY REDUCING WATER CONNECTION FEES, AND OTHER MATTERS PROPERLY RELATED THERETO (10:20:12) - Mayor Crowell introduced this item, and Mr. Arnold reviewed the agenda report. Mayor Crowell entertained public comment; however, none was forthcoming. Supervisor Aldean noted a typographical error on page 2. Mayor Crowell entertained a motion. Supervisor Williamson moved to introduce, on first reading, Bill No. 124, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by reducing water connection fees, and other matters properly related thereto, with the revision to page 2, paragraph 3, as noted by Supervisor Aldean. Supervisor Livermore seconded the motion. Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. Motion carried 4-1. Mayor Crowell thanked Mr. Arnold.

21. RECESS BOARD OF SUPERVISORS (10:22:58) - Mayor Crowell recessed the Board of Supervisors.

REDEVELOPMENT AUTHORITY

22. CALL TO ORDER AND DETERMINATION OF QUORUM (10:36:04) - Chairperson Williamson called the Redevelopment Authority to order. All members were present constituting a quorum.

23. ACTION ON APPROVAL OF MINUTES (10:36:15) - None.

24. PARKS AND RECREATION DEPARTMENT

24(A) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT BETWEEN CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND THE CARSON CITY REDEVELOPMENT AUTHORITY, A REDEVELOPMENT AGENCY ORGANIZED PURSUANT TO CHAPTER 279 OF THE NEVADA REVISED STATUTES AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, TO PROVIDE FOR THE ARLINGTON SQUARE ICE RINK FOR THE WINTER / HOLIDAY PERIOD OF 2009 / 2010, AND OTHER MATTERS PROPERLY RELATED THERETO (10:36:18) - Parks and Recreation Director Roger Moellendorf introduced this

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 13

DRAFT

item, and reviewed the agenda report. In response to a question, he discussed the intention to reduce the subsidy as much as possible for operation of the ice skating rink. "This would be an expenditure by the RDA so it would be money not spent by the RDA." Mr. Moellendorf acknowledged that if operational expenditures exceed the \$135,405, an additional allocation of redevelopment funding would be required. Vice Chairperson Aldean encouraged Mr. Moellendorf to strictly adhere to the budget in order to keep expenses under control. Mr. Benton explained the provisions of Section III, Paragraph D, in response to a question. Vice Chairperson Aldean reviewed typographical corrections to the contract included in the agenda materials.

In response to a question, Mr. Moellendorf advised that concessions will be included in the Parks and Recreation Department operation of the ice skating rink. He acknowledged that the opportunity for advertising and printing will be offered to community vendors. He responded to questions of clarification regarding the figures reflected in the application included in the agenda materials. Member Livermore suggested that a contingency amount should have been included in the budget, and discussion followed. Mr. Moellendorf advised that the budget does not include a contingency, and that revenues and expenditures will be closely monitored. Any anticipation of significantly overrunning the proposed budget will be agendized for review by the Redevelopment Authority. Member Livermore advised of having wholeheartedly supported the ice skating rink during the first year based on the business plan presented at the time. He expressed concern over the City's assets, and support for recreation activities for families.

In response to a question, Chairperson Williamson referred to Section IV of the interlocal contract, and noted the Redevelopment Authority's responsibility for marketing support. She advised that advertising and marketing will include the sale of sponsorships and dasherboard advertising. Mr. Moellendorf advised that cross-promotion is included in the Redevelopment Authority's responsibility. Discussion followed, and Mr. Moellendorf responded to additional questions of clarification regarding the provisions of the interlocal contract. In response to a previous question, Vice Chairperson Aldean read a portion of Section XII, Termination, into the record and noted the option to terminate the agreement in the event the allocated funding is determined to be insufficient to continue operation.

Chairperson Williamson opened this item to public comment. (10:52:25) Jennifer Verive Cain expressed support for the ice skating rink. She requested the Redevelopment Authority to consider proactive communication "with the residents and the businesses that are directly affected by this ice rink." She advised of having received no communication from the City last year "that an ice rink with a very high voltage hum generator ..." would be installed adjacent to her family's residence. She expressed surprise over the lack of communication, and discussed her family's active involvement in community organizations.

(10:54:36) Frieda Ford, a member of the Friends of the Library Board, advised that the Friends of the Library had financially supported the ice skating rink last year. She expressed support for this year's ice skating rink, and for downtown events in general. At Chairperson Williamson's request, she provided an overview of the Oktoberfest event scheduled for Saturday, September 19th.

(10:57:00) Lucia Munoz read into the record a letter, dated September 17, 2009, copies of which had been previously distributed to the Board members and the Clerk.

(10:59:54) John Wagner expressed continued opposition to the ice skating rink, and a preference for the proposed \$135,405 allocation to be spent in another area. He expressed further opposition to the proposed location, and suggested the Pony Express Pavilion instead. He further suggested that a permanent ice

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 14

DRAFT

skating rink should be considered in another location. Chairperson Williamson explained the requirement to use redevelopment funds in the redevelopment area, and the purpose of the ice skating rink to draw patrons to downtown businesses.

(11:03:35) Jenny Lopiccolo, owner of Coldwell Banker Bestsellers, a downtown property owner, and a long-time Carson City resident, reiterated that redevelopment funds are “not general taxpayer funds.” She advised that she pays “those taxes” as a property owner in the downtown redevelopment area. She expressed full support for the ice skating rink, and the opinion that the first year was “a great success.” She anticipates more success this year and in future years. She agreed that \$135,405 “is a lot of money ...” and advised that she would be allocating \$500 from her business as a sponsor of the ice skating rink. In reference to Ms. Ford’s comments, she agreed the ice skating rink “is a quality of life issue.” With regard to the community’s quality of life, she provided anecdotal information regarding 42 families who will be moving to Carson City from Seattle, Washington as part of a business relocation. She advised of having discussed with these families the quality of life in Carson City, Dayton, and the surrounding areas. “Every question ... that generated debate ... was in regard to quality of life.” Ms. Lopiccolo advised that the families to whom she spoke were “extremely impressed by the events ... held here.” She expressed the opinion that Carson City’s quality of life attracts people to this area.

(11:06:42) Mark Beauchamp, of Shaheen Beauchamp Builders, advised that his family visited the ice skating rink on multiple occasions last year, and had subsequently frequented downtown restaurants for lunches and dinners. He encouraged the Redevelopment Authority’s support of this year’s ice skating rink, and expressed the opinion that “it fits the vision ... and what I’ve seen Carson City present.” He expressed the further opinion that the ice skating rink “added a vitality and a vibrancy to the downtown.” He described it as “another green shoot in downtown Carson City. It’s a beginning. It needs to be invested in and given a chance.” He advised that Shaheen Beauchamp Builders sponsored the ice skating rink last year and will do so again this year.

(11:08:04) Jed Block advised that he is a downtown business owner and serves as the Chamber of Commerce representative to the RACC. He expressed opposition to the ice skating rink “because as a business person, that doesn’t make any sense.” He expressed regret “that people have to have an ice skating rink, they have to have something to do to come downtown.” In consideration of the Redevelopment Authority’s anticipated approval of the interlocal contract, he challenged the downtown business owners to take advantage of the opportunity. He advised that the ice skating rink “doesn’t do a bit of good” for his business. He advised of having supported the ice skating rink as a sponsor last year.

(11:11:07) Brewery Arts Center Executive Director John Procaccini advised that the Brewery Arts Center’s “life or death is dependent upon people coming to this town.” He expressed support for the ice skating rink and advised that the Brewery Arts Center “plays a big role in it.”

(11:12:53) Heather Ware, a local business owner, provided an overview of her family’s residence in Carson City and her community service involvement. She expressed support for quality of life and for “events in this town by attending them.” She advised that her business also supports special events through paid advertising. She emphasized “not one of these events has benefitted [her] business. ... We do what we do because we believe that this is how you participate in a community as a business owner and a resident.” She expressed opposition to the ice skating rink. She expressed understanding “that this is redevelopment money that this is a quality of life initiative, ...” She noted the \$262,000 budget “for a temporary ice skating rink.” She reviewed the calculations by which the \$135,405 figure was determined. “Nobody knows if that number is accurate. How many tickets are we really going to sell?” Ms. Ware stated, “Last

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 15

DRAFT

year, this ice skating rink tore apart my downtown ... because of how small businesses were treated in this town. It tore it apart because money was taken from small businesses in promise of advertising that was never delivered." She expressed the belief that the Redevelopment Authority had already made a decision on this item. She advised of having been inundated with e-mails and telephone calls from fellow business owners. She discussed the results of an informal poll she conducted at last Saturday's pop-up park.

In reference to the budget, Ms. Ware noted "\$200,000 in contract costs for building costs." She suggested, "You already paid half of these people last year to do this once." She further suggested many of the costs "should already be covered in material and equipment they had to buy the first time," and that some of the contractors "might be able to help us out there." She expressed the opinion, "You are just giving this money away. It is a huge financial loss and it's one we're willing to absorb because of quality of life." She suggested giving "it to the people," and advised that 85 percent of the daycare fees for children enrolled in Kidding Around Day Care are subsidized by Children's Cabinet. She reviewed the following proposal by Ware Consulting: Allow people to donate "one can of food for a dollar off a ticket; two cans of food for \$2.00 off a ticket; maximum of \$2.00 per ticket." This will enable lower income families to participate in the ice skating rink and, at the same time, build the food bank. Ms. Ware clarified that, after having checked with F.I.S.H. representatives, the canned goods donations can only be collected as donations. She advised that F.I.S.H. has offered to absorb the administrative costs associated with collecting and distributing the canned goods to the six food pantries in Carson City. She advised that Jeff Fast had stated, "F.I.S.H. is in support of any decision the City makes to help the needy in our area." She further advised that White Cat Antiques "was devastated by the ice skating rink." She requested the Redevelopment Authority's consideration of the following: that the White Cat Antiques owners be allowed to place parking signs in front of their shop; that the Redevelopment Authority should complete and submit the necessary paperwork and pay for any associated cost; that the ice skating rink fence "should be lower so that [it] can be seen by people driving by," and that appropriate identifying signage should be placed on the exterior of the ice skating rink; that more than one entrance and exit should be established; that local vendors should be used for coffee and food; that the employees be trained in customer service and friendliness; and that bleachers be placed for people who cannot or do not wish to skate. Ms. Ware reiterated her opposition to the ice skating rink, "but if you do it, I ask that you get creative."

Member Walt advised of having previously spoken with Mr. Moellendorf about the canned food donations, placing the bleachers, and the parking issues. She assured Ms. Ware she was "being heard," and disagreed that the Redevelopment Authority members had already made a decision on this item. Member Crowell thanked Ms. Ware for her family's community contributions. He acknowledged her differing point of view, and expressed appreciation for her presentation. He expressed the opinion that "we do ourselves somewhat of a disservice if we start putting people on one side of the ice rink fence and the other." He advised that whether or not the ice rink is supported, everyone he's talked to supports quality of life measures and family values. He advised of having received a letter from Clark Russell, and noted that the Carson Station and the Russell family have contributed over \$1 million to the Boys and Girls Clubs, representing "a huge commitment to family values and to our quality of life." In consideration of the difficult times, he acknowledged the number of families "who are definitely hurting." He expressed the hope that "when this is all said and done, we can say, 'We brought our ideas ..., we understand that money is important, but we all support family values, we support quality of life, we support redevelopment efforts to bring people here.'" He expressed the opinion there is no way to encourage businesses to locate or relocate to Carson City "unless we provide a quality of life that is desirable ..." He expressed understanding for the pros and cons of the ice skating rink. "At the end of the day, ... for the enthusiasm and for the level of ... community spirit that something like this can provide, if we get behind it, we're doing ourselves a benefit." Member Crowell expressed appreciation for the constructive criticism and acknowledged the need to do some things

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 16

DRAFT

differently this year. Being able to quantify the benefit of the ice skating rink, “we can then make a reasoned decision on whether or not we want to buy an ice rink or we want to put an ice rink somewhere else in this community.” Member Crowell reiterated his appreciation for Ms. Ware’s presentation.

Member Livermore expressed support for quality of life and “appropriate measures of spending the money to make sure we get the biggest bang.” He expressed appreciation for the fact that the ice rink had “finally been identified as a recreation program or facility.” He suggested that the Recreation Division should “really go after and develop and build a recreation, whether it’s 60 days, 90 days, year-round … within the limits that we have.” He reviewed the costs associated with the ice skating rink in consideration of the needy families mentioned by Ms. Ware. He expressed concern that “we’re not doing everything for everybody; we doing something for something.” He expressed additional concern over utilizing public money to create a downtown event. He expressed a preference to use “that public money to create a recreation program in a recreation facility somewhere.” He suggested that the capital costs for a permanent ice skating rink would have been covered by what was spent last year and what is proposed to be spent this year for the temporary rink. He reiterated concern over allocating funding for a downtown business event “to promote something when we should be looking at spending that money on a recreation program and doing something for everybody.”

(11:29:02) Alyssa Harrison recognized “all the wonderful things about Carson City …” and advised that she is very involved in PTO. She expressed concern over “Carson dying.” She advised of having recently reviewed Carson City’s mission statement, and read a portion of the same into the record. She further advised that Carson City’s population under the age of 18 is 23 percent, “almost 1/4 the population.” She noted this segment of the population “doesn’t drink, … can’t go into a casino.” She advised that, as an adult, she does not drink or frequent casinos. She expressed appreciation for events such as Fridays at Third, but noted they are not family-oriented. She expressed support for more family-oriented activities. She commended Carson City parks as “beautiful and awesome,” and advised she spends lots of time in them. She recognized the fiscal deficits, but reiterated that portion of the City’s mission statement which focuses on preserving and enhancing the community’s quality of life. She expressed support for the ice skating rink, at least for a second year, and advised of having spoken with her PTO board about scheduling events. She advised that the Carson City School District has 7,900 students enrolled, and that there are nearly 9,000 school aged children in the community. She expressed the opinion there are a lot of young families who would frequent the ice skating rink, and anticipates income will be much higher this year.

(11:32:17) Lenny Chapel, of Platinum Salon and President of the Carson City Downtown Business Association, advised that the ice skating rink was agendized for discussion at a recent Downtown Business Association meeting. He further advised that the Downtown Business Association is comprised of 63 downtown business owners, and that there were more “for this ice skating rink than against.” He further advised of having asked if the Downtown Business Association members would support the ice skating rink if the Redevelopment Authority and the Board of Supervisors passed this item. He expressed the belief that the support of the Downtown Business Association members was unanimous.

Vice Chairperson Aldean explained her willingness to support the ice skating rink this year “to give us, as a community, an opportunity to support it in the manner it should be supported.” She expressed the hope that downtown area businesses will help to quantify the positive economic impacts “by perhaps offering a discount” to anybody wearing an ice skating rink wrist band. She discussed the importance of quantifying the impacts of the event, and requested Mr. Chapel to request the Downtown Business Association members to assist. Mr. Chapel expressed a willingness to assist in this manner and in any other way possible.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 17

DRAFT

Chairperson Williamson called for additional public comment and, when none was forthcoming, entertained a motion. **Member Walt moved to adopt Resolution No. 2009-RAR-4, a resolution adopting and approving an interlocal contract between Carson City, a consolidated municipality and political subdivision of the State of Nevada, and the Carson City Redevelopment Authority, a redevelopment agency organized pursuant to Chapter 279 of the Nevada Revised Statutes and political subdivision of the State of Nevada, to provide for the Arlington Square Ice Rink for the winter / holiday period of 2009 / 2010, and other matters properly related thereto.** Member Crowell **seconded the motion.** Member Livermore requested Member Walt to include in her motion the previously-stated revisions to the interlocal contract, and the fiscal impact of \$135,405. **Member Walt so amended her motion. Member Crowell continued his second. Motion carried 4-1.**

24(B) ACTION TO APPROVE, AS A REDEVELOPMENT PROJECT, AND RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE EXPENDITURE OF \$135,405.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE ARLINGTON SQUARE ICE RINK (11:37:05) - Chairperson Williamson introduced this item, and Mr. Moellendorf reviewed the agenda report. Mr. Moellendorf acknowledged that he would be reviewing the canned food donations proposal with F.I.S.H. representatives. Member Crowell requested him to carefully monitor the budget “to squeeze every economy you can out of there,” and to assist the Redevelopment Authority in “keeping track of what’s going on here.” Mr. Moellendorf expressed appreciation for the citizen comments under the previous agenda item, and a willingness to consider all of the suggestions. He advised that the Parks and Recreation Department is committed to operating the ice rink as efficiently and effectively as possible. “We’re going to do what we can to try to reduce the subsidy on this project.” Mr. Moellendorf advised that Recreation Program Manager Joel Dunn and Parks and Recreation Department Director of Operations Scott Fahrenbruch are very committed to efficient operation of the ice skating rink.

Supervisor Aldean cautioned Mr. Moellendorf over discriminating between non-profit organizations, and ensuring that the ice skating rink operation is as inclusive as possible. Chairperson Williamson entertained additional comments and, when none were forthcoming, a motion. **Member Walt moved to approve, as a redevelopment project, and recommend to the Board of Supervisors the approval of the expenditure of \$135,405.00 from the revolving fund for the redevelopment agency to support the Arlington Square Ice Rink. Member Crowell seconded the motion.** Chairperson Williamson entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-1.**

25. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY (11:41:01) - Chairperson Williamson adjourned the Redevelopment Authority meeting at 11:41 a.m.

26. RECONVENE BOARD OF SUPERVISORS (11:41:16) - Mayor Crowell reconvened the Board of Supervisors.

27. PARKS AND RECREATION DEPARTMENT

27(A) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT BETWEEN CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND THE CARSON CITY REDEVELOPMENT AUTHORITY, A REDEVELOPMENT AGENCY ORGANIZED PURSUANT TO CHAPTER 279 OF THE NEVADA REVISED STATUTES AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, TO PROVIDE FOR THE ARLINGTON SQUARE ICE RINK FOR THE WINTER / HOLIDAY PERIOD OF 2009 / 2010, AND OTHER MATTERS PROPERLY

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 18

DRAFT

RELATED THERETO (11:41:20) - Mayor Crowell introduced this item. Mr. Moellendorf acknowledged incorporation of his previous comments, as presented to the Redevelopment Authority. Mayor Crowell entertained public comment; however, none was forthcoming. Supervisor Livermore inquired as to Mr. Moellendorf's ability to be flexible with the budget in order to operate the ice skating rink as efficiently as possible. Mr. Werner advised that both Mr. Moellendorf and Mr. McCarthy perform the duties of their respective positions under his purview.

Mayor Crowell entertained a motion. **Supervisor Williamson moved to adopt Resolution No. 2009-R-54, a resolution adopting and approving an Interlocal Contract between Carson City, a consolidated municipality and political subdivision of the State of Nevada, and the Carson City Redevelopment Authority, a redevelopment agency organized pursuant to Chapter 279 of the Nevada Revised Statutes and a political subdivision of the State of Nevada, to provide for the Arlington Square Ice Rink for the winter / holiday period of 2009 / 2010, and other matters properly related thereto.** **Supervisor Aldean seconded the motion.** Supervisor Livermore expressed the hope there will be sufficient information "gathered out of this year's expenditures that we can make an informed decision about further ice rinks or the appropriate venue of how an ice rink could be provided to this community ..." He expressed a preference to not have "this debate next year ... when the public wishes to have ice skating." He expressed appreciation for the citizens' attendance and participation. He expressed the opinion that the ice skating rink is truly a recreational program and should be "under that umbrella" with the necessary equipment "in order to be able to provide a recreation program ... for this community." Supervisor Aldean expressed appreciation for Supervisor Livermore's comments, but a preference to "walk before we run because now we're talking about general fund revenues to acquire the equipment, to operate it perhaps at an ongoing deficit." She suggested "this will be a very telling year with respect to the operation of the ice rink," and that pursuing a permanent facility would be a little premature. Supervisor Livermore clarified his request that staff gather sufficient information in order for the Board to be able to make an informed decision next year. Supervisor Walt agreed with Supervisor Aldean's concerns, and expressed additional concern over the possibility of a permanent ice rink facility displacing other parks and recreation priorities at this time. She expressed support for redevelopment funding being allocated to this quality of life project.

Mr. Werner reminded the Board members that the ice skating rink project was presented as a downtown redevelopment program. "This, by no means, was represented as a recreational program to be under parks and recreation and to start a whole ice skating program within Carson City." Mr. Werner emphasized there is no capability "to even begin to approach this as a recreation program with general funds. ... There's no need to do any study on that whatsoever because we simply don't have the money." He reiterated "this was ... under the redevelopment plan, to bring activity into the downtown area. That's all it was intended to be." Discussion followed. Mayor Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 5-0.**

27(B) ACTION TO ADOPT A RESOLUTION APPROVING THE EXPENDITURE OF \$135,405.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE ARLINGTON SQUARE ICE RINK (11:49:44) - Mayor Crowell introduced this item, and entertained a motion. **Supervisor Aldean moved to adopt Resolution No. 2009-R-55, approving the expenditure of \$135,405 from the revolving fund for the redevelopment agency to support the Arlington Square Ice Rink. Supervisor Williamson seconded the motion. Motion carried 5-0.** Supervisor Aldean noted a typographical error in the resolution, and Mayor Crowell requested staff to be more diligent about proofreading.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 19

DRAFT

27(C) ACTION TO RECOMMEND A PREFERRED ALIGNMENT OF THE NEVADA STATELINE-TO-STATELINE SOUTH DEMONSTRATION PROJECT AND TO SUBMIT COMMENTS TO THE TAHOE REGIONAL PLANNING AGENCY (11:51:11) - Mayor Crowell introduced this item, and Natural Resources Specialist Ann Bollinger reviewed the agenda materials. In response to a question, Ms. Bollinger suggested cautiously recommending Alignment B, subject to public input. She explained the request to provide justification for the preferred option. Supervisor Aldean discussed the importance of considering existing travel patterns, and that people are naturally inclined to avoid moving traffic. She noted that proposed Alternative A would provide more coverage which will be an issue for the Tahoe Regional Planning Agency. She expressed the understanding that Alternative B will require widening through a water influenced area, but the opinion that this can be accommodated. Mayor Crowell entertained a motion. **Supervisor Aldean moved to cautiously recommend Alignment B for the Nevada Stateline-to-Stateline South demonstration project, and to submit the recommendation to the TRPA. Supervisor Livermore seconded the motion. Motion carried 5-0.**

28. CITY MANAGER - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.14, CARSON CITY AUDIT COMMITTEE, SECTION 2.14.030, COMPOSITION, BY REMOVING ONE OF THE BOARD OF SUPERVISORS FROM THE COMMITTEE, REMOVING THE FINANCE DIRECTOR FROM THE COMMITTEE, INCREASING THE NUMBER OF PUBLIC-AT-LARGE MEMBERS FROM TWO TO FOUR, AND REMOVING THE REQUIREMENT THAT MEMBERS MUST POSSESS CERTAIN QUALIFICATIONS; SECTION 2.14.040, MEETINGS OF THE CARSON CITY AUDIT COMMITTEE, BY REMOVING THE LANGUAGE REGARDING MONTHLY MEETINGS, AND OTHER MATTERS PROPERLY RELATED THERETO (11:59:53) - Mayor Crowell introduced this item, and Mr. Werner reviewed the agenda report. In response to a comment, Mr. Werner expressed concern over trying to fill four public-at-large positions without relaxing the qualification requirements. Discussion took place regarding staggered terms, as provided in Section 2.14.030(2)(a). Mr. Werner acknowledged that none of the audit committee's responsibilities are proposed to be changed. Additional discussion took place regarding the internal auditor's responsibilities to establish the date and time of committee meetings.

Mayor Crowell entertained a motion. **Supervisor Williamson moved to introduce, on first reading, Bill No. 125, an ordinance amending Carson City Municipal Code, Title 2, Administration and Personnel, Chapter 2.14, Carson City Audit Committee, Section 2.14.030, Composition, by removing one of the Board of Supervisors from the committee, removing the Finance Director from the committee, increasing the number of public-at-large members from two to four, and removing the requirement that members must possess certain qualifications, Section 2.14.040, Meetings of the Carson City Audit Committee, by removing the language regarding monthly meetings, and other corrections as noted by Supervisor Aldean. Supervisor Livermore seconded the motion.** Mayor Crowell advised he would support the motion, but reiterated his personal concern that leaving a Board member on this type of committee is not particularly helpful for the independence of the committee. He called for a vote on the pending motion. **Motion carried 5-0.**

29. RECESS BOARD OF SUPERVISORS (12:04:20) - Mayor Crowell recessed the meeting at 12:04 p.m.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the September 17, 2009 Meeting

Page 20

DRAFT

BOARD OF HEALTH

30. CALL TO ORDER AND DETERMINATION OF QUORUM (1:32:05) - Vice Chairperson Crowell called the meeting to order at 1:32 p.m. A quorum of the board was present, including Member Ken Furlong. Chairperson Bower was absent.

31. ACTION ON APPROVAL OF MINUTES - April 2, 2009 (1:32:21) - Member Aldean moved to approve the minutes, as presented. Member Livermore seconded the motion. Motion carried 6-0.

32. HEALTH AND HUMAN SERVICES DEPARTMENT - PRESENTATION REGARDING THE H1N1 INFLUENZA CAMPAIGN AND THE ACTIVITIES OF HEALTH AND HUMAN SERVICES (1:32:45) - Health and Human Services Department Director Marena Works introduced this item, and reviewed the agenda report and materials which she had distributed to the board members and the Clerk prior to the start of the meeting. At Member Williamson's request, Ms. Works advised that the employment positions listed in the agenda materials have been posted on the City's website. Employment applications are also available via the City's website. Ms. Works responded to questions of clarification, and discussion took place, regarding the scheduled activities and community collaboration for H1N1 vaccine distribution.

Member Livermore commended Ms. Works on her management of the Health and Human Services Department to ensure the community's protection. Ms. Works expressed appreciation for Member Livermore's comments, and discussed her concern for the entire state. She expressed gratitude that Carson City is autonomous enough to be able to provide assistance to adjacent counties. She reviewed statistical data, as delineated in the previously distributed materials, regarding H1N1 and seasonal influenza surveillance, as compiled by Epidemiologist Dustin Boothe. Ms. Works responded to questions of clarification. At Vice Chairperson Crowell's request, she re-reviewed the vaccination schedule as delineated in the agenda materials.

Ms. Works advised of a recent expansion of one of the Health and Human Services Department family planning grants by an additional \$70,000. She reviewed informational materials, also previously distributed, regarding the National Association of Local Boards of Health. She expressed an interest in the Carson City Board of Health joining said association, and the board members concurred. In response to a question, she advised that all the board members would be included for \$120 per year. Member Aldean echoed Member Livermore's compliments of Ms. Works' Health and Human Services Department management. She commended Ms. Works on her "progressive and aggressive" attitude in consideration of "being on top of things" in the public health arena. In response to a question, Ms. Works advised that the state prison system is beyond her purview. "They have their own medical teams and perform their own medical services." Vice Chairperson Crowell thanked Ms. Works, and requested her to keep the board advised of "flu pod" information.

33. ACTION TO ADJOURN BOARD OF HEALTH (2:06:24) - Member Livermore moved to adjourn the Carson City Board of Health meeting at 2:06 p.m. Member Aldean seconded the motion. Motion carried 6-0.

34. RECONVENE BOARD OF SUPERVISORS (2:06:30) - Mayor Crowell reconvened the Board of Supervisors.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the September 17, 2009 Meeting
Page 21

DRAFT

35. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATION AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (2:06:53) - Mr. Benton acknowledged that the Board members providing each other information, via e-mail, is not a violation of the Nevada Open Meeting law provided there is no reply made. Supervisor Walt suggested that each of the Board members provide monthly summaries to each other regarding "what's happening in all of the positions that we're in with all the boards." Supervisor Aldean announced the freeway walk / run / bike scheduled for 8:00 a.m. on Saturday, September 19th. She encouraged everyone's participation in celebration of the opening of the next phase of the freeway. Supervisor Williamson encouraged participation in the Saturday, September 19th Oktoberfest activities at the Carson City Library. Supervisor Livermore provided an overview of the recent Boys and Girls Clubs auction event, and advised that \$175,000 was raised.

STAFF COMMENTS AND STATUS REPORTS

36. ACTION TO ADJOURN (2:11:35) - Supervisor Walt moved to adjourn the meeting at 2:11 p.m. The motion was seconded and carried 5-0.

The Minutes of the September 17, 2009 Carson City Board of Supervisors meeting are so approved this _____ day of October, 2009.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder