CARSON CITY BOARD OF SUPERVISORS
CARSON CITY LIQUOR AND ENTERTAINMENT BOARD
CARSON CITY BOARD OF HEALTH
Minutes of the September 16, 2010 Meeting
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, September 16, 2010 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
Alan Glover, Clerk - Recorder
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 part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:31:02) - Mayor Crowell called the meeting to order at 8:31 a.m. Roll was called; a quorum was present. Mayor Crowell called for Retired United Methodist Church Pastor Bill McCord; however, no one was forthcoming. Mayor Crowell read the "thought of the day" into the record. At Mayor Crowell's request, Open Space Advisory Committee Vice Chair Dan Jacquet led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - August 19, 2010 (8:32:27) - Supervisor Aldean advised of corrections to page ten. Mayor Crowell entertained a motion, and Supervisor Aldean moved to approve the minutes, as amended. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. ADOPTION OF AGENDA (8:33:35) - Mayor Crowell entertained requests to modify the agenda and, when none were forthcoming, deemed it adopted.

7. PUBLIC COMMENTS AND DISCUSSION (8:33:45) - Mayor Crowell entertained public comment; however, none was forthcoming.

8. CONSENT AGENDA (8:34:23) - 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 four items: 8-1, Finance; 8-2, Parks and Recreation / Open Space; 8-3, Purchasing and Contracts, (A) and (B), as published and presented. Supervisor Walt seconded the motion. Motion carried 5-0.**

8-1. FINANCE DEPARTMENT - ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY, THROUGH SEPTEMBER 7, 2010, PURSUANT TO NRS 251.030

8-2. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION - ACTION TO AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE BUREAU OF LAND MANAGEMENT, CARSON CITY FIELD OFFICE, FOR THE PURPOSE OF FUNDING THE COSTS OF TRANSFERRING FEDERAL PROPERTIES TO CARSON CITY

8-3. PURCHASING AND CONTRACTS DIVISION

8-3(A) ACTION TO DETERMINE THAT CONTRACT NO. 1011-095 IS A CONTRACT FOR ITEMS WHICH MAY ONLY BE CONTRACTED FROM A SOLE SOURCE AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 1011-095, A REQUEST FOR THE PURCHASE OF PLYMOVENT DIESEL EXHAUST REMOVAL SYSTEMS FROM AIR EXCHANGE, INC., FOR A NOT-TO-EXCEED COST OF $73,901.00, TO BE FUNDED FROM THE MACHINERY AND EQUIPMENT / FIRE EXHAUST REMOVAL SYSTEM FUND, AS PROVIDED IN FY 2010 / 2011

8-3(B) ACTION TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND TO APPROVE THE RELEASE OF FINAL PAYMENT IN THE AMOUNT OF $56,311.24, FOR CONTRACT NO. 0910-058, TITLED CARSON CITY FAIRGROUNDS / FUJI PARK URBAN FISHING POND AND SITE IMPROVEMENT TO F AND P CONSTRUCTION, INC.

9. RECESS BOARD OF SUPERVISORS (8:35:11) - Mayor Crowell recessed the Board of Supervisors at 8:35 a.m.

LIQUOR AND ENTERTAINMENT BOARD

10. CALL TO ORDER AND ROLL CALL (8:35:13) - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:35 a.m. Roll was called; a quorum was present, including Member Furlong.

11. ACTION ON APPROVAL OF MINUTES - August 5, 2010 and August 19, 2010 (8:35:41) - Member Aldean noted a correction to page 2, and moved to approve the minutes of August 5, 2010, as amended. Member Williamson seconded the motion. Motion carried 5-0. Member Aldean moved to approve the minutes of August 19, 2010, as presented. Member Williamson seconded the motion. Motion carried 5-0.

12. PUBLIC WORKS DEPARTMENT, BUSINESS LICENSE DIVISION

12(A) ACTION TO APPROVE COURT CARDINAL AS THE LIQUOR MANAGER FOR CASINO FANDANGO, LIQUOR LICENSE NO. 11-19485, LOCATED AT 3800 SOUTH CARSON STREET, CARSON CITY (8:36:39) - Chairperson Crowell introduced this item. Senior Permit Technician Lena Tripp read the title of the agenda item into the record, and provided an overview of the agenda report.

(8:37:15) Chairperson Crowell invited Mr. Cardinal to the podium. In response to a question, Mr. Cardinal advised of a previous citation, and that the Casino Fandango has a "no tolerance" policy which results in immediate termination. He further advised that all Casino Fandango employees attend TIPS training as well as the Sheriff's Office alcohol servers training.

Ms. Tripp acknowledged that no background check was conducted because Mr. Cardinal currently holds a liquor license for the Courtyard Marriott. Chairperson Crowell thanked Mr. Cardinal and the Casino Fandango for their community partnership. Chairperson Crowell entertained additional comments or questions and, when none were forthcoming, a motion. **Member Livermore moved to approve Court Cardinal as the liquor manager for Casino Fandango, liquor license no. 11-19485, located at 3800 South Carson Street, Carson City. Member Aldean seconded the motion. Motion carried 5-0.**

12(B) ACTION ON A SHOW CAUSE HEARING AGAINST LIQUOR LICENSE NO. 10-27238, CATERING PORTION ONLY, HELD BY COM PRODUCTIONS, LLC AND ROBERT SCHMITT DBA THE SCHMITT HOUSE, LOCATED AT 4750 HIGHWAY 50 EAST, SUITE 1, PURSUANT TO CCMC 4.13.160; THIS SHOW CAUSE HEARING IS BASED ON THE ISSUANCE OF A SPECIAL EVENT PERMIT FOR AN EVENT LOCATED AT 1700 FORREST WAY (8:39:03) - Chairperson Crowell introduced this item, and Ms. Tripp read the title of the agenda item into the record. Chairperson Crowell provided background information and direction with regard to receiving testimony. He noted that, pursuant to the Carson City Municipal Code ("CCMC"), Member Furlong is a non-voting member relative to this matter. Mr. Benton acknowledged the board's options to overturn the temporary suspension; to continue the suspension for a period of time; or to ratify the suspension. He advised of the additional option for the board to revoke the liquor license, based on the determinations of the show cause hearing. In response to a question, he advised that revocation would be relevant only to the liquor catering portion of the license.

Chairperson Crowell called for Mr. Schmitt; however, no one was forthcoming. In response to a question, Member Furlong advised that he had notified Mr. Schmitt of the show-cause hearing. Member Furlong narrated a memorandum, dated September 13, 2010, of the incidents leading to the Order Suspending Liquor License, in conjunction with a PowerPoint presentation. A copy of the September 13, 2010 memo was provided for the record.

Chairperson Crowell noted, for the record, that Mr. Schmitt was not present in the meeting room. In response to a question, Ms. Tripp referred to the Acknowledgment of Receipt of Documents, dated September 2, 2010, which was included in the agenda materials. Chairperson Crowell noted that the Notice of Show Cause Hearing was one of the documents listed on the Acknowledgment of Receipt of Documents. Ms. Tripp reviewed the Acknowledgment, and advised that Mr. Schmitt had contacted her office during the afternoon of September 2, 2010, at which time she reiterated the September 16th hearing date. In response to a question, she advised that the catering portion of the liquor license "is an additional charge to the regular liquor license and it's licensed for the location of 4750 Highway 50 East. The catering portion of that license, though, allows a business or an individual to, on a random, inconsistent basis, go and cater different events." In response to a further question, Ms. Tripp discussed three parties Mr. Schmitt has held at the 1700 Forrest Way address.

Member Aldean inquired as to cost-recovery options relative to the Sheriff's Office personnel involved in Mr. Schmitt's violation of the conditions of the liquor catering portion of the license. Mr. Benton advised that the CCMC does not currently provide a cost-recovery option. Member Aldean suggested considering an amendment to the Code to allow collection of fees under certain circumstances. In response to a question, Ms. Tripp reiterated having spoken directly to Mr. Schmitt during the afternoon of September 2nd. She was uncertain as to the initials following the signature on the Acknowledgment of Receipt of Documents. Member Furlong noted the "vague similarity" between the signatures on the liquor license and the Acknowledgment. In response to a further question, Ms. Tripp explained the process for adding a liquor catering element to a liquor license. "... the catering portion allows them to go out of the bounds of their footprint of the building and go to an event ... without coming in and getting a temporary liquor license ..." Member Walt expressed concern over liquor license holders serving minors at a catered event. Member Furlong discussed the functions of the Sheriff's Office Alcohol Compliance Team, which operates under the Enforcing Underage Drinking Laws program, and the Special Enforcement Team, "which is intended to gather information about what is going on in the community and, at least, ... stay in front of the wave. ... In this case, it was the Special Enforcement Team."

Member Williamson expressed support for Member Aldean's suggestion to consider an amendment to the Code to provide for cost recovery. She suggested reviewing the Code provisions relative to liquor catering licenses. In response to a question, Ms. Tripp advised that Mr. Schmitt owns the 1700 Forrest Way property under the name of Olympic Properties, LLC. In response to a question relative to the Facebook advertisement of the incident leading to the Order, Member Furlong advised of considerable concern with regard to "a tremendous inflow from out of state."

In response to a question, Mr. Benton advised that a person may re-apply for a license six months after a revocation order, pursuant to CCMC 4.13.150. In response to a further question, he noted the "unique circumstance in that [Mr. Schmitt] is still going to have a liquor license. Generally, when a liquor license is revoked, the person can't have anymore citations because they're not allowed to serve liquor at all." Mr. Benton reiterated the required six-month waiting period, noting that the re-application must be approved by a unanimous decision of the board members. He advised that, under the criteria for granting a liquor license, the board would consider the applicant's past conduct and "all the other various requirements for the issuance of a license."

In response to a question, Mr. Werner advised that "a totally different review" would be required for a special event permit at the 1700 Forrest Way location. A special event permit would be reviewed by the Fire Department and the Public Works Department to consider adequate building capacity, parking capacity, and other safeguards. In response to a comment, Mr. Werner compared the rigorous review process associated with a liquor license application and the "over-the-counter" approach to a special event permit. He discussed the importance of addressing the corresponding concerns.

Chairperson Crowell suggested, based on the testimony, that the message should be "gangs have no place in our community nor do gang activities ..." He entertained a motion to uphold the Sheriff's decision to temporarily suspend the catering permit, and to revoke the catering permit for presenting a clear and imminent danger to the health and welfare of Carson City and Carson City's residents in violation of the CCMC. Following a brief discussion, Chairperson Crowell entertained public comment.

(9:18:28) Ward 3 Supervisor Candidate John McKenna requested that the language of the revocation be worded in such a way as to allow the District Attorney or the board to take additional action for the ongoing public nuisance and perhaps seizure of the building. Chairperson Crowell noted the Notice of the Show Cause Hearing did not mention possible seizure of the building.

Chairperson Crowell entertained additional public comment and, when none was forthcoming, a motion. **Member Williamson moved to uphold Sheriff Ken Furlong's decision for emergency suspension of the liquor license held by Com Productions, LLC and Robert Schmitt, doing business as The Schmitt House, located at 4750 Highway 50 East, Suite 1, under CCMC 4.13.160; and to revoke the catering license of Com Productions, LLC and Robert Schmitt, doing business as The Schmitt House, due to the clear and imminent threat to the health, safety, and welfare of the citizens. Member Livermore seconded the motion.** In response to a question, Mr. Benton advised that the motion reflected the findings on the record as established by the Sheriff. Chairperson Crowell called for a vote on the pending motion. **Motion carried 5-0-1, Member Furlong abstaining.**

13. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (9:20:19) - Chairperson Crowell adjourned the Liquor and Entertainment Board and recessed the meeting at 9:20 a.m.

14. RECONVENE BOARD OF SUPERVISORS (9:31:51) - Mayor Crowell reconvened the Board of Supervisors at 9:31 a.m.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

15. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (9:31:52) - None.

16. FIRE DEPARTMENT - ACTION TO AUTHORIZE CARSON CITY TO SUBMIT AN APPLICATION FOR A U.S. DEPARTMENT OF HOMELAND SECURITY STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE ("SAFER") GRANT, IN A NOT-TO-EXCEED AMOUNT OF $700,000 (9:31:58) - Mayor Crowell introduced this item, and Fire Chief Stacey Giomi reviewed the agenda materials. In response to a question, Chief Giomi advised that the grant pays for partial benefits and partial responsibility pay. In response to a further question, he advised that the grant period is two years and covers positions for that period. The grant "doesn't obligate us to go beyond that period of time." Chief Giomi advised that overtime would be "a little more difficult to calculate. Directly, they don't have an impact, but it may force us to allow more people off shift so there is a potential there to do that." He noted that the subject item is to authorize submission of the grant application. He offered to provide the Board a detailed analysis of the potential overtime costs if the grant is offered.

Chief Giomi acknowledged that the additional personnel could be used to help reduce overtime. "But if we did that, we wouldn't really be increasing the number of units we have on. We would then have to put one on per shift and putting one on per shift would potentially decrease overtime. ... But then it doesn't really add units to the street and improve the service delivery to the public which is ultimately what I'm trying to do." Chief Giomi noted the flexibility in that there is no requirement to specify, in the grant application, the method by which the additional personnel will be scheduled. "It simply is funding to hire

the fire fighters and then allows us the decision as to how we use that staff." In response to a further question, he advised that the Firefighters Contract requires that first priority be given to former Fire Department employees. He expressed the belief, however, that former Fire Department employees took advantage of the voluntary separation program or separated voluntarily and, therefore, would not qualify for the first priority provision.

Chief Giomi responded to other questions of clarification relative to the grant requirements. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to authorize Carson City to submit an application for a U.S. Department of Homeland Security Staffing for Adequate Fire and Emergency Response ("SAFER") Grant in a not-to-exceed amount of $700,000. Supervisor Aldean seconded the motion. Motion carried 5-0.**

17. PURCHASING AND CONTRACTS

17(A) ACTION TO DETERMINE THAT CONTRACT NO. 1011-103 IS A CONTRACT FOR THE SERVICES OF A PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR, OR REGISTERED ARCHITECT; THAT THE SELECTION WAS MADE ON THE BASIS OF THE COMPETENCE AND QUALIFICATIONS OF THE ENGINEER, LAND SURVEYOR, OR ARCHITECT FOR THE TYPE OF SERVICES TO BE PERFORMED AND NOT ON THE BASIS OF COMPETITIVE FEES; AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 625.530; AND TO APPROVE CONTRACT NO. 1011-103 WITH HDR ENGINEERING, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR CARSON CITY WATER BOND PROJECTS, THROUGH SEPTEMBER 1, 2012, FOR A NOT-TO-EXCEED COST OF $1,424,450.00, TO BE FUNDED FROM VARIOUS WATER CAPITAL FUND ACCOUNTS, AS PROVIDED IN FY 2010 / 2011 AND FY 2011 / 2012 (9:41:48) - Mayor Crowell introduced this item, and Purchasing and Contracts Coordinator Sandy Scott-Fisher reviewed the agenda materials. Supervisor Aldean noted necessary corrections to the contract.

In response to a question, Deputy Public Works Director Darren Schulz reviewed the statement of qualifications process conducted by the Public Works Department every two years. He advised that HDR Engineering, Inc. is a local firm, with offices in Reno and soon to be in Carson City. He acknowledged that local engineering firms have the option of associating with other engineering companies "to supplement their personnel [and] to supplement their experience."

Mayor Crowell inquired as to the reason construction management responsibilities are contracted rather than being done in-house. Mr. Schulz explained the decision made a couple years ago "when we were trying to trim staff and stay within budgets. The construction management side of engineering, ... we don't have that wing anymore. ... We're down to two inspectors and they not only watch Public Works projects but also our development projects." Mr. Werner further clarified that staffing requirements fluctuate. "We found that, in the long run, it was more cost effective to use an outside consultant for those projects." In reference to the subject contract, Mr. Schulz noted "there are times we're using one person from HDR and then, in a few months, we're going to have four people from HDR." Supervisor Livermore encouraged "investment in Carson City" as one of the criteria for selecting contractors during the bi-annual statement of qualifications review process.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean** advised that her husband no longer works for HDR Engineering, Inc., and **moved to determine that Contract No. 1011-103 is a contract for the services of a professional engineer, professional land surveyor, or registered architect; that the selection was made on the basis of the competence and qualifications of the engineer, land surveyor, or architect for the type of services to be performed and not on the basis of competitive fees and, therefore, not suitable for public bidding, pursuant to NRS 625.530; and to approve Contract No. 1011-103 with HDR Engineering, Inc. to provide construction management services for Carson City water bond projects through September 1, 2012, for a not-to-exceed cost of $1,424,450.00, to be funded from the various water capital fund accounts, as provided in FY 2010 / 2011 and FY 2011 / 2012. Supervisor Livermore seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Scott-Fisher and Mr. Schulz.

17(B) ACTION TO DETERMINE THAT CRUZ CONSTRUCTION COMPANY, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1011-092, FULSTONE WETLANDS ENHANCEMENT - SOUTH ACCESS, NORTHRIDGE DRIVE, TO CRUZ CONSTRUCTION COMPANY, INC. FOR A BID AMOUNT OF $228,852.30, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED $22,855.23, TO BE FUNDED FROM THE QUALITY OF LIFE FULSTONE WETLANDS AND QUALITY OF LIFE MAINTENANCE FUNDS, AS PROVIDED IN FY 2010 / 2011 (9:51:16) - Mayor Crowell introduced this item, and Ms. Scott-Fisher reviewed the agenda materials. In response to a question, Open Space / Property Manger Juan Guzman described the purpose of the project. In response to a question, Ms. Scott-Fisher advised that the insurance requirements are part of the bid documentation, which are referenced in the contract as being incorporated and made a part thereof. Supervisor Aldean noted a clerical correction to the contract amount, and suggested the maker of the motion clarify the same. She noted additional clerical corrections to pages C-5 and C-9.

Supervisor Livermore advised that Mr. Guzman and Parks and Recreation Department Director Roger Moellendorf provided a presentation to the Parks and Recreation Commission last month. Supervisor Livermore further advised that the Carson Water Subconservancy District contributed to the project. He noted the connectivity to the Northridge Linear Park trail and the opportunity for shared parking with the Boys and Girls Clubs facility. Mr. Guzman acknowledged that the project specifications provide for the trail surfaces to be ADA accessible. Supervisor Livermore commended the bids.

Mr. Guzman described the "Great Basin" type vegetation specified for the project landscaping. He advised that part of the project consisted of "convincing NDOT [representatives] to share some of the utilities that normally would be reserved for ... landscaping along the edge of the freeway." He expressed grateful appreciation for NDOT's cooperation. Supervisor Aldean noted that approximately $56,000 will be allocated from the Quality of Life maintenance fund.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Livermore moved to determine that Cruz Construction Company, Inc. is the lowest responsive and responsible bidder, pursuant to NRS 338, and to award Contract No. 1011-092, Fulstone Wetlands Enhancement - South Access, Northridge Drive to Cruz Construction Company, Inc., for a bid amount of $228,852.30, plus a contingency amount not to exceed $22,985.23, to be funded from the**

Quality of Life Fulstone Wetlands and Quality of Life Maintenance Funds, as provided in FY 2010 / 2011; and to incorporate the changes to the contract noted in the testimony. Supervisor Aldean requested Supervisor Livermore to amend his motion to reflect the corresponding change to the contingency amount. **Supervisor Livermore amended his motion accordingly. Supervisor Aldean seconded the motion.** Mr. Benton responded to questions of clarification relative to the revised contract and contingency amounts. Mayor Crowell called for a vote on the pending motion; **motion carried 5-0.**

18. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION

18(A) ACTION TO APPROVE A REQUEST FOR A TWO-YEAR EXTENSION OF THE FINAL MAP FOR A TENTATIVE SUBDIVISION MAP KNOWN AS COMBS CANYON II (PROPERTY OWNER: COMBS CANYON, LLC), THAT CONSISTS OF 19 LOTS ON APPROXIMATELY 25 ACRES LOCATED ON COMBS CANYON ROAD (FILE TSM-07-027) (10:03:23) - Mayor Crowell introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials. In response to a question, Mr. Plemel advised that similar extensions have been granted in the past. "If something has changed in the zoning or the master plan in the meantime between the initial approval and the extension, that would probably be a good reason to reconsider whether or not you want to grant the extension." Mr. Plemel advised of no revisions to the zoning or the master plan, and noted staff's recommendation to approve the request.

In response to a question, Mr. Plemel advised that the two dissenting votes were relative to controversy over the subdivisions at initial presentation, not the extensions of time. He acknowledged the initial controversy would be another reason to vote against a requested extension of time. He noted, for the record, that the applicant was not able to attend the meeting due to an out-of-town commitment. He advised of the possibility to continue the item in consideration of specific questions for the applicant.

Supervisor Livermore suggested including past minutes relative to such items in the future. Mr. Plemel acknowledged the applicant is assuring his development rights with the subject application. He further acknowledged the applicant understood the subject item was agendized for this meeting. The applicant was unavailable for both this meeting and the October 7th meeting.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve a request for a two-year extension of a final map for a tentative subdivision map, known as Combs Canyon II (property owner: Combs Canyon, LLC), that consists of 19 lots on approximately 25 acres, located on Combs Canyon Road. Supervisor Williamson seconded the motion. Motion carried 5-0.**

18(B) ACTION TO APPROVE A REQUEST FOR A TWO-YEAR EXTENSION OF THE FINAL MAP FOR A TENTATIVE SUBDIVISION MAP KNOWN AS COMBS CANYON I, PROPERTY OWNER: COMBS CANYON, LLC c / o SELINGER, STEVE, THAT CONSISTS OF 23 LOTS ON APPROXIMATELY 57 ACRES, LOCATED APPROXIMATELY 350 FEET NORTHWEST OF THE INTERSECTION OF TIMBERLINE DRIVE AND COMBS CANYON ROAD (10:09:38) - Mayor Crowell introduced this item, and Mr. Plemel provided an overview of the agenda report. Mayor Crowell incorporated Mr. Plemel's previous comments, and called for public comment. When none was forthcoming, he entertained a motion. **Supervisor Williamson moved to**

approve a request for a two-year extension for the final map for a tentative subdivision map, known as Combs Canyon I (property owner: Combs Canyon, LLC c / o Steve Selinger), that consists of 23 lots on approximately 57 acres, located approximately 350 feet northwest of the intersection of Timberline Drive and Combs Canyon Road. Supervisor Aldean seconded the motion. Motion carried 5-0.

19. ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF AUGUST 1, 2010 THROUGH SEPTEMBER 5, 2010 (10:10:43) - Mayor Crowell introduced this item, and inquired of Mr. Werner the standard by which the Board determines ratification. Mr. Werner provided background information on this item, and reviewed the agenda materials. Discussion followed, and Mr. Werner acknowledged that the requests for payments are published in the local newspaper once per quarter, pursuant to the applicable statute. Supervisor Livermore commended Mr. Werner on presenting this information according to the statutory requirement. Mr. Werner advised that the City Manager's Office and the Finance Department maintain a master list of requests for payments.

Mayor Crowell entertained public comment. (10:16:53) Ward 1 Supervisor Candidate Rob Joiner thanked Mr. Werner and complimented the Board "on doing this again."

(10:17:38) Carol Howell thanked Mr. Werner for the subject item. She referenced the Board's action, on June 3, 2010 to allocate $75,000 to P3 Development "for the feasibility study." She noted the check issued, at page 17 of the list included in the agenda materials, indicates $86,691.00. Mr. Werner explained that the City's share was $75,000, and offered to review the corresponding back up materials.

Discussion took place regarding the appropriate action, and the appropriate method by which to address future ratifications. Mayor Crowell entertained a motion. **Supervisor Aldean moved to ratify the approval of bills and other requests for payments by the City Manager for the period of August 1, 2010 through September 5, 2010, with the exception of the recent payments to P3 Development which the City Manager will address at the next meeting. Supervisor Walt seconded the motion. Motion carried 5-0.**

20. BOARD OF SUPERVISORS NON-ACTION ITEMS:

STATUS REVIEW OF PROJECTS (10:23:31) - Mr. Werner advised of a concurrent meeting between City staff, Hop and Mae Adams Foundation representatives, and P3 Development representatives to discuss costs associated with the City Center project, including the library, the plaza, and the transit hub. "We're looking at the public sector portion only. We're staying away from the private sector portion of it; leaving that between the Foundation and P3 ..." Mr. Werner discussed the goal to reach an agreement "on what we think potential costs are going to be for the public facilities. ... That's what would be presented to the citizens committee on the 27th." Mr. Werner advised he would be joining the previously-mentioned meeting at the conclusion of the Board of Supervisors meeting.

Supervisor Aldean expressed understanding for refining revenues, and inquired as to the method by which construction costs will be refined until such time as a working set of drawings is produced. Mr. Werner

clarified the intent to determine the "order of magnitude ... of costs. Once we get that, then we can ... take a look at our revenue stream" to further determine feasibility. Mr. Werner acknowledged the requirement for a "not-to-exceed amount." He discussed the guaranteed maximum price as part of the agreement with P3 Development. "Therein lies the problem because they want to make sure that they've got enough gap to cover their costs ... We want to make sure that what they have isn't too big that we're being overly generous on their side of the equation. And that's where our discussions are taking place -- to get their fees and their costs and their overhead and their profit margin down to a reasonable approach as if we would do our own project and what those costs might be compared to going through this private / public partnership. ... They'll come up with ... a guaranteed maximum price for doing this project, but that doesn't mean that we still won't try to trim that down a little bit as we go into it. But we need to know that we can cover the guaranteed maximum price or we don't have a project yet."

In reference to a recent newspaper article, Supervisor Livermore advised that Nugget President Steve Neighbors is quoted as saying the City will never own the land. He expressed the belief that "in a sense, ... we only own the building as long as the lease is paid. If there's ever any movement by future Boards of the City to eliminate the lease payment, then the library, in a sense, belongs to the owner of the land." Supervisor Livermore suggested "the question is ... when and where does this community get an opportunity to own its library." He expressed uncertainty that the community will support a project that doesn't include an opportunity for owning the library. He reiterated the desire for a ballot question relative to payment of the sales tax. Mr. Werner advised "those are the things we're looking at. All along, the premise has been ... that the land would be owned by the trust and that the project would be on trust land, and that the lease payments, however they are factored into it, ... come back to the community in the form of the Foundation and back to charities. ... that's always been the discussion, from day one on this." Mr. Werner clarified this may not be the ultimate outcome, "but those are the things we're still trying to factor in to make sure that when we come back with a cost, we include all costs." In response to a question, he referred to the previously-mentioned meeting and reiterated the participants. "It's a coordinated effort, a collaborative effort to truly determine what's the best thing that we can bring forward to the citizens committee and, ultimately, to the Board." In response to a further question, Mr. Werner advised that costs will be presented to the citizens committee. "And then, if it looks like it's feasible, then we'll move forward with the agreements. At this stage, what we're talking about is just determining whether or not we can do all this ..." Additional discussion followed.

Supervisor Williamson pointed out that the City "paid for a feasibility report. The feasibility report is being prepared with the ... principals in the agreement doing their full disclosure and figuring out what we're going to end up with." Supervisor Williamson expressed the hope that the feasibility report will be presented to the citizens committee at their September 27th meeting. Supervisor Walt requested Mr. Werner to announce the Carson Nugget Development Advisory Committee ("CNDAC") meeting, and to ensure that the meeting materials are provided to the committee members sufficiently in advance of the meeting. Mr. Werner advised that the CNDAC meeting is tentatively scheduled for Monday, September 27th at 6:30 p.m. He anticipates providing meeting materials to the committee members by September 22nd or 23rd. Mayor Crowell advised City staff to "never walk into a meeting unless you tell yourself you have the opportunity and the ability to say no."

Mayor Crowell entertained public comment. (10:37:16) Carol Howell advised of having attended a meeting yesterday morning. "The report was fairly accurate in Mr. Neighbors' description of what this was going to be and the way he described it yesterday was that the City would be leasing the footprint of the library from the Foundation. Those monies would go from the Foundation, without administrative deduction, but after the cost of ... 2 percent taxes, back to the library but would not be used to offset the City's costs or obligations for running the City." Ms. Howell advised of a question "as to this money making this circle, paying 2 percent, coming from, I assume, the City would be paying the lease, i.e., the taxpayer. So there would be a constant feedback into the library, but not for the expenses and obligations of the library."

Supervisor Walt displayed the previously-mentioned newspaper article, and read a portion of the same into the record. Mayor Crowell cautioned against speculating "until we know what we're talking about."

(10:39:20) Ward 3 Supervisor Candidate John McKenna inquired as to "some type of a pro forma proposal as to the increased costs of the increased size of the library over a period of time, say ten years." He expressed the assumptions that the current Board will decide whether or not the project goes forward and that future Boards will have to "figure out how to fund the increased size of the library."

Mayor Crowell advised that the question was posed at the time the concept was initially presented. The testimony of Library Director Sara Jones was that they had sufficient capability to operate a proposed library, as contemplated, under the current budget. "If things change, we need to re-ask that question." Mayor Crowell called for additional public comment; however, none was forthcoming.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (10:40:30) - Supervisor Walt reported that a Convention and Visitors Bureau meeting was held on Monday, September 13th. The proposed increase to the lodging tax was pulled from the meeting agenda "due to the fact that the lodging facility [representatives] are meeting on September 21st." She further reported that Douglas County recently passed an ordinance to increase the lodging tax.

Mayor Crowell thanked Mayor *Pro Tem* Aldean for conducting the last Board of Supervisors meeting. He provided an overview of his participation in the first World Emerging Industries Summit in Changchun, China. He discussed his visit to the knowledge and high tech park in Changchun. "Their high tech park is literally an entire community ... where you have your renewable resources ..., your pharmaceuticals, ... your automobiles, ... your cultural center ... your living environment, ... your recreation environment ... It's all planned out." Mayor Crowell noted the "human capital [and] ... monetary capital" being invested in high tech projects in "China ..., the Asia Pacific rim, in Malaysia, India, Thailand, Viet Nam ..." He further noted the importance of being "very careful of what's going on in the Pacific Rim."

STAFF COMMENTS AND STATUS REPORT - None.

21. ACTION TO ADJOURN BOARD OF SUPERVISORS (10:46:17) - Supervisor Aldean moved to adjourn the meeting at 10:46 a.m. Supervisor Williamson seconded the motion. Motion carried 5-0.

BOARD OF HEALTH

22. CALL TO ORDER AND ROLL CALL (10:58:55) - Chairperson Pintar called the meeting to order at 10:58 a.m. Roll was called; a quorum was present, including Member Furlong.

23. ACTION ON APPROVAL OF MINUTES - June 17, 2010 (10:59:18) - Members Walt and Aldean noted corrections to the minutes. Member Williamson moved to approve the minutes, as amended. Member Aldean seconded the motion. Motion carried 7-0.

24. HEALTH AND HUMAN SERVICES DEPARTMENT

24(A) DIRECTOR'S REPORT REGARDING CARSON CITY HEALTH AND HUMAN SERVICES (CCHHS) ACTIVITIES (11:00:41) - Chairperson Pintar introduced this item, and provided an overview of Ms. Works' presentation. Ms. Works reviewed current activities, including new Saturday hours at the family planning clinic and implementation of the men's-only clinic. With regard to environmental health, Ms. Works reported that, as of the end of the second quarter, inspectors conducted 194 inspections of food establishments and 111 inspections of temporary booths. The Women's, Infants, and Children's Program ("WIC") began Saturday hours in May. The Animal Services Division was selected by the Carson City Chamber of Commerce 2010 Leadership Class for a project to beautify the exercise area. This project is scheduled for Saturday, September 25th, and Ms. Works reviewed details of the same. Ms. Works further reported that the Circles Program will be graduating their second class on Wednesday, September 29th. Five families, including 16 children, will graduate. The ceremony will be held at 6:00 p.m. at the Nevada State Library and Archives.

With regard to seasonal events, Ms. Works reported that teams will be sent into the Carson City School District, beginning Monday, September 20th, to vaccinate any child against influenza with parental permission. She advised that this year's program was subsidized by the Nevada State Health Division, which supplied the vaccine. Numerous community donations were also received to offset the vaccination supplies and personnel costs. Ms. Works expressed appreciation for the opportunity and advised that the School District invited the Health and Human Services Department back after last year's H1N1 campaign. She noted the opportunity "to work on our skills to be able to address mass vaccination in the school setting if we ever had that situation come up."

Ms. Works further reported that the Human Services Division will sponsor its annual Homeless Connect event on September 25th. She reviewed details of the same. The Annual Mass Vaccination Clinic is scheduled for October 16th from 9:00 a.m. to 1:00 p.m. Chairperson Pintar displayed the informational flyer, and Ms. Works noted the three locations: the Carson City Senior Center, the Nevada National Guard facility, and the East Fork Fire and Paramedic Districts Station 12. She advised that a total of 7,500 free vaccines will be available for delivery that day. She reviewed statistical information from last year, noting that the Douglas County location was added this year. She advised that this year's seasonal flu vaccine includes H1N1.

Ms. Works advised of having provided the following report to the State Board of Health at their August 13th meeting: the recently-conducted governance assessment in June; the Public Health Accreditation Board site review on July 27 and 28; posters presented by the Carson City Health and Human Services Department at the National Association of School Nurses in Chicago on June 29th and at the National Association of County and City Health Officials in Memphis on July 15th. Ms. Works advised that the posters focused on the CCHHS efforts, during the H1N1 campaign to vaccinate children in the school system and in the community. The poster presented at the National Association of School Nurses won first place in their health promotion category. Ms. Works further advised of having reported on department efforts to advertise services. She advised of having added a Facebook page where daily updates are posted and dialogue among the community is encouraged. A website, called "gethealthycarsoncity.org," has also been developed, and Ms. Works reviewed the information posted thereon.

Ms. Works further reported that the first meeting of community members "that contribute in some way to public health ..." will be held on Friday, September 24th. She advised that the meeting will include a similar process to the governance assessment conducted with this board in June, which will help to identify areas for improvement. She estimated that the community process will take up to 16 hours, and advised that the September 24th meeting will likely be the first of several meetings in order to complete the assessment. She reviewed the various benefits associated with the assessment.

Ms. Works reviewed the Health and Human Services Department summary of active grants, which was distributed to the board members and staff prior to the start of the meeting. She discussed the "Tar Wars" education program offered to third graders; the mentoring program, facilitated by the CCHHS tobacco specialist in conjunction with the American Lung Association, which teaches high school students how to mentor younger students; the ongoing tobacco cessation classes offered one night per week at the Health Department; and tobacco cessation outreach to adult special needs homes.

Chairperson Pintar thanked Ms. Works for her report, and provided background information with regard to the same. Chairperson Pintar encouraged the board members to serve as community emissaries for the CCHHS programs and activities.

24(B) ACTION TO ACCEPT THE REPORT OF RESULTS FROM THE NATIONAL ASSOCIATION OF LOCAL BOARDS OF HEALTH ("NALBOH") REGARDING THE NALBOH ASSESSMENT TOOL THAT WAS USED TO ASSIST IN MEASURING THE INFRASTRUCTURE AND CAPACITY OF OUR LOCAL PUBLIC HEALTH SYSTEM (11:12:17) - Chairperson Pintar introduced this item, and provided an overview of the agenda materials. In response to a question, she explained that the report included in the agenda materials is "based on our governance as a local board of health." In response to a comment, she expressed the hope that Carson-Tahoe Regional Medical Center will participate "as a very active member in the community assessment." She advised that "the definition of the local public health system, of necessity, includes not just the public Health Department but all members of the community that participate in public health. Certainly, a hospital is a very important part." She referenced the surgery center, the urgent care centers, as well as animal control services, as examples. She reiterated the hope that information will be exchanged back and forth.

Chairperson Pintar noted the purpose of the subject item for this board to establish priorities for government. "What would be anticipated is, after the local health assessments that are being conducted, ... those participants would come back and do the same process. ... some of that would be recommendations to the local Board of Health of what they would like us ... to be focusing on and some of it would be what they, which includes the Health Department, could do internally to improve the Board of Health." She advised that the Health Department was invited, but not involved as part of the assessment. Discussion followed.

In reference to the summary of performance scores, Supervisor Aldean noted the highest score relative to collaboration and assessment of resources involving the various constituencies in our community. She discussed the importance of formalizing processes, including development of a mission statement and policies and procedures. She suggested considering input received from other health providers prior to accepting priorities "because we do want it to be a more universal approach to health care." Chairperson Pintar agreed that incorporating the entire community of health providers is very important.

Chairperson Pintar entertained a motion to accept the local public health governance performance assessment report of results. **Vice Chairperson Crowell so moved. Member Walt seconded the motion.** Chairperson Pintar entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 7-0.**

24(C) ACTION TO DEVELOP A LIST OF PRIORITIES FROM THE REPORT OF RESULTS FROM THE NALBOH REGARDING THE NALBOH ASSESSMENT TOOL THAT WAS USED TO ASSIST IN MEASURING THE INFRASTRUCTURE AND CAPACITY OF OUR LOCAL PUBLIC HEALTH SYSTEM (11:25:16) - Chairperson Pintar introduced this item, and provided an overview of the agenda materials. She discussed the importance of developing policies and procedures for this board. In response to a question, Ms. Works advised of having discovered that this board does not have bylaws but, pursuant to statute, should have bylaws. Member Aldean noted the difference between policies and procedures and bylaws, and Chairperson Pintar agreed.

In response to a question, Member Aldean suggested that the proposed community survey include a determination relative to services offered, the other organizations providing health services and how they have prioritized those services. She suggested using the proposed survey to obtain the necessary information to quantify creation of the plan for improvement of community health monitoring efforts. Chairperson Pintar clarified this board's role, as a governing body, in Essential 1 - Oversight for Community Health Status Monitoring, and discussion followed.

With regard to Essential 2 - Oversight of Public Health Surveillance and Response, Chairperson Pintar requested feedback relative to additional information to include in the CCHHS Director's report. Consensus of the board was that Ms. Works' report was comprehensive. Member Williamson noted the value of the televised board meetings in getting information to the community. Chairperson Pintar requested input regarding "other things the community should know about." Member Walt suggested having the CCHHS staff provide reports at quarterly board meetings. In response to a question, she clarified that reports would only be necessary for new business or information. Member Aldean agreed, and requested to have a report on legislative initiatives; "things that we are doing or things that are being

done to us." Discussion followed with regard to the report format, and consensus was that a written report would be unnecessary. Vice Chairperson Crowell discussed the importance of communicating "the multitude of other things that the Health and Human Services [Department] and the Board of Health does for our community in terms of services rendered."

Chairperson Pintar reviewed Essentials 3, 4, 5, 6, 7, and 8, and discussion took place regarding the corresponding ideas listed. Member Williamson advised of having participated in the Public Health Leadership Program, and encouraged the other Board members' participation. Chairperson Pintar advised that most Boards of Health are not comprised of city council members.

Chairperson Pintar reviewed Essentials 9 and 10, and the corresponding ideas listed. She discussed the listed suggestion to develop a list of policies and procedures, and agendizing "a few to review" at each board meeting. She further discussed the listed suggestion to add "Board Member Concerns" as a standing item to the quarterly Board of Health agenda. She reviewed the remainder of the agenda materials, and solicited input of the board members to designate three to five priorities to work on "individually but collectively before the December board meeting."

Chairperson Pintar proposed developing bylaws and a Board of Health mission statement, and discussion followed. She advised of having been informed that Special Projects Coordinator Linda Ritter is particularly adept at developing mission statements, and consensus of the board was to request her to do so. Vice Chairperson Crowell volunteered to work with the District Attorney's staff to develop bylaws. Ms. Works offered to develop a draft and send them to Vice Chairperson Crowell and the District Attorney's staff for review. In response to a question, Mr. Benton explained the provisions of the Open Meeting Law relative to a working group of the board members. Chairperson Pintar expressed a preference to have "ideas about what we would like to include" in a mission statement presented at the next board meeting. Member Aldean offered to approach Ms. Ritter and to assist her with developing the Board of Health mission statement. Members Walt and Furlong also volunteered. Following a brief discussion, Member Livermore agreed to provide the working group with a copy of Carson-Tahoe Regional Medical Center's mission statement, as an example. With regard to bylaws, Member Williamson suggested that Ms. Works research other Boards of Health bylaws.

Chairperson Pintar suggested developing a board orientation template as an additional priority, and volunteered to participate in doing so. She advised that the NALBOH has orientation materials, some of which have been developed and some of which are in the process of being revised. She suggested Member Williamson's background would be helpful in developing the board's orientation materials. Members Aldean and Livermore offered to provide additional materials for review.

Chairperson Pintar reviewed the priorities designated thus far. She noted the local health assessment as an additional priority, but noted it as *de facto* "because ... that's in process and certainly in concert with all of the other ongoing assessments." She suggested an additional priority to list the needed Board of Health policies and procedures, i.e., "putting some thought into what kind of policies do we want to have as a board; ... some relatively succinct policies that say where we're going and where we would like our community's help to go in the foreseeable future."

In response to a question, Chairperson Pintar requested the board members to work on the designated priorities and to report back at the December Board of Health meeting. Member Walt volunteered to develop the list of needed Board of Health policies and procedures. Chairperson Pintar entertained additional priority suggestions and, when none were forthcoming, discussed the importance of focusing efforts. Member Walt discussed the importance of getting the community health partners more involved, as an additional priority. In response to a question and following a brief discussion, Chairperson Pintar clarified that developing procedures would be more appropriate relative to the Board of Health. "... policies are ... more overarching." Additional discussion followed, and Member Aldean suggested approaching NALBOH for templates related to the various priorities designated.

Member Aldean reported that one of the projects being undertaken by the Circles Initiative leaders is to orchestrate a meeting with the dental community. She discussed the issue of neglected dental health, and advised of the intent to invite members of the dental community to form a cooperative relationship with the Circles Initiative. Discussion followed.

Chairperson Pintar entertained a motion that the Board of Health would like to establish the following priorities, based on the reported results of the local public health governance assessment: (1) development of bylaws and mission statement; (2) develop a board orientation; and (3) development of needed board policies. **Vice Chairperson Crowell so moved. Member Furlong seconded the motion.** Chairperson Pintar entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 7-0.**

25. ACTION TO ADJOURN BOARD OF HEALTH (12:08:00) - Member Walt moved to adjourn the meeting at 12:08 p.m. Member Williamson seconded the motion. Motion carried 7-0. Vice Chairperson Crowell thanked Chairperson Pintar for her organizational skills.

The Minutes of the September 16, 2010 Carson City Board of Supervisors meeting are so approved this 21st day of October, 2010.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder