

**CARSON CITY BOARD OF SUPERVISORS**  
**Minutes of the September 5, 2013 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 5, 2013 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell  
Supervisor Karen Abowd, Ward 1  
Supervisor Brad Bonkowski, Ward 2  
Supervisor John McKenna, Ward 3  
Supervisor Jim Shirk, Ward 4

**STAFF:** Larry Werner, City Manager  
Alan Glover, Clerk - Recorder  
Randal Munn, Chief Deputy District Attorney  
Kathleen King, Deputy Clerk / 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** (8:29:29) - Mayor Crowell called the meeting to order at 8:29 a.m. Mr. Glover called the roll; a quorum was present. First Christian Church Pastor Micheal Hurlbert provided the invocation. At Mayor Crowell's request, Supervisor Abowd led the pledge of allegiance.

**5. PUBLIC COMMENTS AND DISCUSSION** (8:31:09) - Mayor Crowell entertained public comment. (8:31:29) Health and Human Services Department Director Nicki Aaker introduced Interim Animal Services Manager Bill Brandon. (8:31:54) Mr. Brandon provided background information on his experience and qualifications. Mayor Crowell thanked Mr. Brandon for his service, and welcomed him to Carson City. Mayor Crowell entertained additional public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON APPROVAL OF MINUTES - May 2, 2013** (8:33:36) - Mayor Crowell introduced this item. **Supervisor Bonkowski moved to approve the minutes, as presented. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**7. POSSIBLE ACTION ON ADOPTION OF AGENDA** (8:33:57) - At Mr. Werner's request, item 33 was deferred to the September 19<sup>th</sup> meeting. Mayor Crowell entertained additional modifications to the agenda and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to adopt the agenda, as modified. Supervisor Abowd seconded the motion. Motion carried 5-0.** (10:56:06) Mayor Crowell modified the agenda to address item 30 prior to item 24. (1:41:00) Mayor Crowell modified the agenda to address items 32(C) and 32(E) following item 32(A).

**8. SPECIAL PRESENTATION OF A PROCLAMATION FOR NATIONAL DAY OF SERVICE AND REMEMBRANCE, SEPTEMBER 11, 2013** (8:34:44) - Mayor Crowell introduced and provided background information on this item, and read the language of the Proclamation into the record. He entertained Board member comments; however, none were forthcoming.

**9. CONSENT AGENDA** (8:38:09) - Mayor Crowell advised of having been requested to

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separately hear items 9-1, 9-3(A), 9-3(B), 9-3(C), 9-6, 9-7(A), 9-7(B), and 9-8. Mayor Crowell entertained additional requests to hear items separate from the consent agenda. When no requests were forthcoming, he noted that Airport Authority Counsel Steve Tackes, his law partner, was present in the meeting room. Mayor Crowell advised that he usually abstains from discussion and action of items relative to the Airport Authority but, due to the fact that item 9-5 is agendized as acceptance of a grant and there was no financial gain to his law firm, he would participate in action. He entertained a motion. **Supervisor McKenna moved to adopt the consent agenda, consisting of one item from Finance; one item from Fire; one item from the Airport Authority; and one item from Parks and Recreation / Open Space.** Supervisor Bonkowski seconded the motion. Motion carried 5-0.

**9-1. TREASURER - POSSIBLE ACTION TO ORDER AND DIRECT THE CARSON CITY TREASURER TO SELL, AFTER GIVING NOTICE OF SALE, FOR A TOTAL AMOUNT, NOT LESS THAN THE AMOUNT OF TAXES, COSTS, PENALTIES AND INTEREST LEGALLY CHARGEABLE AGAINST THE PROPERTY AS STATED IN THE ORDER, THE FOLLOWING PROPERTIES: APNs 002-401-03, 004-361-02; 004-361-03, 004-361-04; 004-361-05; 007-241-04; 008-172-24; 008-173-51; 008-252-25; 008-261-12; 008-691-07; 009-143-11; 009-239-02; 009-542-11; 009-572-02; 009-692-14; 009-813-01; 010-311-56; 010-351-14; 010-351-15; 010-351-18; WHILE THIS REQUIRED STEP TOWARDS A TAX SALE IS NOW BEING TAKEN, SOME OF THESE PROPERTIES MAY BE PROTECTED FROM SALE UNDER US BANKRUPTCY LAWS (8:46:53)** - Mayor Crowell introduced this item. Supervisor Bonkowski disclosed that he has listings on four of the subject properties, and advised that he would abstain from discussion and action on this item. Mayor Crowell entertained additional disclosures; however, none were forthcoming.

At Supervisor Shirk's request, Treasurer Al Kramer explained the statutory process associated with properties in bankruptcy. He acknowledged that the City has a priority lien. Mayor Crowell entertained additional questions or comments and, when none were forthcoming, a motion. **Supervisor Abowd moved to order and direct the Carson City Treasurer to sell, after giving notice of sale, for a total amount not less than the amount of taxes, costs, penalties and interest legally chargeable against the property, as stated for the list of properties set forth in the agenda posted and published for this meeting.** Supervisor McKenna seconded the motion. Motion carried 4-0-1, Supervisor Bonkowski abstaining. Mayor Crowell thanked Mr. Kramer. Mr. Kramer advised that five of the listed properties are "repeats."

**9-2. FINANCE DEPARTMENT - POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH AUGUST 27, 2013, PURSUANT TO NRS 251.030 AND NRS 354.290**

### **9-3. PURCHASING AND CONTRACTS**

**9-3(A) POSSIBLE ACTION TO DETERMINE THAT RENO TAHOE CONSTRUCTION, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1314-073, EAST FIFTH STREET SANITARY SEWER REHABILITATION, TO RENO TAHOE CONSTRUCTION, INC., FOR A BID AMOUNT OF \$121,330.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$12,000.00, TO BE FUNDED FROM THE SEWER CAPITAL PROJECTS / FIFTH STREET SLIPLINING ACCOUNT IN THE SEWER FUND, AS PROVIDED IN FY 2013 / 2014** (8:52:27) - Mayor Crowell introduced this item, and Purchasing and

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Contracts Manager Kim Belt reviewed the agenda materials. Mayor Crowell entertained public and Board member questions or comments. Supervisor Shirk expressed the opinion that the Board should discuss contractual issues separately. Ms. Belt responded to questions of clarification relative to the project funding.

In response to a question, Deputy Public Works Director Darren Schulz advised of an “ongoing list of problem areas and, as those problems get worse, we spend more time maintaining that area, that section of line, in this case, these manholes. They move up the list and, as funds become available, we would put that in our budget for next year as we did with this project. He acknowledged that the contingency amount is held in the account specific to the subject repair. In response to a further question, he advised that unused contingency amounts revert to the sewer capital projects fund. He responded to additional corresponding questions of clarification. At Supervisor Shirk’s request, Mr. Schulz explained the purpose of the contingency amount. In response to a further question, Mr. Schulz advised of a “rule of thumb that we’ve worked out with our local contractors and the AGC, it’s right around \$100,000. If it’s less than that, it’s acceptable to them that we do it. If it’s more than that, it gets into NRS that we need to bid that work out. So City crews do the smaller projects and we bid out the bigger projects, not only because of an agreement with them but also because of our staffing, our capability. We’re just not able to do the big jobs.” In response to a previous question, Mr. Schulz advised there are “sewer lines in dire conditions all over the City. We just don’t have the funds to fix them and that’s basically a lack of not funding depreciation if we can. We can do these little band-aid chunks when we can. We really need to do \$1 million a year.”

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to determine that Reno Tahoe Construction, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1314-073, East Fifth Street Sanitary Sewer Rehabilitation, to Reno Tahoe Construction, Inc. for a bid amount of \$121,330.00, plus a contingency amount not to exceed \$12,000.00, to be funded from the Sewer Capital Projects / Fifth Street Sliplining Account in the Sewer Fund, as provided in FY 2013 / 2014.** Supervisor McKenna seconded the motion. Motion carried 5-0.

**9-3(B) POSSIBLE ACTION TO ACCEPT THE HEALTH AND HUMAN SERVICES DEPARTMENT’S RECOMMENDATION TO APPROVE AMENDMENT NO. 1 TO CONTRACT NO. 1213-138 WITH UPP TECHNOLOGY, INC., TITLED, “SOUTHERN NEVADA HEALTH DISTRICT IMMUNIZATION BILLING PROGRAM PILOT PROJECT,” TO CHANGE THE SCOPE OF WORK AND INCREASE THE CONTRACT, IN AN AMOUNT OF 15,600.00, FROM \$49,400.00 TO \$65,000.00** (8:59:56) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. At Mayor Crowell’s request, Health and Human Services Department Director Nikki Aaker introduced Immunization Billing Project Manager Kathy Haney. Ms. Haney provided background information on development of the scope of work. She responded to corresponding questions of clarification. In response to a further question, she explained the purpose of the grant to develop an immunization billing plan for all health departments in the State. In response to a further question, she advised of anticipating the revenue study to be completed by the end of the year.

Ms. Haney acknowledged that the contract encompasses three other health districts. In response to a further question, she advised that Carson City is not responsible for any funding. She responded to additional questions of clarification relative to the time table associated with development of the scope of work.

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Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comment. When no public comment was forthcoming, he entertained a motion. **Supervisor McKenna moved to accept the Health and Human Services Department recommendation to approve Amendment No. 1 to Contract No. 1213-138, with Upp Technology, Inc., titled “Southern Nevada Health District Immunization Billing Program Pilot Project,” to change the scope of work**

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**and increase the contract in an amount of \$15,600.00, from \$49,400.00 to \$65,000.00. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**9-3(C) POSSIBLE ACTION TO DETERMINE THAT PURCHASE ORDER NO. 7608 IS A PURCHASE REQUEST FOR HARDWARE AND ASSOCIATED PERIPHERAL EQUIPMENT AND DEVICES FOR COMPUTERS AND / OR SOFTWARE FOR COMPUTERS AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE PURCHASE ORDER NO. 7608, A REQUEST FOR PLC SYSTEM MODERNIZATION, ASSOCIATED EQUIPMENT, MATERIALS AND TRAINING NEEDED TO / FOR THE CONVERSION TO BE PROVIDED BY GEORGE T. HALL COMPANY FOR A NOT-TO-EXCEED COST OF \$62,145.00, TO BE FUNDED FROM THE PUBLIC WORKS EQUIPMENT REPAIR AND MAINTENANCE ACCOUNT IN THE WATER FUND, AS PROVIDED IN FY 2013 / 2014 (FILE NO. 1314-083) (9:05:12)** - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. James Jacklett, of the Public Works Department, discussed the purpose and function of the programmable logic controller. Supervisor Shirk expressed appreciation for Mr. Jacklett's explanation. In response to a question, Deputy Public Works Director Darren Schulz advised that the Quill Water Treatment Plant technology is still current. "We don't see any reason to change that now or in the real near future. That could change. The reason that would change is if the standards for water treatment and what we put out would change, we may have to look at our process. But right now, we don't have any indication that they're going to change that ..." In response to a further question, he advised that the new programmable logic controller will be electronically serviced. He acknowledged that all the contract exclusions are being addressed in-house at no additional costs.

**Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Abowd moved to determine that Purchase Order No. 7608 is a purchase request for hardware and associated peripheral equipment and devices for computers and / or software for computers and, therefore, not suitable for public bidding, pursuant to NRS 332.115, and to approve Purchase Order No. 7608, a request for PLC System modernization, associated equipment, materials, and training needed to / for the conversion to be provided by George T. Hall Company for a not-to-exceed cost of \$62,145.00, to be funded from the Public Works Equipment Repair and Maintenance Account in the Water Fund, as provided in FY 2013 / 2014, file no. 1314-083. Supervisor Bonkowski seconded the motion. Motion carried 5-0.**

**9-4. FIRE DEPARTMENT - POSSIBLE ACTION TO AUTHORIZE CARSON CITY TO SUBMIT A GRANT APPLICATION TO THE NEVADA DIVISION OF FORESTRY FOR FUNDING FROM THE NEVADA STATE FIRE ASSISTANCE PROGRAM, IN THE AMOUNT OF \$46,000**

**9-5. AIRPORT AUTHORITY - POSSIBLE ACTION TO APPROVE AND ACCEPT A SECOND 2013 FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT ("AIP") GRANT, IN THE APPROXIMATE AMOUNT OF \$1,005,872, FOR MAIN APRON RAMP RECONSTRUCTION (PHASE 2)**

**9-6. HEALTH AND HUMAN SERVICES DEPARTMENT - POSSIBLE ACTION TO APPROVE THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT'S ("CCHHS") REQUEST TO APPLY FOR THE TOBACCO MASTER SETTLEMENT AGREEMENT ("MSA") FUNDS FROM THE DEPARTMENT OF HEALTH AND HUMAN**

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**SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH, TOBACCO PREVENTION AND CONTROL PROGRAM; CCHHS IS APPLY FOR APPROXIMATELY \$100,000 ANNUALLY** (9:10:42) - Mayor Crowell introduced this item, and Health and Human Services Department Director Nicki Aaker introduced Chronic Disease Prevention Manager Cindy Hannah. At Mayor Crowell's request, Ms. Hannah provided background information on the origins and purpose of the Tobacco Master Settlement Agreement. Supervisor Shirk expressed appreciation for Ms. Hannah's presentation.

Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the Carson City Health and Human Services Department request to apply for the Tobacco Master Settlement Agreement ("MSA") funds from Department of Health and Human Services, Division of Public and Behavioral Health, Tobacco Prevention and Control Program; the amount applied for is approximately \$100,000 annually. Supervisor Abowd seconded the motion. Motion carried 5-0.** Mayor Crowell conveyed commendation to Ms. Aaker from the staff of Sierra Surgery Center.

### **9-7. PUBLIC WORKS DEPARTMENT**

**9-7(A) POSSIBLE ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN THE JOINT FUNDING AGREEMENT FOR WATER RESOURCE INVESTIGATIONS, BETWEEN CARSON CITY AND THE U.S. DEPARTMENT OF THE INTERIOR, U.S. GEOLOGICAL SURVEY** (9:15:39) - Mayor Crowell introduced this item, Utilities Manager David Bruketta reviewed the agenda materials. In response to a question, Mr. Bruketta explained the purpose and function of the Alpine Decree. Supervisor McKenna provided additional clarification of the Alpine Decree. Mr. Bruketta, Mr. Werner, and Supervisor McKenna responded to additional questions of clarification relative to the provisions of the joint funding agreement.

Mayor Crowell entertained public comment and, when none was forthcoming, additional Board member questions or comments. When no further questions or comments were forthcoming, he entertained a motion. **Supervisor McKenna moved to adopt Resolution 2013-R-36, a resolution approving and authorizing the Mayor to sign the Joint Funding Agreement for Water Resource Investigations, Carson City and the U.S. Department of the Interior U.S. Geological Survey.** Supervisor Bonkowski seconded the motion. Motion carried 5-0.

**9-7(B) POSSIBLE ACTION TO APPROVE THE PROMOTION OF AN ELECTRICAL / SIGNAL TECHNICIAN 2 TO AN ELECTRICAL / SIGNAL TECHNICIAN 3 WITHIN THE PUBLIC WORKS DEPARTMENT** (9:22:07) - Mayor Crowell introduced this item, and Deputy Public Works Director Darren Schulz reviewed the agenda materials. In response to a question, Mr. Werner explained the requirement for Board approval of this item. Mr. Schulz responded to additional questions of clarification relative to the salary and benefits increases. He acknowledged that the salary and benefits increase is being covered by department savings.

Mayor Crowell entertained additional questions or comments of the Board members and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Supervisor Abowd moved to approve promotion of an electrical / signal technician 2 to an electrical / signal technician 3 within the Public Works Department.** Supervisor Bonkowski seconded the motion. Motion carried 5-0.

### **9-8. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION -**

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**POSSIBLE ACTION TO APPROVE AMENDED PLANNING COMMISSION BYLAWS TO COMPLY WITH THE CARSON CITY POLICIES AND PROCEDURES FOR BOARDS, COMMITTEES, AND COMMISSIONS** (9:25:04) - Mayor Crowell introduced this item, and Community Development Department Director reviewed the agenda materials. Supervisor Shirk expressed opposition to the background checks provision of the Boards, Committees, and Commissions Policy, at page 6. Mr. Werner and Mr. Plemel acknowledged that said provision would be applicable to the Planning Commission. Supervisor Shirk expressed confusion over the provisions of Section I(1) of the Planning Commission Bylaws. Mr. Plemel read the paragraph into the record. He and Mr. Werner responded to additional questions of clarification relative to various provisions of the Planning Commission Bylaws.

Mayor Crowell entertained additional questions or comments of the Board members and, when none were forthcoming, of the public. When no further questions or comments were forthcoming, he entertained a motion. **Supervisor Bonkowski moved to approve amended Planning Commission Bylaws to comply with the Carson City Policies and Procedures for Boards, Committees, and Commissions, as recommended by the Planning Commission.** Supervisor Abowd seconded the motion. Motion carried 5-0.

**9-9. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION - POSSIBLE ACTION TO ACCEPT THE ANNUAL MONITORING REPORT FOR THE HORSECREEK RANCH CONSERVATION EASEMENT, AS RECOMMENDED BY THE OPEN SPACE ADVISORY COMMITTEE**

**10. RECESS BOARD OF SUPERVISORS** (8:39:59) - Mayor Crowell recessed the Board of Supervisors at 8:39 a.m.

### **LIQUOR AND ENTERTAINMENT BOARD**

**11. CALL TO ORDER AND ROLL CALL** (8:40:03) - Chairperson Crowell called the meeting to order at 8:40 a.m. A quorum of the Liquor and Entertainment Board was present, including Member Ken Furlong.

**12. POSSIBLE ACTION ON APPROVAL OF MINUTES - April 4, 2013** (8:40:20) - Chairperson Crowell introduced this item. Member Abowd moved to approve the minutes, as presented. Member McKenna seconded the motion. Motion carried 6-0.

**13. COMMUNITY DEVELOPMENT DEPARTMENT, BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO APPROVE LAWRENCE SAPPERSTEIN AS THE LIQUOR MANAGER FOR SAPPHIRE FAMILY OF WINES, LIQUOR LICENSE NO. 14-29779, LOCATED AT 555 EAST GLENDALE AVENUE, SPARKS, NEVADA** (8:40:44) - Chairperson Crowell introduced this item. Senior Business License Technician Lena Reseck reviewed the agenda materials, noting staff's recommendation of approval. (8:41:36) Lawrence Sapperstein, Jr. introduced himself for the record and provided background information on Sapphire Family of Wines. He clarified that the correct corporation name is McGee and McGee; Sapphire Family of Wines is the "DBA."

Following a brief discussion, Chairperson Crowell entertained questions or comments of the board members. Member McKenna suggested reviewing the ordinance to "streamline business a little bit.

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If there's no reason for him to be here, then why is he here?" Ms. Reseck acknowledged that the City would not receive any tax revenue from the liquor license. Member Bonkowski agreed with Member McKenna as to the necessity of reviewing the ordinance.

Chairperson Crowell entertained public comment and, when none was forthcoming, a motion. **Member Abowd moved to approve Lawrence Sapperstein as the liquor manager for Sapphire Family of Wines, liquor license number 14-29779, located at 555 East Glendale Avenue in Sparks.**

**Member Bonkowski seconded the motion.** Member McKenna reiterated that McGee and McGee, LLC is the correct corporation name. Chairperson Crowell entertained additional questions or comments and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 6-0.** Chairperson Crowell thanked Mr. Sapperstein for his attendance and participation.

**14. PUBLIC COMMENT** (8:46:32) - Chairperson Crowell entertained public comment; however, none was forthcoming.

**15. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD** (8:46:39) - Chairperson Crowell adjourned the Liquor and Entertainment Board at 8:46 a.m.

**16. RECONVENE BOARD OF SUPERVISORS** (8:46:46) - Mayor Crowell reconvened the Board of Supervisors at 8:46 a.m.

### **ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**17. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME** (8:46:52) - Please see the minutes for items 9-1, 9-3(A), 9-3(B), 9-3(C), 9-6, 9-7(A), 9-7(B), and 9-8.

**18. SHERIFF - POSSIBLE ACTION TO ACCEPT AN AWARD FROM THE HELEN CLOSE CHARITABLE FOUNDATION, IN THE AMOUNT OF \$20,000** (9:31:52) - Mayor Crowell introduced this item, and Sheriff Ken Furlong reviewed the agenda materials. He responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept the award from the Helen Close Charitable Foundation in the amount of \$20,000.** Supervisor McKenna seconded the motion. **Motion carried 5-0.**

**19. FIRE DEPARTMENT - POSSIBLE ACTION TO AUTHORIZE THE FIRE DEPARTMENT TO CHANGE THE POSITION TITLES FOR BOTH THE "ASSISTANT FIRE CHIEF" AND ONE "BATTALION CHIEF" POSITION TO "DEPUTY FIRE CHIEF"** (9:34:21) - Mayor Crowell introduced this item, and Fire Chief Stacey Giomi reviewed the agenda materials. Mayor Crowell entertained public and Board member comments or questions. When no questions or comments were forthcoming, he entertained a motion. **Supervisor McKenna moved to authorize the Fire Department to change the position title for both the assistant fire chief and one battalion chief position to deputy fire chief.** Supervisor Bonkowski seconded the motion. **Motion carried 5-0.**

**20. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO DETERMINE THAT RaPiD CONSTRUCTION, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1314-076,**

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**“KIT SIERRA, MAYFLOWER, AND BEL AIRE WAY WATERLINE REPLACEMENT” TO RaPiD CONSTRUCTION, INC. FOR A BID AMOUNT OF \$339,933.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$33,993.00, TO BE FUNDED FROM THE WATER CAPITAL PROJECTS / CONSTRUCTION ACCOUNT IN THE WATER FUND, AS PROVIDED IN FY 2013 / 2014 (9:37:16)** - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. In response to a question, City Engineer Jeff Sharp advised that RaPiD Construction, Inc. is the current contract for the \$3 million freeway landscape project. In response to a further question, he advised of having experienced no issues working with RaPiD Construction, Inc.

Mayor Crowell entertained public comment and, when none was forthcoming, additional Board member questions or comments. When no questions or comments were forthcoming, he entertained a motion. **Supervisor Bonkowski moved to determine that RaPiD Construction, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1314-076, Kit Sierra, Mayflower, and Bel Aire Ways Waterline Replacement, to RaPiD Construction, Inc. for a bid amount of \$339,933.00, plus a contingency amount not to exceed \$33,993.00, to be funded from the water capital projects / construction account in the Water Fund, as provided in FY 2013 / 2014.** Supervisor McKenna seconded the motion. Motion carried 5-0.

### **21. CITY MANAGER**

**21(A) POSSIBLE ACTION TO ADOPT A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT, BETWEEN CARSON CITY AND CARSON CITY CONVENTION AND VISITORS BUREAU, FOR A COOPERATIVE AGREEMENT FOR ADMINISTRATIVE SERVICES AND FACILITY USE AND MANAGEMENT (9:39:51)** - Mayor Crowell introduced this item. Mr. Werner provided background information and reviewed the agenda materials. Mayor Crowell invited Carson City Convention and Visitors Bureau (“CCCVB”) Executive Director Joel Dunn and CCCVB Board President Jonathan Boulware to the podium. (9:41:59) Mr. Dunn provided additional background information on the development of and purpose for the proposed interlocal agreement. He responded to questions of clarification regarding room tax collection; various agreement provisions; and the reason for, and mechanism of, the July 1, 2013 effective date. In response to a question, Mr. Werner explained the method by which potential conflicts will be addressed relative to Parks and Recreation Department facilities. Mr. Dunn provided additional clarification. In response to a question, Parks and Recreation Department Director Roger Moellendorf expressed the opinion that the interlocal agreement will help to “streamline ... operations and probably make it smoother in terms of booking events and facilities ...” He discussed the benefit of the CCCVB marketing Parks and Recreation Department facilities.

In response to a question, Mr. Werner advised that his staff is “essentially doing most of the same things today. We just haven’t done them under formal agreement. ... We don’t see a difference in work load ...” He agreed with Mr. Moellendorf that “the real interaction will be between [the Parks and Recreation Department] and the Bureau.”

Mayor Crowell entertained public comment and, when none was forthcoming a motion. **Supervisor Abowd moved to adopt Resolution No. 2013-R-37, a resolution approving an Interlocal Agreement, between Carson City and the Carson City Convention and Visitors Bureau, for a cooperative agreement for administrative services and facility use and management.** Supervisor Bonkowski seconded the motion. Motion carried 5-0. Mayor Crowell thanked the CCCVB and

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the Parks and Recreation Department.

**21(B) POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING, BETWEEN THE NEVADA DIVISION OF STATE LANDS / LAND USE PLANNING AGENCY, THE NEVADA STATE HISTORIC PRESERVATION OFFICE, THE NEVADA DEPARTMENT OF CORRECTIONS, CARSON CITY, A CONSOLIDATED MUNICIPALITY, AND THE NEVADA STATE PRISON PRESERVATION SOCIETY FOR THE SHARED PURPOSE OF DEVELOPING RECOMMENDATIONS FOR THE PRESERVATION, DEVELOPMENT, AND USE OF THE NEVADA STATE PRISON, AS CONTEMPLATED BY AB356 OF THE 2013 NEVADA STATE LEGISLATURE; TO AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING; AND TO APPOINT THE MAYOR AS THE CITY'S REPRESENTATIVE AND MICHAEL DREWS AS THE CITY'S ALTERNATIVE REPRESENTATIVE** (10:02:54) - Mayor Crowell introduced this item and invited Assemblyman Pete Livermore to the podium. (10:04:47) Assemblyman Livermore provided background information on AB 356, and discussed the benefits of preservation, development, and use of the Nevada State Prison facility. Supervisor Bonkowski thanked Assemblyman Livermore and commended his authorship of AB 356. Supervisor Shirk suggested designating Mayor *Pro Tem* Abowd as the City's alternate representative relative to the Memorandum of Understanding. Mayor Crowell suggested two alternate representatives, and discussed Michael Drews' qualifications and expertise. Supervisor Abowd agreed and expressed the opinion that Mr. Drews' expertise "is important in this whole process going forward." Discussion followed.

In response to a question, Assemblyman Livermore advised that the maintenance staff and guards are still on duty and the facility is still secured and under the control of the Department of Corrections. He expressed the hope that, over the next two to four years, a plan can be developed to transition the facility to "a marketable product" for Carson City. Mayor Crowell entertained additional Board member questions or comments and public comments. When no questions or comments were forthcoming, he thanked Assemblyman Livermore.

Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve a Memorandum of Understanding, between the Nevada Division of State Lands / Land Use Planning Agency, the Nevada State Historic Preservation Office, the Nevada Department of Corrections, Carson City, a Consolidated Municipality, and the Nevada State Prison Preservation Society, for the shared purpose of developing recommendations for the preservation, development, and use of the Nevada State Prison, as contemplated by AB356 of the 2013 Nevada State Legislature; to authorize the Mayor to sign the Memorandum of Understanding and to appoint the Mayor as the City's representative and Michael Drews as the City's alternate representative. Supervisor Abowd seconded the motion. Motion carried 5-0.** Mayor Crowell recessed the meeting at 10:15 a.m. and reconvened at 10:26 a.m.

## 22. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

**22(A) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 17, DIVISION OF LAND, AT CHAPTER 17.08, DEVELOPMENT AGREEMENTS, BY ADDING SECTION 17.8.011, AGREEMENT FEES AND SERVICES CHARGES, AND OTHER MATTERS PROPERLY RELATED THERETO; and 22(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, AT CHAPTER 18.02, ADMINISTRATIVE PROVISIONS, SECTION 18.02.055,**

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**FEES AND SERVICE CHARGES, TO ADD FEES FOR PROCESSING A DEVELOPMENT AGREEMENT, A DEVELOPMENT AGREEMENT AMENDMENT, A MODIFICATION TO A ZONING OR DIVISION OF LAND APPROVAL, AN ADMINISTRATIVE TIME EXTENSION, AND A PUBLIC HEARING TIME EXTENSION; TYPOGRAPHICAL CORRECTIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (ZCA-13-049)** (10:26:10) - Mayor Crowell introduced this item, and Community Development Department Director Lee Plemel requested to combine items 22(A) and 22(B). Planning Manager Susan Dorr Pansky provided background information and reviewed the agenda materials for both items 22(A) and 22(B) in conjunction with displayed slides. She and Mr. Plemel responded to questions of clarification regarding the proposed fees and the percentage of staff time allocated to development agreements. Supervisor Bonkowski expressed concern over the "conflict" between the proposed fees and "becoming more business friendly, ... reducing fees when possible, ... streamlining the process." He commended the efficient operation of the Planning Division and advised he would not support the proposed fees. Ms. Dorr Pansky and Mr. Plemel responded to additional questions of clarification relative to the purpose for a development agreement, the instances in which fees would be imposed, time extension limits, and anticipated revenue. Discussion followed.

Mayor Crowell entertained public comment and noted, for the record, that there appeared to have been no public comment offered at the Planning Commission. Mayor Crowell entertained additional Board member questions or comments. In response to a question, Ms. Dorr Pansky advised that staff had not discussed the proposed bill with the Builders Association of Western Nevada. Mr. Plemel requested time to contact builders association representatives, and Mayor Crowell advised that these items would be deferred accordingly.

**23. RECESS BOARD OF SUPERVISORS** (10:54:03) - Mayor Crowell recessed the Board of Supervisors at 10:54 a.m. Following a brief discussion, consensus of the Board was to defer the Redevelopment Authority items until after hearing item 30. (11:59:01) Mayor Crowell recessed the Board of Supervisors, and passed the gavel to Redevelopment Authority Chair Karen Abowd.

### **REDEVELOPMENT AUTHORITY**

**24. CALL TO ORDER AND ROLL CALL** (11:59:55) - Chairperson Abowd called the Redevelopment Authority to order at 11:59 a.m., noting the presence of a quorum.

**25. OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO APPROVE AND MADE A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO AUTHORIZE THE EXPENDITURE OF \$162,124, FROM THE FISCAL YEAR 2013 / 14 REDEVELOPMENT REVOLVING CAPITAL OUTLAY / UNDESIGNATED INFRASTRUCTURE ACCOUNT (603-0000-463-77-99), TO ASSIST WITH FUNDING THE FAIRGROUNDS (FUJI PARK) EVENTS PLAZA, IN THE AMOUNT OF \$122,851, AND THE BREWERY ARTS CENTER PLAZA (DESIGN AND CONSTRUCTION), IN THE AMOUNT OF \$39,273** (12:00:08) - Chairperson Abowd introduced this item, and Community Development Department Director Lee Plemel reviewed the agenda materials. (12:02:07) Redevelopment Authority Citizens Committee ("RACC") Chair Lori Bagwell provided background information on and reviewed the RACC's recommendations. Vice Chairperson Bonkowski provided additional clarification. In response to a question, Brewery Arts Center Executive Director John Shelton provided background information and a status report on the Brewery Arts Center plaza project. In response to a further question, he discussed plans to improve the landscaping.

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In response to a question, Mr. Plemel advised that the Brewery Arts Center is located in Redevelopment Area No. 1, the downtown district, and the Fairgrounds is located in Redevelopment Area No. 2, which is mostly South Carson Street. Mr. Plemel acknowledged that the funding does not have to be spent this year; that it could be saved and allocated to future projects. He further acknowledged that the funding could be used anywhere within the redevelopment districts. He further acknowledged that the RACC solicited, reviewed, and voted on submitted proposals. Member McKenna suggested that “someday, in the near future, we’re going to be asked for a bunch of money to deal with a narrowing of Carson Street. ... But having \$164,000 being spent on these two projects versus \$164,000 this year, \$164,000 next year, \$164,000 the year after, what could we do with Carson Street with that much money and is that our best redevelopment tactic ...?” He suggested considering saving the money. “Let’s put together a pot of money that you can really do something with when it comes time to make the economic improvements to the corridor.” He commended the idea of a shade structure at Fuji Park, but expressed concern that it doesn’t “have the same bang for the buck as substantial improvements to the Carson Street corridor would have.”

Chairperson Abowd entertained public comment. (12:16:04) Lori Bagwell advised that the RACC considered not spending the money and discussed “projects ... proposed from ... the 20 / 20 Club and some others and we actually believed both of these projects fit within the ... overall plan that Carson City was doing ...” She responded to questions of clarification.

Member Shirk agreed with Member McKenna’s suggestion, based on “the consensus of previous meetings. ... it’s going to be another agenda item how we’re going to narrow the street, where are the funds coming from.” Member Shirk expressed a preference that both funds were not “tied to one agenda item,” and the belief “these should always be separated. ... we should vote on one not both. ... But if we’re going to spend money on streets ... and we know that coming back to us, there’s going to be a vote of where we’re going to get the money to do ... the narrowing of the street, widening of the sidewalks, whatever that proposal will be.” Ms. Bagwell pointed out that the Board had not yet made a decision to narrow Carson Street. Discussion followed, and Mr. Werner acknowledged that the projects could be considered separately. In consideration of the proposal to narrow Carson Street, Member McKenna reiterated that “\$600,000 gets you a much better program than whatever we’ll have available, left over, if we spend every cent every year.”

Chairperson Abowd entertained additional Redevelopment Authority member questions or comments and, when none were forthcoming, public comment. (12:23:30) Carson City Chamber of Commerce Executive Director Ronni Hannaman expressed strong belief in the concept of “a bird in the hand.” She expressed the hope that the economy will come back, and the opinion that “a lot of what we do in this community is not completely finished as a project and that is the Fairgrounds.” She discussed the potential of the Fairgrounds, and expressed the opinion that the recommended allocation “would really enhance that, bring people in who will then go downtown.”

Chairperson Abowd entertained additional public comment and, when none was forthcoming, a motion.

**Vice Chairperson Bonkowski moved to approve and recommend that the Board of Supervisors authorize the expenditure of \$122,851 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure fund account to assist with funding the Fairgrounds Events Plaza. Member Shirk seconded the motion. Motion carried 4-1.**

**Vice Chairperson Bonkowski moved to approve and recommend that the Board of Supervisors**

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authorize the expenditure of \$39,273 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure fund account to assist with funding the Brewery Arts Center Plaza. Member Crowell seconded the motion. Motion carried 3-2.

**26. PUBLIC COMMENT** (12:29:08) - Chairperson Abowd entertained public comment; however, none was forthcoming.

**27. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY** (12:29:12) - Chairperson Abowd adjourned the Redevelopment Authority at 12:29 p.m., and returned the gavel to Mayor Crowell.

**28. RECONVENE BOARD OF SUPERVISORS** (12:29:27) - Mayor Crowell reconvened the Board of Supervisors at 12:29 p.m.

**29. OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$162,124 FROM THE FISCAL YEAR 2013 / 14 REDEVELOPMENT REVOLVING CAPITAL OUTLAY / UNDESIGNATED INFRASTRUCTURE ACCOUNT (603-0000-463-77-99), TO ASSIST WITH FUNDING THE FAIRGROUNDS (FUJI PARK) EVENTS PLAZA, IN THE AMOUNT OF \$122,851, AND THE BREWERY ARTS CENTER PLAZA (DESIGN AND CONSTRUCTION) IN THE AMOUNT OF \$39,273, AS AN EXPENDITURE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLANS** (12:29:35) - Mayor Crowell introduced this item and incorporated all the comments and discussion relative to the corresponding Redevelopment Authority item. He entertained a motion. Mr. Munn advised of the requirement for a 2/3 majority to pass any motion relative to this item. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2013-R-38 authorizing the expenditure of \$122,851 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure account, 603-0000-463-77-99, to assist with funding the Fairgrounds Events Plaza. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote on the pending motion. Motion carried 4-1.

Mayor Crowell entertained a motion. **Supervisor Abowd moved to adopt Resolution No. 2013-R-39 authorizing the expenditure of \$39,273 from the fiscal year 2013 / 2014 Redevelopment Revolving Capital Outlay / Undesignated Infrastructure account, 603-0000-463-77-99, to assist with funding the Brewery Arts Center Plaza. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. Motion failed 3-2.

**30. PARKS AND RECREATION DEPARTMENT, CULTURAL COMMISSION - POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.41, CARSON CITY CULTURAL COMMISSION, BY ADDING NEW SECTIONS TO CHAPTER 2.41, SETTING ASIDE ONE AND ONE-QUARTER PERCENT (1.25%) OF ANNUAL BUDGETED TRANSFERS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS SPECIAL REVENUE FUND FOR THE CITY'S GENERAL GOVERNMENT CAPITAL PROGRAM TO BE USED FOR A PUBLIC ART PROGRAM, ADDING A NEW SECTION 2.41.005, DEFINITIONS, AMENDING SECTION 2.41.080, COOPERATION OF CARSON CITY CULTURAL COMMISSION WITH OTHER PRIVATE AND PUBLIC ENTITIES TO INCLUDE THE PUBLIC ART PROGRAM, ADDING A NEW SECTION**

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**2.41.100, CREATION OF SEPARATE DEPARTMENTS IN THE CAPITAL PROJECTS SPECIAL REVENUE FUND - DISSOLUTION, ADDING A NEW SECTION 2.41.110, PUBLIC ART PROGRAM, TO ESTABLISH THE PROGRAM, ADDING A NEW SECTION 2.41.120, DONATIONS FOR FUNDING PUBLIC ART ARE EXCEPT FROM THE PROGRAM UNLESS DESIGNATED, ADDING A NEW SECTION 2.41.130, ELIGIBLE PUBLIC ART PROGRAM EXPENSES, ADDING A NEW SECTION 2.41.140, PUBLIC ART SELECTION CRITERIA, ADDING A NEW SECTION 2.41.150, PUBLIC ART SELECTION PROCESS, ADDING A NEW SECTION 2.41.160, DISPLAY OF ART RECOMMENDATIONS TO THE BOARD OF SUPERVISORS, AND OTHER MATTERS PROPERLY RELATED THERETO** (11:00:00) - Mayor Crowell introduced this item, and Parks and Recreation Department Director Roger Moellendorf provided background information on this item. Park Planner Vern Krahn reviewed the agenda materials. Mr. Moellendorf and Mr. Werner responded to questions of clarification regarding the proposed funding source, the capital projects fund. In reference to Section 2.41.100, Mr. Werner acknowledged that "if and when money is available to be transferred into the capital fund, it will be automatic."

Supervisor McKenna expressed concern that "there's no nexus between what's being purchased ... to the arts." Supervisor Bonkowski advised of the "same concern ... in that it seems now that we're going to have to pad every transfer into the capital projects fund if we have certain priorities that we've approved to be funded from that because now we have to account for the 1.25 percent." He inquired as to the possibility of creating the separate line item accounts and funding them rather than tying it to the capital projects fund. Mr. Moellendorf explained that research into funding public arts programs indicates "essentially ... two different ways." One is to allocate a certain percentage of each capital project to the arts program. Another approach is to consider the overall capital projects fund for a basis for "ongoing funding that ... doesn't tie a piece of art to a certain project and then you can use it as a carry over and that funding can be used to provide public art throughout the community ..." Supervisor Bonkowski reiterated his inquiry, and Mr. Werner explained the formula behind the proposed funding mechanism. Supervisor Bonkowski expressed a preference for a "direct allocation based on the capital improvement budget ... and not a diversion because ... it seems like we're padding this account only then to divert a portion of it back over to another account." Mr. Werner assured the Board that "in reality, ... we're funding directly and it's just a matter of describing it."

In response to a further question, Mr. Moellendorf advised that there would not be a single fund for maintaining existing art projects. He provided an overview of discussion of this issue by the Cultural Commission. Supervisor Bonkowski noted a correction to page 7 of the proposed ordinance. Mr. Moellendorf responded to additional questions of clarification relative to the mechanism of the ordinance. Discussion followed. In response to a question, Community Development Department Director Lee Plemel advised that Community Development Block Grant funding can only be used to fund public art in a low to moderate income area. In response to a further question, Mr. Werner advised that Community Support Services Grant ("CSSG") funding could be allocated to a public art program. He clarified that CSSG funding has generally been allocated toward health and human services partners. He acknowledged that CSSG funding is allocated from the City's general fund, and noted that the Board establishes the funding priorities.

Following additional discussion, Supervisor McKenna expressed a preference to "see the funding mechanism, if we have to discuss a funding mechanism, tied to something that would give a viable amount so that we don't spend money ... just to spend the money and get things that we don't need, don't want, but we had to spend the money." He suggested that the proposed ordinance "is designed to

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bind future boards to an expenditure,” and expressed a preference for an ordinance that provides for “a discussion and a commitment to the arts on any expenditure for long-term items ... without specifying how it’s funded, without a dollar amount, without building up an account that forces you to go spend it.” Mr. Moellendorf suggested that “the safeguard ... is that you have a Cultural Commission that is going to be making those recommendations to the Board and ... the Board is going to have the final say ...” Supervisor Abowd expressed the understanding that the proposed ordinance provides for the accumulation of funding in order to provide the opportunity consider recommended art for such capital projects as the animal shelter. She suggested considering the proposed ordinance as a method by which to invest in the community.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. He noted the correspondence included in the agenda materials, and cautioned against duplicating the comments. (11:39:19) Brewery Arts Center Executive Director and Carson City Arts and Culture Coalition Chair John Shelton noted the timeliness of the proposed ordinance in consideration of the success in other communities. He expressed the opinion that “it’s ... appropriate for the City to do it because public art projects are very difficult to do from a private sector / non-profit perspective. You really need that public mechanism in order to make it work.” Mr. Shelton suggested that “this is an extension ... of what the [Arts and Culture] Coalition started in creating the [Cultural] Commission to begin with, but the Commission itself is not funded and hasn’t been for several years. This is actually the first opportunity where there actually will be public funds specifically set aside for the Commission to ... utilize which is ... critically important and it’s a great threshold for this community.” In reference to previous questions and comments, Mr. Shelton expressed the hope there will be the opportunity for funding to be allocated to the capital projects fund.

“The idea that the funds would also be limited to ... public works where it would be public buildings or public construction, you’ve got a lot of needs for infrastructure development and aesthetic improvements throughout the City and not just to those public projects.” Mr. Shelton expressed the hope that the funding “would continue to be focused on public art wherever it is needed, including those new public works projects.” He expressed the opinion that “previously installed art works should be considered for maintenance.” He expressed the further opinion that “everything needs to be carefully inventoried and should be considered as part of the official public art work record for the City and, if there are opportunities where those art works need to be maintained, that it would have to be ... done on an avocation basis, ... but previous works are also part of the public work landscape of the community and should be considered for maintenance.” Mr. Shelton agreed that CSSG “could be a potential funding source; however, those sources of funds are already heavily utilized, sometimes by other cultural aspects in the community as well as other places in the community that are necessary. There have been a number of performing arts aspects that have been pursued in the past and we would hate to have those funds drained in order to support the public art program.” He provided an overview of discussion by the Arts and Culture Coalition regarding the recommendation to dedicate a funding source.

(11:43:39) Wild Horse Children’s Theater Executive Director and Arts and Culture Coalition Member Carol Scott read a prepared statement into the record.

(11:45:24) John Wagner expressed opposition to using “general fund money” to fund public art.

(11:46:43) Cultural Commission Acting Chair Robert Stansbury discussed his extensive travel across the nation, and his experiences with public art in Gillette, Wyoming. He discussed support for the proposed ordinance, and requested the Board’s consideration.

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(11:48:57) Cultural Commission Former Chair and Current Member Gene Paslov discussed the vital role of arts and culture to any community. "Community is not going to survive without that." He discussed Jeffery Scott's contributions to the community's arts and culture, and requested the Board's strong consideration of the proposed ordinance.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 121, an ordinance amending the Carson City Municipal Code, Title 2, Administration and Personnel, Chapter 2.41, Carson City Cultural Commission, by adding new sections to Chapter 2.41, setting aside one and one-quarter (1.25) percent of annual budgeted transfers from the general fund to the capital projects special revenue fund for the City's general government capital program to be used for a public art program; adding a new Section 2.41.005, Definitions; amending Section 2.41.080, Cooperation of Carson City Cultural Commission with other Private and Public Entities to Include the Public Art Program; adding a new Section 2.41.100, Creation of Separate Departments in the Capital Projects Special Revenue Fund, Dissolution; adding a new Section 2.41.110, Public Art Program to establish the program; adding a new Section 2.41.120, Donations for Funding Public Art are Exempt from the Program Unless Designated; adding a new Section 2.41.130, Eligible Public Art Program Expenses; adding a new Section 2.41.140, Public Art Selection Criteria; adding a new Section 2.41.150, Public Art Selection Process; adding a new Section 2.41.160, Display of Art Recommendations to the Board of Supervisors, and other matters properly related thereto.** Supervisor McKenna seconded the motion, and advised of his intent to vote against the motion. He reiterated concerns with regard to "tying the funding with capital projects and ... removing the discretion of future Boards to allocate money to this particular program." Supervisor McKenna expressed the opinion that "arts are important ...; perhaps, they should be funded ... in various amounts at various times, but a mandatory funding without any discretion of future Boards or this Board, basically holding the Board hostage because they have to spend money on things that they need to operate the City ..." Supervisor McKenna suggested revising the proposed ordinance accordingly, and returning to the Board at a future date. Supervisor Bonkowski suggested further review and revision to Section 2.41.040. He expressed full support of an arts ordinance, but objection to the proposed funding mechanism. He requested staff to return to the Board with alternative funding sources as well as "cleaning up the rest of the ordinance." Supervisor Shirk commended the concept of the proposed ordinance, and expressed objection to the proposed funding mechanism. Mayor Crowell advised of the intent to vote in favor of the motion. He expressed understanding for the concerns raised, but concern that "these things never get off the ground." He expressed support for "public art to get off the ground in our community. ... the benefits to our community are tremendous if it's done right and ... the only way you're going to do that is if you dedicate a funding source." In consideration of the proposed funding source, he suggested "the amount is fairly limited and ... we may not get there because we may not put anything in the capital improvements program." He expressed a preference for "different methods of funding ... On balance, the importance of doing something in the public art arena requires us to take a step such as is suggested here." Supervisor Abowd advised of the intent to vote in favor of the motion, and pointed out "public art is exactly that. It should be publicly funded and the public is a part of all this process. The public is part of the Carson City Cultural Commission. They can participate at any of those meetings. The public is a part of the Board of Supervisors meetings and, as today, everyone is entitled to participate in that decision-making process. It guides our thoughts always." Supervisor Abowd described the ordinance as "a vision for our future in terms of the arts." Mayor Crowell called for a vote on the pending motion. **Motion failed 2-3.**

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**31. BOARD OF SUPERVISORS NON-ACTION ITEMS:**  
**STATUS REVIEW OF PROJECTS** - None.

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS** - None.

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS** - None.

**STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS** (3:02:02) - Supervisor McKenna advised that he would be absent from the next Board meeting due to a previous out-of-town commitment. He offered to change his travel plans, if necessary, and requested staff or other Board members to let him know.

**STAFF COMMENTS AND STATUS REPORT** (3:03:55) - Mr. Werner announced a City equipment show put on by the Fire, Public Works, and Parks and Recreation Departments, scheduled for next Thursday, September 12<sup>th</sup> at 1:00 p.m. at Fire Station 2. He also announced the Town Hall meeting scheduled for September 16<sup>th</sup> in the Bob Boldrick Theater, beginning at 5:30 p.m.

**RECESS AND RECONVENE BOARD OF SUPERVISORS** (12:32:51) - Mayor Crowell recessed the Board of Supervisors at 12:32 p.m. and reconvened at 1:32 p.m.

**32. PUBLIC WORKS DEPARTMENT**

**32(A) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020, SCHEDULE OF RATES, BY PHASING IN A FIVE-YEAR RATE STRUCTURE, EFFECTIVE OCTOBER 1, 2013, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATIONS, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, IN COMPLIANCE WITH NRS 237, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS** (1:33:14) - Mayor Crowell introduced this item and opened the public hearing. Public Works Department Director Andy Burnham provided an overview of items 32(A) through (F), and introduced Krista Shirley, of FCS Group, and Utilities Manager David Bruketta. Mayor Crowell advised of having received email correspondence from University of Nevada Regent Ron Knecht with an editorial which was printed in today's *Nevada Appeal*. Mayor Crowell advised that the editorial would be incorporated into the record.

Mr. Bruketta reviewed the agenda materials pertinent to the subject item. He responded to questions of clarification relative to presentations to the Chamber of Commerce and the Builders Association of Western Nevada. He acknowledged that additional research could be conducted into other groups to which notification or presentations could be provided. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to find that the increased revenue proposed ordinance amending Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by phasing in a five-year rate structure, effective October 1, 2013, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict formation, operations, or expansion of a business; that a business impact statement has been prepared, in compliance with NRS 237, accepted, and is on file with the Board of Supervisors. Supervisor Abowd seconded the motion. Motion carried 5-0.** At Mr.

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Burnham's request, Mayor Crowell modified the agenda to address items 32(C) and 32(E) following this item.

**32(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, BY AMENDING SECTION 12.01.010, DEFINITIONS, TO REDEFINE "COMMERCIAL" SERVICE TO INCLUDE CHURCHES AND REMOVE TRIPLEXES, TO ADD NEW DEFINITIONS FOR "INDUSTRIAL / MANUFACTURING" SERVICE, "LARGE COMMERCIAL" SERVICE, "SINGLE FAMILY RESIDENTIAL" SERVICE, "MULTIFAMILY RESIDENTIAL" SERVICE, AND REMOVE THE DEFINITION OF "RESIDENTIAL" SERVICE; SECTION 12.01.020, SCHEDULE OF RATES, TO REMOVE THE RESIDENTIAL MONTHLY SERVICE CHARGE, RESIDENTIAL MONTHLY COMMODITY CHARGE, COMMERCIAL MONTHLY SERVICE CHARGE, COMMERCIAL MONTHLY COMMODITY CHARGE, AND ADD, EFFECTIVE OCTOBER 1, 2013 AND JULY 1 OF EACH YEAR THEREAFTER, A FIVE-YEAR, PHASED-IN, MONTHLY BASE CHARGE AND A MONTHLY COMMODITY CHARGE FOR SINGLE FAMILY RESIDENTIAL, MULTIFAMILY RESIDENTIAL, COMMERCIAL, INDUSTRIAL / MANUFACTURING, LARGE COMMERCIAL, AND REMOVE A PROVISION TO CONDUCT AN ANNUAL REVIEW WITH RECOMMENDATIONS FOR RATE ADJUSTMENTS; SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, TO REMOVE A PROVISION THAT EXPIRED IN 2011 TO REVIEW THE EFFECTS OF THE AMENDMENT; SECTION 12.01.040, PAYMENT OF CONNECTION CHARGE, TO REMOVE A PROVISION THAT EXPIRED IN 1988, WHEREBY ½ OF THE CONNECTION CHARGE IS TO BE FULLY PAID PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT; SECTION 12.01.090, PROTESTS TO RATES AND CHARGES AND METER TESTS, TO REMOVE A PROVISION RELATED TO AN OUTDATED EXTENSION OF A FIVE-YEAR AUDIT OF WATER USAGE TO DETERMINE CONNECTION CHARGES; AND OTHER MATTERS PROPERLY RELATED THERETO** (1:46:04) - Mayor Crowell introduced this item, and incorporated, by reference, the editorial authored by University of Nevada Regent Ron Knecht which was published in the *Nevada Appeal*. Utilities Manager David Bruketta provided background information and reviewed the agenda materials. Mayor Crowell noted the months-long process associated with the subject item and, at his request, Mr. Bruketta noted that "the impact to this is an average 6.5 percent increase, per year, for the next five years." In response to a question, he clarified that the 6.5 percent represents an average of all customer classes.

Mayor Crowell entertained public comment. (1:50:29) Gil Yanuck provided background information on his "trials and tribulations at trying to reduce [his] water usage ..." He advised of having toured the Water Treatment Plant, and described it as "an accident looking for a place to happen." He expressed appreciation that "some action is really going to take place because we're awfully used to just being able to turn that faucet and water come out or push down the handle and the waste leave your property. If things don't go well down in Mr. Bruketta's area, that may not always be the case for some people and that's when we'd all really hear about it." He expressed the opinion that "what's being proposed needs to be done." He acknowledged the need for the rate increase to fund the necessary facility improvements. He expressed a preference for a "large residential user" rate class to have been added. He discussed the importance of ensuring that the revenue generated from the rate increases is actually allocated to the necessary system reinvestment.

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In response to a comment, Mr. Werner advised that “the Board of Supervisors, in the mid-1990s, actually lowered the rates to use up [depreciation funding.] ... instead of keeping the rates at the level that it should have been and have that reserve sit there, they looked at that and said, ‘We can actually lower the rates on the operating costs and use that money up to supply operations.’ So that’s where that money went. It didn’t just magically disappear. There was a specific action by the Board and the administration, at that time, to lower both the water and sewer rates to use up those reserves. So they said, ‘If we lower the water rates by six percent or eight percent this coming year, we’ll use up ‘x’ amount of those reserves and they did that for two or three years in a row and they did it three different times.’” Mr. Werner reiterated the money did not “disappear. There was specific action to use that money up as opposed to raising rates or even keeping the same rates that were in place.” “When we did the previous rates, ... we came in with usually two components. One was to do capital for immediate needs in the system, usually the lines themselves. So we would come to the Board and say, ‘We need to replace this line in this location and it costs \$3.5 or \$5 million, whatever it is.’ And so that generated three or four cents on the rate and, on top of that, operationally, we see we’re getting behind the operations so we’d say, ‘That takes one percent of the rate.’ So we specifically divided that up, what was operations and then what was capital, and all of those went to those areas. We built the capital we said we were going to build. We did the projects we said we were going to build. So, ... there’s no mystery there. We also talked about, for the last thirteen years, ... is that the plant is in a failure mode and we’ve got so many years before we have to start raising the rates to fix the plant. And we kept pushing that off. Don’t do it yet. Don’t do it yet and finally, about three or four years ago, with the engineering studies that were done, we reached the point we cannot push that off any longer and, therefore, that’s why you see the rates today. So, again, there’s really no mystery there. ... there was never any money set aside to build or replace parts at the wastewater plant other than this most recent thing with the digester dome and there was a problem there. So everything went exactly where it was said to go to. ... it didn’t get shuffled off any place else. It didn’t disappear any place else. You could go back and track project by project by project where that money went. As far as the water line went, we only paid for the portion of the lines that serve Carson City. We did not pay for any portion of the line that serves Lyon County. That was done by the [Carson Water] Subconservancy [District], which paid a huge portion of that to get it to the point where, then, Lyon County itself could make the intertie. And then we paid for our portion, but we did not pay for anything that served them. We paid for the portion that served us. So there was allocations of costs between all the water systems ... so we know where all those dollars went. ... There were specific purposes for the residents and users of Carson City of where that money went.”

Mr. Werner acknowledged “we are where we are.” In response to a question, Mr. Werner explained “the way we protect it is investing in capital now that we’re not putting off to invest in the future. So, for example, the reinvestment charge, we’ll get about \$3 million a year ... We will be using that on projects as we see come along that we then won’t have to pay for in the future in the overall scheme of things. In other words, we don’t wait for everything to deteriorate and then fund it all at one time. We’re able to reinvest in the system as we go along. It doesn’t mean we’re going to take that money and put in a vault some place, ... it means that we’re going to reinvest that into the system and use it as we need it. Now, we may take two or three years to build up \$6 or \$9 or a \$12 million kind of project, but then we’ll spend that money to do that project. But it’s invested into the system. So we have an ongoing reinvestment charge into the system that defers the cost down the road.”

Following discussion, Supervisor Bonkowski emphasized the importance of developing the recommended fiscal policy “that puts it on the record what we wanted to do, how we wanted to do it.” He expressed agreement with Supervisor McKenna’s suggestion to establish a citizens oversight committee “just for the purposes of transparency and to get the word out to the public.” Supervisor

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Abowd agreed, and additional discussion ensued.

Mayor Crowell entertained additional public comment. (2:23:44) Bruce Kittess expressed the hope that the Board would “turn off some of the committees because this is where you need to spend the money.” He advised of having attended recent Public Utilities Commission meetings and stated, “Wait ‘til you see what’s going to happen … with the electric rates next year.” He commended Mr. Werner, Mr. Burnham, Mr. Bruketta and their staff. “You couldn’t assemble a more experienced group of people to implement this project. … They will do their best and … this will be Mr. Werner’s … legacy. He will leave us with the best water and sewer in the State of Nevada.” He suggested there should be no concern over someone reallocating “the reserve” because we’re going to use it. He suggested requesting the Public Works Department to provide quarterly reports on “how the project is going.” He further suggested that “whether there’s a committee or not, … scrutinize the allocations … to make sure that the money is used for what we have.” He further suggested hosting an open house “as each phase … gets built.”

(2:34:12) John Wagner expressed the hope that the “project goes forward at the least cost per individual as possible.” He acknowledged the difficulties associated with the Board’s decision.

Mayor Crowell entertained additional public comment. (2:36:01) Larry Sayre advised of having moved to Carson City ten years ago to retire and that he is on a fixed income. He further advised that he lives on a quarter acre lot, and that his water bill is currently about \$70 per month. In consideration of the proposed rate increases, he expressed concern over “those of us that are on a fixed income.” Based on his work experience, he advised that “forestalled maintenance is the first sign of a failing business.” He expressed concern that the description of the water / wastewater plant is “a failing business.” In consideration of the discussion, he suggested considering filing bankruptcy “because your business is failing.” In reference to Mr. Werner’s earlier explanation, Mayor Crowell advised that “from a maintenance standpoint, we’ve been putting bandaids on it because nobody wants to bite the bullet.” In reference to earlier discussion, he expressed the opinion that “art should self-fund. You shouldn’t have a City having to fund the arts.”

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to introduce, on first reading, Bill No. 122, an ordinance amending the Carson City Municipal Code, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, by amending Section 12.01.010, Definitions, to redefine commercial service to include churches and remove triplexes, to add new definitions for “industrial / manufacturing” service, “large commercial” service, “single family residential” service, “multi-family residential” service, and remove the definition of “residential” service; Section 12.01.020, Schedule of Rates, to remove the residential monthly service charge, residential monthly commodity charge, commercial monthly service charge, commercial monthly commodity charge, and add, effective October 1, 2013 and July 1<sup>st</sup> of each year thereafter, a five-year, phased-in monthly-based charge and a monthly commodity charge for single-family residential, multi-family residential, commercial, industrial / manufacturing, large commercial, and remove a provision to conduct an annual review with recommendations for rate adjustments; Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, to remove a provision that expired in 2011 to review the effects of the amendment; Section 12.01.040, Payment of Connection Charge, to remove a provision that expired in 1988 whereby one-half of the connection charge is to be fully paid prior to the issuance of any building permit; Section 12.01.090, Protests to Rates and Charges and Meter Tests, to remove a provision related**

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to an outdated extension of a five-year audit of water usage to determine connection charges; and other matters properly related thereto, and direct staff to bring back a resolution designating funds from this rate increase for depreciation and replacement funding and creation of a citizens oversight committee. **Supervisor McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a question, Supervisor Bonkowski acknowledged the intent of his motion to have included all the wording from the recommended motion in the agenda report. In response to a question, Mr. Burnham explained the purpose for removing the provision relative to an outdated extension of a five-year audit of water usage. Supervisor Shirk commended the Public Works Department staff, discussed the history of water and sewer rates, and expressed disagreement with "a community group overseeing the funds." He expressed a preference for Public Works Department staff to provide a quarterly report to the Board. He expressed further disagreement "with the rate structure the way it is," and concerns over citizens living on fixed incomes. Supervisor Abowd acknowledged the "hard hit" that increasing rates represents to residents and businesses alike, but expressed understanding for the necessity. She expressed agreement that a fiscal oversight committee will "make it more difficult for future Boards to undo what we're trying to accomplish today and, in order to act responsibly about having to raise rates, ... the other portion of that is that we need to act responsibly on how those rates are observed and spent." Discussion followed, and Mayor Crowell called for a vote on the pending motion. **Motion carried 4-1.**

**32(C) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY PHASING IN A FIVE-YEAR RATE STRUCTURE, EFFECTIVE OCTOBER 1, 2013, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT FORMATION, OPERATIONS OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, IN COMPLIANCE WITH NRS 237, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS (1:41:33)** - Mayor Crowell introduced this item, and opened the public hearing. Mr. Bruketta acknowledged that the finding is the same. Mayor Crowell entertained public comment and, when none was forthcoming, closed the public hearing and entertained a motion. **Supervisor Bonkowski moved to find that the proposed ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.020, Schedule of Rates, by phasing in a five-year rate structure, effective October 1, 2013, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict formation, operations, or expansion of a business; that a business impact statement has been prepared, in compliance with NRS 237, accepted, and is on file with the Board of Supervisors.** **Supervisor McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

**32(D) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, AND CHAPTER 12.04, SENIOR CITIZENS ASSISTANCE, BY AMENDING SECTION 12.03.010, DEFINITIONS, TO DEFINE COMMERCIAL SERVICE AND COMMERCIAL STRENGTH CATEGORIZATIONS, SINGLE FAMILY RESIDENTIAL SERVICE, MULTIFAMILY RESIDENTIAL SERVICE, TOTAL SUSPENDED SOLIDS, REDEFINE**

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**RESIDENTIAL SERVICE, REMOVE PROVISIONS THAT RELATE TO THE USER CHARGE SYSTEM, CAPITALIZATION SYSTEM, AND WINTER SEWER AVERAGE; SECTION 12.03.020, SCHEDULE OF RATES, TO REMOVE THE CLASS, FIXED CAPITALIZATION CHARGES, VARIABLE CAPITALIZATION CHARGES, USER CHARGES, MAXIMUM WATER CHARGES, AND ADD, EFFECTIVE OCTOBER 1, 2013 AND JULY 1 OF EACH YEAR THEREAFTER FIVE-YEAR, PHASED IN FLAT RATES FOR SINGLE FAMILY RESIDENTIAL AND MULTIFAMILY RESIDENTIAL AND METERED RATES FOR LOW-STRENGTH COMMERCIAL AND HIGH-STRENGTH COMMERCIAL; SECTION 12.03.25, CALCULATION AND REVIEW OF RATES, TO REMOVE PROVISIONS RELATED TO WINTER SEWER AVERAGE, CAPITALIZATION CHARGES AND USER CHARGES, SECTION 12.03.030, SCHEDULE OF SEWER CONNECTION AND HOOK-UP CHARGES, TO REMOVE A PROVISION THAT REVIEWS THE AMENDMENT OF THIS SECTION ON OR BEFORE 2011; SECTION 12.03.060, PROTESTS TO RATE AND CHARGES TO ADD A PROVISION ALLOWING A CUSTOMER TO DISPUTE THEIR CURRENT STRENGTH CATEGORY AND REMOVE AA PROVISION RELATED TO AN EXTENSION OF A FIVE-YEAR AUDIT OF WATER USAGE; SECTION 12.04.030, DISCOUNT, TO REMOVE REFERENCE TO VARIABLE CAPITALIZATION CHARGES AND REPLACE WITH SEWER MONTHLY USER CHARGES; AND OTHER MATTERS PROPERLY RELATED THERETO (2:51:26)** - Mayor Crowell introduced this item, and Mr. Bruketta advised that the average increase will be 15 percent. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to introduce, on first reading, Bill No. 123, an ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, by amending Section 12.03.010, Definitions, to define commercial service and commercial strength categorizations, single-family residential service, multi-family residential service, total suspended solids, redefine residential service, remove provisions that relate to the user charge system and the capitalization system, and winter sewer average; Section 12.03.020, Schedule of Rates, to remove the class, fixed capitalization charge, variable capitalization charges, user charges, maximum water charge, and add, effective October 1, 2013 and July 1<sup>st</sup> of each year thereafter, a five-year, phased-in flat rate for single-family residential and multi-family residential and metered rates for low strength commercial and high strength commercial; Section 12.03.025, Calculation and Review of Rates, to remove provisions related to winter sewer average, capitalization charges, and user charges; Section 12.03.030, Schedule of Sewer Connection and Hook-Up Charges, to remove a provision that reviews the amendment of this section on or before 2011; Section 12.03.060, Protests to Rate and Charges, to add a provision allowing a customer to dispute their current strength category and remove a provision related to a provision that reviews the amendment of this section or before 2011; Section 12.03.060, Protests to Rate and Charges, to add a provision allowing a customer to dispute their current strength category and remove a provision related to an extension of a five-year audit of water usage; Section 12.04.030, Discount, to remove reference to variable capitalization charges and replace with sewer monthly user charges; and other matters properly related thereto, and adding a citizens committee and the fiscal policy resolution, similar to the direction from the previous motion. Supervisor Bonkowski seconded the motion.** In response to a question, Ms. King clarified a typographical correction to the recommended action and a brief discussion followed. Mayor Crowell called for a vote on the pending motion. **Motion carried 4-1.**

**32(E) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND**

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**DRAINAGE, CHAPTER 12.17, STORM WATER SERVICE CHARGES, SECTION 12.17.040, SERVICE CHARGE RATES, BY INCREASING ALL RATE CATEGORIES BY \$1.00, EFFECTIVE OCTOBER 1, 2013, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT FORMATION, OPERATIONS, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, IN COMPLIANCE WITH NRS 237, ACCEPTED, AND IS ON FILE IN WITH THE BOARD OF SUPERVISORS (1:43:39)** - Mayor Crowell introduced this item, and opened the public hearing. Mr. Bruketta acknowledged the same finding. Mayor Crowell entertained public comment. Supervisor McKenna noted that the proposed ordinance relative to this item imposes a \$1.00 increase on storm water rates. Mayor Crowell entertained additional comments and, when none were forthcoming, closed the public hearing and entertained a motion. **Supervisor Abowd moved to find that the proposed ordinance, amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.17, Storm Water Service Charges, Section 12.17.040, Service Charge Rates, by increasing all rate categories by \$1.00, effective October 1, 2013, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict formation, operations, or expansion of a business; that a business impact statement has been prepared, in compliance with NRS 237, accepted, and is on file with the Board of Supervisors.** Supervisor Bonkowski suggested amending the motion to add the word "monthly," after the figure \$1.00. **Supervisor Abowd so amended her motion. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

**32(F) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.17, STORM WATER SERVICE CHARGES, SECTION 12.17.040, SERVICE CHARGE RATES, BY INCREASING ALL RATE CATEGORIES BY \$1.00, EFFECTIVE OCTOBER 1, 2013; AND OTHER MATTERS PROPERLY RELATED THERETO (2:59:28)** - Mayor Crowell introduced this item, and Public Works Department Director Andy Burnham suggested including the stormwater utility in the purview of the previously-discussed oversight committee. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 124, an ordinance amending Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.17, Storm Water Service Charges, Section 12.17.040, Service Charge Rates, by increasing all rates by one dollar per month, effective October 1, 2013, with the additional direction to develop fiscal policies to govern these monies and to appoint an oversight committee.** Supervisor McKenna **seconded the motion.** Mayor Crowell entertained discussion, and Supervisor Shirk reiterated objection to the oversight committee. Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-1.**

(3:02:45) In reference to University of Nevada Regent Ron Knecht's editorial, Supervisor McKenna advised "it is wrong. It has many invalid assumptions ... and the biggest assumption ... is that this utility is similar to a PUC-governed utility that has ownership by outside parties that are investors. Our utility is owned by the people that use the utility. Our risk is borne by the people that use the utility and the risk is different because of the full faith and credit of the State of Nevada and of Carson City." Mayor Crowell entertained additional comments; however, none were forthcoming.

**33. CITY MANAGER - POSSIBLE ACTION TO APPOINT THREE MEMBERS TO THE**

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**AIRPORT AUTHORITY, ONE TO FILL THE “FIXED BASE OPERATOR” POSITION, ONE TO FILL THE “CITIZEN AT LARGE” POSITION, AND ONE TO FILL THE “MANUFACTURER” POSITION; THESE APPOINTMENTS ARE FOR FOUR-YEAR TERMS, ENDING OCTOBER 2017 - Deferred.**

**34. PUBLIC COMMENT** (3:03:55) - Mayor Crowell entertained public comment; however, none was forthcoming.

**35. ACTION TO ADJOURN** (3:05:57) - Mayor Crowell adjourned the meeting at 3:05 p.m.

The Minutes of the September 5, 2013 Carson City Board of Supervisors meeting are so approved this 5<sup>th</sup> day of December, 2013.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder