

# CARSON CITY BOARD OF SUPERVISORS

## Minutes of the April 21, 2011 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, April 21, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell  
Supervisor Karen Abowd, Ward 1  
Supervisor Shelly Aldean, Ward 2  
Supervisor John McKenna, Ward 3  
Supervisor Molly Walt, 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**

(8:30:26) - Mayor Crowell called the meeting to order at 8:30 a.m. Mr. Glover called the roll; a quorum was present. First Christian Church Pastor Ken Haskins provided the invocation. At Mayor Crowell's request, a moment of silence was observed in memory of all the young people lost over the past few days and weeks. At Mayor Crowell's request, City Treasurer Al Kramer led the pledge of allegiance.

**5. ACTION ON APPROVAL OF MINUTES - March 17, 2011** (8:33:02) - Supervisor Abowd noted a correction to item 17. Supervisor Aldean advised of several non-substantive clerical corrections which she offered to share with the recording secretary after the meeting. Mayor Crowell entertained a motion with the correction offered by Supervisor Abowd and with the understanding that non-substantive clerical changes will be made after the meeting. **Supervisor Aldean so moved. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**6. ADOPTION OF AGENDA** (8:33:57) - At Mr. Werner's request, Mayor Crowell modified the agenda to address item 14(B) prior to item 14(A). Mayor Crowell entertained additional modifications to the agenda and, when none were forthcoming, deemed the remainder adopted.

**7. PUBLIC COMMENTS AND DISCUSSION** (8:34:44) - Mayor Crowell entertained public comment. (8:35:18) Richard Noble advised that he is a resident of Palm Springs, California and that his mother lives in Carson City. He described his 39-day walk with the American Equality bill "from the Golden Gate Bridge to the Nevada border." He advised that he is "carrying the rainbow flag with the feathers of the two spirit, which is a Native American tradition," and that he will be visiting with the Paiute tribe next week "for their gathering of Native Americans." He further advised that he will be submitting the American Equality bill to the Board, and provided background information and a description of the same. He requested the Board and the community to support the Non-Discrimination Act, and the community to challenge the Defense of Marriage Act in Nevada. He discussed his planned journey across Nevada, and provided additional information regarding the American Equality bill. Mayor Crowell called for additional public comment; however, none was forthcoming.

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**8. SPECIAL PRESENTATIONS**

**8(A) PRESENTATION OF A PROCLAMATION FOR NEVADA WILDFIRE AWARENESS WEEK, MAY 1 - 8, 2011** (8:43:55) - Mayor Crowell passed the gavel to Mayor *Pro Tem* Aldean and stepped from the dais to the podium. Mayor Crowell invited Fire Chief Stacey Giomi to join him at the podium, read the language of the Proclamation into the record, and presented the same to Chief Giomi. Chief Giomi thanked Mayor Crowell, and discussed this year's theme *Wildfire Survival: It Takes a Community*. He reviewed Wildfire Awareness Week activities and events. Mayor *Pro Tem* Aldean entertained questions or comments and, when none were forthcoming, thanked him for all the efforts to keep the community safe.

**8(B) PRESENTATION OF A PROCLAMATION TO RECOGNIZE THE MONTH OF MAY AS ARCHAEOLOGY AWARENESS AND HISTORIC PRESERVATION MONTH IN CARSON CITY (HRC-11-005)** (8:48:19) - Mayor Crowell invited Historic Resources Commission ("HRC") Chair Michael Drews to join him at the podium, read the language of the Proclamation into the record, and presented the same to HRC Chairperson Drews. (8:49:59) HRC Chairperson Drews reviewed plans and activities for Historic Preservation Month. He discussed details associated with the process for creating a National Register of Historic Places historic district. He distributed to the Board members and the Clerk an aerial photograph depicting the preliminary historic district boundary. Mayor *Pro Tem* Aldean returned the gavel to Mayor Crowell, who had returned to the dais. Mayor Crowell thanked the Historic Resources Commissioners

**9. CONSENT AGENDA** (8:53:33) - Mayor Crowell entertained requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion to adopt the consent agenda as published. **Supervisor Aldean moved to approve the consent agenda, consisting of one item from Finance; one item from Public Works; three items from Purchasing and Contracts, assigning Resolution No. 2011-R-9 to item 9-3(B); two items from the City Manager's Office, assigning Resolution No. 2011-R-10 to item 9-4(B); two items from Parks and Recreation, one being from the Open Space Division; and one item from the Treasurer's Office. Supervisor Walt seconded the motion. Motion carried 5-0.**

**9-1. FINANCE DEPARTMENT - ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY THROUGH APRIL 12, 2011, PURSUANT TO NRS 251.030**

**9-2. PUBLIC WORKS DEPARTMENT - ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND NDOT WHEREBY THE CITY WILL ALLOW NDOT TO APPLY MICROSURFACE PAVING AND RESTRIPE OLD HOT SPRINGS ROAD (A CITY STREET) FROM THE JUNCTION OF GONI ROAD TO THE DEAD END AT THE I-580 GRADE SEPARATION, AT NO COST TO THE CITY**

**9-3. PURCHASING AND CONTRACTS**

**9-3(A) 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 \$23,568.30, FOR CONTRACT NO. 1011-154, TITLED CDBG ADA COMPLIANT RESTROOMS AT THE COMMUNITY CENTER, TO SHAHEEN BEAUCHAMP BUILDERS, LLC**

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**9-3(B) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE TWO (2) PIECES OF MISCELLANEOUS SURPLUS PROPERTY HAVE REACHED THE END OF THEIR USEFUL LIVES AND WILL BE DONATED TO ANOTHER GOVERNMENTAL ENTITY OR TO A REQUESTING NON-PROFIT ORGANIZATION CREATED FOR RELIGIOUS, CHARITABLE, OR EDUCATIONAL PURPOSES, AS SET FORTH IN NEVADA REVISED STATUTE 372.3261 (FILE NO. 1011-217)**

**9-3(C) ACTION TO APPROVE CONTACT NO. 1011-218, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530, WITH MANHARD CONSULTING, LTD., TO PROVIDE PROFESSIONAL SERVICES FOR THE ORMSBY BOOSTER PUMP STATION THROUGH MAY 1, 2012, FOR A NOT-TO-EXCEED AMOUNT OF \$84,798.00, TO BE FUNDED FROM THE WATER ACCOUNT - ORMSBY WATER TANK PROJECT 520-3505-435-79-04, AS PROVIDED IN FY 2010 / 2011 AND FY 2011 / 2012**

**9-4. CITY MANAGER**

**9-4(A) ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF MARCH 9, 2011 THROUGH APRIL 12, 2011**

**9-4(B) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING THE INTRASTATE INTERLOCAL CONTRACT TO ENGAGE THE BUREAU OF SERVICES TO THE BLIND AND VISUALLY IMPAIRED / BUSINESS ENTERPRISES OF NEVADA TO PROVIDE VENDING SERVICES AT THE CARSON CITY PUBLIC SAFETY COMPLEX**

**9-5. PARKS AND RECREATION DEPARTMENT - ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A LETTER IN SUPPORT OF THE ASH CANYON TO KINGS CANYON SINGLE TRACK TRAIL ROUTE PROJECT TO BE LOCATED IN THE HUMBOLDT-TOIYABE NATIONAL FOREST, CARSON RANGER DISTRICT**

**9-6. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION**

**9-6(A) ACTION TO SUPPORT AND SPONSOR THE EFFORTS OF THE V&T RAILROAD RAILWAY TRANSPORTATION COMMISSION TO OBTAIN A FEDERAL TRANSPORTATION ADMINISTRATION SARBANES GRANT FOR APPROXIMATELY \$5 MILLION**

**9-6(B) ACTION TO AUTHORIZE THE MAYOR TO EXECUTE DEEDS OF CORRECTION NECESSARY FOR THE IMPLEMENTATION OF TRANSFERS OF LANDS WITH THE U.S. FOREST SERVICE, AS AUTHORIZED BY THE OMNIBUS PUBLIC LANDS MANAGEMENT ACT OF 2009**

**9-7. TREASURER - ACTION TO APPROVE THE PARTIAL REMOVAL AND PARTIAL REFUND OF TAXES TO THE 2010 / 2011 REAL PROPERTY TAX ROLL ON PARCELS 3-037-01; 10-531-23; 9-091-08; 3-033-10; 9-322-17; 3-361-13; 9-501-02; 8-798-11; 2-672-16; 9-751-06; 8-031-06; 10-512-22; AND 8-093-05 DUE TO DONATION OF VETERAN'S EXEMPTION TO THE VETERAN'S HOME**

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**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**10. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:54:53) - None.**

**11. CITY MANAGER - ACTION TO APPOINT THOMAS ARMSTRONG AS JUSTICE OF THE PEACE TO SERVE THE REMAINDER OF THE UNEXPIRED TERM OF JUDGE ROBEY WILLIS AND SET THE GROSS SALARY, EFFECTIVE UPON OATH AND FILING OF BOND, PURSUANT TO NRS 4.030 (8:54:59) -** Mayor Crowell introduced this item. Mr. Werner provided background information and reviewed the agenda reports. At his request, Supervisor Walt provided additional information and clarification regarding the meetings with Justice of the Peace John Tatro and Thomas Armstrong. She acknowledged the recommendation of \$105,000 for Justice of the Peace Armstrong's annual gross salary.

Mayor Crowell entertained public and Board member comments. In response to a question, Mr. Werner provided clarification regarding the \$105,257.36 figure listed in the agenda report. Mayor Crowell entertained a motion. **Supervisor Abowd moved to appoint Thomas Armstrong as Justice of the Peace to serve the remainder of the unexpired term of Judge Robey Willis and set the gross salary at \$105,257.36 per year, effective upon oath and filing of bond, pursuant to NRS 4.030. Supervisor McKenna seconded the motion. Motion carried 5-0.**

(9:01:21) Justice of the Peace Armstrong expressed appreciation for the Board's efforts during the selection process and for the appointment. He acknowledged the community's and Board's expectations, and advised of his aim to exceed all of them. He advised that he was winding up his current practice, and of his intent to start May 2<sup>nd</sup>. The Board members congratulated Justice of the Peace Armstrong.

**12. PARKS AND RECREATION DEPARTMENT - ACTION TO ADOPT A RESOLUTION DECLARING INVASIVE SPECIES AWARENESS WEEK FROM APRIL 25 TO MAY 1, 2011, AS RECOMMENDED BY THE OPEN SPACE ADVISORY COMMITTEE (9:02:13) -** Mayor Crowell introduced this item. University of Nevada Cooperative Extension Weed Coalition Coordinator Margie Evans narrated a SlideShow presentation, and responded to corresponding questions of clarification. She requested Board and community support in "keeping a wary eye out for noxious, invasive weeds." She offered her assistance to "anyone in the community who has a concern." She referred to her contact information as part of the SlideShow presentation. In response to a question, Ms. Evans advised that the funding for the Invasive Species Awareness Week banner, which will be hung over Carson Street, was provided by the Carson Water Subconservancy District ("CWSD"). "And, over time, they really want this to become aquatic invasives as well. They want to make this time period completely about all invasive species. Right now, they don't have the resources put together, other than some pictures on a website and a little bit of separate information." Supervisor Aldean noted that Supervisors Abowd and McKenna serve as representatives to the CWSD, and suggested that "even signs advising people to make certain that the equipment that they launch into the Carson River ... would go a long way to not only educating people about the concerns we have ... over quagga and zebra mussels ..." In response to a question, Supervisor Abowd advised of a legislative bill which specifically addresses the issue. Ms. Evans advised that the Carson River Coalition Education Working Group is working with the Parks and Recreation Department to promote awareness on the Carson River "on several issues ... specifically including aquatic invasives."

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(9:17:49) Natural Resources Specialist Ann Bollinger advised that signs regarding aquatic invasive species are posted at Baily Fishing Pond. Discussion has taken place regarding installation of signs at the two boat launching sites on the River. Ms. Bollinger advised of having distributed to Supervisors Abowd and McKenna the *Nevada Noxious Weed Field Guide*, and that the publication is available to the public. In response to a question, Ms. Bollinger explained the distinction between weeds and noxious weeds and advised that human intervention will likely always be necessary in consideration of noxious weeds. Discussion followed.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt Resolution No. 2011-R-11, declaring Invasive Species Awareness Week from April 25 to May 1, 2011. Supervisor Walt seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Evans and Ms. Bollinger for their presentation.

### 13. PURCHASING AND CONTRACTS

**13(A) ACTION TO DETERMINE THAT CONTRI CONSTRUCTION COMPANY IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1011-201 NORTH/SOUTH WATER TRANSMISSION MAIN PROJECT - PHASE II, TO CONTRI CONSTRUCTION COMPANY FOR A BID AMOUNT OF \$6,808,145.33, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$681,000.00, TO BE FUNDED FROM THE NORTH / SOUTH TRANSMISSION MAIN, AS PROVIDED BY FY 2010 / 2011** (9:23:43) - Mayor Crowell introduced this item. Purchasing and Contracts Coordinator Kim Belt reviewed the agenda report. In response to a question, she advised of having received no bid protests. In response to a question, Water Utilities Manager and Project Engineer Thomas Guinn described the extensive project coordination with affected residents. In response to a further question, he advised of having provided each resident with his cell phone number. He further advised that HDR had been hired as the consultant. "We have meetings with them almost on a weekly basis and we've conveyed to them that we expect a great deal ... for the amount we're paying for the contract." In response to a further question, he advised that the bid amount is approximately \$2.5 million below the engineer's estimate. He advised of having requested a 15 percent contingency. "Estimating nowadays ... is different. ... The good thing about these is they're all grouped together pretty good. They go from ... over \$6 million all the way up to the \$9.5 million. It's a hard deal to try to figure out these projects right now."

Mr. Guinn acknowledged concerns relative to the low bid "that's \$2.5 million under your estimate." He advised of having sent the bid to all the construction managers "all the way up to the Deputy Public Works Director just to look at these bid items." He advised that Contri Construction Company "had one bid item that really pushed them ahead. ... As far as the other bid items, they're actually higher than everyone else." He expressed the opinion that the "quality is spot on. ... we compare it to other estimates and that ... is a good check. The construction management, again, we lean on them. They review it and give us their recommendations. We do have, in our contracts, our general conditions as the City as we can reject a bid if we don't feel that it's in the best interests of the City. We don't always have to go with that lowest bid but we feel this is a good bid."

In response to a question, Mr. Guinn discussed the project time line. Supervisor Walt expressed concern over access, and Mr. Guinn advised that the contract specifies one lane of traffic must always remain open. "The minimum delay is ... ten minutes. ... Residential properties need access the entire time ... The access,

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we specifically made sure during the special conditions of our contracts that they understand that; that delays won't be tolerated ...”

In response to a question, Mr. Guinn advised of having “heard rumbles” relative to Contri Construction Company. He advised of having conducted research, including past experience. “I required them to give me the past three projects that they did as far as water lines. They were all really good projects. They have no actions against them with the Board of Contractors. Their license is in good standing. The tools I have, I use just to verify that they are good ...” Mr. Guinn reviewed various methods by which to monitor the project.

Mayor Crowell noted the ten percent contingency. In response to a question, Mr. Guinn discussed the “margin of uncertainty” associated with any underground project. He advised of the construction manager’s duty to report to him any problem in the field, and reviewed the contract provisions relative to addressing problems. He acknowledged the City’s anticipated maximum exposure is the \$6.8 million plus the ten percent contingency, and expressed the hope that the contingency will not be necessary. Mr. Werner provided additional clarification, and discussion followed. In response to a comment, he advised that very few City projects have utilized the full contingency amount. He assured that Board that change orders are controlled very carefully. Public Works Department Director Andy Burnham noted that low bids have been common over the past year. “And we are starting to see a little bit of contention with our contractors at these low bids and we’re seeing some claim starting to generate with some of the low bids.” He explained “that’s simply the nature of the business.” In response to a question, Mr. Guinn advised that two fiber optic conduits will be installed as part of the project. He discussed the possibility of having the fiber installed, “let us use some of their lines and then possibly even rent out the conduits too.”

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to determine that Contri Construction Company is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1011-201, North / South Water Transmission Main Project, Phase 2, to Contri Construction Company for a bid amount of \$6,808,145.33, plus a contingency amount not to exceed \$681,000.00, to be funded from the North / South Transmission Main, as provided in FY 2010 / 2011. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**13(B) ACTION TO APPROVE CONTRACT NO. 1011-216 FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA), PURSUANT TO NRS 332.115(1)(m) FROM MUNICIPAL EMERGENCY SERVICES, INC. THROUGH TUALATIN VALLEY FIRE AND RESCUE, IN THE AMOUNT OF \$330,498.00, TO BE FUNDED FROM WORKERS’ COMPENSATION FIRE AIR PACKS FUND, AS PROVIDED IN FY 2010 / 2011 (P.O. NO. 2011-073)** (9:41:18) - Mayor Crowell introduced this item, and Purchasing and Contracts Coordinator Kim Belt reviewed the agenda materials. Fire Chief Stacey Giomi acknowledged the requirement to retire breathing apparatus equipment after 15 years. He reviewed the corresponding national standards, adopted by OSHA in Nevada. In response to a further question, he advised that local servicing is not available. “As part of this, they will train our technicians to ... the level of service that they can. But because they have to be bench tested, if you replace any of the components that are in the breathing airway ..., it’s easier for us to pack them up and ship them to the service center which is in Arizona.” In response to a further question, he advised that every air pack will be replaced. Supervisor McKenna suggested considering 25 percent replacement every five years “so that we have better technology sooner and also we don’t have a great big

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cost at the end of every 15 years.” Fire Chief Giomi explained that funding has not be available in the past to replace the air packs “as we go.” He further explained the “down side” to replacing one-third every five years in that “we’re replacing a third of them at a time when they still have either one-third or two-thirds of their life left. So it’s kind of a hard hump to get over because they really don’t have a lot of value. ... once the standard changes, no one in the industry wants to buy an air pack that has an old standard.” Supervisor McKenna suggested discussing the matter further. In response to a question, Chief Giomi advised that 60 air packs will be purchased, together with ancillary equipment.

Mayor Crowell entertained additional Board member questions or comments and public comment. (9:47:33) Maurice White inquired as to whether the contract had been submitted to the bid process. Chief Giomi advised that a qualitative analysis was conducted which resulted in a determination that “this was the air pack we wanted.” He further advised that the City was also able to join a bid. “So it worked out in both ways. The air pack we wanted happened to have a competitive bid that was let in the State of Oregon. Under Nevada law, we’re allowed to join bids that are competitively done in other states and, in this case, we were able to competitively join that bid out of Tualatin Valley, Oregon. So it was competitively bid ... but not right here.”

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve Contract No. 1011-216 for the purchase of self-contained breathing apparatus, pursuant to NRS 332.115 from Municipal Emergency Services, Inc. through Tualatin Valley Fire and Rescue, in the amount of \$330,498.00, to be funded from workman’s compensation fire fund air packs account 580-0704-415-7748, for \$66,099 and fire air packs grant account 275-2505-422-12-05, for \$264,399, as provided in FY 2010 / 2011. Supervisor McKenna seconded the motion. Motion carried 5-0.**

**13(C) ACTION TO AUTHORIZE ALL CITY DEPARTMENTS TO UTILIZE CONTRACT NO. 09-5408 FOR ROOFING SUPPLIES AND RELATED PRODUCTS AND SERVICES, THROUGH COBB COUNTY GEORGIA / U.S. COMMUNITIES GOVERNMENTAL PURCHASING ALLIANCE, WHICH CONTRACT NO. 09-5408 WSA APPROVED BY THE U.S. COMMUNITIES GOVERNMENTAL PURCHASING ALLIANCE AND WHICH IS EXEMPT FROM COMPETITIVE BIDDING, PURSUANT TO NRS 332.115 SUBSECTION 1(m) AND NRS 332.195, PROVIDING CARSON CITY’S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED (FILE NO. 1011-213)** (9:49:46) - Mayor Crowell introduced this item, and Ms. Belt reviewed the agenda materials. In response to a question, Ms. Belt advised that the contract is for purchase of roofing materials and supplies. “They will be bidding out the installation of the materials ... to a local contractor.” In response to a further question, she advised that the materials are not locally available. Mayor Crowell discussed the importance of not overlooking bidding opportunities for local contractors. Ms. Belt expressed the belief that the materials are a specialized product. In response to a question, Mr. Werner advised that the funding will be allocated from Question #18.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to authorize all City departments to utilize Contract No. 09-5408 for roofing supplies and related products and services through Cobb County, Georgia / U.S. Communities Governmental Purchasing Alliance, which Contract No. 09-5408 was approved by the U.S. Communities Governmental Purchasing Alliance and which is exempt from competitive bidding, pursuant to NRS 332.115, subsection 1 and NRS 332.195, providing Carson City’s approved funding and purchasing**

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**procedures are followed; funding source is Question #18. Supervisor Abowd seconded the motion. Motion carried 5-0.** (9:53:59) Mayor Crowell recessed the meeting at 9:53 and reconvened at 10:04 a.m.

**14. PUBLIC WORKS DEPARTMENT, PLANNING DIVISION**

**14(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO CHANGE THE ZONING OF THREE PARCELS OF APPROXIMATELY 6.6 ACRES, APNs 009-551-03, 009-551-08, 009-551-31, LOCATED AT 788 AND 900 FAIRVIEW DRIVE AND 900 MALLORY WAY, FROM LIMITED INDUSTRIAL (LI) TO GENERAL COMMERCIAL (GC) (ZMA-11-013)** (10:09:29) - Mayor Crowell introduced this item. Principal Planner Jennifer Pruitt oriented the Board members to the subject property using a displayed aerial photograph. At Mayor Crowell's request, she described the boundaries of the limited industrial zoning district, and pointed out the same on a displayed aerial photograph. She reviewed the agenda materials in conjunction with additional slides. Mr. Plemel distributed Planning Commission Notices of Decision to the Board members and the Clerk and provided a brief overview of the same. Ms. Pruitt reviewed comments and discussion received since the March Planning Commission meeting. She noted staff's recommendation of approval, and the Planning Commission's recommendation of approval.

Mr. Plemel noted the zoning map amendment application, and that the special use permit was finally approved by the Planning Commission at their March meeting. He advised that no appeals of the Planning Commission's special use permit approval were received. He clarified that the special use permit application approval was conditioned upon approval of the zoning map amendment. In response to a question, he advised that traffic issues are pertinent to the requested zone change. He noted that City Engineer Jeff Sharp was available to answer questions, and advised that traffic issues were discussed as a part of both applications at the Planning Commission meeting. In response to a further question, Mr. Plemel advised that the findings for approval of the special use permit application "have effectively been decided. Pursuant to the City Code, the Planning Commission has final decision unless it was appealed and it wasn't. However, to some extent, some of the ... findings required to approve the zoning map amendment are similar and compatible." Supervisor McKenna inquired as to the reason for "carving out an island in the middle of limited industrial and what impact will this have on Fairview [Drive]." Mr. Plemel explained that the proposed zoning map amendment is a "legitimate way to transition the zoning to implement what we think in the master plan will be the ... future direction; less industrial in that area, more commercial ... and more of a mix of retail uses." He assured the Board that "from a legal standpoint, it's not spot zoning because it ... provides logical transition of uses and is consistent with the master plan." He advised that findings for approval include compatibility between general commercial with limited industrial.

In response to a question, Mr. Plemel advised that a commercial realtor has represented the applicants at the Planning Commission meeting. Supervisor Abowd inquired as to a proposed exit onto Roop Street from Mallory Way. City Engineer Jeff Sharp advised that an exit currently exists. "Roop Street has a two-way left turn lane right in front of Mallory Way." He further advised that the applicant has additional information relative to the anticipated traffic associated with the charter high school. He explained that the applicants anticipate only 20 percent of the students will be on campus at any given time. The Charter High School has a small fleet of buses which make round trips a couple times a day. Mr. Sharp advised that Building A was previously used as an office building with 40 - 50 office spaces. "There was a fair amount of traffic on this site historically. They are proposing to use Mallory Way to get into the school site and also, to some extent, to leave the school site. Although, anybody that's dropping of their kids to this site



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would enter on Mallory Way to get to the site and then they would exit out onto Fairview. So they're not proposing an entrance on Fairview, but they are proposing an exit, a right-turn only onto Fairview. So that would eliminate a lot of the traffic that would have to go out Mallory Way ..." In response to a further question, Mr. Sharp advised that Mallory Way is a private road" and has been for the last 30 years. He further advised of a non-exclusive access easement which was included as part of the original plat map. "Presumably that is for access for all the adjoining property owners and presumably for maintenance of the road, all the adjoining property owners would have some sort of an equal share in maintaining the road." Mr. Sharp expressed the understanding that the road has not been maintained over the years. "The good news is the school wants to occupy the site and they do want to maintain the road and they will remove snow." Mr. Sharp expressed the opinion that the use "is a good thing for Mallory Way." Supervisor Abowd reiterated a concern that the zone change may affect property values for the existing owners.

In response to a question, Mr. Sharp advised that City staff recommended not utilizing Fairview Drive as an access to the school site. He acknowledged that the Real Estate Division was previously located in Building A. In response to a further question, he advised that Transportation Manager Patrick Pittenger was one of several City staff persons who met with the applicant. Mr. Sharp explained the rationale behind not utilizing Fairview Drive as an access point was to avoid traffic turning into the school site to back up and slow down traffic on Fairview Drive. "The applicant saw the wisdom in that and so they're not proposing to have a right-in off of Fairview." In response to a comment, Mr. Sharp advised of the applicant's request to reserve the right to revisit the possibility of access to and from Fairview Drive. He noted that once the freeway is completed, traffic on Fairview Drive will decrease.

Supervisor Aldean inquired as to whether there were property owners who objected to the master plan amendment for the area in 2006. Mr. Plemel was uncertain of the detail, but recalled having sent out individual notices relative to the master plan designation change to mixed-use commercial. He further recalled discussions with some of the property owners, but did not recall any opposition at any Planning Commission or Board of Supervisors meetings relative to the proposed mixed-use. He expressed the opinion that the current opposition is more relative to the zoning and "the short-term impacts, not the long-term master plan impacts." Supervisor Aldean expressed the understanding that under the master plan designation of mixed-use commercial, schools are a primary use. Mr. Plemel clarified that the zoning has to be changed to implement the master plan designations. In response to a question, Mr. Sharp advised that reducing the speed limit on Mallory Way had not been proposed or discussed.

Mayor Crowell entertained testimony of the applicant's representatives. (10:30:28) Project Planner George Szabo thanked City staff for their presentation, and provided an overview of applicant's presentation. Mr. Szabo reviewed the proposed project plan, using displayed slides. He requested the Board's consideration of the zoning map amendment as "a transition to what's going to be happening and what's already happening in the City in that area." Using a displayed aerial photograph, he noted the various uses adjacent to the subject site, a number of which involve students, including the Computer Corps, the Beauty College, a gymnasium used by the high school soccer and football teams for conditioning, the fitness center located across the street, the "major city park to the north, ... residential to the east." He pointed out "what's happening here is exactly what was anticipated in the master plan. The area is changing. It's in transition." He requested the Board to "continue with that transition by making the zoning for these parcels consistent with the master plan and consistent with the vision that the City had for that area for the future."

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Mr. Szabo provided a brief overview of Commercial Realtor John Uhart's presentation. In consideration of opposition expressed at the Planning Commission meeting, Mr. Szabo advised that Silver State Charter Schools Administrator Steve Knight, Mr. Uhart, and Engineer Mark Palmer "went and met with most of those people between that time and now and, to a large extent, have eased their concerns." Mr. Szabo noted that the Planning Commission's approval of the special use permit application was not appealed. He expressed the opinion that most of the opposition "had to do with how the school operates, whether things will be fenced off, how circulation will work, and what's going to happen with the road." He expressed agreement with staff's recommendation of approval "that this is a consistent zone change with the surrounding area considering that it backs up on the park which will allow some potential future access for the play field and the theater between the school and the park ... and that, with what's going on here now, empty buildings will be upgraded and the whole area is in transition as we speak." He requested the Board's approval of the zoning map amendment.

(10:37:36) Commercial Real Estate Broker John Uhart provided a brief overview of his presentation, and reviewed historic and current real estate uses in the subject area, using a displayed aerial photograph. He anticipates the subject area will transition more and more to commercial uses. In response to a previous question relative to property values, he advised that "as far as raw dirt, limited industrial is several dollars a foot less in value than retail and general commercial will be and has been for years in Carson." He expressed the opinion that the value of a building has more to do with the tenants and the method by which their net operating income is appraised. He expressed the belief that the school in this area will not change any values. "I think, to the contrary in the future, having the mix of uses ... we're going to see more commercial, we're going to see more fast food, we're going to see more restaurants, we're going to see more stores and those moving to areas like this because of that. Fairview is double lane. Obviously, NDOT saw a need for that for the future of more traffic and traffic promotes more business ... of retail and commercial." In response to a question, Mr. Uhart pointed out the building vacated by State government offices. He acknowledged that the reason for the move has been corrected. "In fact, that was mitigated ... about eight months ago. It was due to an HVAC unit and that's been replaced, duct work has been replaced, all the air quality tests have been taken." Mr. Uhart advised that an independent contractor will be hired to conduct air quality, asbestos, and AHERA testing that the school requires for both buildings.

(10:45:14) Silver State Charter Schools ("SSCS") Founder, Superintendent, and Executive Director Steve Knight provided background information on the SSCS, and requested the Board's understanding that SSCS is a "regular, ... accredited public school no different than Douglas High, Carson High." He reviewed the statutory requirements for SSCS, including course offerings, and discussed issues associated with the physical education requirement. He described the block session format during which students are required to be on campus. He advised that the SSCS staff is currently comprised of 39 people, including the front office staff, and reviewed the qualifications required of SSCS teachers, noting that "almost all of [them] have master's degrees." He emphasized that SSCS is "not a bad-boy school. We're a school that draws kids from all the different counties. These aren't kids that have problems. They're kids that want something a little different." He advised that funding is allocated by the State "per pupil ... exactly the same as any other school. ... We had a startup grant ... That's long been gone ..." Mr. Knight advised of having been "good neighbors" at the current location for the last seven years. He further advised of having met with almost all the potential neighbors. "We've endeavored to be a good neighbor and satisfy all their complaints and try to really point out that our traffic flow is actually going to be considerably smaller than it was when Richdel was there or with the State buildings and other things." Mr. Knight explained the split shift format for the teachers, and advised that SSCS buses only operate in the afternoons. He expressed

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the opinion there will be no “peak hour problem where we’re going to be interfering with the local ... tenants where they come and go generally ... from 8:00 to 5:00.” “In conclusion,” he expressed the opinion, “it’s a great school, we’ve got great kids, and this is a great location.” He requested the Board’s support.

Supervisor Abowd expressed appreciation for the alternative offered by SSCS. In response to a question, Mr. Knight advised that SSCS would initially assume maintenance responsibility for all the landscape. “The hope is that some of the development of the one field, internally, will be done with the City parks. Otherwise we’ll have to do it. Right now, it’s just a paved, empty parking lot. And we’re just proposing to put in 115x230-foot grass field to allow our students to use that and the City if they decide to use it.” He discussed the extensive SSCS drama and theater programs. Supervisor Abowd noted the recent special use permit process, undertaken by the Carson City School District, to install solar panel arrays at several school sites. In response to a question, Mr. Knight advised that Building A was remodeled with “full solar.” He further advised of having been informed that “it’s returning 130 percent ... and it runs all the lights and part of the HVAC systems.”

In response to a question, Mr. Knight advised that the current school site accommodates 500 students in 16,000 square feet. “These ... will be 70,000 square feet between Buildings A and C. We probably will grow to 1,000, 1,200 kids. It depends. There’s always competition. There’s right now six charter schools serving Carson City.” Mr. Knight acknowledged that student movements will be controlled on the closed campus. “When the kids arrive, they stay there. We don’t allow kids to just come and go as they want. Kids are assigned certain times that they have to be there. Other kids have options of coming here to the school on their off-assigned times. ... we limit that movement. In other words, there’s one in, one out in the building. ... we don’t allow kids to just come and go, come and go, come and go ...” Mr. Knight explained that once a student’s “shift” has ended, “they go.” He further explained that scheduled activities are supervised by SSCS staff.

In response to a question, Mr. Knight advised that SSCS will continue using Fitness for \$10. He reviewed the “life skills sports” format of the physical education programs. In response to a further question, he advised that students will not be crossing Fairview Drive to access Fitness for \$10. In response to a further question, he reviewed the route to access Building C via Mallory Way. In response to a question, Mr. Palmer described the retail in the northern portion of town as “strip retail.” He expressed the opinion that the empty store fronts are due to the economy and anticipates that they will be filled again as the economy improves. In response to a question, Mr. Knight advised that the businesses currently occupying Building C are not anticipated to have to relocate for several years. He explained that the school will eventually use the entire space as a gym. In response to a further question, Mr. Knight explained that Building C was recently in foreclosure. Mr. Uhart acknowledged that the current leases are month-to-month.

Supervisor Aldean advised of having researched crime statistics from March 1 through April 20, 2011 in the area of the current SSCS location. Sheriff Ken Furlong acknowledged that the area should not be classified as “high crime.” He further acknowledged no anticipation that SSCS will not create a nuisance in the proposed location.

(11:08:08) In response to a previous question, Engineer Mark Palmer referred to a phasing plan with an attached narrative included in the agenda materials. He advised that the SSCS intend to occupy the entire campus on a long-term basis. He expressed the opinion that Mr. Sharp had answered questions relative to potential traffic issues. He advised of having met early on with Transportation Manager Patrick Pittenger

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and Mr. Sharp “because our concerns were the same with Fairview and traffic volumes there, turning movements, the newspaper being across the street ...” He further advised of lengthy discussions regarding the best way to control traffic movements, safety, avoid affecting the Fairview Drive traffic. He expressed the opinion that “we’re all in agreement on that and the conditions and drawings that were put together to facilitate that are in place.” He reiterated the intent to return, at some point in the future, to reconsider the possibility of access from Fairview Drive. He expressed the hope there will be opportunities for “right in, right only off Fairview when the freeway’s built. That traffic’s going to drop off about 25 percent when that’s built.”

Mayor Crowell entertained public comment. (11:10:50) Attorney Alicia Johnson of the Allison, MacKenzie law firm, representing “the owners of ... Mallory Way and they also own some property that’s down Mallory Way from the ... location of the school. Basically, they are the heirs of Harold ... and Lois Heitmiller. There’s three children that own all of those properties.” Ms. Johnson advised of having previously “lodged opposition by way of letter and also comment before the Planning Commission.” She advised that the owners met with the applicant since the March Planning Commission meeting “and a lot of the concerns have been allayed. In particular, with regard to the road, that was their number one concern. They have, in the past, tried to approach some of the other owners along the road to get it repaired, to get everyone to contribute. They’ve gone as far as to get a bid and submitted it to the owners. The owners who were on that road were not interested. That was about five years ago.” Ms. Johnson advised that school officials had expressed their desire to contribute their fair share of the amount that it’ll cost to get the road repaved. She advised of the owners’ intent to approach everyone on the road with a recent bid to inquire as to their interest in contributing toward getting the road paved. “They don’t plan on getting it up to City standards but they do want to have some drainage and have it paved so it is a good road to go down and will be able to be used by everyone.” Ms. Johnson further advised of the owners’ desire to see “going forward a maintenance agreement among everyone to contribute to that so that that continues to occur and the road is continued to be maintained.” With regard to property value, Ms. Johnson expressed the owners’ belief that “those buildings getting filled up adds value. Having vacant buildings around their properties is a negative ...” With regard to the current tenants in Building C, “they have vacancies in their buildings just down the road so, in the future, if those tenants need to go somewhere else that’s near by so they don’t lose their client base, that availability is there.” Ms. Johnson expressed the opinion that the owners are willing to “give their full support to the school today and they just wanted me to convey that to you. In response to a question, Ms. Johnson was uncertain as to whether her clients would accept rezoning of the entire area.

(11:14:36) SSCS Student Nathan Tripp discussed benefits of the proposed location. (11:15:29) Nathan’s mother, Lupita Tripp, advised the Board that Nathan is “doing really well in school.” She further advised that Nathan attends Fitness for \$10 and that the proposed location will be very convenient. Mayor Crowell wished Mr. Tripp an enjoyable Easter vacation.

Mayor Crowell entertained additional public comment and, when none was forthcoming, additional Board member comments or questions. Supervisor Aldean called for SSCS Social Studies Teacher Blaine Spires. (11:16:37) SSCS Principal Alan Staggs advised that Mr. Spires was currently in Canada. Supervisor Aldean read into the record a message from Blaine Spires received April 15, 2011.

In response to a question, Parks and Recreation Department Director Roger Moellendorf advised of sporadic discussions over the last couple years regarding a joint use agreement that could mutually benefit

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SSCS and the Parks and Recreation Department. He expressed the opinion that accommodations could be made at Governor's Field for physical education classes. He acknowledged the specificity associated with Governor's Field, but noted a grassy area in the front of the park which is typically used for Pop Warner and T-Ball programs. He expressed the opinion that a joint use agreement could be developed between the SSCS and the Parks and Recreation Department. He acknowledged that no part of the discussion associated with the subject item involves an agreement with the Parks and Recreation Department. Supervisor McKenna recommended discussing consideration of a joint use agreement with the Youth Sports Association. Mr. Moellendorf assured the Board members that any consideration of a joint use agreement will go through the proper public process, including the Parks and Recreation Commission and the Board.

Mayor Crowell called again for public comment and, when none was forthcoming, additional Board member comments. Supervisor McKenna expressed concern over a manufacturing business to the east of the subject location that was forced to move out because of adjacent residential uses. He expressed the opinion that the subject application represents spot zoning, and that "the entire area should be rezoned or none of it." Supervisor Aldean expressed the opinion that conflict in transition areas is inevitable. She agreed with earlier comments that rezoning the entire area would be ideal, but noted "unfortunately, that's not what's before us today." In response to a question, Mr. Plemel advised that churches in an industrial zone are considered primary permitted use. The difference is that churches generally operate during weekends and at night which is considered "off hours."

Mayor Crowell noted that many of the concerns expressed at the March Planning Commission meeting appeared to have been resolved. He expressed understanding for Supervisor McKenna's concerns, and agreed that the subject area is in transition. He entertained a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 104, an ordinance to change the zoning of three parcels of approximately 6.6 acres, APNs 009-551-03, 009-551-08, and 009-551-31, located at 788 and 900 Fairview Drive and 900 Mallory Way, from limited industrial to general commercial based on the findings contained in the staff report. Supervisor Aldean seconded the motion.** Mayor Crowell entertained discussion. Supervisor McKenna advised that his vote would have nothing to do with SSCS or with the SSCS in the proposed location. He expressed the opinion "it's a wrong type of management of the entire area. We should be rezoning the entire area." Mayor Crowell called for a vote on the pending motion. **Motion carried 4-1.** Mr. Plemel acknowledged that second reading would be agendized for the May 5<sup>th</sup> Board of Supervisors meeting.

(1:09:39) Mayor Crowell entertained public comment. Gary Sheerin expressed apology for not having been present during hearing of this item. He expressed understanding that the bill will be agendized for second reading in two weeks, and advised of his intent to attend the meeting.

**14(B) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO CHANGE THE ZONING OF TWO PARCELS OF APPROXIMATELY 3.81 ACRES, APNs 007-531-05 AND 007-531-06, FROM SINGLE-FAMILY ONE ACRE (SF1A) TO RETAIL COMMERCIAL (RC) (ZMA-11-015) (10:04:58)** - Mayor Crowell introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials in conjunction with a displayed aerial photograph. In response to a question, Mr. Plemel expressed the belief that the residence is not currently occupied. He advised of the owner's intent to demolish the structure and to market the property as retail commercial. At Supervisor McKenna's request, he agreed to follow up before second reading. In response to a further question, Mr.

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Plemel advised that if, for some reason, the occupants decided to continue to live there, they could do so “as a legal, nonconforming use on the property.” In response to a question, Mr. Plemel advised of no reason not to change the zoning. “It makes it consistent with the surrounding zoning and makes a better situation, frankly, to minimize any risk of any future residential use next to commercial.”

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to introduce, on first reading, Bill No. 103, an ordinance to change the zoning of two parcels of approximately 3.81 acres, APNs 007-531-05 and 007-531-06, from single-family, one-acre to retail commercial, based on the findings contained in the staff report. Supervisor Aldean seconded the motion. Motion carried 5-0.**

**14(C) ACTION TO RECOMMEND TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) APPROVAL OF THE CARSON CITY 2011 - 2012 ANNUAL ACTION PLAN TO IMPLEMENT PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) PROGRAM AND TO FORWARD THE PLAN TO HUD (11:25:12)** - Mayor Crowell introduced this item, and Mr. Plemel reviewed the agenda materials. In response to a question, Public Works Department Director Andy Burnham advised “we have typically expanded and contracted the sidewalk project in relation to the available funds. We’ve always been kind of the last recipient and we take whatever we can get because the amount of sidewalk work that needs to be done in the City is huge and we take every dollar we can find.” In response to a further question, he advised that “the need is certainly large, but it doesn’t get resolved with this project by itself. ... We add our own City funds to the projects as well ...”

Supervisor Aldean expressed the understanding that the City had reached an accord with the Department of Justice relative to the implementation of ADA improvements. Mr. Burnham advised of having been in correspondence with the Department of Justice over the past five to seven years. “They seem to be satisfied with our program based on our limited funding and our continued effort to try to meet that obligation. A number of years ago, we had about a \$20 million obligation. We’ve nipped away at that pretty well, but we’re probably still well over \$10 million of obligation left.” Mr. Burnham acknowledged no concerns that the voluntary abdication of funding will place the City at risk with the Department of Justice. Mr. Werner expressed agreement “because we didn’t commit to a specific amount per year. We committed to keep the project alive and going ...” Mr. Werner suggested making part of the motion the intent to allocate the full amount requested by F.I.S.H.

Mayor Crowell entertained public comment. (11:33:02) F.I.S.H. Executive Director Jim Peckham provided background information on the request for full funding “because we weren’t competing for funds with another non-profit ...” He expressed sincere appreciation for all the City’s assistance during his short tenure as F.I.S.H. Executive Director, and discussed specific examples of assistance provided by the Public Works Department.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to recommend to the Department of Housing and Urban Development approval of the Carson City 2011 - 2012 Annual Action Plan to implement programs associated with the Community Development Block Grant Program and to forward the plan to the Department of Housing and Urban Development, including the funding distribution provided in the Action Plan, with the understanding that the funding for Carson City Public Works may be reduced by a**

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percentage commensurate with any reduction in the CDBG funding received from HUD. Supervisor Aldean offered a clarification to indicate that regardless of the reduction, the share originally allocated to F.I.S.H. in the amount of \$76,500 would remain unchanged and any reduction would be fully absorbed by Public Works in connection with their sidewalk ADA improvement project. **Supervisor McKenna acknowledged the clarification. Supervisor Walt seconded the motion.** Discussion followed relative to the clarification, and Mayor Crowell called for a vote on the pending motion. **Motion carried 5-0.**

### 15. FINANCE DEPARTMENT

**15(A) DISCUSSION AND POSSIBLE ACTION REGARDING THE COST ALLOCATION METHODOLOGY FOR ALLOCATING AND CHARGING INDIRECT COSTS TO CARSON CITY'S QUALITY OF LIFE SPECIAL REVENUE FUND (11:37:47)** - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. In response to a question, Mr. Werner advised that the Quality of Life Initiative began as a ballot question and "the actual statutes are what ... implemented this." Supervisor McKenna summarized testimony presented at the April 7<sup>th</sup> meeting "that when this thing was put forward to the voters and the voters voted on it, there was an understanding that that set pot of money would be only for those projects." He inquired as to a legal basis for their understanding. Parks and Recreation Department Director Roger Moellendorf advised that the ballot question indicated a quarter cent in sales tax revenue would be set aside for the purposes of creating an open space program, a capital program for parks and recreation facilities / improvements, and a maintenance program for those parks and recreation facilities. Forty percent was to be allocated to the open space program, 40 percent for parks and recreation capital, and 20 percent for the maintenance program. "It didn't really ... give details of what the project was for. There was, at the time, an explanation ... that went out with the ballot issue that had a laundry list ... of projects that could be funded through this program." He recalled the provision that "the following projects are intended to be funded first." With regard to the open space program, he advised of the provision for the funding to be used to start the program, and for the acquisition and management of open space properties.

In response to a question, Mr. Providenti advised that the GASB full cost allocation method has been used for the Question #18 fund since 2002. Supervisor McKenna suggested that the issue is more legal in nature. "If there's a legal prohibition against this, then we ought to follow the legal prohibition. If there isn't a legal prohibition," he suggested discussing whether it's a good idea to charge the fund or not. Mr. Munn advised that several administrations of the District Attorney's office have considered the particular question and associated matters over the years. "In doing that, you look at the language of the original ballot question and the explanation and try and discern what is a reasonable construction of what the moral intent to the voters is. It's more moral than it is legal as long as there's not specific provisions in that ballot question that says that you will do certain things a certain way. That was, in turn, codified into the Charter. Now the Charter is what we will follow in that regard and the opinions ... from the D.A.'s office suggest that this type of cost allocation is legal." Considering what was in the mind of individual voters "is not a legal determination that can be made. You have to construe it from what the objective record provides." Mr. Munn expressed the belief that the D.A.'s office, in the past, has found that certain appropriate costs can be carried into Question #18 issues in support of Question #18 projects. "It's not black and white."

In response to a question, Mr. Munn advised that a District Attorney's representative is not required to be in attendance at every public meeting. "It is done as a matter of courtesy and responsiveness to the needs of the client. As long as they're adequately trained on the open meeting law, there's nothing in law that says you have to have legal supervision of a meeting." Supervisor Abowd inquired as to another method

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for billing District Attorney costs to Question #18 “so it’s very clear, very transparent so that they’re legal services are required on a contracted basis.” Mr. Providenti advised that the District Attorney’s staff keeps track of time on their time sheets “and that’s what we’re using to allocate their costs to these different programs.” Mr. Munn clarified that the District Attorney’s staff does not currently keep a specific time line. “It’s more of a general estimate of how much time has been spent on Question #18 ... as opposed to other parks matters.”

Supervisor Aldean noted that the City is already paying the State to collect the Question #18 tax revenue. “They’re already charging an administrative fee. So what we’re doing, as the City, is charging an administrative fee for the direct allocation of time spent to implement this program.” Supervisor Aldean suggested that the average citizen is not aware that the State collects the taxes, exacts an administrative fee, and allocates the tax revenue to the City. She expressed the opinion that the City isn’t doing anything unauthorized. “The question is are we doing a good job of ensuring that the time spent by our various departments is specifically allocable to Question #18.”

Supervisor Walt advised that the subject issue has been a matter of discussion at the Parks and Recreation Commission for a number of years. She suggested a formal training session conducted by the District Attorney’s Office on the open meeting law. She advised of past discussion relative to decreasing the number of Parks and Recreation Commission meetings; “however, the commission did not want that ... knowing that ... we were being billed for those meetings ...” She reiterated the suggestion for formal training, and Mr. Werner advised that such training is offered every year. Mr. Werner pointed out the Board’s discretion relative to not allocating costs for a District Attorney’s or Clerk’s Office representative to be present at public meetings. He expressed a preference for both a District Attorney’s and Clerk’s Office representative to be present rather than “not have them there and worry about a billing system.” He suggested the \$45,000 amount does not represent a great deal of money, and reiterated the preference to have a District Attorney’s Office representative present at public meetings to avoid open meeting law violations. He reiterated that the Board can decide to remove those elements from the cost allocation process. Supervisor Walt expressed support for having a District Attorney’s Office representative present at public meetings.

Mr. Providenti suggested “the basic question is, ‘Do you want the general fund to subsidize these programs?’” Additional discussion followed, and Mr. Werner reiterated the Board’s “absolute discretion ...” Supervisor Abowd suggested contracting “with each different agency that Question #18 wants to engage in order to make this crystal clear ... with specific time logs such that everything is recorded and evidently transparent.” Mr. Providenti explained that allocating based on time for Question #18 would be very difficult. He provided further detailed explanation of the cost allocation method using the Finance Department staff as an example. In response to a question, he explained that the 2010 costs delineated in the agenda materials would be allocated as part of the 2012 budget.

Supervisor McKenna advised of having been informed of concerns that the City is going to charge the Open Space Program for fire suppression costs and that’s going to wipe out the open space budget. In addition, there is frustration associated with constructing the recreation center and “if they had these monies that the City was charging them for costs, they would have had enough money to build a recreation center and now they don’t and we’re building a community gym versus a recreation center.” Supervisor McKenna expressed hesitation over “scrap[ping] the full allocation cost plan or change our way of doing accounting, but we have some people that are worried that open space is going to be diverted to pay for fire suppression



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costs.” Mr. Werner advised of having discussed with the Open Space Advisory Committee “now that you’ve got thousands of acres and our exposure for fire is huge, one of the things when we quit buying land ... would be ... to build a reserve. We’re not taking everything, but we probably need to have a \$2 to \$3 million reserve sitting there for our match for any major fire suppression because we’re going to get tagged with that.” He referenced the Waterfall Fire, as an example, and advised “we’d be out about \$3.5 million today if that occurred today. We’re concerned about the exposure and liability, but we’re not talking about willy, nilly just taking and dumping it into the Fire Department. We would be talking about setting aside a reserve within open space that could be used for fire suppression activities that we would use kind of like a revolving fund.”

Open Space / Property Manager Juan Guzman advised that the Open Space Program has used outside counsel on one occasion specifically for conservation easements as the necessary expertise was not available in-house. He expressed the belief that most of the cost allocations relative to the District Attorney’s Office are not due to meeting attendance. “It’s really reviewing contracts and ... documents in the case of Open Space.” He expressed concern that if a District Attorney’s representative is not present at the Open Space Advisory Committee meetings, “they lose a whole bunch of the understanding of what it is that we’re trying to accomplish.” In reference to the testimony provided at the April 7<sup>th</sup> meeting, he pointed out that “after the initiative, there were ordinances adopted, there were master plans adopted in order to implement the initiative and all of those documents to provide for the monies and the use of the monies and management is part of the question ...” Mr. Guzman acknowledged the fear that a great deal of Open Space Program funding may be diverted to fire suppression or some other activities. In reference to the federal lands bill, he pointed out that the City’s fire exposure should be somewhat reduced. In addition, budget line items have been implemented for fire suppression and fuels management. He expressed the opinion that the Open Space Program, under the direction of the Open Space Advisory Committee, has “done what they need to do, which is ... manage lands appropriately. So then the question that remains is what did the voters intend and how do you best ... answer to the questions of the voters that these monies should not be paid for ... certain expenditures. And only you can decide that.” Mr. Guzman acknowledged that the Benna-Marshall property has tall timbers. He reminded the Board that “we got rid of 2,100 acres and now we are going back and picking 45.”

Mayor Crowell entertained public comment. Supervisor Walt read into the record correspondence from Donna Curtis.

(12:07:58) Bruce Kittess advised of having watched the April 7<sup>th</sup> meeting, and suggested “when money gets tight that’s when everybody starts looking at the other guy. Just because we’ve always done it that way, that’s why we’re revisiting this subject.” He wondered “how much money you spend trying to allocate costs,” and expressed a preference for being able “to track where the money’s going.” He suggested that the cost allocation method “will never end. The CPAs are always changing the rules for this and that.” In response to a previous question, Mr. Kittess expressed an interest in knowing the administrative costs; “one big chunk. Don’t be spreading them all over the place so we can’t figure it out.” He advised of having reviewed costs associated with the V&T several years ago, and expressed appreciation for Mr. Providenti’s assistance. “There were so many journal entries ... I’m sure it was all legal and it was all correct, but you couldn’t track anything and, as a manager, you wouldn’t know what you were trying to decide.” With regard to enterprise funds, he expressed the understanding that “the enterprise fund is a justification for raising the fees.” He advised that the next time a water or wastewater increase is proposed, “we are going to scrutinize the costs and we are going to pay particular attention to allocated costs.” In reference to the

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recent school bond issue, he attributed its passage to the “nice job of explaining how they were going to spend the money.” He expressed the opinion that “some of us were surprised when Mr. Werner said that there would be \$1.2 million available out of the general fund to finance the Nugget Project. If you start allocating more of these costs for our D.A. or for our recorder, then that frees up more money in the general fund to pay for the Nugget. So that’s kind of another thing that’s being discussed. If you didn’t allocate, there’d be less money in the general fund to pay for the Nugget.” Mayor Crowell clarified the City Manager’s statement in that “if you make a choice on the general fund to reduce a service level in one area, you can find those funds.” He expressed the opinion the City Manager was not saying “there’s \$1.2 million that’s sitting in there that we could lay our hands on.” Mr. Werner acknowledged the accuracy of the statement, and clarified “it’s a decision the Board would make and if you make that as a priority, then we would ... end up laying people off and you would have the money. There was not money there available. The other thing is that cost allocation has been going on with government since government started. So this is nothing new. All of these costs have been allocated to all these funds for 100 years.” Mr. Kittess clarified “that’s what all the discussions are: allocation, indirect costs that are sometimes arbitrary ...” Mayor Crowell expressed understanding for Mr. Kittess’ comments in that “in a pure sense, in a perfect world, you would want every function to pay its own costs. ... when you move into the government service of providing general public services to folks, however you want to define that, parks, rec, water, any of those things, that there will usually be some sort of subsidy that’s applied between funding sources or between entities because a lot of the public services, parks is one that couldn’t stand on its own. And so there’s a subsidy that goes on.” Mr. Kittess suggested “revisit[ing] it and mak[ing] it simpler.” He expressed the opinion that “the whole allocation process for a Question #18 or even the enterprise fund, unless it’s required by the feds, is really not necessary.”

Mr. Providenti expressed the opinion that the cost allocation method is the most efficient way to account for these costs. He related the example of the Public Works Department Director hiring “his own human resources department, his own accounting firm to do all the books and pay all the bills, it would cost a lot more for him to do that than to use our services.” In response to a comment, Mr. Werner advised that the City controls the number of people. “So for example, if we weren’t doing some of the work that we’re doing in public works or police or fire, [the Finance Department] would not have as many people. It’s directly related to the work load. ... So if we took the enterprise funds, water and sewer, of which there are ... 80 employees, if we had people working in [the Public Works Department] that dealt with HR issues ..., with all the accounting that occurred and said, okay, we won’t do an allocation, then we would have to move those people into the enterprise funds and then [the Finance Department] could drop probably two people because we wouldn’t need them. Actually the work load would not be there. We don’t do it with police and fire because they’re general government anyway so whether it’s tax dollar here or tax dollar there, it’s the same. ... but with the ones that have that additional source of funding, you as a taxpayer shouldn’t necessarily have to pay the cost that is incurring to the general government that the utilities themselves are there to provide a service for.” Mr. Werner acknowledged that water and sewer rates are actually lower because of the cost allocation method.

(12:19:07) Donna DePauw advised of having spoken to Supervisor Abowd prior to this meeting. She noted that Supervisor McKenna had served on the Parks and Recreation Commission in 1997 at the time Question #18 funding began to be allocated. She reviewed background information on the Question #18 percentage allocations to open space, parks and recreation, and maintenance. “We had a laundry list, as [Mr. Moellendorf] said, and that we ... the voters believed that they were completed, was going to be completed before other projects were brought in. However, ... the Parks and Recreation Commission got an approval

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by the D.A.'s Office to put other parks in there to utilize Question #18 funding." She advised that the Question was "created as tight as we could. We knew there were going to be an open space manager eventually. ... We knew there was going to be a parks planner. We knew we were going to need more parks staff and especially during the summer months. We knew all of these items were coming out of Question #18 funding. But, again, we go back to the indirect costs. And ... I had requested a spreadsheet over the years and I did not get that."

In response to a question, Mr. Providenti was unable to provide the figure representing the 2006 Question #18 allocation to the District Attorney's Office. Ms. DePauw suggested "that's the important information the public wants to know because no one has seen indirect costs coming out of this until the last three years." In response to a question, Mayor Crowell advised that the cost allocation method was used in 2006. He was uncertain as to whether the costs were broken out by function at that time. Ms. DePauw advised that she knows "for a fact that the cost for the parks department came out of the Quality of Life and we expected that. Not the whole department, but the new maintenance, some of [Mr. Moellendorf's] salary, things like that. ... but what we don't see happening since three years ago is ... where that has been divided up." She noted that \$49,000 was allocated to the District Attorney's Office last year "that also approved this type of allocation. We have monies that went to the recording secretary and, again, for the last three years, we know that all these allocations have been occurring, but you can't tell me or any of the other residents, at this time, when they have boxes that they've brought in, of what was allocated to every indirect department. And that's where I have a real problem." Ms. DePauw expressed opposition to the information not being available at this meeting. "It's very, very frustrating to know that we cannot, as a public, get the answers that we deserve about Question #18." She expressed the belief "it has been followed properly until approximately three years ago." She expressed an interest in "where those allocations are," and the opinion that "it was inappropriate to hold this discussion without all the information in front of you."

(12:25:22) In reference to the staff summary, Maurice White noted that the full cost allocation method has been utilized since 2002. In response to a question, Mr. Providenti expressed the belief that there wasn't much going on with Question #18 until 2002. In response to a further question, Mayor Crowell advised that OMB Circular A-87 is a federal guideline. In response to a further question, he advised that under certain grants, cost allocation is required. Mr. White noted that the Board has taken past testimony from "interested parties that their intent was to not have these costs allocated." He expressed the opinion that all government should be fully exposed and transparent. "However, in this case, the citizens have expressed that they don't want these allocations made to the Quality of Life." He expressed the belief "that in life, there's three ways to do things: the right way, the wrong way, and whatever's legal." He suggested "uphold[ing] the wish of the citizens that said plainly, regardless of what the actual ballot question verbiage is, you can still rely on the intent of the people ..." He was uncertain as to how to demonstrate "where these costs go and come from. ... that's something the actuaries or [Mr. Providenti's] staff would have to figure out, but the people have plainly stated, they do not want these costs put to Quality of Life."

Supervisor Walt expressed concern that if the funding is not allocated from Question #18, it would have to come from the Parks and Recreation Department general fund budget. "What that's going to mean then is any development that we want, say for a multi-activity center, then again those costs will go to that which would hinder that project. It could be the maintenance of parks which could then hinder the parks as well."

Mr. White expressed understanding, and noted "apparently it has not been an issue until the last three or

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so years.” He suggested the City “should’ve figured out what they were going to do with that when this bond issue was passed.” Supervisor Walt disagreed, advising that “this has been an issue. It’s been brought up to the Parks and Rec Commission every budget meeting for years and it’s been brought to the Board of Supervisors every budget meeting as well. It has been a concern. We have addressed it and the way that we’ve chosen to address it is how you see.” Mr. White further suggested “that the City also knew that this action was going to cause a fire storm or they would’ve done it much sooner.”

Supervisor Aldean was uncertain of what the average voter thought when reading the Question #18 explanations. She suggested the drafters should have been more proactive and included something that specifically precluded the use of funds for anything other than specific purposes defined in the ballot question. She advised of having voted for Question #18 with no idea that she’d be having this discussion years later. She acknowledged the adamant and passionate concerns expressed relative to not allocating costs appropriately. “And that is the issue.” In response to a question, Mr. Providenti expressed the opinion that Finance Department staff presently does a good job of allocating costs. “We spend probably three or four weeks every year, with a consultant ... [who] interviews people, does the things that we need to do, and the document gets audited by our CPA firm.” He expressed the opinion that the costs are currently allocated correctly. Mr. Werner advised that it would be better to just not allocate the costs, and related an example of the discussions which take place during Internal Finance Committee meetings. Discussion followed. Supervisor Aldean pointed out there were people who didn’t vote for Question #18 and “now the money needed to support Question #18 is coming out of the general fund which helps support other services that benefit them.” She suggested a better job of identifying direct costs will “go a long way to restoring the faith of the people who’ve appeared before us now twice ... concerned about possible inappropriate allocation.” Mr. Werner offered to speak with the consultant about what should be factored into the cost allocations. Discussion followed and, in response to a question, Mr. Providenti advised that Question #18 is treated as an enterprise fund. He reiterated the method by which costs are allocated by Finance Department staff, and that the costs are legitimate. He and Mr. Werner responded to questions of clarification relative to the costs listed in the agenda materials, and discussion followed.

Supervisor McKenna suggested keeping in mind that the City is one accounting entity. “Reasonable methods were used to allocate the costs. ... The discussions today somewhat took us away from a one-entity concept to several entities. ... That is the entire City. It is not the Quality of Life fund, it’s not the sewer / water funds, etc. You have to look at the entire thing. We don’t want to go to a checkbook for every fund. We don’t want to go to employees for every fund. There’s been no evidence, just opinion, that Question #18 prevented any allocation of costs. ... We have a legal opinion that says there’s nothing in the law that prevents the allocation of costs. Everything in accounting says you allocate costs to the functions. That’s what the federal law requires. That’s what the business people here have done.” Supervisor McKenna expressed hesitation over a discussion of how we allocate costs today, and the opinion that “the Question #18 question is a tempest in the teapot and the costs are properly allocated. We could go over the study and change things if we wanted to but it comes down, at the end of the day, we’re going to charge ‘x’ amount of tax and have ‘x’ amount of expenditures and have an ending fund balance. And allocating \$0.10 more to sewer / water and \$0.10 less to Quality of Life is not going to change that equation. It just has to do with whether Quality of Life has more value to some people than having good sewer service has to some people. ... There is no reason to do anything different than what we’re doing now.”

In response to a question, Mr. Providenti noted the various alternative actions included in the agenda report. “There really isn’t any recommendation. ... you could either use the A-87, you could use the full GAAP

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allocation plan or you could do something else.” In response to a question, Mr. Providenti advised that a hybrid method would be defined by the Board. He expressed the opinion that the full cost allocation method should be used “because ... that’s the full cost of the program. ... that’s what it costs us to run that program.” Supervisor Aldean suggested that a hybrid method would involve taking a closer look at the costs allocated by the Clerk’s Office as a direct cost. Mr. Providenti reiterated that the Board would need to determine what to charge. He reviewed the costs allocated to the Clerk’s Office from Question #18.

Mayor Crowell entertained additional public comment. (12:49:48) Parks and Recreation Commission Chair Steve Lasco advised that he would be presenting his opinions and perspectives with no reflection on City staff or other members of the Parks and Recreation Commission. In reference to earlier comments, he suggested that the District Attorney’s Office staff does not provide services as a “courtesy” as evidence by the cost allocation. He expressed concern over not knowing the exact amount of time provided by the District Attorney’s Office. “I don’t know how round those numbers are.” He expressed an interest in attending Open Meeting Law training, but advised of never having been provided the opportunity. “... in a very simplistic manner, folks provide services. The recorder records. The District Attorney handles legal matters ... and these services are provided, the salaries are paid to provide these services.” Mr. Lasco noted that the recreation center has “been on hold for a couple of years and the latest, most recent sticking point for about the last 18 months is that we do not have the funds to operate that facility and that \$140,000 of indirect charge would go a long way towards paying the light, the heat, and some of the staff time to operate that as yet unbuilt facility.” Mr. Lasco implored the Board “to find some way to lessen the burden.” He clarified that “not everything has full cost recovery potential. There are some services that communities need to provide.” He implored the Board “to keep parks and recreation, open space, quality of life in the pantheon of those services right up there with fire, safety, and all the other essential services provided by City government.”

Mayor Crowell entertained additional public comment; however, none was forthcoming. Supervisor McKenna thanked Mr. Lasco, and agreed “it’s not cost accounting. It’s not cost allocation. It simply is, there are certain people that believe Quality of Life funds should be doing other things. If we said, from the general fund, here’s \$150,000, go build your building, we wouldn’t be having this discussion today. This has nothing to do with how costs are allocated.” Supervisor McKenna expressed the opinion that the process should be left as it is. Mayor Crowell suggested “you get what you pay for and if you’re going to start from a blank sheet of paper, there are no employees and no direct costs and nothing with Question #18 unless Question #18 wants it to be done. And then they’re going to have to pay full boat for whatever they want to do.” As an alternative, he expressed agreement with Supervisor McKenna and the opinion that the federal grant guidelines is likely a better method. He expressed agreement with Mr. Lasco that “all these public functions that come out of the general fund are important for our community.” He expressed agreement with the OMB Circular A-87 cost plan, removing the City Manager’s costs. He noted the importance of having a standard. Supervisor Abowd expressed agreement with the OMB Circular A-87 cost plan, removing the City Manager’s costs. She expressed agreement with Mr. Lasco that there is sometimes not a full cost recovery, and the inclination to “not subscribe any costs and have Open Space request what services they want and then be charged.” In response to a question, Mr. Guzman advised that the Open Space Advisory Committee was created by ordinance. Supervisor Aldean suggested that the Open Space Advisory Committee discuss cost allocation methods. Mr. Moellendorf expressed support for the cost allocation method, describing it as “really fair.” He expressed the opinion that the general fund should not subsidize those activities; “that we try to make sure that those funds are as self-sufficient as possible.”

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Supervisor McKenna suggested that politicians deciding good accounting practices creates “a lot of problems. Anything short of full allocation is bad accounting. The feds do it because they have politicians setting these rules. ... If you’re going to allocate any costs, you should allocate all costs.” Supervisor Aldean noted the Board’s broad constituency, and expressed the opinion that the OMB Circular A-87 cost plan would “not be a bad compromise.” **Supervisor Aldean moved to use the OMB Circular A-87 cost plan with one amendment to remove any costs associated with the City Manager’s Office from the allocation.** Supervisor McKenna suggested “the problem with compromise is that we have a group here that came before the meeting and had an opinion and stated some things that may or may not be true and they’re the problem *du jour* and then next meeting we get into another group who wasn’t notified of this and they come to that meeting because, by taking this action, we caused them to lose money or to have a problem.” He noted that politics leaves some people happy and other people unhappy. “But accounting is, we take the money that comes in, the expenditures that go out and we allocate them to the functions that got benefit from them. And the OMB plan is politics and [Mr. Providenti’s] plan is accounting.” Supervisor Aldean noted that this was the reason for her suggestion of a hybrid method. In response to a question, Mr. Werner advised that the \$46,000 would be allocated from the general fund. In response to a further question, Mr. Providenti anticipates that the amount would reduce the City’s ending fund balance. Discussion followed, and **Supervisor McKenna seconded the motion.** Mayor Crowell expressed appreciation for Supervisor McKenna’s comments, and reiterated the motion. Supervisor Abowd requested a stipulation that the Open Space Advisory Committee and the Parks and Recreation Commission meet to discuss “exactly what funding they feel is justified and not justified.” Mr. Providenti expressed the opinion that the full cost allocation plan “is what is absolutely needed.” Discussion followed, and Mayor Crowell called for a vote on the pending motion. **Motion carried 3-2.**

(1:10:06) Following a brief discussion, Mayor Crowell recessed the meeting at 1:10 p.m. and reconvened at 1:25 p.m.

**15(B) PRESENTATION AND DISCUSSION WITH STAFF OF THE PROPOSED 2011 - 2012 FISCAL YEAR BUDGET FOR CARSON CITY WHICH INCLUDES THE GENERAL FUND, ENTERPRISE, AND ALL OTHER FUNDS** (1:25:07) - Mayor Crowell introduced this item, and Mr. Providenti reviewed the agenda materials in conjunction with a PowerPoint presentation. He responded to questions of clarification. Mr. Werner advised that a final budget will be presented on Monday, May 16<sup>th</sup>. “That also ... is subject to huge changes based on what happens with the Legislature. So we probably won’t have a final final until July sometime. And, at that point, we’ll do the five-year projections to see where we’re at on the outlying years. Those outlying years have us all a little nervous, mainly because we don’t know what’s happening. ... We’re factoring in some ideas ... but until we see the whole picture, it’s hard to say ... We just didn’t want to start projecting out yet until we had that pinned down.”

In response to a question, Mr. Providenti discussed methods by which to amend the budget based on unanticipated revenues or expenses. He expressed the belief that if the Legislature materially affects your budget, you can revise it accordingly. He continued reviewing the PowerPoint presentation, and Mr. Werner discussed corresponding topics agendized for the Board’s April 22<sup>nd</sup> strategic planning session.

Mr. Providenti and Mr. Burnham responded to questions regarding salaries and wages. Mr. Werner assured the Board there were no merit increases, no reclassifications, and no cost of living increases. In response to a question, Mr. Moellendorf and Mr. Providenti provided clarification relative to apparent increases in the Parks and Recreation Department salaries and wages. Mr. Werner advised that changes indicate

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redistribution and reorganization, not an increase in the number of employees. In response to a question, he discussed the result of a hiring freeze and the City's alternative to allocate based on service levels. Mr. Providenti responded to additional questions regarding the Convention and Visitors Bureau reimbursement, and discussion followed. Mr. Burnham and Mr. Providenti responded to questions regarding JAC Transit funding, and discussion followed. Additional discussion took place regarding the ending fund balance, capital improvements funding, and the stabilization fund. In response to a question, Sheriff Furlong advised of never having researched cost savings associated with privatizing jail services. He clarified that the jail function is statutorily required to be maintained by the Sheriff's Office. In response to a further question, he advised that a "very, very long discussion" would be required to consider expanding the dispatch center to help the Fire Department. He advised that the City Manager has considered other compositions of the dispatch center, including combining operations with adjacent counties. "All of that is being looked at in the long term." Mr. Werner noted concerns over upcoming equipment upgrades, and Sheriff Furlong provided additional clarification. Supervisor McKenna suggested cost-per-call or some type of billing function for dispatch services, and Sheriff Furlong advised of never having entertained the possibility. He discussed the Sheriff's Office emphasis on serving the community. In response to a further question, Sheriff Furlong discussed the City's aging vehicle fleet. Discussion followed. In response to a question, Mr. Burnham advised that he, Mr. Moellendorf, and Mr. Providenti have been reviewing the City's maintenance service delivery method. Mr. Werner emphasized the importance of "continually testing the way we do things."

Mayor Crowell entertained public comment and, when none was forthcoming, Mr. Providenti reviewed that portion of the PowerPoint presentation relative to the enterprise funds. Mr. Burnham responded to questions of clarification relative to utilities capital improvements. Extensive discussion took place with regard to the freeway status and sewer / water connection fees. Mr. Providenti reviewed that portion of the PowerPoint presentation relative to the worker's compensation fund. In response to a question, Mr. Werner provided a status report on the Public Defender issue. Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Providenti advised that the final budget will be presented at the special May 16<sup>th</sup> meeting.

**16. RECESS BOARD OF SUPERVISORS (2:45:59)** - Mayor Crowell recessed the Board of Supervisors at 2:45 p.m.

### REDEVELOPMENT AUTHORITY

**17. CALL TO ORDER AND ROLL CALL (2:46:01)** - Chairperson Aldean called the Redevelopment Authority to order at 2:46 p.m. All members of the Redevelopment Authority were present, constituting a quorum.

**18. ACTION ON APPROVAL OF MINUTES - February 17, 2011 (2:46:28)** - Vice Chairperson Abowd moved to approve the minutes. Member Walt seconded the motion. Motion carried 5-0.

**19. FINANCE DEPARTMENT - PRESENTATION AND DISCUSSION WITH STAFF OF THE PROPOSED 2011 - 2012 FISCAL YEAR BUDGET FOR THE CARSON CITY REDEVELOPMENT AUTHORITY (2:46:45)** - Chairperson Aldean introduced this item, and Mr. Providenti reviewed the agenda materials and responded to corresponding questions of clarification. Discussion took place regarding special events funding. Chairperson Aldean entertained questions or

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comments; however, none were forthcoming.

**20. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY (2:57:39)** - Vice Chairperson Abowd moved to adjourn the meeting at 2:57 p.m. Member Walt seconded the motion. Motion carried 5-0.

**21. RECONVENE BOARD OF SUPERVISORS (2:57:49)** - Mayor Crowell reconvened the Board of Supervisors at 2:57 p.m.

**22. BOARD OF SUPERVISORS NON-ACTION ITEMS:**

**STATUS REVIEW OF PROJECTS (2:57:55)** - None.

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (2:57:59)** - None.

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS (2:58:04)** - None.

**STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (2:58:09)** - Supervisor Abowd advised of having received an e-mail from a constituent and requested to agendaize discussion regarding the dog parks rules and regulations. Sheriff Furlong advised that the inmates are working to clean up the parks. Supervisor Walt reminded everyone of Earth Day on Saturday, April 23<sup>rd</sup>, and announced various clean up project locations. Mayor Crowell advised that the City Manager and Supervisor McKenna are working on the City Manager's evaluation.

**STAFF COMMENTS AND STATUS REPORT** - None.

**23. ACTION TO ADJOURN (3:00:17)** - A motion was made, seconded and carried unanimously to adjourn the meeting at 3:00 p.m.

The Minutes of the April 21, 2011 Carson City Board of Supervisors meeting are so approved this \_\_\_\_\_ day of May, 2011.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder