

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 6, 2010 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, May 6, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
Melanie Bruketta, Chief Deputy District Attorney
Kathleen King, Recording Secretary

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

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:30:06) - Mayor Crowell called the meeting to order at 8:30 a.m. Roll was called; a quorum was present. Seventh Day Adventist Church Pastor Ron Torkelsen provided the invocation. Supervisor Walt led the pledge of allegiance. Mayor Crowell thanked Pastor Torkelsen.

5. ACTION ON APPROVAL OF MINUTES - April 1, 2010 (8:31:38) - Supervisor Aldean moved to approve the minutes, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. ADOPTION OF AGENDA (8:31:59) - At Mr. Werner's request, Mayor Crowell modified the agenda to address items 29(D) and (C) prior to item 29(B). Mayor Crowell entertained additional requests to modify the agenda and, when none were forthcoming, deemed it adopted.

7. PUBLIC COMMENTS AND DISCUSSION (8:33:17) - Mayor Crowell entertained public comment. (8:33:42) In reference to recent newspaper articles, Bruce Kittess noted that the "ice rink subsidy" was "less than anticipated." He expressed disagreement "with the presentation of the numbers," the reason being that the approved budget indicated a "one-time capital expense of \$0." He advised "there was a capital expense and, while you may have chosen to spread it over five years, the point is you spent more money not less money ... than you said you were going to spend." He commended the Parks and Recreation Department's management of the ice rink in that "expenses were down 15 percent. The problem was the revenue was down 46 percent. So, ... you spent 13 percent more than the subsidy." He expressed concern over declining revenues in the City, and suggested, "You better be prepared for the Legislature when they try to find \$2 to \$3 billion in our state budget." Mr. Kittess referred to a *Reno Gazette-Journal* article, published May 5, 2010, and advised that the City of Reno Redevelopment Agency "came up with the million dollars to pay for the freight house project. The bad news is that, "for the first time in twenty years, they don't have the money to sweep and clean their streets in the downtown redevelopment area." Mr. Kittess referred to another recent article announcing the Scolari's Market closing after 35 years. He noted 15 shopping centers in Carson City, and expressed concern over the ripple effect of an anchor store closing. He noted "lots of focus on downtown," and suggested "refocusing on the rest of all these

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businesses.” He further suggested that the Office of Business Development focus on business retention, and discussed methods by which to receive feedback from existing and vacating businesses. He noted that “very few business people come here and speak. They just stay away.” He suggested considering them “so we don’t lose anymore businesses and then find that we have to expand the redevelopment area.”

(8:38:17) John Wagner noted the recent loss of two Hollywood Video stores. He expressed concern over the current condition of Roop Street adjacent to the west side of the Community Center. Mayor Crowell assured Mr. Wagner that Roop Street would be restored upon completion of the widening project. In response to a comment, Mr. Werner confirmed that the existing patches are only temporary. Mayor Crowell entertained additional public comment; however, none was forthcoming.

8. SPECIAL PRESENTATION - HISTORIC PRESERVATION AWARDS OF 2010 IN RECOGNITION OF SIGNIFICANT PRESERVATION ACCOMPLISHMENTS AND IN CELEBRATION OF NATIONAL HISTORIC PRESERVATION MONTH, MAY 2010 (8:40:07) -

Mayor Crowell invited Historic Resources Commission Chair Mike Drews to the podium, and read the language of the Proclamation into the record. (8:41:10) HRC Chair Drews presented an Historic Preservation Award to Noreen Humphreys, which was received by her daughter, Debbie Coleman. Mr. Drews read into the record a pertinent portion of the May 6, 2010 memorandum which was included in the agenda materials. He stated, “A lot of what you see in the historic district is a direct result of Noreen’s efforts, in the late ‘70’s to make sure we preserved that.” He presented Ms. Coleman with the Historic Preservation Award for Ms. Humphreys and thanked her “for all the work she’s done.” The Board members, City staff, and citizens present applauded.

HRC Chair Drews noted this year’s Historic Preservation Month theme, “Old is the new green,” and presented an Historic Preservation Award to The Edwards House LLC. He reviewed a pertinent portion of the May 6th memo, presented the award to Jack Kurt, and thanked him for the retrofit project. (8:43:49) Mr. Kurt reviewed results of installing the photovoltaic panels. “... it provided 75 percent of our total energy for the house. And April through November, we actually do not have an electric bill.” Mr. Kurt thanked the City and the Historic Resources Commission. The Board members, City staff, and citizens present applauded.

HRC Chair Drews presented an Historic Preservation Award to Carter and Peggy Twedt for the recent addition to and remodel of their residence at 612 West Robinson Street. Mr. Drews commended the Twedts; “they get it.” “... everything they do to that house is in very good taste, meets preservation standards, and they just do an excellent job.” He presented the plaque to Ms. Twedt, and the Board members, City staff, and citizens present applauded.

HRC Chair Drews presented an Historic Preservation Award to Kilpatrick, Johnston & Adler LLC which was received by Charlie Kilpatrick. Mr. Drews commended a recently-completed addition to the Frank Norcross House at 412 North Division Street. (8:45:53) Mr. Kilpatrick advised that Judge Norcross was the first territorial judge and one of the first members of the Nevada Supreme Court.

Mr. Drews announced the Historic Preservation scavenger hunt scheduled for the week of May 17 through 21, 2010. He advised that applications are available at the Historic Resources Commission website or the Planning Division. In reference to this month’s edition of *Old House Journal*, he noted a “very nice article,” copies of which he distributed to the Board members and staff, on the Herman Springmeyer house.

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Mayor Crowell thanked Mr. Drews, the Historic Resources Commission, and the Historic Preservation Award recipients. He noted the importance of historic preservation to the community's identity.

9. CONSENT AGENDA (8:48:11) - Mayor Crowell advised that a citizen had requested to pull item 9-3(A), and entertained additional requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion to adopt the remainder of the consent agenda. **Supervisor Livermore moved approval of the remainder of the consent agenda, consisting of nine items: 9-1, Treasurer, (A) and (B); 9-2, Public Works, three items (A), (B), and (C); 9-3(B), Purchasing and Contracts; 9-4, Fire; 9-5, Public Works Planning; 9-6, Parks and Recreation and Open Space, with special recognition to the Friends of Silver Saddle Ranch, as published and presented. Supervisor Aldean seconded the motion.** Mayor Crowell entertained Board member and public comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 5-0.**

9-1. TREASURER

9-1(A) ACTION TO APPROVE THE REDUCTION OF THE REAL PROPERTY TAX ROLL FOR PROPERTY IDENTIFIED AS SUBDIVISION COMMON AREA; TAXES AND PENALTIES TO BE REMOVED FROM THE ROLL ARE \$3,367.70

9-1(B) ACKNOWLEDGMENT OF AFFIDAVIT OF DELINQUENT NOTICE MAILING FOR REAL PROPERTY TAXES

9-2. PUBLIC WORKS

9-2(A) ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN AN EASEMENT AMENDMENT BETWEEN NEVADA DIVISION OF STATE LANDS AND CARSON CITY, WHEREBY THE DIVISION OF STATE LANDS WILL GRANT THE CITY AN EASEMENT ACROSS THE CARSON RIVER TO FACILITATE ACCESS TO AND MAINTENANCE OF LLOYD'S BRIDGE WHICH WAS RECENTLY TRANSFERRED TO THE CITY FROM NDOT

9-2(B) ACTION TO APPROVE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY PURPOSES FROM PROPERTY OWNER JAMES J. WENINGER TO CARSON CITY FOR 58,580 SQUARE FEET FROM APN 009-821-01, FOR A PORTION OF CENTER DRIVE

9-2(C) ACTION TO APPROVE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY PURPOSES FROM PROPERTY OWNER EUGENE J. LEPIRE, JR. TO CARSON CITY FOR 12,401 SQUARE FEET FROM APN 009-012-14 FOR CANYON PARK COURT

9-3. PURCHASING AND CONTRACTS

9-3(A) ACTION TO DETERMINE THAT CONTRACT NO. 0910-192 IS A CONTRACT FOR HARDWARE AND ASSOCIATED PERIPHERAL EQUIPMENT AND DEVICES FOR COMPUTERS AND / OR SOFTWARE FOR COMPUTERS AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0910-192, A REQUEST FOR RFID SYSTEM, ASSOCIATED EQUIPMENT, MATERIALS, AND TRAINING NEEDED FOR THE CONVERSION TO BE PROVIDED BY

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ENVISION WARE, INC. FOR A NOT-TO-EXCEED COST OF \$91,781.00 TO BE FUNDED FROM THE LIBRARY GRANT SERVICE / AUTOMATION FUND AND THE LIBRARY GIFT FUND, AS PROVIDED IN FY 2009 / 2010 (8:53:35) - Mayor Crowell introduced this item, and Purchasing and Contracts Coordinator Sandy Scott-Fisher reviewed the agenda materials. In response to a question, Library Director Sara Jones reviewed the funding sources, as delineated in the agenda report. She circulated a radio frequency identification ("RFID") tag among the Board members and staff, and explained the function and benefits of RFID. She provided background information on the selection of EnvisionWare, Inc. as the vendor. She advised that the Library will be closed for two weeks for installation of the system and affixing the tags. Ms. Jones acknowledged that the system will be easily transferred to another facility. "That was a huge part of the request for these bids; ... something that will serve this facility in its present state and ... easily expandable to a new facility." Ms. Jones further acknowledged that EnvisionWare is proprietary software. She advised that EnvisionWare currently serves the Library's reservation system for the public computers. She described the software capabilities, and acknowledged there is an annual licensing fee. The first full year of licensing is included in the initial cost, and additional licensing will be allocated from the Library budget. She estimated the annual maintenance cost at \$3,000 to \$4,000.

Mayor Crowell entertained additional Board member and public comments. (9:00:43) John Wagner expressed objection to using RFID tags in relation to "privacy issues." He expressed concern that the RFID "chip" will next be affixed to library cards, and suggested considering bar coding instead. He expressed the opinion that RFID "chips ... can ... compromise people's personal identification ..."

Ms. Jones acknowledged the importance of privacy as "a professional tenet that [she has] cared for [her] entire career." She advised that the Library currently uses bar codes on patron cards and books. "The patron card remains bar coded. It will not be RFID for the precise reasons that Mr. Wagner is talking about." Ms. Jones advised that reading personal information from a library card would be extremely difficult. "The library card remains a bar code that is really unintelligible without the system. The books will have a RFID tag, but ... should you have that kind of big brother technology ... it would be able to read Mr. Wagner's bar code number and that's the only thing it would say. It could never connect that bar code number to who he is, where he lives, other books that he has. It just connects a unique item number for him and a unique item number for the book. It meets all the standards of American Library Association privacy. It meets all the standards of Nevada Revised Statutes of privacy. We take that very seriously and all of those factors were duly taken into consideration." Ms. Jones advised that bar codes will remain in order to ensure interoperability with other libraries that don't yet utilize RFID technology. In response to a question, Ms. Jones explained the benefits that Library staff and patrons "will need to touch books less."

Mayor Crowell entertained additional public comment. (9:07:07) Mr. Wagner expressed concern over the possibility that the Library's computer could be breached.

(9:07:43) Jed Block requested Ms. Jones to ensure that EnvisionWare is qualified to do business in Nevada. Supervisor Aldean noted the contract provisions under Paragraphs 17 and 18.1 requiring the contractor to be licensed to do business in the City. Ms. Bruketta acknowledged that the noted provisions are standard to every City contract.

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Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to determine that Contract No. 0910-192 is a contract for hardware and associated peripheral equipment and devices for computers and / or software for computers and, therefore, not suitable for public bidding, pursuant to NRS 332.115, and to approve Contract No. 0910-192, a request for RFID system, associated equipment, materials and training needed for the conversion to be provided by EnvisionWare, Inc. for a not-to-exceed cost of \$91,781.00 to be funded from the Library Grant Service / Automation Fund and the Library Gift Fund, as provided in FY 2009 / 2010. Supervisor Aldean seconded the motion, and noted a necessary clerical correction to incorporate the numerical value of the contract. Mayor Crowell entertained questions or comments on the motion. Ms. Jones acknowledged that the cost includes installation. Mayor Crowell entertained additional comments or questions and, when none were forthcoming, called for a vote on the pending motion. Motion carried 5-0.**

9-3(B) ACTION TO DETERMINE THAT CONTRACT NO. 0910-197 IS A CONTRACT FOR THE SERVICES OF A PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR, OR REGISTERED ARCHITECT; THAT THE SELECTION WAS MADE ON THE BASIS OF THE COMPETENCE AND QUALIFICATIONS OF THE ENGINEER, LAND SURVEYOR, OR ARCHITECT FOR THE TYPE OF SERVICES TO BE PERFORMED AND NOT ON THE BASIS OF COMPETITIVE FEES; AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 625.530; AND TO APPROVE CONTRACT NO. 0910-197 WITH V & A CONSULTING ENGINEERS TO PROVIDE CORROSION ENGINEERING SERVICES - PHASE 1, THROUGH MAY 5, 2011, FOR A NOT-TO-EXCEED COST OF \$126,054.00, TO BE FUNDED FROM VARIOUS SEWER AND WATER FUND ACCOUNTS, AS PROVIDED IN FY 2009 / 2010

9-4. FIRE DEPARTMENT - ACTION TO AUTHORIZE THE MAYOR TO SIGN THE 2010 ANNUAL OPERATING PLAN BETWEEN THE BUREAU OF LAND MANAGEMENT, CARSON CITY DISTRICT OFFICE (AGREEMENT NO. NV-FAA-0801 101) AND THE CARSON CITY FIRE DEPARTMENT

9-5. PUBLIC WORKS DEPARTMENT - PLANNING AND ZONING DIVISION - ACTION TO APPROVE A REQUEST FOR A TWO-YEAR EXTENSION FOR A TENTATIVE SUBDIVISION MAP, KNOWN AS WEST KNOLL, LOCATED AT 1460 SOUTH CURRY STREET, APN 003-064-15, TO REMAIN VALID AND THE FILING TIME FRAME FOR A FINAL MAP TO BE EXTENDED TO AUGUST 17, 2012 (TSM 05-082a)

9-6. PARKS AND RECREATION DEPARTMENT - OPEN SPACE DIVISION - ACTION TO APPROVE THE RECOMMENDATION OF THE CARSON RIVER ADVISORY COMMITTEE, PARKS AND RECREATION COMMISSION, AND OPEN SPACE ADVISORY COMMITTEE TO PROVIDE NON-FINANCIAL SUPPORT TO THE FRIENDS OF SILVER SADDLE RANCH AND SIERRA BUSINESS COUNCIL IN THEIR EFFORTS TO PRODUCE A BUSINESS DEVELOPMENT AND ORGANIZATIONAL PLAN, AND TO USE CARSON CITY'S NAME AS A PARTNER FOR PRIVATE FUND RAISING

10. RECESS BOARD OF SUPERVISORS (8:49:27) - Mayor Crowell recessed the Board of Supervisors.

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LIQUOR AND ENTERTAINMENT BOARD

11. CALL TO ORDER AND ROLL CALL (8:49:30) - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:49 a.m. Roll was called; a quorum was present, including Member Albertsen.

12. ACTION ON APPROVAL OF MINUTES - March 18, 2010 and April 1, 2010 (8:49:55) - Member Williamson moved to approve the minutes, as presented. Member Aldean seconded the motion. Motion carried 6-0.

13. PUBLIC WORKS DEPARTMENT - BUSINESS LICENSE DIVISION - ACTION TO APPROVE THE RELOCATION OF STRAW HAT PIZZA, LIQUOR LICENSE NO. 10-14484, FROM 127 CLEARVIEW DRIVE TO 2010 HIGHWAY 50 EAST; PAMELA ANDERSON HAS BEEN AND WILL CONTINUE TO BE THE LIQUOR MANAGER FOR THE BUSINESS (8:50:27) - Chairperson Crowell introduced this item, and Principal Planner Jennifer Pruitt reviewed the agenda materials. She acknowledged the request to relocate the liquor license. (8:51:20) Pamela Anderson described the new Straw Hat Pizza location on Highway 50 East. Member Walt thanked Straw Hat Pizza for their community support. Ms. Anderson explained that 30 preschoolers had recently participated in a field trip to the Straw Hat Pizza kitchen. Chairperson Crowell entertained public comments and, when none were forthcoming, a motion. **Member Williamson moved to approve the relocation of Straw Hat Pizza liquor license 10-14484 from 127 Clearview Drive to 2010 Highway 50 East; Pamela Anderson has been and will continue to be the liquor manager for the business.** Member Williamson thanked Straw Hat Pizza for the continued investment in Carson City. **Member Aldean seconded the motion. Motion carried 6-0.**

14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:53:00) - Chairperson Crowell adjourned the meeting at 8:53 a.m., and thanked Undersheriff Albertsen for his attendance.

15. RECONVENE BOARD OF SUPERVISORS (8:53:28) - Mayor Crowell reconvened the Board of Supervisors.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

16. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:53:30) - Please see the minutes for item 9-3(A).

17. PARKS AND RECREATION DEPARTMENT - OPEN SPACE DIVISION - ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE TO AUTHORIZE MAYOR CROWELL AND THE OPEN SPACE MANAGER TO EXECUTE DOCUMENTS AND COORDINATE EFFORTS WITH THE NEVADA COMMISSION FOR RECONSTRUCTION OF THE V&T RAILWAY IN ORDER TO PURCHASE FEE TITLE FOR PROPERTIES OWNED BY MR. DONALD BENTLY AND LOCATED IN THE CARSON RIVER CANYON, APNs 010-011-24 AND 010-011-25 (9:10:22) - Open Space / Property Manager Juan Guzman introduced this item. Mayor Crowell noted the May 5th memorandum distributed to the Board members and staff prior to the start of the meeting. Mr. Guzman oriented the Board members to the location of the subject property using a displayed aerial photograph. He noted the relationship of the Serpa and Bently

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properties, and described the characteristics of the subject property as beneficial to the Open Space Program. He further described abuses which take place on the property, including illegal dumping. He reviewed the agenda report and supporting materials, including his May 5th memo.

In reference to the April 19th Open Space Advisory Committee (“OSAC”) minutes which were included in the agenda materials, Mr. Guzman responded to questions of clarification regarding the Bently property appraisal. At Mayor Crowell’s request, V&T Railway Commission General Counsel Michael “Smiley” Rowe explained the Federal Highway Administration “just compensation” requirement. The \$1.54 million value, referenced in the April 19th OSAC minutes, “is the amount ... established by the Department of Transportation in this right-of-way setting memorandum and it’s consistent with what [Appraiser] Lyn [Norberg] had found in terms of the damages to the property that would be occasioned by cutting off any access to it which is, in effect, what would happen if a track is built down the road.” Mr. Rowe responded to additional questions of clarification regarding FHA “just compensation” requirements.

Supervisor Aldean noted the small difference between the purchase price of the property needed by the V&T Railway Commission and the additional property the OSAC is recommending for purchase. In response to a comment, Mr. Rowe explained that the appraisal report recommends to the V&T Railway Commission that it “pursue acquisition of the entire parcel because of the extent of the damage that is occasioned to the property by virtue of cutting off its access.” In response to a question, Mr. Rowe advised that access to the Serpa property would be the “same as it is today for the reason that Juan had mentioned to you, and that is we built a railroad track on the road all the way to the edge of the Bently property on the north side so nobody’s going through now.”

Supervisor Aldean noted the illegal dumping which has taken place in the subject area over the years, and inquired as to what the City is going to do differently to monitor and prevent illegal activities. Mr. Guzman noted that Mr. Bently is an absentee landowner. “By having a presence, we will have the ability to correct more problems as they begin to happen right away. ... Just by eliminating the principle ... motorized route,” Mr. Guzman “anticipates that will cut a great amount of the dumping problem because what is dump[ed] there is very large and very heavy ... trash.” He advised that City staff has ensured maintenance access through the V&T Railway Commission. He noted the “other real problem” of “social trails,” and advised that “those will remain.” City staff will be responsible for curtailing the use of social trails, through signage, enforcement, and volunteers. In response to a question, Mr. Guzman explained that the V&T Railway Commission has existing rail which can be used to prohibit motorized access. He advised of existing signage which indicates “blocked access.” In response to a question, Mr. Rowe explained that if the V&T Railway Commission was to construct track on the Bently property before any acquisition of Serpa property, the train could proceed but could not turn around. Discussion followed.

In response to a question, Mr. Rowe advised that the V&T Railway Commission’s appraisal was conducted and published in March 2009. He further advised of having requested Mr. Norberg to re-examine his appraisal approximately a month ago. Mr. Norberg advised that the numbers are still valid. Supervisor Livermore requested Mr. Rowe to request Mr. Norberg to confirm, in writing, the current validity of the appraisal. Supervisor Williamson noted the picturesque value of the property to the V&T Railway, and the open space value of preserving the wetlands and access into the area. Mr. Rowe responded to questions of clarification regarding the offers outlined in the May 5th memo. Supervisor Williamson suggested the V&T Railway Commission contribute the \$300,000 in the event Mr. Bently is unwilling to donate it. In response to a question, Mr. Rowe anticipates finalizing the letter to Mr. Brooke upon the Board’s

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acceptance of the OSAC's recommendation. Mr. Rowe would also continue to work with Mr. Guzman to ensure grant funding time tables are accommodated.

In response to a question, Mr. Rowe advised that Mr. Bently is very favorable toward the railway reconstruction project. Supervisor Aldean expressed the opinion that the negotiations have proceeded thus far due to the "railroad element." She expressed support for the Open Space Program absorbing the additional \$300,000, if necessary.

Mayor Crowell entertained public comment. (9:39:49) Bruce Scott expressed support for the proposal. As a resident of Deer Run Road, he advised of "keep[ing] tabs on what's happening with the Carson River." He discussed the importance of further management of the River corridor as an "additional benefit." He reiterated support, noted the OSAC's support, and expressed appreciation for the opportunity to work with the V&T Railway Commission. In response to a question, he expressed the opinion that the offers are fair "based on the appraisal." As a member of the OSAC, he expressed a preference "to see this acquired and controlled and managed by Carson City whether there was a railroad or not. ... It would be a terrible problem if we had the road through it without the railroad." In response to a comment, he advised of having discussed crossings at OSAC meetings. "Those will be accommodated and ... we envision it as a good partnership."

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. Supervisor Aldean expressed the opinion that the symbiotic relationship is beneficial, and **moved to accept the recommendation of the Open Space Advisory Committee to pursue efforts with the Nevada Commission for the Reconstruction of the V&T Railway in order to purchase fee title for the properties owned by Mr. Donald Bently, located in the Carson River Canyon, APNs 10-011-24 and 10-011-25. Supervisor Walt seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Mr. Guzman and Mr. Rowe.

18. PURCHASING AND CONTRACTS

18(A) ACTION TO DETERMINE THAT CAMPBELL CONSTRUCTION COMPANY, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 0910-181, CARSON CITY MUNICIPAL WELL 50 AND 24-INCH WATER LINE CONSTRUCTION TO CAMPBELL CONSTRUCTION COMPANY, INC. FOR A BID AMOUNT OF \$805,800.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$80,600.00, TO BE FUNDED FROM THE WELL 50 WATER LINE ACCOUNT, AS PROVIDED IN FY 2009 / 2010 (9:43:57) - Mayor Crowell introduced this item, and recessed the meeting at 9:43 a.m. He reconvened at 9:54 a.m. Purchasing and Contracts Coordinator Sandy Scott-Fisher reviewed the agenda report. Public Works Department Director Andy Burnham provided background information on the project. In response to a question, Ms. Scott-Fisher advised of having received eight bids. In response to a further question, she advised that the requirement for the contractor to secure a Carson City business license is included in the bid document and incorporated into the contract. Ms. Bruketta advised that Ms. Scott-Fisher ensures each contractor complies with all contract requirements prior to beginning construction. Supervisor Aldean pointed out a necessary correction to page 2. In response to a question, Deputy Public Works Director Darren Schulz reviewed the construction time line and the project location.

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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to determine that Campbell Construction Company, Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 0910-181, Carson City Municipal Well 50 and 24-inch water line construction to Campbell Construction Company, Inc. for a bid amount of \$805,800.00, plus a contingency amount not to exceed \$80,600.00, to be funded from the Well 50 Water Line Account, as provided for in FY 2009 / 2010. Supervisor Livermore seconded the motion. Motion carried 5-0.**

18(B) ACTION TO DETERMINE THAT CONTRACT NO. 0910-148 IS A CONTRACT FOR THE SERVICES OF A PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR, OR REGISTERED ARCHITECT; THAT THE SELECTION WAS MADE ON THE BASIS OF THE COMPETENCE AND QUALIFICATIONS OF THE ENGINEER, LAND SURVEYOR, OR ARCHITECT FOR THE TYPE OF SERVICES TO BE PERFORMED AND NOT ON THE BASIS OF COMPETITIVE FEES; AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 625.530; AND TO APPROVE CONTRACT NO. 0910-148 WITH GEOCON CONSULTING, INC. TO PROVIDE CARSON CITY BROWNFIELDS ASSESSMENT GRANT PROFESSIONAL SERVICES THROUGH JULY 31, 2012, FOR A NOT-TO-EXCEED COST OF \$345,500.00 TO BE FUNDED FROM THE GRANT FUND ACCOUNT PROFESSIONAL SERVICES, AS PROVIDED IN FY 2009 / 2010 (9:59:44) - Mayor Crowell introduced this item, and Ms. Scott-Fisher reviewed the agenda report. She advised of having conducted a request for proposals process, which involved a review and selection committee. In response to a question, Business Development Manager Joe McCarthy advised of a separate contract with “McGinley, who is doing a very specific assessment using these federal dollars ... in and around what we were trying to identify as a potential contamination on Third Street.” He advised of having “worked with the State to zero in on this particular issue as quickly as possible using this assessment grant ...” He acknowledged that the difference between the amount of the grant and the amount of the subject contract is for a separate contract for a separate assessment. He advised of having received direct approval from the Environmental Protection Agency “that we could function in that way.” Supervisor Aldean noted the number of phase one and phase two assessments the contractor is willing to conduct, and expressed the opinion “we’re definitely getting our money’s worth.”

In response to a question, Mr. McCarthy provided background information on the brownfields grant application process and the process by which the assessment areas were identified. In response to a question, he explained the purpose of the federal brownfields program is not to place a property owner in a position of liability. “It helps the property owner ... to identify ways to access financing to remediate their properties and get them into a condition where there is certainty on the property.” Mr. McCarthy responded to corresponding questions of clarification, and a brief discussion followed. Supervisor Williamson discussed the benefits of the brownfields program to assist property owners. Supervisor Aldean pointed out that access is granted by the property owner; evaluation will not be imposed. She suggested that Mr. McCarthy ensure an explanation is provided regarding the potential ramifications once a phase two assessment is conducted and the available options to remediate contamination.

(10:08:54) Gary Luce, of Geocon Consultants, Inc., expressed excitement over the opportunity to be involved in the project. He expressed support for the downtown vision, and the opinion that “this is a preliminary ... and necessary ... step to get that going.” He advised that Geocon’s team partner, Resource Concepts, Inc., is also excited to be involved in the project.

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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to determine that Contract No. 0910-148 is a contract for the services of a professional engineer, professional land surveyor, or registered architect; that the selection was made on the basis of the competence and qualifications of the engineer, land surveyor, or architect for the type of services to be performed and not on the basis of competitive fees; and, therefore, not suitable for public bidding, pursuant to NRS 625.530; and to approve Contract No. 0910-148 with Geocon Consulting, Inc. to provide Carson City Brownfields Assessment Grant professional services through July 31, 2012, for a not-to-exceed cost of \$345,500.00 to be funded from the Grant Fund Account Professional Services, as provided in FY 2009 / 2010. Supervisor Williamson seconded the motion. Motion carried 5-0.**

19. PUBLIC WORKS DEPARTMENT AND OFFICE OF BUSINESS DEVELOPMENT - ACTION TO DIRECT STAFF TO INVESTIGATE LEASING, LEASE-PURCHASE, OR PURCHASE OF THE FORMER FIRESIDE BUILDING AND PROPERTY (APNs 004-215-07, 004-202-01, AND 004-202-02) AS A POSSIBLE LOCATION FOR A BUSINESS RESOURCE CENTER (10:10:44) - Mayor Crowell introduced this item. Mr. McCarthy reviewed the agenda report and provided an overview of the agenda materials. In response to a question, he explained the concept behind the proposed business resource center. In response to a further question, he discussed consideration given to the former CitiBank building. He provided background information on the opportunity presented by a library services grant allocated to the Carson City Library, “with the focus on providing business assistance ...” He advised of having met with a number of business representatives “just to get some feedback ..., includ[ing] ... the construction trades, commercial broker trades, the Carson Area Chamber of Commerce, ...” Their feedback indicated considering several locations. In response to a question, Mr. McCarthy advised that the former Fireside building “is much more move-in ready and it has adjacency to City Hall which means that any business ... could also walk right across the street and access the Assessor, the Treasurer ...”

Mr. McCarthy acknowledged that the Office of Business Development is currently funded by the Redevelopment Authority. He advised that the Office of Business Development has eliminated a full-time position. In reference to the recommended action, Supervisor Aldean suggested inserting the words “or another building of comparable utility” following the Assessor’s Parcel Numbers. Supervisor Williamson emphasized the business resource opportunity for new and existing businesses. Mr. McCarthy discussed the business networking opportunity.

Supervisor Livermore advised of having met with various City staff members on April 20th, and noted that the concept has continued to expand. In response to a question, Mr. McCarthy advised that the decision to eliminate a full-time position from the Office of Business Development was made after April 20th. Supervisor Livermore read a portion of the March 25th Library Board of Trustees minutes into the record. In response to a question, Mr. McCarthy advised of having worked with “more than a handful of small businesses up and down Carson Street, from the county line on both ends” over the past eight years. He explained that his job responsibilities include facilitating business development. He suggested the subject proposal represents an attempt to “transition away from identifying specific businesses that may be in trouble to ... more of a proactive Office of Business Development and help a larger segment of our business community.” In response to a question, he explained that research will be conducted into business resource centers in municipalities across the country. “Mostly the focus is on stage two companies with employee bases less than 100 and greater than 10. They are, across the nation over the last seven years, the largest

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producer of jobs in America.” Mr. McCarthy emphasized the long-term nature of the project. “It’s a way that this community would look at economic development ... to maintain sustainability.” In response to a comment regarding the elimination of a full-time position in the Office of Business Development, Mr. McCarthy discussed consideration given to efficiencies. He advised that the business resource center will be primarily administered through the Public Works Department. The Office of Business Development will work in concert with all other City departments to serve the community. Supervisor Livermore requested Mr. Werner to provide an organizational chart for the business resource center.

In response to a question, Mr. Werner explained the decision to consolidate Public Works Department operations due to staffing shortages in the Building, Planning, and Business License Divisions. Plans were made to relocate these divisions to the Butti Way facility as of July 1st. The subject opportunity was made available by Library Director Sara Jones securing the previously-mentioned library services grant funding. Authorization was subsequently given to the Ron Wood Family Resource Center to move into the Northgate facility. Mr. Werner discussed efficiencies associated with moving the Building, Planning, and Business License Divisions one time, rather than to the Butti Way facility and then to the downtown area. He explained that consideration was given to the former Fireside building in that it can accommodate the needs of the business resource center with very little interior remodel.

In reference to the recent budget process, Supervisor Livermore expressed concern over incurring additional debt. Mayor Crowell noted the Board’s responsibility to explain that various City funding sources have various restrictions for their use. In reference to meetings with business community representatives, Public Works Department Director Andy Burnham advised of strong encouragement to move the permit center into the downtown area rather than the Butti Way facility. “They thought it was a much more friendly atmosphere and, especially, they liked the idea of combining it with the ... business resource center and kind of changing the ethic of how we do the permits.” Mr. Burnham advised of having “adopted that concept ... with them and we’d like to go forward based on their encouragement.” Supervisor Livermore advised of having been supportive of the concept, at the April 20th meeting, “because it was about creating jobs.” He expressed concern over the concept having evolved since then. Mr. Werner advised that the subject proposal was presented, exactly as is, to the Board members as an initial concept.

Supervisor Walt suggested that Supervisor Livermore’s questions could have been addressed to Mr. McCarthy “outside of a public forum.” Mr. McCarthy advised of having continued “an ongoing conversation with a cross-section of our business community to get feedback, and that feedback has ... helped us to refine what we’re accomplishing.” Supervisor Walt noted that the Board’s agenda materials were provided approximately a week ago. In response to a question, Principal Planner Jennifer Pruitt expressed understanding for the urgency to provide improved service to the community. She explained that the permit center functions more efficiently “with all of us together. There’s no need for each individual department to be located in a building by itself. There’s a lot of cost savings associated with combining services.”

In reference to her commercial real estate experience, Supervisor Aldean advised of tenants who are first-time business owners and struggling. “It is a steep learning curve.” She noted the extraordinary benefit of having access to business resources. She viewed the business resource center as a “precursor to shifting the emphasis away from cash incentives, special events, and do[ing] more of what ... redevelopment is intended to do,” such as implementing infrastructure improvements and providing assistance to businesses. She commended the business resource center concept as a “beneficial change in direction,” and indicated

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her support. Mayor Crowell agreed, and discussed government's role to provide a platform for business to be fostered and grow. He commended City staff for consolidating services in consideration of ease and efficiency for businesses to research demographics, economics, permit requirements, etc. Mr. McCarthy reminded the Board to celebrate past redevelopment efforts "because through your public / private partnerships, you can drive up and down the street to see all the successes." He noted the auto dealerships being constructed along Highway 395 and new retailers coming to town. Supervisor Livermore expressed appreciation for Mayor Crowell's comments, and discussed the importance of transparency.

Mayor Crowell entertained public comment. (10:41:19) Bruce Kittess expressed appreciation for the opportunity to voice his opinions. He reiterated concerns over the ice rink, and expressed concern over omissions. He requested to be assured that the consideration given to the former Fireside building "isn't because of the parking lot that is contiguous to the State property that we need for the Nugget project." He expressed concern over the focus of the business resource center, and inquired as to the seeming loss of individual motivation to start a business.

(10:44:51) John Wagner expressed support for attracting businesses and filling vacant buildings. He acknowledged that the Butti facility may not be ideal for the permit center, but suggested that "if it's good enough temporarily, ... expand operations down there and keep it down there." He disagreed with leasing or buying new buildings. In response to a question, he expressed the opinion that the legislature will likely not take action to directly affect redevelopment funding. "... indirectly it's going to affect where the tax money goes, the money that you need for other purposes." He expressed concern over the legislature "deciding to tap into some of that redevelopment money." Mayor Crowell advised that the legislature would have no authority to sweep redevelopment funds because they don't levy the tax. Supervisor Aldean explained the difference between general funds and redevelopment funds, and that the business resource center would serve to provide "a hand up not a hand out." She reiterated the importance of focusing on infrastructure improvements and moving away from special events and small cash incentive subsidies. (10:51:28) Mr. Wagner expressed support for attracting businesses, and a preference for using existing facilities rather than purchasing or leasing other property.

In response to a question, Mr. Werner advised that the business resource center would be a combination of both redevelopment project areas. City staff has met with representatives from both redevelopment project areas. The proposed business resource center location is more convenient to City Hall. "The idea is to serve everybody within the City; ... to provide a resource to anybody that wants to locate in Carson City."

Supervisor Williamson thanked the citizens for their comments, and expressed appreciation to Mr. Kittess and Mr. Wagner for their civility. She noted that the downtown redevelopment area has been in existence much longer than redevelopment plan area two. She advised that since its creation, more funding has been allocated to redevelopment plan area two. She referenced the Burlington Coat Factory, the Galaxy Fandango, and the car dealerships, as examples. She expressed support for the business resource center in consideration of the statistic that 80 percent of small businesses fail within the first three years. "If there's a way that we can better prepare those people as they make their ... personal investments to give them a greater chance of success, we owe that to our residents." She explained that redevelopment funds are generated by revenues paid by property owners in the redevelopment areas that can only be used in redevelopment. She compared the Open Space Program as an identified funding source. "Redevelopment monies go to redevelopment projects."

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Mayor Crowell entertained additional public comment. (10:57:39) Ward 1 Supervisor candidate Rob Joiner commended the business resource center concept. He expressed concern over the flow of information and suggested “there are a lot of questions to be answered.” In consideration of redevelopment funding, he expressed concern over being “more prudent in how we reprioritize for funding our essential services.” He questioned whether the business resource center is the “most prudent thing to be doing with the dollars.” He inquired as to the possibility of duplication of effort in consideration of such organizations as the Nevada Business Development Center. He expressed support for nurturing existing businesses “because that’s the number one way you recruit new businesses.” In response to a question, he explained his concept of nurturing businesses. He commended the library resources grant, and questioned the long-term vision for the business resource center. He expressed the hope that the business resource center does not represent “another layer of bureaucracy.” In consideration of the downtown vision, he suggested the sidewalks could be widened without reducing the number of traffic lanes “at very little expense.” Supervisor Aldean suggested “we have reached a point in the evolution of redevelopment where we need to start prioritizing and ... redirect our resources in order to implement the vision for Carson Street ...” Mr. Joiner advised that the legislature considered taking back redevelopment funding during the last session.

(11:06:39) Ward 3 Supervisor candidate Mark Sattler advised of having talked with a few business owners, who have indicated “it has gotten better.” He expressed support for centralizing services, and noted the benefit of the proposed downtown location for the business resource center in consideration of the alternative location at Butti Way. He commended City staff “on the cuts they’ve made. We’re still functioning. If this is going to help staff function better by centralizing more, ... that’s important.”

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to direct staff to investigate leasing, lease-purchase, or purchase of the former Fireside building, APNs 004-215-07, 004-202-01, and 004-202-02, or another building of comparable utility for a possible location for a business resource center. Supervisor Walt seconded the motion.** Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

20. DISTRICT ATTORNEY - ACTION TO ADOPT, ON SECOND READING, AN ORDINANCE AMENDING TITLE 8, PUBLIC PEACE, SAFETY, AND MORALS, CHAPTER 8.08, NUISANCES, SECTION 8.08.030, DEFINITIONS, BY ADDING A DEFINITION OF “CRIMINAL GANG;” AMENDING SECTION 8.08.070, NUISANCES PER SE, BY PROVIDING THAT CERTAIN ACTIVITIES RELATING TO CRIMINAL GANGS ARE NUISANCES PER SE; AND AMENDING CHAPTER 8.09, ENFORCEMENT PROVISIONS FOR NUISANCES, BY ADDING A NEW SECTION, SECTION 8.09.490, INJUNCTIONS AGAINST MEMBERS OF CRIMINAL GANGS, WHICH AUTHORIZES THE DISTRICT ATTORNEY TO SEEK CIVIL INJUNCTIONS AGAINST MEMBERS OF CRIMINAL GANGS; AND OTHER MATTERS PROPERLY RELATED THERETO (11:09:13) - Mayor Crowell introduced this item, and Ms. Bruketta reviewed the agenda report. She acknowledged no changes to the proposed ordinance since its introduction, on first reading. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to adopt, on second reading, Bill No. 104, Ordinance No. 2010-5, an ordinance amending Title 8, Public Peace, Safety, and Morals, Chapter 8.08, Nuisances, Section 8.08.030, Definitions, by adding a definition of “criminal gang;” amending Section 8.08.070, Nuisances Per Se, by providing that certain activities relating to criminal gangs are nuisances per se; and amending Chapter 8.09, Enforcement Provisions for Nuisances, by adding a**

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new section, Section 8.09.490, Injunctions Against Members of Criminal Gangs, which authorizes the district attorney to seek civil injunctions against members of criminal gangs; and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0.

21. HUMAN RESOURCES DEPARTMENT

21(A) ACTION TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY FIRE DEPARTMENT CLASSIFIED CHIEF OFFICERS ASSOCIATION FOR THE PERIOD OF JULY 1, 2010 TO JUNE 30, 2014 (11:10:55) - Mayor Crowell recessed the meeting into closed session, pursuant to NRS 288.220(4), at 11:10 a.m., and reconvened at 11:30 a.m. He introduced this item, and Fire Chief Stacey Giomi provided an overview of the agreement, a draft of which was included in the agenda materials. He advised that negotiations with the chief officers went very well, and expressed appreciation for their cooperation. A brief discussion ensued, and Supervisor Williamson thanked the chief officers for their cooperation in consideration of the City's economic situation. In response to a question, Chief Giomi explained that "between the concessions in the two contracts and the voluntary separation program, we will be down seven positions in the department, but it will not be via layoffs." Supervisor Walt requested Chief Giomi to convey the Board's appreciation "for making this easier for the City do to." She expressed appreciation for the Fire Department's educational community outreach. Chief Giomi discussed necessary cutbacks and corresponding revisions to educational programs.

Mayor Crowell entertained public comment and, when none was forthcoming, thanked the chief officers association for a job well done. He entertained a motion. **Supervisor Aldean moved to approve the collective bargaining agreement between Carson City and the International Association of Firefighters for the period of July 1, 2010 to June 30, 2014; fiscal impact: no cost of living adjustment, first two years of contract; no merit increases, first two years of contract; years three and four include cost of living adjustment of two percent; other contractual adjustments total \$42,566.33. Supervisor Williamson seconded the motion.** Mayor Crowell entertained discussion. Supervisor Aldean noted the approval was subject to minor clerical corrections. Supervisor Williamson continued her second. Motion carried 5-0.

21(B) ACTION TO APPROVE ADDENDUM #2 TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN CARSON CITY AND THE CARSON CITY EMPLOYEES ASSOCIATION, EFFECTIVE FOR THE PERIOD OF JULY 1, 2010 TO JUNE 30, 2012 (11:37:52) - Mayor Crowell introduced this item, and Human Resources Department Director Jennifer Schultz reviewed the agenda materials. She commended CCEA President Cindy Gower and the CCEA leadership team on their cooperation in negotiations.

Mayor Crowell entertained public comment and, when none was forthcoming, thanked Ms. Gower and the CCEA. Mayor Crowell entertained Board member comments and, when none were forthcoming, a motion. **Supervisor Williamson moved to approve Addendum #2 to the collective bargaining agreement between Carson City and the Carson City Employees Association for the period of July 1, 2010 to June 30, 2012.** She thanked the CCEA members. **Supervisor Walt seconded the motion. Motion carried 5-0.**

22. RECESS BOARD OF SUPERVISORS (11:40:32) - Mayor Crowell recessed the Board of Supervisors and passed the gavel to Redevelopment Authority Chairperson Robin Williamson.

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REDEVELOPMENT AUTHORITY

23. CALL TO ORDER AND DETERMINATION OF A QUORUM (11:40:40) - Chairperson Williamson called the Redevelopment Authority to order, noting the presence of a quorum.

24. FINANCE DEPARTMENT - PRESENTATION OF THE PROPOSED 2010 / 2011 FISCAL YEAR BUDGET FOR THE CARSON CITY REDEVELOPMENT AUTHORITY (11:40:51) - Chairperson Williamson introduced this item, and Mr. Werner provided background information. Finance Department Director Nick Providenti reviewed the process for preparing and filing this year's budget, in conjunction with his April 26, 2010 memo included in the agenda materials. He responded to corresponding questions of clarification.

Supervisor Livermore expressed opposition to redevelopment plan area two revenues supporting "the bond debt for project area number one or vice versa." Mr. Werner advised that presentation of final budgets will include documentation of revenues from each of the redevelopment plan areas. In response to a question, he advised there is no legal requirement to spend revenues collected from each plan area in the same plan area. It is a decision of the Redevelopment Authority. In response to a question, Mr. Providenti explained the redevelopment district is divided into two areas. Mr. Werner advised that the Redevelopment Authority determines the method by which to annually allocate funding.

Chairperson Williamson entertained public comment; however, none was forthcoming. Mr. Providenti advised that the proposed final budget will be presented to the Redevelopment Authority at its May 17th meeting for formal action.

25. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY (11:53:09) - Chairperson Williamson adjourned the Redevelopment Authority at 11:53 a.m.

26. RECONVENE BOARD OF SUPERVISORS (11:53:15) - Mayor Crowell reconvened the Board of Supervisors.

27. FINANCE DEPARTMENT - PRESENTATION OF THE PROPOSED 2010 / 2011 FISCAL YEAR BUDGET FOR CARSON CITY WHICH INCLUDES THE GENERAL FUND, ENTERPRISE FUNDS, AND ALL OTHER FUNDS (11:53:22) - Mayor Crowell introduced this item, and Mr. Werner provided an overview. Mr. Providenti reviewed the agenda materials, in conjunction with displayed slides, and responded to corresponding questions of clarification. Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Providenti advised that the proposed final budget will be presented at the May 17th meeting. Mayor Crowell commended Mr. Providenti's presentation.

28. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (12:15:14) - Supervisor Walt reminded everyone of the Prescription Drug round-up scheduled for Saturday, May 8, 2010, 9:00 a.m. to 1:00 p.m., at all three Save-Mart locations. She announced Teacher Appreciation Week, May 3 through 7, 2010. Mayor Crowell advised of having attended a meeting in Las Vegas yesterday with several bank and realty representatives, and the State Treasurer, to discuss how to best utilize the two FDIC representatives.

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CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS - None.

STAFF COMMENTS AND STATUS REPORT - None.

RECESS BOARD OF SUPERVISORS (12:18:03) - Mayor Crowell recessed the meeting at 12:18 p.m.

29. PUBLIC WORKS DEPARTMENT

29(A) ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020, SCHEDULE OF RATES, BY INCREASING RATES EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2010; AMENDING SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY INCREASING CHARGES AND FEES ON BILLS DATED ON OR AFTER JULY 1, 2010; AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS, AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (1:58:37) - Mayor Crowell reconvened the meeting; all members of the Board were present, constituting a quorum. Deputy Public Works Director Ken Arnold reviewed the agenda materials, and advised of having received no written comments relative to the business impact statement. Mr. Arnold advised of having met with Chamber of Commerce representatives.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to find that the proposed ordinance amending Title 12, Water Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by increasing rates effective on bills dated on or after July 1, 2010; amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by increasing charges and fees on bills, dated on or after July 1, 2010, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business; that a business impact statement has been prepared, accepted, and is on file with the Board of Supervisors, and the requirements of the act have been met. Supervisor Aldean seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote. **Motion carried 5-0.**

29(B) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY INCREASING ALL RATES 14 PERCENT, AND OTHER MATTERS PROPERLY RELATED THERETO (3:09:38) - Mayor Crowell introduced this item, and Mr. Arnold reviewed the agenda report. He acknowledged that "deferred maintenance is catching up with us." Supervisor Aldean noted a correction to the proposed ordinance. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Aldean moved to introduce, on first reading, Bill No. 106, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and

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Use Rates, Section 12.03.020, Schedule of Rates, by increasing all rates by 14 percent, and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0. Supervisor Williamson discussed the history of growth which paid for utility connection fees, which enabled the Board to forego increases to utility rates for a number of years. She discussed the importance of maintaining the wastewater plant and meeting federal and state requirements relative to water. Supervisor Livermore suggested that Public Works Department representatives continue to publicize the “big picture.”

29(C) ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY INCREASING ALL RATES 14 PERCENT, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS, THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS, AND THAT THE REQUIREMENTS OF NRS 237.080 AND 237.090 HAVE BEEN MET (3:07:13) - Mayor Crowell introduced this item, and Mr. Arnold reviewed the agenda materials. In response to a question, Mr. Burnham advised that the cost associated with replacement of the Roop Street sewer line is associated with phase two of the widening project. “It would be additional for phase three.” Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to find that the proposed ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.020, Schedule of Rates, by increasing all rates 14 percent, and other matters properly related thereto, does impose a direct and significant economic burden or directly restrict the formation, operation, or expansion of a business; that a business impact statement has been prepared, accepted, and is on file with the Board of Supervisors, and that the requirements of NRS 237.080 and 237.090 have been met. Supervisor Aldean seconded the motion. Motion carried 5-0.**

29(D) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020, SCHEDULE OF RATES, BY INCREASING RATES EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2010; AMENDING SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY INCREASING CHARGES AND FEES ON BILLS DATED ON OR AFTER JULY 1, 2010, AND OTHER MATTERS PROPERLY RELATED THERETO (2:02:14) - Mayor Crowell introduced this item, and Public Works Department Director Andy Burnham reviewed the agenda report. In response to a question, he advised, “Everything that you’ve done, to date, relative to the project and moving forward with the bonds, will all stop if you don’t proceed with the rate increases today.” In response to a question, he explained the purpose for the proposed water rate increases, and the alternatives to doing so, as outlined in the agenda report. In response to a further question, he detailed the \$32 million project costs, as follows: \$10 million in additional water rights from the Town of Minden; approximately \$8 million as a part of the City’s share of the regional pipeline coming from Douglas County to Carson City; approximately \$14 million in new pipelines in Carson City, including approximately \$2 million in pump stations and accessory facilities. Supervisor Aldean referred interested

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citizens to the “North Douglas County and Carson City Regional Water Line Intertie Project” paper included in the agenda materials and posted on the City’s website for additional information. In response to a question, Mr. Burnham discussed the improved water quality as a result of the intertie project.

(2:11:35) JNA Consulting Group representative Scott Nash introduced John Peterson. Mr. Nash and Mr. Peterson narrated a SlideShow presentation of the Water Rate Study Summary, copies of which were distributed to the Board members and staff. Mr. Burnham, Mr. Werner, and Mr. Peterson responded to corresponding questions of clarification. In response to a further question, Mr. Nash advised of having factored into the model a decrease in usage as a result of conservation, in addition to overall reductions in usage which were factored into the analysis. Mr. Peterson provided additional clarification relative to the assumptions which he noted were based on information provided by the Public Works Department. Supervisor Aldean inquired as to advice for commercial users who rely on water as part of their livelihoods. She referenced nursery owners, as an example. Mr. Peterson explained that the commercial users will not be subject to the water conservation tier, and reviewed commercial rates, as outlined in the Water Rate Study Summary. Discussion followed.

Mayor Crowell entertained public comment. (2:30:28) Gil Yanuck, a resident of Carson City, discussed concerns relative to the proposed 30 percent increase. He discussed measures researched to conserve water and the associated costs. He expressed the opinion that the proposed 30 percent increase is “kind of discriminatory.” He suggested considering the possibility of working out a separate tier for large water users to use water only during non-peak hours. He advised that he cannot afford the proposed 30 percent rate increase, and reviewed costs associated with landscape maintenance. He advised that he would market his home for sale if the proposed ordinance is passed.

Mr. Werner acknowledged that summertime watering schedules will continue. In response to a question, Mr. Burnham advised that large water users “are precisely who the conservation tier is directed at; to try to get them to reduce their amount of water.” He reviewed Douglas County water rates and noted they are significantly higher than Carson City’s. In response to a question, he advised that Carson City does not have an irrigation rate. In response to a further question, he encouraged large water users to consult with Cooperative Extension representatives and other experts to assist in reducing water use. Supervisor Livermore requested staff to be prepared to provide referrals of information and resources to large water users. Supervisor Aldean suggested considering a one-time rebate for large water users who are willing to remodel landscape to conserve water. Mr. Burnham agreed to look into the possibility. Supervisor Williamson provided background information on consideration given to the proposed rate increase. She reminded everyone that “one of the reasons we need additional capacity is because of the high end users.” She suggested the possibility of considering effluent water for commercial users, and re-examination of the landscape requirements for commercial developments. Mr. Arnold advised that the City’s landscape ordinances were reviewed first. “They’re in pretty good shape and that’s not being abused.” In consideration of an earlier suggestion to consider providing assistance, Supervisor Williamson cautioned against competing with private enterprise.

(2:45:51) Greenhouse Garden Center Owner Dave Ruf advised that he is a top tier water user “only in the summer and ... hardly use[s] any water during the winter.” He expressed concern over the proposed 30 percent rate increase, and described his efforts at water conservation. He advised that water rates are the only expense for which he pays a higher rate for increased usage. He requested the Board to consider the possibility of average rate billing, and a brief discussion ensued. Mr. Ruf advised that his water rates have

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increased annually over the past seven years, and that he anticipates triple the bill “between what [he] was owing the City in August of 2003 and August of 2010.” He discussed the requirement for using water in his business.

(2:52:06) Bruce Scott noted that the City is being forced to deal with changing water quality standards “at increasing costs.” He expressed support for regionalizing the water system “because ... collectively we’ll have a much stronger group to deal with water quality ... and water quantity questions in the future.” He acknowledged the “tough situation” due to the State mandates. He advised that regionalization is “quite a bit cheaper than it would be ...” He acknowledged this may not console the large water users, but suggested “this is probably the best of a bad situation.”

Mayor Crowell entertained additional public comment; however, none was forthcoming. Discussion took place regarding the appropriate action, and Mayor Crowell entertained a motion. **Supervisor Williamson moved to approve, on first reading, Bill No. 105, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by increasing rates effective on bills dated on or after July 1, 2010; amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by increasing charges and fees on bills dated on or after July 1, 2010, and other matters properly related thereto. Supervisor Livermore seconded the motion.** Discussion took place regarding the effect of the motion, and Ms. Bruketta provided direction relative to a separate motion designating Option A or Option B. Mayor Crowell entertained Board member or public comments and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

Mayor Crowell entertained a motion to designate Option A or Option B. Supervisor Aldean moved to adopt Option B, maintenance of the existing rate structure. Supervisor Livermore seconded the motion. Motion failed 2-3. Mayor Crowell entertained a motion. **Supervisor Williamson moved to approve the rate structure that includes a conservation tier, Option A. Supervisor Walt seconded the motion.** Mayor Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 3-2.**

30. ACTION TO ADJOURN (3:16:30) - Supervisor Williamson moved to adjourn the meeting at 3:16 p.m. Supervisor Aldean seconded the motion. Motion carried 5-0.

The Minutes of the May 6, 2010 Carson City Board of Supervisors meeting are so approved this 3rd day of June, 2010.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder