

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, November 4, 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 Molly Walt, Ward 4

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
Randal Munn, 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

(8:31:20) - Mayor Crowell called the meeting to order at 8:31 a.m. Roll was called; a quorum was present. Mayor Crowell explained that former Supervisor Pete Livermore had tendered his resignation after having been elected to the Nevada State Assembly, District 40. He congratulated Assemblyman Livermore. St. Teresa's Catholic Family Father Chuck Durante provided the invocation. Attorney Day Williams led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - October 7, 2010 (8:34:23) - Supervisor Aldean noted corrections to pages 8 and 10, and Mayor Crowell entertained a motion. **Supervisor Aldean moved to approve the minutes, as amended. Supervisor Williamson seconded the motion. Motion carried 4-0.**

6. ADOPTION OF AGENDA (9:42:15) - Please see the minutes for item 20(A). Following a motion, Mayor Crowell modified the agenda to address item 21(A) prior to taking action upon item 20(A).

7. PUBLIC COMMENTS AND DISCUSSION (8:35:23) - Mayor Crowell entertained public comment. (8:35:50) Attorney Day Williams congratulated Supervisors-elect John McKenna and Karen Abowd, and commended "everybody in the supervisor campaign for running clean campaigns." Mr. Williams expressed appreciation for the opportunity to have met "the people of this City ..." Mayor Crowell thanked Mr. Williams for participating in the democratic process, and entertained additional public comment.

(8:36:16) Father Chuck Durante announced the Nevada Prayer Breakfast, "an interfaith gathering of people in leadership of various ways -- political, religious, and business ..." Father Chuck invited everyone's participation, and advised that the Prayer Breakfast would be held at the Atlantis Hotel at 7:00 a.m. on Tuesday, November 16th. He invited anyone interested to contact St. Teresa's for more information. He thanked Mayor Crowell for serving as one of the honorary hosts. Mayor Crowell entertained additional public comment; however, none was forthcoming.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 2

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION OF A PROCLAMATION TO ROSE GARDNER FOR HER 10 ½ YEARS OF DEDICATED SERVICE TO CARSON CITY (8:37:48) - Mayor Crowell introduced this item as a “bittersweet proclamation,” and invited Ms. Gardner to the podium. Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. The Board members, City staff, and citizens present applauded Ms. Gardner. (8:40:12) Ms. Gardner thanked everyone for the wonderful experience. Mayor Crowell thanked Ms. Gardner.

8(B) PRESENTATION OF A PROCLAMATION FOR NATIONAL ANIMAL SHELTER APPRECIATION WEEK, NOVEMBER 7 - 13, 2010 (8:40:59) - Mayor Crowell invited Margie Quirk to the podium. Ms. Quirk introduced Susan Paul with the SPCA. Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. Mayor Crowell thanked Ms. Quirk, and the Board members, City staff, and citizens present applauded. (8:43:50) Ms. Quirk referenced the play yard remodel recently completed by the Carson City Chamber Leadership Class, some members of which were present at the podium. In response to a question, Ms. Quirk advised that the grand opening of the play yard is scheduled for 11:00 a.m. on Saturday, November 6th. She invited everyone’s participation.

9. CONSENT AGENDA (8:45:17) - Mayor Crowell entertained requests to hear items separate from the consent agenda. Supervisor Aldean requested to separately hear item 9-3(F). Mayor Crowell entertained additional requests and, when none were forthcoming, a motion to approve the remainder of the consent agenda. **Supervisor Aldean moved to approve the consent agenda consisting of one item from the Assessor’s Office, one item from Health and Human Services, five items from Purchasing and Contracts. Supervisor Walt seconded the motion.** Supervisor Williamson thanked Lou Ann Speulda-Drews and Dr. Gregory Hayes for their service and their willingness to be reappointed to the Historic Resources Commission. Mr. Werner noted two items had been inadvertently omitted from the motion. **Supervisor Aldean amended her motion to include item 9-4, from the City Manager’s Office, and item 9-5, from Finance. Supervisor Walt continued her second. Motion carried 4-0.**

9-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL OF THE VETERANS’ EXEMPTION THAT WAS APPLIED TO THE 2010 / 2011 REAL PROPERTY TAX BILL PARCEL NUMBER 007-401-16, PURSUANT TO NRS 361.090(4), IN THE AMOUNT OF \$71.62

9-2. HEALTH AND HUMAN SERVICES DEPARTMENT - ACTION TO APPROVE A SUBGRANT AWARD FROM THE NEVADA STATE HEALTH DIVISION, IN THE AMOUNT OF \$464,644 FOR THE 2010 CDC PUBLIC HEALTH PREPAREDNESS AND RESPONSE FOR BIOTERRORISM COOPERATIVE AGREEMENT

9-3. PURCHASING AND CONTRACTS DIVISION

9-3(A) ACTION TO DETERMINE THAT CONTRACT NO. 0708-045 IS A SOLE SOURCE PURCHASE; A PURCHASE FOR EQUIPMENT WHICH, BY REASON OF TRAINING OF PERSONNEL OR OF AN INVENTORY OF REPLACEMENT PARTS MAINTAINED BY THE LOCAL GOVERNMENT, IS COMPATIBLE WITH EXISTING EQUIPMENT; THEREFORE NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE THE ADDITIONAL PURCHASES MADE AFTER THE EXPIRATION OF CONTRACT NO. 0708-045, WHICH IS HEREBY REAFFIRMED

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 3

NOTWITHSTANDING ITS PRIOR EXPIRATION, TO INCLUDE THE FOLLOWING: A PRICE AGREEMENT WITH BADGER METER, INC. FOR THE PURPOSE OF DOMESTIC WATER METERS FOR THE PERIOD OF SEPTEMBER 16, 2009 THROUGH NOVEMBER 4, 2010 FOR A NOT-TO-EXCEED AMOUNT OF \$154,502.32 TO BE FUNDED FROM THE WATER UTILITY WATER METER AND SERVICES FUND, AS PROVIDED IN FY 2010 / 2011

9-3(B) ACTION TO DETERMINE THAT CONTRACT NO. 1011-147 IS A CONTRACT FOR SUPPLIES, MATERIALS, OR EQUIPMENT THAT ARE AVAILABLE PURSUANT TO AN AGREEMENT WITH A VENDOR THAT HAS ENTERED INTO AN AGREEMENT WITH THE GENERAL SERVICES ADMINISTRATION OR ANOTHER GOVERNMENTAL AGENCY LOCATED WITHIN OR OUTSIDE THIS STATE AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 1011-147, A REQUEST FOR THE PURCHASE OF CATIONIC EMULSION POLYMER AT \$1.12 PER POUND, INCLUDING FREIGHT, FROM ASHLAND WATER TECHNOLOGIES, THROUGH JULY 1, 2011, ON AN AS-NEEDED BASIS, TO BE FUNDED FROM WASTEWATER FUND CHEMICALS, AS PROVIDED IN FY 2010 / 2011 (P.O. NO. 2011-033)

9-3(C) ACTION TO DETERMINE THAT CONTRACT NO. 1011-148 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. 1011-148 WITH RESOURCE CONCEPTS, INC. TO PROVIDE DESIGN SERVICES FOR PHASE III WATERFALL FIRE IMPROVEMENTS PROJECT THROUGH NOVEMBER 5, 2011, FOR A NOT-TO-EXCEED COST OF \$56,000.00, TO BE FUNDED FROM THE GRANT ACCOUNT 254-5047-452-6588, AS PROVIDED IN FY 2010 / 2011

9-3(D) ACTION TO DETERMINE THAT CONTRACT NO. 1011-156 IS A SOLE SOURCE PURCHASE FOR EQUIPMENT WHICH, BY REASON OF THE TRAINING OF THE PERSONNEL OR OF AN INVENTORY OF REPLACEMENT PARTS MAINTAINED BY THE LOCAL GOVERNMENT, IS COMPATIBLE WITH EXISTING EQUIPMENT AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 1011-156, A REQUEST TO PURCHASE DOMESTIC WATER METERS FROM BADGER METER, INC. FOR A NOT-TO-EXCEED COST OF \$160,000.00, TO BE FUNDED FROM WATER FUND ACCOUNT - WATER METERS AND SERVICES, AS PROVIDED IN FY 2010 / 2011 (P.O. NO. 2011-036)

9-3(E) 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 \$9,048.78 FOR CONTRACT NO. 0910-217, TITLED CARSON CITY WATERFALL FIRE WATERSHED IMPROVEMENTS - PHASE 2 TO F AND P CONSTRUCTION, INC.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 4

9-3(F) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT THE 30 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 NRS 372.3261, FILE NO. 1011-146 (8:57:58) - Mayor Crowell introduced this item. In reference to the eligible charities listed in the proposed resolution, Supervisor Aldean noted that HealthSmart had been replaced by the Capital City Circles Initiative, and requested that the resolution be amended accordingly. Supervisor Aldean disclosed that she serves as the president of the non-profit organization which promotes the Capital City Circles Initiative. Mayor Crowell advised that he serves as a member of the same non-profit organization, and entertained a motion. **Supervisor Aldean moved to adopt Resolution No. 2010-R-53, a resolution authorizing the Board of Supervisors to determine that the 30 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 NRS 372.3261, file no. 1011-146; subject to the one amendment on the record. Supervisor Williamson seconded the motion.** In response to a question, Purchasing and Contracts Coordinator Sandy Scott-Fisher advised that any other non-profit organization interested in being included on the list should contact her. She advised that miscellaneous surplus property is also advertised in the *Nevada Appeal*. Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.**

9-4. CITY MANAGER - ACTION TO REAPPOINT LOU ANN SPEULDA-DREWS AND TO REAPPOINT DR. GREGORY HAYES TO THE HISTORIC RESOURCES COMMISSION FOR FOUR-YEAR TERMS, ENDING JANUARY 2015

9-5. FINANCE DEPARTMENT - ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY, THROUGH OCTOBER 26, 2010, PURSUANT TO NRS 251.030

10. RECESS BOARD OF SUPERVISORS (8:47:25) - Mayor Crowell recessed the Board of Supervisors at 8:47 a.m.

LIQUOR AND ENTERTAINMENT BOARD

11. CALL TO ORDER AND ROLL CALL (8:47:43) - Chairperson Crowell called the meeting to order at 8:47 a.m. Roll was called; a quorum was present, including Member Ray Saylo.

12. ACTION ON APPROVAL OF MINUTES - SEPTEMBER 16, 2010 (8:48:09) - Member Aldean moved to approve the minutes, as presented. Member Walt seconded the motion. Motion carried 5-0.

13. PUBLIC WORKS DEPARTMENT, BUSINESS LICENSE DIVISION - ACTION TO APPROVE GURPAL SINGH SOOD AS THE LIQUOR MANAGER FOR INDIA FEAST, LIQUOR LICENSE NO. 11-27341, LOCATED AT 316 EAST WINNIE LANE, CARSON CITY (8:48:34) - Chairperson Crowell introduced this item, and Principal Planner Jennifer Pruitt reviewed the agenda materials. Member Aldean noted the liquor license applicant is out-of-state, and that the business is owned and operated by Mr. Singh, who is local. She inquired as to the reason the business owner and applicant

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 5

are not one and the same, and the method by which the sale of liquor is going to be controlled and supervised.

Chairperson Crowell invited Surinder Singh to the podium. (8:50:19) In response to a question, Mr. Singh advised that Gурpal Singh Sood is his brother-in-law. Mr. Singh acknowledged that Mr. Sood was not present in the meeting room. Mr. Singh acknowledged he will operate the business. In response to a further question, he advised that he and Mr. Sood are partners. In response to a further question, Mr. Singh explained that he did not apply for the liquor license because he is not a U.S. citizen.

In response to a question, Ms. Pruitt advised that the background investigation on Mr. Sood was included in the agenda materials. At Chairperson Crowell's request, Mr. Singh advised that he would manage the India Feast restaurant, at which food and beer and wine would be served. Chairperson Crowell inquired as to the method by which Mr. Singh would prohibit the sale of alcohol to minors. Mr. Singh advised that no alcohol would be sold to any patron under the age of 21. In response to a further question, Mr. Singh advised that he would request identification and inquire as to the patron's age.

Member Williamson welcomed Mr. Singh and thanked him for investing in Carson City. Member Williamson described the Sheriff's Office alcohol servers training program and, in response to a question, Mr. Singh expressed a willingness to have his employees participate. Member Williamson expressed delight over having the restaurant in Carson City, but cautioned against seeing Mr. Singh before the Liquor and Entertainment Board because of having served alcohol to a minor. Member Williamson alerted Mr. Singh to the Sheriff's Office various compliance check programs.

In response to a question, Mr. Singh advised that the grand opening is scheduled for the middle of November. Member Aldean wished Mr. Singh the best of luck. Mr. Singh acknowledged that the restaurant is open for lunch. Chairperson Crowell solicited feedback from the board members relative to action on this item. In response to a question, Member Saylo noted the Sheriff's Office recommendation to approve the liquor license application. He advised of having had the same information disclosed during the background investigation; that the liquor manager will be living in California, will be coming to Nevada once a month to check on the business, and it will be operated by the local owner.

Member Aldean expressed confidence that Mr. Singh will do his best to prevent serving alcohol to minors, noting Mr. Singh's responsibility, as the business operator, to ensure that all laws are upheld. Chairperson Crowell entertained public comment and, when none was forthcoming, a motion. **Member Aldean moved to approve Gурpal Singh Sood as the liquor manager for India Feast, liquor license no. 11-27341, located at 316 East Winnie Lane in Carson City. Member Williamson seconded the motion. Motion carried 5-0.** Mr. Singh thanked the board. Mr. Munn advised of having been provided an authorization letter, from the liquor license applicant, authorizing his brother-in-law to represent him at this meeting.

14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:57:36) - Chairperson Crowell adjourned the Liquor and Entertainment Board at 8:57 a.m.

15. RECONVENE BOARD OF SUPERVISORS (8:57:42) - Mayor Crowell reconvened the Board of Supervisors.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 6

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

16. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:57:49) - Please see the minutes for item 9-3(F).

17. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION - ACTION TO APPROVE A REQUEST FOR A TWO-YEAR EXTENSION OF THE TENTATIVE MAP, SPECIAL USE PERMIT, AND VARIANCES FOR A PLANNED UNIT DEVELOPMENT KNOWN AS MILLS LANDING, WHICH CONSISTS OF 94 SINGLE-FAMILY RESIDENTIAL UNITS ON 7.7 ACRES AND A COMMERCIAL / RETAIL DEVELOPMENT ON 2.4 ACRES, LOCATED AT 1208 EAST WILLIAM STREET AND STATE STREET, FILE TPUD-06-202 (9:00:35) - Mayor Crowell introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials. In response to a question, Mr. Plemel advised that the law provides the Board the latitude to approve an extension of time. He suggested the possibility of zoning changes which may render a certain type of development incompatible with surrounding land uses. He clarified that no such change has taken place over the last four years to substantially change the conditions around this or any other proposed development.

(9:03:17) Susan Dorr, of Manhard Consulting, expressed agreement with staff's recommended action. She thanked Planning Division staff and commended them on their diligence.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to approve a request for a two-year extension of the tentative map, special use permit, and variances for a planned unit development, known as Mills Landing, which consists of 94 single-family residential units on 7.7 acres, and a commercial retail development on 2.4 acres, located at 1208 East William Street and State Street. Supervisor Aldean seconded the motion. Motion carried 4-0.**

18. PURCHASING AND CONTRACTS DIVISION - ACTION TO DETERMINE THAT CONTRACT NO. 1011-155 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. 1011-155, A REQUEST FOR THE PURCHASE OF AN UPGRADE TO CARSON CITY'S CURRENT WONDERWARE HISTORIAN AND INTOUCH SOFTWARE FROM WONDERWARE PACWEST WHICH ARE USED TO OPERATE THE CITY'S WATER SYSTEM FOR A NOT-TO-EXCEED COST OF \$81,935.00 TO BE FUNDED FROM VARIOUS WATER FUND ACCOUNTS, AS PROVIDED IN FY 2010 / 2011, P.O. 2011-037 (9:04:24) - Mayor Crowell introduced this item. Deputy Public Works Director Ken Arnold reviewed the agenda materials, and introduced an informational DVD on WonderWare software. In response to a question, Ms. Scott-Fisher advised that computer hardware and software and peripheral equipment are exempt from competitive bidding, pursuant to NRS 332.115. In response to a further question, she advised that no other compatible software package is available.

In reference to the original contract, Supervisor Aldean inquired as to a maximum percentage by which the cost of the upgraded software can increase. She expressed concern over the extensive reliance upon one platform. Electrical Signals Supervisor James Jacklett advised that WonderWare PACWest is the sole

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 7

distributor for WonderWare products in the region. “Their prices are pretty standardized and regulated through the WonderWare corporation. We pay the same as other [customers] would. We’re not using an integrator. We’re coming directly from the factory so we’re not paying mark up on this either.” Mr. Jacklett advised that he handles development of the application in-house, which represents a significant savings. Mr. Arnold acknowledged that the original contract contains no guarantee the software will not exceed a certain amount on upgrade.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to determine that Contract No. 1011-155 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. 1011-155, a request for the purchase of an upgrade to Carson City’s current WonderWare Historian and InTouch Software from WonderWare PACWest which are used to operate the City’s water system for a not-to-exceed cost of \$81,935.00, to be funded from various water fund accounts, as provided in FY 2010 / 2011. Supervisor Walt seconded the motion.** Supervisor Williamson thanked Mr. Arnold for showing the DVD, noting its educational benefits and the continuing efforts by Carson City to be very efficient and effective with our personnel and operating costs, while meeting the water needs of our community. Mayor Crowell suggested revising the opening statements of the DVD in that Carson City now uses water from other counties. Open Space / Property Manager Juan Guzman announced a trail building project at the Waterfall, scheduled for 9:00 a.m. on Saturday, November 6th, under the leadership of Boy Scout Dion Copoulos. Mayor Crowell called for a vote on the pending motion; **motion carried 4-0.**

19. PARKS AND RECREATION DEPARTMENT - ACTION TO APPROVE A RESOLUTION ACCEPTING A 39.02-ACRE DONATION OF REAL ESTATE FROM THE VIDLER WATER COMPANY FOR LANDS LOCATED EAST OF HELLS BELLS ROAD, APNs 10-681-02 AND 10-681-01 (9:20:32) - Mayor Crowell introduced this item. Open Space / Property Manager Juan Guzman introduced Vidler Water Company President Dorothy Timian-Palmer, and reviewed the agenda materials. Mr. Guzman narrated corresponding slides which were displayed in the meeting room, and described the values of the property, particularly that “it is the last piece that we need to link Carson River Park with the ... Empire Ranch Trail.” Mr. Guzman advised that an hourly maintenance worker has been budgeted for Open Space Program properties. “He will be able to ... incorporate [the subject property] into what he does.” With regard to fuels management, Mr. Guzman estimated \$5,000 to \$7,000 will be spent every five years, at an annual cost of approximately \$1,500. Costs associated with chemicals to treat noxious weeds are estimated at \$3,000 per year.

(9:24:52) Vidler Water Company President Dorothy Timian-Palmer presented a Gift Deed, and provided background information on Vidler Water Company, as a subsidiary of PICO Holdings, Inc. She discussed PICO Holdings, Inc.’s belief in public / private partnerships, and expressed appreciation for the mutual benefit to Vidler Water Company and Carson City. She expressed appreciation for the opportunity to have worked for Carson City, which prepared her for her current position. Mayor Crowell commended Ms. Timian-Palmer’s contributions to Carson City during her tenure as Public Works Director. “Carson City’s where it is on water, in large part, because of some of the pieces that you put in place in this community.”

In response to a question, Ms. Timian-Palmer advised that the house and garage on the property have been removed. Mr. Guzman provided additional clarification on the four single-family lots and the gift from Vidler Water Company. In response to a question, Ms. Timian-Palmer advised there are no wells on the

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 8

property. Mr. Guzman advised that the four lots will be developed and sold by Vidler Water Company. Ms. Timian-Palmer acknowledged that Vidler Water Company will retain those water rights appurtenant to the property. In response to a further question, she advised that the Mexican Ditch ends “right at the open space,” which is irrigated with Mexican Ditch water rights. In response to a question, Mr. Guzman advised that Parks and Recreation Operations Director Scott Fahrenbruch and Deputy Public Works Director Ken Arnold represent the City at the Mexican Ditch Company. The City is a member of the corporation that owns the Mexican Ditch facility.

Supervisor Walt thanked Ms. Timian-Palmer. In response to a question, Mr. Guzman displayed an aerial photograph and oriented the Board members to the subject property and the trail. He discussed the need for a bridge, and various methods by which it could be financed. Supervisor Williamson thanked Ms. Timian-Palmer and Vidler Water Company, noting that portion of the project which provided for a partnership between Carson City and Lyon County “that allowed better, lower-cost water to go to Moundhouse and allowed [the City] to purchase ... acreage along the Carson River ...” Supervisor Williamson commended Vidler Water Company on their long-term vision. She noted the importance of celebrating that Carson City has the most public access to the Carson River, and discussed the Open Space Advisory Committee’s priority to protect property and public access along the Carson River. She reiterated her thanks to Ms. Timian-Palmer. Mr. Werner expressed support for the Open Space Program. In response to a question, Mr. Guzman described the Muscle Powered publication of the community’s bike paths and trails. In response to a further question, Mr. Guzman offered to discuss, with Muscle Powered representatives, the possibility of updating the publication.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to approve Resolution No. 2010-R-54, a resolution accepting a 39.02-acre donation of real estate from the Vidler Water Company for lands located east of Hells Bells Road, APNs 10-681-02 and 10-681-01; fiscal impact is a loss of property taxes in the approximate amount of \$3,900 per fiscal year. Supervisor Walt seconded the motion. Motion carried 4-0.** Mayor Crowell thanked Ms. Timian-Palmer and Vidler Water Company for all that has been done for Carson City.

20. FINANCE DEPARTMENT

20(A) ACTION TO ADOPT A RESOLUTION RAISING BUSINESS LICENSE FEES BY 0.8 PERCENT, PURSUANT TO TITLE 4 OF THE CARSON CITY MUNICIPAL CODE (“CCMC”), LICENSES AND BUSINESS REGULATIONS, CHAPTER 4.04, BUSINESS LICENSES, SECTION 4.04.015, ANNUAL FEE INCREASE (9:37:54) - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. In reference to item 21(A), Mr. Munn reviewed Nevada’s pending ordinance doctrine based on *King’s Castle vs. Washoe County Board*, 88 Nev. 577 (1972). He suggested deferring further discussion and action on this item until after item 21(A) is heard. He acknowledged that the agenda could be modified, at the Mayor’s discretion, to address item 21(A) at this time. Following a brief discussion, Mayor Crowell entertained a motion to table this item and to take up item 21(A) in its place. **Supervisor Aldean so moved. Supervisor Walt seconded the motion. Motion carried 4-0.**

(9:45:50) In response to a comment, Mr. Munn advised that the Board could rely upon first reading of Bill No. 113 to act upon this item. In response to a question, he provided direction with regard to the appropriate action. **Supervisor Aldean moved to permanently table the subject item. Supervisor Walt seconded the motion. Motion carried 4-0.**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 9

20(B) ACTION TO ADOPT A RESOLUTION PERTAINING TO THE ISSUANCE OF REFUNDING BONDS BY CARSON CITY, NEVADA; AUTHORIZING THE DIRECTOR OF FINANCE OR HIS DESIGNEE TO ARRANGE FOR THE SALE OF REFUNDING BONDS FOR THE PURPOSE OF DEFRAYING, WHOLLY OR IN PART, THE COST OF REFUNDING OUTSTANDING BONDS; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH (9:47:05) - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Supervisor Aldean thanked Mr. Providenti for footnoting the anomalies on the condition of funds report, heard as part of the consent agenda. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt Resolution No. 2010-R-55, a resolution pertaining to the issuance of refunding bonds by Carson City, Nevada; authorizing the Director of Finance or his designee to arrange for the sale of refunding bonds for the purpose of defraying, wholly or in part, the cost of refunding outstanding bonds, and provided other details in connection therewith. Supervisor Williamson seconded the motion. Motion carried 4-0.**

20(C) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2010," FOR THE PURPOSE OF FINANCING THE COST OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (9:49:02) - Mayor Crowell introduced this item, and Mr. Providenti reviewed the agenda materials. In response to a question, Mr. Providenti advised that the \$398,084.96 figure reflected in the agenda report represents the net savings after all costs have been considered. In response to a question regarding the figures reflected in the Combined Debt Service and Summary Savings Schedule, included in the agenda materials, Mr. Providenti advised that he would request further clarification from the consultant. In response to a further question, he advised that the City would realize most of the savings in FY 2012.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 114, an ordinance authorizing the issuance by the City of its negotiable "Carson City, Nevada General Obligation (Limited Tax) Various Purpose Refunding Bonds (additionally secured by pledged revenues), Series 2010," for the purpose of financing the cost of refunding certain outstanding bonds of the City; ratifying action previously taken toward issuing the proposed bonds and effecting the purpose of their issuance; providing other matters properly related thereto; fiscal impact - the total cash flow savings is approximated at \$390,000. Supervisor Williamson seconded the motion. Motion carried 4-0.**

20(D) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) PARK REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2010," FOR THE PURPOSE OF REFINANCING CERTAIN OUTSTANDING BONDS PREVIOUSLY ISSUED FOR PARKS, TRAILS, AND RECREATIONAL FACILITIES; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 10

ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO (9:54:04) - Mayor Crowell introduced this item, and Mr. Providenti reviewed the agenda materials. In reference to a previous question, he reiterated that he would request further clarification of the consultant relative to the Debt Service Savings and Summary Schedule included in the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to introduce, on first reading, Bill No. 115, an ordinance authorizing the issuance by the City of its negotiable "Carson City, Nevada, General Obligation (Limited Tax) Park Refunding Bonds (additionally secured by pledged revenues), Series 2010," for the purpose of refinancing certain outstanding bonds previously issued for parks, trails, and recreational facilities; ratifying action previously taken toward issuing the proposed bonds and effecting the purpose of their issuance; providing other matters relating thereto; with a cash flow savings of approximately \$211,000. Supervisor Aldean seconded the motion. Motion carried 4-0.**

21. CITY MANAGER

21(A) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO AMEND CHAPTER 4, LICENSES AND BUSINESS REGULATIONS, BY AMENDING CHAPTER 4.04, BUSINESS LICENSES BY DELETING SECTION 4.04.015, ANNUAL FEE INCREASE IN ITS ENTIRETY, AND OTHER MATTERS PROPERLY RELATED THERETO (9:42:26) - Mayor Crowell introduced this item, and Mr. Werner responded to questions of clarification. He advised that consideration is given to increasing revenues on a routine basis, and that staff brings corresponding items to the Board, when warranted. He expressed the belief that the Board should not be mandated to increase fees, and support for removing the subject section.

Mayor Crowell entertained public comment. (9:44:23) Carson City Chamber of Commerce Board Chairman Scott Dockery expressed support for removing the subject section of the Code.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to introduce, on first reading, Bill No. 113, an ordinance to amend Chapter 4, Licenses and Business Regulations, by amending Chapter 4.04, Business Licenses, by deleting Section 4.04.015, Annual Fee Increase, in its entirety, and other matters properly related thereto. Supervisor Aldean seconded the motion. Motion carried 4-0.**

21(B) REVIEW OF THE CARSON CITY OPERATIONS SCORECARD (9:55:44) - Mayor Crowell introduced this item, recessed the meeting at 9:55 a.m., and reconvened at 10:08 a.m. (10:08:46) Special Projects Coordinator Linda Ritter reviewed the Operations Scorecard and Strategy Map, as displayed in the meeting room. She responded to corresponding questions of clarification and discussion took place regarding various elements of the scorecard and strategy map. Following discussion, Mr. Werner advised of plans to schedule a strategic planning session with the Board to revisit the goals and objectives established two years ago. In response to a question, Ms. Ritter discussed methods by which to research the status of manufacturers at the industrial air park. She acknowledged that personal property tax revenue can be separated in the Finance Department scorecard. Mayor Crowell expressed an interest in the method by which to measure the status of the manufacturing community. Supervisor Aldean discussed a resource available to meet with manufacturers to provide assistance and ensure manufacturing jobs are locally retained. Mayor Crowell entertained public comment and, when none was forthcoming, thanked Ms. Ritter for her report.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the November 4, 2010 Meeting

Page 11

21(C) DISCUSSION AND POSSIBLE ACTION ON A METHOD TO FILL THE VACANCY CREATED BY THE ELECTION OF EITHER SUPERVISOR LIVERMORE OR SUPERVISOR WILLIAMSON TO THE NEVADA STATE ASSEMBLY (10:41:50) - Mayor Crowell introduced this item, and Mr. Werner reviewed the agenda materials. Mayor Crowell introduced Supervisors-elect John McKenna and Karen Abowd, both of whom were present in the meeting room. The Board members, City staff, and citizens present applauded, and Mayor Crowell welcomed them.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to direct staff to prepare an action item for the November 16th Board of Supervisors meeting, authorizing the appointment of John McKenna to fill the unexpired term of Pete Livermore, Supervisor Ward 3, effective December 2, 2010. Supervisor Walt seconded the motion.** Mayor Crowell entertained public comment. (10:43:50) Ward 3 Supervisor-elect John McKenna requested the Board to take the least expensive action, and expressed a willingness to be appointed at the desire of the Board. Mayor Crowell entertained additional public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.**

Discussion took place regarding the action to be taken at the November 16th meeting. In response to a question, Supervisor-elect McKenna advised he would be prepared to participate in the November 16th Board of Supervisors meeting. Mayor Crowell entertained a motion to rescind. **Supervisor Aldean moved to rescind the previous motion. Supervisor Walt seconded the motion. Motion carried 4-0.** Mayor Crowell entertained an additional motion. **Supervisor Aldean moved to direct staff to prepare an action item for the November 16th Board of Supervisors meeting, authorizing the appointment of John McKenna to fill the unexpired term of Pete Livermore, Supervisor Ward 3, effective November 16, 2010. Supervisor Walt seconded the motion. Motion carried 4-0.**

22. BOARD OF SUPERVISORS NON-ACTION ITEMS:

STATUS REVIEW OF PROJECTS (10:47:18) - Mr. Werner advised that the draft feasibility report from P3 Development, Inc. is anticipated to be received prior to November 15th. Staff will review the report and Mr. Werner advised that November 22nd is tentatively scheduled for presentation of the report to the Carson Nugget Development Advisory Committee.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (10:49:49) - Supervisor Walt announced Carson High School's last regular season football game scheduled for this weekend, and wished the Senators good luck. She announced the Kit Carson soccer tournament scheduled for this weekend, and wished all the participating teams good luck. Supervisor Williamson announced the Nevada Association of Counties Annual Conference scheduled for November 16 - 18, 2010 at the Atlantis Hotel. She requested any interested Board members to contact City Manager's Office Supervisor Janet Busse, and reviewed the training sessions and information available. She congratulated former Supervisor Pete Livermore on his success in the recent election, and wished him well. She expressed appreciation for the opportunity to have campaigned for Assembly District 40. Supervisor Walt announced Pinkerton Ballet Theatre's production of the Nutcracker ballet, beginning Thanksgiving weekend.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 4, 2010 Meeting
Page 12

STAFF COMMENTS AND STATUS REPORT (10:48:30) - Mr. Werner advised that staff is developing an orientation program for the new Supervisors, to which all the current Supervisors will also be invited. He reiterated the intent to schedule a strategic planning session with the new Board.

23. ACTION TO ADJOURN (10:52:23) - Supervisor Aldean moved to adjourn the meeting at 10:52 a.m. Supervisor Walt seconded the motion. Motion carried 4-0.

The Minutes of the November 4, 2010 Carson City Board of Supervisors meeting are so approved this 2nd day of December, 2010.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder