

# CARSON CITY BOARD OF SUPERVISORS

## Minutes of the December 6, 2012 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, December 6, 2012 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell  
Supervisor Karen Abowd, Ward 1  
Supervisor Shelly Aldean, Ward 2  
Supervisor John McKenna, Ward 3  
Supervisor Molly Walt, Ward 4

**STAFF:** Larry Werner, City Manager  
Alan Glover, Clerk - Recorder  
Randal Munn, Chief Deputy District Attorney  
Tamar Warren, Deputy Clerk / Recording Secretary

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

**1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:30:38)** - Mayor Crowell called the meeting to order at 8:30 a.m. Mr. Glover called the roll; a quorum was present. St. Peter's Episcopal Church Father Jeff Paul provided the invocation. Mayor Crowell commemorated Arthur Hannafin, as one of Carson City's "good friends, a Marine, a lieutenant, a Korean War veteran, an architect, a real pillar of our community." Mayor Crowell led the pledge of allegiance "in honor of our country [and] in honor of that great Marine and friend, Art Hannafin."

**5. PUBLIC COMMENTS AND DISCUSSION (8:32:47)** - Mayor Crowell entertained public comment. (8:33:29) Jeanette Dean, "a political science major at the University of Nevada, Reno," distributed informational materials to the Board members, and introduced David Szardt, "a retired agricultural conservationist." She advised that she and Mr. Szardt were "representing [themselves], 211 other concerned Carson City constituents, and 1661 other Nevada residents, more of whom join us everyday. We are Democrats, Republicans, Independents, and Non-Partisans," and Ms. Dean requested the Board "to join over 300 cities and 11 states across our nation in passing a City resolution supporting a Constitutional amendment to overturn the 2010 Supreme Court decision called *Citizens United vs. the Federal Election Commission*." Ms. Dean described the decision as a "very unwise decision [and] a landmark case in the history of our country," and advised that the Board had "an historic opportunity to weigh in on a matter of extreme importance to public citizens in Carson City, in Nevada, and across the nation." She reviewed the informational materials, including a petition and "information package, including nearly 2,000 signatures and important statistics for you to review over the next two weeks in preparation for further discussion or a vote to pass a resolution either with the current Board or the incoming Board." Ms. Dean expressed a preference for "passage of a resolution in 2012 ..., if possible, which would likely mean Thursday, December 20<sup>th</sup> ..." She advised that "a similar petition was delivered to Nevada's elected officials in Congress last July, asking them to vote for any Constitutional amendment that comes up for a vote. It also asks state officials to vocally support any amendment." Ms. Dean provided an overview of the *Citizens United* Supreme Court ruling. She quoted a portion of the Constitutional Bill of Rights, and expressed the opinion that the Supreme Court's decision "threatens all three of these key purposes and must be overturned now, not later." She quoted James Madison, and

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expressed the further opinion that the Supreme Court's decision "prevents our nation from achieving these objectives ... and we must all stand up as one nation now, in every city and every state, to overturn it."

Mayor Crowell entertained additional public comment. (8:43:06) Fred Voltz referred to his comments provided at the last Board meeting regarding the Library building roof repair. In response to a question, Mayor Crowell advised that the project is on the "to do" list, and offered to provide Mr. Voltz a more detailed status report. Mayor Crowell entertained additional public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON APPROVAL OF MINUTES - November 1, 2012 (8:44:32) -** Supervisor Aldean advised of minor clerical changes, which she offered to provide to the recording secretary, and read into the record a suggested revision to page 7. Mayor Crowell entertained a motion. **Supervisor Aldean moved to approve the minutes, as amended. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**7. POSSIBLE ACTION TO ADOPT THE AGENDA (8:45:48) -** Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, a motion to adopt it as published. **Supervisor Aldean so moved. Supervisor McKenna seconded the motion. Motion carried 5-0.**

**8. CONSENT AGENDA (8:46:10) -** Mayor Crowell entertained requests to hear items separate from the consent agenda. When none were forthcoming, he advised that items 8-2(A) and 8-3(A) would be heard separately. He entertained additional requests and, when none were forthcoming, a motion. **Supervisor Aldean moved to approve the consent agenda, consisting of one item from Finance; one item from Purchasing and Contracts; one item from Public Works; one item from Parks and Rec; and one item from Parks and Rec Open Space. Supervisor McKenna seconded the motion. Motion carried 5-0.** Following direction by Mr. Munn, **Supervisor Aldean amended her motion to include adoption of Resolution No. 2012-R-30, in conjunction with item 8-3(B). Supervisor McKenna continued his second. Motion carried 5-0.**

**8-1. FINANCE DEPARTMENT - POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH NOVEMBER 27, 2012, PURSUANT TO NRS 251.030 AND NRS 354.290**

#### **8-2. PURCHASING AND CONTRACTS**

**8-2(A) POSSIBLE ACTION TO APPROVE CONTRACT 1213-122 FOR A WATER AND SEWER RATE STUDY, IN THE AMOUNT OF \$99,595.00, TO FCS GROUP TO BE FUNDED FROM THE WATER AND SEWER FUNDS, AS PROVIDED IN FY 2012/2013 (8:52:03) -** Mayor Crowell introduced this item and, at his request, Public Works Department Director Andy Burnham provided background information and reviewed the agenda materials. Mr. Burnham acknowledged that the rate design study would initially be revenue neutral. He further acknowledged methods, other than rate increase, by which to address capital improvements. In response to a further question, he clarified the provisions of Task B.1, Revenue Requirements, at page 2 of the Scope of Work included in the agenda materials. Discussion followed, and Mayor Crowell discussed concerns "that the rate design is not built on a revenue requirement that assumes where the revenue is going to come from. ... the rate design [should be] built around who should pay costs wherever the costs come from." Mr.

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Werner expressed assurances that “if you have alternate sources of funding ..., then the cost that goes into the model doesn’t reflect 100 percent of the cost. It will only represent that portion of the cost that would need to be generated from revenues from the utility. So you can adjust the model based on what the alternative sources of funding are. ... You could have grants, you could have other kinds of things so that your revenue requirement would be reflecting a reality of what you need from the utility for that portion that would be due to the utility.” In response to a comment, Mr. Burnham advised that an alternate source of funding can be built into the rate study design “to make sure ... there’s an option other than just rates.” Mayor Crowell cautioned that those issues of funding source “are for another day. It may not be that far down the road, but I don’t want the rate study to assume that there’s a road ... we are traveling on that cannot be changed.” Additional discussion followed. In response to a further question, Mr. Burnham clarified the provisions of Task D.1 of the Scope of Work included in the agenda materials.

In reference to Task C.4, Customer Class Cost Distribution, Supervisor Aldean expressed concern “that we remain mindful of the fact that, during the course of this evaluation, ... we need to look at not only existing usage but historic uses. Because of the downturn in the economy, because of the recent rate increases, there has been a diminishment in residential use. The problem is, people who own homes are not prohibited from allowing their grass to go fallow and their vegetation to die. In the commercial industry, however, you have to submit a landscaping plan, you are required to replace plants that die, you are not given the same freedom to allow your vegetation to [die]. ... So we are compelling the folks who own commercial properties to maintain their landscaping according to certain standards, but we do not have a similar requirement for residential users.” Supervisor Aldean expressed additional concern “that that imbalance is going to skew the results in terms of who’s making the greatest demand on the system and we just need ... to ... focus on using some historic usage figures rather than using usage figures that are ... a snap shot of current day challenges with respect to the economy and rate charges.” Mr. Burnham advised that usage statistics are available for many years “so we can actually do some averages over time and we can look at those statistics and see how sensitive they are to making changes.”

Mayor Crowell entertained additional Board member comments and, when none were forthcoming, public comments. (9:07:47) In response to a question, Mayor Crowell provided clarification for Santos Corral of the purpose of the rate study. Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve Contract No. 1213-122 for a water and sewer rate study, in an amount not to exceed \$99,595.00 to FCS Group, to be funded from the water and sewer funds, as provided in FY 2012 / 2013, subject to the comments on the record. Supervisor McKenna seconded the motion. Motion carried 5-0.**

**8-2(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1213 - 124, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530, WITH RESOURCE CONCEPTS, INC. TO PROVIDE PROFESSIONAL SERVICES FOR CARSON CITY REUSE PLAN UPDATE, THROUGH JUNE 30, 2013, FOR A NOT-TO-EXCEED AMOUNT OF \$127,153.00, TO BE FUNDED FROM THE WATER AND WASTEWATER PROFESSIONAL SERVICES ACCOUNTS, AS PROVIDED IN FY 2012 / 2013**

### **8-3. PUBLIC WORKS DEPARTMENT**

**8-3(A) POSSIBLE ACTION TO ADOPT A RESOLUTION AND APPROVE THE REMOVAL OF TIMED PARKING ZONES FOR ONE BLOCK ON THE WEST SIDE OF NORTH PLAZA STREET, BETWEEN EAST TELEGRAPH STREET AND THE ABANDONED**

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**SECTION OF EAST SPEAR STREET (9:09:45)** - Mayor Crowell introduced this item, and Transportation Manager Patrick Pittenger reviewed the agenda materials. In response to a question, Mr. Werner advised that parking enforcement is coordinated through the Treasurer's and Sheriff's Offices. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt Resolution No. 2012-R-31, and approve the removal of timed parking zones for one block on the west side of North Plaza Street, between East Telegraph Street and the abandoned section of East Spear Street, subject to the amendment in the resolution, as noted on the record. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**8-3(B) POSSIBLE ACTION TO ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT, BY AND BETWEEN CARSON CITY AND DOUGLAS COUNTY, RELATING TO CONSTRUCTION MANAGEMENT SERVICES**

**8-4. PARKS AND RECREATION DEPARTMENT - POSSIBLE ACTION TO APPROVE THE PROMOTION OF A PARK MAINTENANCE WORKER I TO A PARK MAINTENANCE WORKER II WITHIN THE PARKS AND RECREATION DEPARTMENT PARKS DIVISION**

**9. RECESS BOARD OF SUPERVISORS (8:49:00)** - Mayor Crowell recessed the Board of Supervisors at 8:49 a.m. (9:13:24) Mayor Crowell recessed the Board of Supervisors at 9:13 a.m.

**LIQUOR AND ENTERTAINMENT BOARD**

**10. CALL TO ORDER AND ROLL CALL (8:49:01)** - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:49 a.m., noting the presence of a quorum, including Member Ken Furlong. (9:13:27) Chairperson Crowell called the Liquor and Entertainment Board to order at 9:13 a.m., noting that the Sheriff was called out on an emergency.

**11. POSSIBLE ACTION ON APPROVAL OF MINUTES - November 1, 2012 (8:49:15) - Member Aldean** noted a correction to page 2, and **moved to approve the minutes, as amended. Member Abowd seconded the motion. Motion carried 6-0.**

**12. PUBLIC WORKS DEPARTMENT, BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO APPROVE RICHARD ESTEY AS THE LIQUOR MANAGER FOR DOTTY'S #88, LIQUOR LICENSE NO. 13-29314, LOCATED AT 3331 HIGHWAY 50 EAST, SUITE 5, CARSON CITY (8:50:12)** - Chairperson Crowell introduced this item, and advised that he would abstain from discussion and action due to a professional association with Dotty's. He passed the gavel to Chairperson *Pro Tem* Aldean. Mr. Werner advised that the applicant had notified him of a delay in arrival due to weather conditions. Chairperson Crowell deferred the item to later in the morning.

(9:13:40) Chairperson Crowell reintroduced this item, and passed the gavel to Chairperson *Pro Tem* Aldean. Principal Planner Jennifer Pruitt reviewed the agenda materials. She acknowledged there was no need for an additional background check, as Mr. Estey was already licensed for other Dotty's locations in Carson City.

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(9:14:44) Richard Estey introduced himself for the record. (9:15:00) In response to a question, Steve Hixon, Dotty's Northern Nevada General Manager, discussed the practice for requesting identification from anyone under the age of 40. "We have an ID policy that anybody who walks through that door we don't know, we ID. And we have ongoing training ...". In response to a question, Ms. Pruitt offered to provide next year's schedule for the Sheriff's alcohol server training program. Mr. Hixon advised of plans to participate.

Chairperson *Pro Tem* Aldean entertained questions or comments of the board members. When none were forthcoming, she entertained a motion. **Member McKenna moved to approve Richard Estey as the liquor manager for Dotty's #88, liquor license no. 13-29314, located at 3331 Highway 50 East, Suite 5, Carson City. Member Abowd seconded the motion.** Member McKenna thanked the gentlemen for their interest in Carson City. Chairperson *Pro Tem* Aldean entertained additional comments or questions and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 4-0-1-1, Chairperson Crowell abstaining.** Chairperson *Pro Tem* Aldean returned the gavel to Chairperson Crowell.

**13. PUBLIC COMMENT (8:51:43)** - Chairperson Crowell entertained public comment; however, none was forthcoming.

**14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:51:47)** - Chairperson Crowell adjourned the Liquor and Entertainment Board at 8:51 a.m. (9:16:26) Chairperson Crowell adjourned the Liquor and Entertainment Board at 9:16 a.m.

**15. RECONVENE BOARD OF SUPERVISORS (8:51:54)** - Mayor Crowell reconvened the Board of Supervisors at 8:51 a.m. (9:16:32) Mayor Crowell reconvened the Board of Supervisors at 9:16 a.m.

### ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

**16. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:51:58)** - Please see the minutes for items 8-2(A) and 8-3(A).

**17. CLERK - RECORDER - POSSIBLE ACTION TO CANVASS THE VOTE FOR THE 2012 WARD FOUR RECOUNT, AS PRESENTED BY THE CLERK - RECORDER (9:16:37)** - Mayor Crowell introduced this item. Mr. Glover provided an overview of the recount process, and reviewed the agenda materials. Mayor Crowell entertained comments of the Board members. Supervisor Aldean congratulated Supervisor-elect Jim Shirk "on his victory, but also ... [advised Supervisor Walt]. ... that was a very respectable showing. It was an extraordinarily close race. You ran a good, issues-oriented campaign and you need to be commended for that."

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to approve the canvass of the vote for the 2012 Ward Four Recount, as presented by the Clerk - Recorder. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**18. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO APPROVE CONTRACT NO. 1213-123, JOINDER CONTRACT WITH THOMAS PETROLEUM THROUGH THE STATE OF NEVADA PURCHASING DIVISION'S CONTRACT #1725 FOR THE PURCHASE / USE OF AN**

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**ELECTRONIC FUEL DISPENSING NETWORK AND CARD LOCK PROCESSING SYSTEM TO PURCHASE BULK FUEL FOR CARSON CITY'S FLEET VEHICLES, FOR A NOT-TO-EXCEED AMOUNT OF \$1,200,000.00 PER YEAR, THROUGH THE CONTRACT TERM EXPIRATION OF JANUARY 31, 2015, TO BE FUNDED FROM VARIOUS VEHICLE FUEL / OIL ACCOUNTS, AS PROVIDED FOR IN FY 2012 / 2013** (9:20:03) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. Ms. Belt acknowledged that the \$1.2 million figure includes anticipated federal government subsidies. She further acknowledged that the City is currently purchasing fuel at the same rate as the State of Nevada. She responded to additional questions of clarification regarding the purpose of the contract relative to the transit buses. In response to a question, she offered to research the 12-cent per gallon adder for using the card lock processing system.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to approve Contract No. 1213-123, Joinder Contract with Thomas Petroleum through the State of Nevada Purchasing Division's Contract No. 1725, for the purchase / use of an electronic fuel dispensing network and card lock processing system to purchase bulk fuel for Carson City's fleet vehicles for a not-to-exceed amount of \$1.2 million per year through the contract term expiration of January 31, 2015, to be funded from various vehicle fuel / oil accounts, as provided for in FY 2012 / 2013.** Supervisor Abowd seconded the motion. **Motion carried 5-0.**

**19. PUBLIC WORKS DEPARTMENT - PRESENTATION ONLY, BY PUBLIC WORKS DEPARTMENT STAFF, OF A VIDEO OF CITY INFRASTRUCTURE CONTROL TECHNOLOGY** (9:24:54) - Mayor Crowell introduced this item. Deputy Public Works Director Darren Schulz provided background information on the SmartGlance software and on the presentation. He presented the subject video, and discussed the "overall goal ... to do things smarter and quicker. ... before we had this technology, we would have to go out to our treatment plants to adjust controls ... The idea is now we can get this information on our phones, on our iPads, wherever we are ... And we can check in and ... tell exactly what's going on with our systems and control it so when we get an alarm, we just go right there and look at it and we can change things. We don't have to go out to the plants." Mr. Schulz advised that the software works with the traffic signals as well.

Supervisor McKenna expressed appreciation for the video, and an interest in discussing the security arrangements at a future meeting. Mr. Schulz assured the Board "we're very comfortable in the security of it and take that very seriously." He advised of a recent study, paid for by the federal government, which analyzed the City's systems in consideration of weaknesses. "There were no serious red flags." Mr. Schulz acknowledged that he would return to the Board with a summary of security protocols. Mayor Crowell entertained public comment and, when none was forthcoming, thanked Mr. Schulz for his presentation.

**20. PARKS AND RECREATION DEPARTMENT, OPEN SPACE PROGRAM**

**20(A) PRESENTATION AND DISCUSSION OF THE PROPOSED CARSON VALLEY DISCOVERY TRAIL BY THE BUREAU OF LAND MANAGEMENT, CARSON VALLEY TRAILS ASSOCIATION, AND STAFF, AND INTRODUCTION OF THE SCOPING PROCESS FOR THE NON-MOTORIZED, 45-MILE LONG TRAIL SYSTEM** (9:33:44) - Mayor Crowell introduced this item. Parks and Recreation Department Director Roger Moellendorf reviewed the agenda report, and introduced Brian Butazoni, of the BLM. (9:34:50) BLM Sierra Front Office Planning and Environmental Coordinator Brian Butazoni described the purview of the Sierra Front Office, and narrated

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a PowerPoint presentation which was displayed in the meeting room. In response to a question, he advised of having discussed, with Carson Valley Trails Association representatives, their intent for trail design and project phases. In response to a comment, he advised of four loop trails, approximately three miles in length, which “come right off of the main staging and parking areas and that’s where ... most of the use is going to occur.” He clarified that the Carson Valley Trail Association has “this long-term vision of linking the entire trail system so, if somebody wanted to have a multi-day experience, they could.”

Supervisor McKenna provided background information on the Tahoe Rim Trail, “conceived and started in 1980,” and advised “we’re still building new trail as of today and we’ve got a ways to go. It’s completed; it’s around the Lake but you can always improve it, you can always make it better, you can always repair what you didn’t do as well.” Supervisor McKenna discussed the community benefits, noting that “trails are probably the new economic development engine for this area for eco-tourism ...” and the associated health benefits of trails. He advised of a connector from Genoa to the Tahoe Rim Trail.

In response to a question, Open Space Property Manager Juan Guzman described two potential points of connection, between Carson City and the Carson Valley Discovery Trail, which have been designated in the unified pathways master plan element. Mayor Crowell expressed agreement with the benefits of trails for eco-tourism. In reference to the Tahoe Rim Trail, Supervisor McKenna discussed the benefits of working together with federal agency representatives. He commended the Bureau of Land Management on “the great job they do, especially here in Carson City, but also in Douglas County.” Mayor Crowell entertained public comment and, when none was forthcoming, thanked Mr. Butazoni for his presentation.

**20(B) POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN A LETTER DIRECTED TO THE BUREAU OF LAND MANAGEMENT, PROVIDING COMMENTS FOR THE RESOURCE MANAGEMENT PLAN UPDATE (9:55:34)** - Mayor Crowell introduced this item. Mr. Guzman provided background information and reviewed the agenda materials. Supervisor Aldean advised of suggested revisions to the letter which she offered to provide to Mr. Guzman. Mr. Guzman acknowledged an existing memorandum of understanding, relative to fire suppression, between the City and the BLM. Supervisor Aldean reviewed suggested revisions to the draft comments included in the agenda materials. Mr. Werner and Mr. Guzman responded to questions of clarification. Supervisor Abowd thanked Mr. Guzman for addressing her concerns relative to wild horses. She noted the importance of ensuring that Carson City does not bear the cost burden of controlling wild horse populations. Supervisor Walt requested to include comments relative to enforcing dumping laws. Mr. Moellendorf acknowledged the ongoing problem, and agreed that comments should be included. Mr. Guzman advised of having recently met with BLM representatives and the City Manager to discuss programs to address the dumping problem. “We continue to ... weekly clean quite a bit of debris primarily out of the Carson River Canyon properties. ... On the BLM side, ... they have assigned people to work with us on this program and we have met several times discussing ideas about how to alleviate the dumping problem.” Supervisor Walt encouraged clean up projects.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to authorize the Mayor to sign a letter directed to the Bureau of Land Management providing comments for the Resource Management Plan update, subject to the comments on the record. Supervisor McKenna seconded the motion. Motion carried 5-0.**

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**21. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION**

**21(A) POSSIBLE ACTION TO ADOPT BILL NO. 114, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, TO ADD DIVISION 22, STREET NAMING AND ADDRESS ASSIGNMENT REGULATIONS (ZCA-12-034) (10:06:34)** - Mayor Crowell introduced this item. Planning Division Director Lee Plemel provided background information and, in response to a question, advised of having received no additional comments since introduction on first reading. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt Bill No. 114, on second reading, Ordinance No. 2012-18, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, to add Division 22, Street Naming and Address Assignment Regulations. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**21(B) POSSIBLE ACTION TO ADOPT BILL NO. 115, ON SECOND READING, AN ORDINANCE TO CHANGE THE ZONING OF APN 002-112-12, PROPERTY LOCATED ON LEE STREET, FROM RESIDENTIAL OFFICE (RO) TO MULTI-FAMILY DUPLEX (MFD) (ZMA-12-048) (10:07:58)** - Mayor Crowell introduced this item and, in response to a question, Mr. Plemel advised of having received no additional comments since introduction on first reading. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to adopt Bill No. 115, on second reading, Ordinance No. 2012-19, an ordinance to change the zoning of APN 002-112-12, property located on Lee Street, from residential office to multi-family duplex, based on the findings contained in the staff report. Supervisor Aldean seconded the motion. Motion carried 5-0.**

**22. RECESS BOARD OF SUPERVISORS (10:08:51)** - Mayor Crowell recessed the Board of Supervisors at 10:08 a.m. and passed the gavel to Redevelopment Authority Chairperson Shelly Aldean.

**REDEVELOPMENT AUTHORITY**

**23. CALL TO ORDER AND ROLL CALL (10:26:36)** - Chairperson Aldean called the meeting to order at 10:26 a.m., noting the presence of a quorum.

**24. POSSIBLE ACTION ON APPROVAL OF MINUTES - October 18, 2012 (10:26:41)** - Chairperson Aldean entertained a motion. **Member Crowell moved to approve the minutes. Vice Chairperson Abowd seconded the motion.** Chairperson Aldean entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

**25. OFFICE OF BUSINESS DEVELOPMENT**

**25(A) POSSIBLE ACTION TO APPROVE AND MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO MOVE \$72,876 FROM THE REDEVELOPMENT REVOLVING CAPITAL OUTLAY / UNDESIGNATED PROJECTS ACCOUNT (NUMBER 603-0000-463-77-99) TO ASSIST WITH FUNDING THE REPLACEMENT OF THE COMMUNITY CENTER SIGN WITH AN LED MESSAGE BOARD (10:27:02)** - Chairperson Aldean introduced this item. Planning Division Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. Chairperson Aldean clarified that the subject funding is "redevelopment money that could also be used to fund projects in the southern redevelopment area or at the old K-Mart site. ... we need to be mindful of the fact that this is general redevelopment money that is undesignated but that ... would be available to promote

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events in any redevelopment area within Carson City.” Mr. Plemel thanked Chairperson Aldean for the clarification, and advised that the Planning Division manages the downtown banner site. He noted that the demand has increased each year, and detailed reservations for 2013. In response to a series of questions, Mr. Plemel advised that “if this moves forward any further, ... a policy ... would need to be adopted ...” Mr. Werner suggested that fees would be based on the cost of the sign and estimated maintenance costs. Discussion followed.

Chairperson Aldean invited Chamber of Commerce representatives to the podium. (10:40:25) Chamber of Commerce President Stan Jones provided background information on the proposed LED message board sign. He commended Chamber of Commerce Executive Director Ronni Hannaman for requesting bids and securing pledges of funding. He advised that the estimated cost is \$75,000, and that approximately \$13,000 in pledges have been secured. He further advised that the Chamber of Commerce has pledged “the manpower to maintain and keep the readerboard current ...” In response to a previous question, he acknowledged the need for a committee “to establish the guidelines, fees, ... and that will be up to this [Board of Supervisors] ...” Mr. Jones expressed the hope that “we could move fast on this,” and the opinion that “it’s something ... very necessary to our community.” He requested the Board’s support.

In consideration of the need to include notification of public meetings, Chairperson Aldean suggested a split-screen design to allow for static display of public meetings. (10:44:35) Chamber of Commerce Executive Director Ronni Hannaman advised of having discussed the possibility with sign manufacturers, “and it’s all in the programming.” She discussed the benefits of an LED message board sign. Mr. Jones described additional features. Chairperson Aldean commended the public / private partnership aspect of the proposed project, and encouraged “opt[ing] for ... something that truly meets our needs long-term rather than compromising to fit within the restricted budget we have for redevelopment funding.” Mr. Jones noted the importance of an aesthetically pleasing sign. He acknowledged Mr. Plemel’s concern relative to the Main Street banner site. Ms. Hannaman assured the Redevelopment Authority that a “state-of-the art sign ... that will last for years” is being researched. She noted the existing Community Center sign has been in place since 1974. Chairperson Aldean commended the Chamber of Commerce on their initiative.

Following discussion, Mr. Jones and Ms. Hannaman responded to questions regarding allocation of the available funding in consideration of purchase, training, and maintenance. Supervisor Walt suggested tying in the community calendar responsibilities with the subject project. Chairperson Aldean thanked Mr. Jones, and entertained public comment. (10:53:54) Ann Hanson, representing Western Nevada College, expressed support for the project.

Chairperson Aldean entertained additional public comment and, when none was forthcoming, a motion. **Vice Chairperson Abowd moved to approve and recommend to the Board of Supervisors to move \$72,876 from the redevelopment revolving capital outlay undesignated projects account, number 603-0000-463-77-99, to assist with the funding of the replacement of the Community Center sign with an LED message board, to be addressed within the next six months. Member Walt seconded the motion. Motion carried 5-0.** Chairperson Aldean thanked the Chamber of Commerce and Western Nevada College representatives “and everyone else who supported this project.”

**25(B) POSSIBLE ACTION TO APPROVE AND MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO AMEND THE TEXT OF THE SOUTH CARSON STREET REDEVELOPMENT PLAN, PROJECT AREA NO. 2, TO ADD FOUR STRATEGIES FOR**

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**ADDRESSING REDEVELOPMENT OF THE AREA, AND MAKING OTHER NON-SUBSTANTIVE CLARIFICATIONS AND UPDATES OF THE PLAN (10:57:00)** - Chairperson Aldean introduced this item, and Mr. Plemel noted the revised agenda report distributed prior to the start of the meeting. Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. In response to a question, discussion took place to clarify the suggestion to establish a revolving loan fund. Extensive discussion followed to clarify the differences between a revolving loan fund program and the redevelopment incentive grant program.

Chairperson Aldean entertained additional questions or comments of the Redevelopment Authority members and, when none were forthcoming, public comment. (11:17:31) Ward 2 Supervisor-elect Brad Bonkowski expressed the opinion that the “ability to provide no interest or low-cost loans in the redevelopment district is an important component ...” He provided an example, and expressed support for requiring repayment. He suggested researching microfinancing programs in consideration of possible models to track repayments. He expressed support for using redevelopment funds to provide municipal services along the commercial corridor. He advised of having met, together with Mayor Crowell, with business owners who are concerned over road closures planned for the utility relocation phase of the freeway construction. He inquired as to whether redevelopment funding could be allocated to provide alternative access to businesses during the utility relocation phase. Chairperson Aldean suggested a “cooperative venture between the [Redevelopment] Authority and the RTC to address those issues.” Mr. Plemel noted the traffic improvements and circulation provisions included in the Redevelopment Plan. Discussion took place regarding the provisions relative to infrastructure improvements, and Vice Chairperson Abowd suggested a revision to paragraph 3(A)(9) of the proposed amendment.

Chairperson Aldean entertained additional public comment. (11:30:15) Performance Auto Care Owner Steve Halen advised that his business has been at its present location for the last thirty years. He provided background information on meetings with Redevelopment Authority staff since implementation of the plan in 2004. He expressed “disillusionment” over assurances from previous Office of Business Development staff relative to the possible future availability of redevelopment authority incentive funding. He described the location of his business “right next to Fire Station 3 and ... the tennis court ... at Ross Gold Park,” and advised that he has “been patiently waiting to re-do the building. It’s falling apart, thirty-some years old.” In reference to recent meetings with City staff regarding remodel of his business, he advised that “it will cost ... more money to improve what the City expects ... than it will ... to build [his] building.” He expressed the belief that “at this point in time, the Redevelopment Authority could, at least, at the minimum, ... waive some of the things that I have to do or possibly re-do some of the things that need to be done for the benefit of the City.” Mr. Halen advised that the tennis court adjacent to his business is well used. He further advised that “the City wants [him] to re-do the street, re-do the water main which [he] doesn’t have any water, [he has] his own well; the sewer, the water main, fire hydrants, curb and gutter and, when you start adding all that up, there’s no way. It’s more than my building.” He reiterated that his business has been in existence for thirty years, and advised of the intent to pass it on to his son. He expressed support for a revolving loan program, but a preference for “stipulations ... because you can give to people who have been established and aren’t going to walk away.” He expressed concern that the car dealerships have “taken our City to the cleaners. ... they got this money for free and [he] got nothing out of it.” He expressed support for filling vacant buildings, but reiterated that his business has been established for thirty years. He requested assistance, and reiterated a request for some of the City requirements to be waived.

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In response to a question, Chairperson Aldean expressed understanding for Mr. Halen's concerns and encouraged him to meet with Mr. Plemel. In reference to the draft plan amendment, she suggested "there may be provisions in the strategies that we're considering that would help [Mr. Halen's] situation ..." She acknowledged Mr. Halen's frustration, but reiterated the encouragement to meet with Mr. Plemel. Member McKenna requested Mr. Plemel to report back to the Redevelopment Authority the results of his meeting with Mr. Halen. Member McKenna suggested Mr. Halen's situation is an example of "why we don't want to have a loan fund. ... this gentleman's been sitting here. He's been a Carson City business person for thirty-plus years and he's not asking for a loan. He's asking for services: water lines, sidewalks, things like that so he can meet Code improvements. Those are physical things. Those aren't loans." Member McKenna expressed opposition "to loan[ing] money to people that have a marginal business to begin with and need money to get into a marginal business so that somebody ... who owns a building doesn't have to improve their property for a lender. ... without a specific, ... very firm idea of what this lending is going to look like, ... we ought to stay the course and go with our original plan of staying out of the money lending business and, if you have a project and it has physical things that Carson City needs, then we'll work with you. But, to give money and have it paid back and then give money to somebody else and hopefully have it paid back, ... we ought to just stay out of the ... lending business and deal with people, like this gentleman who has proven that he belongs in Carson City, he wants to be in Carson City, and he'll pay it back through sales tax or through jobs or whatever."

Chairperson Aldean entertained additional public comment and, when none was forthcoming, closed the public hearing. Mr. Plemel advised of having been previously unaware of Mr. Halen's project and concerns and expressed a willingness to meet with him. He noted that a small business incentive program "where the City is paying up to twenty percent of the project costs," is not included in the proposed amendment. He suggested that the proposed language "could help with the City side of the infrastructure if the Redevelopment Authority so chooses, with what's proposed ... and existing in the plan. But, what's not in here is to help with the on-site construction ... for area 2." Chairperson Aldean suggested further considering the revolving loan program and developing a more definitive recommendation rather than including it in the subject amendment. She expressed concern with regard to "send[ing] the wrong message to the public. This document is a public document. People are going to be looking at it. If it's not properly worded, if it doesn't accurately reflect our intent, then we've got a problem because people are going to feel like they've been deceived." She recommended removing paragraph 3(A)(11) and reconsidering it in two years at the same time that the incentive program is reconsidered. She reviewed additional suggested revisions, and entertained additional comments of the Redevelopment Authority members.

Member Crowell suggested that the goals of the redevelopment plan appear to be "highly tailored to auto sales," and further suggested considering off-site improvement requirements for business owners interested in upgrading their properties. "... the off-site improvements are important, but we don't preclude development that's otherwise going to be beneficial by saddling a business owner ..." Mr. Werner advised this would require revisions to the development Code, and explained the trickle-down effect of the associated costs. He offered to reagendaize the issue for a future meeting, and extensive discussion ensued.

(11:52:19) George Pavlik introduced himself for the record. In reference to previous discussion, he advised of having requested installation of curb and gutter in front of his residence. Mr. Werner explained the circumstances under which the City will install curb and gutter based on established community priority. Mr. Pavlik acknowledged that his residence is within the redevelopment area "right across from the car dealers." In response to a comment, Mr. Werner advised that the City's 50 / 50 sidewalk program is still

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available “once it reaches the priority for [the City’s] fifty percent.” He provided extensive background information on the now-defunct special assessment district in the area of Mr. Pavlik’s residence. In response to a question, Mr. Werner explained the “huge liability ... for curb, gutter, and sidewalk” relative to the ADA throughout the community. He expressed a willingness to send a Public Works Department representative to Mr. Pavlik’s area in order to assess the situation.

Chairperson Aldean entertained additional public comment and, when none was forthcoming, a motion. Discussion took place regarding the wording of the recommended action, and **Member Walt moved to recommend to the Board of Supervisors approval of the proposed amendments, with the exception of item 11 on page 4, to the text of the South / North Carson Street Redevelopment Plan, Project Area No. 2, to add three strategies for addressing redevelopment of the area, and making other nonsubstantive clarifications and updates of the Plan, as recommended by the Redevelopment Authority Citizens Committee, and subject to other corrections on the record. Member McKenna seconded the motion.** Mr. Plemel acknowledged understanding of the requested revisions. Chairperson Aldean entertained questions or comments and, when none were forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

**25(C) POSSIBLE ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AMENDMENT #2 TO THE OPERATING COVENANT AND AGREEMENT, BY AND BETWEEN CARSON CITY REDEVELOPMENT AUTHORITY AND CARSON CITY, AND THE CARRINGTON COMPANY, TO EXTEND THE TIME IN WHICH A TENANT MUST OCCUPY A MINIMUM OF 42,000 SQUARE FEET OF THE 72,570 SQUARE FEET OF VACANT TENANT ANCHOR SPACE FROM DECEMBER 31, 2012 TO OCTOBER 31, 2013, AND PROVIDING THAT A LEASE FOR THAT SPACE MUST BE SIGNED BY JANUARY 31, 2013, THAT A LEASE MUST BE SIGNED FOR THE REMAINING VACANT SPACE BY JULY 1, 2013, AND THAT A TENANT MUST OCCUPY THE REMAINING SPACE BY DECEMBER 31, 2013** (11:59:59) - Chairperson Aldean introduced this item, and Mr. Plemel reviewed the agenda materials.

Chairperson Aldean invited Joanne Holmes, representing The Carrington Company, to the podium. (12:03:40) Ms. Holmes introduced herself for the record and explained the need for the additional extension of time. She expressed appreciation for the Board’s cooperation. In response to a question, she described the national retailer as “strong, ... very conservative. They ... are growing but they don’t want to outgrow themselves. They are very conservative about their expansion. ... They love Carson. They had looked at Carson before. ... It stalled on us because they wanted to delay this a year to an opening of 2014. That decision was because they didn’t want to expand too fast and they didn’t want to overcommit themselves. ... they rearranged some openings of other stores and they moved Carson into 2013.”

In consideration of the difference between occupancy and operation, Chairperson Aldean suggested amending the motion to indicate that the “tenant must occupy and be operating ...” She entertained additional questions of the Redevelopment Authority members. Member Walt suggested that “what’s going on at the Mall right now is very positive. The Food for Thought fund raiser that happened ... on Tuesday ... helps the nonprofits which is helping the community.” She commended The Carrington Company and Kevin Ray on such events. Ms. Holmes discussed the community-minded philosophy of The Carrington Company.

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Chairperson Aldean entertained additional Redevelopment Authority member comments or questions and, when none were forthcoming, public comments. (12:09:11) Ward 2 Supervisor-elect Brad Bonkowski requested the Redevelopment Authority to consider the time line in light of the possibility of extensive tenant improvements. (12:10:34) In response to a comment, Ms. Holmes advised of having suggested the time lines included in the agenda report. Discussion followed.

(12:11:56) Chamber of Commerce Executive Director Ronni Hannaman expressed support for and encouraged the Redevelopment Authority to grant the requested extension of time.

Chairperson Aldean entertained additional public comment and, when none was forthcoming, a motion. She reminded the Redevelopment Authority members of the previously-recommended revision to the motion. In response to a question, she reviewed corresponding revisions to the agreement. Mr. Plemel noted an additional correction to the agreement. **Vice Chairperson Abowd moved to approve and recommend to the Board of Supervisors approval of amendment no. 2 to the Operating Covenant and Agreement, by and between Carson City Redevelopment Authority and Carson City and the Carrington Company, to extend the time in which a tenant must occupy and be operating in a minimum of 42,000 square feet of the 72,570 square feet of vacant tenant anchor space, from December 31, 2012 to October 31, 2013, and providing that a lease for that space must be signed by January 31, 2013, and that a lease must be signed for the remaining vacant space by July 1, 2013, and that a tenant must occupy and be operating in the remaining space by December 31, 2013. Member Walt seconded the motion.** Chairperson Aldean noted the corresponding amendments to the agreement, and entertained questions or comments. When none were forthcoming, she called for a vote on the pending motion. **Motion carried 5-0.** Chairperson Aldean thanked Ms. Holmes.

**26. PUBLIC COMMENT** (12:15:18) - Chairperson Aldean entertained public comment; however, none was forthcoming.

**27. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY** (12:15:29) - Chairperson Aldean entertained a motion to adjourn. **Member Walt so moved. Vice Chairperson Abowd seconded the motion. Motion carried 5-0.**

**28. RECONVENE BOARD OF SUPERVISORS** (12:15:34) - Mayor Crowell reconvened the Board of Supervisors at 12:15 p.m.

#### **29. OFFICE OF BUSINESS DEVELOPMENT**

**29(A) POSSIBLE ACTION TO ADOPT A RESOLUTION MOVING \$72,876 FROM THE REDEVELOPMENT REVOLVING CAPITAL OUTLAY / UNDESIGNATED PROJECTS ACCOUNT (NUMBER 603-0000-463-77-99) TO ASSIST WITH FUNDING THE REPLACEMENT OF THE COMMUNITY CENTER SIGN WITH AN LED MESSAGE BOARD AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN** (12:15:40) - Mayor Crowell introduced this item and incorporated, by reference, the discussion from the Redevelopment Authority item. He entertained public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to adopt Resolution No. 2012-R-32, and to move \$72,876 from the redevelopment revolving capital outlay / undesignated projects account, number 603-0000-463-77-99, to assist with funding the replacement of the Community Center sign with an LED message board. Supervisor Abowd seconded the motion. Motion carried 5-0.**

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**29(B) POSSIBLE ACTION TO CONDUCT A PUBLIC HEARING AND INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING ORDINANCE NO. 2007-19, BY AMENDING THE TEXT OF THE SOUTH CARSON STREET REDEVELOPMENT PLAN, PROJECT AREA NO. 2, ADDING FOUR STRATEGIES FOR ADDRESSING REDEVELOPMENT OF THE AREA, AND MAKING OTHER NON-SUBSTANTIVE CLARIFICATIONS AND UPDATES TO THE PLAN (12:16:58)** - Mayor Crowell introduced this item, opened the public hearing, and incorporated, by reference, the discussion from the Redevelopment Authority item. He entertained public comment and Board member comments. When none were forthcoming, he closed the public hearing and entertained a motion. **Supervisor Walt moved to introduce, on first reading, Bill No. 116, an ordinance amending Ordinance 2007-19, to amend the text of the South / North Carson Street Redevelopment Plan, Project Area No. 2, to add three strategies for addressing redevelopment of the area, and making other nonsubstantive clarifications and updates to the Plan, with the exception of item 11 on page 4. Supervisor Aldean seconded the motion. Motion carried 5-0.** In response to a question, Mr. Munn provided direction with regard to specifically opening and closing a public hearing. Mayor Crowell suggested that the agenda more specifically highlight the public hearing, and advised he would discuss the matter with Mr. Munn after the meeting.

**29(C) POSSIBLE ACTION TO APPROVE AMENDMENT #2 TO THE OPERATING COVENANT AND AGREEMENT, BY AND BETWEEN CARSON CITY REDEVELOPMENT AUTHORITY AND CARSON CITY, AND THE CARRINGTON COMPANY, TO EXTEND THE TIME IN WHICH A TENANT MUST OCCUPY A MINIMUM OF 42,000 SQUARE FEET OF THE 72,570 SQUARE FEET OF VACANT TENANT ANCHOR SPACE, FROM DECEMBER 31, 2012 TO OCTOBER 31, 2013, AND PROVIDING THAT A LEASE FOR THAT SPACE MUST BE SIGNED BY JANUARY 31, 2013, THAT A LEASE MUST BE SIGNED FOR THE REMAINING VACANT SPACE BY JULY 1, 2013, AND THAT A TENANT MUST OCCUPY THE REMAINING SPACE BY DECEMBER 31, 2013 (12:19:19)** - Mayor Crowell introduced this item and incorporated, by reference, the discussion from the Redevelopment Authority item. He entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve amendment no. 2 to the Operating Covenant and Agreement, by and between Carson City Redevelopment Authority and Carson City and The Carrington Company, to extend the time in which a tenant must occupy and be operating in a minimum of 42,000 square feet of the 72,570 square feet of vacant tenant anchor space from December 31, 2012 to October 31, 2013, and providing that a lease for that space must be signed by January 31, 2013, and that a lease must be signed for the remaining vacant space by July 1, 2013, and that a tenant must occupy and be operating in the remaining space by December 31, 2013. Supervisor Walt seconded the motion. Motion carried 5-0.**

**30. BOARD OF SUPERVISORS NON-ACTION ITEMS:  
STATUS REVIEW OF PROJECTS**

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS**

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS**

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**STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS** (12:20:44) - Supervisor Aldean advised that the Tahoe Regional Planning Agency Governing Board will meet on Wednesday, December 12<sup>th</sup> to consider all the documents necessary to update the regional plan. (12:21:50) Supervisor Abowd announced that the downtown flower baskets sponsorships will close on December 31<sup>st</sup>.

**STAFF COMMENTS AND STATUS REPORT** (12:21:25) - Mr. Werner advised that Health and Human Services Department Director Marena Works will be conducting a public workshop on the animal control ordinance on Wednesday, December 12<sup>th</sup>. Mr. Werner announced the Silver and Snowflakes event scheduled for Friday, December 7<sup>th</sup> at 5:30 p.m.

**RECESS AND RECONVENE BOARD OF SUPERVISORS** (12:22:22) - Mayor Crowell recessed the meeting at 12:22 p.m., and reconvened at 2:02 p.m.

### 31. CITY MANAGER

**31(A) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION FOR A TWO-YEAR TERM THAT EXPIRES DECEMBER 31, 2014** (2:02:23) - Mayor Crowell introduced this item, invited Jim Mallery to the podium, and thanked him for reapplying. He commended Mr. Mallery's service to the commission and the community. Supervisor Aldean thanked Mr. Mallery for reapplying, and echoed the Mayor's comments. She commended Mr. Mallery's "invaluable knowledge," and expressed appreciation for his assumption of the City's obligation to attend the Tahoe Transportation District ("TTD") meetings. Supervisor Walt thanked Mr. Mallery for his valuable service.

Mr. Mallery advised of having been "impressed with the caliber of people [he] serves with." He expressed a willingness to represent the City at the TTD meetings, and provided background information on his previous experience with the TTD. He commended the Public Works Department and Transportation Division staff on the JAC Transit System and the recent street improvement projects. He requested the Board's consideration of his reapplication.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to appoint Jim Mallery to the Carson City Regional Transportation Commission for a two-year term that expires December 31, 2014. Supervisor Abowd seconded the motion. Motion carried 5-0.**

**31(B) POSSIBLE ACTION TO APPOINT THREE MEMBERS TO THE CARSON CITY INTERNATIONAL BUILDING CODE BOARD OF APPEALS, ONE IN EACH OF THE FOLLOWING CATEGORIES: MECHANICAL ENGINEER, STRUCTURAL / CIVIL ENGINEER, AND ELECTRICAL ENGINEER, EACH POSITION IS FOR A TWO-YEAR TERM THAT EXPIRES IN JANUARY 2015** (2:06:51) - Mayor Crowell introduced this item, noting that none of the applicants were yet present in the meeting room. He recessed the meeting at 2:07 p.m. and reconvened at 2:13 p.m.

Mayor Crowell invited Dave Saarem to the podium, and thanked him for his community service. In response to a question, Mr. Saarem provided personal and professional background information, and discussed his interest in being reappointed to the board of appeals. In response to a further question, he advised of having served "for a few terms," and that "there has never been an issue ... where [he's] been

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required to intervene or act in any way.” He discussed his experience building his own home and advised of having “[dug] into the code books pretty hard to make sure he’s doing things right.” He advised of no problem with the Building Division staff. Mayor Crowell advised of a fair number of complaints relative to enforcement of the Building Code, and suggested the importance of “mak[ing] things easier for folks without violating the law or compromising health and safety ...” Discussion followed and, in response to a question, Mr. Saarem suggested that “common sense should always prevail. ... when you step back and look ... at what somebody’s trying to do, ... most people are going to act in the best interests of their neighbors, of themselves, and they’re not going against the Code just to go against the Code.” Supervisor Aldean suggested that the board of appeals members would act as advisors “if we decide, as a municipality, to challenge acts by the legislature that we feel are stifling initiative, are overly burdensome to the people doing business in Carson City, because it’s the tradespeople ... who are actually involved in the construction business who ... can provide the sort of common sense solutions that are oftentimes needed to refine legislation to make it more user-friendly.” Mr. Saarem expressed a willingness to participate in such a process.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to appoint Dave Saarem to the mechanical engineer position on the Board of Appeals for a two-year term that expires January 2015. Supervisor McKenna seconded the motion. Motion carried 5-0.** Supervisor Aldean encouraged Mr. Saarem to review the Board’s recently-adopted policies and procedures relative to advisory boards, commissions, and committees.

(2:20:35) Mayor Crowell invited Karen Purcell to the podium, and thanked her for her service to the board of appeals. In response to a question, Ms. Purcell expressed agreement with Mr. Saarem’s comments. “Obviously, Code was adopted and written for a reason but ... you do need to look at common-sense principles as well when you’re reviewing drawings or when you have an issue.” Ms. Purcell expressed a willingness to participate in any advisory capacity relative to the legislative process. In response to a question, she provided background information on her education.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to appoint Karen Purcell to the electrical engineer position on the board of appeals for a two-year term that expires January 2015. Supervisor Aldean seconded the motion. Motion carried 5-0.**

(2:22:40) Mayor Crowell invited Brett McElhaney to the podium, and thanked him for his service to the community. In response to a question, Mr. McElhaney explained that the board of appeals has consisted mostly of “stand-by” service. In response to a question, he expressed the opinion that the building code involves “some judgment and it’s where the code has some ambiguity or could be interpreted in different ways.” As a structural engineer, he compared reading the code to a lawyer reading the law “and it’s written that way so they try to take the ambiguity out but often there are some and that’s where common sense comes in and you try to balance economics with safety and find the sweet spot.” In response to a further question, Mr. Werner read the language of the Carson City Municipal Code relative to the board of appeals authority.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to appoint Brett McElhaney to the structural / civil engineer position on the board of appeals for a two-year term that expires January 2015. Supervisor Aldean seconded the motion.**

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**Motion carried 5-0.** Mayor Crowell encouraged Mr. McElhaney to review the Board's recently-adopted policies and procedures for advisory boards, commissions, and committees.

**32. PUBLIC COMMENT (2:27:26)** - Mayor Crowell entertained public comment; however, none was forthcoming.

**33. ACTION TO ADJOURN (2:27:31)** - Supervisor Aldean moved to adjourn the meeting at 2:27 p.m. The motion was seconded and carried unanimously.

The Minutes of the December 6, 2012 Carson City Board of Supervisors meeting are so approved this 3<sup>rd</sup> day of January, 2013.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder