

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 1

DRAFT

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, May 16, 2013 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

STAFF: Larry Werner, City Manager
Marena Works, Deputy City Manager
Alan Glover, Clerk - Recorder
Randal Munn, Chief Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

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

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE
(8:28:32) - Mayor Crowell called the meeting to order at 8:28 a.m. Mr. Glover called the roll; a quorum was present. First Christian Church Pastor Ken Haskins provided the invocation. Mayor Crowell led the pledge of allegiance.

5. PUBLIC COMMENTS AND DISCUSSION (8:30:09) - Mayor Crowell entertained public comment. (8:30:22) Mr. Werner expressed apology "to Supervisor Shirk, ... to the Board, and to the citizens of Carson City for the situation that occurred between Supervisor Shirk and me at the last Board meeting." Mr. Werner advised of having apologized to Supervisor Shirk following the meeting, to the Mayor and the other Board members, and to his staff. He read a prepared statement into the record. Mayor Crowell entertained additional public comment. Supervisor Shirk left the dais and spoke with Mr. Werner; however, his comments could not be heard on the record. Mayor Crowell entertained additional public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - March 7, 2013 (8:31:55) - Mayor Crowell entertained suggested revisions and, when none were forthcoming, a motion. **Supervisor Abowd moved to approve the minutes, as published. Supervisor Bonkowski seconded the motion. Motion carried 5-0.**

7. POSSIBLE ACTION ON ADOPTION OF AGENDA (8:32:20) - Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, a motion to adopt the agenda, as published. **Supervisor Bonkowski so moved. Supervisor Abowd seconded the motion. Motion carried 5-0.**

8. SPECIAL PRESENTATIONS

8(A) PRESENTATION OF LENGTH OF SERVICE AWARDS FOR CITY EMPLOYEES
(8:32:50) - At Mayor Crowell's request, the Board members convened at the podium. Mayor Crowell introduced this item and invited Recreation Operations Manager Joel Dunn to the podium. (8:34:17) Mr.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 2

DRAFT

Dunn expressed appreciation for the opportunity to have served the community over the past 15 years, and thanked the Board members, the citizens, and his fellow employees. Mayor Crowell presented Mr. Dunn with a certificate of appreciation, and the Board members congratulated him.

Mayor Crowell invited Management Assistant Dawn Beck to the podium, and presented her with a certificate of appreciation in honor of her 20 years of continuous, dedicated service to the City. (8:35:14) Ms. Beck expressed appreciation for the opportunity to have served the City in several different departments over the years. She commended the Senior Center as “a great place to work,” and expressed appreciation for the “really great seniors in this community.” The Board members congratulated Ms. Beck.

Mayor Crowell invited Assessor Dave Dawley to the podium, and presented him a certificate of appreciation in honor of 20 years of continuous and dedicated service to the City. The Board members, City staff, and the citizens present applauded. The Board members congratulated Mr. Dawley.

Mayor Crowell invited Deputy Sheriff Rick Encinas to the podium, and presented him a certificate of appreciation in honor of his 20 years’ continuous service to the community. He thanked Deputy Encinas for his service to the community. (8:37:04) Deputy Encinas expressed appreciation for the opportunity to “serve the community on a daily basis,” and thanked the Board for the recognition.

8(B) PRESENTATION OF A PROCLAMATION FOR “INVASIVE SPECIES AWARENESS WEEK,” MAY 20 TO 26, 2013 (8:38:28) - Mayor Crowell introduced this item, and read into the record the language of the Proclamation which was included in the agenda materials. He presented the Proclamation to Natural Resources Specialist Ann Bollinger. (8:39:54) Ms. Bollinger thanked the Board, and advised that she would share the Proclamation with University of Nevada Cooperative Extension Weed Coalition Coordinator Margie Evans. At Mayor Crowell’s request, Ms. Bollinger provided background information on the annual fuels reduction program and discussed the public outreach aspect which, last year, included the Mayor and Ms. Bollinger being featured on the PBS *America’s Hometown* series and, this year, in a story presented by Fox News.

Ms. Bollinger introduced Ms. Evans, and commended her “extraordinary effort” to reach out to the community and the schools. Ms. Evans thanked the Board for the Proclamation, and narrated a PowerPoint presentation, copies of which were included in the agenda materials. Mayor Crowell thanked Ms. Evans and Ms. Bollinger.

9. CONSENT AGENDA (8:45:24) - Mayor Crowell introduced this item, and advised of having been requested to hear item 9-4 separately. He entertained additional requests to hear items separate from the consent agenda. When no requests were forthcoming, he entertained a motion to approve the remainder of the consent agenda. **Supervisor McKenna moved to approve the consent agenda, consisting of one item from the Sheriff; one item from the Treasurer; one item from Finance; and one item from the City Manager. Supervisor Bonkowski seconded the motion. Motion carried 5-0.**

9-1. SHERIFF - POSSIBLE ACTION TO CREATE AN ACCOUNT IN THE GENERAL FUND FOR THE SUPPORT OF THE CORONER’S OFFICE, AND DEPOSIT IN THE ACCOUNT FUNDS RECEIVED FROM THE STATE REGISTRAR OF VITAL STATISTICS, PURSUANT TO NRS 440.690

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 3

DRAFT

9-2. TREASURER - POSSIBLE ACTION TO ACCEPT THE ACKNOWLEDGMENT OF AFFIDAVIT OF DELINQUENT NOTICE MAILING FOR REAL PROPERTY TAXES

9-3. 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 MAY 7, 2013, PURSUANT TO NRS 251.030 AND NRS 354.290

9-4. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO ACCEPT THE PUBLIC WORKS DEPARTMENT RECOMMENDATION TO APPROVE AN AMENDMENT TO INCREASE P.O. NO. 2013-087 TO JONES-WEST FORD, FOR THE PURCHASE OF FLEET VEHICLES, IN THE AMOUNT OF \$10,057.00, FOR A NEW TOTAL OF \$108,874.00 (CONTRACT NO. 1213-157, P. O. NO. 2013-087) (8:46:13) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt provided background information. Public Works Operations Chief Curtis Horton explained the purpose for the amendment. He responded to questions of clarification regarding the benefits of diesel motors and the funding source for the amendment. He acknowledged the importance of ordering the vehicle at the present time rather than waiting, the possibility of “bidding with options” in the future, and having considered alternative fuels vehicles in the past.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Supervisor Abowd moved to accept the Public Works Department recommendation to approve an amendment to increase Purchase Order Number 2013-087 to Jones-West Ford for the purchase of fleet vehicles, in the amount of \$10,057.00, for a new total of \$108,874.00, Contract No. 1213-157, P.O. No. 2013-087. Supervisor Bonkowski seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Belt and Mr. Horton.

9-5. CITY MANAGER - POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER, FOR THE PERIOD OF APRIL 9, 2013 THROUGH MAY 6, 2013

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

10. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:46:09) - Please see the minutes for item 9-4.

11. SHERIFF - POSSIBLE ACTION TO AUTHORIZE THE CARSON CITY SHERIFF'S OFFICE TO CONTINUE DISCUSSIONS WITH THE CARSON CITY SCHOOL BOARD TO DETERMINE THE FEASIBILITY OF REQUESTING FUNDING FROM THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES TO EXPAND THE SCHOOL RESOURCE OFFICER PROGRAM (8:51:32) - Mayor Crowell introduced this item, and Sheriff Ken Furlong reviewed the agenda materials. Sheriff Furlong introduced Sheriff's Department Business Manager Kathie Heath, who provided additional information on the subject grant funding. Ms. Heath and Sheriff Furlong responded to questions of clarification regarding the City's responsibilities relative to ongoing funding, and discussion followed.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 4

DRAFT

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell inquired of the City Manager as to sufficient funding. Mr. Werner explained that the grant will be applied for “as the City and so we’re responsible for the grant. ... Then, what we do, between now and the time we accept the grant, is try to work out ... a draft MOU with the School District that sets out the parameters ... So, ultimately, we’re totally responsible for the grant.” Mr. Werner expressed support for the grant program, and advised of positive discussions with Carson City School District Superintendent Richard Stokes.

Mayor Crowell entertained a motion. **Supervisor Abowd moved to authorize the Carson City Sheriff’s Office to continue discussions with the Carson City School District to determine the feasibility of requesting funding from the Office of Community Oriented Policing Service to expand the School Resource Officer Program. Supervisor McKenna seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Sheriff Furlong and Ms. Heath and, at his request, Sheriff Furlong announced the annual Cops and Kids Event scheduled for Saturday, May 18th at the Carson City Sheriff’s Department.

12. HEALTH AND HUMAN SERVICES DEPARTMENT

12(A) POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 110, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 7, ANIMALS, CHAPTER 7.13, LICENSING AND REGULATIONS, BY AMENDING THE CHAPTER TO CHANGE THE NAME FROM ANIMAL CONTROL CENTER TO ANIMAL SERVICES AND FROM ANIMAL DIRECTOR TO ANIMAL SERVICES MANAGER, AND BY UPDATING THE CHAPTER REGARDING THE ANIMAL SERVICES DEPARTMENT’S AND OFFICER’S DUTIES, AND TO REVISE AND ELIMINATE CERTAIN PROVISIONS, AND BY AMENDING SECTION 7.13.010, DEFINITIONS, TO ALPHABETIZE AND AMEND AND ADD NEW DEFINITIONS, AND BY UPDATING SECTION 7.13.020, CARSON CITY ANIMAL CONTROL USE, TO UPDATE THE POWERS OF ANIMAL SERVICES AND RELOCATING SOME EXISTING PROVISIONS, AND BY AMENDING SECTION 7.13.030, ANIMAL SERVICES DIRECTOR - ANIMAL SERVICES OFFICERS - POWERS AND DUTIES, TO CHANGE THE SECTION NAME AND DUTIES OF THE ANIMAL SERVICES OFFICERS / SHERIFF / AUTHORITY REGARDING ANIMAL CALLS, AND BY AMENDING SECTION 7.13.040, CARSON CITY SHERIFF AND DEPUTIES, TO CHANGE THE SECTION NAME AND TO PROVIDE FOR A COLLECTIONS, DISBURSEMENT, AND FEE SCHEDULE, AND BY AMENDING SECTION 7.13.050, COLLECTIONS AND DISBURSEMENTS, TO CHANGE THE SECTION NAME AND DUTIES, AND BY AMENDING SECTION 7.13.060, USE OF TRANQUILIZER GUN, OTHER DEVICES, IN CONTROLLING ANIMALS, TO CHANGE THE SECTION NAME AND DUTIES, AND BY AMENDING SECTION 7.13.070, SEARCH AND SEIZURES, TO CHANGE THE NAME AND DUTIES REGARDING THE IMPOUNDING AND RECLAIMING OF ANIMALS, AND BY AMENDING SECTION 7.13.080, RESISTING OR OBSTRUCTING ANIMAL SERVICES OFFICERS, HEALTH OFFICER, OR SHERIFF OR DEPUTIES, UNLAWFUL, TO CHANGE THE SECTION NAME AND RESPONSIBILITY OF OWNER, AND BY AMENDING SECTION 7.13.090, RABIES VACCINATION OF DOGS, CATS, AND FERRETS REQUIRED - REVACCINATION REQUIRED - EXCEPTIONS, TO CHANGE THE NAME AND AMEND SECTION 7.13.100, ANIMAL SERVICE TAGS, PERMITS, AND FEES, TO RENAME IT AS DANGEROUS / VICIOUS AND BY AMENDING SECTION 7.13.110, RESTRAINING ANIMALS - SANITATION, TO CHANGE THE SECTION NAME TO PROHIBITED ACTIVITIES AND TO INCLUDE THE PROVISIONS PREVIOUSLY INCLUDED

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 5

DRAFT

IN 7.13.210, AND BY AMENDING SECTION 7.13.120, DOGS RUNNING AT LARGE - IMPOUNDS, TO CHANGE THE CHAPTER NAME AND DUTIES AND INCLUDE THE PROVISIONS PREVIOUSLY CONTAINED IN 7.13.520 THROUGH 7.13.540 AND 7.13.570, AND TO INCLUDE THE CRIMINAL OFFENSE FOR ANY PERSON WHO REFUSES TO RELINQUISH ANY DOMESTIC ANIMAL TO ANIMAL SERVICES AFTER FINDING SUCH ANIMAL, AND BY AMENDING SECTION 7.13.130, RESERVED, TO CHANGE THE SECTION NAME AND INCLUDE THE PENALTY PROVISIONS PREVIOUSLY IN 7.13.610, AND EXPAND THE ALLOWABLE FINE AMOUNT FROM \$500.00 TO \$1,000.00 PER OFFENSE AND ADD THE PROVISION THAT A CRIMINAL PENALTY MUST BE IMPOSED FOR ANY OFFENSE WHICH PERTAINS TO THE BITES OF ANIMALS, VICIOUS OR DANGEROUS DOGS, OR CRUELTY TO ANIMALS AND PERMIT A JUDGE, IN ADDITION TO OTHER PENALTIES, TO HAVE THE DISCRETION TO ORDER THE DOG HUMANELY DESTROYED, AND BY AMENDING SECTION 7.13.140, CONDITIONS FOR RELEASE OF IMPOUNDING DOG, TO DELETE THE SECTION TITLE AND TO INCLUDE THE PROVISION PREVIOUSLY CONTAINED IN 7.13.620, AND BY DELETING SECTIONS 7.13.145 THROUGH 7.13.620, AND OTHER MATTERS PROPERLY RELATED THERETO (9:15:22) - Mayor Crowell introduced this item and, in response to a question, Deputy City Manager Marena Works advised that no substantive changes to the proposed ordinance had been made since introduction on first reading. Ms. Works advised that the revisions and corrections to the proposed ordinance, requested at first reading, had been made and she provided a brief overview of the same.

Supervisor Shirk read into the record email correspondence from Gilbert Yanuck, expressing opposition to the existing language relative to controlling an animal. "... the only reliable and positive method of control is to place the animal on a leash." Ms. Works acknowledged that the issue had been discussed during the public workshops. "It was pretty much a split and then, when I sat down with you individually, we discussed how, as Supervisors, you would like the language to read which is how we came up with the language we currently have."

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to adopt, on second reading, Bill No. 110, Ordinance No. 2013-15, ordinance amending the Carson City Municipal Code, Title 7, Animals, Chapter 7.13, Licensing and Regulations, by amending the chapter to change the name from Animal Control Center to Animal Services, and from Animal Director to Animal Services Manager, and by updating the chapter regarding the animal services department's and officer's duties, and to revise and eliminate certain provisions, and by amending Section 7.13.010, Definitions, to alphabetize and amend and add new definitions, and by updating Section 7.13.020, Carson City Animal Control Use, to update the powers of animal services and relocating some existing provisions, and by amending Section 7.13.030, Animal Services Director - Animal Services Officers - Powers and Duties, to change the section name and duties of the animal services officers / sheriff / authority regarding animal calls, and by amending Section 7.13.040, Carson City Sheriff and Deputies, to change the section name and to provide for a collections, disbursement, and fee schedule, and by amending Section 7.13.050, Collections and Disbursements, to change the section name and duties, and by amending Section 7.13.060, Use of Tranquilizer Gun, Other Devices, in Controlling Animals, to change the section name and duties, and by amending Section 7.13.070, Search and Seizures, to change the name and duties regarding the impounding and reclaiming of animals, and by amending Section 7.13.080, Resisting or Obstructing Animal Services Officers, Health Officer, or Sheriff or Deputies, Unlawful, to change the section name and**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 6

DRAFT

responsibility of owner, and by amending Section 7.13.090, Rabies Vaccination of Dogs, Cats, and Ferrets Required - Revaccination Required - Exceptions, to change the name and amend Section 7.13.100, Animal Service Tags, Permits, and Fees, to rename it as Dangerous / Vicious, and by amending Section 7.13.110, Restraining Animals - Sanitation, to change the section name to prohibited activities and to include the provisions previously included in Section 7.13.210, and by amending Section 7.13.120, Dogs Running at Large - Impounds, to change the chapter name and duties and include the provisions previously contained in Sections 7.13.520 through 7.13.540 and 7.13.570, and to include the criminal offense for any person who refuses to relinquish any domestic animal to animal services, after finding such animal, and by amending Section 7.13.130, Reserved, to change the section name and include the penalty provisions previously in Section 7.13.610, and expand the allowable fine from \$500 to \$1,000 per offense, and to add the provision that a criminal penalty must be imposed for any offense which pertains to the bites of animals, vicious or dangerous dogs, or cruelty to animals and permit a judge, in addition to other penalties, to have the discretion to order the dog humanely destroyed, and by amending Section 7.13.140, Conditions for Release of Impounding Dog, to delete the section title and to include the provision previously contained in Section 7.13.620, and by deleting Sections 7.13.145 through 7.13.620, and other matters properly related thereto. Supervisor Bonkowski seconded the motion. Motion carried 5-0.

In reference to Mr. Yanuck's comments, Supervisor Bonkowski requested staff to annually report to the Board of Supervisors "the number of complaints against dogs not on a leash." Ms. Works agreed, and advised of additional non-substantive revisions to the ordinance which will be presented to the Board at a future meeting.

12(B) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 9, SECTION 9.04.040, PERMITS, APPROVALS, AND OTHER REQUIREMENTS, TO CLARIFY LANGUAGE UPDATE, UPDATE FEE LANGUAGE, ADD FEES FROM TITLE 12 INTO TITLE 9, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS, AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (9:24:03) - Mayor Crowell introduced this item, and opened the public hearing. Disease Prevention and Control Division Manager Dustin Boothe provided an overview of the agenda materials, and Mayor Crowell entertained public comment. In response to a question, Mr. Boothe explained the annual billing process. Supervisor Bonkowski advised of having talked with several restaurateurs and casino operators "and the feedback ... was that this was not a significant impact against their operations and that they weren't going to oppose it." Supervisor Shirk advised of having heard several commendations of the Health and Human Services Department. "No one had any complaints and thought you did well and actually didn't think you were collecting enough in-fees and they didn't register any complaint about their fees going up."

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to find that the proposed ordinance, amending Title 9, Section 9.04.040, Permits, Approvals, and Other Requirements, to clarify language update, update fee language, add fees from Title 12 into Title 9, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 7

DRAFT

business; that a business impact statement has been prepared, accepted, and is on file with the Board of Supervisors, and that the requirements of the act have been met. Supervisor Abowd seconded the motion. Motion carried 5-0. Mayor Crowell closed the public hearing.

12(C) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 9, HEALTH AND WELFARE, CHAPTER 9.04, HEALTH DIVISION PERMITS AND FEE SCHEDULE, AMENDING SECTION 9.04.010, DEFINITIONS, TO CLARIFY AND EXPAND DEFINITIONS AND ADD A DEFINITION OF INVENTORY, AMENDING SECTION 9.04.020, PERMITS REQUIRED, UPDATING THE LANGUAGE OF THE SECTION TO CLARIFY THE TYPE OF HEALTH PERMITS THAT ARE ISSUED, AMENDING SECTION 9.04.030, DUTIES OF THE PERMIT HOLDER, TO CLARIFY LANGUAGE, AMENDING SECTION 9.04.040, PERMITS, APPROVALS, AND OTHER REQUIREMENTS, TO CLARIFY LANGUAGE UPDATE, UPDATE FEE LANGUAGE, ADD FEES FROM TITLE 12 INTO TITLE 9, AMENDING SECTION 9.04.050, REVOCATION OR SUSPENSION, TO CLARIFY LANGUAGE, AMENDING SECTION 9.04.060, PENALTIES, ADDITION OF LANGUAGE FROM SECTION 9.04.065, DELETING SECTION 9.04.065, ADDITIONAL FEES, DELETING SECTION 9.04.070, SEVERABILITY, AND OTHER MATTERS PROPERLY RELATED THERETO (9:28:17) - Mayor Crowell introduced this item, and Mr. Boothe reviewed the agenda materials. Mr. Boothe, Mr. Werner, and Ms. Works responded to questions of clarification regarding various provisions of the proposed ordinance. Supervisor Bonkowski reviewed necessary clerical corrections.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Mr. Munn advised that Mr. Boothe's previous reading of the ordinance title was such that simply introducing the bill number would be sufficient. **Supervisor Bonkowski moved to introduce, on first reading, Bill No. 113, an ordinance amending Carson City Municipal Code, Title 9, as read into the record previously by Mr. Boothe. Supervisor Abowd seconded the motion. Motion carried 5-0.**

12(D) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 9, FOOD ESTABLISHMENTS, CHAPTER 9.05, FOOD ESTABLISHMENTS, UPDATING THE LANGUAGE OF THE SECTION TO UPDATE INSPECTION FREQUENCIES AND BY AMENDING THE NUMBER OF INSPECTIONS AND BY UPDATING MOBILE UNIT REQUIREMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS, AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (9:39:57) - Mayor Crowell introduced this item, and opened the public hearing. Mr. Boothe reviewed the agenda materials. He responded to questions of clarification and Mayor Crowell entertained public comment. When no public comment was forthcoming, Mayor Crowell entertained a motion. Supervisor Bonkowski moved to find that the proposed ordinance, amending Title 9, Food Establishments, Chapter 9.05, Food Establishments, updating the language of the section to update inspection frequencies, and by amending the number of inspections, and by updating mobile unit requirements, and other matters properly related thereto, does not impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business; that a business impact statement has been prepared, accepted, and is on file with the Board

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 8

DRAFT

of Supervisors, and that the requirements of the act have been met. Supervisor Abowd seconded the motion. Motion carried 5-0. Mayor Crowell closed the public hearing.

12(E) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 9, FOOD ESTABLISHMENTS, CHAPTER 9.05, FOOD ESTABLISHMENTS, UPDATING THE LANGUAGE OF THE SECTION TO UPDATE INSPECTION FREQUENCIES, AND BY AMENDING THE NUMBER OF INSPECTIONS AND BY UPDATING MOBILE UNIT REQUIREMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO (9:42:56) - Mayor Crowell introduced this item, and Mr. Boothe reviewed the agenda materials. Mayor Crowell entertained public comments and, when none were forthcoming, Board member comments or questions. Mr. Boothe responded to various questions of clarification regarding the provisions of the proposed ordinance.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 114, an ordinance amending Carson City Municipal Code, Title 9, Food Establishments, Chapter 9.05, Food Establishments, updating the language of the section to update inspection frequencies, and by amending the number of inspections, and by updating mobile unit requirements, and other matters properly related thereto. Supervisor McKenna seconded the motion. Motion carried 5-0.**

13. PUBLIC WORKS DEPARTMENT - LANDFILL - POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 112, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.12, SOLID WASTE MANAGEMENT, SECTION 12.12.047, LANDFILL RATES AND FEES, BY MODIFYING THE SOLID WASTE CATEGORIES TO MAKE MSW COMPACTED A SINGLE CATEGORY; ADJUSTING IN-COUNTY FEES (1,000 LBS OR GREATER) FOR THE MSW COMPACTED CATEGORY ANNUALLY IN MAY USING THE ANNUAL PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) - U.S. CITY AVERAGE, GARBAGE, AND TRASH COLLECTION, AS PUBLISHED BY THE BUREAU OF LABOR STATISTICS, WASHINGTON, D.C., COMMENCING WITH THE INDEX FOR THE TWELVE-MONTH PERIOD ENDING DECEMBER 31, 2012, AND EACH PERCENTAGE CHANGE ANNUALLY THEREAFTER. IN NO YEAR SHALL THE ADJUSTMENT BE LESS THAN ZERO OR MORE THAN SIX PERCENT (6%). THE TERM SHALL COINCIDE WITH THE TERM OF THE SOLID WASTE AND RECYCLABLE MATERIALS FRANCHISE AGREEMENT, CHAPTER 5.10 OF THE CARSON CITY MUNICIPAL CODE; AND OTHER MATTERS PROPERLY RELATED THERETO (9:50:29) - Mayor Crowell introduced this item, and Utility Manager David Bruketta advised of having received no comments on the proposed ordinance since introduction, on first reading. Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Bruketta acknowledged that the cost to “the average Carson City user” will not change. “This will only impact Capital Sanitation.”

Mayor Crowell entertained a motion. **Supervisor McKenna moved to adopt, on second reading, Bill No. 112, Ordinance No. 2013-16, amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage, Chapter 12.12, Solid Waste Management, Section 12.12.047, Landfill Rates and Fees, by modifying the solid waste categories to make municipal solid waste compacted a single category; adjusting in-county fees (1,000 lbs or greater) for the MSW Compacted category annually**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 9

DRAFT

in May, using the annual percentage change in the Consumer Price Index for all Urban Consumers (“CPI-U) - U.S. City Average, Garbage and Trash Collection, as published by the Bureau of Labor Statistics, Washington, D.C., commencing with the index for the twelve-month period ending December 31, 2012, and each percentage change annually thereafter; in no year shall the adjustment be less than zero or more than six percent; the term shall coincide with the term of the Solid Waste and Recyclable Materials Franchise Agreement, Chapter 5.10, of the Carson City Municipal Code, and other matters properly related thereto. Supervisor Bonkowski seconded the motion. Motion carried 5-0. Mayor Crowell recessed the meeting at 9:53 a.m., and reconvened at 10:03 a.m.

14. CITY MANAGER

14(A) POSSIBLE ACTION TO APPROVE AN AMENDED AND RESTATED GOLF COURSE LEASE AGREEMENT FOR THE CARSON CITY MUNICIPAL GOLF CORPORATION FOR THE OPERATION AND MAINTENANCE OF THE TWO GOLF COURSES KNOWN AS EAGLE VALLEY EAST AND EAGLE VALLEY WEST, CHANGING THE LEASE PAYMENT FROM AN ANNUAL PAYMENT TO THE MONTHLY PAYMENT OF SIX PERCENT OF GROSS REVENUES, AND MAKING OTHER MODIFICATIONS THERETO

(10:03:18) - Mayor Crowell introduced and proposed a method by which to address this item. Supervisor McKenna advised of having received a hand-delivered letter from Attorney Norman J. Azevedo. In response to a question, Mr. Werner advised that a copy of the letter had been provided to the Board members, the Clerk, and made available to the public prior to the start of the meeting. In response to a question, Mr. Munn discussed the purpose of the subject agenda item and advised that “to accept another offer would be inconsistent with the Open Meeting Law and this agenda item. Plus it might be a breach of an agreement that [the Board] arrived in your vote of last meeting.” Mayor Crowell agreed. Supervisor Abowd agreed and noted, “this is just in writing what was proposed at the last meeting. There’s nothing different.” Mr. Werner provided additional background information on the Amended and Restated Golf Course Lease Agreement which was distributed to the Board members, the Clerk, and made available to the public prior to the start of the meeting.

In reference to Attorney Azevedo’s letter, Supervisor Bonkowski reiterated a preference to periodically submit the contract to the bid process “just as a good, sound business practice so that both the operator and the City know where they stand as far as reasonableness in their expectations.” He expressed no objection to “moving through this lease today and finishing that up,” but requested a future agenda item to discuss the concept of submitting the contract to the bid process on a periodic basis.

In response to a question, Mr. Werner explained to Supervisor Shirk the process for submitting late material to the Board members, the Clerk, and making it available to the public. In response to a further question, Mayor Crowell advised that the request to submit the contract to the bid process would have to be agendaized for a future meeting.

At Mayor Crowell’s request, Supervisor Bonkowski reviewed his May 13, 2013 email correspondence which had been provided to the Board members, the Clerk, and made available to the public prior to the start of the meeting. Extensive discussion ensued to clarify the provisions of the proposed Amended and Restated Golf Course Lease Agreement.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 10

DRAFT

Mayor Crowell entertained public comment. (10:39:18) Dwight Millard expressed uncertainty as to appointing a member of the Board of Supervisors to the Carson City Municipal Golf Corporation (“CCMGC”) Board of Directors. “This is a lease between two separate parties and the lease should clearly spell out the commitments, the obligations, and the responsibilities of both parties. ... In all due respect, ... Nick [Providenti] has done a good job, but ... we have put him in a very, very compromising position sitting on their board. He is aware of their financial situation. He is a part of them and then ... to come here and argue ...” Mr. Millard expressed a preference for the Board members to “not ... have inside knowledge as to what’s going on out there and persuade the others. ... if there’s any ... disputes, ... it’s in the middle that it meets and not somebody sitting on the other side trying to influence it.” Supervisor McKenna provided background information on the proposal to appoint a member of the Board of Supervisors to the CCMGC Board of Directors. In response to a question, Mr. Millard expressed the opinion that “if there’s unfair practices, the other golf courses could bring them to the attention of [the Board of Supervisors] ... Number two, is ... you would have to do something about it and that’s been my concern for the last five years ... they’ve been in default and it’s taken us five years to get somewhere.” Mr. Millard expressed support for the proposed lease arrangement, but suggested “it’s only as good as this Board, whether you sit on theirs or not, is effective in executing your portion of the lease and making sure it’s done correctly.” Discussion followed.

(10:58:40) In response to a question, Eagle Valley Golf Course General Manager Jim Kepler provided background information on golf course rates and the most recent change.

(11:00:57) Maurice White suggested adding a provision to the lease requiring the CCMGC Board of Directors to “operate under the Open Meeting Laws of this state.” He acknowledged the CCMGC Board of Directors is not legally subject to the Nevada Open Meeting Law “because they’re a private corporation.” Mayor Crowell expressed understanding for Mr. White’s suggestion, but advised that the Board cannot extend Open Meeting Law requirements to private entities.

In response to a question, Mr. Werner discussed the purpose for appointing a member of the Board of Supervisors to the CCMGC Board of Directors. Supervisor Abowd suggested there is no difference between her position on the Carson City Convention and Visitors Bureau Board of Directors and the proposal to appoint a member of the Board of Supervisors to the CCMGC. Discussion followed.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve an Amended and Restated Golf Course Lease Agreement for the Carson City Municipal Golf Corporation for the operation and maintenance of two golf courses, known as Eagle Valley East and Eagle Valley West; changing the lease payment from an annual payment to a monthly payment of six percent of gross revenues; and making other modifications thereto, including the Mayor’s suggested language of ‘may’ as opposed to ‘shall’ appoint a Board of Supervisors member to the CCMGC Board of Directors. Supervisor McKenna seconded the motion.** Mayor Crowell clarified that the changes, as discussed on the record, would be incorporated and Supervisor Abowd acknowledged this as included in the intent of her motion. Mayor Crowell entertained Board member discussion on the motion. Supervisor Shirk stated, “I don’t think it hurts us to allow us the opportunity to receive bids from other entities while still allowing CCMGC to continue to operate for the next six months. If, at that time, we don’t have comparable bids, then we sign this lease agreement. Or, if we have comparable bids to look at, we go through those and, if they still prevail as being the best, then we go forward with that.” Supervisor Shirk requested the Board to consider “giving the opportunity to

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 11

DRAFT

receive those bids before we sign this lease.” Mayor Crowell entertained additional discussion and, when none was forthcoming, a vote on the pending motion. **Motion carried 3-2.** At Mr. Werner’s request, discussion took place to fill in the effective dates throughout the agreement.

14(B) POSSIBLE ACTION TO APPOINT A MEMBER OF THE BOARD OF SUPERVISORS TO THE CARSON CITY MUNICIPAL GOLF CORPORATION (“CCMGC”) (11:10:46) - Mayor Crowell introduced this item, and referenced the discussion which took place as part of the previous agenda item. Following a brief discussion, he solicited volunteers. Supervisor McKenna volunteered. **Supervisor Bonkowski nominated Supervisor McKenna to serve as a member of the CCMGC Board of Directors. Supervisor Abowd seconded the nomination.** Mayor Crowell entertained public comment and, when none was forthcoming, a vote on the pending nomination. **Nomination carried 5-0.**

15. BOARD OF SUPERVISORS NON-ACTION ITEMS:

LEGISLATIVE MATTERS (11:12:40) - Mayor Crowell advised of having testified yesterday before the Senate Government Affairs Committee on AB 312. “There’s some concern about the direct reporting by the chairman of that committee. There’s some efforts to try and resolve that issue.” Mayor Crowell advised of a hearing scheduled for 4:00 p.m. today, before the Assembly Legislative Operations committee. He advised that, pursuant to this Board’s vote, he would be present, together with Mr. Glover and possibly Mr. Werner, to request to be excused from SB 457 requiring ward-only voting. Mayor Crowell advised of having just received a message from the City’s lobbyist that the eight-cent cap on indigent care was approved by the joint Assembly and Senate Finance Committees. He explained that “we will not be liable for the excess that the State may bill us and that could mean a substantial savings to Carson City.” He further advised that the college system “got hit pretty good.” He was uncertain as to the nuances, but expressed the opinion, “it’s not a very good thing ... [to] eviscerate our college here.”

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS

STAFF COMMENTS AND STATUS REPORT

16. RECESS BOARD OF SUPERVISORS (11:15:22) - Mayor Crowell recessed the Board of Supervisors at 11:15 a.m.

REDEVELOPMENT AUTHORITY

17. CALL TO ORDER AND ROLL CALL (2:00:40) - Chairperson Abowd called the Redevelopment Authority to order at 2:00 p.m., noting the presence of a quorum.

18. POSSIBLE ACTION ON APPROVAL OF MINUTES - January 17, 2013; February 7, 2013; and February 21, 2013 (2:00:53) - Chairperson Abowd introduced this item, and noted a necessary clerical

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 12

DRAFT

correction to the January 17th minutes. She entertained a motion. Member Crowell moved to approve the minutes of January 17, 2013, as amended. Vice Chairperson Bonkowski seconded the motion. Motion carried 5-0. Member Crowell moved to approve the minutes of February 7, 2013. Member McKenna seconded the motion. Motion carried 5-0. Member Crowell moved to approve the minutes of February 21, 2013. Vice Chairperson Bonkowski seconded the motion. Motion carried 5-0.

19. OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE EXPENDITURE OF \$65,000 FOR SPECIAL EVENT FUNDING FROM THE REDEVELOPMENT REVOLVING FUND FOR FISCAL YEAR 2013 - 2014 (2:02:08) - Chairperson Abowd introduced this item, and Planning Division Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. Chairperson Abowd disclosed that her husband, Charlie, is a member of the RSVP Board of Directors and that Café at Adele's has sponsored the production of *Les Misérables*. Since no financial benefit is derived from either association, Chairperson Abowd advised that she would participate in discussion and action on this item. Member Crowell disclosed that his wife, Susan, is a member of the Mile High Jazz Band Association Board of Directors but, as there is no financial benefit derived, he would participate in discussion and action on this item. He further disclosed that he will also be sponsoring the *Les Misérables* production.

Chairperson Abowd entertained additional disclosures and, when none were forthcoming, invited each of the applicants to the podium. (2:08:28) Western Nevada Musical Theater Company Director Stephanie Arrigotti, introduced herself for the record and, in response to a question, discussed available and necessary funding. In response to a further question, she discussed existing sponsors.

(2:15:17) Sierra Nevada Ballet Director Rosine Bena introduced herself for the record. Chairperson Abowd entertained questions of the Redevelopment Authority members; however, none were forthcoming.

(2:16:10) Mile High Jazz Band Association Director Elinor Bugli introduced herself for the record, and provided an overview of the application materials. Chairperson Abowd entertained questions of the Redevelopment Authority members; however, none were forthcoming.

(2:18:09) Carson City Arts Initiative Executive Director Sharon Rosse provided background information on her organization, and reviewed the application materials. Chairperson Abowd entertained questions of the Redevelopment Authority members. In response to a question, Ms. Rosse advised that letters of support are helpful in leveraging funding from other organizations, but that financial support is more valid. "A letter always helps, but it wouldn't help ... nearly as much as showing in our budget that there's actual support." Chairperson Abowd entertained additional questions or comments; however, none were forthcoming.

(2:21:05) Advocates to End Domestic Violence Board of Directors Member Susan Pintar thanked the Redevelopment Authority for their consideration, and reviewed the application materials. In response to a question, Dr. Pintar discussed the reason for not requesting funding for this year's event. In response to a further question, Dr. Pintar recalled that ten or twelve of the restaurants donated their reimbursement back to Advocates to End Domestic Violence. In response to a question, Mr. Plemel provided an overview of discussion which took place at the Redevelopment Authority Citizens Committee meeting relative to the Public Works Department setting up digital readerboards to warn traffic of the downtown event.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 13

DRAFT

(2:25:19) Carson City Senior Center Social Work Program Manager Warren Bottino introduced himself, for the record, and reviewed the application materials. In response to a question, he advised that the event is scheduled to begin Saturday, August 31st, and discussed scheduled activities. Chairperson Abowd entertained questions or comments of the Redevelopment Authority members; however, none were forthcoming.

Chairperson Abowd entertained additional applicants and, when none were forthcoming, public comments. When no public comments were forthcoming, she entertained Redevelopment Authority discussion. As a member of the Redevelopment Authority Citizens Committee, Vice Chairperson Bonkowski provided an overview of the application review process. He expressed no desire to “micromanage the recommendations that came through the committee,” but expressed a preference “to see the Redevelopment Authority get out of the business of funding special events as ... that should go through the Nevada Commission on Tourism and the Carson City Convention and Visitors Bureau.” Member McKenna suggested considering other funding methods, such as no-cost or low cost use of the theater which, “doesn’t cost us anything but dramatically affects their budget.” He further suggested modifying the process to a grant program. Mr. Plemel responded to questions of clarification regarding the recommended funding allocations and estimates of event attendance / participation. Supervisor Shirk agreed that the Redevelopment Authority should not be “involved in it as much as it is.”

In response to a question, Mr. Plemel advised that the Redevelopment Authority Citizens Committee has not discussed the continued allocation of funding to special events. Mr. Werner suggested agendaizing discussion of continuing to allocate special event funding through the Redevelopment Authority for a future meeting, and discussion followed. In response to a question regarding the Ghost Walk event, Mr. Plemel advised that previous direction to solicit event sponsors was addressed in the application. He reiterated that Ghost Walk Event Director Mary Bennett was not present in the meeting room and had been unable to attend the Redevelopment Authority Citizens Committee meeting. Vice Chairperson Bonkowski expressed no objection to redevelopment special event funding “as long as there are some conditions put on it that it’s not permanent financing; that it’s seed money to bring events here to get them to grow but not to fund them in perpetuity.”

Chairperson Abowd recognized Carson City Chamber of Commerce Executive Director Ronni Hannaman. (2:39:40) Ms. Hannaman advised that she is a member of the Redevelopment Authority Citizens Committee, and pointed out “two events ... that are private events.” She provided historic information on the Ghost Walk event and the Silver Dollar Car Classic.

Chairperson Abowd entertained additional public comment and, when none was forthcoming, additional Redevelopment Authority member discussion. Following discussion, Chairperson Abowd entertained a motion. **Member Crowell moved to approve and recommend to the Board of Supervisors the approval of the expenditure of \$65,000 for special event funding from the Redevelopment Revolving Fund for Fiscal Year 2013 - 14 for the special events, as recommended by the Redevelopment Authority Citizens Committee. Vice Chairperson Bonkowski seconded the motion.** Chairperson Abowd entertained additional public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

20. PUBLIC COMMENT (2:46:30) - Chairperson Abowd entertained public comment. (2:46:37) Capital City Arts Initiative Executive Director Sharon Rosse respectfully requested the Redevelopment

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 16, 2013 Meeting

Page 14

DRAFT

Authority's consideration of the Carson City Cultural Commission as the most appropriate entity to allocate special event funding. Chairperson Abowd entertained additional public comment; however, none was forthcoming.

21. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY (2:47:20) - Chairperson Abowd adjourned the Redevelopment Authority meeting at 2:47 p.m.

22. RECONVENE BOARD OF SUPERVISORS (2:47:22) - Mayor Crowell reconvened the Board of Supervisors at 2:47 p.m.

23. OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$65,000 FROM THE FISCAL YEAR 2013 - 14 REVOLVING FUND OF THE REDEVELOPMENT AUTHORITY TO SUPPORT VARIOUS SPECIAL EVENTS IN REDEVELOPMENT AREA NUMBER 1 AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN (2:47:27) - Mayor Crowell introduced this item, and entertained comments and discussion. When no comments or discussion were forthcoming, he incorporated the testimony which took place as part of the corresponding Redevelopment Authority item.

Mayor Crowell entertained public and Board member comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2013-R-21, a resolution authorizing the expenditure of up to \$65,000 from the fiscal year 2013 / 14 revolving fund of the Redevelopment Authority to support various special events in Redevelopment Area No. 1 as an expense incidental to carrying out the Redevelopment Plan, as recommended by the Redevelopment Authority. Supervisor Abowd seconded the motion. Motion carried 5-0.**

24. PUBLIC COMMENT (2:48:45) - Mayor Crowell entertained public comment; however, none was forthcoming.

25. ACTION ON ADJOURNMENT (2:48:52) - A motion was made, seconded, and carried unanimously to adjourn the meeting at 2:48 p.m.

The Minutes of the May 16, 2013 Carson City Board of Supervisors meeting are so approved this _____ day of September, 2013.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder