

CARSON CITY BOARD OF SUPERVISORS

Minutes of the October 18, 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, October 18, 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
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

(8:31:50) - Mayor Crowell called the meeting to order at 8:31 a.m. Mr. Glover called the roll; a quorum was present. Brian Underwood, of Sierra Lutheran High School, provided the invocation. At Mayor Crowell's request, Maurice White led the pledge of allegiance.

5. PUBLIC COMMENTS AND DISCUSSION (8:34:15)

- Mayor Crowell entertained public comment. (8:34:32) Cory Cormiere, representing TrashCo, referred to his testimony provided at the October 4th Board of Supervisors meeting. He advised of an "indication that the City is addressing the issue." He inquired as to an update on the situation. Public Works Department Director Andy Burnham advised that notices had been sent yesterday to all landfill account users that "we're going to extend the credit accounts and some new policies go into place to make sure our liability is limited." Mayor Crowell provided background information on a sizable delinquent account "that skipped town ..." He requested Mr. Cormiere to convey to his "community" that the City "want[s] to be user friendly but we don't want to be on the receiving end of a bad debt ..." He thanked Mr. Cormiere for bringing the matter to the Board's attention. Mr. Cormiere requested that the independent dumpster service providers in Northern Nevada be considered for hauling commercial and construction debris at the time the Waste Management franchise agreement is considered for renewal. Mr. Werner provided clarification of the agreement renewal provisions. Mayor Crowell directed Mr. Cormiere to the Carson City Municipal Code for review of the franchise agreement. Mayor Crowell entertained additional public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - September 20, 2012 (8:38:30)

- Mayor Crowell entertained revisions to the minutes and, when none were forthcoming, a motion. **Supervisor Aldean moved to approve the minutes, as presented. The motion was seconded and carried 5-0.**

7. POSSIBLE ACTION TO ADOPT THE AGENDA (8:39:06)

- Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, a motion to approve the agenda as published. **Supervisor Aldean so moved. The motion was seconded and carried 5-0.**

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8. CONSENT AGENDA (8:39:28) - Mayor Crowell entertained requests to hear items separate from the consent agenda. When none were forthcoming, he entertained a motion. Supervisor Aldean moved to approve the consent agenda, consisting of one item from the Assessor's Office, one item from Finance, two items from Purchasing and Contracts, one item from the City Manager's Office, and one item from the District Attorney. Supervisor Abowd seconded the motion. Motion carried 5-0.

8-1. ASSESSOR - POSSIBLE ACTION TO APPROVE THE INCREASE OF TAXES FROM THE 2012 / 13 REAL PROPERTY TAX ROLL FOR ASSESSOR'S PARCEL NUMBER 001-103-14, 1851 NORTH NEVADA STREET, PURSUANT TO NRS 361.091 AND NRS 361.765, IN THE AMOUNT OF \$793.64

8-2. 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 OCTOBER 9, 2012, PURSUANT TO NRS 251.030 AND NRS 354.290

8-3. PURCHASING AND CONTRACTS

8-3(A) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1213-107, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530, WITH CAROLLO ENGINEERS, INC. TO PROVIDE PROFESSIONAL SERVICES FOR WASTEWATER RECLAMATION PLANT DIGESTER REHABILITATION PROJECT - PHASE 1, THROUGH JULY 1, 2013, FOR A NOT-TO-EXCEED AMOUNT OF \$92,156.00, TO BE FUNDED FROM THE WASTEWATER PROFESSIONAL SERVICES ACCOUNT, AS PROVIDED IN FY 2012 / 2013

8-3(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1213-108, JOINDER CONTRACT WITH AMERICAN EMERGENCY VEHICLES THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC), FOR THE PURCHASE OF A FORD F450, TYPE 1 TRAUMAHAWK AMBULANCE, FOR A NOT-TO-EXCEED AMOUNT OF \$180,016.00, TO BE FUNDED FROM THE CAPITAL OUTLAY / AMBULANCE FUND, AS PROVIDED FOR IN FY 2012 / 2013 (FILE NO. 1213-108)

8-4. CITY MANAGER - POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF SEPTEMBER 11, 2012 THROUGH OCTOBER 8, 2012

8-5. DISTRICT ATTORNEY - POSSIBLE ACTION TO APPROVE AN UPGRADE OF ONE LEGAL SECRETARY I POSITION TO A LEGAL SECRETARY II POSITION WITHIN THE CARSON CITY DISTRICT ATTORNEY'S OFFICE

9. RECESS BOARD OF SUPERVISORS (8:40:10) - Mayor Crowell recessed the Board of Supervisors at 8:40 a.m.

LIQUOR AND ENTERTAINMENT BOARD

10. CALL TO ORDER AND ROLL CALL (8:40:13) - Chairperson Crowell called the Liquor and Entertainment Board to order, noting the presence of a quorum, including Member Ken Furlong.

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11. POSSIBLE ACTION ON APPROVAL OF MINUTES - September 6, 2012 and September 20, 2012 (8:40:29) - Mayor Crowell entertained revisions to the minutes and, when none were forthcoming, **Member Aldean moved to approve the minutes, as presented. Member Walt seconded the motion. Motion carried 6-0.**

12. PUBLIC WORKS DEPARTMENT, BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO APPROVE MONIRA SALY AS THE LIQUOR MANAGER FOR SUSHI DELIGHT, LIQUOR LICENSE NUMBER 13-27649, LOCATED AT 111 EAST TELEGRAPH STREET, CARSON CITY (8:40:58) - Chairperson Crowell introduced this item. Principal Planner Jennifer Pruitt reviewed the agenda materials, noting staff's recommendation of approval.

Mayor Crowell invited Monira Saly and Jake Lee to the podium. (8:41:51) Ms. Saly and Mr. Lee introduced themselves for the record. Ms. Saly acknowledged she had submitted the application to be considered as liquor manager. In response to a question, she reviewed her experience as a bartender. In response to a further question, she advised that identification will be checked for all patrons requesting to be served alcohol. She agreed to enroll in the Sheriff's Department alcohol server training program. In response to a further question regarding the dual restaurant business at the subject location, she advised that alcohol is not allowed to be taken "to the other side. They have to stay on the Sushi Delight side at all times."

At Member McKenna's request, Member Furlong advised that the citation issued in February was as a result of a routine compliance check operation. Chairperson Crowell entertained additional questions from the board members and of the public. When none were forthcoming, he offered Ms. Saly and Mr. Lee an opportunity to provide additional comments. When they declined, Chairperson Crowell thanked them for doing business in Carson City and wished them well. He emphasized the board's concern over serving alcohol to minors, and the need for Ms. Saly to complete the Sheriff's Office alcohol server training program.

Chairperson Crowell entertained a motion. **Member McKenna moved to approve Monira Saly as the liquor manager for Sushi Delight, liquor license number 13-27649, located at 111 East Telegraph Street, Carson City. Member Abowd seconded the motion.** Chairperson Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote. **Motion carried 6-0.**

13. PUBLIC COMMENT (8:44:451) - Chairperson Crowell entertained public comment; however, none was forthcoming.

14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:45:01) - Chairperson Crowell adjourned the meeting at 8:45 a.m.

15. RECONVENE BOARD OF SUPERVISORS (8:45:03) - Mayor Crowell reconvened the Board of Supervisors at 8:45 a.m.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

16. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (8:45:07) - None.

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17. HEALTH AND HUMAN SERVICES DEPARTMENT - POSSIBLE ACTION TO ACCEPT A SUBGRANT, IN THE AMOUNT OF \$118,085 FOR YEAR ONE, AND \$310,828 FOR YEAR TWO, FOR A TOTAL OF \$428,913 OVER A TWO-YEAR PERIOD, FROM THE NEVADA STATE HEALTH DIVISION, BUREAU OF CHILD, FAMILY, AND COMMUNITY WELLNESS, IMMUNIZATION PROGRAM; THE GRANT WILL BE AWARDED ON APPROXIMATELY OCTOBER 25, 2012; THE PURPOSE OF THIS GRANT IS TO IMPLEMENT SCHOOL-LOCATED IMMUNIZATIONS THAT ARE SUSTAINED THROUGH THIRD-PARTY BILLING (8:45:13) - Mayor Crowell introduced this item, and Health and Human Services Department Director Marena Works reviewed the agenda materials. In response to a question, Ms. Works provided clarification of the year one and year two figures. In response to a question, she provided background information on the increase in pertussis cases, both nationally and within the State, and discussed the school-based focus of the immunization program. In response to a further question, she advised that the City will not be liable to continue the program as an unfunded State mandate. "... in this type of a program, ... if we can no longer fund it and it's no longer feasible, it simply goes away and parents would just have to come to either their physician or the Health Department to receive the vaccine ..." Ms. Works emphasized the voluntary nature of the program, noting that it complies with the "big push ... in Nevada ... for school-located health services."

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve acceptance of a sub-grant, in the amount of \$428,913 over a two-year period, from the Nevada State Health Division Bureau of Child, Family, and Community Wellness, Immunization Program; the grant will be awarded on approximately October 25, 2012; the purpose of the grant is to implement school-located immunizations that are sustained through third-party billing. Supervisor McKenna seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Works.

18. RECESS BOARD OF SUPERVISORS (8:50:18) - Mayor Crowell recessed the Board of Supervisors at 8:50 a.m., and passed the gavel to Redevelopment Authority Chair Shelly Aldean.

REDEVELOPMENT AUTHORITY

19. CALL TO ORDER AND ROLL CALL (8:50:30) - Chairperson Aldean called the Redevelopment Authority to order at 8:50 a.m., noting the presence of a quorum.

20. POSSIBLE ACTION ON APPROVAL OF MINUTES - July 5, 2012 (8:50:35) - Chairperson Aldean entertained revisions and, when none were forthcoming, a motion to approve. **Vice Chairperson Abowd so moved. Member Walt seconded the motion. Motion carried 5-0.**

21. SPECIAL PRESENTATION OF THE 2012 CHRISTMAS ORNAMENT TO PASTORS ROB AND DIXIE JENNINGS-TEATS FROM THE FIRST UNITED METHODIST CHURCH (8:50:54) - Chairperson Aldean introduced and provided background information on this item, and thanked the Christmas ornament committee, comprised of herself, Robin Williamson, Jed Block, and Stan Join for their participation. She described the 2012 Christmas ornament and reviewed historic information on the First United Methodist Church. She invited First United Methodist Church Pastor Dixie Jennings-Teats to join

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her at the podium, and presented her with the 2012 Christmas ornament, together with various historic documentation relative to the First United Methodist Church. Chairperson Aldean reviewed a number of retail outlets at which the 2012 ornament will be available for sale.

(8:54:22) First United Methodist Church Pastor Dixie Jennings-Teats thanked the Redevelopment Authority, noting that the church has “the oldest continuous congregation in Nevada, beginning in 1859. This building is one of the oldest ... used buildings in Nevada.” She noted that the ornament honors the past for which the church is “very thankful, ... but it also represents the future.” She discussed Pastor Rob’s absence from the meeting due to his involvement in Circles Initiative training.

22. PUBLIC COMMENT (8:56:14) - Chairperson Aldean entertained public comment; however, none were forthcoming.

23. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY (8:56:25) - Member Crowell moved to adjourn the Redevelopment Authority meeting at 8:56 a.m. The motion was seconded and carried 5-0. Chairperson Aldean returned the gavel to Mayor Crowell.

24. RECONVENE BOARD OF SUPERVISORS (8:56:37) - Mayor Crowell reconvened the Board of Supervisors at 8:56 a.m.

25. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION - POSSIBLE ACTION ON A PUBLIC HEARING TO DETERMINE, PURSUANT TO NRS 244.281(1)(c), THE FAIR MARKET VALUE OF APN 008-523-09, CONTAINING 1.02 ACRES IS \$115,000 AND THAT THE FAIR MARKET VALUE OF EASEMENTS IS \$30,000 FOR COUNTY REAL ESTATE LOCATED IN THE VICINITY OF CAPITAL LOANS, AT 5951 HIGHWAY 50 EAST (8:56:37) - Mayor Crowell introduced this item. Open Space Property Manager Juan Guzman provided background information and reviewed the agenda materials in conjunction with a displayed aerial photograph. At Mayor Crowell’s request, Mr. Guzman pointed out the location of the subject and adjacent property lines using a displayed aerial photograph. Mr. Guzman acknowledged that a portion of the parking lot is within the right-of-way. In response to a further question, he clarified “actually it is more exhibit area than parking lot although a portion of it is also used for a parking lot.” He explained that it is being perfected “through proposed easements that will be running ... to the south.” He further acknowledged this is not the subject of today’s public hearing. He responded to additional questions of clarification regarding the property lines, as depicted on the displayed photograph. He acknowledged the intent to “try to sell the entire wedge but before we sell the entire wedge, in a subsequent meeting, we’re going to try to ask the Board to consider to sell only easements and those are the ones in color. We’ll do that in order to accomplish two things; number one, to clear the record so everybody knows what easements are there appurtenant to the land and, number two, because it’s a triangular piece that appears to meet the definition of the Nevada Revised Statutes of being primarily of service to the parcel adjacent to it.” Supervisor McKenna pointed out the easements to the northwest and to the south and inquired as to the possibility of “get[ting] rid of the ... easements to the south.” Mr. Guzman explained that the easements benefit the subject property as well as “all of Carson City. ... The best thing that we could do ... is ... recognize that they are there and let everybody know ... and if they want to put a bid on the land, they know then what they are buying. They’re buying land that has an easement already ...” Mr. Guzman surmised the intent

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of Supervisor McKenna's question relative to whether the "white area" is large enough to sustain a use by itself and, thus, be sold free and clear. Mr. Guzman suggested, "That's debatable. Our conclusion is that ... whoever puts a bid on this land is going to know that it's heavily encumbered with all these easements."

(9:08:38) Appraiser Stephen Johnson introduced himself for the record. Supervisor Aldean advised that the manner in which the property has been appraised has been questioned "because it has been alleged ... that by conveying these easements ... [which] have not been previously established, you are diminishing the value of the property but you're appraising it as though ... the easements that we are considering today ... already exist." She inquired as to whether this is common practice in appraisal. Mr. Johnson explained that this was an instruction he was given relative to the appraisal. In response to a further question, he provided background information on the appraisal and reviewed the same. He and Mr. Guzman responded to corresponding questions of clarification. Following discussion, Supervisor Aldean suggested creating temporary easements for the gas lines "to give the ultimate owner the option of relocating them at his or her expense." Additional discussion followed, and Mr. Johnson cautioned against a temporary easement, "from an appraisal standpoint," but suggested granting a relocatable easement.

In response to a question, Mr. Johnson explained that he had valued the new easements and added them to the residual value for the total value of the triangle. He stated, "I think I've covered the triangle in total as an independent parcel." He advised of not having built in an "over the barrel factor because ..., obviously, Mr. Burnaugh would have substantial consequences if the City said, 'Remove your building from our property.' And I haven't considered ... that; that's beyond the appraisal." In response to a further question, Mr. Johnson advised that the parcel and the utility lines have been in place "for a long time. Obviously, the building's been in place for as long as the building's been there and ... the parking area the same." In response to a further question, he pointed out the course of the utility lines to the west. In response to a further question, Mr. Guzman provided background information on ownership of the easements prior to passage of the federal lands bill.

In response to a question, Mr. Guzman advised that no other property owners were specifically notified, other than by publication of the agenda. "This case has been so controversial and we have contacted, through the appraiser and through our efforts, the City Engineer Jeff Sharp. Everybody else, all the surrounding properties are aware that this is happening but there none specifically notified of this meeting." Mr. Johnson responded to questions regarding access.

Supervisor Abowd disclosed that Mr. Burnaugh had contributed to her campaign, but that, as a reasonable person, she intended to participate in discussion and action on this item. Mr. Johnson acknowledged that the property in front of Capitol Loans has more value to Mr. Burnaugh. "Because of the shape ..., it's less usable ... It would still have some value if you put this on the market without any of these encumbrances ..." In response to a further question, Mr. Guzman explained that, under State law, the Board could grant Capitol Loans an exclusive preference to purchase the subject property. The lands bill prevents this, however, and requires the sale by public auction. "... that's why we thought, we sell easements to Bill Burnaugh and that clears the slate, that establishes the best line, ... and Bill doesn't have to buy them. It's just an offer. The second step, then, we put the whole thing for bid in a public process. And everybody can bid." Mr. Johnson advised caution in the current real estate market. Mr. Werner suggested considering that the value of the property, without granting the easements, "would probably not come anywhere near what you'd see in the loss of income from the business."

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Mr. Johnson reviewed the most current values of the property and the easements. He acknowledged that the easements were designed to accommodate existing use. Mr. Guzman advised that the City issued a building permit for the sign and required the landscaping. "So we have contributed to what we see there to a certain extent. Mr. Guzman acknowledged an existing title report which indicates that Capitol Loans is the fee title owner of the property. In response to a question, Mr. Werner advised of having been notified by the federal government "that this was a trespass situation about twelve years ago and we've been working with them since then. We were working through the standard procedure with BLM to actually have the land disposed. Along this method, we were going through the normal disposal and BLM was going with that and then we did the lands bill and ... we then included this property in the lands bill which stopped the normal process through BLM. They had to stop because now we had all the lands bill conditions that we had to comply with and then we had to restart ... everybody in the world is on notice that this is ... a trespass situation. We brought it before this Board to identify it as a trespass situation. The Board said, '... we're not going to do anything now, but we want this resolved.' And that's what's brought it back to you." Mr. Werner suggested "this is the fairest way to do it. The value of the land stays the same. ... It does solve the problem with having Capitol City Loan being on all its appropriate easements and lands. That resolves that issue. If, in fact, a third party buys the remaining pieces, they're aware of what's going on there. ... If [Mr. Burnaugh] buys it, and he buys it at appraised value it, that resolves it; it's gone. So we think this is truly the best way to do it and we don't see that there's any diminishment in value to the City or to the federal government."

Supervisor Abowd expressed concern that Capitol Loans would have to pay an inflated price in consideration of the divisiveness of the matter. Mr. Werner discussed the requirement to sell the property at public auction. Mr. Johnson responded to questions of clarification regarding the appraised values. In response to a further question, he recommended selling the land. "I don't know why you'd want to keep it."

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Aldean commented on the "convoluted process. A lot of missteps were made. ... In order to protect an existing business and do ... the morally correct thing," **Supervisor Aldean moved to determine, pursuant to NRS 244.281(1)(c) that the fair market value of APN 008-523-09, containing 1.02 acres is \$115,000 and that the fair market value of easements, as noted on the record, is \$30,000 for county real estate located in the vicinity of Capitol Loans at 5951 Highway 50 East. Supervisor Abowd seconded the motion.** In response to a question, Supervisor Aldean clarified that the referenced easements are as set forth in the appraisal and as further explained by staff and the appraiser at this meeting. Mayor Crowell entertained discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.** A brief discussion took place regarding the action taken and the requirement for a Board action to sell the property. Mr. Guzman provided additional clarification of the procedure.

26. PARKS AND RECREATION DEPARTMENT - POSSIBLE ACTION TO APPROVE THE SUBMITTAL OF A SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT ("SNPLMA") GRANT APPLICATION FOR CAPITAL IMPROVEMENTS TO THE LOWER SPORTS COMPLEX AT JOHN WINTERS CENTENNIAL PARK, TO AUTHORIZE PARKS AND RECREATION DIRECTOR ROGER MOELLENDORF TO SIGN THE GRANT APPLICATION ON BEHALF OF CARSON CITY, AND TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE PROJECT (9:47:08) - Mayor Crowell introduced this item, and Recreation Division Operations Supervisor Joel Dunn reviewed the agenda materials in conjunction with a PowerPoint

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presentation. In response to a question, Mr. Guzman and Mr. Dunn reviewed the funding and construction time lines. Supervisor Walt advised that the Parks and Recreation Commission had approved the submittal. Mr. Dunn advised that the Open Space Advisory Committee had unanimously approved the submittal.

Mayor Crowell commended Mr. Dunn's presentation, and entertained public comment. In response to a question, Supervisor Walt explained the one dissenting vote from the Parks and Recreation Commission. Mayor Crowell entertained additional Board member and public comments. When none were forthcoming, he entertained a motion. **Supervisor Abowd moved to approve the submittal of a Southern Nevada Public Lands Management Act ("SNPLMA") grant application for capital improvements to the lower sports complex at JohnD Winters Centennial Park, to authorize Parks and Recreation Director Roger Moellendorf to sign the grant application on behalf of Carson City, and to authorize the Mayor to sign a letter of support for the project. Supervisor McKenna seconded the motion. Motion carried 5-0.**

27. PUBLIC WORKS DEPARTMENT, PLANNING AND ZONING DIVISION - POSSIBLE ACTION TO APPROVE AN EXTENSION OF TIME FOR ACTING ON THE FILING OF A FINAL MAP FOR THE TENTATIVE SUBDIVISION MAP, KNOWN AS COMBS CANYON I, CONSISTING OF 23 LOTS ON APPROXIMATELY 57 ACRES, LOCATED APPROXIMATELY 400 FEET NORTHWEST OF THE INTERSECTION OF COMBS CANYON ROAD AND TIMBERLINE DRIVE, EXTENDING THE DATE BY WHICH A FINAL MAP MUST BE FILED TO JANUARY 17, 2013, IN ORDER TO ALLOW TIME FOR THE DEVELOPER AND THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT TO PROVIDE FOR FURTHER EXTENSIONS OF TIME (10:03:02) - Mayor Crowell introduced this item. Planning Division Director Lee Plemel provided background information and reviewed the agenda materials. Mayor Crowell entertained Board member and public comments. When none were forthcoming, he entertained a motion. **Supervisor Aldean moved to approve an extension of time for acting on the filing of a final map for the tentative subdivision map, known as Combs Canyon I, extending the date by which a final map must be filed to January 17, 2013, in order to allow time for the developer and the City to enter into a development agreement to provide for further extensions of time. Supervisor Abowd seconded the motion. Motion carried 5-0.**

28. PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR PARTICIPATION IN THE INTEGRATED SOURCE WATER PROTECTION PROGRAM (10:05:53) - Mayor Crowell introduced this item. Public Works Department Director Andy Burnham narrated a PowerPoint presentation, copies of which were included in the agenda materials. He introduced Integrated SourceWater Protection Program Manager Kim Borgzinner, who narrated a PowerPoint presentation, copies of which were included in the agenda materials.

Ms. Borgzinner responded to questions regarding the amount of City staff time required for participation, the anticipated involvement of the Carson Water Subconservancy District, the plan update and time table associated with implementation, and possible costs to the City. Mr. Werner anticipates that expansion of the wellhead protection program will help define existing areas of concern and develop long-term strategies to prevent and solve problems. He advised "there are ultimate costs but they'd be there whether we did the plan or not." In response to a further question, Ms. Borgzinner discussed possible meeting locations. In response to a further question, she discussed the "slight overlap" between the subject program and the

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brownfields program. She responded to additional questions regarding the possible application of the plan for such sites as the old Mercury Cleaners building.

Mayor Crowell entertained public comments and additional Board member comments. When none were forthcoming, he discussed the benefits of participation. Mayor Crowell called again for public comments and Board member comments. When none were forthcoming, he entertained a motion. **Supervisor McKenna moved to approve and authorize the Mayor to create and sign a letter of support for participation in the Integrated Source Water Protection Program. Supervisor Walt seconded the motion. Motion carried 5-0.** Mayor Crowell thanked Ms. Borgzinner for her presentation.

29. BOARD OF SUPERVISORS NON-ACTION ITEMS:

STATUS REVIEW OF PROJECTS (10:36:28) - Mayor Crowell introduced this item, and Mr. Werner advised of having sent e-mail correspondence to the Board to advise that the Waste Management franchise agreement is effective to 2039. He provided a brief overview of the agreement renewal provisions.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (10:37:58) - Supervisor Aldean discussed a recent newspaper article regarding the Ninth Circuit Court of Appeals overturning a TRPA development approval. Supervisor Walt provided an update on the upcoming NACo Conference and an overview discussion from the most recent Convention and Visitors Bureau meeting. She advised of a Convention and Visitors Bureau workshop scheduled for Monday, November 19th. (10:44:27) Supervisor Abowd provided an overview of discussion which took place at the most recent Carson Water Subconservancy District Board meeting. She discussed a presentation on the Carson River Watershed water supply. Supervisor Walt advised that Polar Express tickets are now available for sale. Discussion took place regarding referrals from the Sacramento Polar Express, which sold out in the first 15 minutes.

STAFF COMMENTS AND STATUS REPORT (10:43:29) - At Supervisor McKenna's request, Mr. Glover advised that the Elections Division is ready for early voting, beginning at 10:00 a.m. on Saturday, October 20th. He provided the early voting schedule, and advised of anticipating a 91 percent turnout for the upcoming election.

RECESS AND RECONVENE BOARD OF SUPERVISORS (10:46:59) - Mayor Crowell advised of having requested Mayor *Pro Tem* Shelly Aldean to handle the Airport Authority interviews due to his professional association with Airport Authority Counsel Steve Tackes. Mayor Crowell recessed the meeting at 10:46 a.m., and reconvened at 4:31 p.m.

30. CITY MANAGER

30(A) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE CARSON CITY AIRPORT AUTHORITY TO THE CITIZEN-AT-LARGE POSITION FOR A TERM THAT EXPIRES IN OCTOBER 2013 (4:31:34) - Mayor Crowell introduced this item, and passed the gavel to Mayor *Pro Tem* Shelly Aldean.

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Mayor *Pro Tem* Aldean invited Ray English to the podium. (4:32:32) In response to a question, Mr. English discussed his interest in serving as an Airport Authority member. In consideration of the public-at-large position for which he had applied, he acknowledged a willingness to advocate, when necessary, for the non-aviation community in Carson City. Mayor *Pro Tem* Aldean discussed issues associated with the location of the airport. In response to a further question, Mr. English discussed the importance of listening to the public “and, wherever possible, to give them some relief ... In a lot of cases, those things can be resolved simply by people getting together and talking about it. ... We want to make everybody happy that the airport’s here and resolve problems if they arise.”

Supervisor Abowd commended Mr. English on his involvement with the School Board steering committee and his collaboration with the educational system. She noted Mr. English’s mechanical engineering background and his “ties with manufacturing,” as delineated in his application. In response to a question, Mr. English discussed his involvement in the manufacturing collaborative and his participation in the manufacturer’s forum meetings. Supervisor McKenna requested Mr. English to be careful to follow the provisions of the Nevada Open Meeting Law. Supervisor Walt thanked Mr. English for his application, and discussed an Airport Authority member’s involvement in starting programs in the schools. In response to a question, Mr. English discussed the importance of aviation programs at the high school level.

Mayor *Pro Tem* Aldean entertained questions of Mr. English. In response to a question, Mayor *Pro Tem* Aldean assured Mr. English of the availability of Airport Authority Counsel Steve Tackes and City Manager Larry Werner to answer questions. Supervisor McKenna discussed the importance of Mr. English providing input to the Airport Authority and the Board of Supervisors. “... take it wherever you can take it that makes Carson City a better place.”

Mayor *Pro Tem* Aldean entertained a motion. **Supervisor Abowd moved to appoint Ray English to the Carson City Airport Authority to the citizen-at-large position, for a term that expires in October 2013. Supervisor Walt seconded the motion. Motion carried 4-0-1, Mayor Crowell abstaining.** Mayor *Pro Tem* Aldean thanked Mr. English for his application and wished him well. Mayor *Pro Tem* Aldean passed the gavel to Mayor Crowell.

30(B) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE CARSON CITY PARKS AND RECREATION COMMISSION TO FILE A FOUR-YEAR TERM THAT EXPIRES IN JANUARY 2016 (4:41:10) - Mayor Crowell introduced this item and invited Joan Colburn to the podium. He thanked her for her application. In response to a question, Ms. Colburn discussed her interest in serving as a Parks and Recreation Commissioner. Supervisor Aldean discussed the responsibility of a Parks and Recreation Commissioner to “aid and advise” the Convention and Visitors Bureau. In response to a question, Ms. Colburn discussed the importance of tourism in Carson City and advised of her tourism experience. “The parks have to be available for the tourists to enjoy too. ... now, you have to appeal to families because that brings everybody in. So if you have families coming in, that’s a natural for parks.”

Supervisor Abowd advised that the Parks and Recreation Commission will be tasked with seeking new revenue sources for parks and recreation facilities. In response to a question, Ms. Colburn discussed methods by which to increase community center reservations. In response to a further question, Ms. Colburn discussed her opinion of building a gymnasium facility at the Boys and Girls Clubs location. In response to a question, she discussed her opinion of the future of Mills Park. “... having a green spot in the middle of town is very important for the aesthetic value of a town.” In response to a further question, she

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discussed concerns over park maintenance if staff is reduced based on budget considerations. She suggested implementing an "Adopt-A-Park" program.

Supervisor Walt explained the fifty percent reduction afforded non-profit theater users, and discussed possible budget constraints. In response to a question, Ms. Colburn suggested that an increase in cost to users would be passed to the theater patrons. She discussed concerns with a corresponding decrease in attendance, and expressed opposition to reducing the non-profit discount to 25 percent. Supervisor Walt explained the field-use fee for Governor's Field and the Edmonds Sports Complex. In response to a question, Ms. Colburn expressed the opinion that an increase in field-use fees would have to be across-the-board. Supervisor Walt inquired as to Ms. Colburn's opinion of increasing fees or cutting expenses. Ms. Colburn expressed the opinion that the budget should be reviewed to consider decreasing expenses. "... if the only answer is raising fees, ... we have to maintain the parks ..., but it would have to be fair and across-the-board."

Mayor Crowell entertained questions of Ms. Colburn. In response to a question, Supervisor Walt reviewed the Parks and Recreation Commission meeting schedule, and discussed the average number of hours spent in meetings and on commission business. Mayor Crowell thanked Ms. Colburn for her application.

(4:53:49) Mayor Crowell invited Lee-Ann Keever to the podium, and thanked her for her application. In response to a question, Ms. Keever discussed her interest in serving as a Parks and Recreation Commissioner. In response to a further question, she expressed support for building a gymnasium at the Boys and Girls Clubs location. In response to a further question, she expressed a preference for leaving Mills Park as it is, but a willingness "to change if it could be proven that there's a better use for the park." She expressed opposition to the City selling Mills Park or constructing a parking lot. "As long as it was something that would benefit the community, through a park and recreation area," she indicated support. In consideration of the current budget shortfalls, Ms. Keever expressed the opinion that cutting park maintenance staff "would be devastating. Parks ... give so much back to the community and, unfortunately, there are other projects or departments which take priority ..." She expressed the hope that "before it came to that, ... other options could be researched; maybe grants, donations ... could be used to offset the cost of maintenance ..."

Supervisor Walt thanked Ms. Keever for her application, and explained the current non-profit discount for use of the community center theater. In response to a question, Ms. Keever suggested increasing the fee "a small bit as long as the increase was fair and impartial across-the-board. ... we'd also have to look for other revenue means to help offset because everybody in the community does enjoy the theater and the productions ..." Supervisor Walt explained the field-use fee for Governor's Field and the Edmonds Sports Complex. In response to a question, discussed concerns associated with regard to "making cuts," and concerns associated with fee increases. "Maybe we could work out some sort of compromise. Maybe a little reduced time and a little increase in fees until the budget situation straightens itself out."

Supervisor Abowd advised that the Parks and Recreation Commission will be tasked with seeking new revenue sources for parks and recreation facilities. In response to a question, Ms. Keever discussed methods by which to increase community center reservations. Supervisor Aldean discussed the Parks and Recreation's responsibility to aid and advise the Convention and Visitors Bureau. In response to a question, Ms. Keever discussed methods by which to increase interactivity between the Parks and Recreation Commission and the Convention and Visitors Bureau.

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Mayor Crowell inquired as to Ms. Keever's opinion of the community moving toward sports tourism versus the community's own use of facilities. Ms. Keever didn't see a conflict. "... it would be a shame if the community was to lose control over its park and recreation facilities, but I understand that, in budget constraints, sometimes a community has to be creative and think outside the box in order to keep certain programs going." Mayor Crowell entertained questions of Ms. Keever and, when she declined, thanked her for her service as a Shade Tree Council member. In response to a question, Ms. Keever expressed the opinion that her appointment to the commission would be a benefit. Mayor Crowell thanked Ms. Keever for her application.

(5:04:28) Mayor Crowell invited Jennifer Veneziano to the podium, and thanked her for her application. In response to a question, Ms. Veneziano discussed her interest in serving as a Parks and Recreation Commissioner. She anticipated no conflict between the Parks and Recreation Department and the AYSO. In response to a question, she discussed the importance of everyone having access to any gymnasium facility constructed at the Boys and Girls Clubs location. In response to a further question, she advised of never having considered changes at Mills Park and expressed opposition to developing the green space. "... that field is used for too many things." In response to a further question, she expressed the opinion that "they do a great job maintaining things and, if we had to cut back on that, ... it would hurt the community." She expressed uncertainty regarding the funding source for maintenance of parks and recreation facility, and noted the importance of maintenance.

Supervisor Walt disclosed that she had assumed Ms. Veneziano's AYSO regional commissioner position upon her resignation. She commended Ms. Veneziano's AYSO service. In consideration of the City's budget issues, Supervisor Walt explained the non-profit user discount at the community center theater. In response to a question, Ms. Veneziano expressed the opinion that increasing fees would "be doable. It would depend ... on the organization. ... Fees are going up in everything." She expressed a preference for fund raising efforts to offset the increases. Supervisor Walt noted the field-use fees at Governor's Field and the Edmonds Sports Complex. In response to a further question, Ms. Veneziano expressed a preference for increasing fees before making cuts in the Parks and Recreation Department. "There is enough outside use of those fields, from Reno, from Tahoe, from Gardnerville ... Charge them more to come use our fields rather than the Carson community ..."

Supervisor Aldean reviewed the Parks and Recreation Commission's responsibility to aid and advise the Convention and Visitors Bureau. In response to a question, Ms. Veneziano discussed methods by which to increase collaboration between the Parks and Recreation Commission and the Convention and Visitors Bureau. Supervisor Abowd disclosed that she is Ms. Veneziano's religious education teacher, but that this would not influence her vote. She thanked Ms. Veneziano for her application, and advised that seeking new revenue sources for parks and recreation facilities will be a future task of the Parks and Recreation Commission. In response to a question, Ms. Veneziano expressed the opinion that many people are unaware of the availability of community center meeting space. She discussed methods by which to publicize availability.

In response to a question, Ms. Veneziano discussed her pole vault manufacturing business. Mayor Crowell entertained questions of Ms. Veneziano and, when she declined, thanked her for her application and her dedication to the community.

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The Board members discussed the applicants' experience and qualifications. Mayor Crowell entertained a motion. **Supervisor Aldean moved to appoint Lee-Ann Keever to the Parks and Recreation Commission to fill a four-year term that expires January 2016. Supervisor McKenna seconded the motion. Motion carried 5-0.**

Mayor Crowell invited Ms. Keever to the podium and congratulated her on the appointment. (5:23:48) Ms. Keever committed to working hard and helping "to bring our parks and recreation facilities into the 21st century, to work on marketing, to work on fees ..." Discussion followed. Supervisor Aldean advised Ms. Keever of the new advisory boards, commissions, and committees policies and procedures, and requested her to review them. Mayor Crowell discussed the formation of the Regional Sports Authority, and suggested the involvement of the Parks and Recreation Commission and the Convention and Visitors Bureau. He and the Board members thanked Ms. Keever.

PUBLIC COMMENT (5:27:44) - Mayor Crowell entertained public comment; however, none was forthcoming.

ACTION TO ADJOURN (5:27:58) - Mayor Crowell adjourned the meeting by unanimous vote at 5:27 p.m.

The Minutes of the October 18, 2012 meeting of the Carson City Board of Supervisors are so approved this 13th day of November, 2012.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder