

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, February 19, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

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

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

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

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:33:36) - Mayor Crowell called the meeting to order at 8:33 a.m. Roll was called; a quorum was present. St. Peter's Episcopal Church Reverend Victoria Riley gave the invocation. Mayor Crowell led the pledge of allegiance.

PUBLIC COMMENTS AND DISCUSSION (8:35:27) - Mayor Crowell entertained public comment; however, none was forthcoming.

1. ACTION ON APPROVAL OF MINUTES - January 15, 2009 (8:35:44) - Supervisor Aldean requested a revision to page 9 of the minutes, and moved to approve them, as amended. Supervisor Williamson seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (8:36:40) - Mayor Crowell advised that item 5-1(A) would be withdrawn. He entertained additional modifications to the agenda; however, none were forthcoming. (11:52:42) At Mr. Werner's suggestion, Mayor Crowell further modified the agenda to address item 13 prior to item 12.

3. SPECIAL PRESENTATION TO JUDGE ROBEY WILLIS IN RECOGNITION OF HIS 25 YEARS OF DEDICATED SERVICE (8:37:28) - Mayor Crowell invited District Judges Todd Russell and James Wilson to join him at the podium, together with Justice Robey Willis. Mayor Crowell presented a plaque to Judge Willis and read into the record its language. He thanked Judge Willis for everything he has done on behalf of Carson City. (8:38:42) Judge Willis thanked the Board of Supervisors and City staff, and expressed appreciation for the opportunity to have served the community. He shared an anecdote relative to a former Justice of the Peace, W.T. King. The Board members, City staff, and citizens present applauded Judge Willis.

RECESS BOARD OF SUPERVISORS (8:41:15) - Mayor Crowell recessed the Board of Supervisors.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 2

LIQUOR AND ENTERTAINMENT BOARD

CALL TO ORDER AND ROLL CALL (8:41:21) - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:41 a.m. Roll was called; a quorum was present, including Member Furlong.

ACTION ON APPROVAL OF MINUTES - January 15, 2009 (8:41:39) - Member Aldean moved to adopt the minutes, as presented. Member Williamson seconded the motion. Motion carried 6-0.

4. DEVELOPMENT SERVICES - BUSINESS LICENSE

4(A) DISCIPLINARY ACTION AGAINST LIQUOR LICENSE #09-3963, HELD BY CARSON NUGGET, INC., DBA CARSON CITY NUGGET, LOCATED AT 507 NORTH CARSON STREET, CARSON CITY, NEVADA, PURSUANT TO CCMC 4.13.150; THIS DISCIPLINARY ACTION IS BASED ON THE ISSUANCE OF A CITATION FOR A SECOND OFFENSE, A CRIMINAL STATUTE VIOLATION, WITHIN SIX MONTHS OF THE FIRST CITATION ISSUANCE RELATED TO THE SALE OF LIQUOR TO A MINOR AT THE LICENSED PREMISES; THIS ACTION IS TO IMPOSE A FINE OF \$500.00 ON THE LICENSEE AND THE REQUIREMENT THAT THE LICENSEE AND ALL OF THE EMPLOYEES ATTEND THE SHERIFF'S OFFICE ALCOHOL SERVERS TRAINING PROGRAM WITHIN THREE MONTHS OF THIS HEARING; A LIST OF ALL EMPLOYEES MUST BE SUBMITTED TO THE DEVELOPMENT SERVICES DEPARTMENT BUSINESS LICENSE DIVISION NO LATER THAN SEVEN (7) DAYS FROM THIS HEARING; FAILURE TO SUBMIT THE LIST OF EMPLOYEES WITHIN SEVEN (7) DAYS WILL REQUIRE THE LICENSEE TO SHOW CAUSE AS TO WHY FURTHER DISCIPLINARY ACTION SHOULD NOT BE IMPOSED (8:42:07) - Chairperson Crowell introduced this item. Senior Permit Technician Lena Tripp read the title of the agenda item into the record, and acknowledged the issuance of a second citation. Member Aldean noted that Don Tatro, who had passed away some time ago, was still listed as the Carson Nugget liquor manager. Ms. Tripp advised of having spoken with Carson Nugget representatives, who are in the process of submitting the appropriate application materials to change the liquor manager.

(8:44:11) Tony Pastini, a state-registered "alcohol trainer," advised of having recently been hired by the Carson Nugget to provide extensive training to all Nugget personnel. He further advised of having trained 99 Nugget employees thus far, certifying them "under the NRS 360.369 laws."

(8:45:24) Carson Nugget General Manager Star Anderson advised of having presented to the board members "a booklet pertaining to our actions that we've taken since the second citation." In response to a question, Chairperson Crowell advised of the understanding that only alcohol servers are required to complete the training. Ms. Anderson advised that "everyone who is in the beverage departments, security departments, and all managers" had completed the required alcohol servers training. In response to a question, she was uncertain as to how the employee who was charged with the second offense had pleaded in her court proceeding. Ms. Anderson reviewed the alcohol servers training provided to said employee and her corresponding certifications.

(8:47:17) Carson Nugget Food and Beverage Director Alex Cañas advised of having contacted the Sheriff's Department last December to inquire about alcohol servers training. He discussed the Carson Nugget's responsibility to the customers and to the community to prevent minors from being served alcohol. He

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 3

provided information regarding the circumstances giving rise to the subject incident, and advised that the employee was suspended pending investigation. "After reviewing tapes from the surveillance department," Mr. Cañas advised that the employee had never requested identification from the customer, and that her employment was subsequently terminated. He discussed the training provided by Mr. Pastini, and reiterated that 99 employees have been certified. He acknowledged that gaming table patrons are carded prior to being served alcohol.

Ms. Anderson introduced Casino Operations Director Mark Kresby, and discussed the recently convened employee ID committee. (8:50:15) Mr. Kresby advised of having recently required Nugget employees "that would have anything to do with underage people" sign a memo on November 8th in acknowledgment of Nugget policies and procedures pertinent to serving alcohol. He provided additional information on the purpose of the employee ID committee, and advised that ID guide manuals have been placed "throughout the casino so that [the employees] have a reference ..." He discussed procedures for addressing "an underage gamer on the floor."

Chairperson Crowell noted that Nugget management appeared to be seriously considering the subject matter. In response to a question, Ms. Anderson advised that the first citation had been issued in December 2008; the second on January 23, 2009. Chairperson Crowell expressed concern over the frequency of offenses. In response to a question, Ms. Anderson advised that new procedures were not implemented until January 24, 2009. Because of increased vigilance to request identification, she advised that fewer underage individuals are frequenting the establishment.

(8:54:57) Nugget Security Manager Chris Cremley advised of requiring his staff to work closely with Sheriff's Department personnel, and related corresponding anecdotal information. He further advised that "anybody under the age of 35 must be in possession of an ID. If you're not, you are escorted off the property if you're in a gaming or a bar area."

(8:56:55) Mr. Pastini reviewed the provisions of NRS 369.360 pertinent to counties with populations of 400,000 or more citizens. He expressed concern that until the provisions of the statute are revised to require alcohol servers training for every county, regardless of population, "the rural areas are going to continue to have this problem." Mr. Pastini reviewed his qualifications as an alcohol server trainer, and advised that Carson Nugget representatives have given due consideration to the seriousness of the subject matter. He expressed confidence that once the Carson Nugget employees are properly trained, "they should never have this problem again."

(8:59:10) Mr. Cañas discussed weekly stings which are being conducted in-house at the Carson Nugget. Member Aldean applauded the efforts of Carson Nugget management to seriously consider the matter. (8:59:55) Carson Nugget Owner Alan Adams acknowledged having considered the matter very seriously. Member Livermore inquired as to the number of sting operations conducted at the Nugget. Member Furlong acknowledged the numbers are tracked, but advised he had not brought the data to this meeting. Member Livermore commended Mr. Adams and the Carson Nugget as "very good corporate citizens," and discussed the large volume of customers at the Carson Nugget. He expressed the hope that the Nugget would never face a similar situation, and commended Nugget representatives on their efforts to "abide by the law." (9:02:36) Ms. Anderson read into the record the new Carson Nugget policy which had been included in the materials distributed to the board members.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 4

In response to a question, Member Furlong advised that the Sheriff's Office servers education class includes a section on false identifications. He clarified there is no statutory requirement to provide the section. He acknowledged the conceivability that the servers education class could "go further." He further acknowledged confidence that the servers education class provides "the base line." He discussed difficulties associated with learning to recognize false identification.

Chairperson Crowell entertained a motion. **Member Walt moved to impose disciplinary action against liquor license 09-3963, held by Carson Nugget, Inc., dba Carson City Nugget, located at 507 North Carson Street, Carson City, Nevada, pursuant to CCMC 4.13.150; this disciplinary action is based on the issuance of a citation for a second offense, a criminal statute violation, within six months of the first citation issuance related to the sale of liquor to a minor at the licensed premises; this action is to impose a fine of \$500.00 on the licensee, and the requirement that the licensee and all of the employees attend the Sheriff's Office alcohol servers training program within three months of this hearing; a list of all employees must be submitted to the Development Services Department Business License Division no later than seven days from this hearing; failure to submit the list of employees within seven days will result in this matter being rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. Member Williamson seconded the motion.** Member Furlong inquired as to the possibility of the Carson Nugget representatives submitting written certification that their employees have completed the advanced training program already implemented.

(9:08:25) Ms. Anderson reiterated that 99 employees had been trained and certified. Mr. Pastini reviewed the statutory provisions pertinent to the alcohol servers training requirement. Chairperson Crowell suggested that the Carson Nugget had already complied with the training and certification requirement. Member Livermore suggested the possibility of recognizing establishments for successfully passing sting operations. Member Aldean suggested amending the language of the board action to indicate acceptability of an equivalent servers education program. In response to a comment, Ms. Bruketta advised that state law allows the board to adopt alcohol training provided by Mr. Pastini's organization. In response to a question, Member Furlong expressed the belief that a fee is imposed for the Sheriff's Office alcohol servers training program following issuance of a citation. Member Williamson applauded the Carson Nugget for being proactive and comprehensive, and commended their corporate citizenship. She suggested the intent of the Carson City ordinance was to demonstrate the seriousness of serving alcohol to minors, and expressed support for imposition of the \$500.00 fine "in terms of consistency as a wake up call to all businesses ..." She noted the importance of vigilance in consideration of the "initiative of underage people in trying to get alcohol." Member Aldean suggested amending the motion to acknowledge training had already occurred with requirements which exceed those of the Sheriff's Office servers training program. **Member Walt so amended her motion. Member Williamson continued her second. Motion carried 6-0.** Chairperson Crowell thanked the Carson Nugget representatives for their attendance and participation.

4(B) DISCIPLINARY ACTION AGAINST LIQUOR LICENSE #09-16625, HELD BY OBAID MOBALIGH DBA COUNTRY STORE, LOCATED AT 3389 HIGHWAY 50 EAST, CARSON CITY, NEVADA, PURSUANT TO CCMC 4.13.150; THIS DISCIPLINARY ACTION IS BASED ON THE ISSUANCE OF A CITATION FOR A SECOND OFFENSE, A CRIMINAL STATUTE VIOLATION, WITHIN SIX MONTHS OF THE FIRST CITATION ISSUANCE RELATED TO THE SALE OF LIQUOR TO A MINOR AT THE LICENSED PREMISES; THIS ACTION IS TO IMPOSE A FINE OF \$500.00 ON THE LICENSEE AND THE REQUIREMENT

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 5

THAT THE LICENSEE AND ALL OF THE EMPLOYEES ATTEND THE SHERIFF'S OFFICE ALCOHOL SERVERS TRAINING PROGRAM WITHIN THREE MONTHS OF THIS HEARING; A LIST OF ALL EMPLOYEES MUST BE SUBMITTED TO THE DEVELOPMENT SERVICES DEPARTMENT BUSINESS LICENSE DIVISION NO LATER THAN SEVEN (7) DAYS FROM THIS HEARING; FAILURE TO SUBMIT THE LIST OF EMPLOYEES WITHIN SEVEN (7) DAYS, WILL REQUIRE THE LICENSEE TO SHOW CAUSE AS TO WHY FURTHER DISCIPLINARY ACTION SHOULD NOT BE IMPOSED (9:15:43) - Ms. Tripp read the title of this agenda item into the record. (9:16:49) Country Store Owner Obaid Mobaligh provided information on the incident giving rise to the subject offense. He advised of having purchased an "IDvisor ... for \$940," immediately following issuance of the second citation. He described operation of the device and the method by which it alerts a clerk to an underage ID for purchase of both tobacco and alcohol products. He advised that since installing the device "no person goes out of that store without checking the ID ..." He attempted to demonstrate operation of the device. In response to a question, Mr. Mobaligh advised that the device reads Nevada licenses, as well as licenses from 49 other states and military identifications. He provided additional information on the incident giving rise to the subject matter. In response to a question, Member Furlong advised of having tested the device and commended its operation. Mr. Mobaligh provided background information on his acquisition of the Country Store, and advised of having worked very hard over the years to avoid the sale of alcohol and tobacco products to minors. He further advised of having been subjected to many sting operations over the years, which he "has passed," and of having been congratulated by the Office of the Attorney General. He further advised of having scheduled all his employees for the Sheriff's Office servers education training on Tuesday, March 3rd.

In response to a question, Ms. Bruketta advised that imposition of the fine is discretionary on the part of the board. Member Furlong reiterated that the IDvisor device worked "very, very well," and suggested applying the \$940 cost to the fine. In response to a question, Mr. Mobaligh reiterated that his three employees are scheduled to attend the Sheriff's Office servers education training on March 3rd. He discussed extensive alcohol servers training he received in California, and advised "when [he] works at the store, there is no way that anybody can even pass me." He checks identification for "even 35-year-olds." He reiterated never having failed a sting operation since acquiring ownership of the Country Store in 2001. He described the cash register prompts pertinent to checking identification at the Country Store. He reiterated having reviewed the surveillance tapes and that the Country Store employee did check the identification. He expressed the belief that the store employee made "an honest mistake," in accepting the identification as that of an adult.

Member Furlong responded to questions regarding the method by which sting operations are conducted by Sheriff's Office personnel. In response to a comment, Mr. Mobaligh acknowledged "there is no excuse" for his employee having sold alcohol products to the minor. He further acknowledged a request that the cost of the IDvisor offset the fine. Member Livermore suggested Sheriff's Office personnel conduct further research into identification scanning technologies. He commended Mr. Mobaligh on his efforts to address the issue of illegal sale of alcohol and tobacco products to minors. Chairperson Crowell pointed out that the identification scanner and the cash register prompts are not a substitute for training. Member Aldean suggested the only fail-safe system would be a cash register which "locked up," thereby preventing completion of a sale to a minor. She expressed appreciation for Mr. Mobaligh's effort and his "substantial investment" in consideration of his small business. **Member Aldean moved to impose disciplinary action against liquor license 09-16625 held by Obaid Mobaligh, dba Country Store, located at 3389 Highway 50 East, Carson City, Nevada, pursuant to CCMC 4.13.150; this disciplinary action is based**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 6

on the issuance of a citation for a second offense, a criminal statute violation, within six months of the first citation issuance related to the sale of liquor to a minor at the licensed premises; this action is to impose a fine of \$250.00 on the licensee, and the requirement that the licensee and all of the employees attend the Sheriff's Office alcohol servers training program within three months of this hearing; a list of all employees must be submitted to the Development Services Department Business License Division no later than seven days from this hearing; failure to submit this list of employees within seven days will result in this matter being rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. Member Livermore seconded the motion. Motion carried 5-1.

ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (9:33:55) - Chairperson Crowell adjourned the Liquor and Entertainment Board at 9:33 a.m.

RECONVENE BOARD OF SUPERVISORS (9:34:00) - Mayor Crowell reconvened the Board of Supervisors.

5. BOARD OF SUPERVISORS CONSENT AGENDA (9:34:03) - Mayor Crowell reiterated that item 5-1(A) would be withdrawn. He entertained requests to hear items separate from the consent agenda and, when none were forthcoming, a motion to approve the consent agenda. **Supervisor Livermore moved for approval of the consent agenda consisting of eight remaining items: 5-1(B), Treasurer, one item; 5-2, Parks and Recreation, one item; 5-3, Purchasing and Contracts, three items (A), (B), and (C); 5-4, three items Development Services - Planning, items (A), (B), and (C), as presented. Supervisor Aldean seconded the motion.** Mayor Crowell entertained requests of the public to hear consent agenda items separately; however, none were forthcoming. He called for a vote on the pending motion; motion carried 5-0.

5-1. TREASURER

5-1(A) ACTION TO CONTRACT WITH A THIRD-PARTY CUSTODIAN -

Withdrawn.

5-1(B) ACTION TO WAIVE TAXES DUE ON PURCHASED PARCEL 010-121-44 FROM MEXICAN DAM, LLC

5-2. PARKS AND RECREATION - ACTION TO APPOINT AND AUTHORIZE THE MAYOR, THE CITY CLERK-RECORDER, OR DESIGNEE TO SWEAR MR. JOHN WRIGHT, MAI, AS THE REVIEW-APPRAISER FOR CARSON CITY WITH REGARD TO THE SELF-CONTAINED APPRAISAL PREPARED BY MR. WILLIAM G. KIMMEL FOR THE HORSE CREEK RANCH CONSERVATION EASEMENT LOCATED IN CARSON CITY, APN 007-051-78

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 7

5-3. PURCHASING AND CONTRACTS

5-3(A) ACTION TO DETERMINE THAT CONTRACT NO. 0809-183 IS A CONTRACT FOR ITEMS WHICH MAY ONLY BE CONTRACTED FROM A SOLE SOURCE AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0809-183, A REQUEST FOR THE PURCHASE OF SCADA PACK CONTROLLERS FROM SAGE DESIGNS, FOR A NOT-TO-EXCEED COST OF \$52,164.00 TO BE FUNDED FROM THE TELEMETRY SYSTEM FUND, AS PROVIDED IN FY 2008 / 2009

5-3(B) ACTION TO DETERMINE THAT CONTRACT NO. 0809-184 IS A CONTRACT FOR PROFESSIONAL SERVICES AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0809-184, A REQUEST FOR AUDITING SERVICES TO BE PROVIDED BY KAFOURY, ARMSTRONG & CO., AS THE DESIGNATED AUDIT FIRM FOR FY 2008 / 2009 FOR A NOT-TO-EXCEED AMOUNT OF \$96,300.00, AND A CONTINGENCY AMOUNT OF \$9,000.00, IF NEEDED FOR AUDITING ADDITIONAL PROGRAMS

5-3(C) ACTION TO DETERMINE THAT CONTRACT NO. 0809-186 IS A CONTRACT FOR HARDWARE AND ASSOCIATED PERIPHERAL EQUIPMENT AND DEVICES FOR COMPUTERS AND / OR SOFTWARE FOR COMPUTERS AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0809-186, A REQUEST TO ENTER INTO A PRICE AGREEMENT WITH INSIGHT PUBLIC SECTOR, INC., THROUGH JANUARY 31, 2010, AS PROVIDED IN FY 2008 / 2009

5-4. DEVELOPMENT SERVICES - PLANNING

5-4(A) ACTION TO ADOPT BILL NO. 101, ON SECOND READING, AN ORDINANCE TO CHANGE THE ZONING OF APPROXIMATELY A 10.61-ACRE PORTION OF APN 002-101-85 FROM SINGLE FAMILY 6,000 (SF6) TO PUBLIC REGIONAL (PR), AND TO CHANGE THE ZONING OF APPROXIMATELY THE REMAINDER OF A 3.49-ACRE PORTION OF APN 002-101-85 FROM SINGLE FAMILY 6,000 (SF6) TO MULTI-FAMILY APARTMENT (MFA) (ZMA-08-045)

5-4(B) ACTION TO ADOPT BILL NO. 102, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 2, PARKING AND LOADING, BY AMENDING SECTION 2.3, GENERAL PARKING REQUIREMENTS, TO ADD AN EXCEPTION TO COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS FOR DELIVERIES AND SIMILAR ACTIVITIES, AND OTHER MATTERS PROPERLY RELATED THERETO (ZCA-08-095)

5-4(C) ACTION TO APPROVE A MASTER PLAN AMENDMENT APPLICATION FROM LUMOS & ASSOCIATES, INC. (PROPERTY OWNER: BOYS AND GIRLS CLUBS OF WESTERN NEVADA) TO MODIFY A PORTION OF THE MASTER PLAN LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO PUBLIC / QUASI-PUBLIC, ON PROPERTY LOCATED AT 1870 RUSSELL WAY, APN 002-101-85 (MPA-08-044)

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 8

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

6. CITY MANAGER - DISCUSSION ON A LEGISLATIVE UPDATE REGARDING PROPOSED LEGISLATION AND LEGISLATIVE ISSUES; AND POSSIBLE ACTION TO GIVE DIRECTION REGARDING THE PROPOSED LEGISLATION ON THE DOUGLAS COUNTY WATER RIGHT ADMINISTRATION AND RURAL COUNTIES CREATION OF A HEALTH DISTRICT (9:35:26) - Mr. Werner introduced Consultant Mary Walker, of Walker and Associates, who referred to her written report included in the agenda materials. Ms. Walker advised that the legislative session is “going pretty well. Some of the concerns that we had on some of the bills are being worked out.” She provided an overview of the legislative session thus far, and advised of having hired Robert Hadfield to assist her with monitoring legislative bills. Key “problem areas” being monitored regarding the State budget and redevelopment. With regard to the governor’s budget, Ms. Walker advised of “a lot of sympathy amongst the legislators in regards to a lot of the cuts ...” She specifically discussed concerns over mental health clinic budget cuts, “taking revenues” from Clark and Washoe Counties, a 1 percent collection fee, as well as the IAF / SUP funds. She advised of “a lot discussion regarding what local governments are going to bring to the table to help the state.” She further advised of having been successful “in stating our case to the legislature in regards to how local governments are suffering through the same economic crisis as the state ...” She was uncertain as to “how that plays out in the end.”

Ms. Walker reviewed that portion of her written report pertinent to SB 66, the Douglas County water bill. At Supervisor Aldean’s request, she provided additional clarification of the elimination of the extension of beneficial use time frame. Mr. Werner discussed the benefit of the reduction in administrative work load. Ms. Walker recommended approval of SB 66 and the conceptual amendments. Mayor Crowell entertained a motion. **Supervisor Williamson moved that Carson City endorse SB 66. Supervisor Livermore seconded the motion.** Mayor Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 5-0.**

Ms. Walker reviewed that portion of her written report pertinent to BDR 1061 to enable rural counties to establish health districts. She emphasized the enabling nature of the bill, and reviewed her research. She expressed appreciation to State Department of Health and Human Services representatives who had provided extensive technical data and information regarding the potential for establishing a health district. She advised of having discussed with State Department of Health and Human Services Executive Director Mike Willden to agree in concept “that if this health district was established, ... Mr. Willden would be willing to recommend that state budget dollars ... be transferred to this new district.” She clarified that the budget will be cut “severely ... That’s why you would need some additional tax authority in order to fully support the service.” She advised that a combination of federal, state, and local funding provides for the health district services. She reviewed the provisions of the proposed legislation attached to her written report, and advised that the health district would be modeled after the Carson Water Subconservancy District with regard to governance.

Supervisor Livermore provided background information on the Carson City Public Health Board. In response to a question regarding the possibility of a regional health district, Ms. Walker advised of having discussed the matter with representatives of Douglas and Lyon Counties who have expressed great interest. She clarified that the counties do not have the funding to “take on these types of services.” The approach proposed by the legislation “takes care of that issue and doesn’t detrimentally harm the other areas.” Supervisor Livermore requested Ms. Walker to ensure the legislation provides for rural county access to

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 9

the state mental health institutions. In response to a comment, Ms. Walker clarified “we’re talking about health clinics, ... not in-patient services.” In reference to her research, she advised that states provide in-patient mental health services. She explained the concept that, with passage of the legislation, the counties will have the option to “take the services that we choose to take from the state. It has to be agreed to by the governor and by the district board.” She discussed the opportunity to “design our mental health and health systems and bring it up to this century.” Supervisor Livermore suggested including mental health court provisions into the proposed legislation.

Supervisor Aldean read paragraph 11 of the proposed legislation into the record. Ms. Walker acknowledged the intent of the provision to prevent services currently offered by the state from being transferred to the health district without concurrence. In response to a question, she advised that an interlocal agreement would include the details regarding services to be transferred. Discussion followed, and she acknowledged the majority of the public health district members would be elected officials.

(10:09:22) Dr. Lawanna Rich, of the Nevada State Department of Health and Human Services, read prepared remarks into the record. She expressed support for the regionalization of public health services, provided historic information on organized public health services in Nevada, and discussed difficulties associated with state-provided public health services “connecting to ... communities.” She reviewed the benefits of regionalization, including economy of scale, and advised that the state’s role would shift from direct service to technical assistance and oversight, particularly in the transition period. She reiterated the support of the Department of Health and Human Services for BDR 1061, and the effectiveness and efficiency of a “holistic approach of public health and mental health services in a one-stop shop system ...” In response to a question, Dr. Rich advised that county boards of supervisors serve as the county public health board in the rural counties. Mr. Werner clarified that, by law, every county board of commissioners serves as the county board of health. Carson City “had that before we created the health authority.” Dr. Rich provided additional clarification with regard to the practice of rural counties pertinent to the statutory requirement for a public health board. In response to a further question, she reviewed critical public health services, including disease control and administering chronic disease, health screening, and injury prevention programs. Mayor Crowell thanked Dr. Rich for her presentation.

(10:22:50) Carson City Sheriff’s Office Director of Forensic Mental Health Services Joseph McEllistrom expressed support for the bill draft. He discussed the “overall treatment package” created at the Carson City Jail, administered by himself, a nurse practitioner, and a Sheriff’s deputy. Supervisor Williamson expressed support for the bill draft request, and left the meeting at 10:24 a.m. A quorum of the Board was still present. Dr. McEllistrom discussed the mental and physical health services needed at the Carson City Jail, and advised that his staff works very closely with the Washoe Healing Center, the Carson City Community Counseling Center, Carson Behavioral Health, Carson Mental Health, and Sierra Family Health. He described the court services liaison program, developed in 2003, in conjunction with the Carson City Justice and Municipal Courts. “Everything has been directed towards finding a very efficient way to disseminate information, to get them treated and stabilized, so that when they return to the community, there is a clear expectation of what they need, where they need to go, and who will be there to receive them.” Dr. McEllistrom expressed the belief “that is really the goal of integration.”

Supervisor Livermore discussed the opportunity to receive resources from the counties “we’ve been providing services to ...” He commended Dr. McEllistrom and his efforts “to continue to provide services out of our largest mental health institution here in Carson City called the jail.” He expressed support for

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 10

the bill draft request. In response to a question, Mr. Werner discussed the method by which funding would be allocated to a public health district. "The goal would be to fund what we've got now" and then consider incrementally how to improve services we're currently wanting to provide within the district. Supervisor Livermore commended Ms. Walker's efforts. In response to a further question, Dr. McEllistrom advised that "some of the health facilities have been collapsed" in other counties and people are having to travel greater distances. He estimated that 12 percent of the jail population is taking some type of psychotropic medication. He advised of an increase in crisis cases in the jail, i.e., people who have lost contact with physicians, medications, and housing. He further advised of contacts from small, rural communities "about trying to develop a tele-psychiatry program ..." Ms. Walker acknowledged the goal to develop a public health district without boundaries to which adjacent counties would allocate funding and resources.

In response to a question, Health and Human Services Department Director Marena Works expressed the belief that Carson City has the available resources to make a contribution to a regional public health district. Currently, other counties allocate funding directly to the Nevada State Health Division. Ms. Works advised that increasing the population base will provide opportunity for additional grant funding. Counties are also contributing space, "so there's already somewhat the infrastructure in place." In response to a previous question, Ms. Works advised that the Carson City Health Department provides immunizations "all across a life span. ... We do see quite an impact from other counties because a lot of private physicians don't carry immunizations."

Mayor Crowell inquired as to the language of the bill draft request to create one county health district in consideration of the discussion regarding regionalization. Ms. Walker explained that the legislation is for all 15 rural counties. A multi-county health district may not work for a county such as Elko, which population center is so far away from other counties. "It was more to give flexibility to those smaller rurals that are way out there on their own."

Mayor Crowell opened this item to public comment. (10:36:26) Dave Schuman expressed concern over the bill draft request representing a "slippery slope." He advised of having lived and worked in Europe, and that medical care is "at a much lower level than American medical care." Other than jails, he expressed opposition to treating people from adjacent counties. He advised the Board and "younger people" to travel to Europe and "see how it actually works. You're not going to be pleased with mixing government and health together." Supervisor Walt thanked Mr. Schuman for his comments. In response to a question, Mr. Schuman suggested that patients with private physicians could be referred for treatments not available by their own physician. Supervisor Walt expressed concern over families which may not have the resources for a private physician.

(10:40:43) John Wagner expressed no objection to a county public health district, and concern that Carson City will continue to "pay the lion's share of this" if other counties are allowed to participate. He suggested billing other counties "for the services that we're paying for." He expressed opposition to a regional public health district and "the tax portion of it." He referred to AB 67 which provides for county commissioners to "add an ad valorem tax to pay for the cost of public safety ..., health, and welfare services." Mayor Crowell expressed the understanding that the Carson City Board of Supervisors does not support AB 67. Mr. Wagner acknowledged the efficiency of providing services "in a more coordinated ... fashion." He reiterated the preference to do so "on a county level." Mayor Crowell expressed support for sharing the

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 19, 2009 Meeting
Page 11

economic burden of public health services among the counties. In response to a question, Mr. Wagner suggested that a clinic patient would have to provide a name and address. "The address tells them where they live," and this would provide the basis for billing the other counties. Mayor Crowell thanked Mr. Wagner for his comments.

(10:45:37) With regard to concerns expressed over costs, Dr. McEllistrom advised that national studies have indicated "once they enter the jail, what it takes ... to provide them services is double what it is in the local mental health facility and it's even more than that when they seek services through an emergency room." Without access to "this one-stop shopping where there's consistent, reliable access, ... they might end up in jail, they might end up in the E.R. or various doctors' offices so you have redundancy and overlap but, yet, independent sources of payment." Dr. McEllistrom advised that a goal of the proposed bill draft request is to reduce costs. In response to a comment, he provided an example of compounded costs associated with mental health services provided from the jail.

With regard to the ad valorem tax provision, Ms. Walker advised of the possibility of varying rates in each county based upon the costs to provide service within that county. The proposed structure recognizes that the cost of the service will be borne by the county entities participating in the regional public health district. Ms. Walker acknowledged that without the affirmative vote of at least one county member, no revenue levy could be made. Supervisor Aldean expressed support for each county to contribute to the public health district and "anybody can seek service in any of those jurisdictions that are part of the district." Ms. Walker advised that these details would need to be determined. She discussed the need for flexibility in that costs may be greater in certain counties. She noted that Lyon County has four mental health facilities to Carson City's one. She acknowledged the bill draft request is not a proposal for socialized medicine. Supervisor Livermore expressed support for the bill draft request in consideration of integration of services. Ms. Walker noted that services are currently provided "either by the state or by our local health department." The bill draft request proposes transfer of services from one government to another "to make it community based."

Mayor Crowell called for additional public comment. (10:52:20) Marriage and Family Therapist Dave Dumar expressed support for the bill draft request, and the opinion that providing collaborative services "is fundamental." He advised of having served as the Winnemucca Mental Health Clinic Director where he worked hard to provide collaborative services. He further advised that many states are adding substance abuse treatment "and just calling it behavioral health." He discussed the benefits of sharing therapists among the rural counties. "Ultimately, it really is about money and taxing and who's going to have the will to say, 'Gee, we will fund this.'" He encouraged the Board to support the bill draft request.

Mayor Crowell called for additional public comment and, when none was forthcoming, thanked the presenters and the citizens for their participation. He entertained a motion. **Supervisor Livermore moved to approve the legislation to enable rural counties to establish a health district, BDR 1061. Supervisor Walt seconded the motion.** Supervisor Aldean expressed support for the motion based on the benefits of economy of scale. She assured the citizens that there will be plenty of opportunity for community discussion in consideration of the enabling nature of the legislation. Mayor Crowell expressed support for the motion and for the proposed legislation as a more efficient way to deliver service "both financially and medically." He noted the importance of the other counties' support, and requested Ms. Walker to convey the same. He called for a vote on the pending motion; **motion carried 4-0-1.** Mayor Crowell recessed the meeting at 10:58 a.m. and reconvened at 11:07 a.m.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 12

7. ALTERNATIVE SENTENCING - PRESENTATION OF THE DEPARTMENT OF ALTERNATIVE SENTENCING ANNUAL REPORT BY DIRECTOR RORY PLANETA (11:07:45)

- Department of Alternative Sentencing Chief Rory Planeta introduced Assistant Chief Cate Summers. Mayor Crowell commented on his recent ride-along, and Chief Planeta invited any of the other interested Board members to participate in a ride-along or to sit in a mental health court session. He narrated a PowerPoint presentation of the annual report, copies of which had been distributed to the Board members and staff. In response to a question, Chief Planeta advised that the Department of Alternative Sentencing uses GPS equipment to track persons sentenced to house arrest. He further advised of a "very good working relationship with Douglas County," and discussed coordination efforts between the two agencies. In response to a question, he discussed the opportunity for community service in lieu of paying house arrest and probation fees in consideration of the current economy or financial hardship. Mayor Crowell entertained questions or comments and, when none were forthcoming, the Board members thanked Chief Planeta for his presentation. Supervisor Aldean commended the Department of Alternative Sentencing staff on their ability to manage such a large caseload. Mayor Crowell echoed her comments.

8. FIRE DEPARTMENT - ACTION TO ADOPT THE FIVE-YEAR MASTER PLAN FOR THE ENHANCEMENT OR IMPROVEMENT OF THE TELEPHONE SYSTEM FOR REPORTING AN EMERGENCY IN CARSON CITY, TO OVERSEE THE MONEY ALLOCATED FOR THAT PURPOSE, AND TO IMPLEMENT THE SURCHARGE AS SET FORTH IN SECTION 4.05.080 OF THE CARSON CITY MUNICIPAL CODE (11:30:06)

- Mayor Crowell introduced this item. Fire Chief Stacey Giomi reviewed the agenda report and the attached materials. Supervisor Aldean read a portion of the pertinent statute into the record. In response to a question, Ms. Bruketta advised that the Carson City Municipal Code is "a mirror image of what's in state law." Chief Giomi expressed the belief that neither the statute nor the municipal code provides for the county treasurer to retain a portion of the surcharge to compensate for the cost of collection. He offered to research the matter. Supervisor Aldean suggested considering the cost of collecting the surcharge in the revenue estimate. In response to a comment, Chief Giomi assured the Board members that both the 9-1-1 Surcharge Advisory Committee and City staff are well aware of implementing a new surcharge, and that the revenue stream will be closely examined through the remainder of the calendar year. The 9-1-1 Surcharge Master Plan will be updated annually.

In response to a question, Chief Giomi advised that the surcharge will be passed along by communications providers to the consumers. He was uncertain as to how a communications provider filing bankruptcy may affect the City receiving the surcharge. Ms. Bruketta expressed confidence that the issue had been or would be addressed "because we are not the first county to impose" the surcharge. Discussion ensued, and Chief Giomi advised that the provider has the choice to levy the surcharge. "This is not a fee directly to the people." Additional discussion took place regarding the provisions of NRS 244A.7647.

Mayor Crowell called for additional questions and for public comments. When none were forthcoming, he entertained a motion. **Supervisor Livermore moved to adopt the five-year master plan for the enhancement or improvement of the telephone system for reporting an emergency in Carson City, to oversee the money allocated for that purpose, and to implement the surcharge as set forth in Section 4.05.080 of the Carson City Municipal Code. Supervisor Aldean seconded the motion. Motion carried 4-0.**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 13

9. FINANCE - ACTION TO ADOPT A RESOLUTION CREATING THE 911 SURCHARGE FUND, A SPECIAL REVENUE FUND (11:39:08) - Finance Department Director Nick Providenti reviewed the agenda report. Supervisor Aldean noted a correction to paragraph 2(a) of the proposed resolution. Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Aldean moved to adopt Resolution No. 2009-R-8, a resolution creating a 9-1-1 Surcharge Fund, a special revenue fund, subject to the one clerical correction in the resolution. Supervisor Livermore seconded the motion. Motion carried 4-0.**

10. PARKS AND RECREATION - ACTION TO APPROVE TEMPLATES FOR A “FUNDING AGREEMENT” AND “DEED RESTRICTION” TO BE USED FOR THE REIMBURSEMENT OF GRANT AWARDS THROUGH THE STATE OF NEVADA QUESTION #1 CONSERVATION AND RESOURCE PROTECTION GRANT PROGRAM (11:40:30) - Open Space / Property Manager Juan Guzman reviewed the agenda report, and thanked Supervisors Aldean and Williamson for their assistance in finalizing the templates. Mr. Guzman reviewed the provisions of the funding agreement and deed restriction templates, as included in the agenda materials. Supervisor Aldean thanked Mr. Guzman and Division of State Lands representatives Jim Lawrence and Kevin Hill for their cooperation. She provided background information on the original agreement, and revisions pertinent to the open space deed restriction.

Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Aldean moved to approve templates for a funding agreement and deed restriction to be used for reimbursement of grant awards through the State of Nevada Question #1 Conservation and Resource Protection Grant Program. Supervisor Livermore seconded the motion. Motion carried 4-0.**

11. DEVELOPMENT SERVICES - PLANNING

11(A) ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION FROM ANDREW AILES, P.E., (PROPERTY OWNER: VIDLER WATER COMPANY, INC.) TO ABANDON A 50-FOOT WIDE AND 400-LINEAR FOOT PUBLIC UTILITIES AND PUBLIC ROADWAY EASEMENT, LOCATED AT 5080 HELLS BELLS ROAD, APN 010-681-06, AND TO AUTHORIZE THE MAYOR TO SIGN THE ORDER OF ABANDONMENT (11:45:15) - Planning Division Director Lee Plemel introduced this item and Principal Planner Jennifer Pruitt, who reviewed the agenda materials. She noted that the subject roadway easement had never been used for access purposes. She further noted condition of approval 5, requiring a 20-foot drainage easement, for which the applicant has provided the proper documentation. She advised that the Parks and Recreation Department is supportive of the proposed abandonment, and noted their comments included in the staff report at page 10. She advised of having received no response to the public noticing process. She noted the detailed application materials, and advised the required findings for approval had been made by the applicant.

Supervisor Aldean noted necessary clerical revisions to the abandonment order included in the agenda materials. Mayor Crowell expressed appreciation for Supervisor Aldean's diligence. Mayor Crowell called for public comment and, when none was forthcoming, entertained a motion. **Supervisor Aldean moved to approve an abandonment of public right-of-way application, AB-08-126, for a 50-foot wide and 400-linear-foot public utilities and public roadway easement located at 5080 Hells Bells Road, APN 010-681-06, based on seven findings and subject to the conditions of approval contained in the staff**

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 14

report, and to authorize the mayor to sign the order of abandonment subject to the clerical corrections noted on the record. Supervisor Livermore seconded the motion. Motion carried 4-0.

11(B) ACTION TO APPROVE AN EXTENSION OF ONE YEAR FOR FILING OF A FINAL MAP FOR THE PLANNED UNIT DEVELOPMENT KNOWN AS ROSS PARK PUD, LOCATED AT 4749 SNYDER AVENUE, APN 009-193-01 (TPUD-07-010) (11:50:21) - Mr. Plemel introduced this item, provided background information on the planned unit development, and reviewed the agenda report. He advised that current legislation is being considered to allow counties and cities to extend the deadline for filing final maps to four years. He further advised of numerous tentative maps in Carson City which are scheduled to expire at the end of 2009. He introduced Lumos & Associates Project Engineer Randall Long, who was present in the meeting room. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Livermore moved to approve an extension of one year for filing of a final map, from March 15, 2009 to March 15, 2010, for a planned unit development known as Ross Park PUD, located at 4749 Snyder Avenue, APN 009-193-01 (TPUD-07-010).** Supervisor Aldean seconded the motion. Motion carried 4-0.

RECESS AS BOARD OF SUPERVISORS (12:30:49) - Mayor Crowell recessed the Board at 12:30 p.m.

REDEVELOPMENT AUTHORITY

CALL TO ORDER AND ROLL CALL (12:31:13) - Chairperson *Pro Tem* Aldean called the Redevelopment Authority to order at 12:31 p.m., and recessed the meeting to provide Business Development Manager Joe McCarthy and Deputy Business Development Manager Tammy Westergard an opportunity to set up their presentation. Chairperson *Pro Tem* Aldean reconvened the meeting at 12:34.

ACTION ON APPROVAL OF MINUTES - January 15, 2009 (12:34:48) - Chairperson *Pro Tem* Aldean requested a revision to item 8(B). Member Livermore moved to approve the minutes, as revised. Member Crowell seconded the motion. Motion carried 4-0.

12. OFFICE OF BUSINESS DEVELOPMENT - DISCUSSION AND POSSIBLE ACTION TO ADOPT REDEVELOPMENT INCENTIVE PROGRAMS, ALONG WITH POLICIES, PROCEDURES, AND INTERNAL BUSINESS PRACTICES, MISSION STATEMENTS, OBJECTIVES, MEASUREMENT INDICATORS, APPLICATION PROCESSES, FLOWCHARTS, AND REPORTING REQUIREMENTS (12:35:45) - Chairperson *Pro Tem* Aldean introduced this item. Business Development Manager Joe McCarthy responded to questions regarding amendments made to the incentive program policies, procedures, and application materials following the February 11, 2009 redevelopment authority citizens committee ("RACC") meeting. In response to a comment, Chairperson *Pro Tem* Aldean noted there were two members of the RACC present in the meeting room.

Mr. McCarthy provided background information on this item, and reviewed the agenda materials in conjunction with a PowerPoint presentation. In response to a question, Ms. Bruketta advised that Board of Supervisors approval is required whenever there is "construction involved." Chairperson *Pro Tem* Aldean explained the distinctions between the pre-development incentive and the property improvement and assistance programs. Mr. McCarthy advised that "both programs are project-specific," and that the Redevelopment Authority will have oversight of both. Chairperson *Pro Tem* Aldean pointed out a necessary revision to ensure consistency. In response to a question, Mr. McCarthy provided a hypothetical

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 15

example to demonstrate the point in the process at which resources are committed. Chairperson *Pro Tem* Aldean noted the reimbursement-basis of the programs, and suggested “if an applicant doesn’t have the funds to do this up-front work, they’re probably not a good risk.”

Ms. Bruketta suggested combining the pre-development incentive and property improvement and assistance programs, and discussion ensued. In response to a question, she advised that applications for both programs would require Board of Supervisors consent. She acknowledged that every application would be reviewed by the RACC, the Redevelopment Authority, and the Board of Supervisors. She clarified that state law doesn’t require the Board of Supervisors to serve as the Redevelopment Authority.

Mr. McCarthy described the proposed processes as “very streamlined ... and transparent,” based on the excellent recommendations of the RACC. He reviewed the history of redevelopment incentive program successes in both redevelopment areas. In response to a question, he reviewed the repayment provisions of both programs. Member Crowell noted there was no provision for repayment of incentive funding if a project is not developed. Chairperson *Pro Tem* Aldean suggested that since the programs are reimbursement-based, “they don’t get reimbursed until they break ground on a project.” She further suggested including specific language to ensure understanding of the declining lien to be attached to the property. Member Livermore suggested including language to provide for repayment of incentive funding within a certain period of time after a business is closed and marketed for sale. Discussion followed, and Chairperson *Pro Tem* Aldean noted the element of risk associated with each of the programs. Ms. Bruketta reminded the Redevelopment Authority of the required incentive program finding that the project has no other reasonable means of financing. In response to a question, Mr. McCarthy advised of no history of requiring personal guarantees. In response to a further question, he advised of having asked a number of applicants. “Generally, the answer is not that they don’t want to do it, but ... there is some ramifications ... legally, for putting up a personal guarantee.”

Mr. McCarthy advised of the original Redevelopment Authority goal to “rehabilitate the built environment for future use within some blighted properties.” Curing blight opens the marketplace to a lot of different uses over the years. In response to a question, Mr. McCarthy referred to the agenda materials as “the full presentation.” In response to a further question, he provided additional clarification regarding funding levels and required Redevelopment Authority consideration and approval, as pertinent to the pre-development incentive program; and the term “business assistance,” as designated in the property improvement and assistance program. Ms. Bruketta advised of having researched the possibility of allocating redevelopment funding for rent assistance, and that the statute does not to allow it. She further advised that loans would not be permitted by the statute. Member Walt suggested considering a requirement to allocate a certain portion of the incentive funding toward infrastructure, and discussion followed.

In consideration of the discussion, Chairperson *Pro Tem* Aldean suggested deferring action on this item. In response to a question, Mr. McCarthy advised that no new applications have been submitted, but there is a “backlog of projects that are just waiting to do their homework, to fill out this application, get it in front of the citizens committee, and start making their case.” He acknowledged no commitments have been made to any applicant. Member Crowell noted the value of the subject discussion, suggested a motion to suspend redevelopment commitments and programs until such time as the policies and procedures are in place, and a commitment to finalizing the policies and procedures within the next 30 to 60 days. Ms. Bruketta noted the District Attorney’s Office does not typically become involved in policy decisions, but strongly

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 16

recommended the Redevelopment Authority follow Member Crowell's advice to place a moratorium on all redevelopment authority spending until such time as District Attorney's staff has the opportunity to brief the Redevelopment Authority on any legal issues. Mr. Werner agreed, and advised of having discussed with Mr. McCarthy the need to develop policies for special events. Chairperson *Pro Tem* Aldean suggested scheduling any associated public meetings for after 6:00 p.m. in order to provide for public participation. In response to a comment, she suggested addressing special events within the existing advisory committees so as to avoid creating additional committees. She further suggested including certain membership criteria in an amendment to the resolution which created the RACC. Following discussion, Mr. McCarthy advised that the resolution would need to be amended to provide for the advisory committee to serve as a review board for special events. Ms. Bruketta requested that any redevelopment funding allocation be submitted to the District Attorney's Office for review to ensure compliance with the pertinent statute.

Chairperson *Pro Tem* Aldean opened this item to public comment. (1:29:33) Stan Jones advised of having reviewed the policies and procedures, and agreed "there are still a lot of unanswered questions ..." He suggested including more specificity with regard to the funding criteria; developing criteria to address the possibility of a second application for redevelopment incentive funding; and developing an evaluation / scoring matrix for use by the RACC. He expressed support for combining the pre-development incentive and property improvement and assistance programs, and for requiring a certain portion of incentive funding to be allocated to infrastructure. He discussed suggestions for infrastructure improvements along Curry Street, including sidewalk improvements, installation of trash receptacles, and installation of signage. He expressed support for the RACC to have purview over special events.

(1:34:55) Jed Block suggested that the statutory prevailing wage provisions should have applied to the Presbyterian Church project. He expressed support for combining the pre-development incentive and property improvement and assistance programs, for requiring personal guarantees, and for requiring permanent façade improvements. He expressed concern over the lack of sufficient lighting along Curry Street, and support for infrastructure improvements.

Ms. Westergard requested clarification of the Redevelopment Authority members as to direction. She expressed the understanding that the Redevelopment Authority has purview over projects, which can be presented in several categories, including public / private partnerships, infrastructure, and special events. Chairperson *Pro Tem* Aldean noted that all of the listed activities "are competing for a finite resource, the redevelopment dollar." Mr. Werner acknowledged the discussion had expanded beyond the redevelopment incentive programs. With regard to the pre-development incentive and property improvement and assistance programs, Ms. Westergard advised that much of the specificity is included in the objectives portion of the pre-application process. In response to a previous question regarding property owners who have received previous redevelopment funding, she read into the record application eligibility requirements. In response to a question, Member Crowell discussed general statewide concern over redevelopment; and personal concern over ensuring that Carson City's Redevelopment Authority programs are compliant with state statute in a process which is easily understood by the general public, and that the taxpayers are "getting the very best deal ..." In response to a comment, Chairperson *Pro Tem* Aldean discussed the importance of producing the very best program possible. In response to a question, she suggested developing a separate application process for special events. Mr. McCarthy advised that staff would develop a very specific program relative to special events for review by the Redevelopment Authority.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 17

Chairperson *Pro Tem* Aldean called for additional questions or comments and, when none were forthcoming, entertained a motion. **Member Crowell moved that (1) no redevelopment authority funds will be expended or promised to be expended until the policies and procedures are in place and approved by the redevelopment authority and, where appropriate, the Board of Supervisors; (2) that there will be no funds expended for any special events or infrastructure funding projects currently in place unless approved by the District Attorney to ensure those funds are expended in compliance with the law; (3) that we will hold a special redevelopment authority meeting to complete the policies and procedures that will address projects, infrastructure, and special events, and that we will set an internal guideline to have all those done by the end of April 2009; and that if the redevelopment staff believes it would be helpful for them to have consulting services provided to assist with crafting these rules and regulations, to so advise and we will consider approving those funds. Member Livermore seconded the motion.** Discussion took place with regard to a special Redevelopment Authority meeting, and Chairperson *Pro Tem* Aldean called for a vote on the pending motion. **Motion carried 4-0.** Chairperson *Pro Tem* Aldean thanked Mr. McCarthy and Ms. Westergard.

ACTION TO ADJOURN AS THE REDEVELOPMENT AUTHORITY (1:48:11) - Chairperson *Pro Tem* Aldean adjourned the Redevelopment Authority at 1:48 p.m.

RECONVENE BOARD OF SUPERVISORS (1:48:24) - Mayor Crowell reconvened the Board of Supervisors.

BOARD OF SUPERVISORS

13. CITY MANAGER - ACTION TO APPOINT TWO MEMBERS TO SERVE ON THE CULTURAL COMMISSION TO FILL POSITIONS FOR THREE-YEAR TERMS ENDING JANUARY 2012 (11:53:23) - Mr. Werner introduced this item, and advised that Jed Block and Jim Shirk were present to be interviewed. He further advised that Linda Deacy had requested reappointment but was unable to attend the meeting.

(11:54:05) Jed Block introduced himself for the record. Supervisor Walt thanked Mr. Block for his interest, and provided background information on the cultural commission. In response to a question, Mr. Block discussed methods by which to encourage cooperation between local arts and cultural organizations. In response to a further question, he discussed his potential contributions to the commission.

Supervisor Livermore provided background information on the cultural commission, and discussed an upcoming planning workshop. In response to a question, Mr. Block discussed the original vision of the Brewery Arts Center to offer “something for everybody.” He expressed the opinion that the cultural commission should represent the same vision. He expressed agreement with the cultural commission having opportunity to discuss visual arts features with developers.

Supervisor Aldean advised of having spoken with Mr. Block earlier in the day, and noted the various organizations in which he was currently involved, as listed on his application. She inquired as to what Mr. Block would do to “prevent ... burn out, and ... any potential conflict of interest there might be serving on multiple boards that perhaps are all going to potentially be the recipient of funding through the commission.” Mr. Block advised that he serves as a member of many and various organizations together with his wife. He expressed a passion for the Brewery Arts Center, but advised he would not need to serve

CARSON CITY BOARD OF SUPERVISORS

Minutes of the February 19, 2009 Meeting

Page 18

on the board of directors in order to be supportive. He expressed a willingness to “let some things go by the wayside” if appointed to the cultural commission. He acknowledged the cultural commission would be designated as one of his highest priorities. In response to a further question, he listed fostering cooperation between arts and cultural organizations and “to grow our culture in the area” as two of the cultural commission’s highest priorities. He discussed the importance of active member support of projects and programs developed by any advisory commission.

In response to a question, Mr. Block discussed the importance of public safety to a community, but suggested a “bigger public safety problem” would exist without arts and culture. He suggested allocating one last dollar in a 40 / 60 split between public safety and the arts, respectively. Mayor Crowell thanked Mr. Block for his application.

(12:14:36) Jim Shirk acknowledged having submitted an application for a position on the cultural commission. At Mayor Crowell’s request, he discussed his interest in serving and his potential contributions. [(12:14:49) At this point in the meeting, the recorder malfunctioned and a portion of Mr. Shirk’s interview was lost.] (12:18:40) In response to a question, Mr. Shirk discussed an interest in helping to “promote the arts through local businesses.” In response to a further question, he prioritized public safety over arts and culture.

Supervisor Livermore provided background information on the cultural commission and its predecessor the Arts and Culture Coalition. In response to a question, Mr. Shirk anticipates that cuts in state funding will have a “dramatic effect upon the arts.” He suggested “most people are looking at it from their perspective of how much money they will not receive. I’m looking at it from how much the community will not receive in those arts.” He discussed the importance of community involvement to increase funding. In response to a further question, he expressed support for the cultural commission to be involved in the visual arts features of new development. As a member of the Builders Association of Western Nevada, he advised of having spoken with builders and developers “about what they can do to help promote the arts.” He expressed an interest in seeing art work along the community’s roadways, and discussed the possibility of the casinos donating stage time to the community.

Supervisor Walt thanked Mr. Shirk for his application. In response to a question, Mr. Shirk discussed methods by which to continue promoting cooperation between various community arts organizations, including development of a central community theme.

Mayor Crowell thanked Mr. Shirk for his application. The Board members discussed the appropriate action, and each of them indicated their support of two candidates. Mayor Crowell entertained a motion. **Supervisor Walt moved to appoint Jed Block and Jim Shirk to serve on the Carson City Cultural Commission for three-year terms, ending January 2012. Supervisor Livermore seconded the motion. Motion carried 4-0.** Mayor Crowell thanked Mr. Block and Mr. Shirk for applying, and Ms. Deacy for her service to the commission.

14. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

CORRESPONDENCE TO THE BOARD OF SUPERVISORS - None.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 19, 2009 Meeting
Page 19

STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS - None.

STAFF COMMENTS AND STATUS REPORT - None.

15. ACTION TO ADJOURN (1:48:41) - Supervisor Aldean moved to adjourn the meeting at 1:48 p.m. Supervisor Livermore seconded the motion. Motion carried 4-0.

The Minutes of the February 19, 2009 Carson City Board of Supervisors meeting are so approved this 19th day of March, 2009.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder