CARSON CITY BOARD OF SUPERVISORS
Minutes of the October 15, 2009 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 15, 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
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 available for review, in the Clerk's Office, during regular business hours.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:30:51) - Mayor Crowell called the meeting to order at 8:30 a.m. Roll was called; a quorum was present. First Christian Church Pastor Ken Haskins provided the invocation. Mayor Crowell led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - September 17, 2009 (8:32:40) - Supervisor Aldean moved to approve the minutes, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.

6. ADOPTION OF AGENDA (8:33:03) - Mayor Crowell entertained requests to modify the agenda, and provided an overview of the agenda format. When no requests to modify the agenda were forthcoming, he deemed the agenda adopted.

7. PUBLIC COMMENTS AND DISCUSSION (8:34:16) - Mayor Crowell entertained public comment. (8:34:55) Gil Yanuck expressed appreciation to the Board of Supervisors and the Nevada Department of Wildlife for the work on the Fuji Park Urban Fishing Pond. He commended the project as a "tremendous resource" for the community. Mayor Crowell thanked Mr. Yanuck for his community service, and entertained additional public comment. None was forthcoming.

8. SPECIAL PRESENTATIONS (8:36:12) - Mayor Crowell introduced this item, expressed appreciation for the citizens who serve the community, and moved to the podium. He provided an overview of the special presentations, and expressed appreciation for the State Legislators. He advised that Senator Townsend had been called out of town.

8(A) PRESENTATION OF A PROCLAMATION TO SENATOR MARK AMODEI FOR HIS DEDICATED SERVICE AS STATE LEGISLATIVE REPRESENTATIVE FOR THE CAPITAL SENATORIAL DISTRICT AND CARSON CITY (8:38:22) - Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. He presented the Proclamation to Senator Amodei, and the Board members, City staff, and citizens present

applauded him. (8:40:16) Senator Amodei expressed appreciation for the privilege of having worked with local government representatives over the past fourteen years. He thanked the Board for the Proclamation.

8(B) PRESENTATION OF A PROCLAMATION TO SENATOR RANDOLPH TOWNSEND FOR HIS DEDICATED SERVICE AS STATE LEGISLATIVE REPRESENTATIVE FOR SENATE DISTRICT WASHOE 4 AND CARSON CITY (8:41:05) - Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. He presented the Proclamation to Mary Walker, and requested her to deliver it to Senator Townsend. The Board members, City staff, and citizens present applauded.

8(C) PRESENTATION OF A PROCLAMATION TO ASSEMBLYMAN TOM GRADY FOR HIS DEDICATED SERVICE AS STATE LEGISLATIVE REPRESENTATIVE FOR ASSEMBLY DISTRICT 38 AND CARSON CITY (8:42:46) - Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. He presented the Proclamation to Assemblyman Grady, and the Board members, City staff, and citizens present applauded. (8:44:54) Assemblyman Grady thanked Mayor Crowell and the Board members, commended Senator Amodei's service, and expressed appreciation for the opportunity to have served the community.

8(D) PRESENTATION OF COMMUNITY COVENANT "SUPPORTING THOSE WHO SERVE" (8:45:47) - Mayor Crowell requested Commanders John Warden and Darryl Haynes to join him at the podium, and read into the record the language of the subject Proclamation, copies of which were included in the agenda materials. Commander Warden presented Mayor Crowell with a framed Community Covenant, and advised that Carson City is the first Nevada community to "become part of the covenant that is across the United States of America." Commander Warden advised that the State of Nevada entered into a community covenant with the U.S. Army. The Board members, City staff, and citizens present applauded.

8(E) PRESENTATION OF A PROCLAMATION FOR "NATIONAL FRIENDS OF LIBRARIES WEEK," OCTOBER 18 - 24, 2009 (8:48:29) - Mayor Crowell read into the record the language of the subject Proclamation, copies of which were included in the agenda materials. He presented the Proclamation to Bill Crowell, who invited Friends of the Carson City Library representatives to join him at the podium. (8:51:00) Mr. Crowell thanked Mayor Crowell, discussed the active involvement of the Friends of the Carson City Library, and encouraged citizen involvement. The Board members, City staff, and citizens present applauded. Mayor Crowell advised of having recently finished reading the book *Corsair* which was presented to him at the last Friends of the Carson City Library meeting.

8(F) PRESENTATION OF A PROCLAMATION FOR "COMMUNITY PLANNING MONTH," OCTOBER 2009 (8:52:33) - Mayor Crowell invited Planning Division Director Lee Plemel to introduce this item. Mr. Plemel listed the various advisory boards, commissions, and committees involved in community planning, and thanked the citizen volunteers for their time and effort. Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. Mr. Plemel advised that the Proclamation would be passed on to the advisory boards, commissions, and committees. The Board members, City staff, and citizens present applauded.

Mayor Crowell thanked everyone for their attendance and participation, and reiterated his appreciation for all who serve the community.

9. RECESS BOARD OF SUPERVISORS (8:56:29) - Mayor Crowell recessed the Board of Supervisors at 8:56 a.m.

REDEVELOPMENT AUTHORITY

10. CALL TO ORDER AND ROLL CALL (8:56:39) - Chairperson Williamson called the Redevelopment Authority to order, noting the presence of a quorum.

11. ACTION ON APPROVAL OF MINUTES - September 3, 2009 and September 17, 2009 (8:56:47) - Vice Chairperson Aldean moved to approve the minutes, as presented. Member Livermore seconded the motion. Motion carried 5-0.

12. CONSENT AGENDA (8:57:19) - Chairperson Williamson entertained requests to hear items separate from the consent agenda. Member Livermore requested to separately hear item 12-1(A). Vice Chairperson Aldean requested to separately hear item 12-1(B). Chairperson Williamson reviewed the remainder of the consent agenda, and entertained questions or comments. When none were forthcoming, she entertained a motion to approve the remainder of the consent agenda. **Member Livermore moved to approve the remainder of the consent agenda: item 12-1(C), the Ghost Walk, and item 12-1(D), the Christmas celebration, as presented. Vice Chairperson Aldean seconded the motion.** Chairperson Williamson entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

12-1. OFFICE OF BUSINESS DEVELOPMENT

12-1(A) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS THEIR CONSENT TO A $40,000.00 INCENTIVE REQUEST BY PARADISE COVE CAFÉ TO REDEVELOP THE PROPERTY AT CARSON MALL, WITH THE REDEVELOPMENT AUTHORITY FINDING THAT THIS PROJECT MEETS THE INCENTIVE PROGRAM CRITERIA AND THE NECESSARY FINDINGS SET FORTH IN NRS 279.486, SPECIFICALLY THAT THE PROJECT BENEFITS THE CURRENT REDEVELOPMENT PLAN AREA, THAT THE PROJECT HAS NO OTHER REASONABLE MEANS OF FINANCING AVAILABLE, THAT THE INCENTIVE WILL BE PAID ON A REIMBURSEMENT BASIS FOR MONEY EXPENDED BY THE APPLICANT ON THE PROJECT, THAT OTHER FINANCING IS AVAILABLE TO PAY FOR THE REMAINING COSTS OF THE PROJECT, AND THAT THE INCENTIVE IS SUBJECT TO THE APPLICANT FULFILLING CITY REQUIREMENTS (8:58:29) - Chairperson Williamson introduced this item, and Business Development Manager Joe McCarthy reviewed the agenda report. (9:00:23) At Chairperson Williamson's request, Doug Cramer described plans for the Paradise Cove Café, as outlined in the agenda materials. He responded to questions of clarification regarding project funding and tenant improvements. Member Livermore expressed surprise over the Carson Mall being designated as an area of blight. Discussion took place with regard to Mr. Cramer encumbering his residence as collateral against the redevelopment incentive funding declining lien.

Vice Chairperson Aldean noted that the additional rents, i.e., the pro rata contribution to the operating costs of the mall, are "to be determined," and expressed concern over the sustainability of the base rents over time. At Mr. Cramer's request, Chairperson Williamson recessed the meeting at 9:16 a.m. and reconvened at 9:22 a.m. In response to a previous question, Mr. Cramer discussed the benefits of a restaurant which serves dinner in the subject location. In response to a comment, Vice Chairperson Aldean expressed

confidence in Mr. Cramer's ability as a restauranteur, but no faith in the economy. She expressed additional concern over the lack of "substantial reserves." She noted Mr. Cramer's "established reputation in town," but also noted that new businesses often take away from other establishments "which will probably include Mom and Pop's." She expressed concern over risking the $40,000 "of taxpayers' money," and for the Cramers personally. In response to a question, Mr. Cramer advised of having checked the value of his house "on line." "It's still about $175,000." Mr. Cramer offered Mom and Pop's Diner as collateral against the declining lien. Mr. McCarthy responded to questions regarding the mechanism of the declining lien. Vice Chairperson Aldean inquired as to the assignment provision in the Carson Mall lease contract. Mr. Cramer advised that his wife and children have been working at Mom and Pop's Diner "all along." He acknowledged that the lease agreement was executed with no contingency in consideration of the redevelopment incentive program application.

Chairperson Williamson entertained public comment; however, none was forthcoming. Mr. Cramer discussed his restaurant experience, and requested the Redevelopment Authority's consideration of the redevelopment incentive program application. He acknowledged that his plans will have to be scaled back or modified without the incentive funding.

Chairperson Williamson advised that the Redevelopment Authority Citizens Committee ("RACC") had reviewed, discussed, and approved the subject application, and entertained a motion. **Member Crowell moved to approve and recommend to the Board of Supervisors their consent to a $40,000.00 incentive request by Paradise Cove Café to redevelop the property at Carson Mall, with the Redevelopment Authority finding that this project meets the incentive program criteria and the necessary findings set forth in NRS 279.486, specifically that the project benefits the current redevelopment plan area, that the project has no other reasonable means of financing available, that the incentive will be paid on a reimbursement basis for money expended by the applicant on the project, that other financing is available to pay for the remaining costs of the project, and that the incentive is subject to the applicant fulfilling Carson City requirements, one of which is that the homestead will be removed from the Cramers' residence if a second mortgage is taken out as collateral against the declining lien associated with the incentive program funding. Member Walt seconded the motion.** Vice Chairperson Aldean advised she would vote in opposition to the motion. She noted that Mr. Cramer had "raised the bar in terms of what the [Redevelopment Authority] will now be expecting with respect to information brought before us in connection with these incentive applications." She reiterated concern over the "riskiness of this venture,"in consideration of "the public's money." She expressed uncertainty over investing personal funds in such a venture, and the opinion that the public's money should, therefore, not be invested. She reiterated confidence in Mr. Cramer's restaurant management experience, but noted "there are a lot of very capable operators who have gone under through no fault of their own." Member Livermore concurred with Vice Chairperson Aldean, and expressed concern over the unknown "common area maintenance" costs. He expressed appreciation for Mr. Cramer's investment in the community. Chairperson Williamson entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 3-2.** Ms. Bruketta advised Mr. Cramer of the requirement for a two-thirds majority vote of the Board of Supervisors, and suggested that he "stick around for that."

12-1(B) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS THEIR CONSENT TO A $26,144.00 INCENTIVE REQUEST BY THE BLUE BULL TO REDEVELOP THE PROPERTY AT 107 EAST TELEGRAPH STREET, WITH THE REDEVELOPMENT AUTHORITY FINDING THAT THIS PROJECT MEETS THE INCENTIVE

PROGRAM CRITERIA AND THE NECESSARY FINDINGS SET FORTH IN NRS 279.486, SPECIFICALLY THAT THE PROJECT BENEFITS THE CURRENT REDEVELOPMENT PLAN AREA, THAT THE PROJECT HAS NO OTHER REASONABLE MEANS OF FINANCING AVAILABLE, THAT THE INCENTIVE WILL BE PAID ON A REIMBURSEMENT BASIS FOR MONEY EXPENDED BY THE APPLICANT ON THE PROJECT, THAT OTHER FINANCING IS AVAILABLE TO PAY FOR THE REMAINING COSTS OF THE PROJECT, AND THAT THE INCENTIVE IS SUBJECT TO THE APPLICANT FULFILLING CITY REQUIREMENTS (9:34:50) - Chairperson Williamson introduced this item. Mr. McCarthy introduced Terry and Lara Poor, and reviewed the agenda report. Vice Chairperson Aldean described the subject application as "classic redevelopment," in consideration of the "building that is falling into disrepair," and the capital required to restore historic buildings. She inquired as to the legal status of the stairwell walkway, and whether there is actually a public easement which encumbers it.

(9:35:40) Mr. Poor advised of having executed an easement agreement between Dennis Steele and John Davidson, who own the two buildings directly to the west. "We all are partial owners" of the sidewalk "that we're doing the public improvement on." Mr. Poor acknowledged that the easement agreement is private, and not in favor of the general public.

Chairperson Williamson entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Aldean moved to approve and recommend to the Board of Supervisors their consent to a $26,144.00 incentive request by The Blue Bull to redevelop the property at 107 East Telegraph Street, with the Redevelopment Authority finding that this project meets the incentive program criteria and the necessary findings set forth in NRS 279.486, specifically that the project benefits the current redevelopment plan area, that the project has no other reasonable means of financing available, that the incentive will be paid on a reimbursement basis for money expended by the applicant on the project, that other financing is available to pay for the remaining costs of the project, and that the incentive is subject to the applicant fulfilling City requirements. Member Livermore seconded the motion. Motion carried 5-0.**

12-1(C) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE EXPENDITURE OF $12,000.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE GHOST WALK, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN WHICH HAS BEEN ADOPTED BY THE CARSON CITY BOARD OF SUPERVISORS, AND BASED UPON THE FINDINGS THAT THERE IS A CAUSAL CONNECTION BETWEEN THIS REDEVELOPMENT EFFORT AND THE NEED FOR THE EXPENSES, THE EXPENSES ARE NEEDED TO ENSURE THE SUCCESS OF THE REDEVELOPMENT PLAN, AND THAT THE AMOUNT OF THE EXPENSES ARE MINOR IN COMPARISON TO THE MONEY REQUIRED FOR THE OVERALL REDEVELOPMENT PLAN

12-1(D) ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE EXPENDITURE OF $4,500.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE SILVER AND SNOWFLAKES HOLIDAY TREE LIGHTING, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN WHICH HAS BEEN ADOPTED BY THE CARSON CITY BOARD OF SUPERVISORS, AND BASED UPON THE FINDINGS THAT

THERE IS A CAUSAL CONNECTION BETWEEN THIS REDEVELOPMENT EFFORT AND THE NEED FOR THE EXPENSES, THE EXPENSES ARE NEEDED TO ENSURE THE SUCCESS OF THE REDEVELOPMENT PLAN, AND THAT THE AMOUNT OF THE EXPENSES ARE MINOR IN COMPARISON TO THE MONEY REQUIRED FOR THE OVERALL REDEVELOPMENT PLAN

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

13. ANY ITEM(S) PULLED FROM THE REDEVELOPMENT AUTHORITY CONSENT AGENDA WILL BE HEARD AT THIS TIME - Please see the minutes for the Redevelopment Authority consent agenda items 12(A) and 12(B).

14. OFFICE OF BUSINESS DEVELOPMENT - ACTION TO APPROVE AND RECOMMEND TO THE BOARD OF SUPERVISORS THEIR CONSENT TO A $438,589.00 INCENTIVE PAYMENT TO CARSON CITY NUGGET, INC. AND CARSON NUGGET, INC. FOR THE COSTS OF THE NUGGET DEVELOPMENT PROJECT, AS SET FORTH IN THE SECOND AMENDMENT TO THE SETTLEMENT AGREEMENT BETWEEN CARSON CITY NUGGET, INC., CARSON NUGGET, INC., AND CARSON CITY, AND AUTHORIZING THE EXPENDITURE OF MONEY FROM THE REVOLVING FUND OF THE REDEVELOPMENT AGENCY FOR PAYMENT OF THE INCENTIVE (9:38:08) - Chairperson Williamson introduced and provided background information on this item. Mr. McCarthy reviewed the agenda report. In response to a question, he advised that Carson Nugget representatives consider the development project "an imperative." Vice Chairperson Aldean noted that Exhibit E had been distributed to the Redevelopment Authority members, and advised that it should be attached to the Second Amendment to the Settlement Agreement.

Chairperson Williamson entertained public comment and, when none was forthcoming, a motion. Ms. Bruketta provided an overview of the revised Second Amendment to the Settlement Agreement. (9:45:12) Carson Nugget, Inc. Vice President Steve Neighbors advised that Nugget representatives have considered the traffic signal to not be "in the best interests of the community" long-term. He expressed understanding for the revisions and waived the right to the traffic signal. **Vice Chairperson Aldean moved to approve and recommend to the Board of Supervisors their consent to a $438,589.00 incentive request by the Carson Nugget to cover the costs associated with the Nugget Development Project as set forth in the Second Amendment to the Settlement Agreement, as amended, between Carson City Nugget, Inc., Carson Nugget, Inc., and Carson City, and authorizing the expenditure of money from the revolving fund for the Redevelopment Authority for the payment of the incentive. Member Livermore seconded the motion. Motion carried 5-0.**

15. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY (9:46:14) - Chairperson Williamson adjourned the Redevelopment Authority at 9:46 a.m.

16. RECONVENE BOARD OF SUPERVISORS (9:46:17) - Mayor Crowell reconvened the Board of Supervisors.

17. CONSENT AGENDA (9:46:20) - Mayor Crowell entertained requests to hear items separate from the consent agenda. Supervisor Livermore requested to separately hear item 17-4(A). Mayor Crowell

entertained requests of the public and, when none were forthcoming, a motion. **Supervisor Livermore moved to approve the remainder of the consent agenda, consisting of eight items: 17-1, Assessor; item 17-2, Sheriff; three items, 17-3, Purchasing and Contracts; three items remaining from the Office of Business Development, item 17-4(B), including Resolution No. 2009-R-58, item 17-4(C), including Resolution No. 2009-R-59; item 17-4(D), including Resolution No. 2009-R-60, as presented. Supervisor Williamson seconded the motion. Motion carried 5-0.** At Mayor Crowell's request, Mr. Werner provided an explanation of the criteria by which items are designated for the consent agenda.

17-1. ASSESSOR - ACTION TO APPROVE THE REMOVAL OF A PORTION OF THE TAXES FROM PARCEL NUMBER 007-031-29 (PORTION OF SECTION 32 15/19 1320') FROM THE 2009 / 10 REAL PROPERTY TAX ROLL, PURSUANT TO NRS 361.050, IN THE AMOUNT OF $1,928.12

17-2. SHERIFF - ACTION TO APPROVE ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY JOINING FORCES GRANT IN THE AMOUNT OF $26,000

17-3. PURCHASING AND CONTRACTS

17-3(A) ACTION TO DETERMINE THAT CERTAIN CITY PROPERTY IS NO LONGER REQUIRED FOR PUBLIC USE AND DEEM ITS SALE BY PUBLIC AUCTION DESIRABLE AND IN THE BEST INTERESTS OF CARSON CITY

17-3(B) ACTION TO APPROVE CONTRACT NO. 0910-096, A REQUEST FOR PROFESSIONAL SERVICES TO BE PROVIDED BY ICE RINK EVENTS, THROUGH FEBRUARY 2, 2010, FOR A NOT-TO-EXCEED AMOUNT OF $119,900.00 TO BE FUNDED FROM THE REDEVELOPMENT PROFESSIONAL SERVICES FUND, AS PROVIDED IN FY 2009 / 2010

17-3(C) ACTION TO DETERMINE THAT HUMBOLDT DRILLING AND PUMP COMPANY, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 0809-085 WELL 50 DRILLING TO HUMBOLDT DRILLING AND PUMP COMPANY, INC., FOR A BID AMOUNT OF $186,964.00, PLUS A CONTINGENCY AMOUNT NOT TO EXCEED $18,700.00, TO BE FUNDED FROM THE WATER CAPITAL PROJECT PRODUCTION WELLS FUND, AS PROVIDED IN FY 2009 / 2010

17-4. OFFICE OF BUSINESS DEVELOPMENT

17-4(A) ACTION TO ADOPT A RESOLUTION CONSENTING TO THE PAYMENT OF A $40,000.00 INCENTIVE TO PARADISE COVE CAFÉ TO ASSIST IN PAYING FOR THE COSTS OF A NEW RESTAURANT AND RETAIL PROJECT AT CARSON MALL, AND AUTHORIZING THE EXPENDITURE OF $40,000.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AUTHORITY FOR THE PURPOSE OF PAYING THIS INCENTIVE, WITH THE BOARD OF SUPERVISORS DETERMINING THAT THIS PROJECT MEETS THE INCENTIVE PROGRAM CRITERIA AND THE NECESSARY FINDINGS SET FORTH IN NRS 279.486 (9:58:17) - Mayor Crowell introduced this item, noted it had been heard by the Redevelopment Authority, and entertained additional discussion of the Board members and the public. When none was forthcoming, he entertained a motion. **Supervisor Williamson moved to adopt**

Resolution No. 2009-R-57, consenting to the payment of a $40,000.00 incentive to Paradise Cove Café to assist in paying for the costs of a new restaurant and retail project at Carson Mall, and authorizing the expenditure of $40,000.00 from the revolving fund of the Redevelopment Authority for the purpose of paying this incentive, with the Board of Supervisors determining that this project meets the incentive program criteria and the necessary findings set forth in NRS 279.486. Supervisor Walt seconded the motion. Motion failed 3-2. Ms. Bruketta acknowledged that the application would be denied based on the lack of a two-thirds majority.

17-4(B) ACTION TO ADOPT A RESOLUTION CONSENTING TO THE PAYMENT OF A $26,144.00 INCENTIVE TO THE BLUE BULL TO ASSIST IN PAYING FOR THE COSTS OF REMODELING CONSTRUCTION OF THE BUILDING LOCATED AT 107 EAST TELEGRAPH STREET, AND AUTHORIZING THE EXPENDITURE OF $26,144.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AUTHORITY FOR THE PURPOSE OF PAYING THIS INCENTIVE, WITH THE BOARD OF SUPERVISORS DETERMINING THAT THIS PROJECT MEETS THE INCENTIVE PROGRAM CRITERIA AND THE NECESSARY FINDINGS SET FORTH IN NRS 279.486

17-4(C) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF $12,000.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE GHOST WALK, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN WHICH HAS BEEN ADOPTED BY THE CARSON CITY BOARD OF SUPERVISORS, AND BASED UPON THE FINDINGS THAT THERE IS A CAUSAL CONNECTION BETWEEN THIS REDEVELOPMENT EFFORT AND THE NEED FOR THE EXPENSES, THE EXPENSES ARE NEEDED TO ENSURE THE SUCCESS OF THE REDEVELOPMENT PLAN, AND THAT THE AMOUNT OF THE EXPENSES ARE MINOR IN COMPARISON TO THE MONEY REQUIRED FOR THE OVERALL REDEVELOPMENT PLAN

17-4(D) ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF $4,500.00 FROM THE REVOLVING FUND FOR THE REDEVELOPMENT AGENCY TO SUPPORT THE SILVER AND SNOWFLAKES HOLIDAY TREE LIGHTING, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN WHICH HAS BEEN ADOPTED BY THE CARSON CITY BOARD OF SUPERVISORS, AND BASED UPON THE FINDINGS THAT THERE IS A CAUSAL CONNECTION BETWEEN THIS REDEVELOPMENT EFFORT AND THE NEED FOR THE EXPENSES, THE EXPENSES ARE NEEDED TO ENSURE THE SUCCESS OF THE REDEVELOPMENT PLAN, AND THAT THE AMOUNT OF THE EXPENSES ARE MINOR IN COMPARISON TO THE MONEY REQUIRED FOR THE OVERALL REDEVELOPMENT PLAN

18. RECESS BOARD OF SUPERVISORS (9:50:20) - Mayor Crowell recessed the Board of Supervisors.

LIQUOR AND ENTERTAINMENT BOARD

19. CALL TO ORDER AND DETERMINATION OF A QUORUM (9:50:26) - Chairperson Crowell called the Liquor and Entertainment Board to order at 9:50 a.m. Roll was called; a quorum was present, including Member Furlong.

20. ACTION ON APPROVAL OF MINUTES - September 17, 2009 (9:51:03) - Member Aldean moved to approve the minutes, as presented. Member Williamson seconded the motion. Motion carried 6-0.

21. PUBLIC WORKS DEPARTMENT BUSINESS LICENSE DIVISION - ACTION TO APPROVE BALWINDER THIND AS THE LIQUOR MANAGER FOR ROYAL FOOD MART, PACKAGED LIQUOR LICENSE NO. 10-26850, LOCATED AT 1718 NORTH CARSON STREET, CARSON CITY (9:51:25) - Principal Planner Jennifer Pruitt introduced this item, reviewed the agenda materials, and noted staff's recommendation of approval. (9:52:08) Balwinder Thind introduced himself for the record. In response to a question, he advised of having held a liquor license in Carson City for ten years, and that he has never been cited for selling alcohol to a minor. In response to a further question, he advised that he requests identification from any patron appearing to be under the age of 21. In response to a question, Member Furlong advised that, based on the background information included in the agenda materials, Mr. Thind's business was cited for selling alcohol to a minor. Mr. Thind acknowledged never having been personally cited.

Member Livermore cautioned Mr. Thind regarding the routine compliance checks conducted by Sheriff's Office personnel. In response to a question, Mr. Thind advised of never having participated in the Sheriff's Office alcohol servers training program. He acknowledged the intent to schedule the training, and that he is in the process of purchasing the property at 1718 North Carson Street. In response to a further question, he advised of no problem with tenant vandalism at the location. In response to a further question, he advised that rooms are rented daily, weekly, and monthly.

Chairperson Crowell discussed the seriousness associated with the sale of alcohol to minors. He entertained additional questions or comments and, when none were forthcoming, a motion. **Member Livermore moved to approve Balwinder Thind as the liquor manager for Royal Food Mart packaged liquor license no. 10-26850, located at 1718 North Carson Street, Carson City, Nevada. Member Aldean seconded the motion.** In response to a question, Mr. Thind advised that the motel is open; the store is not. He anticipates opening the store shortly after obtaining the liquor license. Member Williamson explained the only reason for Mr. Thind to appear again before the board would be in the event he was cited for selling alcohol to a minor. She expressed the hope there will be no need for Mr. Thind to appear again before the board, and wished him the best of luck. Member Aldean noted the subtle distinction between an employee of Mr. Thind's selling alcohol to a minor and Mr. Thind selling alcohol to a minor in consideration of the fact that he would be held responsible for the actions of his employees. Member Aldean echoed the hope there would be no need for Mr. Thind to appear again before the board, and wished him luck. Chairperson Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 6-0.**

22. ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (9:57:52) - Chairperson Crowell adjourned the Liquor and Entertainment Board at 9:57 a.m.

23. RECONVENE BOARD OF SUPERVISORS (9:57:55) - Mayor Crowell reconvened the Board of Supervisors.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

24. ANY ITEM(S) PULLED FROM THE BOARD OF SUPERVISORS CONSENT AGENDA WILL BE HEARD AT THIS TIME (9:58:01) - Please see the minutes for consent agenda item 17-4(A).

25. CITY MANAGER - PRESENTATION AND UPDATE REGARDING NEVADA ASSOCIATION OF COUNTIES ("NACO") BY JEFF FONTAINE, EXECUTIVE DIRECTOR (10:00:05) - Mayor Crowell introduced this item, and invited Mr. Fontaine and Ms. Webber to the podium. Nevada Association of Counties ("NACO") Executive Director Jeff Fontaine introduced NACO Board President and Washoe County Commissioner Bonnie Webber. Mr. Fontaine expressed appreciation for the Board's continued support of NACO and for Supervisor Williamson's service. He advised that Supervisor Williamson is the NACO president-elect, and expressed appreciation for Supervisor Walt's service as well. In reference to NACO's mission statement, Mr. Fontaine confirmed the commitment to work on behalf of the City and "to help you in any way that we possibly can." He discussed common issues among the seventeen Nevada counties, and reviewed the federal and state issues. He reiterated appreciation for the Board's support, and encouraged participation. Mayor Crowell thanked Ms. Webber and Supervisor Williamson for their involvement. Mayor Crowell advised of having observed Mr. Fontaine during the last legislative session, and commended his "credible, quality" representation of the NACO Board of Directors.

(10:15:36) NACO Board of Directors President Bonnie Webber expressed appreciation for Mr. Fontaine and his staff, and encouraged the Board members to visit the NACO office in Carson City. Ms. Webber expressed appreciation for the involvement of Supervisors Williamson and Walt, for the various perspectives represented, and for the opportunity to have served as NACO Board President. She thanked Carson City for its NACO membership, reviewed national membership benefits, and encouraged the Board members' participation. She discussed the National Association of Counties annual conference scheduled for July 2010 in Reno, and distributed save-the-date cards to the Board members and staff. She requested the Board to consider their role in the annual conference, and described conference events and activities.

Supervisor Williamson commended Mr. Fontaine and Ms. Webber on their NACO representation, and discussed a local government summit she attended with them in Las Vegas on October 14th. She discussed the benefits of the "wonderful working relationships" between Carson City officials and the legislative representatives. She expressed the belief that local governments do "a much better job in serving their constituents than someone who meets every two years for 120 days and tries to solve all the problems of the state." She thanked Mr. Fontaine and Ms. Webber for their attendance and presentation. Ms. Webber commended the local government summit, and discussed the importance of working together. Mayor Crowell thanked Ms. Webber and Mr. Fontaine, and recessed the meeting at 10:29 a.m.

26. HEALTH AND HUMAN SERVICES - ANIMAL SERVICES - ACTION TO ADOPT BILL NO. 126, ON SECOND READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 7, ANIMALS, BY ADDING CHAPTER 7.01, BEAR PROOF COLLECTION BINS, CONTAINERS, AND STRUCTURES, AND ADDING SECTION 7.01.010, DEFINITIONS, SECTION 7.01.020, STATEMENT OF INTENT, SECTION 7.01.030, APPLICABILITY, SECTION 7.01.040, COLLECTION BIN, CONTAINER, AND STRUCTURE MAINTENANCE, SECTION 7.01.050, AUTHORITY TO ISSUE CITATIONS, SECTION 7.01.060, VIOLATION AND PENALTY, SECTION 7.01.070, SEVERABILITY, AND OTHER MATTERS

PROPERLY RELATED THERETO (10:40:03) - Mayor Crowell reconvened the meeting at 10:40 a.m., and introduced this item. In response to a question, Animal Services Director Pat Wiggins advised that a revision was made to the definition of "garbage," at page 2 of the proposed ordinance. He read the same into the record, and responded to questions of clarification.

Mayor Crowell entertained public comment. (10:41:36) Gil Yanuck thanked Mr. Wiggins and Mr. Werner for helping to facilitate development of the proposed ordinance. Mr. Yanuck also thanked NDOW staff Kim Jolly and Kelly Clark, both of whom were present in the audience, for providing informational materials for the public workshops held last summer. Mr. Yanuck advised that the public input was "well received and very constructive. It resulted in some improvements in the language and understanding ..." which promotes acceptance of change. Mr. Yanuck commended the City for "getting the word out." In response to a question, he advised that the ruling as to whether or not the sage grouse will be listed as an endangered species will not "come out until next year."

(10:45:29) NDOW Management Analyst Kim Jolly commended the Carson City Advisory Board to Management Wildlife, Mr. Werner, Mr. Wiggins, and the Board members for facilitating development of the proposed ordinance. "This is going to really help, especially boundary to boundary, to have a seamless ordinance ..." She also commended the Board on including the provision, at Section 7.01.060(1), prohibiting intentional feeding of bears.

(10:46:17) NDOW Conservation Education Chief Kelly Clark advised she is a Carson City resident, and expressed appreciation for the proposed ordinance. She advised that Carson City joins Gardnerville and Incline Village in enacting an ordinance. "We know, from past experience, ... that these type of activities require a three-legged stool," including enforcement, education, and "wildlife managers doing the hazing activity to make sure that we can protect bears and protect our public as well." Ms. Clark encouraged the Board to enact the proposed ordinance, and offered her assistance as NDOW Conservation Education Chief. In response to a question, Ms. Clark advised of having worked cooperatively with the Sheriff's Office "to put on community forums to educate the public." She further advised of having done direct mailings "to zip codes in the areas that we know are affected along the Sierra Front." She discussed the importance of a "consistent message."

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve Bill No. 126, on second reading, Ordinance No. 2009-25, an ordinance amending the Carson City Municipal Code, Title 7, Animals, by adding Chapter 7.01, Bear Proof Collection Bins, Containers, and Structures, and adding Section 7.01.010, Definitions, Section 7.01.020, Statement of Intent, Section 7.01.030, Applicability, Section 7.01.040, Collection Bin, Container, and Structure Maintenance, Section 7.01.050, Authority to Issue Citations, Section 7.01.060, Violation and Penalty, Section 7.01.070, Severability, and other matters properly related thereto. Supervisor Walt seconded the motion. Motion carried 5-0.**

27. HEALTH AND HUMAN SERVICES - ACTION TO ENTER INTO AN AGREEMENT BETWEEN THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, ON BEHALF OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT, TO PROVIDE SUPPORT FOR PARTICIPATION IN THE PUBLIC HEALTH ACCREDITATION BOARD ("PHAB") BETA TEST SITE PROGRAM, AND OTHER

MATTERS PROPERLY RELATED THERETO (10:50:24) - Mayor Crowell introduced this item, and Health and Human Services Department Director Marena Works reviewed the agenda report. Supervisor Williamson commended Ms. Works on the successful immunization clinic held last Saturday, October 10th. In response to a question, Ms. Works advised that 4,844 immunizations were provided. Supervisor Williamson noted the figure represented "just under ten percent of the population," and that Health and Human Services Department staff demonstrated their ability to provide widespread immunization support in the event of a catastrophe. She congratulated Ms. Works.

In response to a question, Ms. Works advised that accreditation would be a separate process from participation in the subject beta test site program. "It will just prepare us so that we could apply." Ms. Works acknowledged sufficient staff to handle the increased work load. She explained the funding provides for hiring a consultant. Additionally, a Health and Human Services Department staff member, who is working on an advanced degree, will be assisted by participating. Supervisor Livermore commended Ms. Works on the subject item. In response to a question, she advised that two immunization clinics will be held on Saturday, October 17th, one in Douglas County and one in Lyon County. Supervisor Livermore noted "all this ... just adds to the credibility of the district health board." In response to a question, Ms. Works advised that flu vaccinations are available every Thursday at the Health and Human Services Department "until our supplies are exhausted." Supervisor Walt advised of having received positive feedback regarding the organization and efficiency of last Saturday's immunization clinic, and commended Ms. Works. In response to a question, Ms. Works advised of "very small supplies" of the H1N1 vaccination. "We have been working really hard to get our health care providers vaccinated."

Mayor Crowell entertained a motion. **Supervisor Williamson moved to adopt an agreement between the National Association of County and City Health Officials and Carson City, a consolidated municipality and political subdivision of the State of Nevada, on behalf of the Carson City Health and Human Services Department, to provide support for participation in the Public Health Accreditation Board ("PHAB") Beta Test Site Program, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

28. SHERIFF - ACTION TO APPROVE ACCEPTANCE OF THE REGIONAL GANG INITIATIVE GRANT IN THE AMOUNT OF $350,000.00; THIS PROJECT WAS AWARDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT THROUGH THE NEVADA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF CRIMINAL JUSTICE ASSISTANCE (10:55:13) - Mayor Crowell introduced this item. Sheriff Ken Furlong reviewed the agenda report, and discussed the objectives of the grant. In response to a question, he discussed the likelihood that the Nevada Sheriffs and Chiefs Association will be funding purchase of the GangNet software. In response to a further question, he advised that the subject grant period is twelve months. He has proposed providing sufficient information with regard to successes "to go back and receive further ongoing funding, more toward the three-year grant period that we had initially asked for." He advised of several Sheriff's Office deputies who are assigned full-time to gang operations and work them "constantly." If the grant is not funded beyond twelve months, Sheriff Furlong expressed the opinion that achieving the primary goal of intelligence gathering "would go a long way toward the other counties and us continuing to share information and continuing the operations." He discussed the importance of regional cooperation, and advised "these geographical or governmental barriers need to be removed when it comes to this type of an operation." He noted the concept is similar to the TriNet Task Force, and advised of having requested, through the Congressional representatives, support from the Immigration and Naturalization Service and the State of

Nevada Division of Investigation.

Supervisor Livermore inquired as to the possibility of including Storey County in the task force. Sheriff Furlong advised of having considered Storey County, and discussed the emphasis on the South Lake Tahoe region, along the southern areas of Lyon County. Storey County representatives have not indicated a "significant issue to join in with this collaborative effort." In response to a further question, Sheriff Furlong expressed support for employers being able to check the possibility of a potential employee's gang affiliation through the Sheriff's Office. Discussion followed.

Mayor Crowell entertained additional questions or comments and, when none were forthcoming, a motion. **Supervisor Livermore moved to approve the acceptance of the Regional Gang Initiative grant, 09-ARRA-04, in the amount of $350,000.00, supported by the American Recovery and Reinvestment Act through the Nevada Department of Public Safety, Office of Criminal Justice Assistance. Supervisor Aldean seconded the motion.** Mayor Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 5-0.**

29. PUBLIC WORKS DEPARTMENT BUSINESS LICENSE DIVISION - ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSES AND BUSINESS REGULATIONS, CHAPTER 13, LIQUOR BOARD AND LIQUOR LICENSING AND SALES, BY ADDING SECTION 4.13.115, DEATH OF OR CHANGE TO PERSON LISTED ON LICENSE, TO REQUIRE NOTIFICATION OF THE DEATH OF A PERSON OR CHANGE TO A PERSON LISTED ON A LICENSE, AND SECTION 4.13.125, ISSUANCE OR DENIAL OF A LICENSE, TO SET FORTH GROUNDS FOR THE ISSUANCE OR DENIAL OF A LICENSE; AND AMENDING SECTION 4.13.010, DEFINITIONS, BY AMENDING VARIOUS DEFINITIONS, SECTION 4.13.060, APPLICATION FOR LICENSE, SECTION 4.13.070, INVESTIGATION - FEES, AND SECTION 4.13.090, UNLAWFUL TO SERVE MINORS, BY MAKING TECHNICAL CHANGES; SECTION 4.13.100, LICENSE - BOARD PROCEDURE, TO ALLOW THE AUTHORIZED REPRESENTATIVE OF AN APPLICANT TO APPEAR BEFORE THE BOARD, SECTION 4.13.105, NEW LICENSE, TO MAKE TECHNICAL CLARIFICATIONS REGARDING FEES FOR APPLICATIONS FOR A LICENSE, SECTION 4.13.110, LICENSE - FEES, TO PROVIDE THAT FAILURE TO PAY A LICENSE FEE SHALL RESULT IN THE EXPIRATION OF THE LICENSE, SECTION 4.13.120, LICENSE - TRANSFERABILITY AND USE, TO AUTHORIZE THE TEMPORARY TRANSFER OF A LICENSE IN CERTAIN CIRCUMSTANCES, SECTION 4.13.135, REACTIVATION OF PRIOR EXISTING LICENSE, TO CLARIFY WHEN A NEW APPLICATION FEE IS NOT REQUIRED, SECTION 4.13.140, GROUNDS FOR DISCIPLINARY ACTION, TO PROVIDE THAT THE FAILURE TO PAY A FINE IS A GROUND FOR DISCIPLINARY ACTION, SECTION 4.13.150, DISCIPLINARY ACTION, PROCEDURE AND PENALTIES, TO REVISE THE PROCEDURES REGARDING DISCIPLINARY ACTION, SECTION 4.13.170, QUALIFICATIONS OF EMPLOYEES, TO MAKE VARIOUS CHANGES RELATING TO THE TRAINING OF EMPLOYEES, SECTION 4.13.240, APPLICATION FOR SHORT-TERM PERMIT, TO ALLOW FOR THE WAIVER OF THE DEADLINE FOR FILING AN APPLICATION FOR THE PERMIT, AND SECTION 4.13.260, DENIAL - REMEDY, TO REVISE THE PROCEDURES FOR THE APPROVAL OF A SHORT-TERM PERMIT, AND OTHER MATTERS PROPERLY RELATED THERETO (11:10:27) - Mayor Crowell introduced this item. Principal Planner Jennifer Pruitt reviewed the agenda report. She advised that "we did meet with all of the

liquor license holders a few weeks ago regarding this update." In addition, the Liquor and Entertainment Board provided direction a few months ago. Ms. Pruitt further noted that Business License Division staff provided notification last week to all the liquor license holders of the subject item. Senior Permit Technician Lena Tripp reviewed proposed revisions to the ordinance, copies of which were included in the agenda materials.

At Mayor Crowell's request, Ms. Bruketta explained the proposed provisions pertinent to the hearings officer. She suggested a revision to Section 4.13.190(2) in that the Board of Supervisors has no authority to determine the minimum fine imposed for a misdemeanor violation. She responded to questions of clarification, and Mayor Crowell requested her to review the ordinance format. In response to a question, Ms. Pruitt reviewed various options pertinent to the hearings officer position. In response to a further question, she agreed to provide information, prior to second reading, regarding hearings officer credentials and compensation. Discussion took place regarding the provisions of Section 4.13.150(10). Supervisors Aldean and Williamson reviewed clerical corrections to the bill.

In response to a question, Ms. Bruketta recommended reviewing the provisions of Section 4.13.115. Mayor Crowell questioned the appropriateness of a corporation being required to report changes in its list of corporate officers if said corporate officers have no direct management responsibility. He requested Ms. Bruketta to review Section 4.13.115, and suggested language to indicate the requirement to report a change in management of the corporation sufficient to cause a question pertinent to the liquor license. Discussion followed, and Mayor Crowell noted there was no requirement in the ordinance for a corporation to identify a liquor manager. Mr. Werner advised that the language would be further reviewed.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 127, an ordinance amending the Carson City Municipal Code, Title 4, as agendized, published, and amended. Supervisor Livermore seconded the motion. Motion carried 5-0.**

30. OFFICE OF BUSINESS DEVELOPMENT

30(A) ACTION TO ADOPT A RESOLUTION CONSENTING TO THE PAYMENT TO THE CARSON CITY NUGGET, INC. AND CARSON NUGGET, INC., OF A REDEVELOPMENT INCENTIVE FOR THE COSTS OF THE NUGGET DEVELOPMENT PROJECT, AS SET FORTH IN THE SECOND AMENDMENT TO THE SETTLEMENT AGREEMENT BETWEEN CARSON CITY NUGGET, INC., CARSON NUGGET, INC., AND CARSON CITY, AND AUTHORIZING THE EXPENDITURE OF MONEY FROM THE REVOLVING FUND OF THE REDEVELOPMENT AGENCY, WITH THE BOARD OF SUPERVISORS DETERMINING THAT THIS PROJECT MEETS THE INCENTIVE PROGRAM CRITERIA AND THE NECESSARY FINDINGS SET FORTH IN NRS 279.486, FOR THE PAYMENT OF THE INCENTIVE, AND OTHER MATTERS PROPERLY RELATED THERETO (11:39:49) - Mayor Crowell introduced this item, and noted that a corresponding item was previously heard by the Redevelopment Authority. He entertained public comment; however, none was forthcoming. Supervisor Aldean reviewed revisions which she had previously discussed with Senior Deputy District Attorney Joel Benton.

Mayor Crowell entertained a motion. **Supervisor Williamson moved to adopt Resolution No. 2009-R-61, as amended, consenting to the payment to Carson City Nugget, Inc. and Carson Nugget, Inc. of a redevelopment incentive for the cost of the Nugget Development Project, as set forth in the Second Amendment to the Settlement Agreement between the Carson City Nugget, Inc., Carson Nugget, Inc.,**

and Carson City, and authorizing the expenditure of money from the revolving fund for the Redevelopment Authority with the Board of Supervisors determining that this project meets the incentive program criteria, and the necessary findings set forth in NRS 279.486. Supervisor Aldean seconded the motion. Motion carried 5-0.

30(B) ACTION TO APPROVE AMENDMENT TWO TO THE SETTLEMENT AGREEMENT BETWEEN CARSON CITY NUGGET, INC., CARSON NUGGET, INC., AND CARSON CITY REGARDING ABANDONMENT OF STREETS (11:41:59) - Mayor Crowell introduced this item. In response to a question, Ms. Bruketta explained the purpose of this item. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve Amendment Two to the Settlement Agreement between Carson City Nugget, Inc. and Carson City regarding abandonment of streets, as amended. Supervisor Livermore seconded the motion. Motion carried 5-0.**

31. CITY MANAGER

31(A) REVIEW OF THE CARSON CITY OPERATIONS SCORECARD AND REPORTING OF MEASURES AND INFORMATION AFFECTING THE 2009 / 2010 BUSINESS PLAN (11:42:49) - Mayor Crowell introduced this item. Mr. Werner reviewed the operations scorecard which was displayed in the meeting room and copies of which were included in the agenda materials. At Mr. Werner's request, Sheriff Ken Furlong reviewed pertinent portions of the operations scorecard, and discussion followed. Mr. Werner continued reviewing the operations scorecard, as displayed in the meeting room. Mayor Crowell entertained public comment; however, none was forthcoming. At Supervisor Aldean's request, Mr. Werner agreed to provide copies of the operations scorecard and briefing book to the Board members.

31(B) ACTION TO APPROVE A STANDARD QUARTERLY SUMMARY FOR ALL ACTIVE PENDING GRANTS MADE TO CARSON CITY (12:10:35) - Mayor Crowell introduced this item. Mr. Werner introduced Grants Coordinator Heidi Eskew-Herrmann and provided an overview of her responsibilities. He reviewed the agenda materials, in conjunction with a displayed version of the same. At Mayor Crowell's request, he agreed to provide the summary on a regular basis via e-mail and the City's website. Consensus of the Board was that no formal action was necessary.

RECESS AND RECONVENE BOARD OF SUPERVISORS (12:15:02) - Mayor Crowell recessed the meeting at 12:15 p.m. (1:30:01) Mayor Crowell reconvened the meeting at 1:30 p.m. All members of the Board were present, constituting a quorum.

32. CITY MANAGER - ACTION TO APPOINT THREE MEMBERS-AT-LARGE TO THE AUDIT COMMITTEE, ONE FOR A PARTIAL TERM ENDING DECEMBER 2009 AND TWO FOR PARTIAL TERMS ENDING DECEMBER 2010 (1:30:10) - Mayor Crowell introduced this item, provided an overview of the agenda report, and suggested a method by which to appoint the members.

(1:31:07) Mr. Werner introduced Yerania Martell-DeLuca. Mayor Crowell inquired as to Ms. Martell-DeLuca's interest in serving as an audit committee member, and whether she believes there is waste, fraud or abuse occurring in Carson City. Ms. Martell-DeLuca provided an overview of her experience, and discussed her interest in serving as an audit committee member. She expressed the personal belief there is no "fraud happening within the City." She discussed the possibility of ensuring the prevention of loss

and creating efficiencies within the City's processes.

Supervisor Aldean thanked Ms. Martell-DeLuca for her application, and inquired as to her communication style. Ms. Martell-DeLuca advised that her current employment position is internal auditor at a local financial institution. She discussed her approach to creating a collaborative process in conducting audits, and advised that she would approach working with her fellow audit committee members and City management in the same way.

Supervisor Williamson thanked Ms. Martell-DeLuca for her application, and provided background information on the audit committee's meeting schedule. In response to a question, Ms. Martell-DeLuca advised she would have no difficulty meeting in the evening rather than the afternoon. She further advised of "flexibility ... either way." In response to a further question, she discussed the importance of "making all the connections" for an auditee.

In reference to Ms. Martell-DeLuca's participation in the Northern Nevada Chapter of the Institute of Internal Auditors, Supervisor Walt inquired as to the programs over which Ms. Martell-DeLuca serves as vice president. Ms. Martell-DeLuca provided background information on the Northern Nevada Chapter of the Institute of Internal Auditors, and discussed her involvement in facilitating educational programs in northern Nevada. In response to a further question, she discussed the importance of an audit committee, independent of the governing body, which most important function would be "to bring value to what the City does overall."

Supervisor Livermore provided background information on the audit committee and the recently contracted external auditor. In response to a question, Ms. Martell-DeLuca discussed her experience outsourcing audit services. She discussed the importance of a specific scope of work and ensuring "it's priced right." Mayor Crowell invited Ms. Martell-DeLuca to stay for the remainder of the interviews. The Board members thanked Ms. Martell-DeLuca for her application.

(1:43:00) John McKenna introduced himself for the record. Mayor Crowell provided an overview of the interview process. In response to a question, Mr. McKenna discussed his interest in serving as an audit committee member. In response to a question regarding the possibility of waste, fraud, or abuse occurring in Carson City, he expressed the belief "there's always ways of doing things better." He discussed the importance of working together toward the goal of improved efficiencies.

Supervisor Livermore thanked Mr. McKenna for his application, and expressed the belief that "efficiencies and controls" should be the focus of City government. Supervisor Livermore provided background information on the recently contracted external auditor. In response to a question, Mr. McKenna provided an overview of his experience as a CPA, with a focus on management consulting, and as a member of the Carson City School Board.

Supervisor Walt inquired as to Mr. McKenna's opinion of the audit committee's function. Mr. McKenna expressed the opinion that the audit committee should serve as "the eyes and ears of the citizenry ..." in consideration of integrity, expertise, and providing a venue for public input.

Supervisor Williamson provided background information on the audit committee's meeting schedule. In response to a question, Mr. McKenna discussed the flexibility in his schedule to attend meetings. He

acknowledged a familiarity with the public record associated with the audit committee, and stated he will be "very comfortable" with it.

Supervisor Aldean inquired as to Mr. McKenna's style of interaction, and provided examples. Mr. McKenna acknowledged the ability to be both collaborative and confrontational, as necessary. He explained his tendency to work toward goals, which "may not be a product but more of a feeling among the citizenry that things are being done right and that they're getting the total answer and that there is nothing hidden." He expressed a preference to be cooperative and work toward a goal. In response to a further question, he expressed the opinion that a Board member should serve on the audit committee "simply because you are the decision makers and you need to have one of your members there" to provide oversight. Mayor Crowell invited Mr. McKenna to stay for the remainder of the interview process, and thanked him for his application.

(1:52:38) Mayor Crowell thanked Richard Moore for his application, and provided an overview of the interview process. In response to a question, Mr. Moore discussed his interest in serving as an audit committee member and provided background information on his experience.

In response to a question, Mr. Moore described his style of interaction as "participative." He noted that the audit committee "is one part of the process," and that Finance Department representatives would likely be involved. He discussed the responsibility to represent the community. In response to a question regarding having a Board member serve on the audit committee, Mr. Moore reiterated his opinion that the audit committee "is just the first step of the budget process ..." In response to a further question, he expressed the opinion that a Board member serving on the audit committee is "a positive move."

Supervisor Williamson thanked Mr. Moore for his application. Mr. Moore acknowledged his availability to meet in the evenings, and an understanding of the concept of a public record. He expressed the opinion that the process should be open to the public. "The more information communicated to the community, the better off you are." In response to a further question, Mr. Moore expressed the opinion that the audit committee's major function is to provide input as a first step in the budget process to the Board of Supervisors.

Supervisor Livermore thanked Mr. Moore for his application, and provided background information on the recently contracted external auditor. In response to a question, Mr. Moore discussed his experience working with internal auditors. Supervisor Livermore described the composition of the audit committee, including one member of the Board of Supervisors. In response to a question, Mr. Moore expressed support for the current audit committee composition with one Board member and four citizens at large. Mayor Crowell thanked Mr. Moore and invited him to stay for the remainder of the interview process.

(2:02:25) Mayor Crowell thanked William Prowse for his application, and provided an overview of the interview process. In response to a question, Mr. Prowse discussed his interest in serving as a member of the audit committee. In response to a question regarding whether Mr. Prowse's motivation for serving was a concern over waste, fraud, and abuse in Carson City government, he expressed the belief that he can help the City improve its operations. "From an audit standpoint," he expressed the belief that "every audit can find some deficiencies. The big concern ... is whether they're raised to the level of a problem ..." Mr. Prowse expressed the opinion that the City is "no different than any other government on the planet." The question is "how serious it is, whether it is such that it is hindering the provision of services to the public,

... taking financial resources that should be used elsewhere ...”

In response to a question, Mr. Prowse provided background information on his current position with the Attorney General's Bureau of Consumer Protection. Supervisor Livermore provided background information on the recently contracted external auditor. In response to a question, Mr. Prowse discussed his experience with the Department of the Interior Inspector General's Office in Guam. In response to a comment, he advised "there's no way to prosecute the thousands of fraudsters ... We need to work on prevention. That is exactly the focus of internal audits, internal controls, how to avoid problems, catch problems before they get too big."

Supervisor Walt inquired as to Mr. Prowse's opinion of the audit committee's function. Mr. Prowse suggested that the functions are described in the ordinance. In consideration of limited resources, he further suggested that the audit committee could provide a more broad set of services than "if you had a full-fledged internal audit group." He discussed the traditional concept of audit committees to serve as "an intermediary and ... representative of the Board of Supervisors ... to get into the nitty-gritty of what the audit is, what audits should be done, to what level, and then evaluate the audit report, and hopefully allow a good and effective audit to be presented to the community as a whole." He expressed uncertainty as to how much the contract auditors will be able to accomplish with $30,000.

Supervisor Williamson thanked Mr. Prowse for his application. In response to a question, he discussed the flexibility in his schedule which would allow him to attend afternoon or evening meetings. Supervisor Williamson discussed the public nature of the audit committee meetings, and Mr. Prowse acknowledged an understanding of the details surrounding a public record.

Supervisor Aldean inquired as to Mr. Prowse's style of interaction, and provided examples. Mr. Prowse advised that he tends to be more collaborative than confrontational and that he tries "hard to avoid defeating your argument by being, in effect, confrontational ..." He further advised that his entire career has "been working on teams." In response to a further question, Mr. Prowse expressed the opinion that a Board member serving on the audit committee represents "a two-edged sword." He discussed the benefit of an insight into "what the Supervisors are thinking about and a perspective," and the detriment that an elected official would "naturally have a lot more clout than the rest of the members" of the committee. Mayor Crowell thanked Mr. Prowse for his application, and invited him to stay for the Board's deliberation.

Mayor Crowell reiterated the suggestion to first fill the terms ending December 2010, and the Board members concurred. Discussion took place with regard to suggested recommendations, and Mayor Crowell entertained a motion. **Supervisor Livermore moved to appoint John McKenna and Bill Prowse to serve on the audit committee for two-year terms ending December 2010. Supervisor Aldean seconded the motion. Motion carried 5-0.** Mayor Crowell congratulated Mr. McKenna and Mr. Prowse. Discussion took place with regard to suggested recommendations for the third vacancy, and Mayor Crowell entertained a motion. **Supervisor Williamson moved to appoint Yerania Martell-DeLuca to the audit committee for a term expiring in December 2009. Supervisor Livermore seconded the motion. Motion carried 5-0.** Supervisor Williamson commended all the applicants, and thanked them for their willingness to volunteer. A brief discussion followed.

33. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS (2:22:48) - Supervisor Williamson wished Edna Hanner a happy 100th birthday, and commended her quality of life.

STAFF COMMENTS AND STATUS REPORT

34. ACTION TO ADJOURN (2:23:42) - Supervisor Aldean moved to adjourn the meeting at 2:23 p.m. Supervisor Livermore seconded the motion. Motion carried 5-0.

The Minutes of the October 15, 2009 Carson City Board of Supervisors meeting are so approved this 19th day of November, 2009.

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ROBERT L. CROWELL, Mayor

ATTEST:

_____
ALAN GLOVER, Clerk - Recorder