

CARSON CITY BOARD OF SUPERVISORS

Minutes of the June 4, 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, June 4, 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: Alan Glover, Clerk - Recorder
Andrew Burnham, Public Works Department Director
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 Clerk during the meeting are public record. These materials are available for review, in the Clerk - Recorder's Office, during regular business hours.

1-4. CALL TO ORDER, DETERMINATION OF QUORUM, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:31:05) - Mayor Crowell called the meeting to order at 8:31 a.m. Roll was called; a quorum was present. First Presbyterian Church Pastor Alan Dorway provided the invocation. Supervisor Livermore led the pledge of allegiance.

5. ACTION ON APPROVAL OF MINUTES - May 7, 2009 (8:32:20) - Supervisor Aldean noted a correction to page 11, and **moved to approve the minutes subject to said correction. Supervisor Williamson seconded the motion. Motion carried 5-0.**

6. ACTION TO ADOPT AGENDA (8:33:38) - Mr. Burnham advised that item 25 would be withdrawn and reagendaized for the June 18th meeting. Mayor Crowell called for additional modifications and, when none were forthcoming, deemed the agenda adopted.

7. PUBLIC COMMENTS AND DISCUSSION (8:34:29) - Mayor Crowell opened this item to public comment; however, none was forthcoming.

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION OF THE FIRE CHIEF'S COMMENDATION AWARD TO PEGGY WILLIS FOR THE LIFE-SAVING ACTIONS SHE TOOK TO HELP CO-WORKER DENNIS SANNEBECK (8:34:52) - Mayor Crowell introduced this item. Fire Chief Stacey Giomi provided background information on the civilian commendation process developed as a result of the subject incident, noting the presentation constituted the first of its kind. He introduced Kevin Baily, of the Nevada State Department of Information Technology, who thanked Chief Giomi, Captain Scott Baker, Warren Engine Company No. 1 and the team of EMTs. Mr. Baily provided details of the incident giving rise to Ms. Willis' life-saving actions. Chief Giomi provided additional detail of Ms. Willis' actions which preserved the life of Mr. Sannebeck, who was present in the audience. Chief Giomi commended Ms. Willis and presented her with the first Carson City Fire Department Chief's Commendation Medal. The Board members, City staff, and citizens present applauded Ms. Willis.

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(8:40:31) Ms. Willis expressed her gratitude and listed the names of others involved, as follows: Pat Sheehan, Kevin Law, Ken Adams, Ken Blue, and Don Schalla. She commended the teamwork involved in the life-saving actions, and expressed appreciation for the fact that Mr. Sannebeck was “back to work.” She commended him, as a supervisor, and advised she had no wish “to train another one.” She expressed appreciation for Mr. Sannebeck ensuring his employees are trained in CPR, use of a defibrillator, and working as a team.

Mayor Crowell congratulated Ms. Willis, on behalf of the Board of Supervisors and Carson City, and expressed appreciation for Mr. Sannebeck’s attendance. Mayor Crowell thanked everyone involved in the life-saving efforts.

8(B) PRESENTATION OF A PROCLAMATION FOR “SECRET WITNESS DAY,” JUNE 11, 2009 (8:42:15) - Mayor Crowell invited Chamber of Commerce representative Phillip Harrison to the podium, and read the subject Proclamation into the record. Mayor Crowell thanked Mr. Harrison, on behalf of Carson City and the Board of Supervisors. The Board members, City staff, and citizens present applauded. (8:44:32) Mr. Harrison thanked Mayor Crowell.

8(C) ACTION TO ADOPT A RETIREMENT RESOLUTION COMMENDING WALTER SULLIVAN, DEVELOPMENT SERVICES DIVISION DIRECTOR (8:44:48) - Mayor Crowell entertained a motion to adopt Resolution No. 2009-R-25, Consolidated Municipality of Carson City, Nevada, Board of Supervisors, a Resolution Commending Walter A. Sullivan. Mayor Crowell read the language of the Resolution into the record. **Supervisor Williamson moved approval. Supervisor Aldean seconded the motion. Motion carried 5-0.** The Board members and Mr. Glover signed the original resolution.

At Mayor Crowell’s request, Mr. Sullivan approached the podium. Mayor Crowell expressed appreciation to Mr. Sullivan for his service to the City, and presented him with the original Resolution on behalf of Carson City and the Board of Supervisors. The Board members, City staff, and citizens present applauded.

(8:49:50) Mr. Sullivan thanked the present and past Board of Supervisors, the present and past Planning Commission, and the present and past Historic Resources Commission, and the public. He commended the “wonderful City staff,” and commented on the “wonderful memories.” He thanked his wife and his two sons, and expressed appreciation for “the career.” The Board members, City staff, and citizens present applauded Mr. Sullivan. Mayor Crowell recessed the meeting at 8:51 a.m. and reconvened at 9:15 a.m.

9. CONSENT AGENDA (9:15:06) - Mayor Crowell entertained requests to hear items separate from the consent agenda. Supervisor Aldean requested to hear items 9-2(D) and 9-4(A) and (F) separately. Mayor Crowell entertained additional requests to hear items separately and, when none were forthcoming, advised that he would abstain from voting on item 9-6. He entertained a motion to adopt the consent agenda, as amended. **Supervisor Livermore moved approval of the consent agenda, consisting of 15 remaining items: item 9-1, Sheriff and Partnership Carson City; item 9-2, five items including item 9-2(B) to adopt Resolution No. 2009-R-26, item 9-2(C) to adopt Resolution No. 2009-R-27, item 9-2(E) to adopt Resolution 2009-R-28; two items from Purchasing and Contracts, item 9-3; five remaining items from Finance, 9-4; one item from Parks and Recreation, 9-5; item 9-6, Carson City Airport Authority, and item 9-7, Treasurer, as published and distributed. Supervisor Aldean seconded the motion. Motion carried 5-0; for item 9-6, motion carried 4-0-1, Mayor Crowell abstaining.**

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9-1. SHERIFF AND PARTNERSHIP CARSON CITY - ACTION TO ACCEPT THE DEPARTMENT OF PUBLIC SAFETY, OFFICE OF CRIMINAL JUSTICE ASSISTANCE, COMMUNITY ORIENTED POLICING SERVICES, NORTHERN NEVADA METH INITIATIVE GRANT

9-2. SHERIFF

9-2(A) ACTION TO ADOPT A MEMO OF UNDERSTANDING BETWEEN IMMIGRATION AND CUSTOMS ENFORCEMENT AND THE CARSON CITY SHERIFF'S OFFICE FOR THE REIMBURSEMENT OF JOINT OPERATIONS EXPENSES FROM THE TREASURY FORFEITURE FUND

9-2(B) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT BETWEEN WASHOE COUNTY, NEVADA, ON BEHALF OF THE WASHOE COUNTY SHERIFF'S OFFICE, AND CARSON CITY, NEVADA, ON BEHALF OF THE CARSON CITY SHERIFF'S OFFICE, FOR FORENSIC SUPPORT SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO

9-2(C) ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT BETWEEN STOREY COUNTY, NEVADA, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, AND CARSON CITY, NEVADA, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, TO MUTUALLY SHARE LAW ENFORCEMENT PERSONNEL ON AN AS-NEEDED BASIS, AND OTHER MATTERS PROPERLY RELATED THERETO

9-2(D) ACTION TO APPROVE THE FY 2009 FINANCIAL AND OPERATING PLAN FOR COOPERATIVE PATROL SERVICES BETWEEN THE UNITED STATES FOREST SERVICE, LAKE TAHOE MANAGEMENT UNIT, AND THE CARSON CITY SHERIFF'S OFFICE, AGREEMENT NUMBER 06LE11051360-044 (9:45:46) - Mayor Crowell introduced this item. In reference to boat patrols, as cited in the agreement, Sheriff Ken Furlong advised that the word "cooperative" is key, and discussed cooperative efforts between the Carson City and Washoe County Sheriff's Offices. Supervisor Aldean expressed appreciation for having recently seen Carson City Sheriff's Deputies patrolling Highway 28. Sheriff Furlong discussed limitations associated with patrolling at Lake Tahoe, and agreed that parking enforcement is a significant issue.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to approve the FY2009 Financial and Operating Plan for Cooperative Patrol Services between the U.S. Forest Service, Lake Tahoe Management Unit and the Carson City Sheriff's Office, Agreement No. 06LE11051360-044. Supervisor Livermore seconded the motion.** Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion; **motion carried 5-0.**

9-2(E) ACTION TO ADOPT A RESOLUTION APPROVING AN INTERLOCAL CONTRACT BETWEEN THE STATE OF NEVADA, ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC SAFETY, AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, ON BEHALF OF THE CARSON CITY SHERIFF'S OFFICE, TO ASSIST WITH ORAL EXAMINATION PANELS, AND OTHER MATTERS PROPERLY RELATED THERETO

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9-2(F) ACTION TO ADOPT A MEMO OF UNDERSTANDING BETWEEN THE UNITED STATES MARSHAL SERVICE (“USMS”) PURSUANT TO THE PRESIDENTIAL THREAT PROTECTION ACT OF 2000, AND THE CARSON CITY SHERIFF’S OFFICE, FOR THE REIMBURSEMENT OF EXPENSES DURING THE COURSE OF JOINT OPERATIONS

9-3. PURCHASING AND CONTRACTS

9-3(A) ACTION TO APPROVE AMENDMENT NO. 4 FOR CONTRACT NO. 0405-076, THE RENEWAL OF THE CONTRACT THROUGH JUNE 30, 2010, FOR AMBULANCE BILLING SERVICES WITH ADVANCED DATA PROCESSING, INC.

9-3(B) ACTION TO DETERMINE THAT D&D ROOFING AND SHEET METAL, INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 0809-224, CITY HALL ROOF REPLACEMENT TO D&D ROOFING AND SHEET METAL, INC., FOR A BID AMOUNT OF \$149,800.00 PLUS A CONTINGENCY AMOUNT NOT TO EXCEED \$15,000.00, TO BE FUNDED FROM THE ROOF REPLACEMENT VARIOUS FACILITIES FUND, AS PROVIDED IN FY 2008 / 2009

9-4. FINANCE

9-4(A) ACTION TO CONFIRM THE ENGAGEMENT OF NSB PUBLIC FINANCE AS FINANCIAL ADVISORS TO CARSON CITY, NEVADA IN CONNECTION WITH THE PROJECT \$9,382,500, CARSON CITY, NEVADA INSTALLMENT PURCHASE AGREEMENT, CLEAN RENEWABLE ENERGY, SERIES 2009 (9:48:44) - Mayor Crowell introduced this item. Supervisor Aldean discussed her interest in addressing this and item 9-4(F) separate from the consent agenda. In response to a question, Finance Department Director Nick Providenti explained the purpose of the subject engagement agreement and the reason for presenting it to the Board. In reference to item 9-4(F), he explained the reason for the two separate financial advisors; NSB Public Finance to guide the City regarding the clean renewable energy bonds (“CREBS”), and JNA Consulting Group to “take more of a secondary role ... and ... oversee ... and ... make sure that we’re not jeopardizing ... the City’s bonding ability ... or financial capacities ...” Mr. Providenti expressed the belief that the associated expenses are American Recovery and Reinvestment Act eligible. He acknowledged that the agreement with NSB Public Finance provides an added level of comfort in dealing with the CREBS. Mr. Burnham provided additional clarification of the roles of the two financial consulting groups.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to confirm the engagement of NSB Public Finance, as financial advisors to Carson City, Nevada, in connection with the project \$9,382,500 Carson City, Nevada Installment Purchase Agreement Clean Renewable Energy, series 2009. Supervisor Williamson seconded the motion. Motion carried 5-0.**

9-4(B) ACTION TO CONFIRM THE ENGAGEMENT OF SWENDSEID & STERN AS BOND COUNSEL TO CARSON CITY, NEVADA, IN CONNECTION WITH THE APPROXIMATE \$2,900,000 CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE MEDIUM-TERM BONDS, SERIES 2009

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9-4(C) ACTION TO CONFIRM THE ENGAGEMENT OF SWENDSEID & STERN AS BOND COUNSEL TO CARSON CITY, NEVADA IN CONNECTION WITH THE \$9,400,000 CARSON CITY, NEVADA INSTALLMENT PURCHASE AGREEMENT (CLEAN RENEWABLE ENERGY), SERIES 2009

9-4(D) ACTION TO CONFIRM THE ENGAGEMENT OF SWENDSEID & STERN AS BOND COUNSEL TO CARSON CITY, NEVADA IN CONNECTION WITH THE APPROXIMATE \$3,400,000 CARSON CITY, NEVADA GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2009

9-4(E) ACTION TO CONFIRM THE ENGAGEMENT OF JNA CONSULTING GROUP, LLC, AS FINANCIAL ADVISORS TO CARSON CITY, NEVADA IN CONNECTION WITH THE PROJECT \$2,900,000 (NOT-TO-EXCEED) CARSON CITY, NEVADA MEDIUM-TERM VARIOUS PURPOSE BONDS BANK FINANCING, SERIES 2009

9-4(F) ACTION TO CONFIRM THE ENGAGEMENT OF JNA CONSULTING GROUP, LLC AS FINANCIAL ADVISORS TO CARSON CITY, NEVADA IN CONNECTION WITH THE PROJECT \$9,400,000 CARSON CITY, NEVADA INSTALLMENT - PURCHASE AGREEMENT CLEAN RENEWABLE ENERGY BONDS (“CREBS”), SERIES 2009 (9:52:51) - Supervisor Aldean moved to confirm the engagement of JNA Consulting Group, LLC, as financial advisors to Carson City, Nevada in connection with the project \$9,400,000 Carson City, Nevada Installment Purchase Agreement Clean Renewable Energy Bonds, Series 2009. Supervisor Williamson seconded the motion. Mayor Crowell entertained public comment and, when none was forthcoming, a vote on the pending motion. Motion carried 5-0.

9-4(G) ACTION TO CONFIRM THE ENGAGEMENT OF JNA CONSULTING GROUP, LLC AS FINANCIAL ADVISORS TO CARSON CITY, NEVADA IN CONNECTION WITH THE PROJECT \$3,400,000 CARSON CITY GENERAL OBLIGATION (LIMITED TAX) WATER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUE)

9-5. PARKS AND RECREATION - ACTION TO AUTHORIZE THE OPEN SPACE MANAGER TO EXECUTE GRANT FORMS AND AN AGREEMENT BETWEEN THE U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE AND CARSON CITY FOR THE CARSON CITY EROSION CONTROL PROJECT, CONSTRUCTION PHASE #2

9-6. CARSON CITY AIRPORT AUTHORITY - ACTION TO APPROVE AND ACCEPT FEDERAL ECONOMIC STIMULUS FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 IN FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT (“AIP”) GRANTS IN THE APPROXIMATE AMOUNT OF \$9.6 MILLION

9-7. TREASURER - PRESENTATION OF UPDATED CITY INVESTMENT POLICY

10. RECESS BOARD OF SUPERVISORS (9:17:44) - Mayor Crowell recessed the Board of Supervisors at 9:17 a.m.

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LIQUOR AND ENTERTAINMENT BOARD

11. CALL TO ORDER AND DETERMINATION OF QUORUM (9:17:50) - Chairperson Crowell called the Liquor and Entertainment Board to order at 9:17 a.m. Roll was called; a quorum was present, including Member Furlong.

12. ACTION ON APPROVAL OF MINUTES - May 7, 2009 (9:18:09) - Supervisor Williamson moved to approve the minutes. Supervisor Livermore seconded the motion. Motion carried 6-0.

13. PUBLIC WORKS - BUSINESS LICENSE DIVISION

13(A) ACTION TO APPROVE KIMBERLY DANDOS AS THE LIQUOR MANAGER FOR THE TWISTED SPOKE BAR AND GRILL, FULL BAR LIQUOR LICENSE NO. 10-26547, LOCATED AT 3198 NORTH DEER RUN ROAD, CARSON CITY (9:18:35) - Senior Permit Technician Lena Tripp read the title of the agenda item into the record. In response to a question, she noted staff's recommendation of approval.

(9:19:02) In response to a question, Kimberly Dandos described the Twisted Spoke Bar and Grill. At Mayor Crowell's request, Ms. Dandos discussed her views of underage drinking, noting the loss of a friend due to a drunken driving incident. She discussed methods implemented to prevent underage drinking in her establishment.

Chairperson Crowell entertained comments or questions and, when none were forthcoming, a motion. **Member Livermore moved to approve Kimberly Dandos as the liquor manager for the Twisted Spoke Bar and Grill, full bar liquor license no. 10-26547, located at 3198 North Deer Run Road, Carson City. Member Aldean seconded the motion.** Chairperson Crowell called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 6-0.** The board members wished Ms. Dandos good luck.

13(B) ACTION TO APPROVE AYO ODUNSI AS THE LIQUOR MANAGER FOR CLUB ENVY, FULL BAR LIQUOR LICENSE NO. 10-26540, LOCATED AT 1500 OLD HOT SPRINGS ROAD, CARSON CITY (9:21:55) - Ms. Tripp read the title of the agenda item into the record, and noted staff's recommendation of approval. Member Walt questioned the reason for the bar to be open until 6:00 a.m. Member Furlong discussed bar-related activity which typically requires the attention of Sheriff's Office personnel between 12:30 and 3:00 a.m. He advised of many liquor-licensed establishments which are open "all night long" and "24-hours a day." In response to a question, he had no knowledge of any incidents relative to serving alcohol to minors at the subject establishment.

(9:25:22) In response to a question, Mr. Odunsi discussed improvements to the establishment since taking over ownership / management. He advised of having recently "banned" troublemakers, and of hiring two new "security people" to "enforce ID check." He discussed plans to attract the entire community to the establishment, and not just cater to a certain segment. He acknowledged he is presently the owner / manager. He further acknowledged he is a licensed pharmacist current employed as the Walgreen's pharmacy manager. In response to an additional question, he advised of having previously owned and operated clubs in Chicago and Atlanta.

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Member Walt reiterated her concern over the bar remaining open until 6:00 a.m., and related an experience of her husband's with regard to violence at the previous establishment. In response to a question, Mr. Odunsi discussed the tendencies of the previous establishment's patrons. In response to another question, he advised that "everything's going to change" once he takes full ownership. In response to another question, he discussed plans for the restaurant menu. Member Furlong discussed the frequency of "parking lot incidents" which start inside. Mr. Odunsi advised that a parking lot attendant will be employed.

Chairperson Crowell entertained a motion. **Member Williamson moved to approve Ayo Odunsi as the liquor manager for Club Envy, full bar liquor license no. 10-26540, located at 1500 Old Hot Springs Road, Carson City, and wished Mr. Odunsi good luck. Member Livermore seconded the motion. Motion carried 6-0.** Chairperson Crowell discussed the seriousness associated with serving alcohol to minors, and wished Mr. Odunsi good luck.

13(C) ACTION TO APPROVE ALAN ADAMS AS THE LIQUOR MANAGER FOR DOPPELGANGER'S, LIQUOR LICENSE NO. 09-20614, LOCATED AT 302 NORTH CARSON STREET, CARSON CITY (9:35:20) - Principal Planner Jennifer Pruitt read the title of the agenda item into the record, and noted staff's recommendation of approval. (9:36:03) In response to a question, Mr. Adams advised that he will be the sole liquor licensee at Doppelganger's. In response to a question, Mr. Adams advised of having become aware of "considerable mismanagement" at Doppelganger's which required terminating the former general manager. He further advised of having subsequently appointed his son, Brad Adams, as the new general manager. He advised that consideration will be given to the "late night situation" and whether or not to close at a "different hour."

(9:36:59) Brad Adams acknowledged previous problems at Doppelganger's, and discussed the goal of "keeping it clean, safe, and fun." He discussed plans to change the hours, and advised that underage drinking laws will be enforced. He further advised that two limousines will be used to transport patrons who are too inebriated to drive. In response to a previous question, he explained that accommodating graveyard shift employees necessitates keeping bars open until 6:00 a.m.

Chairperson Crowell entertained public comment; however, none was forthcoming. Member Furlong complimented Mr. Alan Adams on the methods implemented at the Carson Nugget to prevent underage drinking. Mr. Adams advised that sufficient attention will be focused at Doppelganger's.

Chairperson Crowell entertained a motion. **Member Livermore moved to approve Alan Adams as the liquor manager for Doppelganger's, liquor license no. 09-20614, located at 302 North Carson Street, Carson City. Member Aldean seconded the motion.** Member Williamson complimented the outdoor dining area at Doppelganger's. Chairperson Crowell called for a vote on the pending motion; **motion carried 6-0.**

13(D) ACTION TO APPROVE ANDREA JACKSON AS THE LIQUOR MANAGER FOR JACKSON'S #128, PACKAGED LIQUOR LICENSE NO. 09-26335, LOCATED AT 1400 RAND AVENUE, CARSON CITY (9:41:32) - Ms. Pruitt introduced this item, and noted staff's recommendation of approval. (9:42:04) In response to a question, Ms. Jackson provided background information on Jackson's stores in Idaho, Nevada, Oregon, and Washington. She discussed improvements to the subject Jackson's store on Rand Avenue. She advised that "alcohol retailing" is taken "very seriously," and that she serves on the "Enforcing Underage Drinking Law Committee for the State of Idaho." She further

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advised of having received commendation from “many of our compliance agencies for the fact that Jackson’s exceeds their requirements for training.” She explained that Jackson’s pays for their own compliance checks, and that “every store is checked every other month.” In response to a question, she advised there are 154 Jackson’s stores in four states, and that her family has been in the convenience store business for over 60 years.

Chairperson Crowell entertained a motion. Member Aldean wished Ms. Jackson good luck, and **moved to approve Andrea Jackson as the liquor manager for Jackson’s #128, packaged liquor license no. 09-26335, located at 1400 Rand Avenue in Carson City. Member Williamson seconded the motion.** Chairperson Crowell entertained public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 6-0.**

14. ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (9:45:10) - Chairperson Crowell adjourned the Liquor and Entertainment Board at 9:45 a.m.

15. RECONVENE BOARD OF SUPERVISORS (9:45:23) - Mayor Crowell reconvened the Board of Supervisors.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

16. ITEMS PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME (9:45:26) - Mayor Crowell opened this item. [Please refer to the consent agenda for the minutes.]

17. HEALTH AND HUMAN SERVICES - ACTION TO ADOPT, ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSES AND BUSINESS REGULATIONS, BY REPEALING CHAPTER 4.29, MASSAGE ESTABLISHMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO (9:53:32) - Mr. Burnham introduced this item, and reviewed the agenda report. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to adopt, on second reading, Ordinance No. 2009-8, an ordinance amending Carson City Municipal Code, Title 4, Licenses and Business Regulations, by repealing Chapter 4.29, Massage Establishments; and other matters properly related thereto. Supervisor Williamson seconded the motion. Motion carried 5-0.**

18. PURCHASING AND CONTRACTS

18(A) ACTION TO DETERMINE THAT CONTRACT NO. 0809-195 IS A CONTRACT FOR PROFESSIONAL SERVICES AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115, AND TO APPROVE CONTRACT NO. 0809-195, CONFLICT COUNSEL ATTORNEY SERVICES, A REQUEST FOR PROFESSIONAL SERVICES, TO BE PROVIDED BY THE CONSORTIUM OF KAY ELLEN ARMSTRONG, J. THOMAS SUSICH, AND ROBERT B. WALKER, FOR FISCAL YEAR 2009 / 2010, IN THE AMOUNT OF \$341,984.88, AND FOR FISCAL YEAR 2010 / 2011 IN THE AMOUNT OF \$341.984.88, FROM THE GENERAL FUND (9:54:40) - Mayor Crowell introduced this item, and disclosed that J. Thomas Susich was a former law partner and that Jason Woodbury is a current law partner, but not involved in the subject contract. Mayor Crowell advised that he would participate in discussion and action on this item.

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Court Administrator Max Cortes provided background information, reviewed the agenda report, and the provisions of the contract included in the agenda materials. Supervisor Aldean noted the position of local governments that the state should be funding the public defender's services. Ms. Cortes advised of a bill presented to the legislature which subsequently died. In response to a question, she advised that the court awarding extraordinary fees to the contractor, as provided in paragraph 5.7 of the contract, is fairly infrequent. She reviewed examples most often associated with "large cases" going to trial. She explained that, in such situations, additional costs are itemized and presented to the judge, who makes a determination based on discretion. In response to an additional question, she advised that the state public defender handles approximately 15 percent of the court's case load.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Williamson moved to determine that Contract No. 0809-195 is a contract for professional services and, therefore, not suitable for public bidding, pursuant to NRS 332.115, and to approve Contract No. 0809-195, Conflict Counsel Attorney Services, a request for professional services to be provided by the consortium of Kay Ellen Armstrong, J. Thomas Susich, and Robert B. Walker, for fiscal year 2009 / 2010, in the amount of \$341,984.88, and for fiscal year 2010 / 2011 in the amount of \$341,984.88 from the general fund. Supervisor Livermore seconded the motion. Motion carried 5-0.** Ms. Cortes thanked Purchasing and Contracts Coordinator Sandy Scott for her assistance in developing the contract.

18(B) ACTION TO APPROVE CONTRACT NO. 0809-236, JOINDER CONTRACT WITH MEDTEC AMBULANCE, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL ("H-GAC") FOR THE PURCHASE OF THREE (3) MEDTEC TYPE 1 AMBULANCES FOR A NOT-TO-EXCEED AMOUNT OF \$441,931.00 TO BE FUNDED FROM THE FLEET MANAGEMENT FUND, AS PROVIDED FOR IN FY 2008 / 2009 (10:00:05) - Mayor Crowell introduced this item, and Ms. Scott reviewed the agenda report. Mayor Crowell entertained public comment; however, none was forthcoming. In response to a question, Fire Chief Stacey Giomi advised of the intent to work with the Fleet Management Division to offer the three oldest ambulances for sale. He clarified this cannot be done until the three ambulances are replaced. In response to a comment, he advised of past ambulance donations, at the direction of the Board, due to difficulties associated with selling them. He further advised of having made contact with a potential buyer for the three ambulances, "depending on their condition at the time." In response to a question, he advised that equipment will be transferred from the old to the new ambulances. He discussed Fire Department staff's efforts to reduce the cost of the ambulances as much as possible, the negotiations resulting in a \$15,000-per-ambulance savings.

In response to a question, Finance Department Director Nick Providenti advised that bond proceeds will be used to reimburse the Fleet Management fund the cost of the ambulances over a three-year period. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to approve Contract No. 0809-236, Joinder Contract with MedTec Ambulance through the Houston-Galveston Area Council, for the purchase of three MedTec Type 1 ambulances for a not-to-exceed amount of \$441,931.00 to be funded from the fleet management fund, as provided for in FY 2008 / 2009. Supervisor Livermore seconded the motion. Motion carried 5-0.**

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19. AUDIT COMMITTEE - DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF TO BEGIN THE PROCESS OF FILLING A PUBLIC-AT-LARGE COMMITTEE POSITION ON THE CARSON CITY AUDIT COMMITTEE (10:06:20) - Mayor Crowell introduced this item, and Supervisor Livermore reviewed the agenda report. Supervisor Livermore advised of Audit Committee Member Joe Eiben's recent resignation due to his family's relocation to the State of California. He commended Mr. Eiben's committee service.

In response to a question, Supervisor Livermore discussed the request for qualifications process which closes June 9th. He advised of the intent to agendize the audit plan for the second Board of Supervisors meeting in July. Mayor Crowell reiterated an interest in agendizing discussion regarding the City's audit functions. Supervisor Livermore acknowledged that former committee member Joe Eiben submitted a written resignation. Supervisor Williamson agreed with Mayor Crowell's recommendation to agendize discussion of the internal auditor's role. She noted the recent expansion of federal and state auditing requirements, and the corresponding increase in costs. In reference to the Board's March strategic planning session, she suggested that the internal auditor be responsible for monitoring staff's implementation of the Board's goals. She expressed a preference for "a more frank discussion" with Mr. Werner and Kafoury, Armstrong representatives regarding the internal audit function. Supervisor Livermore welcomed the opportunity to discuss the issues raised by Supervisor Williamson, and noted his responsibility, as audit committee chair, to "move that committee forth unless this Board gives other directions." Discussion followed, and Supervisor Walt requested to serve as the second supervisor appointment to the audit committee. Mr. Burnham summarized the Board's direction to agendize discussion of the City's audit function and to agendize action to appoint a public-at-large member and potentially a second supervisor. Additional discussion ensued, and consensus of the Board was to agendize appointment of a second supervisor to the Audit Committee at the June 18th meeting, and to agendize discussion of general audit procedures at one of the July Board meetings.

Mayor Crowell entertained public comment. (10:19:14) Gary Nigro inquired as to the request for qualifications, and Supervisor Livermore described the same. He acknowledged that a statement of work and the current audit plan was included with the request for qualifications. Mr. Nigro expressed support for filling the vacant positions.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Walt moved to direct staff to begin the process of filling a public-at-large position on the Carson City Audit Committee. Supervisor Livermore seconded the motion. Motion carried 5-0.**

20. FINANCE

20(A) PUBLIC HEARING ON THE INTENT OF CARSON CITY, NEVADA TO ISSUE A MEDIUM-TERM OBLIGATION IN AN AMOUNT OF UP TO \$2,900,000 TO FINANCE THE COSTS OF AMBULANCES, SEWER IMPROVEMENTS, AND STORM DRAINAGE IMPROVEMENTS FOR THE CITY; AND PROVIDING THE EFFECTIVE DATE (10:21:08) - Finance Department Director Nick Providenti introduced this item and reviewed the agenda report. Mayor Crowell opened the public hearing. In response to a question, Mr. Providenti explained the method by which the fleet management fund will be reimbursed the cost of the ambulances. The sewer and storm drainage funds will "pay their portion of that bond." At Mayor Crowell's request, Mr. Providenti explained

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the statutory provisions relative to items 20(A) and 20(B). He acknowledged that the notice of public hearing was published on May 22nd. Mayor Crowell entertained public comment and, when none was forthcoming, closed the public hearing.

20(B) ACTION TO ADOPT A RESOLUTION AUTHORIZING A MEDIUM-TERM OBLIGATION IN AN AMOUNT OF UP TO \$2,900,000 TO FINANCE THE COSTS OF AMBULANCES, SEWER IMPROVEMENTS, AND STORM DRAINAGE IMPROVEMENTS FOR THE CITY; AND PROVIDING THE EFFECTIVE DATE (10:24:12) - Mayor Crowell introduced this item, and entertained a motion. **Supervisor Livermore moved to adopt Resolution No. 2009-R-29, a resolution authorizing a medium-term obligation in the amount of \$2,900,000 to finance the costs of ambulances, sewer improvements, and storm drainage improvements for the City, providing the effective date thereof. Supervisor Williamson seconded the motion.** In response to a question, Mr. Providenti explained that the subject medium-term obligation is not required to be submitted to the Debt Management Commission. The resolution will be submitted to the State of Nevada Department of Taxation for approval. Mr. Providenti acknowledged the possibility of the Department of Taxation denying the medium-term obligation. In response to a further question, he explained the City's obligation to demonstrate the ability to repay the bonds. Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

20(C) ACTION TO ADOPT A RESOLUTION AUTHORIZING EXPENDITURES OF FUNDS TO NON-PROFIT ORGANIZATIONS FOR FY 2009 / 2010 (10:26:44) - Mayor Crowell introduced this item, and Mr. Providenti reviewed the agenda report. Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Burnham acknowledged that no determination had yet been made as to the tentative allocation to the AARP Tax-Aide Foundation. He further acknowledged that if laptop computers are made available by the City's Information Technology Department, the tentative allocation of funds will be re-allocated based on discussion at the May 21st Board of Supervisors meeting.

Supervisor Williamson suggested including, in the application process, a disclosure as to previously-allocated community support services funding and the method by which those funds were expended. Supervisor Aldean agreed, and noted the premise of the community support services allocation process to "give money to organizations which can perform functions, the City would ordinarily have to perform, more efficiently and cost effectively, and we have no way of evaluating the success of those organizations unless they provide us with that data." Mr. Burnham advised of having had the same discussion among City staff, who are supportive of revising the application process accordingly.

Mayor Crowell entertained a motion. **Supervisor Aldean moved to adopt Resolution 2009-R-30, a resolution authorizing expenditures of funds to non-profit organizations for fiscal year 2009 / 2010, as contained in the attached resolution. Supervisor Williamson seconded the motion.** Mayor Crowell entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

21. RECESS BOARD OF SUPERVISORS (10:29:55) - Mayor Crowell recessed the Board of Supervisors at 10:29 a.m.

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REDEVELOPMENT AUTHORITY

22. CALL TO ORDER AND DETERMINATION OF QUORUM (10:30:23) - Chairperson Williamson called the Redevelopment Authority to order and recessed the meeting at 10:30 a.m. Chairperson Williamson reconvened the meeting at 10:38 a.m., and noted the presence of all the Redevelopment Authority members, constituting a quorum.

23. ACTION ON APPROVAL OF MINUTES - May 7, 2009 (10:38:38) - Supervisor Aldean moved to approve the minutes, with the previously-noted correction. Supervisor Livermore seconded the motion. Motion carried 5-0.

24. OFFICE OF BUSINESS DEVELOPMENT - ACTION TO APPROVE THE SUMMER CONCERT SERIES 2009 FRIDAYS AT THIRD AGREEMENT FOR ASSIGNMENT OF VENDING SPACE FOR MOM AND POP'S DINER, DOUG CRAMER, OWNER (10:39:49) - Chairperson Williamson introduced this item, and Deputy Business Development Manager Tammy Westergard reviewed the agenda report. In response to a question, Ms. Westergard provided a status report on the flower baskets project, noting they were in the process of being placed. Member Crowell advised of having heard many positive comments regarding the downtown area during the legislative session. Chairperson Williamson entertained a motion. **Member Walt moved to approve the Summer Concert Series 2009 Fridays at Third Agreement for Assignment of Vending Space for Mom and Pop's Diner, Doug Cramer, Owner. Member Aldean seconded the motion. Motion carried 5-0.**

25. FINANCE - ACTION TO ADOPT A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FY 2008 / 2009 BUDGET IN THE AMOUNT OF \$5,173,215 - Withdrawn.

26. ACTION TO ADJOURN THE REDEVELOPMENT AUTHORITY (10:44:25) - Chairperson Williamson adjourned the Redevelopment Authority meeting at 10:44 a.m.

27. RECONVENE BOARD OF SUPERVISORS (10:44:28) - Mayor Crowell reconvened the Board of Supervisors at 10:44 a.m.

28. PUBLIC WORKS

28(A) ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020, SCHEDULE OF RATES, BY INCREASING ALL RATES 5 PERCENT EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2009; AMENDING SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY INCREASING ALL CHARGES AND FEES, EXCEPT WATER CONNECTION CHARGES, FIVE PERCENT ON BILLS DATED ON OR AFTER JULY 1, 2009, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICTS THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS; AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (10:44:37) - Mr. Burnham introduced this item, and reviewed the agenda report.

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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Aldean moved to find that the proposed ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by increasing all rates five percent, effective on bills dated on or after July 1, 2009; amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by increasing all charges and fees, except water connection charges, by five percent on bills dated on or after July 1, 2009, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restricts the formation, operation, or expansion of a business; that a business impact statement has been prepared, accepted, and is on file with the Board of Supervisors, and that the requirements of the act have been met. Supervisor Livermore seconded the motion. Motion carried 5-0.**

28(B) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01, WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.020, SCHEDULE OF RATES, BY INCREASING ALL RATES 5 PERCENT EFFECTIVE ON BILLS DATED ON OR AFTER JULY 1, 2009; AMENDING SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY INCREASING ALL CHARGES AND FEES, EXCEPT WATER CONNECTION CHARGES, FIVE PERCENT ON BILLS DATED ON OR AFTER JULY 1, 2009; AND OTHER MATTERS PROPERLY RELATED THERETO (10:46:10) - Mr. Burnham introduced this item, and reviewed the agenda report. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Williamson moved to approve, on first reading, Bill No. 108, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.020, Schedule of Rates, by increasing all rates five percent, effective on bills dated on or after July 1, 2009; amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by increasing all charges and fees, except water connection charges, five percent on bills dated on or after July 1, 2009; and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.

28(C) ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES, SECTION 12.03.020, SCHEDULE OF RATES, BY INCREASING ALL RATES FIVE PERCENT, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICTS THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS; AND THAT THE REQUIREMENTS OF NRS 237.080 AND 237.090 HAVE BEEN MET (10:47:21) - Mr. Burnham introduced this item, and reviewed the agenda report. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor Livermore moved to find that the proposed ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.020, Schedule of Rates, by increasing all rates five percent, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restricts the

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formation, operation, or expansion of a business; that a business impact statement has been prepared, accepted, and is on file with the Board of Supervisors, and that the requirements of NRS 237.080 and 237.090 have been met. Supervisor Walt seconded the motion. Motion carried 5-0.

28(D) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03, SEWER CONNECTION CHARGES AND USE RATES; SECTION 12.03.020, SCHEDULE OF RATES, BY INCREASING ALL RATES FIVE PERCENT, AND OTHER MATTERS PROPERLY RELATED THERETO (10:48:34) - Mr. Burnham introduced this item, and Mayor Crowell entertained public comment. When none was forthcoming, he entertained a motion. **Supervisor Walt moved to introduce, on first reading, Bill No. 109, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.03, Sewer Connection Charges and Use Rates, Section 12.03.020, Schedule of Rates, by increasing all rates five percent effective July 1, 2009, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

28(E) ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.17, STORM WATER SERVICE CHARGES, SECTION 12.17.040, SERVICE CHARGE RATES, BY INCREASING THE SERVICE CHARGE RATES BY 10 PERCENT ON BILLS DATED ON OR AFTER JULY 1, 2009, AND OTHER MATTERS PROPERLY RELATED THERETO, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICTS THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, ACCEPTED, AND IS ON FILE WITH THE BOARD OF SUPERVISORS; AND THAT THE REQUIREMENTS OF THE ACT HAVE BEEN MET (10:49:33) - Mayor Crowell introduced this item, provided an overview of the agenda report, and entertained public comment. When none was forthcoming, he entertained a motion. **Supervisor Williamson moved to find that the proposed ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.17, Storm Water Charges, Section 12.17.040, Service Charge Rates, by increasing the service charge rates by ten percent, on bills dated on or after July 1, 2009, and other matters properly related thereto, does impose a direct and significant economic burden on a business or directly restricts the formation, operation, or expansion of a business; that a business impact statement has been prepared and accepted, and is on file with the Board of Supervisors, and all the requirements of the act have been met. Supervisor Aldean seconded the motion. Motion carried 5-0.**

28(F) ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 12, WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.17, STORM WATER SERVICE CHARGES, SECTION 12.17.040, SERVICE CHARGE RATES, BY INCREASING THE SERVICE CHARGE RATES BY TEN PERCENT ON BILLS DATED ON OR AFTER JULY 1, 2009, AND OTHER MATTERS PROPERLY RELATED THERETO (10:50:32) - Mayor Crowell introduced this item, provided an overview of the agenda report, and entertained public comment. When none was forthcoming, he entertained a motion. **Supervisor Aldean moved to introduce, on first reading, Bill No. 110, an ordinance amending Title 12, Water, Sewerage, and Drainage, Chapter 12.17, Storm Water Service Charges, Section 12.17.040, Service Charge Rates, by increasing the service charge rates by ten percent, on bills dated on or after July 1, 2009, and other matters properly related thereto. Supervisor Livermore seconded the motion. Motion carried 5-0.**

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29. BOARD OF SUPERVISORS NON-ACTION ITEMS:

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (10:51:25) - Supervisor Walt announced a film festival sponsored by the Carson City Arts and Culture Coalition, scheduled for Saturday, June 6th, and reviewed the event activities. A brief discussion ensued. Supervisor Williamson congratulated all the Carson High, Silver State High, and Pioneer High School graduates and their families. Mayor Crowell and Supervisor Walt echoed the congratulations. Mayor Crowell advised of having met yesterday with the Consul General of Singapore to discuss trade issue. On Monday, he participated in a conference call, from the White House, with mayors from around the country to discuss health care issues.

STAFF COMMENTS AND STATUS REPORT

30. ACTION TO ADJOURN (10:54:44) - Supervisor Williamson moved to adjourn the meeting at 10:54 a.m. Supervisor Aldean seconded the motion. Motion carried 5-0.

The Minutes of the June 4, 2009 Carson City Board of Supervisors meeting are so approved this _____ day of July, 2009.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder