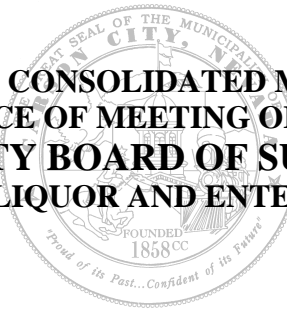


**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS
AND CARSON CITY LIQUOR AND ENTERTAINMENT BOARD**



Day: Thursday
Date: November 5, 2009
Time: Beginning at 8:30 a.m.
Location: Community Center, Sierra Room
851 East William Street
Carson City, Nevada

Agenda

1. **Call to Order**
2. **Roll Call**
3. **Invocation** - Louie Locke, Fountainhead Foursquare Church
4. **Pledge of Allegiance**
5. **Action on Approval of Minutes**
6. **Adoption of Agenda**
7. **Public Comments and Discussion:**

The public is invited at this time to comment on and discuss any item not on the agenda that is relevant to, or within the authority of, the Carson City Board of Supervisors, the Carson City Liquor and Entertainment Board, the Carson City Redevelopment Authority and the Carson City Board of Health. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Public comment during individual agenda items will be taken on the item at the time the item is called for hearing.

8. Consent Agenda

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All matters listed under the consent agenda are considered routine and may be acted upon by the Board of Supervisors with one action and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting. The Mayor, or the Mayor Pro-Tem, retains discretion in deciding whether or not an item will be pulled off the consent agenda.
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8-1. Sheriff

- A) Action to approve the acceptance of the FY09 Recovery Act Edward Byrne Memorial Justice Assistance Grant 2009-SB-B9-2235 in the amount of \$123,248.00. (*Ken Furlong*)

Staff Summary: The purpose of this program is to help the Carson City Sheriff's Office attain radio operability within the department and interoperability with other agencies. At the current time, the Sheriff's Office is using three different radio models that do not support full operability. This award will fund additional portable and vehicle radios, as well as a digital encrypted base station radio.

- B) Action to approve the acceptance of the 2009 Justice Assistance Grant 2009-DJ-BX-1183 in the amount of \$29,775.00. (*Ken Furlong*)

Staff Summary: Over the past several years, the Carson City Sheriff's Office has made prevention a priority by continuing its Cops and Kids Community Prevention Program. This program provides classes on substance abuse, safety and violence/gang prevention for students, parents and professionals throughout Carson City. Funding from this Grant will be used to cover a portion of the costs of the following programs: DARE, Red Ribbon, Cops & Kids Spaghetti Dinner, Cops & Kids Sheriff's Open House and National Night Out.

8-2. Treasurer

Action to approve the securities lending counterparties as presented. (*Al Kramer*)

Staff Summary: While NRS does not require Board approval of Securities Lending Counterparties, it does require approval of Repurchase Agreement Counterparties. The actions taken in both of these transactions are similar.

8-3. Public Works

Action to re-name affected portions of David St & Moody St to N Stewart St. (*Patrick Pittenger*)

Staff Summary: The N Stewart Street Extension project will push N Stewart St North from E William St, past E John St where it will curve to the East until it connects to Moody St, and continue North until it ends at N Roop St. The portions of Moody St and a short segment of David St that are now N Stewart St will need to be renamed to N Stewart St. The name change was received favorably, and no concerns were expressed by the affected parties.

8-4. Purchasing and Contracts

- A) Action to determine that Contract No. 0910-105 is a contract for the sale of surplus property to another governmental entity and therefore not suitable for public bidding pursuant to NRS 334.030 and to approve Contract No. 0910-105 a request for the sale of the listed City surplus property to North Lyon County Fire Protection District for \$10,000.00. (*Sandy Scott*)

Staff Summary: On June 4, 2009, the Board of Supervisors approved the purchase of three new ambulances, which will require the Fire Department to eliminate the three existing ambulances. Staff has requested the following surplus vehicles be sold to North Lyon County Fire Protection District as they are in need of ambulances.

- B) Action to authorize the use of RFP HY07-09 for the purchase of Winter Equipment and Supplied Hydraulics through Monroe Truck Equipment; which RFP was approved by Winnebago County Wisconsin Highway Commission; therefore is exempt from competitive bidding pursuant to NRS 332.115 subsection 1(m) and NRS 332.195 providing Carson City's approved funding and purchasing procedures are followed; and to be funded from Street Maintenance Equipment Fund, Water Maintenance Equipment Fund, and Storm Water Maintenance Equipment Fund as provided for in FY 2009/2010. (File No. 0910-106) (*Sandy Scott*)

Staff Summary: Public Works is requesting the purchase of plows, dump body, V-Box sander, hydraulics and miscellaneous equipment to up-fit two International trucks for snow removal and material handling.

- C) Action to determine that Contract No. 0910-111 is a contract for the services of a professional engineer, that the selection was made on the basis of the competence and qualifications of the engineer for the type of services to be performed and not on the basis of competitive fees; and therefore not suitable for public bidding pursuant to NRS 625.530; and to approve Contract No. 0910-111 with Manhard Consulting Ltd. to provide Engineering Services to establish a uniform control network with readily available control points/benchmarks for Carson City through October 30, 2010, for a not to exceed cost of \$127,571.00 to be funded from various Public Works accounts as provided in FY 2009/2010. (*Sandy Scott*)

Staff Summary: This Contract provides Carson City with the ability to have an established uniform control network that will, in the future be required to be used for all mapping and surveying projects undertaken within the Carson City Urban area. This project will eliminate conflicting datum information used on the various surveying/mapping projects conducted by both public and private organizations within Carson City.

- D) Action to accept the Work as completed, to accept the Contract Summary as presented, and to approve the Release of Final Payment in the amount of \$10,731.85 for Contract No. 0809-134 titled Carson City Waterfall Fire Watershed Improvements-Phase I to Lyn Marie Trucking, Inc. (*Sandy Scott*)

Staff Summary: Carson City received sealed bids for all labor materials, tools, and equipment necessary for the Carson City Water Fall Fire Watershed Improvements – Phase I Project. Project consisted of construction of a small sedimentation basin, and conveyance rock structure upstream of the Long Ranch Subdivision and below the Carson City Water Treatment Plant. Work included a small basin, piping, a rock-lined stream bed, a construction access road, temporary erosion control, re-vegetation and related work.

- E) Action to accept the Work as completed, to accept the Contract Summary as presented, and to approve the Release of Final Payment in the amount of \$19,006.28 for Contract No. 0809-224 titled City Hall Roof Replacement to D & D Roofing and Sheet Metal. (*Sandy Scott*)

Staff Summary: Carson City received sealed bids for all labor, materials, tools, and equipment necessary for the City Hall Roof Replacement Project. Project consisted of removal and disposal of existing roofing and installation of new roofing.

- F) Action to authorize all City departments to utilize RFP-1749 for Brownfield Program-Environmental Clean-up services through McGinley and Associated, Inc. which RFP-1749 was approved by the Nevada Board of Examiners and which is exempt from competitive bidding pursuant to NRS 332.115 subsection 1(m) and NRS 332.195 providing Carson City's approved funding and purchasing procedures are followed. (File No. 0910-107) (*Sandy Scott*)

Staff Summary: Carson City has received a grant award from EPA Region IX for Brownfields work. Work includes Phase I and II site assessments and development of site specific clean-up plans. All work is to be performed under the regulatory requirements of 40CFR Part 31, CERCLA: Section 104(k)2 and all other USEP Brownfields requirements. The Office of Business Development and the City Manager's Office Grants programs may also be utilizing this contract.

- G) Action to determine that Contract No. 0910-094 is a contract for supplies, materials or equipment that are available pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this State and therefore

not suitable for public bidding pursuant to NRS 332.115 and to approve Contract No. 0910-094 a request for the purchase of computer hardware and software at CDW Government, Inc. from November 5, 2009 through January 31, 2010 on an as-needed basis to be funded from various city accounts as provided in FY 2009/2010. (*Sandy Scott*)

Staff Summary: By joining the contract between the Las Vegas Water District and CDW Government, Inc., the Information Technology Department will receive better pricing on the purchase of computer hardware and software.

8-5. Parks and Recreation

Action to adopt and approve a resolution approving a Recreational Trails Program (RTP) Project Agreement between Carson City Board of Supervisors and State of Nevada – Department of Conservation and Natural Resources, Division of State Parks for the Urban Fishing Pond Project located at the Carson City Fairgrounds / Fuji Park. (*Vern Krahn*)

Staff Summary: Carson City has been awarded a \$100,000 Recreational Trails Program (RTP) grant from the State of Nevada - Division of State Parks to assist with the design and construction of the Urban Fishing Pond Project.

8-6. Fire

Action to adopt a resolution adopting and approving an interlocal contract between Carson City, A Consolidated Municipality And Political Subdivision Of The State Of Nevada, on behalf of the Carson City Fire Department And North Lyon County Fire Protection District to allow those individuals who are members of the subscription programs to receive membership benefits in either jurisdiction and other matters properly related thereto. (*Stacey Giomi*)

Staff Summary: Carson City and North Lyon County Fire Protection District each operate a subscription service for ambulance transportation. This interlocal agreement would extend the benefits of Carson City's subscription program to members of North Lyon County's subscription service and vice versa.

8-7. Public Works - Planning and Zoning

Action to approve a request for a two-year extension for a Tentative Planned Unit Development known as Eagle Village located on 3.66 acres north of Eagle Station Lane, APN(s) 009-123-38, and -39, to remain valid and the filing timeframe for a Final Map to be extended to January 20, 2012. (TPUD-05-191) (*Jennifer Pruitt*)

Staff Summary: Pursuant to the recently approved zoning code amendment, by the Board of Supervisors and the provisions of NRS, a two year extension can be requested by the applicant, subject to written request. This request would extend the Final Map recordation to January 20, 2012 to allow time for the credit market supporting multi-family housing to return.

(End of Consent Agenda)

9. Recess as Board of Supervisors

Liquor and Entertainment Board

10. Call to Order & Roll Call – Liquor and Entertainment Board

11. Action on Approval of Minutes

12. Public Works - Business License

- A) Action to approve Stephen Taylor as the liquor manager for a packaged liquor license for Maverik, Inc. located at 1451 College Parkway, Carson City (Liquor License #10-26858). *(Jennifer Pruitt)*

Staff Summary: Per CCMC 4.13 all liquor license requests are to be reviewed by the Liquor Board.

- B) Action to approve David Tate as the liquor manager for a tavern/bar liquor license for Woody's located at 1987 N. Carson St., #75, Carson City (Liquor License #10-26877). *(Jennifer Pruitt)*

Staff Summary: Per CCMC 4.13 all liquor license requests are to be reviewed by the Liquor Board.

- C) Disciplinary action against liquor license #10-10549, held by Arthur Skipworth dba Eagle Valley Market located at 933 Woodside Dr., Carson City, Nevada, pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. If the licensee and relevant employees are required to attend the alcohol servers' training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Public Works Department, Business License Division, no later than seven (7) days from the completion of the training. If the licensee fails to submit the list of employees within seven (7) days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. *(Jennifer Pruitt)*

Staff Summary: CCMC 4.13.150 provides for the imposition of a fine of up to \$500 upon the holder of a liquor license and the requirement that the licensee and all employees selling, dispensing or serving liquor attend alcohol servers' training for the second time a person is issued a criminal citation related to the sale of liquor at a licensed premises. On October 10, 2009, a second offense criminal citation related to the sale of liquor was issued at Eagle Valley Market located at 933 Woodside Dr., Carson City, Nevada.

- D) Disciplinary action against liquor license #10-12174, held by Pacpizza, LLC. dba Pizza Hut located at 2441 N. Carson St., Carson City, Nevada, pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. If the licensee and relevant employees are required to attend the alcohol servers' training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Public Works Department, Business License Division, no later than seven (7) days from the completion of the training. If the licensee fails to submit the list of employees within seven (7) days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. *(Jennifer Pruitt)*

Staff Summary: CCMC 4.13.150 provides for the imposition of a fine of up to \$500 upon the holder of a liquor license and the requirement that the licensee and all employees selling, dispensing or serving liquor attend alcohol servers' training for the second time a person is issued a criminal citation related to the sale of liquor at a licensed premises. On October 10, 2009, a second offense criminal citation related to the sale of liquor was issued at Pizza Hut located at 2441 N. Carson St., Carson City, Nevada.

13. Action to Adjourn as the Liquor and Entertainment Board

14. Reconvene as the Board of Supervisors

Ordinances, Resolutions, and Other Items

15. Any item(s) pulled from the Consent Agenda will be heard at this time.

16. City Manager

Request for adoption of a resolution calling for a special election for the filling of the future vacation of the position of Justice of the Peace, Department 1 based on Judge Willis' resignation letter. (*Larry Werner*)

Staff Summary: Judge Willis has submitted a letter of resignation giving notice that the position will be vacant January 4, 2011, with the idea that the City has time to add this position to the 2010 election process, thereby avoiding the cost and effort of a separate Special Election.

Upon the occurrence of a vacancy for an unexpired term, the Board of Supervisors has the choice of appointing a replacement pursuant to NRS 4.150(a) or have the vacancy filled through a special election pursuant to NRS 4.150(b).

17. Department of Alternative Sentencing

- A) Action to approve the State of Nevada, Department of Public Safety, Office of Traffic Safety Project Number 210-K8-18-14, Grant Award of \$56,325.00 for the period of (10/1/2009 – 9/30/2010) to fund a Case Manager position. (*Max Cortes/Chief Rory Planeta*)

Staff Summary: In collaboration with the Carson City Department of Alternative Sentencing the District Court applied for funding through the State of Nevada, Department of Public Safety, Office of Traffic Safety. The funding will be utilized to hire a full time case manager. The Case Manager will be responsible for the oversight and coordination of third time DUI offenders participating in the Western Regional DUI Felony Court and second time DUI offenders.

- B) Action to approve the Department of Justice, Office of Justice Programs Grant Award of \$329,032 for the period of (9/1/2009 – 8/30/2012) for the Western Regional DUI Court. (*Max Cortes/Chief Rory Planeta*)

Staff Summary: In collaboration with the Carson City Department of Alternative Sentencing the District Court applied for the Drug Court Discretionary Grant Program for the Western Regional DUI Specialty Court. The Grant Award is \$329,032 for three years. The first year award is \$105,057.00, the second year award is \$109,607.00 and the third year award is \$114,368.00.

18. Treasurer

Presentation of updated city investment policy and action to accept the policy as presented. (*Al Kramer*)

Staff Summary: According to the Carson City Charter, Sec. 3.045 2(d), the Treasurer shall establish and maintain a policy for the investment of the surplus money of Carson City. The board of supervisors shall review the policy at least once a year at a public hearing at which public comment is accepted. Policy has been changed to accommodate State Board of Finance recommendations.

19. Public Works - Planning and Zoning

Action regarding an appeal of the Planning Commission's decision denying a Variance application, VAR-09-071, from Aurelio Acebedo to reduce the required side property line setback from nine feet to three feet, to allow an existing patio cover on property zoned Single Family 6,000, located at 1050 Glacier Drive, APN 010-432-18. (VAR-09-071) (*Jennifer Pruitt*)

Summary: The applicant constructed a patio cover structure of 656+ square feet without the required permits. The applicant applied for a Variance after the fact, as a result of enforcement action by the Building Division. The Planning Commission denied the subject Variance application on a vote of 5:0. The Board of Supervisors can uphold, reverse or modify the Commission's decision to deny the variance request.

20. Office of Business Development

Presentation of a conceptual development project by Carson Nugget, Inc. and action to authorize staff to participate in the preparation of a detailed scope for the proposed project. (*Joe McCarthy and Tammy Westergard*)

Staff Summary: With this direction, the project may quickly attract significant interest from the development community. The intent will be to form a public-private partnership between Carson City, Carson Nugget ownership and potential master developers.

21. City Manager

Action to appoint one member to the Library Board of Trustees to fill a term expiring June 2013. (*Larry Werner*)

Staff Summary: Carson City Resolution 2000-R-42 and NRS 379.020 provide for the Board of Supervisors to appoint five competent persons who are residents of the county to serve as county library trustees. There is one vacancy due to a members resignation that will expire June 2013. There are four applicants for this position who are resident voters.

22. Mayor Crowell

- A) Action to select the names of two or more nominees to submit to the Governor's Office from which the Governor shall appoint a nominee to serve on the Board of Directors of the Carson-Truckee Water Conservancy District.

Staff Summary: The four year term of Carson City's current representative Todd Westergard expires on December 31, 2009. NRS 541.100 requires that upon the expiration of the term of office that the Board of Supervisors submit two or more names to the Governor who shall appoint a successor. Todd Westergard has expressed his interest in reappointment.

- B) Review of the City Manager's character and professional competence for the period of February 7, 2008 through November 5, 2009 and discussion and possible administrative action relating to the employment of Larry Werner as City Manager for Carson City.

Staff Summary: The Board of Supervisors will review the performance of the City Manager. Following the review the Board may take administrative action relating to his employment.

23. Board of Supervisors

Non-Action Items:

- Internal communications and administrative matters
- Correspondence to the Board of Supervisors
- Status reports and comments from the members of the Board
- Staff comments and status report

24. Action to Adjourn

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Copies of information related to the above items can be viewed at the reference desk at the Carson City Public Library.

Titles of agenda items are intended to identify specific matters. If you desire detailed information concerning any subject matter itemized within this agenda, you are encouraged to call the responsible agency or the City Manager's Office. You are encouraged to attend this meeting and participate by commenting on any agenda item.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Manager's Office in writing at 201 North Carson Street, Carson City, NV, 89701, or by calling (775)887-2100 at least 24 hours in advance.

This meeting can be viewed on Channel 226. For specific dates and times - www.bactv.org.

This agenda and backup information are available on the City's website at www.carson-city.nv.us

This notice has been posted at the following locations:

- Community Center 851 East William Street
- Public Safety Complex 885 East Musser Street
- City Hall 201 North Carson Street
- Carson City Library 900 North Roop Street

Date: October 29, 2009