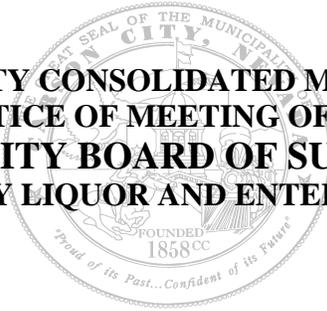


**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS
AND CARSON CITY LIQUOR AND ENTERTAINMENT BOARD**



Day: Thursday
Date: September 1, 2011
Time: Beginning at 8:30 a.m.
Location: Community Center, Sierra Room
851 East William Street
Carson City, Nevada

Agenda

- 1. Call to Order – Board of Supervisors**
- 2. Roll Call**
- 3. Invocation - Bill McCord, First United Methodist, Retired**
- 4. Pledge of Allegiance**
- 5. Public Comments and Discussion:**

The public is invited at this time to comment on and discuss any topic 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 (Boards). In order for members of the public to participate in the Boards' consideration of an agenda item, the Boards strongly encourage members of the public to comment on an agenda item during the item itself. No action may be taken on a matter raised under public comment unless the item has been specifically included on the agenda as an item upon which action may be taken. The Mayor, or the Mayor Pro-Tem, retains discretion to only provide for public comment under a public comment item and not call for or allow individual-item public comment at the time of any Boards' consideration of any item on the agenda involving: 1) an off-site tour by the Board; or 2) any person's or entity's due process appeal or hearing rights provided by statute or the Carson City Municipal Code.

- 6. For Possible Action: Approval of Minutes - August 4, 2011**
- 7. For Possible Action: Adoption of Agenda**
- 8. Special Presentation**

Presentation of a proclamation for "Constitution Week," September 17 - 23, 2011. (*Anita Parker, Battle Born Chapter of the Daughters of the American Revolution*)

- 9. 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.

9-1. Assessor

- A) For Possible Action: To approve the refund and decrease of the taxes for the 2008/09, 2009/10, 2010/11 and 2011/12 tax years for parcel number 007-301-13 (4370 Timberline Dr) per NRS 361.765 in the amount of \$2,236.07 (\$1,651.90 refund, \$584.17 decrease). (*Dave Dawley*)

Staff Summary: Upon the owners' request, it was discovered that the size of the residential building was incorrectly documented at the time of the original appraisal. This resulted in the building being taxed at a higher value. The Assessor's office is asking that the taxes be adjusted to reflect the correct amount and a refund issued for the prior years that was billed in excess be removed from the 2008/09 (\$534.47), 2009/10 (\$550.54), 2010/11 (\$566.89) and the 2011/12 (\$584.17) Real Property Tax Rolls for a total of \$2,236.07 (\$1,651.90 refund, \$584.17 decrease).

- B) For Possible Action: To approve the correction/increase of the taxes for the 2009/10 2010/11 and 2011/12 tax years for parcel number 008-523-05 (5875 Hwy 50 East) per NRS 361.765 in the amount of \$159.33 (*Dave Dawley*).

Staff Summary: The owner of APN 008-523-05 (5875 Hwy 50 East) was receiving the 3% tax cap on the above stated property located in Carson City. This property is a commercial property with an apartment and was previously receiving the 3% tax cap on 9% of the property. However, in 2009/10 the owner began declaring a property located in Douglas County as their primary residence as well, thereby, claiming two properties as their "primary Nevada residence." NAC 361.606 (2) (c) states the property is the primary residence of the owner of the property, exclusive of any other residence in Nevada. The Assessor's office is requesting that the abatement be adjusted from 3.0% to 7.8% (2009/10), 6.7% (2010/11) and 4.8% (2011/12) for a total of three years per NRS 361.765. This will result in an increase to the Real Property tax rolls in the amount of \$73.11 (2009/10), \$58.04 (2010/11) and \$28.18 (2011/12), for a total of \$159.33.

9-2. Juvenile

- A) For Possible Action: To approve an increase in fees for juvenile detention services between Carson City and other local counties and governmental agencies. (*John Simms*)

Staff Summary: Detention services include housing, feeding, and supervising detained youth while providing schooling, counseling and intervention programs. Youth also participate in a recreational program while detained.

- B) For Possible Action: To approve the Carson City Juvenile Probation Department receiving \$51,028.05 in state funds from the State Juvenile Justice Programs Office for Specialized Foster Care Room and Board Medicaid Funding. (*John Simms*)

Staff Summary: At times it is necessary to place an at risk youth into a residential treatment center to assist with drug and alcohol addiction problems as well as mental health issues.

9-3. Fire

For Possible Action: To adopt changes to the 9-1-1 Surcharge Master Plan. (*Stacey Giomi*)

Staff Summary: The board created a five-member advisory committee called the “9-1-1 Surcharge Advisory Committee” to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. A five-year master plan was developed, which incorporated the committee’s plan for the accomplishment of the goals established in that master plan. This master plan is reviewed and updated on an annual basis, and the advisory committee has recommended changes to the plan based on this year’s annual review.

9-4. Finance

For Possible Action: To accept the report on the condition of each fund in the treasury through August 23, 2011 per NRS 251.030. (*Nick Providenti*)

Staff Summary: NRS 251.030 requires the Finance Director (for the purpose of the statute acting as the County Auditor) to report to the Board of County Commissioners (or in our case the Board of Supervisors), at each regular meeting thereof, the condition of each fund in the treasury.

9-5. Purchasing and Contracts

- A) For Possible Action: To accept Public Works recommendation to approve Amendment No. 1 to Contract No. 1112-046 with V & C Construction, Inc. titled “Carson City Waterfall Fire Watershed Improvements – Phase 3” to change the scope of work and lower the contract amount by \$97,847.50 for a not to exceed amount of \$247,452.50 with a contingency amount of \$29,092.50 from the NRCS 68-9327-10-13 Grant Fund Account as provided in FY 2011/2012. (*Kim Belt*)

Staff Summary: On August 18, 2011, The Carson City Board of Supervisors approved the above listed project in the amount of \$345,300.00 plus a contingency amount not to exceed \$17,265.00. This amendment request is to reduce the amount by \$97,847.50 making the contract amount \$247,452.50, in order for the Contract Amount to equal the amount of Grant funds available.

- B) For Possible Action: To approve Amendment No. 1 for Contract No. 0607-008 the renewal of the contract through August 1, 2016, for Park and Playground Equipment with Great Western Park & Playground to provide Game Time products and Miracle Playground Sales Southwest to provide Miracle Recreation Equipment Company products. (*Kim Belt*)

Staff Summary: Amendment No. 1 will extend the contract through August 1, 2016.

9-6. Parks and Recreation

For Possible Action: To adopt a resolution adopting and approving a time extension from a previous agreement between Carson City and the State of Nevada, Division of State Parks, for the installation of an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex. (*Vern Krahn*)

Staff Summary: On May 15, 2008, the Board of Supervisors approved a project agreement with the State of Nevada, Division of State Parks, for the City to receive a Land and Water Conservation Fund grant for the installation of an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex. City staff is requesting the Board of Supervisors to approve a time extension for City staff to secure additional funds for the project.

9-7. City Manager

For Possible Action: To appoint four members to the International Building Code Board of Appeals: Brett McElhaney to fill the Civil/Structural Engineer position for a two year term ending January 2013; Dave Saarem to fill the Mechanical Engineer position for a two year term ending January 2013; Karen Purcell to fill the Electrical Engineer position for a two year term ending January 2013; Darrin Berger to fill the Registered Architect position for a term ending January 2012. (*Larry Werner*)

Staff Summary: Per CCMC Chapter 15, Section 112, the Board of Supervisors shall appoint five members to the International Building Code Board of Appeals (Board of Appeals) as follows: One Architect registered by the state of Nevada; One General Building Contractor licensed by the state of Nevada; One Mechanical Engineer licensed by the state of Nevada; One Structural/Civil Engineer licensed by the state of Nevada; One Electrical Engineer licensed by the state of Nevada. There are three positions open due to expiration of term: Civil/Structural Engineer, Mechanical Engineer, and Electrical Engineer. The position for the Registered Architect has been vacant due to a term expiration in May 2003. There is one applicant for each of these open positions.

(End of Consent Agenda)

10. Recess as Board of Supervisors

Liquor and Entertainment Board

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

12. For Possible Action: Approval of Minutes - August 4, 2011

13. Public Works - Business License

- A) For Possible Action: To approve Stacy Reutzel as the liquor manager for Smith's Food and Drug Store (Liquor License #11-4042) located at 599 E. William St., Carson City. (*Jennifer Pruitt*)

Staff Summary: All liquor license requests are to be reviewed by the Liquor Board per CCMC 4.13. Stacy Reutzel is applying to be listed as the liquor manager on the liquor license replacing the previous liquor manager.

- B) For Possible Action: To adopt on second reading, Bill No.107, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, Chapter 13, Liquor Board and Liquor Licensing and Sales, by amending Section 4.13.125, Issuance or denial of a license, adding that a Carson City employee who oversees or enforces the rules and regulations of liquor licenses may not have any involvement in an establishment that serves, sells, or dispenses alcohol, Section 4.13.220 Definitions, changing short term permits to special event liquor permits, Section 4.13.240 Application for a special event liquor permit, clarifying when a special event liquor permit is required and the application process. (*Jennifer Pruitt/Lena Tripp*)

Staff Summary: The proposed changes are to the current provisions of the Carson City Municipal Code governing the issuance and regulation of liquor licenses. Changes include not allowing a Carson City employee who oversees or enforces the rules and regulations of liquor licenses may not have any involvement in an establishment that serves, sells, or dispenses alcohol, the name of short term permits

to special event liquor permits, clarifying the requirements and the application process for special event liquor permits.

14. For Possible Action: To Adjourn as the Liquor and Entertainment Board

15. Reconvene as the Board of Supervisors

Ordinances, Resolutions, and Other Items

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

17. Public Works - Business License

- A) For Possible Action: To adopt on second reading, Bill No. 108, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, Chapter 4.03, National Background Checks, by adding locksmiths or safe mechanics and taxicab licenses to the list of businesses requiring a background check. *(Jennifer Pruitt/Lena Tripp)*

Staff Summary: The proposed changes are to the current provisions of the Carson City Municipal Code governing the issuance and regulation of business licenses. Changes apply to Chapter 4.03, National Background Checks by adding Locksmith and Safe Mechanic, and Taxicab drivers as businesses requiring a background check.

- B) For Possible Action: To adopt on second reading, Bill No.109, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, Chapter 4.04, Business License by deleting Section 4.04.014, Off-Premise Sales, changing the name of Section 4.04.077 to Special Event permit, amending Section 4.04.005, Definitions by adding and expanding definitions, amending Section 4.04.020, Fees and Exemptions from fees to increase fees, and by amending Section 4.04.031, Square footage fees to increase fees, and by amending Section 4.04.040, Fees for employees by increasing fees, and by amending Section 4.04.075, Short-Term business license by changing the period of consecutive days a Short-Term license can be held, and by amending Section 4.04.077, changing the Special Event permit section by providing a more detailed application process and expanding the conditions and requirements of a Special Event permit to include the former Chapter 4.28 Assemblies into the Special Event permit section, and by amending Section 4.04.180, issuance of license or permit appeal to provide grounds for denial, and amending other Chapter 4.04 sections regarding matters properly related thereto. *(Jennifer Pruitt/Lena Tripp)*

Staff Summary: The proposed changes are to the current provisions of the Carson City Municipal Code governing the issuance and regulation of business licenses. Changes apply to amending Chapter 4.04 by deleting Section 4.04.014, adding and expanding definitions, increasing fees to the current rates being charged for a business license, changing the consecutive days a Short-Term license can be held, providing a more detailed application process and expanding conditions and requirements for a Special Event.

- C) For Possible Action: To adopt on second reading, Bill No.110, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, Chapter 4.28, Assemblies by deleting the chapter in its entirety. *(Jennifer Pruitt/Lena Tripp)*

Staff Summary: The proposed changes are to the current provisions of the Carson City Municipal Code governing the issuance and regulation of business licenses. Chapter 4.28, Assemblies is amended by deleting the chapter in its entirety.

18. Sheriff

For Possible Action: To approve the application and accept the 2011 Edward Byrne Memorial Justice Assistance Grant – application number 2011-H5630-NV-DJ (direct award) in the amount of \$19,646.00. (*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 grant application will focus on prevention, community awareness/outreach, intervention and referral. This plan will include a continuation of services currently in operation and provide for growth. The Carson City Sheriff's Office has implemented many services that conform to the community policing model. We will continue to build positive relationships between law enforcement and citizens of all ages, building strong partnerships and continued, consistent community collaboration. This grant will provide funding for numerous events and programs, including Elementary DARE and DARE Plus classes, Red Ribbon Campaign, Cops & Kids Spaghetti Dinner, Cops & Kids Open House and National Night Out.

19. Assessor

For Possible Action: To approve the removal of the taxes and penalties from the 2010/11 and 2011/12 personal property taxes for commercial business account number CB 045276 (Sierra Solar 1 LLC, located at 2444 Fairview Dr) per NRS 701A.200 in the amount of \$311,054.82. (*Dave Dawley*)

Staff Summary: In 2010, Sierra Solar, CleanPath Renewable Development built and installed several solar panels with the Army National Guard property located at 2444 Fairview Dr. Shortly after the installation of the majority of these panels; a member of the Department of Taxation, Bruce Bartolwits took a tour of the Nevada Army National Guard facility and it was his determination that the solar panels WERE subject to taxation. The Assessor's Office sent Sierra Solar 1 LLC, a request for information regarding the cost of the solar panels. On September 2, 2010 the requested information was received and the account was billed accordingly. On June 13, 2011, SB 426 was passed, thereby, making the solar panels exempt from taxation, this bill provided further clarification to NRS 701. The Assessor's Office is requesting that the taxes and penalties be removed from the 2010/11 and the 2011/12 Personal Property tax rolls. This will result in a decrease to the Personal Property tax rolls in the amount of \$149,196.10 (plus penalties of \$14,919.61 for a total of \$164,115.71 for 2010/11 and \$146,939.11 for the 2011/12 tax year, for a total of \$311,054.82.

20. Public Works

- A) For Possible Action: To adopt, on second reading, Bill No. 113, an ordinance amending Title 12, Water, Sewerage and Drainage, Chapter 12.12, Solid Waste Management, Section 12.12.047, Landfill Rates and Fees, by consolidating and modifying rate classes, increasing out-of-county rates for compacted, uncompacted municipal solid waste and class III waste, increasing in-county rates for compacted, uncompacted municipal solid waste and class III waste, effective September 19, 2011 and other matters properly related thereto. (*Andy Burnham*)

Staff Summary: Staff recommends that the Board of Supervisors adopt the ordinance revisions which provide an increase in landfill rates to support general fund and operational requirements by increasing out-of-county rates for compacted, uncompacted municipal solid waste and Class III waste, increasing in-county rates for compacted, uncompacted municipal solid waste and Class III waste.

- B) For Possible Action: To adopt, on second reading, Bill No. 114, 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 rates 5% effective on bills dated on or after October 1, 2011; amending Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by increasing charges and fees by 5% on bills dated on or after October 1, 2011, and other matters properly related thereto. (*Andy Burnham*)

Staff Summary: The proposed rate increase of 5% is necessary for debt service (4%) and to provide for increased operations and maintenance costs (1%) which include power costs, chemicals, and water sampling costs.

- C) For Possible Action: To adopt, on second reading, Bill No. 115, 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 14% on bills dated on or after October 1, 2011, and other matters properly related thereto. (*Andy Burnham*)

Staff Summary: The proposed increase of sewer rates reflected in Chapter 12.03 provide for the necessary revenue requirements to operate, maintain and meet debt obligations. More specifically, the changes provide for an across the board 14% increase to sewer use fees effective on or after October 1, 2011 to the monthly rates for each property and septic haulers.

- D) For Possible Action: To adopt on second reading Bill No. 116, an ordinance amending Carson City Municipal Code Title 12 Water, Sewerage, and Drainage by revising Chapter 12.09 Flood Damage Prevention, by adding additional definitions and clarifying and modifying previous definitions of Section 12.09.020 Definitions, by amending Section 12.09.040 Declaration of Purpose, by correcting misused words and adding the additional purpose of maintaining qualifying standards for participation in the National Flood Insurance Program, and by clarifying the language of Section 12.09.050 Methods of Reducing Flood Losses, by amending Section 12.09.060 General Provisions, by adding three subsections: Declaration of Public Nuisance, Unlawful Acts, and Severability, by amending Section 12.09.070 Administration by changing the requirement of development approval to requiring a development permit before construction or development begins within any area of special flood hazard and by adding additional information which shall be on the application for a development permit and by adding the requirement of submission of new technical data to FEMA, by modifying the requirements of Section 12.09.080 by adding a freeboard requirement of two feet for lowest floor and new standards for recreational vehicles, standards for critical structures, and protection of floodplain storage capacity by amending Section 12.09.090 Variance Procedures, by clarifying the nature of variances, and by changing the name of Section 12.09.100 To Map Revision/Amendment Procedures, which clarifies and adds subsections consistent with FEMA procedures, and other matters properly related thereto. (*Robert Fellows*)

Staff Summary: This ordinance is to update the City's floodplain regulations to be consistent with FEMA guidelines and includes increasing floodplain standards.

- E) For Possible Action: To approve and authorize the City Manager to sign an Agreement between Joost Land and Cattle Company, Inc., David Leid and Carson City regarding the purchase and exchange of property for a sum not to exceed \$595,000.00. (*Andy Burnham*)

Staff Summary: This agreement, through the escrow process, provides for Carson City to purchase 5.939± acres of property as defined as Parcel # 1 from David Leid, then exchanging that property for 29.75±

acres of property defined as Parcel #2 owned by the Joost Land and Cattle Company, Inc. The appraised value for the property ultimately being obtained by the City is \$20,000 per acre.

21. Office of Business Development

For Possible Action: To adopt a resolution authorizing the expenditure of \$12,000 from the fiscal year 2011/12 revolving fund of the redevelopment agency to support the Ghost Walk event in Carson City as an expense incidental to the carrying out of the redevelopment plan. (*Lee Plemel*)

Pursuant to NRS 279.628, this resolution must be adopted by a two-thirds vote of the Board of Supervisors.

Staff Summary: On June 6, 2011, the Redevelopment Authority Citizens Committee (RACC) recommended funding the Ghost Walk, among other special events. The Redevelopment Authority recommended approval on August 4, 2011, but the Board of Supervisors did not approve the funding for the event. The applicant has submitted additional information to address transitioning the event away from public funding after this year in response to concerns previously raised by the Board of Supervisors. NRS 279.628 permits the expenditure of money from the redevelopment revolving fund for the purpose of any expenses necessary or incidental to the carrying out of the redevelopment plan adopted by the Carson City Board of Supervisors.

22. Public Works - Planning and Zoning

For Possible Action: To adopt on second reading, Bill No. 111, an ordinance to approve a development agreement between Carson City, FB Holdings LLC and Ryder-Duda Carson LLC, regarding the development of a Common Open Space Development known as Schulz Ranch, located between Center Drive and Schulz Drive, APN's 009-311-64, -65, -67, -68, 010-671-06, -07, -08, -09, -10, -11, -12, -13, -14 and -15, to extend the approval of the tentative map, and other matters properly related thereto. (*Jeff Sharp/Lee Plemel*)

Staff Summary: The primary purpose of the development agreement is to extend the approval of the tentative subdivision map, which would expire on August 21, 2011.

23. Human Resources

For Possible Action: Discussion and possible action to direct the Human Resources Director to obtain services to provide a 360° evaluation of the City Manager during the next evaluation period. (*Melanie Bruketta*)

Staff Summary: An interest was expressed to the Human Resources Director to have the City Manager's next review, currently scheduled for January 2012, to include a 360° evaluation. A 360° evaluation measures behavior and competencies. It provides feedback on how others perceive the employee, and addresses skills such as listening, planning and goal setting. A 360° evaluation focuses on subjective areas of an employee's performance such as teamwork, character and leadership effectiveness.

24. Finance

For Possible Action: To adopt, on second reading, Bill No. 112, an ordinance amending Carson City Municipal Code Title 4 Licenses and Business Regulations, Chapter 4.04 Business Licenses, Section 4.04.107 Public Utilities by increasing business license fees on electric services by 1% and natural gas services by .5% effective October 1, 2011. (*Nick Providenti*)

Staff Summary: The revenue generated from this increase will help fund the costs passed down from the State of Nevada for assessments associated with Health and Human Services, Juvenile Services, and Parole and Probation as a result of the 2011 Legislative Session.

25. Board of Supervisors

Non-Action Items:

Status review of projects

– Public Works Waterline Project

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

EVENING SESSION – 5:30 P.M.

26. City Manager

For Possible Action: To appoint one member to the Historic Resources Commission to fill an open position in one of the following fields: Architect or Design Professional; Building Construction Professional; Archeology, Anthropology, History Professional; or, a Property Owner (who resides within the district) for a four year term ending February 2015. (*Larry Werner*)

Staff Summary: CCMC Chapter 18.06.020 provides for the Board of Supervisors to appoint seven members of the Historic Resource Commission. The categories for representatives are as follows: At least two (2) members of the HRC must be professionally qualified as an architect or a design professional with experience in historic preservation; at least one (1) member of the HRC must be professionally qualified in building construction; at least one (1) member, but not more than two (2), shall be a professional in the field of historic preservation; at least one (1) member of the HRC must be a professional in the disciplines of archeology, anthropology, history or related professions. There is a position available in one of the following categories: Architect or Design professional; Building Construction Professional; Archeology, Anthropology, History Professional; a Property Owner (who resides within the district). There are two applicants for this open position: Jed Block, a Property Owner (who resides within the district) and Elizabeth Dickey, a History Professional.

27. Public Comment: The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda.

28. For Possible Action: To Adjourn

Agenda Management Notice - Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

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.org/agendas

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
Business Resource & Innovation Center (BRIC) 108 East Proctor Street

Date: August 25, 2011