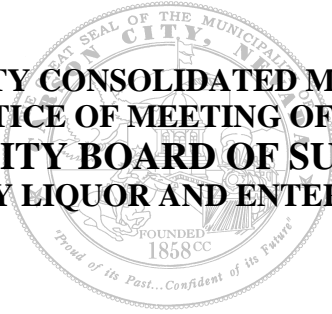


**CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CARSON CITY BOARD OF SUPERVISORS
AND CARSON CITY LIQUOR AND ENTERTAINMENT BOARD**



Day: Thursday
Date: August 2, 2012
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** - Bruce Henderson, Airport Road Church of Christ
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** - July 5, 2012
7. **For Possible Action: Adoption of Agenda**
8. **Special Presentation**

Presentation of a proclamation for "National Night Out - Crime, Drug and Violence Prevention Awareness Month," August 2012. (*Ken Furlong and Lisa Davis*)

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. 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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9-1. Finance

- A) For Possible Action: To accept the report on the condition of each fund in the treasury through July 24, 2012 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.

- B) For Possible Action: To approve the application to remove uncollectible accounts receivable from the records of the Landfill division of the General Fund in the amount of \$55,071.02 out of estimated billings through June 30, 2012 of approximately \$3,200,000. *(Nick Providenti)*

Staff Summary: NRS 354.256 requires that the County Auditor apply to the Board for permission to remove uncollectible accounts receivable from the records of the County.

- C) For Possible Action: To approve the application to remove the uncollectible accounts receivable specified in the application from the records of the Ambulance Fund for a total amount of \$509,582.96 in uncollectible accounts receivable. *(Nick Providenti)*

Staff Summary: NRS 354.256 requires that the Controller apply to the Board for permission to remove uncollectible accounts receivable from the records of the County.

9-2. Purchasing and Contracts

For Possible Action: To accept Public Works recommendation to approve Amendment No. 1 to Contract No. 1011-178 with BDA Architecture, P.C. titled "Design Services for the Carson City Animal Control Facility" to increase the contract term from June 30, 2012 to June 30, 2013. *(Kim Belt)*

Staff Summary: On July 7, 2011, The Carson City Board of Supervisors approved the above listed contract in the amount of \$85,000.00. This request is to amend the contract term. This contract is to provide Professional Services which include: facility needs assessment, site selection, program analysis, conceptual design, project estimated schedule and project construction cost estimate for the Carson City Animal Control Facility Project.

9-3. Fire

For Possible Action: To authorize the mayor to sign the 2012 Annual Operating Plan between the Bureau of Land Management, Carson City District Office (Agreement number FAA-801101) and the Carson City Fire Department. *(Tom Tarulli)*

Staff Summary: This document is an update of the annual operating plan between the City and the BLM. The document provides for mutual assistance between the agencies for responses to wildland fires as designated in the master agreement. The Annual Operating Plan (AOP) delineates billing fees, district boundaries, and parameters under which assistance will be provided.

9-4. Public Works

For Possible Action: To approve the Interlocal Contract #2012-14 between Carson Water Subconservancy District and Carson City for grant funds to construct improvements for the Waterfall Fire Watershed Improvements – Phase 4. (*Robert Fellows*)

Staff Summary: An Interlocal Contract between Carson Water Subconservancy District and Carson City will provide the City with grant funds to continue improvements to the Waterfall Fire Watershed Improvement Project.

9-5. Parks and Recreation

- A) For Possible Action: To authorize the City Manager to sign an interlocal contract between the Carson City Parks and Recreation Department and the Nevada Department of Corrections for the daily use of prison inmates for park maintenance operations. (*Scott Fahrenbruch*)

Staff Summary: For the last five years the Carson City Parks and Recreation Department/Parks Division has been utilizing inmate laborers from the Stewart Camp Work Program through the Nevada Department of Corrections. This program also provides labor locally for other governmental agencies, such as Nevada State Buildings and Grounds, the Governors Mansion, and NDOT. Both parties concurred that having an interlocal contract in force would be in the best interest of both agencies. This contract does not preclude the use of this inmate work force in other City departments, but would be coordinated through the Parks and Recreation Department.

- B) For Possible Action: To approve the submittal of a Land & Water Conservation Fund grant application to the Nevada Division of State Parks for capital improvements to the upper sports complex at JohnD Winters Centennial Park and to authorize Roger Moellendorf to sign the grant application on behalf of Carson City. (*Vern Krahn*)

Staff Summary: Carson City has the opportunity to apply for a Land & Water Conservation Fund grant through the Nevada Division of State Parks for capital improvements to the upper sports complex at JohnD Winters Centennial Park. Parks and Recreation Department staff is requesting Board of Supervisors approval to apply for this grant.

9-6. Treasurer

For Possible Action: Review and acceptance of the City Treasurer's investment portfolio performance summary. (*Al Kramer*)

Staff Summary: Report to board on investment portfolio.

(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 - July 5, 2012

13. Public Works - Business License

For Possible Action: To approve Heriberto Muro, liquor manager for Centro Market (Liquor License # 13-22756) located at 2765 Hwy 50 E, Ste A, to relocate to 2794 Hwy 50 E., Carson City. (*Lena Reseck*)

Staff Summary: All liquor license requests are to be reviewed by the Liquor Board per CCMC 4.13. Heriberto Muro, owner of Centro Market, currently possesses a Carson City liquor license for the current location of 2765 Hwy 50 E, Suite A, Carson City and is requesting to relocate to 2794 Hwy 50 E., Carson City.

14. Public Comment

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

16. Reconvene as the Board of Supervisors

Ordinances, Resolutions, and Other Items

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

18. Parks and Recreation - Open Space

- A) For discussion only - Introduction of Leon Thomas, Sierra Front Field Office Manager and update on activities occurring within the Sierra Front Field Office of Bureau of Land Management lands in Carson City. (*Leon Thomas / Juan Guzman*)

Staff Summary: The purpose of this item is to introduce Leon Thomas, the recently appointed Sierra Front Field Office Manager for the Bureau of Land Management. Mr. Thomas will provide the Board with a brief update on activities occurring within the Sierra Front Field Office.

- B) For Possible Action: To receive and transmit to the Bureau of Land Management public testimony regarding the status of Carson City District Resource Management Plan revision, issues identified, time lines and associated Cooperating Agency Memorandum of Understanding. (*Colleen Sievers / Juan Guzman*)

Staff Summary: The Bureau of Land Management will present to the Board information regarding the Resource Management Plan revision process, issues identified, and Carson City's role as a cooperating agency.

- C) For Possible Action: To accept the Open Space Advisory Committee's recommendation to approve and authorize staff to execute an agreement between Carson City and Muscle-Powered, a non-profit organization, providing for a collaborative relationship for the design, construction, and maintenance of non-motorized multi-use trails in Carson City. (*Juan Guzman / Donna Inversin*)

Staff Summary: Through this agreement, Carson City and Muscle-Powered will formalize their desire to collaborate in the design, construction, and maintenance of multi-purpose non-motorized trails. Muscle-Powered will train and maintain a force of City volunteers for this effort. Carson City will provide support, insurance, and workers compensation as provided by the Nevada Revised Statutes.

19. Finance

For Possible Action: To adopt on second reading, Bill No. 107, an ordinance amending the Carson City Municipal Code, Title 2, Administration and Personnel, Chapter 2.14, Carson City Audit Committee, amending Section 2.14.040, Responsibilities of the Carson City Audit Committee, by adding additional review and recommendation responsibilities regarding the adequacy of city department and office performance measures for the purposes of internal audits, setting forth auditing standards, and requiring the committee to oversee the internal auditor's creation and implementation of fraud, waste and abuse identification processes and reporting, and other matters properly related thereto. (*Nick Providenti*)

Staff Summary: The original ordinance, as amended, listed a number of responsibilities of the Carson City audit committee but did not require the internal auditor to perform his duties in conformance with professional standards, such as are required for external financial auditors, the legal profession, engineers, building inspectors and other professions. Such standards are required of internal audit organizations worldwide. These standards help ensure any persons performing internal audit work for Carson City meets basic levels of independence, qualifications, experience, ability and that conclusions and recommendations are adequately reported. Further, the existing ordinance does not include provisions that the internal auditor review the adequacy of the city departments' or offices' performance measures. Finally, the City does not have established processes to identify potential fraud, waste and abuse (FWB) of city resources and property nor to respond to such situations if identified. The amended ordinance directs the internal auditor to create and implement processes to identify potential FWB of city resources and property and establish a findings protocol regarding any such issues identified by the internal auditor.

20. Sheriff

For Possible Action: To introduce, on first reading, an ordinance amending the Carson City Municipal Code Title 4, Licenses and Business Regulations, Chapter 4.16 – Solicitors and Canvassers, amending Section 4.16.010 – Permit Required, to eliminate canvassers and other non-commercial first amendment solicitors from the title and permit requirement and to add peddlers, amending Section 4.16.020 – Definition, to clarify and expand definitions and delete the sheriff's application process from the section, amending Section 4.16.040 – Investigation and Issuance, to change the section name and create a new permit registration process and denial due process and permit fee schedule, amending Section 4.16.050 – Badges, by deleting the badge deposit and refund process and prohibiting use of an expired badge, amending Section 4.16.060 – Revocation of Permit, to add clarification to the permit revocation due process, amending Section 4.16.070 – Appeal, to change the section's name and delete the appeal process and replace it with a misdemeanor prohibition for any and all types of solicitors that violate a posted no soliciting sign, amending Section 4.16.080 – Expiration of Permits, to make expiration language changes, amending Section 4.16.100 – Hours of Soliciting, to delete the section, amending Section 4.16.110 – Certain Salesmen Exempted, to change the section's name and to clarify and expand the list of persons exempt from the permit requirement, and other matters properly related thereto. (*Sheriff Kenny Furlong & Randal Munn*)

Staff Summary: The existing solicitors' ordinance was adopted prior to current applicable case law and has not been previously updated. Compliance with current law has been accomplished by non-strict enforcement of the current ordinance under advice of the District Attorney's office. The applicable case

law allows reasonable time, place and manner restrictions on "commercial speech" though it too is considered 1st Amendment speech. Door to door soliciting is either commercial speech or pure 1st Amendment speech (for example: political or religious speech). Generally, the restrictions that the law might allow to be placed upon commercial speech are not allowed with regard to pure 1st Amendment speech. This amendment to the Carson City Municipal Code is necessary to bring the City's ordinance in compliance with current law on this subject.

21. District Attorney

For Possible Action: To adopt Bill No. 108, on second reading, an ordinance amending the Carson City Municipal Code Title 2 - Administration and Personnel, creating a new Chapter 2.44 – Financial Administration, and creating a new section 2.44.010 – Majority Voting Required on Use of Public Funding for Carson City Center Project, to Require an Affirmative Vote of the Majority of the People Before Public Funding Can Be Used for the Carson City Center Project, and other matters properly related thereto. (*Randal Munn*)

Staff Summary: Pursuant to NRS 295.095 Petitioners filed their Affidavit For Petitioners' Committee and sample Initiative Petition ordinance at the Clerk-Recorder's office on February 1, 2012. The Initiative Petition ordinance, as signed by various Carson City voters, was submitted on June 27, 2012, for "Certification of Sufficiency" pursuant to NRS 295.105. On July 6, 2012, the Certification of Sufficiency that the petition contained sufficient signatures to qualify for consideration was issued by the Clerk-Recorder. The 30-day time limit ("within 30 days after the date the petition was finally determined sufficient" NRS 295.115(1)) for the Carson City Board of Supervisors to adopt the certified initiative ordinance expires on Sunday August 5, 2012. The initiative ordinance adopted by the Board, if any, must be "without any change in substance" from that of the circulated petition's. If the Board adopts the initiative ordinance on first reading at its July 19, 2012 meeting, a second reading adoption at its August 2, 2012 meeting would satisfy both the Carson City Charter and NRS 295.115(1). If the Board rejects adoption, then the Board must submit the Initiative Petition ordinance to the voters as a ballot question at the November 6, 2012 general election or otherwise sue to keep it off the ballot. Arguments for and against would be developed by appointed committees pursuant to NRS 295.121.

22. Board of Supervisors

Non-Action Items:

- Status review of projects
- 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

23. 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.

24. 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: July 26, 2012