# CARSON CITY CONSOLIDATED MUNICIPALITY NOTICE OF MEETING OF THE CARSON CITY BOARD OF SUPERVISORS AND CARSON CITY REDEVELOPMENT AUTHORITY

**Day:** Thursday

Date: January 17, 2013
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 -** Bob Chambers, First Baptist Church
- 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 -** December 20, 2012
- 7. For Possible Action: Adoption of Agenda
- 8. Special Presentations

Presentation of Length of Service Awards for City Employees. (Melanie Bruketta)

Staff Summary: Approximately once a month the Mayor and Board of Supervisors present length of service awards to City employees for 5, 10, 15, 20, 25, and 30 years of City service.

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.

### 9-1. Assessor

For Possible Action: To nominate and appoint of members to the Carson City Board of Equalization and to confirm the designation by the Mayor of a chairperson of the Carson City Board of Equalization. (Dave Dawley)

Staff Summary: NRS 361.340 establishes the Carson City Board of Equalization as consisting of five members. The Mayor is required to nominate and the Carson City Board of Supervisors appoints the members of the Board of Equalization by a majority vote, and the Mayor is required to designate a member of the Board of Equalization as the chairperson. The Mayor will nominate Lori Bagwell, and Roy Semmons for the board and designate Jed Block as chair.

### 9-2. Finance

For Possible Action: To accept the report on the condition of each fund in the treasury and the statements of receipts and expenditures through January 8, 2013 per NRS 251.030 and NRS 354.290. (*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. NRS 354.290 requires the County Auditor to report to the Board of Supervisors a statement of revenues and expenditures based on the accounts and funds as were used in the budget. A more detailed accounting is available on the City's website – www.carson.org.

# 9-3. Purchasing and Contracts

A) For Possible Action: To accept the quarterly summary report of all active grants made to Carson City as well as a listing of all pending grants. (*Kim Belt*)

Staff Summary: A quarterly summary of all active grants made to Carson City as well as a listing of all pending grants will be given to the Board of Supervisors.

B) For Possible Action: To authorize staff to sign an interlocal agreement between the Carson City Parks and Recreation Department and the Board of Regents, Nevada System of Higher Education on behalf of Western Nevada College for the use of facility space at the Community Center and other City-owned space(s) as determined by the parties. (*Kim Belt*)

Staff Summary: Carson City currently provides facility space at the Community Center to Western Nevada College for the performing arts program and this agreement is to continue the facility use agreement.

### 9-4. Fire

A) For Possible Action: To adopt a Resolution of the Carson City Board of Supervisors accepting a fee schedule for use in billing for Fire Department services. (*Stacey Giomi*)

Staff Summary: The Fire Department is often called upon to provide emergency response, emergency management, and/or educational assistance to citizens or other local governments. In those instances where these services are provided on a fee for service basis, the Department must have a fee schedule on hand. This fee schedule is an updated version of the one adopted by the Board in 2012 and will be used to seek reimbursement for services provided under assistance for hire circumstances, for the provision of elective educational programs, or to seek restitution in the case of a conviction in a court of law.

B) For Possible Action: To authorize the mayor to sign an Interlocal Agreement between Carson City Fire Department and Tahoe Douglas Fire Protection District. (*Stacey Giomi*)

Staff Summary: This document is a mutual aid agreement between Carson City Fire Department and Tahoe Douglas Fire Protection District. The document provides the details of how to provide mutual assistance between the agencies for responses to emergency incidents. The document delineates specific information about operational procedures, district boundaries, and parameters under which assistance will be provided, including provisions for reimbursement outside of mutual aid responses.

C) For Possible Action: To authorize the mayor to sign an agreement to provide wheelchair van services between Carson Tahoe Regional Health Care, a Nevada non-profit corporation, and Carson City Fire Department. (*Stacey Giomi*)

Staff Summary: The original agreement between Carson City and Carson Tahoe Regional Healthcare was signed in March of 2012. This new agreement is modified to add the provision of wheelchair services on Sundays. No other contractual changes are being made to this agreement.

# 9-5. City Manager

A) For Possible Action: To appoint Jesse Singh as the representative of the Carson City Convention & Visitors Bureau and Peter Barton as the representative of the Nevada Department of Tourism and Cultural Affairs on the Carson City Cultural Commission, each for a three year term that expires in January 2016. (*Larry Werner*)

Staff Summary: CCMC Chapter 2.41.040 provides for a seven (7) member Cultural Commission. Chapter 2.41.080(3) states, "The commission will work with its partners in the community including, but not limited to, the Carson City Arts & Culture Coalition, Western Nevada College, Nevada Department (of) Cultural Affairs, Carson City's Convention & Visitors Bureau (CCCVB), the Carson City Redevelopment Authority and Carson City's future downtown business improvement district." There are two vacancies due to members' terms expiring, one as a representative of the CCCVB and one as a representative of the Nevada Department of Tourism and Cultural Affairs.

B) For Possible Action: To ratify the approval of bills and other requests for payments by the City Manager for the period of December 11, 2012 thru January 7, 2013. (*Larry Werner*)

Staff Summary: All bills or other requests for payment verified per CCMC 2.29.010 shall be presented by the controller, together with the register book of demands and warrants to the city manager who shall audit the same, and if found authorized, correct and legal, shall signify by his signature, as agent for the

board, upon the register book of demands and warrants those demands which are approved or disapproved by him. Upon approval, the warrants, as prepared aforesaid, shall issue. The City Manager shall then cause the register book of bills and other requests for payment and warrants to be presented at least once a month to the board of supervisors, who shall by motion entered into its minutes, ratify the action taken on the bills or other requests for payment.

# 9-6. Parks and Recreation - Open Space

For Possible Action: To follow the recommendation of the Open Space Advisory Committee to adopt their mission and vision statements. (*Juan Guzman*)

Staff Summary: This is a request to the Board of Supervisors for the approval of a mission and vision statement prepared by the Open Space Advisory Committee. The statements succinctly capture the essence of the Open Space Program.

(End of Consent Agenda)

# Ordinances, Resolutions, and Other Items

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

### 11. Fire

For Possible Action: To adopt a Resolution of the Carson City Board of Supervisors dissolving the Sierra Forest Fire Protection District in Carson City. (*Stacey Giomi*)

Staff Summary: In April of 2012 Carson City entered into an Interlocal agreement with the Nevada Division of Forestry to assume fiscal and operational control of the Sierra Forest Fire Protection District. This agreement terminates on June 30, 2012. With the adoption of this resolution, Carson City would be taking the first step to dissolve the district and formally move all fire protection in Carson City over to the Fire Department and eliminate duplication of services from two governmental agencies.

# 12. Public Works - Planning and Zoning

A) For Possible Action: To adopt Bill No. 101, on second reading, an ordinance amending the Carson City Municipal Code Title 18 Zoning, Chapter 18.16, Development Standards Division 4, Signs, by amending Section 4.4, Administration, 4.4.7, Exemptions, to modify the time limits and placement regulations for temporary on-site advertising devices, and other matters properly related thereto. (ZCA-12-140) (*Lee Plemel*)

Staff Summary: The Board of Supervisors adopted an ordinance on January 2009, to temporarily eliminate time limits for the display of banners advertising on-site businesses, then "renewed" the ordinance in 2010 and 2011 to extend the provisions through December 2012. The purpose of the ordinance was to grant sign enforcement relief to business owners during difficult economic times, particularly for retail businesses, in order to help increase taxable sales and services in the City. The ordinance was adopted on a limited trial basis in order to assess the effects of less restrictive temporary sign regulations and determine if these regulations should be continued, modified or rescinded. On January 1, 2013, the code section will revert back to the original verbiage unless otherwise modified by a new ordinance.

B) For Possible Action: To introduce, on first reading, an ordinance approving a development agreement between Carson City and CNM Family, LLC, regarding the development of a commercial subdivision known as Arrowhead Business Park, located on Ryan Way, Assessors Parcel Numbers 005-072-05 and -06, to extend the approval of the tentative subdivision map, and other matters properly related thereto. (*Lee Plemel*)

Staff Summary: The primary purpose of the development agreement is to extend the approval of the tentative subdivision map for three years, which would expire on January 18, 2013, if no further action is taken.

### 13. Parks and Recreation

### **PUBLIC HEARING:**

- A) For Possible Action: To determine the fair market value of a proposed lease of approximately 625 square feet to accommodate the construction of an array of cellular telephone antennas at the topographical ridge on Lone Mountain, a portion of APN 002-102-81, is \$1,500 per month, as per the findings of a public hearing being held on January 17, 2013. (*Juan Guzman*)
  - Staff Summary: Cingular Wireless PCS, LLC, proposes to lease 625 square feet in order to develop telecommunication antennas. The Nevada Revised Statutes requires an appraisal and a public hearing to determine the value of a City property prior to a sale or lease.
- B) For Possible Action: To adopt a resolution finding that it is in the best interest of the public to lease approximately 625 square feet of City property located at Lone Mountain to Cingular Wireless, PCS, LLC, for the construction of a communication antenna, and action to authorize the City Manager or designee to execute documents necessary for the leasing of the property. (*Juan Guzman*)
  - Staff Summary: This request is for the Board to adopt a resolution authorizing a lease of City property directly to Cingular Wireless, without a public offering. Staff also requests authorization to execute the documents necessary to complete the lease.

# 14. City Manager

For Possible Action: Presentation, discussion, acceptance and possible direction to staff regarding implementation of one or more Public Defender Cost and Utilization Study recommendations prepared by Moss Adams. (*Michael Bertrand*)

Staff Summary: The study of the Public Defender costs and utilization was recommended by the Audit Committee and approved by the Board of Supervisors on May 17, 2012. The Internal Auditor prepared a draft of the report on September 27, 2012 and distributed it to involved parties for their review. Comments were received regarding the application of the data from the District Attorney's Office and a meeting with the District Attorney, Internal Auditor, Finance Director, and City Manager was held to clarify the data supplied. Based on the comments received, a revised draft was prepared on November 6, 2012 and distributed to the parties and presented to the Audit Committee on November 20, 2012. The Public Defender presented information from a report prepared November 11, 2012 to the Audit Committee which raised concerns about the application of the data from the Public Defender's office.

### 15. Finance

A) For Possible Action: Presentation, discussion, acceptance and possible direction to staff regarding implementation of one or more Community Facility Cost Recovery Analysis recommendations prepared by Moss Adams. (*Michael Bertrand*)

Staff Summary: Moss-Adams has been contracted by the Carson City Audit Committee and the Board of Supervisors to provide Internal Audit Services to Carson City. At the May 17, 2012 Carson City Board of Supervisors meeting, the Board directed Moss Adams to perform a Community Facility Cost Recovery Analysis. The report was presented and accepted by the Carson City Audit Committee on November 20, 2012. Representatives from Moss Adams will be presenting the report.

B) For Possible Action: Presentation, discussion, acceptance and possible direction to staff regarding implementation of one or more Eagle Valley Golf Course Cost Recovery Study recommendations prepared by Moss Adams. (*Michael Bertrand*)

Staff Summary: Moss-Adams has been contracted by the Carson City Audit Committee and the Board of Supervisors to provide Internal Audit Services to Carson City. At the May 17, 2012 Carson City Board of Supervisors meeting, the Board directed Moss Adams to perform a Community Facility Cost Recovery Analysis, which was to include the Eagle Valley Golf Course. On June 6, 2012, the Board directed Moss Adams to perform the Eagle Valley Golf Course Cost Recovery Study separate from the Community Facility Analysis. The report was presented and accepted by the Carson City Audit Committee on October 10, 2012. Representatives from Moss Adams will be presenting the report.

### - LUNCH BREAK -

### - RETURN - APPROXIMATE TIME - 2:00 P.M. -

# 16. Recess as Board of Supervisors

# **Redevelopment Authority**

# 17. Call to Order & Roll Call – Redevelopment Authority

# 18. City Manager

For Possible Action: To elect the chair and vice chair of the Redevelopment Authority for terms ending December 31, 2013. (*Larry Werner*)

Staff Summary: NRS 279.488 states the agency shall elect a chair from among its members. Unless otherwise prescribed by the legislative body, the term of office as chair is for the calendar year, or for that portion remaining after he or she is designated or elected.

# 19. Office of Business Development

For Possible Action: To approve and recommend to the Board of Supervisors approval of amendment #3 to the Operating Covenant and Agreement by and between Carson City Redevelopment Authority and

Carson City and The Carrington Company to extend the time in which a tenant must be in business in the vacant anchor tenant space located at 1443 South Carson Street, Carson Mall, to December 31, 2014. (*Lee Plemel*)

Staff Summary: The Carrington Company is the owner of the Carson Mall, located within Redevelopment Project Area No. 1. The mall consists of approximately 155,038 square feet of retail space. There is presently an anchor tenant space of 72,570 square feet that has been vacant since July 2009. The current agreement deadline for occupying the vacant anchor tenant space is October 31, 2013, for a minimum of 42,000 square feet, and December 31, 2013, for the remaining space. With the assistance of the sales tax reimbursement funds, The Carrington Company is currently working with a potential tenant to fill the vacant space, who may wish to open in 2014 rather than 2013.

# 20. Public Comment

- 21. For Possible Action: To Adjourn as the Redevelopment Authority
- 22. Reconvene as the Board of Supervisors

# 23. Office of Business Development

For Possible Action: To approve amendment #3 to the Operating Covenant and Agreement by and between Carson City Redevelopment Authority and Carson City and The Carrington Company to extend the time in which a tenant must be in business in the vacant anchor tenant space located at 1443 South Carson Street, Carson Mall, to December 31, 2014. (*Lee Plemel*)

Staff Summary: The Carrington Company is the owner of the Carson Mall, located within Redevelopment Project Area No. 1. The mall consists of approximately 155,038 square feet of retail space. There is presently an anchor tenant space of 72,570 square feet that has been vacant since July 2009. The current agreement deadline for occupying the vacant anchor tenant space is October 31, 2013, for a minimum of 42,000 square feet, and December 31, 2013, for the remaining space. With the assistance of the sales tax reimbursement funds, The Carrington Company is currently working with a potential tenant to fill the vacant space, who may wish to open in 2014 rather than 2013.

### 24. Human Resources

For Possible Action: Review of the City Manager's performance for the period January 20, 2012 to January 17, 2013, and discussion and possible administrative action relating to the employment of Lawrence A. Werner as City Manager for Carson City and action to set a date in February to establish the goals and objectives through December, 2013. (*Melanie Bruketta*)

Staff Summary: Pursuant to the City Manager's contract, the Board of Supervisors is responsible for reviewing and evaluating the performance of the City Manager and establishing the goals and objectives which are used to evaluate his performance.

# 25. City Manager

A) For Possible Action: To direct staff to proceed with exercising the option to purchase the property at 108 East Proctor (APN 004-215-07) and the associated parking lot on APN 004-202-01 and 004-202-02 in

accordance with the agreement between the City and Fireside Investments LLC dated June 4, 2010 and to utilize the 15-year installment purchase plan for financing. (*Larry Werner*)

Staff Summary: The City's Business Development, Planning, Building, Business License functions operate within the building that is referred to as the Business Resource Innovation Center (BRIC). Currently we are leasing the property from Fireside Investments LLC. It is improbable that the City will move from the facility in the near future so it makes financial sense to exercise the option in the lease agreement to purchase the building.

B) For Possible Action: To appoint members of the Board of Supervisors to various Boards, Committees and Commissions. (*Larry Werner*)

Staff Summary: Board members serve on various Boards, Committees and Commissions. Each January appointments are made for the upcoming calendar year.

C) For Possible Action: To appoint one member to the Airport Authority to fill the "City Official" position for a four year term to expire January 2017. (*Larry Werner*)

Staff Summary: There is one vacancy on the Airport Authority for the "City Official" position due to a member's term expiring. This position may be filled by a Board member or the Board may choose to appoint a member of staff.

# 26. Board of Supervisors

Non-Action Items:

Status review of projects

- Capital Projects Status Report
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.**

# 27. City Manager

A) For Possible Action: To appoint one member to the Carson City Shade Tree Council for a two year term that will expire on January 1, 2015. (*Larry Werner*)

Staff Summary: CCMC Chapter 2.18.010 provides for the Board of Supervisors to appoint seven members to the Shade Tree Council. There is one open position due to member's term expiring. Terrill (Terri) Ozawa has applied for reappointment. No other applications were received.

B) For Possible Action: To appoint two members to the Carson City Audit Committee, each for a two year term that expires in December 2014. (*Larry Werner*)

Staff Summary: CCMC Chapter 2.14.030 provides for a five (5) member Audit Committee; one (1) member from the Board of Supervisors and four (4) members from the public at-large. There are two vacancies for public-at-large due to two member's terms expiring. An application was received from John Bullis and a reappointment request was received from Bill Prowse. There are no additional applicants.

C) For Possible Action: To appoint three members to the Carson City Open Space Advisory Committee, each for a four year term that expires in January 2017. (Larry Werner)

Staff Summary: CCMC Chapter 13.06.040 provides for the Board of Supervisors to appoint seven members that serve staggered four year terms to the Open Space Advisory Committee. There are three openings due to member's terms expiring. Applications were received from Toby Welborn and Coleman Welty. Reappointment requests were received from Laura FitzSimmons, Teri Green-Preston, and Donna Inversin. No other applications were received.

28. **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.

### 29. 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 in the City Manager's Office.

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 agendized

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 <u>www.carson.org/agendas</u>

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: January 10, 2013**