

*****AMENDED AGENDA*****

**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 18, 2014
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** - Nick Emery, Good Shepherd Wesleyan
 4. **Pledge of Allegiance**
 5. **Public Comment:****
The public is invited at this time to comment on and discuss any topic that is relevant to, or within the authority of this public body.
 6. **For Possible Action: Approval of Minutes** - June 5, 2014
 7. **For Possible Action: Adoption of Agenda**
 8. **Special Presentations**

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

Staff Summary: Once a month the Mayor and Board of Supervisors present length of service certificates to employees for 5, 10, 15, 20, 25, and 30 years of City service.
 9. **Recess as Board of Supervisors**
- Liquor and Entertainment Board**
10. **Call to Order & Roll Call – Liquor and Entertainment Board**
 11. **Public Comment:****

The public is invited at this time to comment on and discuss any topic that is relevant to, or within the authority of this public body.

12. For Possible Action: Approval of Minutes - April 17, 2014

13. Community Development - Business License

For Possible Action: To approve Gary P. Johnson as the secondary liquor manager for Dolgen Midwest, LLC dba Dollar General (Liquor License #15-29913) located at 3059 Hwy 50 East. (*Lena Reseck*)

Staff Summary: All liquor license requests are to be reviewed by the Liquor Board per CCMC 4.13. Dolgen Midwest, LLC. dba Dollar General is a grocery and household product retail store. The liquor license is a packaged beer and wine license. Gary P. Johnson will be the on-site manager for the store. Staff is recommending approval.

14. 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.

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. Airport Authority

For Possible Action: To approve the Third Addendum for the lease between James Wickersham (Shadetree Aviation, Inc.) and the Carson City Airport Authority for Parcel W1-B on the maps recorded with the original lease as Document No. 6395 (originally titled Sage Air Service lease). (*Steve Tackes, Airport Authority*)

Staff Summary: At a regular meeting of the Carson City Airport Authority on August 20, 2014, publicly noticed for that purpose, the Authority approved a Third Addendum to this lease to clarify that the tenant only has the right to use the tiedowns in the areas designated for tiedown. This is consistent with the historical interpretation and use. The language is clarifying only.

18. Assessor

A) For Possible Action: To approve the removal of the taxes from the 2014/15 real property tax roll from Assessors parcel number 001-211-04 (900 West Sunset Way) per NRS 361.091 in the amount of \$44.25. (*Kimberly Adams*)

Staff Summary: The Assessor's Office is requesting the Board of Supervisors to remove the taxes from the 2014/15 real property tax roll from Assessor's parcel number 001-211-04 (900 West Sunset Way) in the amount of \$44.25 per NRS 361.091. The owner of the property was entitled to receive a surviving spouse exemption on her real property taxes for the 2014/15 fiscal year. However, due to a clerical error, the exemption was not applied. The Assessor's Office is asking for the 2014/15 taxes to be adjusted to reflect the exemption.

- B) For Possible Action: To approve the correction/decrease of the taxes for the 2014/15 tax year for parcel number 007-581-07 (1540 Silver Oak Dr.) per NRS 361.765 in the amount of \$624.97. *(Kimberly Adams)*

Staff Summary: Due to a factual error, the property located at 1540 Silver Oak Dr. (parcel number 007-581-07) improvement assessed valuation did not receive the economic obsolescence that other newly constructed properties received in the same area. As a result of this error, the 2014/15 Real Property Taxes were incorrect. The Assessor's Office is requesting that the current fiscal year taxes be corrected and decreased in the amount of \$624.97 per NRS 361.765.

- C) For Possible Action: To approve the correction, decrease of the taxes for the 2014/15 fiscal years for parcel number 008-562-34 (1910 Neptune Ct.) per NRS 361.765 in the amount of \$431.62. *(Kimberly Adams)*

Staff Summary: Due to an error, the improvement value for the property located at 1910 Neptune Ct. (parcel number 008-562-34) was incorrect for the 2014/15 fiscal year. This resulted in an incorrect tax bill for the 2014/15 fiscal year. The Assessor's office is requesting that the current fiscal year taxes be corrected and decreased in the amount of \$431.62 per NRS 361.765.

19. Public Works

- A) For Possible Action: To adopt a resolution approving and authorizing the Mayor to sign the Joint Funding Agreement for Water Resource Investigations between Carson City and the U.S. Department of the Interior U.S. Geological Survey. *(David Bruketta)*

Staff Summary: Adoption of the Resolution approving this agreement will allow continuation for receiving critical stream flow data. This data is essential for Public Works to properly utilize surface water rights, plan and monitor the conjunctive use program and maintain compliance with the Alpine Decree. Carson City's share of the cost is \$48,050.

- B) For Possible Action: To extend a Lease entered into between the City and the Evans Broadcasting Company, Inc. (hereinafter "Lessee") for a period of three months under the same conditions to allow additional time to facilitate negotiations on a contract extension or termination. *(Darren Schulz)*

Staff Summary: The Board considered the issue on June 5, 2014 and extended the Lease for three months under the same conditions to help facilitate negotiations on a contract extension or termination. Staff has met with Mr. Evans and held several meetings in order to review potential locations for the relocation of the communication equipment. Research has been performed on multiple properties and Staff has eliminated several sites that were under consideration due to deed restrictions and other constraints. The damage caused by the recent flooding has required Staff to turn their full attention to the cleanup and repair of infrastructure damaged during the flood events. Staff is requesting a 3-month extension to facilitate continued negotiations on a contract extension or termination.

20. Purchasing and Contracts

For Possible Action: To authorize Al Kramer, Carson City Treasurer, to sign a no fee contract with Bank of America Merrill Lynch for Purchasing Card Services through September 17, 2017. (Contract File 1415-047) *(Kim Belt)*

Staff Summary: This contract is to provide Procurement Card Services for Carson City. Three (3) firms submitted proposals for the Request for Proposals. Based on proposal submittal, the firm Bank of America Merrill Lynch was selected via RFP #1415-047 – Request for Proposals for Carson City Purchasing Card Services. The contract will be issued for three (3) years with the option to renew for two (2) additional two (2) year terms.

21. Finance

- A) For Possible Action: Discussion and possible action to accept the Audit Committee’s recommendation to fund the Employee Efficiency Study being performed by Moss Adams using \$20,000 from the FY 2015 Internal Audit Budget, \$7,000 from the FY 2015 Sheriff’s General Fund budget and \$25,000 from the FY 2015 General Fund Contingency account. *(Michael Bertrand, Chairman, Audit Committee)*

Staff Summary: The Audit Committee met on August 12, 2014 and discussed the funding of the Employee Efficiency Study. The current FY 2015 Audit Plan Budget consists of: Basic Internal Auditor Services - \$10,000; Internal Controls Review - \$40,000; Strategic Planning (Ph.2) - \$30,000; FWA Program Coordination - \$10,000; Project TBD - \$20,000; Total - \$110,000.

The Audit Committee is recommending that Moss Adams continue with the projects listed above and use the \$20,000 of “Project to be determined” for the Employee Efficiency Study, along with the other funding sources listed above.

- B) For Possible Action: To adopt Bill No. 112, on second reading, an Ordinance of the Board of Supervisors of Carson City, Nevada designated by the short title “2014C Water Refunding Bond Ordinance”; providing for the issuance of its General Obligation (Limited Tax) Water Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014C; providing the form, terms and conditions of the Bonds; providing for the levy and collection of annual general (ad valorem) taxes for the payment of such bonds; additionally securing their payment by a pledge of revenues derived from the water system of the City; and providing other matters relating thereto. *(Nick Providenti)*

Staff Summary: This ordinance will authorize the issuance of the Carson City, Nevada, General Obligation (Limited Tax) Water Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014C for the purpose of refunding certain of their previously issued General Obligation bonds, and the City hereby determines that it is necessary and in the best interest of the City and its citizens to refund these bonds for the purpose of effecting interest rate savings.

- C) For Possible Action: To adopt Bill No. 113, on second reading, an Ordinance of the Board of Supervisors of Carson City, Nevada designated by the short title “2014D Sewer Refunding Bond Ordinance”; providing for the issuance of its General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014D; providing the form, terms and conditions of the Bonds; providing for the levy and collection of annual general (ad valorem) taxes for the payment of such bonds; additionally securing their payment by a pledge of revenues derived from the sanitary sewer system and drainage system of the City; and providing other matters relating thereto. *(Nick Providenti)*

Staff Summary: This ordinance will authorize the issuance of the Carson City, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014D for the purpose of refunding certain of their previously issued General Obligation bonds, and the City hereby determines that it is necessary and in the best interest of the City and its citizens to refund these bonds for the purpose of effecting interest rate savings.

- D) For Possible Action: To adopt Bill No. 114, on second reading, an Ordinance of the Board of Supervisors of Carson City, Nevada designated by the short title “2014E V&T Historical Refunding Bond Ordinance”; providing for the issuance of its Carson City, Nevada, General Obligation (Limited Tax) V&T Historical Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014E; providing the form, terms and conditions of the Bonds; providing for the levy and collection of annual general (ad valorem) taxes for the payment of such bonds; additionally securing their payment by a pledge of revenues derived from certain sales tax imposed by the City; and providing other matters relating thereto. *(Nick Providenti)*

Staff Summary: This ordinance will authorize the issuance of the Carson City, Nevada, General Obligation (Limited Tax) V&T Historical Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2014E for the purpose of refunding certain of their previously issued Carson City, Nevada General Obligation bonds, and the City hereby determines that it is necessary and in the best interest of the City and its citizens to refund these bonds for the purpose of effecting interest rate savings.

- E) For Possible Action: To accept the report on the condition of each fund in the treasury and the statements of receipts and expenditures through September 8, 2014 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.

PUBLIC HEARING:

- F) Public hearing on the intent of Carson City, Nevada to issue General Obligation (Limited Tax) infrastructure sales tax bonds (additionally secured by pledged revenues) in an amount of up to \$13,600,000 to finance the cost of acquiring, establishing, constructing, expanding, improving and equipping various City infrastructure projects set forth in NRS 377B.160(3). *(Nick Providenti)*

Staff Summary: The City is proposing to issue general obligation infrastructure sales tax bonds in the aggregate principal amount of not exceeding \$13,600,000 for the purpose of acquiring, establishing, expanding, improving and equipping various City infrastructure projects set forth in NRS 377B.160(3).

22. District Attorney

For Possible Action: To approve pursuant to Section 3.070(3) of the City Charter approval of Carson City’s joinder at the discretion of the Carson City District Attorney’s Office in the Amicus Curiae Brief to be drafted and filed jointly by the Henderson City Attorney’s Office, the North Las Vegas City Attorney’s Office and the Clark County District Attorney’s Office, and thus duly appoint the author(s) of such amicus brief to act as special deputies district attorney for the Carson City District Attorney’s Office in filing an amicus brief and representing the amicus curiae interests of Carson City before the Nevada Supreme Court in the case City of Reno v. International Association of Firefighters, Local 731, et al., Case No. 65934 before the Nevada Supreme Court. *(Randal Munn)*

Staff Summary: The District Attorney’s Office does not have the staff time it can devote to separately drafting an amicus brief on this important subject and it is common practice to join in the work product of other government attorneys arguing interests that are in common with Carson City’s interests in a legal dispute.

23. City Manager

For Possible Action: To ratify the approval of bills and other requests for payments by the City Manager for the period of August 12, 2014 thru September 8, 2014. *(Nick Marano)*

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.

24. Health and Human Services

- A) For Possible Action: To adopt, on second reading, Bill No. 111, an ordinance amending the Carson City Municipal Code Title 7 - ANIMALS, Chapter 7.13 – Licensing and Regulations, to amend Section 7.13.010 – Definitions, to amend Section 7.13.020 – Carson City Animal Services/Powers, and to repeal and reserve Section 7.13.040 – Collections/Disbursements/Fee Schedule, to further provide for the contract authority of the Board of Supervisors to contract out animal services with a society for the prevention of cruelty to animals incorporated under Nevada Revised Statutes Chapter 574 for their operation, direction, supervision, regulation, policing, enforcement, and any other powers the city deems necessary of this chapter as a private non-profit entity pursuant to a contract and/or fee schedule approved by the Carson City Board of Supervisors, and other matters properly related thereto. *(Nicki Aaker)*

Staff Summary: Pending approval by the Carson City Board of Supervisors, Carson City will be contracting with a society for the prevention of cruelty to animals incorporated under NRS 574 for Animal Services' operation, direction, supervision, regulation, policing, and enforcement.

- B) For Possible Action: To approve a Lease and a Professional Animal Services & Enforcement Agreement between Carson City and the Nevada Humane Society, a private, non-profit Nevada corporation and a society for the prevention of cruelty to animals incorporated under NRS 574 for Animal Services' operation, direction, supervision, regulation, policing, and enforcement. *(Nicki Aaker)*

Staff Summary: Pending approval by the Carson City Board of Supervisors, Carson City will contract with the Nevada Humane Society for Animal Services' operation, direction, supervision, regulation, policing, and enforcement. The Nevada Humane Society is a private non-profit Nevada corporation recognized as exempt under section 501(c)(3) of the Internal Revenue Code with an established record of providing humane animal services in Nevada.

- C) For Possible Action: To adopt a resolution authorizing the donation of surplus items to the Nevada Humane Society. *(Nicki Aaker)*

Staff Summary: This resolution authorizes Carson City Board of Supervisors to donate commodities, supplies, materials and equipment that they have determined have reached the end of their useful lives since Carson City is contracting with the Nevada Humane Society for the operation, direction, supervision, regulation, policing, and enforcement of Carson City Animal Services.

25. Board of Supervisors

Non-Action Items:

Future agenda 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

– LUNCH BREAK –

– RETURN – APPROXIMATE TIME – 2:00 P.M. –

26. Community Development - Planning

- A) For Possible Action: To consider an appeal from Jeffrey Fleeman (property owner: The Flicka Group LLC) of the Planning Commission's denial of an appeal of Planning Division staff's decision regarding the discontinuation of a non-conforming mobile home park use on property zoned Multi-family Apartment (MFA), located at 3769 Reeves St., APN 008-308-01. (*Lee Plemel*)

Staff Summary: Planning Division staff determined that the non-conforming mobile home park use on the subject property has been operationally abandoned or discontinued for a period of 12 consecutive months and, therefore, may not be resumed per Carson City Municipal Code, Section 18.04.030(3), Abandonment of Nonconforming Use. The Planning Commission upheld staff's determination on July 30, 2014. Decisions of the Planning Commission may be appealed to the Board of Supervisors. An appeal of the Planning Commission's denial was filed by the appellant. The Board of Supervisors may uphold, modify or reverse the Planning Commission's decision.

PUBLIC HEARING:

- B) For Possible Action: To consider a Business Impact Statement and determine whether or not Business License fees proposed for Medical Marijuana Establishment impose a direct and significant economic burden on Medical Marijuana Establishments but and directly restrict formation, operations or expansion of a Medical Marijuana Establishment, and find that a Business Impact Statement has been prepared in compliance with NRS 237, accepted, and is on file with the Board of Supervisors. (*Lee Plemel and Susan Dorr Pansky*)

Staff Summary: Per NRS 237, when considering the adoption of fees that may have an impact on business, government entities must prepare a Business Impact Statement that considers whether the proposed fees will impose a direct and significant economic burden or will directly restrict formation, operations or expansion of a business. In accordance with the requirements, staff has prepared a Business Impact Statement that has determined that the proposed Business License fees for Medical Marijuana Establishments will impose a direct and significant economic burden on Medical Marijuana Establishment operators but will not directly restrict formation, operations or expansion of such establishments. This action does not adopt the proposed fees.

- C) For Possible Action: To provide direction to staff regarding an ordinance amending Title 4, Licenses and Business Regulations, Chapter 4.04, Business Licenses to address fees and regulations for Medical Marijuana Establishments in Carson City. (*Lee Plemel and Susan Dorr Pansky*)

Staff Summary: Staff has begun to prepare an ordinance to amend Title 4, Licenses and Business Regulations, Chapter 4.04, Business Licenses for consideration by the Board of Supervisors in October 2014. Staff has so far only incorporated proposed Business License fees into the ordinance and requests direction from the Board on the proposed fees, as well as additional regulations for Medical Marijuana Establishment Business Licenses that should be included in the ordinance.

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

***PUBLIC COMMENT LIMITATIONS - The Mayor and Supervisors meet at various times as different public bodies: 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. Each, as called to order, will provided at least two public comment periods in compliance with the minimum requirements of the Open Meeting Law prior to adjournment. In addition, it is the Carson City's aspirational goal to also provide for item-specific public comment as follows: In order for members of the public to participate in the public body's consideration of an agenda item, the public is strongly encouraged to comment on an agenda item when called for by the mayor/chair 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, Mayor Pro-Tem and Chair, also retain discretion to only provide for the Open Meeting Law's minimum public comment and not call for or allow additional individual-item public comment at the time of the body's consideration of the item when: 1) it is deemed necessary by the mayor/chair to the orderly conduct of the meeting; 2) it involves an off-site non-action facility tour agenda item; or 3) it involves any person's or entity's due process appeal or hearing rights provided by statute or the Carson City Municipal Code.*

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.

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 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 191. For specific dates and times - www.bactv.org.

*To request a copy of the supporting materials for this meeting contact
Janet Busse at jbusse@carson.org or call (775) 887-2100.*

This agenda and backup information are available on the City's website at www.carson.org/agendas and at the City Manager's Office - City Hall, 201 N. Carson Street, Ste 2, Carson City, Nevada (775) 887-2100.

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: September 12, 2014