

CARSON CITY BOARD OF SUPERVISORS
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, July 6, 2006, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada 89701, beginning at 8:30 a.m.

PRESENT:	Marv Teixeira	Mayor
	Robin Williamson	Supervisor, Ward 1
	Shelly Aldean	Supervisor, Ward 2
	Pete Livermore	Supervisor, Ward 3
STAFF PRESENT:	Linda Ritter	City Manager
	Alan Glover	Clerk-Recorder
	Ken Furlong	Sheriff
	Larry Werner	City Engineer
	Stacy Giomi	Fire Chief
	Roger Moellendorf	Parks and Recreation Director
	Melanie Bruketta	Chief Deputy District Attorney
	Scott Fahrenbruch	Director of Parks Operations
	Cheryl Adams	Purchasing and Contracts Manager
	Lee Plemel	Principal Planner
	Katherine McLaughlin	Recording Secretary
	Sandy Scott	Contracts Coordinator
	(BOS 7/1/06 Recording 8:28:25)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed following the Department's heading. Any other individuals who spoke are listed immediately following the item's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION - Mayor Teixeira convened the meeting at 8:30 a.m. Roll call was taken. A quorum was present although Supervisor Staub was absent. Clerk-Recorder Alan Glover led the Pledge of Allegiance. Rev. Bruce Henderson of the Airport Road Church of Christ gave the Invocation. Mayor Teixeira announced that Supervisor Aldean's birthday was yesterday and that she had turned 50.

CITIZEN COMMENTS ON NON-AGENIZED ITEMS (8:31:00) - Sam Dehne, "the Encyclopedia of Reno Government and the most trusted name in Reno government", indicated that Reno's City Council was glad to hear that he is attending Carson City's meetings as "it gives him less time to comment at its meetings". He advised that he had filed an Open Meeting Law complaint with the Attorney General asking him/her to analyze the need to agenize Citizen Comments on Non-agenized items for each Board session. He also advised that he had asked Deputy Attorney General Neil Rombardo not to participate in the review as he is a candidate for the Carson City District Attorney's office. He then expressed his astonishment at the statement that the City does not want airline service here. Regional jets are "quiet, safe, sophisticated, and will fit the City's airport". The City needs this type of service as indicated by the grid lock occurring on our streets and

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highways and road rage "as well as many other reasons". He felt that his time for speaking was ending due to his experience in Reno where they have a clock limiting the speaking time. He indicated that he was not suggesting that a clock be obtained and used to limit Carson City's speakers. He advised that the airline service issue is "a little bit personal as he is running for the office of the Washoe County Commission District 2". He believed that his constituents will use the Carson City airport as they reside on the other side of the Carson City boundary. He indicated that he will continue espousing this desire and need. He then advised that he will not be able to stay for a long period today but will speak later. Discussion indicated that he ran out of time and would not be playing his guitar. Additional citizens comments were solicited.

Art Baer indicated that life begins at 50 and congratulated Supervisor Aldean on reaching this point in her life.

1. ACTION ON APPROVAL OF MINUTES - 5/18/06 (8:35:50) - Comments on the Minutes were solicited but none were given. Supervisor Aldean moved to approve the Minutes from May 18, 2006, as presented. Supervisor Williamson seconded the motion. Motion carried 4-0.

2. CHANGES TO THE AGENDA (8:36:19) - None.

3. SPECIAL PRESENTATION - PRESENTATION OF A PROCLAMATION RECOGNIZING RON DEAN FOR HIS HEROIC EFFORTS (8:36:25) - Supervisor Livermore introduced Ron Dean and read the Proclamation commending him on his heroic efforts to save a five-year boy whose raft had been overturned in the Carson River. He, personally, thanked Mr. Dean and expressed the hope that the family recognizes his heroic effort. He presented the proclamation to Mr. Dean. Mr. Dean felt that he had done what any father would do to save the child. He introduced his family members, who were present. He thanked the Board for the honor and recognition. Fire Chief Stacy Giomi expressed the Fire Department's thanks and recognized his effort due to the lack professional training which Mr. Dean had in handling such an event. He felt that the response defines the character of Carson City and creates heroes. A round of applause recognizing Mr. Dean was given. Mayor Teixeira commended Mr. Dean on his action. No formal action was required or taken.

4. CONSENT AGENDA (8:40:50)

4-1. SHERIFF - ACTION TO APPROVE THE ACCEPTANCE OF THE STATE OF NEVADA, PUBLIC SAFETY OFFICE OF CRIMINAL JUSTICE ASSISTANCE, JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$121,109 TO ASSIST IN THE FUNDING OF THE TRINET NARCOTICS TASK FORCE, WITH AN ADDITIONAL \$13,567 NEEDED FROM THE GENERAL FUND DUE TO AN UNANTICIPATED REDUCTION OF THE FEDERAL GRANT AWARD

4-2. PURCHASING AND CONTRACTS - ACTION TO APPROVE THE AWARD OF CONTRACT NO. 0607-008 PARK AND PLAYGROUND EQUIPMENT TO GREAT WESTERN PARK AND PLAYGROUND TO PROVIDE GAME TIME PRODUCTS AND TO MIRACLE PLAYGROUND SALES SOUTHWEST TO PROVIDE MIRACLE RECREATION EQUIPMENT COMPANY PRODUCTS PURSUANT TO THE DISCOUNT PERCENTAGES EACH COMPANY BID AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 332 EFFECTIVE AUGUST 2, 2006, THROUGH AUGUST 1, 2011, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL FIVE (5) YEAR PERIODS SUBJECT TO NEGOTIATION FOR A NOT TO EXCEED AMOUNT OF \$50,000 PER FISCAL YEAR FROM THE CAPITAL

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ACQUISITION FUND

4-3. JUSTICE COURT - ACTION TO APPROVE SETTING THE MINIMUM COMPENSATION FOR THE JUSTICES OF THE PEACE OF THE CITY OF CARSON CITY AT \$68,151.65

4-4. CITY MANAGER

A. ACTION TO APPOINT BOB KENNEDY TO THE LIBRARY BOARD OF TRUSTEES TO FILL A FOUR YEAR TERM EXPIRING JUNE 2010

B. ACTION TO APPOINT STEVE WALKER AND GILBERT YANUCK TO THE WILDLIFE ADVISORY BOARD; STEVE WALKER FOR A THREE YEAR TERM, EFFECTIVE JULY 2006 TO JULY 2009, AND GILBERT YANUCK FOR A TWO YEAR TERM, EFFECTIVE JULY 2006 TO JULY 2008

4-5. PARKS AND RECREATION - ACTION TO RATIFY AN ADDENDUM TO AN EXECUTED AND RECORDED AGREEMENT BETWEEN CARSON CITY AND CHARLES RAFFETY

4-6. PUBLIC WORKS - ACTION TO AUTHORIZE A SENIOR PUBLIC WORKS CONSTRUCTION INSPECTOR POSITION FOR THE PUBLIC WORKS DEPARTMENT - Sam Dehne, "the Encyclopedia of Reno Government and the most trusted name in Reno government", advised that the City's protocol is different from Reno's, however, he is getting adjusted to it. He requested Item 4-3 be pulled for discussion due to his belief that the public should know what the salary is for the judges. The Consent Agenda is voted upon in one solid block. Pulling it will provide the opportunity to explain the public's support of the judges. Mayor Teixeira denied the request as the Board represents the citizens and taxpayers of Carson City. The Board attempts to handle as much of its responsibilities as possible in the Sierra Room. It is the Board's duty to administer the government from fiduciary, economical, and expeditious stand points. When you look at the cost of the individuals who serve the community and for conducting the meeting, he questioned the need to go into issues on behalf of an individual who will not be impacted by the Board's action. Mr. Dehne interrupted him by demanding to know why it would not effect him. Mayor Teixeira replied that he should not interrupt. He explained that the issue is that Carson City's government effects only the residents of the City. It has no impact on Washoe or Lyon County or the State of Nevada. Mr. Dehne does not live in Carson City, vote here, pay taxes here, nor have a business here. Mayor Teixeira felt that Mr. Dehne was present for his own edification and to tell the Board what it should do. Mayor Teixeira felt that this was improper. Mayor Teixeira then indicated that he has broad discretions. He is allowed to say what will go and what will be pulled. He felt that pulling the item would be a waste of taxpayers' dollars. Mr. Dehne responded that the Open Meeting Law demands that the citizens be allowed to speak on action items. He also indicated that he owns property in Carson City which should not be a factor. He then questioned what would happen if the President was in attendance----. Mayor Teixeira indicated that he was not going to get into argument with Mr. Dehne. What he would say is that he had denied the request. Mr. Dehne can file another complaint with the Attorney General's office. He asked that Mr. Dehne set down. Mr. Dehne responded that there are hundreds of thousands of dollars and he is not allowed to—. Mayor Teixeira again asked that he please be seated. Mayor Teixeira pulled Items 4-1, the Justice Assistance Grant, and 4-6. Supervisor Livermore moved for approval of the Consent Agenda with the five remaining items, 4-2 Purchasing and Contracts, 4-3 Justice Court, 4-4 (which is) two items for the City Manager and pay special recognition to the reappointment of Bob Kennedy to the Library Board and (to) Steve Walker and Gil Yanuck , who is in the audience today, for their willingness to serve on the Wildlife Advisory Board, and the one remaining item of 4-5 Parks and Recreation. Supervisor Williamson seconded the motion. Comments on the question were solicited but none were given. The motion was voted and carried 4-0.

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4-1. (8:46:01) Sheriff Ken Furlong explained the grant and the shortfall created by a reduction in the Federal funding. Due to the importance of having ongoing counter narcotic programs, an additional General Fund support of \$13,567 is needed. He recommended increasing the funding rather than reducing the funding for TriNET. He acknowledged the lack of details concerning the TriNET activities. Justification for not publicizing their activities was provided. His Department has a seat on the Task Force Executive Board and oversees its activities. TriNET programs include coordinated training programs, attendance and presentations at town hall meetings, and special enforcement activities. They work with other Counties on an effort to eradicate the drug problems which include dangerous drugs and meth. They have been using Federal funds for the programs for 17 years. They have understood that the Federal funds could be reduced at any time. He pointed out that they have no control over the Federal funding level. Carson City's leading role in the drug fight is recognized by our neighbors. He urged the Board to lobbying the Legislature to support this effort. Carson City is the major contributor of the program in both personnel and funding. Storey County has removed its detective from the program. The other participating Counties also provide support for the program and coordinate activities as developed at the tri-County local law enforcement meetings. They meet on a regular basis. Discussion pointed out that the drug problem knows no boundary. The TriNET program has been in force for 17 years. Carson City is unique in its fight even though it is a small county. Supervisor Livermore congratulated Sheriff Furlong for successfully obtaining the grant. The \$121,000 is a huge amount. The results of the effort are seen when arrests are made. He complimented Sheriff Furlong on the operation. Supervisor Williamson pointed out that the meth and drug problems are nationwide. Discussions need to be held with our Federal representatives. The National Association of Counties and National League of Cities should work to obtain additional funding. She felt it is troubling to see a reduction in funding for a nationwide problem. Sheriff Furlong advised that both City Manager Ritter and Mayor Teixeira had already discussed this issue with the "Feds". Mayor Teixeira briefly limned City Manager Ritter's efforts to mitigate the reduction in funding. Supervisor Livermore moved to approve the acceptance of the State of Nevada, Public Safety Office of Criminal Justice Assistance, Justice Assistance Grant in the amount of \$121,109 to assist in the funding of the TriNET Narcotics Task Force, with an additional \$13,567 from the General Fund; fiscal impact to the Carson City Sheriff's Office approved Fiscal Year 07 budget includes the contributing monies of \$85,983; due to Federal funding cuts, an additional \$13,567 is needed to support this program. Supervisor Williamson seconded the motion. Motion carried 4-0.

4-6. (8:54:40) - Public Works Director Andrew Burnham - Discussion explained that the contracted individual's salary is \$96 to \$106 per hour. A staff person will cost \$37 per hour which includes benefits. Discussion noted that benefits were included in this figure and that they may be a reason for an individual to want to work for the City. Justification for not including the request in the budget was provided. Projects this individual will work on were noted. Funding for the position is part of the construction costs for the project rather than from the salaries account. If the City runs out of projects in two or three years, an individual in this area will be laid off. Five positions in different functional areas have been eliminated previously through this process. The capital cost is for a vehicle. Justification for including the cost of a vehicle in the budget request and for not using the vehicles the City is disposing were explained. Additional questions were solicited but none were given. Supervisor Aldean moved to authorize a Senior Public Works Construction Inspector position for the Public Works Department; funding from various capital improvement project budgets with a budget impact of \$76,000 annually and one time capital cost of \$24,000; and funding source is various capital project accounts. Supervisor Livermore seconded the motion. Motion carried 4-0.

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5. FIRE - Chief Stacy Giomi - ACTION TO ADOPT ON SECOND READING, BILL NO. 116, AN ORDINANCE AMENDING CHAPTER 5.18 AMBULANCE SERVICES, SECTION 5.18.040 FEES AND RATES, BY INCREASING THE FEE AND RATE SCHEDULE AS LISTED FOR EXISTING SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO (8:58:04) - Board comments were solicited. None were made. Supervisor Williamson moved to adopt on second reading Bill No. 116, Ordinance No. 2006-16, AN ORDINANCE AMENDING CHAPTER 5.18 AMBULANCE SERVICES, SECTION 5.18.040 FEES AND RATES, BY INCREASING THE FEE AND RATE SCHEDULE AS LISTED FOR EXISTING SERVICES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Livermore seconded the motion. Comments on the question were solicited. None were given. The motion was voted and carried 4-0.

6. FINANCE - Director Tom Minton - PUBLIC HEARING ON THE INTENT OF CARSON CITY, NEVADA, TO ISSUE GENERAL OBLIGATION PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN AN AMOUNT UP TO \$3,500,000 TO FINANCE THE COST OF ACQUIRING, DEVELOPING, CONSTRUCTING, IMPROVING AND EQUIPPING PROJECTS FOR PARKS, TRAILS AND RECREATIONAL FACILITIES; AND PROVIDING THE EFFECTIVE DATE HEREOF (8:59:08) - Sam Dehne, "the Encyclopedia on Reno Government" - The bond monies are for the potential joint use recreational center. Mayor Teixeira declared the hearing open. Comments were solicited. Mr. Dehne indicated that he was flabbergasted at the method used to pick and choose who is allowed to come to the podium. He indicated he had followed the bond for several weeks. The Board is in the final stages of funding the \$3.5 million project. As a property owner, he "approved the bond. Now and then when you are elected, you think that own the operation but you would still like to have individuals speak in support of a project. Three-and-a-half million dollars is a lot of money. The parks and recreational facilities are important to a community." Additional comments were solicited twice but none were given. Mayor Teixeira closed the public hearing. No formal action was required or taken.

7. PUBLIC WORKS - PLANNING AND ZONING - Principal Planner Lee Plemel

A. ACTION TO ADOPT ON SECOND READING BILL NO. 119, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT FROM SILVER STATE CONSULTING (PROPERTY OWNER: STRENG, MARTIN K. AND MICHELLE R. AND CARDINAL, DAVID AND RHONDA) TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE (SF1A) TO SINGLE FAMILY 12,000 (SF12), ON PROPERTY LOCATED AT 360 EAST OVERLAND STREET AND 329 EAST ROVENTINI WAY, APN'S 009-173-04 AND -01 (FILE NO. ZMA-06-069) (9:01:17) - Discussion indicated that both Planning items were similar but should be handled separately. No comments had been received on the ordinance. Supervisor Aldean moved to adopt on second reading Bill No. 119, Ordinance No. 2006-17, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM SINGLE FAMILY ONE ACRE TO SINGLE FAMILY 12,000 ON PROPERTY LOCATED AT 360 EAST OVERLAND STREET AND 329 EAST ROVENTINI WAY, APN'S 009-173-04 AND -01 based upon the conditions of approval contained in the staff report. Supervisor Livermore seconded the motion. Comments on the question were solicited. None were given. Motion carried 4-0.

B. ACTION TO ADOPT ON SECOND READING BILL NO. 118, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT FROM WESTERN ENGINEERING (PROPERTY

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OWNER: BALDWIN, JANET TRUST 11/5/91) TO CHANGE THE ZONING OF APPROXIMATELY 1.23 ACRES OF THE SOUTHERN PORTION OF THE 2.09 ACRE PROPERTY LOCATED AT 1851 MERCURY WAY, APN 008-161-18, FROM MOBILE HOME 12,000 (MH12) TO GENERAL COMMERCIAL (GC), AND TO CHANGE APPROXIMATELY 0.85 ACRES OF THE NORTHERN PORTION OF THE PROPERTY FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000 (MH6), BASED ON THE FINDINGS CONTAINED IN THE STAFF REPORT. (FILE NO. ZMA-05-117) (9:02:59) - Supervisor Williamson moved to adopt on second reading Bill No. 118, Ordinance No. 2006-18, AN ORDINANCE AFFECTING A ZONING MAP AMENDMENT TO CHANGE THE ZONING OF APPROXIMATELY 1.23 ACRES OF THE SOUTHERN PORTION OF THE 2.09 ACRE PROPERTY LOCATED AT 1851 MERCURY WAY, APN 008-161-18, FROM MOBILE HOME 12,000 TO GENERAL COMMERCIAL AND TO CHANGE APPROXIMATELY 0.85 ACRES OF THE NORTHERN PORTION OF THE PROPERTY FROM MOBILE HOME 12,000 TO MOBILE HOME 6,000 based on the findings contained in the staff report. Supervisor Livermore seconded the motion. Comments on the question were solicited but none were given. Motion carried 4-0.

12. BOARD OF SUPERVISORS

A. MAYOR TEIXEIRA - ACTION TO APPROVE ASSISTING THE AMERICAN LEGION IN CONSTRUCTING A VETERANS MEMORIAL IN LONE MOUNTAIN CEMETERY (9:04:45) - Mayor Teixeira apologized for not moving this Item to an earlier position in the meeting. Mayor Pro-Tem Williamson had agenized the Item as the final item for the meeting. Carson City Post 56 American Legion Commander Scott Atkins introduced Art Baer and Post Adjutant Joe Hanus. Mr. Baer is the designer and advocater for the memorial. Mr. Hanus has been the initiator and Chairman of the project. Mr. Hanus wished Supervisor Aldean happy birthday. He then read a prepared statement into the record. (A copy was not given to the Clerk.) He thanked the Board for considering the request. The mission statement and how the Post is meeting it were explained that included the formation of an Honor Guard. A photo of the proposed Memorial was given to the Mayor. (A copy is in the file.) A description of it was provided. The concept and its proposed location have allegedly been approved by the "cemetery administrators". The project is estimated to cost more than \$1,000. It will be a partnership shared by the community. A donation was solicited. Justification for the request was provided. He then described the American Institute Jefferson Award which he was given and indicated his appreciation of the recognition. He, along with four other award recipients are being sent to the Supreme Court in Washington, D.C., where he hoped to have a chance to represent the City.

Supervisor Livermore acknowledged the great honor the Jefferson Award was and recognized the work the American Legion performs at the Cemetery, specifically, during the Memorial Day activities. His appreciation of this effort was indicated. He also recognized what the Veterans had given for their Country. He pointed out that one day they will all be gone. He may wish to be buried in the Veterans' section of the Lone Mountain Cemetery due to the continuous support of organizations like the American Legion. He complimented Parks and Recreation Director Roger Moellendorf and his staff on the well-maintained shape in which they keep the cemetery. He thanked the American Legion for its efforts at the cemetery.

Mayor Teixeira suggested that the partnership be an equal sharing of the \$1,000 cost for the memorial, e.g., \$500. Mr. Hanus thanked him for the contribution. Supervisor Aldean moved to approve assisting the

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American Legion in constructing a Veterans Memorial in Lone Mountain Cemetery, fiscal impact not to exceed \$500 from the General Fund, contingent upon a match received from the American Legion and the community in general. Supervisor Livermore seconded the motion. The motion was voted and carried 4-0.

Mr. Dehne asked to speak during the vote. Mayor Teixeira explained that the Memorial is being funded by the community and asked that Mr. Dehne not tell him how to run the meeting. Mayor Teixeira indicated that he is a Veteran and that there are a lot of Veterans here. Thank you very much.

Mr. Hanus thanked the Board for its partnership and indicated that the American Legion is proud to represent Carson City. Supervisor Livermore thanked them for the design.

8. PUBLIC WORKS - Operations Manager Tom Hoffert

A. ACTION TO ADOPT ON SECOND READING BILL NO. 117, AN ORDINANCE AMENDING CHAPTER 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.12 SOLID WASTE MANAGEMENT, BY DELETING SECTION 12.12.047 LANDFILL RATES AND FEES AND THEN ADDING SECTION 12.12.047 LANDFILL RATES AND FEES WHICH INCREASES THE FEES AND INCORPORATES OUT-OF-COUNTY RATES AND DELETING SECTION 12.12.048 OUT-OF-COUNTY RATES AND OTHER MATTERS PROPERLY RELATED THERETO (9:14:20) - City Manager Linda Ritter - The originally proposed portion dealing with penalties for uncovered and/or improperly secured loads was removed as directed by the Board during the first reading. They will be handled separately. Public comments were solicited. None were given. Supervisor Aldean moved to adopt on second reading Bill No. 117, Ordinance No. 2006-19, AN ORDINANCE AMENDING CHAPTER 12 WATER, SEWERAGE AND DRAINAGE, CHAPTER 12.12 SOLID WASTE MANAGEMENT, BY DELETING SECTION 12.12.047 LANDFILL RATES AND FEES AND THEN ADDING SECTION 12.12.047 LANDFILL RATES AND FEES WHICH INCREASES THE FEES AND INCORPORATES OUT-OF-COUNTY RATES AND DELETING SECTION 12.12.048 OUT-OF-COUNTY RATES AND OTHER MATTERS PROPERLY RELATED THERETO; these increases are to fund capital equipment purchases, some full time employees that are needed for construction and demolition purposes and the manning of the gate house and other work force employees. Supervisor Williamson seconded the motion. Motion carried 4-0.

12. B. I. STAFF REPORTS - NON-ACTION ITEMS (9:16:45) - Public Works Utilities Operations Manager Tom Hoffert - Discussion ensued on the status of the City's water table and pumping capacity. Comments indicated that the City is in great shape at this time as a result of two back-to-back years of high precipitation. The ground water table is rising. The wells are being rested. There are 30 wells. Sixteen are resting although during some morning hours 22 wells may be operated. The runoff in Ash Canyon Creek has cleared up and is being used.

8. B. ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE INTER-LOCAL CONTRACT BETWEEN PUBLIC AGENCIES, WHICH ADDRESSES AN INTERTIE BETWEEN LYON COUNTY AND CARSON CITY WATER SYSTEMS (9:19:19) - Chief Deputy District Attorney Melanie Bruketta - Mr. Hoffert then justified the interlocal contract to connect the water systems. Carson City's need for the connection was based on the plan to take the Marlette-Hobart system off

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line next year for construction of a new, larger pumping station. The agreement includes a clause to not charge for water during emergencies. Justification for the clause was due to the fact that an emergency exists and for being a good neighbor. A plan to replace the water used during the emergency is to be developed. It will include the utility and labor costs in order to make the providing entity whole. The term of the contract was left up to the Board to determine. Lyon County Utility Manager Mike Workman is planning to ask his Commissioners for a ten-year agreement starting on 7/6/06 and running through 7/6/16. Mr. Hoffman supported this term as it is the typical period for water agreements. Examples of such agreements were provided. Discussion between Supervisor Aldean and Ms. Bruketta indicated that the contract did not contain a dispute resolution clause. The City's practice has been to not include such a clause in similar agreements. Supervisor Aldean did not wish to delay the agreement by asking Lyon County if one was agreeable. She asked that future contracts of similar in nature to the proposed contract contain such a clause. Ms. Bruketta explained that the contract was patterned after State agreements and that the City has the ability to terminate the contract with 30 days notice. Mr. Hoffert explained that it is 120 days notice unless both parties agree then it can be terminated immediately. Supervisor Livermore expressed his pleasure at seeing the agreement due to the benefits it will provide to both Counties. He had discussed the concept with Lyon County Commission Chairperson Bob Milz at the Subconservancy meetings. He congratulated Mr. Hoffert on his efforts. He also expressed the hope that Mr. Hoffert's employment contract can be extended for another five years. Supervisor Williamson moved to approve and authorize the Mayor to sign the Interlocal Contract Between Public Agencies, which addresses an Intertie between Lyon County and Carson City water systems. Supervisor Livermore seconded the motion. Following a request for an amendment, Supervisor Williamson amended the motion to include in Part 3 a ten-year timeframe from today's date of July 7, 2006. Supervisor Livermore concurred. The motion was voted and carried 4-0.

RECESS: A recess was declared at 9:25 a.m. A quorum of the Board was present when Mayor Teixeira reconvened the meeting at 9:30 a.m.

9. PUBLIC WORKS - CONTRACTS - Public Works Director Andrew Burnham

A. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION AND AWARD THE CARSON CITY SHERIFF'S DEPARTMENT ADMINISTRATION BUILDING PROJECT, CONTRACT NO. 2005-176, FROM THE FISCAL YEAR 2005/2006 CONSTRUCTION PROJECTS/SHERIFF'S ADMINISTRATION BUILDING/GENERAL FUND CAPITAL ACCOUNT FOR THE FOLLOWING WORK SCOPE NO. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, 26, 27, 28, 29, AND 30, AS PROVIDED IN THE BID TABULATION, FOR A TOTAL AGGREGATE CONTRACT AMOUNT OF \$9,329,895 AND A CONTINGENCY AMOUNT OF \$513,000 (9:30:38) - Construction Manager Tom Metcalf - Mr. Burnham's introduction recognized Construction Manager Metcalf's efforts to obtain bids for the various projects. He felt that it is a good project which is slightly under the established budget. The engineer's estimates for both this project and the following project are holding. He recommended moving forward with the proposed work scopes and indicated that the remaining work scopes will be presented to the Board at the next meeting. He then read a letter of protest into the record regarding Work Scope 18 regarding the bidder's failure to sign the document. The bidder had signed the bond document but failed to execute the contract. They were asked to sign the document later and did so. The District Attorney's office had reviewed the process and saw no problems with the procedure. Discussion noted that Omboli Interiors had submitted separate bids for Scopes 11 and 18 as well as a combined bid for

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both items. Only one out-of-state contractor was retained. The other contractors were considered as being from the vicinity. Additional comments were solicited but none were given. Supervisor Livermore moved to accept Public Works' recommendation and award the Carson City Sheriff's Department Administration Building Project, Contract No. 2005-176, from the Fiscal Year 2005-2006 Construction Projects/Sheriff's Administration Building/General Fund Capital Account for the following Work Scope Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, 26, 27, 28, 29, and 30 as provided in the bid tabulations attached for a total aggregate contract amount of \$9,329,895 and a contingency amount of \$513,000 and the funding source is 330-0000-421-7820 Construction Projects, Sheriff's Administrative Building General Fund Capital Account provided for in Fiscal Year 2005-2006 of \$12,000,000. Supervisor Aldean seconded the motion. Comments on the question were solicited.

Discussion ensued between Mayor Teixeira and Mr. Metcalf regarding the pickets at one of his former construction jobs and the status of legal action taken regarding that project. Mr. Metcalf also explained that Omboli Interiors is a member of the trade union which may preclude the banners, etc., from being in front of the Sheriff's Office. Mayor Teixeira advised Mr. Metcalf that if there are any banners, if the contracts are approved, that the costs will be taken from his side of the business. He directed Mr. Burnham to utilize the penalty clause. Mr. Metcalf acknowledged the concern. He also indicated that it is an honor to be the construction manager. This will be their ninth project. The previous eight projects were completed in Nevada. There have been no lawsuits and the projects are all past their warrant guarantee period. The Senior Construction Manager, John Young, has been working with Mr. Burnham, City Engineer Werner, Sheriff Furlong, and their staffs. Mr. Young will be onsite full-time. Their Senior Superintendent, Bill Doran, was a former Mineral County Sheriff and can talk the lingo with Sheriff Furlong and Undersheriff Albertsen. Mayor Teixeira indicated that Mr. Metcalf has surrounded himself with talented individuals. Supervisor Aldean also pointed out that this is a public works project and that the paying of the prevailing wage is required by law. Mr. Metcalf concurred. Supervisor Aldean felt that it should not be an issue. Mr. Metcalf agreed that it should not be an issue, however, one never knows. They banners are being brought out in various public places. He also indicated, publicly, that the individuals holding the banners are not Union members. They work for Manpower and are paid less than \$10 an hour.

The motion to approve the indicated Work Scopes was voted and carried 4-0.

B. ACTION TO ACCEPT THE RECOMMENDATION OF PUBLIC WORKS TO ACCEPT THE WORK AS COMPLETED, TO ACCEPT THE CONTRACT SUMMARY AS PRESENTED, AND APPROVE THIS RELEASE OF FINAL PAYMENT IN THE AMOUNT OF \$367,446.60 FROM FISCAL YEAR 2004/2005, CONSTRUCTION PROJECT/HIGHWAY 50 EAST TANK AND PIPELINE FUND ON THE HIGHWAY 50 EAST TANK AND BOOSTER PUMP STATION PROJECT, CONTRACT NO. 2004-049, TO RDC, INC., DOING BUSINESS AS RESOURCE DEVELOPMENT COMPANY, 2305 GLENDALE AVENUE #10, SPARKS, NEVADA 89431 (9:39:37) - Contracts Coordinator Sandy Scott, City Engineer Larry Werner - Mr. Werner explained that the bid is the same as the original estimate. The change orders lowered the final project amount which brought the project in under that estimate. He felt that the change orders had saved \$163,000 but was uncertain of the bid estimate figure. Supervisor Williamson moved to accept the recommendation of Public Works to accept the work as complete, to accept the Contract Summary as presented, and approve this Release of Final Payment in the amount of \$367,446.60 from Fiscal Year 2004-2005 Construction Project - Highway

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50 East Tank and Pipeline Fund on the Highway 50 East Tank and Booster Pump Station Project, Contract 2004-049, to RDC, Inc., doing business as Resource Development Company, 2305 Glendale Avenue No. 10, Sparks, Nevada 89431; and the funding source has already been approved; basically it is a construction contract. Supervisor Livermore seconded the motion. Motion carried 4-0. Discussion indicated that this project is part of the "intertie" with Lyon County.

C. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO APPROVE AMENDMENT NO. 2 FOR CARSON CITY REUSE MASTER PLAN UPDATE PROJECT, CONTRACT NO. 2004-075, AND TO AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO BHC CONSULTANTS (FORMERLY BERRYMAN & HENIGAR, INC.), 720 THIRD AVENUE, SUITE 1200, SEATTLE, WA 98104, FOR FISCAL YEAR 2005/2006 FOR AN AMOUNT NOT TO EXCEED \$344,450, FROM THE SEWER CAPITALIZATION, BRUNSWICK RESERVOIR PLANNING AND BRUNSWICK RESERVOIR SAMPLING PROGRAM AND TO AUTHORIZE A CONTINGENCY AMOUNT OF \$30,000 FROM SAID FUND (9:42:37) - Public Works Operations Manager Tom Hoffert - Discussion indicated that this is the first phase of the Reuse Master Plan projects. Comments were solicited but none were given. Supervisor Livermore moved to accept Public Works recommendation to approve Amendment No. 2 for Carson City Reuse Master Plan Update Project, Contract No. 2004-075, and to authorize Public Works to issue payments to BHC Consultants, formerly Berryman and Henigar, Inc., 720 Third Avenue, Suite 1200, Seattle, Washington 98104, for fiscal year 2005-2006 for an amount not to exceed \$344,450 from the Sewer Capitalization, Brunswick Reservoir Planning and Brunswick Reservoir Sampling Program and to authorize a contingency amount of \$30,000 from said funds. Supervisor Williamson seconded the motion. Motion carried 4-0.

D. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION TO APPROVE AN AMENDMENT NO. 2 FOR CARSON CITY WASTEWATER RECLAMATION PLANT PHASE 1 EXPANSION PROJECT, CONTRACT NO. 2003-015, AND TO AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO CAROLLO ENGINEERS, 5740 SOUTH EASTERN AVENUE, SUITE 120, LAS VEGAS, NEVADA 89119, FOR FISCAL YEAR 2005/2006, FOR AN AMENDED AMOUNT NOT TO EXCEED \$782,686, FROM THE SEWER CAPITAL PROJECT, WASTEWATER TREATMENT PLANT UPGRADE PHASE 1A FUND AND TO AUTHORIZE A CONTINGENCY AMOUNT OF \$50,000 FROM SAID FUND (9:44:20) - Discussion explained that Carollo had been working on the design. They were placed on hold until the Board approved the master plan for the plant. They will now complete the final design. It will be put out to bid this winter. It is hoped that construction can start June 1, 2007. Clarification indicated that the same nitrogen/phosphorous requirements mandated for discharging into the river are required to use the rapid infiltration basins. The project will expand the number of locations where reclaimed water can be used due to the substantial increase in the quality of the water. Supervisor Aldean moved to accept Public Works recommendation to approve Amendment No. 2 for the Carson City Wastewater Reclamation Plant Phase 1 Expansion Project, Contract No. 2003-015, and authorize Public Works to issue payments to Carollo Engineers, 5740 South Eastern Avenue, Suite 120, Las Vegas, Nevada 89119, for Fiscal Year 2005-2006 for an amended amount not to exceed \$782,686 from the Sewer Capital Project Wastewater Treatment Plant Upgrade Phase 1A fund and to authorize a contingency amount of \$50,000 from said fund. Supervisor Williamson seconded the motion. Motion carried 4-0.

E. ACTION TO ACCEPT PUBLIC WORKS RECOMMENDATION ON THE SHEN-

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ANDOAH DETENTION BASIN EMERGENCY ACTION PLAN PROJECT, CONTRACT NO. 2006-007, AND AUTHORIZE PUBLIC WORKS TO ISSUE PAYMENTS TO MACTEC ENGINEERING AND CONSULTING, INC., 961 MATLEY LANE, SUITE 110, RENO, NEVADA 89502, FOR FISCAL YEAR 2005/2006 FOR A CONTRACT AMOUNT OF \$34,000 FROM THE STORM WATER DRAINAGE FUND AND AUTHORIZE THE CONTRACTS DIVISION TO ISSUE AMENDMENTS FOR A NOT TO EXCEED AMOUNT OF \$3,000 FROM SAID FUND (9:46:45) - City Engineer Larry Werner - Discussion explained the location of the basin and the reasons an evaluation of the "dam" is required. The State will not pay for the analysis. Supervisor Livermore disclosed his discussion with Parks and Recreation Director Moellendorf indicated the basin would be a great location for a park. He felt that the process will provide an opportunity to enhance it for that purpose. Mr. Werner indicated that the contract only addresses the dam's failure and identifies the downstream impacts. Mayor Teixeira pointed out that Mayors Park is a similar facility which is used by the people. The only other park on the north side is the Ron Wilson Park. Mr. Werner explained that the City originally had only an easement for the drainage. It did not have an easement that would allow recreational activities. This issue has been resolved and a park could be developed on the basin in the future. He also explained that the basin was the first attempt at a regional facility and was a portion of the freeway drainage project. It was developed in 2003. Supervisor Williamson moved to accept Public Works recommendation on the Shenandoah Detention Basin Emergency Action Plan Project, Contract No. 2006-007, and authorize Public Works to issue payments to MACTEC Engineering and Consulting, Inc., 961 Matley Lane, Suite 110, Reno, Nevada 89502, for Fiscal Year 2005-2006 for a contract amount of \$34,000 from the Storm Water Drainage Fund and authorize the Contracts Division to issue amendments for a not to exceed amount of \$3,000 from said fund. Supervisor Livermore seconded the motion. Comments were solicited but none were given. Motion carried 4-0.

10. DISTRICT ATTORNEY - Senior Deputy District Attorney Michael Suglia - ACTION TO ADOPT A RESOLUTION AMENDING RESOLUTION NUMBER 2005-R-14 WHICH WILL ADD VOLUNTEERS IN POLICE SERVICE AND SERVICE TECHNICIANS TO THE LIST OF INDIVIDUALS AUTHORIZED TO ISSUE CITATIONS WITH THE UNDERSTANDING THAT THEIR CITATION ISSUANCE AUTHORITY WILL BE EQUIVALENT TO THAT OF A PARKING ENFORCEMENT OFFICER (9:51:38) - Sheriff Ken Furlong, City Manager Linda Ritter - Duties previously assigned to the Sheriff's Volunteers were limned. Sheriff Furlong plans to recognize their service in the future. As the volunteers cannot presently cite individuals, a Deputy must be called to write the citation. This takes time and takes the Deputy away from his/her other duties. The proposal is to allow the volunteers to issue those citations that are equivalent to that issued by the Parking Enforcement Officer, e.g., citations for parking in designated handicapped zones. City Manager Ritter explained that the City's Code Enforcement Officers can issue citations for this type of an offense. Only the Sheriff's Volunteers and Service Technicians are being added to the list of authorized individuals. Discussion pointed out that the resolution is "generic", however, Paragraph 2 limits the individual's citation powers. This paragraph complies with NRS 171.1773. The City has a Parking Enforcement Hearings Officer. The proposal is to utilize him/her to hear these citations. The Sheriff will be issuing a "Blue Book for Parking Citations". People can appeal to the Parking Enforcement Hearings Officer or pay the fine. Discussion noted that the City's Parking Enforcement Officer is quite active and had ticketed a majority of the individuals present in the room including the Board and Sheriff Furlong. Supervisor Aldean moved to adopt Resolution No. 2006-R-33 AMENDING RESOLUTION NUMBER 2005-R-14 WHICH WILL ADD VOLUNTEERS IN POLICE SERVICE AND SERVICE TECHNICIANS TO THE LIST OF INDIVIDUALS AUTHORIZED TO ISSUE CITATIONS WITH THE UNDERSTANDING THAT

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THEIR CITATION ISSUANCE AUTHORITY WILL BE EQUIVALENT TO THAT OF A PARKING ENFORCEMENT OFFICER. Supervisors Williamson and Livermore seconded the motion. Comments were solicited but none given. The motion was voted and carried 4-0.

11. CITY MANAGER - Linda Ritter and Office Support Technician Rhonda Price

A. ACTION TO APPOINT TWO MEMBERS TO THE PARKS AND RECREATION COMMISSION; BOTH APPOINTMENTS ARE TO COMPLETE TERMS OF FORMER COMMISSIONERS THAT EXPIRE IN JANUARY 2008 (9:59:53) - Ms. Ritter's introduction included introducing Ms. Price. Peter Hansell had contacted the office advising that he will be able to attend the meeting. His appointment was scheduled for 10:20 a.m. There are three applicants but only two vacancies. The Board interviewed (10:02:05) Glen Tierney, (10:17:07) Sam Bauman, and (10:24:33) Peter Hansell. Mayor/Board thanked each of the applicants for applying. Discussion indicated a desire to select the appointees before proceeding with the following interviews. Through the Round Robin selection process, Applicants Bauman and Tierney were nominated. Supervisor Livermore moved appoint Glen Tierney and Sam Bauman to the Parks and Recreation Commission to fill terms to expire in January 2008. Supervisor Aldean seconded the motion. Motion carried 4-0. Discussion urged Mr. Hansell to contact Supervisor Williamson regarding the Redevelopment Authority Citizens Advisory Committee.

B. ACTION TO APPOINT TWO MEMBERS TO THE PLANNING COMMISSION FOR FOUR YEAR TERMS ENDING JUNE 2010 (10:39:02) - The Board interviewed George Wendell, (10:53:40) John Devenish, (11:00:40) Mark Kimbrough, and (11:17:05) Connie Bisbee. The Board/Mayor thanked each of the applicants for applying. Discussion noted that there are four applicants but only two positions. The Round Robin selection process was used to nominate Mr. Kimbrough and Ms. Bisbee. Justification for their selection was indicated. Supervisor Livermore expressed the hope that a position somewhere can be found for Mr. Devenish. His justification for supporting Ms. Bisbee and Mr. Kimbrough was provided. Mayor Teixeira advised that he had encouraged Mr. Wendell to apply and hoped that a position will be found for him somewhere. Discussion noted that Ms. Bisbee also serves on the State Parole Board. Supervisor Williamson moved to appoint Connie Bisbee and Mark Kimbrough to the Carson City Planning Commission for four year terms ending June 2010. Supervisor Livermore seconded the motion. Motion carried 4-0. Mayor Teixeira thanked the applicants for applying.

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B. NON-ACTION ITEMS:

I. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (11:35:46) - Supervisor Williamson announced that the Reno-Tahoe Odyssey will be in the area on Friday from 4 a.m. to 9 a.m. She thanked Aquatics Supervisor of Operations Kurt Meyer and Director of Parks Operations Scott Fahrenbruch for opening the Aquatics Facility for the runners. She also announced the Friday Brown Bag Lunch program being held at the Brewery Arts Center tomorrow at 11:30 a.m. and the 9 a.m. ground-breaking ceremony for the Sheriff's Administrative Facility. Supervisor Livermore paid tribute to Henry Stewart, M.D., who had been a long-time Carson City physician and an asset to the community. He expressed

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his condolences to the family and indicated that the services are to be held at 1:30 p.m. this afternoon. Mayor Teixeira reiterated his birthday wishes to Supervisor Aldean.

II. STAFF COMMENTS AND STATUS REPORT (11:35:40) - None.

13. ACTION TO ADJOURN (11:38:45) - Supervisor Aldean moved to adjourn. Supervisors Williamson and Livermore seconded the motion. Motion carried 4-0. Mayor Teixeira adjourned the meeting at 11:40 a.m.

The Minutes of the July 6, 2006, Carson City Board of Supervisors meeting

ARE SO APPROVED ON August 3, 2006.

/s/

Marv Teixeira, Mayor

ATTEST:

/s/

Alan Glover, Clerk-Recorder