

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the July 17, 2014 Meeting**

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, July 17, 2014 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell

Supervisor Karen Abowd, Ward 1

Supervisor Brad Bonkowski, Ward 2

Supervisor John McKenna, Ward 3

Supervisor Jim Shirk, Ward 4

**STAFF:** Nick Marano, City Manager

Alan Glover, Clerk - Recorder

Marena Works, Deputy City Manager

Randal Munn, Chief Deputy District Attorney

Kathleen King, Chief Deputy Clerk

**NOTE:** A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

#### **1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE**

(8:32:04) - Mayor Crowell called the meeting to order at 8:32 a.m. Mr. Glover called the roll; a quorum was present. Mayor Crowell called for Sheriff's Office Chaplain Jack Hutchens; however, he was not present. Mayor Crowell read into the record an encouraging thought for the day. At Mayor Crowell's request, Charter Review Committee Vice Chair Bruce Robertson led the pledge of allegiance.

**5. PUBLIC COMMENT** (8:33:15) - Mayor Crowell entertained public comment. (8:33:29) Molly Bundy-Toral advised that she watches "every public meeting ..." She expressed appreciation for the Board's careful deliberation and the action taken on the medical marijuana ordinance. She commended the Partnership Carson City forum, and encouraged anyone concerned about the medical marijuana establishments issue to watch the video recording of the forum.

Mayor Crowell entertained additional public comment. Mr. Marano provided a status report on the Jacks Valley Fire. Mayor Crowell entertained additional public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON ADOPTION OF AGENDA** (8:38:58) - Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, deemed the agenda adopted as published.

**7. SPECIAL PRESENTATION OF A PROCLAMATION FOR NATIONAL NIGHT OUT - CRIME, DRUG, AND VIOLENCE PREVENTION, AUGUST 2014** (8:39:09) - Mayor Crowell invited Sheriff Ken Furlong, Undersheriff Steve Albertsen, and Deputy Lisa Davis to the podium, and introduced this item. Mayor Crowell read into the record the language of the Proclamation.

Sheriff Furlong commended Deputy Davis on organization of the National Night Out event, noting the community's continually improving quality of life. He provided an overview of the National Night Out event, and thanked Deputy Davis and Undersheriff Albertsen for everything they've done to coordinate the event, now in its 12<sup>th</sup> year. Deputy Davis thanked the Board for their support, describing the National Night

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Out event as a “culmination of all of our efforts ... throughout the year” representing the partnerships which serve the community everyday. Through the combined efforts of the Sheriff's Office community programs, Deputy Davis advised of a 13 percent reduction in the juvenile crime rate over the past 11 years. Deputy Davis responded to questions of clarification, and discussed some of the scheduled activities. Undersheriff Albertsen invited everyone's participation on Tuesday, August 5<sup>th</sup>.

### **ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

#### **JOINT MEETING OF THE CARSON CITY BOARD OF SUPERVISORS AND THE CARSON CITY CHARTER REVIEW COMMITTEE, PURSUANT TO SECTION 1.090 OF THE CARSON CITY CHARTER**

**8. CALL TO ORDER AND ROLL CALL - CHARTER REVIEW COMMITTEE** (8:49:14) - Chairperson Rob Joiner called the Charter Review Committee meeting to order at 8:49 a.m. Mr. Glover called the roll; a quorum was present. Member DePauw was absent.

**9. PUBLIC COMMENT** (8:50:03) - Chairperson Joiner entertained public comment; however, none was forthcoming.

**10. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 23, 2014** (8:51:59) - Chairperson Joiner entertained a motion. **Member Messina moved to approve the minutes, as presented. Vice Chairperson Robertson seconded the motion. Motion carried 6-0.**

**11. CHARTER REVIEW COMMITTEE**

**11(A) STATUS REPORT AND BRIEFING ON THE WORK OF THE CHARTER REVIEW COMMITTEE** (8:50:23) - Chairperson Joiner provided background information on this item, and reviewed the agenda materials. At Supervisor McKenna's request, Chairperson Joiner provided an overview of the purpose of the Carson City Charter. Discussion followed.

**11(B) FOR POSSIBLE ACTION: THE BOARD OF SUPERVISORS WILL DISCUSS AND POSSIBLY ADOPT A RECOMMENDATION, FROM THE CHARTER REVIEW COMMITTEE, TO AMEND THE CARSON CITY CHARTER, SECTION 1.090, TO HAVE THE CHARTER REVIEW COMMITTEE CHAIR, OR THEIR COMMITTEE MEMBER DESIGNEE, ATTEND THE LEGISLATURE WITH CITY REPRESENTATIVES ON ANY CHANGES TO THE CITY CHARTER** (8:59:10) - Chairperson Joiner introduced and provided background information on this item. In response to a question, Chairperson Joiner advised that the Sparks City Council adopted a similar recommendation as a Council policy, rather than amending their charter. Discussion took place regarding the proposed recommendation, and Chairperson Joiner responded to questions of clarification. In response to a comment, Mr. Munn provided additional background information on the proposed recommendation. He suggested amending the Board's policies and procedures on boards, commissions, and committees to include the proposed recommendation relative to the Charter Review Committee. Additional discussion followed.

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Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Supervisor McKenna moved to adopt a recommendation for the City's management to have the Charter Review Committee chairperson or a committee member designee attend the legislature, as applicable, with a City representative on any changes to the City's charter. Supervisor Abowd seconded the motion.

Mr. Munn clarified the purpose of the agenda item. **Mayor Crowell moved to amend the Board's policies and procedures on boards, commissions, and committees to permit the Charter Review Committee chairman or chairman's designee to speak on behalf of the Charter Review Committee with respect to Charter changes that are presented to the legislature.** Supervisor McKenna seconded the motion. Following discussion, **Mayor Crowell amended his motion to indicate that a future item will be agendized to amend the boards, commissions, and committees policy to provide for the invitation of the Charter Review Committee chair or his designee to attend matters affecting the Carson City Charter during the legislative session.** In response to a question, the Charter Review Committee members indicated their concurrence. **Supervisor McKenna continued his second.** Mayor Crowell entertained questions or comments on the motion and, when none were forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Mayor Robert Crowell
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Mayor Crowell and Supervisors McKenna, Abowd, Bonkowski, Shirk
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

Mayor Crowell suggested that the foregoing action dispensed with item 11(C). In response to a question, Chairperson Joiner advised that he would have taken the responsibility. Mayor Crowell offered further clarification of the motion to extend an invitation to the Charter Review Committee chair or his designee.

**11(C) FOR POSSIBLE ACTION: THE BOARD OF SUPERVISORS WILL DISCUSS AND POSSIBLY DESIGNATE A CHARTER REVIEW COMMITTEE REPRESENTATIVE TO ATTEND THE 2015 LEGISLATURE WITH CITY REPRESENTATIVES ON ANY CHANGES TO THE CITY CHARTER**

**11(D) FOR POSSIBLE ACTION: THE CHARTER REVIEW COMMITTEE WILL DISCUSS AND POSSIBLY AUTHORIZE, PURSUANT TO SECTION 1.090(2) OF THE CARSON CITY CHARTER, A MEMBER OF THE CHARTER REVIEW COMMITTEE TO SEEK BILL SPONSORSHIP, BY A CARSON CITY REPRESENTATIVE MEMBER OF THE NEVADA LEGISLATURE, TO AMEND THE CARSON CITY CHARTER, SECTION 1.090, TO ADD A PROVISION FOR THE CHARTER REVIEW COMMITTEE CHAIR OR HIS OR HER COMMITTEE MEMBER DESIGNEE TO ATTEND THE LEGISLATURE WITH CITY REPRESENTATIVES REGARDING ANY CHANGES TO THE CITY CHARTER (9:17:50) - Based on the foregoing discussion and action, Chairperson Joiner entertained a motion to amend the request to table the subject item in consideration of the proposed revision to the boards, commissions, and committees policy. Vice Chairperson Robertson so moved. Member Shaffer seconded the motion. Chairperson Joiner called for a vote on the motion.**

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<b>RESULT:</b>	<b>Approved [6 - 0]</b>
<b>MOVER:</b>	<b>Vice Chairperson Bruce Robertson</b>
<b>SECOND:</b>	<b>Member Keith Shaffer</b>
<b>AYES:</b>	<b>Vice Chairperson Robertson, Members Shaffer, Fregulia, Matuska, Messina, and Chair Joiner</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Member DePauw</b>
<b>ABSTAIN:</b>	<b>None</b>

Discussion took place regarding the advisory question which proposes to change the method by which votes are cast in primary elections.

**12. PUBLIC COMMENT** (9:22:50) - Mayor Crowell entertained public comment; however, none was forthcoming.

**13. ACTION TO ADJOURN CHARTER REVIEW COMMITTEE** (9:23:06) - Chairperson Joiner adjourned the Charter Review Committee meeting at 9:23 a.m.

Mayor Crowell thanked the Charter Review Committee members for their service, and recessed the Board of Supervisors at 9:23 a.m. Mayor Crowell reconvened the Board of Supervisors meeting at 9:32 a.m.

#### **14. TREASURER**

**14(A) PUBLIC HEARING ON THE CITY INVESTMENT POLICY, AND REVIEW AND POSSIBLE ACTION TO ACCEPT THE POLICY AS PRESENTED** (9:32:31) - Mayor Crowell introduced this item, and Treasurer Al Kramer reviewed the agenda materials. Mayor Crowell entertained public comments; however, none were forthcoming. Mr. Kramer responded to questions of clarification regarding the method by which the City safeguards authorized investments; the purpose of repurchase agreements; the 28-day minimum liquidity requirement; the City's total investment portfolio of \$36 million; the rate of return; and the reason for having an investment portfolio.

Mayor Crowell entertained public comment and, when none was forthcoming, closed the public hearing and entertained a motion. **Supervisor Bonkowski moved to accept the investment policy, as presented. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	<b>Approved [5 - 0]</b>
<b>MOVER:</b>	<b>Supervisor Brad Bonkowski</b>
<b>SECOND:</b>	<b>Supervisor Karen Abowd</b>
<b>AYES:</b>	<b>Supervisors Bonkowski, Abowd, McKenna, Shirk, and Mayor Crowell</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>

**14(B) POSSIBLE ACTION TO APPROVE THE PARTIAL REMOVAL OF TAXES AND PENALTIES, IN THE AMOUNT OF \$610.19, FOR PARCEL NO. 004-141-05, LOCATED AT PALO VERDE DRIVE, FROM FY 2013 / 2014 AND PRIOR YEAR TAXES AND INTEREST OF**

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**REAL PROPERTY TAX ROLL, PURSUANT TO NRS 361.060** (9:55:44) - Mayor Crowell introduced this item, and Treasurer Al Kramer reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve the partial removal of \$610.19 of the taxes for APN 004-141-05, located at Palo Verde Drive, from FY 2013 / 2014 real property tax roll, pursuant to NRS 361.060.** Supervisor McKenna seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Supervisors Abowd, McKenna, Bonkowski, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**15. PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO APPROVE AMENDMENT NO. 2 OF A LEASE AGREEMENT FOR AN EASEMENT DESCRIBED IN RECORDED DOCUMENT NO. 417657, LOCATED ON APN 007-091-81, SOUTH OF TIMBERLINE DRIVE** (9:58:21) - Mayor Crowell introduced this item, and Senior Project Manager Tom Grundy reviewed the agenda materials. Mr. Grundy and Finance Department Director Nick Providenti responded to questions of clarification, and discussion ensued. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve the amendment of a lease agreement for an easement described in recorded document no. 417657, located on APN 007-091-81, south of Timberline Drive.** Supervisor Abowd seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Brad Bonkowski
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors Bonkowski, Abowd, McKenna, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**16. COMMUNITY DEVELOPMENT AND PUBLIC WORKS DEPARTMENTS - POSSIBLE ACTION TO ACCEPT AN UPDATED TENTATIVE SALES TAX PROJECT SCHEDULE AND BUDGETS TO PLAN, DESIGN, AND CONSTRUCT THE PROJECTS IDENTIFIED IN THE ONE-EIGHTH PERCENT SALES TAX PLAN OF EXPENDITURE, INCLUDING THE ANIMAL SERVICES FACILITY, MULTI-PURPOSE ATHLETIC CENTER (“MAC”), STREET AND PEDESTRIAN IMPROVEMENTS IN THE DOWNTOWN AREA, CARSON STREET, AND WILLIAM STREET / HIGHWAY 50 EAST COMMERCIAL CORRIDORS, AND COMMUNITY CENTER IMPROVEMENTS** (10:02:31) - Mayor Crowell introduced this item, and reviewed the contents of a disclosure letter, a copy of which he provided to the Clerk. Mayor Crowell advised that he would participate, advocate, and vote on this matter. Supervisor Bonkowski advised of the “exact same disclosure,” and acknowledged that he had provided a disclosure letter to the Clerk.

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Community Development Director Lee Plemel provided an overview of the presentation. Engineering Manager Danny Rotter narrated displayed slides of the multi-purpose athletic center design and the construction schedule. Finance Department Director Nick Providenti responded to questions regarding funding sources. Mr. Rotter narrated displayed slides of the animal services facility design and the construction schedule. In response to a question, Mr. Marano explained the oversight responsibility of the Board of Health and Carson Animal Services, Inc. ("CASI"). In response to a further question, he provided background information on CASI and discussed their partnership with the City. Mr. Plemel narrated displayed slides of the downtown streetscape project schedule. Mr. Plemel, Mr. Marano, and various other City staff members responded to questions of clarification. Extensive discussion followed, and Mr. Plemel reviewed the project budget included in the agenda materials.

In consideration of the project cost, Supervisor McKenna suggested requesting projected revenues from the property and business owners. Mr. Plemel acknowledged the value of the information, but noted that it would involve voluntary reporting as the information is not available through the State Department of Taxation. He responded to questions regarding the proposed business improvement district. In response to a question, Mr. Providenti explained that redevelopment district revenues and business improvement district revenues have nothing to do with each other.

Mayor Crowell entertained public comment. (10:47:55) In response to a question from Ward 3 Supervisor Candidate Lori Bagwell, Mr. Providenti explained the intent to "bond as much as we can ... We're planning on bonding about \$13.6 million now and, in three or four years, we're going to go ahead and see what the sales tax is doing and what it will allow us to bond. So at that point, ... we'll borrow what we can and, depending upon what the sales tax does over the next 30 - 35 years, we'll either pay off the bonds early or the Board can elect to do additional projects if there's additional money. It's all up to the Board, but ... I think that's the plan. ... if we collect more money than we need, ... the Board will have to decide whether to pay the bonds off early and stop the tax or keep collecting the money and then ... do additional projects." Following a brief discussion, Mr. Providenti responded to questions of clarification.

(10:52:03) In response to a question from Maurice White, Mr. Providenti explained the funding available for the multi-purpose athletic center from Question #18.

(10:53:21) Linda MacKenzie expressed appreciation for the animal shelter timeline, and advised of having recently visited the new Truckee Animal Shelter with Animal Services Manager Cindy Hannah. Ms. MacKenzie requested the Board to include the animal services director and staff in design of the new shelter, and listed suggestions with regard to the same. She invited the Board members to attend the Bark, Wine & Dine event on July 27<sup>th</sup>.

(10:55:08) Downtown 20 / 20 Founder and President Doreen Mack discussed concerns over concurrent construction projects on Curry and Carson Streets. She discussed safety issues associated with insufficient lighting; expressed the hope that the gas lighting will be retained and brighter lights added "throughout the area where we need it." She invited Mr. Marano to attend a Downtown 20 / 20 meeting.

(10:58:13) Garrett Lepire expressed the hope that since the ordinance is passed, everyone will "hop on board ..." with moving the plan forward.

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(11:00:32) CASI Vice Chair Chuck Crittenden expressed appreciation to the Board “for bringing us to this point where we have a great, aggressive schedule ...” He looks forward to working with staff, the consultants, and the Board “in a successful outcome ...”

(11:01:22) Carson City Visitors Bureau Executive Director Joel Dunn discussed the benefits of the downtown and multi-purpose athletic center projects, and noted the significant role of the Visitors Bureau in funding the projects.

Mayor Crowell entertained additional public comment and, when none was forthcoming, additional Board member questions or comments. Mr. Plemel responded to questions of clarification regarding the plan of expenditure. Mr. Providenti acknowledged that bonds will be issued this year.

Mayor Crowell entertained a motion. **Supervisor Abowd moved to accept the updated schedule and budgets to plan, design, and construct the projects identified in the one-eighth percent sales tax Plan of Expenditure. Supervisors McKenna and Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a question, Mr. Plemel and Mr. Rotter discussed timing of the projects. **Supervisor Shirk moved to amend the motion to move Curry Street to a higher priority than the downtown Carson Street and have that move forward first and then the narrowing of Carson Street after Curry Street is done. Supervisor McKenna seconded the motion** for purposes of discussion. Discussion followed, and Mayor Crowell called for a vote on the motion to amend the original motion.

<b>RESULT:</b>	Failed [4 - 1]
<b>MOVER:</b>	Supervisor Jim Shirk
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Supervisor Shirk
<b>NAYS:</b>	Supervisors Abowd, Bonkowski, McKenna, and Mayor Crowell
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

Mayor Crowell called for a vote on the original motion.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisors John McKenna and Brad Bonkowski
<b>AYES:</b>	Supervisors Abowd, McKenna, Bonkowski, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**17. FINANCE DEPARTMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF CERTAIN INFRASTRUCTURE PROJECTS SET FORTH IN NRS 377B.160(3); DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSAL TO ISSUE GENERAL OBLIGATIONS THEREFOR; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; PROVIDING FOR THE REIMBURSEMENT OF EXPENDITURES FROM THE**

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**PROCEEDS OF BONDS; AND PROVIDING THE EFFECTIVE DATE HEREOF (11:14:10)** - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2014-R-22, a resolution concerning the financing of certain infrastructure projects set forth in NRS 377B.160(3); directing the Clerk to notify the Carson City Debt Management Commission of the City's proposal to issue general obligations therefor; providing certain details in connection therewith; providing for the reimbursement of expenditures from the proceeds of bonds; and providing the effective date hereof.** **Supervisors McKenna and Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Mr. Providenti and Jon Peterson, of JNA Consulting, responded to questions of clarification. Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Brad Bonkowski
<b>SECOND:</b>	Supervisors John McKenna and Karen Abowd
<b>AYES:</b>	Supervisors Bonkowski, McKenna, Abowd, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

## 18. PURCHASING AND CONTRACTS

**18(A) POSSIBLE ACTION TO ACCEPT THE PUBLIC WORKS DEPARTMENT'S RECOMMENDATION TO APPROVE AMENDMENT NO. 1 TO CONTRACT NO. 1213-144A, WITH MILES CONSTRUCTION, TITLED, "CMAR PRE-CONSTRUCTION SERVICES FOR THE MULTI-USE ATHLETIC CENTER ("MAC"), TO INCREASE THE CONTRACT TERM (11:19:56)** - Mayor Crowell introduced this item, read a prepared disclosure statement into the record, and advised of having provided a copy to the Clerk. Supervisor Bonkowski advised of the same disclosure, and of having provided a copy to the Clerk. Mr. Munn clarified that the disclosure statement is an opinion letter from the District Attorney to Mayor Crowell and Supervisor Bonkowski. Mayor Crowell passed the gavel to Mayor *Pro Tem* Karen Abowd, and stepped away from the dais, together with Supervisor Bonkowski. In response to a question, Mr. Munn explained the corresponding change to the quorum.

At Mayor *Pro Tem* Abowd's request, Senior Project Manager Tom Grundy provided background information and reviewed the agenda materials. Mr. Grundy responded to questions of clarification, and discussion ensued. Mayor *Pro Tem* Abowd entertained additional Board member questions or comments and, when none were forthcoming, public comment. When no public comment was forthcoming, she entertained a motion. **Supervisor McKenna moved to accept the Public Works Department recommendation to approve Amendment No. 1 to Contract No. 1213-144A with Miles Construction, titled, "CMAR Pre-Construction Services," for the Multi-Use Athletic Center ("MAC"), to increase the contract term. Supervisor Shirk seconded the motion.** Mayor *Pro Tem* Abowd entertained discussion on the motion and, when none was forthcoming, called for a vote.

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<b>RESULT:</b>	Approved [3 - 0 - 2]
<b>MOVER:</b>	Supervisor John McKenna
<b>SECOND:</b>	Supervisor Jim Shirk
<b>AYES:</b>	Supervisors McKenna, Shirk, and Mayor <i>Pro Tem</i> Abowd
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Bonkowski and Mayor Crowell

Mayor Crowell and Supervisor Bonkowski returned the to dais, and Mayor *Pro Tem* Abowd returned the gavel.

**18(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1415-027, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530, WITH VALENTINER CRANE ARCHITECTS TO PROVIDE PROFESSIONAL SERVICES FOR CARSON CITY MULTI-PURPOSE ATHLETIC COMPLEX ARCHITECTURAL AND ENGINEERING DESIGN, THROUGH DECEMBER 30, 2016, FOR A NOT-TO-EXCEED AMOUNT OF \$251,763.00, TO BE FUNDED FROM THE Q#18 CAPITAL PARK IMPROVEMENTS / NEW GYM, AS PROVIDED IN FY 2014 / 2015 AND FY 2015 / 2016** (11:26:57) - Mayor Crowell introduced this item. Senior Project Manager Tom Grundy provided background information, reviewed the agenda materials, and responded to questions of clarification. In response to a question, Mr. Marano discussed the benefits of the subject contract.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve Contract No. 1415-027, pursuant to NRS 332.115(1)(b) and NRS 625.530, with Valentiner - Crane Architects to provide professional services for Carson City Multi-Purpose Athletic Complex Architectural and Engineering Design, through December 30, 2016, for a not-to-exceed amount of \$251,763.00, to be funded from the Q18 Capital Park Improvements / New Gym, as provided in FY 2014 / 2015 and FY 2015 / 2016. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor Brad Bonkowski
<b>AYES:</b>	Supervisors Abowd, Bonkowski, McKenna, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

## 19. PARKS AND RECREATION DEPARTMENT

**19(A) POSSIBLE ACTION TO APPROVE A RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION OF A “NOTICE AND ACCEPTANCE OF EXERCISE OF OPTION,” FOR THE PURCHASE BY THE CITY OF PROPERTY OWNED BY THE BOYS AND GIRLS CLUBS OF WESTERN NEVADA, LOCATED ALONG RUSSELL DRIVE, FOR THE CONSTRUCTION OF THE MULTI-PURPOSE ATHLETIC CENTER (“MAC”)** (11:35:09) - Mayor Crowell introduced this item. Parks and Recreation Department Director Roger Moellendorf introduced Boys and Girls Clubs of Western Nevada Board Member Ryan Russell, and reviewed the agenda materials

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in conjunction with displayed slides. Mr. Moellendorf responded to questions of clarification regarding possible future expansion and joint use of the facility.

(11:48:03) Mr. Russell pointed out that the Notice and Acceptance of Exercise of Option “wipes out all of the obligations of all of the options between all the parties. It's a clean slate. We go forward. The beauty of the joint use [agreement] is in its simplicity and its flexibility. Overriding everything in the joint use [agreement] is the provision that the parties want to make the greatest use of the building possible as the recital of the agreement.” In reference to previous comments, he emphasized that “when club kids are using the facility, those are citizens. There's no distinction between Carson City residents and Boys and Girls Clubs members. We're all Carson City residents and we've got a joint use agreement that's going to allow us to make the most use out of this facility.” Mr. Russell responded to questions of clarification regarding tournament scheduling, and discussion followed. In response to a question, Mr. Moellendorf discussed the annual Question #18 appropriation to the Boys and Girls Clubs of Western Nevada.

Mayor Crowell entertained public comment. (11:53:44) Maurice White discussed concerns regarding the intent of the agreement relative to cooperation between the City and the Boys and Girls Clubs, and suggested a revision to Section 1.2.1.

(11:55:36) Ward 3 Supervisor Candidate Lori Bagwell suggested a revision to Section 1.2.1 to delete the words “exclusive use,” and discussed concerns regarding the agreement continuing in perpetuity, as outlined in Section 2.5.

(11:58:39) Carson City Visitors Bureau Executive Director Joel Dunn requested the Board's consideration for including the Carson City Visitors Bureau as a party to the agreement.

(12:00:58) At Mayor Crowell's request, Mr. Russell discussed the Boys and Girls Clubs right of first refusal, reiterating that “the use, at any time that we're not using the property, goes to the City if they want it. If they don't, it comes back to us.” He explained that “the Visitors Bureau's use, in consideration, will flow through the City and that's the way it should be because there is substantial consideration going back and forth between the Club and the City. So, we have a two-party contract and that's designed that way very intentionally.” In response to a question, Mr. Russell advised that the joint use agreement will be reviewed on a quarterly basis. He emphasized that a perpetual agreement “which has an out for failure to honor any obligation is an agreement only so long as the parties are honoring their obligations. It's terminable on those grounds.”

Following discussion, Mayor Crowell described the Notice and Acceptance as “a trust document.” He entertained additional questions or comments, and Supervisor Shirk expressed additional concern over the phrase “exclusive use.” (12:07:47) Mr. Russell provided additional clarification of the “exclusive use” provision relative to the “regular hours” operation of the Boys and Girls Clubs. In response to a question, he reviewed the regular operating hours.

Mayor Crowell entertained a motion. **Supervisor McKenna moved to approve a recommendation from the Parks and Recreation Commission of a Notice and Acceptance of Exercise of Option for the purchase, by the City, of property owned by the Boys and Girls Clubs of Western Nevada, located along Russell Way, for the construction of a multi-purpose athletic center. Supervisor Bonkowski seconded the motion.** At Mayor Crowell's request, Supervisor Bonkowski reviewed suggested revisions

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to Section 1.2 of Exhibit A, to change the words "complete construction of the MAC," to "construct the MAC"; and "under the fifth WHEREAS of Exhibit B, to change the words 'WHEREAS, the City shall complete construction of the MAC,' to 'WHEREAS, the City shall construct the MAC.' Mr. Russell indicated agreement with the suggested revisions. **Supervisor McKenna so amended his motion. Supervisor Bonkowski continued his second.** Mayor Crowell entertained discussion on the amended motion. Mr. Moellendorf acknowledged that the Visitors Bureau will be invited to the quarterly meetings. Mayor Crowell called for a vote on the pending motion.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor John McKenna
<b>SECOND:</b>	Supervisor Brad Bonkowski
<b>AYES:</b>	Supervisors McKenna, Bonkowski, Abowd, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**19(B) POSSIBLE ACTION TO APPROVE A RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION REGARDING A REQUEST FROM THE BOYS AND GIRLS CLUBS OF WESTERN NEVADA TO NAME THE PONY EXPRESS PAVILION THE "MARV TEIXEIRA PONY EXPRESS PAVILION" (12:11:47)** - Mayor Crowell introduced this item, and suggested the possibility of the "Marv Teixeira Pavilion." Parks and Recreation Department Director Roger Moellendorf reviewed the agenda materials. In response to a question, Mr. Moellendorf advised that he had not received any input from the Teixeira family. In response to a further question, he speculated on the reason for the dissenting vote at the Parks and Recreation Commission meeting. Discussion took place regarding Mayor Crowell's suggestion, and Supervisor McKenna provided an overview of the discussion which took place at the Parks and Recreation Commission meeting.

Mayor Crowell entertained a motion. **Supervisor Shirk moved to rename the Pony Express Pavilion the "Marv Teixeira Pavilion."** **Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Jim Shirk
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors Shirk, Abowd, Bonkowski, McKenna, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**20. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION - POSSIBLE ACTION TO ADOPT A RESOLUTION AMENDING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMIT ALLOCATIONS, UNDER THE CARSON CITY GROWTH MANAGEMENT ORDINANCE, FOR THE YEARS 2015 AND 2016, AND ESTIMATING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMITS FOR THE YEARS 2017 AND 2018; ESTABLISHING THE NUMBER OF RESIDENTIAL BUILDING PERMIT ALLOCATIONS AVAILABLE WITHIN THE DEVELOPMENT AND GENERAL PROPERTY OWNER**

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**CATEGORIES; AND ESTABLISHING A MAXIMUM AVERAGE DAILY WATER USAGE FOR COMMERCIAL AND INDUSTRIAL BUILDING PERMITS AS A THRESHOLD FOR GROWTH MANAGEMENT COMMISSION REVIEW** (12:15:00) - Mayor Crowell introduced this item. Community Development Director Lee Plemel reviewed the agenda materials, and responded to questions of clarification. Following a brief discussion, Mayor Crowell entertained public comment. When no public comment was forthcoming, he entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2014-R-23, amending the maximum number of residential building permit allocations, under the Carson City Growth Management Ordinance, for the years 2015 and 2016, and estimating the maximum number of residential building permits for the years 2017 and 2018; establishing the number of residential building permit allocations available, within the development and general property owner categories; and establishing a maximum average daily water usage for commercial and industrial permits as a threshold for growth management commission review, as recommended by the Planning Commission. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Brad Bonkowski
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors Bonkowski, Abowd, McKenna, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**21. CITY MANAGER - POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER, FOR THE PERIOD OF JUNE 10, 2014 THROUGH JULY 7, 2014** (12:19:02) - Mayor Crowell introduced this item, and Mr. Marano provided a brief overview of the agenda materials. Mayor Crowell entertained comments or questions and, when none were forthcoming, a motion. **Supervisor Abowd moved to ratify the approval of bills and other requests for payment by the City Manager, for the period of June 10, 2014 through July 7, 2014. Supervisor McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Supervisors Abowd, McKenna, Bonkowski, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**22. FINANCE DEPARTMENT**

**22(A) POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH JULY 8, 2014, PURSUANT TO NRS 251.030 AND NRS 354.290** (12:19:33) - Mayor Crowell introduced this item and, in response to a question, Finance Department Director Nick Providenti advised of no exceptions to the usual report. Mayor Crowell entertained Board member and public

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questions or comments and, when none were forthcoming, a motion. **Supervisor McKenna moved to accept the report on the condition of each fund in the treasury, and the statements of receipts and expenditures, through July 8, 2014, pursuant to NRS 251.030 and NRS 354.290. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor John McKenna
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors McKenna, Abowd, Bonkowski, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**22(B) POSSIBLE ACTION TO ACCEPT THE EMPLOYEE EFFICIENCY STUDY WORK PLAN FOR SELECTED DEPARTMENTS OF CARSON CITY, AS PREPARED BY MOSS ADAMS, LLP, FOR AN AMOUNT NOT TO EXCEED \$52,000.00, PLUS EXPENSES (12:20:24)** - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Moss-Adams, LLP Policy and Planning Director Mark Steranka and Mr. Providenti responded to questions of clarification, and discussion ensued.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor McKenna moved to accept the Employee Efficiency Study Work Plan for selected departments of Carson City, including the Sheriff's Department, as prepared by Moss-Adams, LLP, for an amount not to exceed \$52,000.00, plus expenses. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor John McKenna
<b>SECOND:</b>	Supervisor Brad Bonkowski
<b>AYES:</b>	Supervisors McKenna, Bonkowski, Abowd, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

Mayor Crowell thanked Mr. Providenti and Mr. Steranka.

### 23. BOARD OF SUPERVISORS NON-ACTION ITEMS: FUTURE AGENDA ITEMS

#### STATUS REVIEW OF PROJECTS

#### INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

#### CORRESPONDENCE TO THE BOARD OF SUPERVISORS

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### **STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (12:27:00)**

Supervisor Shirk advised of having spoken with Court Cardinal, of Casino Fandango, who informed him that 875 parking spaces will be made available for the NV150 Fair, but that volunteers will be needed to monitor the parking area. A brief discussion ensued.

### **STAFF COMMENTS AND STATUS REPORT**

**RECESS AND RECONVENE BOARD OF SUPERVISORS (12:28:35; 1:34:18)** - Mayor Crowell recessed the meeting at 12:28 p.m., and reconvened at 1:34 p.m.

**24. CITY MANAGER - POSSIBLE ACTION TO APPOINT THREE MEMBERS TO THE CARSON CITY VISITORS BUREAU, AS REPRESENTATIVES FOR THE FOLLOWING POSITIONS: OTHER COMMERCIAL INTERESTS, HOTEL / MOTEL INDUSTRY, AND CITIZEN-AT-LARGE, ALL FOR TWO-YEAR TERMS THAT EXPIRE JULY 2016 (1:34:30)** - Mayor Crowell introduced this item, and Mr. Marano introduced Diane Phillips. Supervisor Abowd read a portion of a prepared disclosure statement into the record, a copy of which she provided to the Clerk. (1:36:27) Diane Phillips responded to questions regarding her employment and residency background, her interest in serving as a Visitors Bureau member; the use of social media to enhance and promote Carson City; insights to the Visitor's Bureau's marketing directive; the long-term viability of sports tourism; and the Visitors Bureau's role in economic development. Mayor Crowell thanked Ms. Phillips for her application.

(1:44:37) Mayor Crowell welcomed Mr. Boulware to the podium. Gold Dust West General Manager Jonathan Boulware introduced himself for the record and, in response to a question, discussed accomplishments of the Visitors Bureau Board, since his original appointment, and his interest in being reappointed. He responded to additional questions regarding the Visitors Bureau's role in economic development; the viability of sports tourism as the long-term focus of the Visitors Bureau; the use of social media to enhance and promote Carson City; new insights to the Visitors Bureau's marketing directive. Mayor Crowell offered Mr. Boulware the opportunity to comment. Mr. Boulware expressed appreciation for the opportunity to have served. Mayor Crowell thanked Mr. Boulware for his service, and requested him to pass on the Board's congratulations to his brother on his recent appointment as a federal judge.

Mayor Crowell entertained Board member discussion on the hotel / motel representative appointment. Following discussion, Mayor Crowell entertained a motion to reappoint Jonathan Boulware for a two-year term on the Carson City Visitors Bureau. **Supervisor Bonkowski moved to approve Jonathan Boulware as the representative on the Carson City Visitors Bureau for the hotel / motel industry. Supervisor McKenna seconded the motion.**

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Brad Bonkowski
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Supervisors Bonkowski, McKenna, Abowd, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

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Mayor Crowell thanked Ms. Phillips for her interest.

Mayor Crowell invited Stan Jones to the podium. (1:58:51) Stan Jones introduced himself for the record and, in response to a series of questions, he discussed the accomplishments of the Visitors Bureau Board, since his original appointment, and his interest in reappointment. Supervisors Abowd and McKenna thanked Mr. Jones for his application for reappointment. Mayor Crowell entertained a motion. **Supervisor Abowd moved to appoint Stan Jones to the citizen-at-large position for the Carson City Visitors Bureau, for a two-year term that expires in July 2016. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor Brad Bonkowski
<b>AYES:</b>	Supervisors Abowd, Bonkowski, McKenna, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

Supervisor Abowd stepped away from the dais, and Mayor Crowell welcomed Rob Joiner to the podium. In consideration of the Board's policies for advisory boards, commissions, and committees, Mr. Joiner acknowledged his intent to resign from the Charter Review Committee if appointed to the Visitors Bureau Board. In response to a question, Mr. Munn noted that, since Mr. Joiner is appointed to the Charter Review Committee by Senator Ben Kieckhefer, appointing him to the Visitors Bureau Board would not be in violation of the Board's policies and procedures for advisory boards, commissions, and committees. Mr. Joiner provided background information on his work experience and responded to questions regarding his interest in being appointed to the Visitors Bureau Board; the use of emerging technology and social media to promote Carson City; the viability of sports tourism as the long-term, primary focus of the Visitors Bureau; and the Visitors Bureau's role in economic development. Mayor Crowell offered Mr. Joiner the opportunity to comment, and he requested the Board's consideration of his application. Mayor Crowell thanked Mr. Joiner for his community service.

(2:11:33) Mayor Crowell welcomed Renee Plain to the podium, and she introduced herself for the record. Mayor Crowell provided an overview of the interview process, and thanked Ms. Plain for applying. In response to a question, Ms. Plain provided an overview of her educational, employment, and community service background and discussed her interest in serving on the Visitors Bureau Board. She responded to questions regarding the viability of sports tourism as the long-term, primary focus of the Visitors Bureau; the Visitors Bureau's role in economic development; and the use of emerging technology and social media to enhance and promote Carson City. Mayor Crowell offered Ms. Plain the opportunity to comment, and she discussed her interest and involvement in sharing marketing knowledge. Mayor Crowell thanked Ms. Plain for her application.

Mayor Crowell entertained discussion of the Board members and then a motion. **Supervisor Bonkowski moved to appoint Renee Plain to the “other commercial interests” position on the Carson City Visitors Bureau for a two-year term that expires July 2016. Supervisor McKenna seconded the motion.**

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<b>RESULT:</b>	Approved [4 - 0 - 1]
<b>MOVED:</b>	Supervisor Brad Bonkowski
<b>SECOND:</b>	Supervisor John McKenna
<b>AYES:</b>	Supervisors Bonkowski, McKenna, Shirk, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Karen Abowd

Mayor Crowell thanked all the applicants for their attendance and participation.

#### 25. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

**25(A) POSSIBLE ACTION TO APPROVE A REQUEST FROM SCHULZ INVESTMENTS, LLC FOR A TENTATIVE SUBDIVISION MAP FOR SIX, SINGLE-FAMILY RESIDENTIAL LOTS RANGING IN SIZE FROM 5.13 ACRES TO 5.87 ACRES, ON PROPERTY ZONED SINGLE FAMILY FIVE ACRE (“SF5A”), LOCATED ON OLD CLEAR CREEK ROAD, APN 007-051-72 (TSM-14-022)** (2:23:35) - Mayor Crowell introduced this item and, at Planning Manager Susan Dorr Pansky's request, recessed the meeting at 2:23 p.m. Mayor Crowell reconvened the meeting at 2:30 p.m., and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She noted staff's recommendation of approval with 53 conditions, as outlined in the Planning Division staff report. Extensive discussion took place regarding access issues associated with Old Clear Creek Road and costs for upgrading the road. Ms. Dorr Pansky advised that the Planning Commission had unanimously recommended approval of this item at their June meeting.

(2:52:21) Chris Baker, of Manhard Consulting representing the applicant, commended Ms. Dorr Pansky's presentation. Mr. Baker expressed agreement with staff's and the Planning Commission's recommendation of approval. He expressed the opinion that the tentative map will not “exacerbate the problem that's already there, but ... it's ... at least spurring some questions in people's minds to get this solved. ... It's making sure legal access, through easements, is in place and then ... one way or the other, all the residents coming together to figure out the best way to maintain the road.”

Mayor Crowell entertained public comment. (2:53:54) Margaret “Peg” Karas advised of having been evacuated last night due to the fire, and “there was no problem in any of the trucks coming up ...” She expressed no desire to have the road widened to 20 feet, and advised of having lived with the existing road for 27 years. She expressed no desire to see houses on the slope above, but noted “it's perfectly legally presented and it was approved by the Planning Commission.” She advised of insufficient means to contribute to widening the road and subsequent maintenance. She responded to questions of clarification, and a brief discussion ensued.

(3:00:28) Sandra Tarr advised that her property would “bear the brunt of the changes in the neighborhood with the widening of the current shared driveway.” In response to a question, she pointed out the location of her property using a displayed aerial photograph, and described its boundaries. She discussed concerns regarding impacts to her property due to increased traffic, access, snow removal, and drainage. She responded to questions of clarification, and discussion took place, regarding the maintenance agreement.

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At Mayor Crowell's request, Mr. Baker explained that Schulz Investments is currently not part of the maintenance agreement. "... there was a contribution to the maintenance fund during the process of getting easements for access. Obviously, with this, there will be the addition of six lots and ... it's fair for those six lots to contribute to the maintenance ..." In response to a question, Mr. Munn advised that the parties would have to agree on terms relative to the maintenance agreement. "You couldn't impose that upon the other party that's not an applicant." In response to a question, he advised that a condition could be required of the applicant to return with proof that they have an agreement.

Mayor Crowell entertained additional public comment. (3:15:01) Al Kramer discussed opposition to widening the road. He requested the applicant to state, on the record, a willingness to join the maintenance agreement on an equal basis. He provided background information on a suggestion to form a bi-county tax increment district, and encouraged the Board to address this matter and invite Douglas County to join. In response to a question, Mr. Kramer pointed out access to Clear Creek Road from the freeway.

Mayor Crowell suggested leaving "development of the road within the development as conditioned; ... don't require ... going from 14 to 20 and leaving existing drainage; and you require that the developer retain and repair and damage done to either the driveways or any of the slope and drainage problems that might be in there; and that the developer use its best effort to have each parcel there, or if they can do it legally, ... use their best efforts to join the existing maintenance agreement of the adjoining land owners without saying that they have to ..." In response to a question, Mr. Baker indicated his agreement. In reference to Mr. Kramer's comments, Supervisor Abowd requested Mr. Marano to look into a bi-county agreement.

(3:23:05) Mr. Baker suggested adding a condition to take inventory, prior to construction, of the existing roadways and drainage facilities. He acknowledged that the project is still economically viable in consideration of the discussion at this meeting. He explained that the project has always been proposed from the perspective that "the market's really going to drive custom lots. The developer ... is really just going to be responsible for the infrastructure of the road and the drainage requirements up to City Code. And, then at that point, really you're going to have lots for sale." In response to a question, he explained that the secondary phase, following approval of the tentative map, will be recordation of the final maps. Once final maps are recorded, lots can be sold. "With that and the conditions that have been placed upon us from the City, a lot of those items are going to be listed ... on these final maps. As far as access, the fact that there is kind of a grey area with Old Clear Creek Road, ... all of that stuff is actually going to be set in stone with the final map." In response to a question, Mr. Baker discussed the neighborhood meeting which was held at the home of Ms. Karas.

Mayor Crowell entertained additional public comment; however, none was forthcoming. Engineering Manager Danny Rotter provided background information on the proposal to widen the road to 20 feet, and reviewed the corresponding conditions of approval. Discussion followed.

Mayor Crowell entertained additional public comment. (3:30:12) Steve Grinelli expressed doubt that any governmental entity will be able to "get together and fix Old Clear Creek Road ... before this development starts." He described Old Clear Creek Road as dangerous, and discussed concerns associated with heavy equipment traversing the road "over a protracted period of development of these parcels." Following discussion, Mr. Grinelli expressed the opinion that the applicant should be required to bring Old Clear Creek Road to City Code as part of the conditions for approving the tentative map. Extensive discussion ensued, and Mr. Baker requested a recess to confer with his client and with staff.

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Mayor Crowell agreed to Mr. Marano's request to provide a status report on the Jacks Valley Fire since a number of the Old Clear Creek Road residents were in attendance. Mayor Crowell recessed the meeting at 3:47 p.m., and reconvened at 4:00 p.m.

In response to a question, Mr. Baker provided an overview of the discussion which took place during the recess. He advised of a willingness to discuss, with NDOT representatives, the possibility of using Highway 50 for temporary construction access. He reiterated the applicant's willingness to enter into the maintenance agreement for the portions of the private road. He indicated a willingness to abide by the City Engineer's and Fire Department's direction with regard to whether the private road is widened. "The other issue is when the timing of repairing that ... 14' [or] 20' private access area is." He suggested this "might be the sticking point." He reiterated a willingness to conduct a facilities inventory prior to construction, and then "fixing ... the damage that is done. As far as the timing of when those repairs are done ..., at this point, ... we'll take some suggestions from the City or ... from the Supervisors." Discussion followed.

Ms. Dorr Pansky summarized the discussion in conjunction with a displayed map. "Related to providing access for construction on a temporary basis, ... the applicant's representative ... will work with NDOT to gain access ... for construction of the development improvements ... The new road that needs to be constructed, as a part of the final map, is the road within the boundary of the yellow line and that will need ... to be either bonded for or constructed prior to recordation of the final map. ... The other issue is ... the existing driveway down to Old Clear Creek Road, they need to have provisions in place that that portion of the road will be repaired after construction if construction traffic goes that way ... and they will work with [the City's] Engineering [Division] to determine what is acceptable in either the form of widening ... as a part of this approval." In response to a question, Ms. Dorr Pansky advised that the Engineering Division and the Fire Department "would have the ultimate say on the final improvements of the existing road," which she pointed out on a displayed map.

Mayor Crowell entertained additional public comment. (4:08:24) Mr. Grinelli listed the following "issues": "... access off of [Highway] 50, so that's NDOT; the bonded development of roads within the yellow line representing the development; widening of the road; ... and the simple risk of driving on that road ..."

Following extensive discussion, Mayor Crowell tabled this item until the next regularly scheduled Board meeting.

**25(B) POSSIBLE ACTION ON A REQUEST FROM MARK TURNER TO MODIFY THE EXISTING GOVERNOR'S SQUARE PLANNED UNIT DEVELOPMENT (PROPERTY OWNER: STEWART AND 50 PLAZA, LLC AND YORT, LLC) TO CONVERT SIX COMMERCIAL LOTS TO RESIDENTIAL USES, THEREBY INCREASING THE TOTAL NUMBER OF RESIDENTIAL UNITS TO A MAXIMUM OF 60, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS - PLANNED UNIT DEVELOPMENT ("NB - P"), LOCATED AT 1205, -15, -35, -45, -65, AND -85 BAROSSA WAY, APNs 004-361-01, -02, -03, -04, -05, AND -06 (PUD 14-039) (4:18:22)** - Mayor Crowell introduced this item, and Supervisor Bonkowski read a disclosure statement into the record, a copy of which he had previously provided to the Clerk. Supervisor Bonkowski left the dais and took a seat in the audience. Mayor Crowell provided direction with regard to the presentation format. Planning Manager Susan Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She responded to

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questions of clarification throughout her presentation. Community Development Director Lee Plemel provided additional clarification of the Planning Commission's action, and responded to corresponding questions.

Ms. Dorr Pansky advised that Homeowners Association President Riley Kerr had prepared a PowerPoint presentation in an effort to encompass all of the homeowners' concerns. Mayor Crowell welcomed Mr. Kerr to the podium. (4:56:21) Riley Kerr introduced himself for the record, and discussed the significance of the easement. He introduced Attorney Gayle Kern and requested her to explain the same.

(4:56:46) Attorney Gayle Kern introduced herself for the record, and advised of a "significant problem with the consideration of this proposal for the following reason: The land that they are talking about that the parking spaces have already been allotted is not part of this project. It is owned by the homeowners association. The PUD, as it originally existed, contemplated and provided that a homeowners association would be established for purely the residential property. Included within that is common area. All of the parking spaces that they are asserting would be used for these residential duplexes is owned by the association subject to an easement that is recorded and is only to be used for commercial property. Therefore, this application cannot go forward unless there is a new easement executed for residential property."

In response to a question, Ms. Dorr Pansky advised that the easement was discussed by Mr. Kerr at the Planning Commission meeting. She noted that, as part of the original PUD approval, the parking spaces were allocated to the use that's proposed to be changed. In response to a question, Mr. Plemel advised that the Planning Division considers "this as a complete PUD. So, they have split it up themselves between this commercial property and the residential property." Mr. Plemel advised that "this is not how the easement was represented to the Planning Commission and not how it was represented to us ..." Discussion followed.

In response to a question, Ms. Kern advised that the Easement and Cost Sharing Agreement is a recorded document, number 391318; recorded July 6, 2009. In conjunction with displayed slides, she pointed out the property line and the parking spaces. She explained that "where the parking is and where it's been identified as being part for the proposed duplexes, all of that is common area and owned by the association and the parties entered into an easement in 2009."

(5:02:22) In response to a question, Mark Turner expressed the "understanding about the easement for the parking is that the ... zoning for the property is neighborhood business. ... Our ability to use the parking exists because duplexes are a suitable use under neighborhood business." In response to a question, Ms. Dorr Pansky advised that duplexes are suitable under neighborhood business zoning with approval of a special use permit. Mr. Turner advised of having "begun this process by working with Planning and Planning had suggested that the PUD modification was the correct path to travel to get to where we wanted to get to so that we could construct duplexes on the property, given the fact it was residential. We're adding to the residential count of the PUD. That's the path we chose. Our ability to use the parking, we believe, exists as a result of duplexes being allowed under a neighborhood business zoning." Discussion followed.

In response to a question, Ms. Kern advised that Mr. Kerr had mentioned the easement during the Planning Commission meeting. At Mayor Crowell's request, Ms. Kern provided the Easement and Cost Sharing Agreement for his review. In response to a question, Mr. Plemel advised that an amendment to a planned unit development is required to be submitted to the Board of Supervisors for approval. "The Planning

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Commission's role was to make a recommendation to the Board." In response to a question, Mr. Munn read into the record a portion of CCMC Section 17.09.045(5). In response to a further question, he advised that the Board defer action on the legal impact of the easement. Supervisor McKenna expressed a preference to refer the matter back to the Planning Commission.

In conjunction with a displayed aerial photograph, Mr. Plemel advised of no disagreement that the parking spaces are on homeowners association property. Pursuant to the recorded Governor's Square final map, all the areas shaded in red are homeowners association property, which includes everything, except the building pads, all the way to Roop Street. "How they have their agreements as to who's maintaining what and responsible for what maybe something internal, but that is the recorded final map ... and that's how the Carson City Assessor shows the property. ... And, to us, the whole thing is part of the PUD and, from the zoning side, we look [to see if] ... there is adequate parking ..."

Additional discussion followed. In response to a question, Mr. Turner expressed the understanding that three or more rentals comprise a commercial enterprise. He advised of the intention to own the duplexes as rentals.

Following additional discussion, Mayor Crowell reiterated the suggestion to return the matter to the Planning Commission to take into consideration the recorded easement. "That gives the developers time to look at the document, time to talk to the homeowners association, time to see whether they want to ramp up legally or not ... and then we'll go forward from there." **Mayor Crowell moved to return the matter to the Planning Commission for further consideration of the ownership of the property, including any easements. Supervisor Shirk seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [3 - 1 - 1]
<b>MOVER:</b>	Mayor Robert Crowell
<b>SECOND:</b>	Supervisor Jim Shirk
<b>AYES:</b>	Mayor Crowell, Supervisors Shirk, Abowd
<b>NAYS:</b>	Supervisor John McKenna
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Brad Bonkowski

In response to a question, Supervisor McKenna expressed concern over "making decisions for property owners instead of taking a process and making sure the process was done correctly." Mr. Munn provided additional clarification, and additional discussion followed. (5:16:30) In response to a question, Ms. Kern expressed a willingness to provide a copy of the Easement and Cost Sharing Agreement to the City Manager.

**26. PUBLIC COMMENT** (5:16:18) - Mayor Crowell entertained public comment; however, none was forthcoming. (5:16:43) Mayor Crowell called again for public comment; however, none was forthcoming.

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**27. ACTION TO ADJOURN** (5:16:48) - Mayor Crowell adjourned the meeting at 5:16 p.m.

The Minutes of the July 17, 2014 Carson City Board of Supervisors meeting are so approved this 6<sup>th</sup> day of November, 2014.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk - Recorder