

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 3, 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 3, 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

Joseph Ward, Senior 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

(8:30:50) - Mayor Crowell called the meeting to order at 8:30 a.m., and wished everyone a Happy Independence Day. Mr. Glover called the roll; a quorum was present. First Christian Church Pastor Ken Haskins introduced his granddaughter, Ariana, and provided the invocation. At Mayor Crowell's request, Supervisor Shirk led the pledge of allegiance.

5. PUBLIC COMMENT (8:33:09) - Mayor Crowell entertained public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - April 3, 2014 (8:33:35) - Mayor Crowell entertained suggested revisions and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the minutes, as presented. Supervisor Abowd seconded the motion. Motion carried 5-0.**

7. POSSIBLE ACTION TO ADOPT THE AGENDA (8:33:57) - Mayor Crowell expressed the understanding that item 21 would be deferred to a future meeting, and Mr. Marano so acknowledged. Mayor Crowell entertained requests to further modify the agenda and, when none were forthcoming, deemed the remainder of the agenda adopted as published.

8. SPECIAL PRESENTATION OF A PROCLAMATION FOR BEAR LOGIC MONTH, JULY 2014 (8:34:26) - Mayor Crowell invited Nevada Department of Wildlife Biologist Carl Lackey to join him at the podium. Mayor Crowell read into the record the language of the Proclamation included in the agenda materials, and presented the original to Mr. Lackey. (8:36:58) Mr. Lackey expressed appreciation for the Proclamation, and discussed continued efforts to educate the public about the issues associated with bears having access to trash. He explained the concept behind Bear Logic Month, and responded to questions regarding other wildlife which frequent the west side of Carson City. Mayor Crowell entertained additional questions or comments and, when none were forthcoming, thanked Mr. Lackey.

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9. RECESS BOARD OF SUPERVISORS (8:40:18) - Mayor Crowell recessed the Board of Supervisors at 8:40 a.m.

LIQUOR AND ENTERTAINMENT BOARD

10. CALL TO ORDER AND ROLL CALL (8:40:22) - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:40 a.m., noting the presence of a quorum, including Sheriff Ken Furlong.

11. PUBLIC COMMENT (8:41:03) - Chairperson Crowell entertained public comment; however, none was forthcoming.

12. POSSIBLE ACTION ON APPROVAL OF MINUTES - March 20, 2014 and April 3, 2014 (8:41:11) - Chairperson Crowell entertained suggested revisions to the minutes and, when none were forthcoming, a motion. **Member Abowd moved to approve the March 20, 2014 minutes, as presented. Member Bonkowski seconded the motion. Motion carried 6-0. Member Abowd moved to approve the April 3, 2014 minutes, as presented. Member McKenna seconded the motion. Motion carried 6-0.**

13. COMMUNITY DEVELOPMENT DEPARTMENT, BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO APPROVE GINA ROHRER AS THE LIQUOR MANAGER FOR LIVING THE GOOD LIFE, LLC, DBA THE GOOD LIFE, LIQUOR LICENSE NO. 15-30040, LOCATED AT 1480 NORTH CARSON STREET (8:41:57) - Chairperson Crowell introduced this item. Senior Permit Technician Lena Reseck reviewed the agenda materials, noting staff's recommendation of approval.

(8:42:54) Chairperson Crowell invited Gina Rohrer to the podium. At Chairperson Crowell's request, Ms. Rohrer discussed her experience in the restaurant business and her plans for the subject business. Member Furlong reviewed the Results of Background portion of the report included in the agenda materials. Ms. Rohrer provided background information on the forgery charge, as detailed in the Results of Background section of the report. Member Furlong responded to questions of clarification. Ms. Rohrer responded to questions of clarification.

Chairperson Crowell entertained additional questions or comments and, when none were forthcoming, a motion. **Member Abowd moved to approve Gina Rohrer as the liquor manager for Living the Good Life, LLC, dba The Good Life, liquor license number 15-30040, located at 1480 North Carson Street. Member McKenna seconded the motion.** Chairperson Crowell entertained discussion on the motion. Member Bonkowski advised of "concerns," but expressed understanding for "the need to have new, vibrant businesses here in town." Chairperson Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion.

RESULT:	Approved [5 - 1]
MOVER:	Member Karen Abowd
SECOND:	Member John McKenna
AYES:	Members Abowd, McKenna, Bonkowski, Shirk, and Chair Crowell
NAYS:	Member Ken Furlong
ABSENT:	None
ABSTAIN:	None

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Chairperson Crowell thanked Ms. Rohrer for investing in the community.

14. PUBLIC COMMENT (8:59:38) - Chairperson Crowell entertained public comment; however, none was forthcoming.

15. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:59:47) - Chairperson Crowell adjourned the Liquor and Entertainment Board meeting at 8:59 a.m.

16. RECONVENE BOARD OF SUPERVISORS (8:59:47) - Mayor Crowell reconvened the Board of Supervisors at 8:59 a.m.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

17. ASSESSOR - POSSIBLE ACTION TO APPROVE THE REMOVAL OF TAXES AND PENALTIES FROM THE UNSECURED 2010 / 2011 AND 2011 / 2012 TAX ROLLS, PURSUANT TO NRS 361.5607, IN THE AMOUNT OF \$901.93 (9:00:04) - Mayor Crowell introduced this item, and Mr. Marano reviewed the agenda report. Mayor Crowell entertained questions or comments of the Board members and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the removal of the taxes and penalties from the unsecured 2010 / 2011 and 2011 / 2012 tax rolls, pursuant to NRS 361.5607, in the amount of \$901.93. Supervisors McKenna and Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

18. FIRE DEPARTMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION DELEGATING THE AUTHORITY OF THE CARSON CITY BOARD OF SUPERVISORS TO SIGN A TRANSFER OF AUTHORITY TO AN INCIDENT MANAGEMENT TEAM TO MANAGE A DISASTER, DELEGATING THE AUTHORITY OF THE CARSON CITY BOARD OF SUPERVISORS TO ENTER INTO COST SHARE AGREEMENTS, AND ESTABLISHING A LIST OF INDIVIDUALS WHO ARE AUTHORIZED TO SIGN THE TRANSFER OF LOCAL AUTHORITY AND COST SHARE AGREEMENTS, ON BEHALF OF THE BOARD OF SUPERVISORS AND CARSON CITY, AND OTHER MATTERS PROPERLY RELATED THERETO (9:01:05) - Mr. Marano introduced this item, noting a revision to the proposed resolution which was submitted as late material. Fire Chief Stacey Giomi provided background information, reviewed the agenda materials, and responded to questions of clarification.

Mayor Crowell entertained public comment. (9:11:38) In response to a question, Mayor Crowell advised Maurice White that the any of the four people listed in the proposed resolution could revoke the transfer of authority at any time. Chief Giomi acknowledged the accuracy of the statement. Mayor Crowell entertained additional public comment; however, none was forthcoming.

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Mayor Crowell entertained a motion. **Supervisor Abowd moved to adopt Resolution No. 2014-R-19, delegating the authority of the Carson City Board of Supervisors to sign a transfer of authority to an incident management team to manage a disaster, delegating the authority of the Carson City Board of Supervisors to enter into cost share agreements, and establishing a list of individuals who are authorized to sign the transfer of local authority and cost share agreements on behalf of the Board of Supervisors and Carson City, and other matters properly related thereto.** Supervisor **McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

19. HEALTH AND HUMAN SERVICES DEPARTMENT - POSSIBLE ACTION TO APPROVE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT APPLYING FOR A PARTNERSHIPS TO IMPROVE COMMUNITY HEALTH (“PICH”) GRANT, THROUGH THE CENTERS FOR DISEASE CONTROL AND PREVENTION (“CDC”); THIS GRANT WILL BE USED TO COMBAT POOR NUTRITION, PHYSICAL INACTIVITY, AND TO ADDRESS THE LACK OF ACCESS TO CHRONIC DISEASE PREVENTION, RISK REDUCTION, AND MANAGEMENT OPPORTUNITIES (9:13:10) - Mr. Marano introduced this item, and Health and Human Services Department Director Nicki Aaker reviewed the agenda materials. She responded to a list of questions which had been posed prior to the meeting date. (9:18:27) Partnership Carson City Executive Director Kathy Bartosz discussed the benefits of involving coalitions. She and Ms. Aaker responded to questions of clarification regarding the purpose for the grant funding, and discussion followed.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Supervisor Abowd moved to approve Carson City Health and Human Services applying for a Partnerships to Improve Community Health (“PICH”) grant, through the Centers for Disease Control and Prevention; this grant will be used to combat poor nutrition, physical inactivity, and to address the lack of access to chronic disease prevention, risk reduction, and management opportunities.** **Supervisors Bonkowski and McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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20. FINANCE DEPARTMENT

20(A) POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH JUNE 24, 2014, PURSUANT TO NRS 251.030 AND NRS 354.290 (9:28:03) - Mr. Marano introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Mayor Crowell entertained Board member and public questions or comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to accept the report on the condition of each fund in the treasury and the statements of receipts and expenditures, through June 24, 2014, pursuant to NRS 251.030 and NRS 354.290.** Supervisors McKenna and Abowd seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

20(B) POSSIBLE ACTION TO ADOPT A RESOLUTION TO LEVY THE CARSON CITY FISCAL YEAR 2014 - 15 AD VALOREM TAX RATES, AS CERTIFIED BY THE NEVADA TAX COMMISSION (9:29:25) - Mr. Marano 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-20, a resolution to levy the Carson City Fiscal Year 2014 / 2015 tax rate, as certified by the Nevada Tax Commission.** **Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion, and Supervisor Shirk discussed his opposition to the motion. Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion.

RESULT:	Approved [4 - 1]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, McKenna, and Mayor Crowell
NAYS:	Supervisor Jim Shirk
ABSENT:	None
ABSTAIN:	None

21. PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO APPROVE AMENDMENT NO. 2 OF A LEASE AGREEMENT FOR AN EASEMENT DESCRIBED IN RECORDED DOCUMENT #417657, LOCATED ON APN 007-091-81, SOUTH OF TIMBERLINE DRIVE - Withdrawn.

22. PURCHASING AND CONTRACTS

22(A) POSSIBLE ACTION TO DETERMINE THAT IMPACT CONSTRUCTION IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1314-194, TITLED, "BMX TRACK LIGHTING PROJECT,"

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TO IMPACT CONSTRUCTION FOR A BASE BID AMOUNT OF \$154,894.95, PLUS A BID ALTERNATE BP5 OF \$14,805.00, FOR A TOTAL BID AWARD OF \$169,699.95, WITH A CONTINGENCY AMOUNT NOT TO EXCEED \$16,900.00, TO BE FUNDED FROM THE CAPITAL PROJECTS/CONSTRUCTION ACCOUNTS IN THE QUALITY OF LIFE FUND, THE RESIDENTIAL CONSTRUCTION TAX FUND, AND THE GRANT FUND AS CURRENTLY PROVIDED IN THE FY 2013 / 2014 BUDGET WITH THE EXPECTATION THAT THE BUDGETS WILL GET AUGMENTED IN FY 2014 / 2015 (9:32:09) - Mr. Marano introduced this item, and Purchasing and Contracts Manager Kim Belt distributed an errata sheet to the Board members and the Clerk. Ms. Belt reviewed the agenda materials and, in response to question, provided a brief overview of the nonsubstantive revisions included in the errata sheet. Project Manager Darren Anderson and Parks and Recreation Department Director Roger Moellendorf responded to questions of clarification regarding details of the project and the proposed use of residential construction tax revenues.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to determine that Impact Construction is the lowest responsive and responsible bidder, pursuant to NRS 338, and to award Contract No. 1314-194, titled, "BMX Track Lighting Project," to Impact Construction for a base bid amount of \$154,894.95, plus bid alternate BP.5, of \$14,805.00, for a total bid award of \$169,699.95, with a contingency amount not to exceed \$16,900.00, to be funded from the Capital Projects / Construction accounts in the Quality of Life Fund, the Residential Construction Tax fund, and the grant fund, as currently provided in the FY 2013 / 2014 budget, with the expectation that the budgets will get augmented in FY 2014 / 2015. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

22(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1415-012, PURSUANT TO NRS 332.115(1)(b) AND NRS 625.530, WITH MANHARD CONSULTING, LTD., TO PROVIDE ON-CALL ENGINEERING CONSULTING SERVICES FOR UTILITY SYSTEM MODELING ASSISTANCE / EVALUATIONS, THROUGH JUNE 30, 2015, FOR AN AMOUNT NOT TO EXCEED \$100,000.00, TO BE DETERMINED AT THE TIME EACH TASK ORDER IS ISSUED, TO BE FUNDED FROM THE VARIOUS CAPITAL PROJECTS / SERVICES ACCOUNTS IN THE WATER, STORMWATER, AND WASTEWATER FUNDS, AS PROVIDED FOR IN FY 2014 / 2015 (9:41:35) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. Supervisor Bonkowski reviewed necessary corrections to the contract. Ms. Belt responded to questions of clarification regarding hourly fees.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve Contract No. 1415-012 with Manhard Consulting, Ltd., pursuant to NRS 332.115(1)(b) and NRS 625.530, to provide on-call engineering consulting services for utility system modeling assistance / evaluations, through June 30, 2015, for a not-to-exceed amount of \$100,000, to**

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be determined at the time each task order is issued, to be funded from various capital projects / services accounts in the water fund, the sewer fund, and the stormwater fund, as provided for in FY 2014 / 2015, with the changes to the contract form as pointed out by Supervisor Bonkowski. **Supervisor Bonkowski seconded the motion.** Mayor Crowell reviewed the requested revisions, and Ms. Belt acknowledged understanding of the direction. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

22(C) POSSIBLE ACTION TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO UTILIZE JOINDER CONTRACT NO. 060311-CAT (A CONTRACT APPROVED BY NATIONAL JOINT POWERS ALLIANCE (“NJPA”)), FOR THE PURCHASE OF A CATERPILLAR 966M WHEEL LOADER, A CATERPILLAR EXCAVATOR, AND A CATERPILLAR D86 TRACTOR, THROUGH CASHMAN EQUIPMENT, WHICH IS EXEMPT FROM COMPETITIVE BIDDING, PURSUANT TO NRS 332.115(1)(m) AND NRS 332.195, PROVIDING CARSON CITY'S APPROVED FUNDING AND PURCHASING PROCEDURES ARE FOLLOWED (FILE NO. 1314-202) (9:48:41) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. Public Works Operations Manager Curtis Horton acknowledged that local vendors were considered. He further acknowledged that the equipment to be replaced is “well beyond its useful life.” He responded to additional questions of clarification regarding the funding source and the purpose for the requested equipment.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to authorize the Public Works Department to utilize Joinder Contract No. 060311-CAT, a contract approved by National Joint Powers Alliance, for the purchase of a Caterpillar 966M Wheel Loader, a Caterpillar Excavator, and a Caterpillar D8T Tractor, through Cashman Equipment, which is exempt from competitive bidding, pursuant to NRS 332.115(1)(m) and NRS 332.195, providing Carson City's approved funding and purchasing procedures are followed. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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23. CITY MANAGER

23(A) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING EXPENDITURES OF FUNDS TO THE NON-PROFIT ORGANIZATIONS FOR FY 2014 / 2015 (9:52:33) - Mayor Crowell introduced this item, and Mr. Marano reviewed the agenda materials. Mayor Crowell noted that the Board had reviewed applications in a previous meeting. He entertained public and Board member comments and, when none were forthcoming, a motion. **Supervisor Abowd moved to adopt Resolution No. 2014-R-21, a resolution authorizing expenditures of funds to non-profit organizations for FY 2014 / 2015. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

23(B) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE ADVISORY BOARD TO MANAGE WILDLIFE FOR A THREE-YEAR TERM THAT EXPIRES JULY 31, 2017 (9:54:27) - Mr. Marano introduced this item, and called for Stanley Zuber. Mr. Zuber was not present in the meeting room, and Mr. Marano advised that the item was a request for reappointment; no other applications had been received. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to appoint Stanley Zuber to the Advisory Board to Manage Wildlife for a three-year term that expires on July 31, 2017. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

23(C) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION TO FILL AN UNEXPIRED TERM THAT EXPIRES DECEMBER 31, 2014 (9:55:14) - Mayor Crowell introduced this item, and Mr. Marano noted that both Mark Kimbrough and Michael Reynolds were present in the meeting room. Mr. Marano proposed a brief recess, and Mayor Crowell advised that the Board would "stand at ease."

(9:58:42) Mayor Crowell welcomed Mark Kimbrough to the podium. Mr. Kimbrough acknowledged he had recently concluded a term with the Planning Commission. He responded to questions regarding whether a public art component should be funded as part of the Complete Streets Policy; his opinions of bicycle and pedestrian pathways as part of the Regional Transportation Plan; the method by which to allocate transportation funding; and his interest in serving.

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(10:09:00) Mr. Marano introduced Michael Reynolds, and Mayor Crowell welcomed him to the podium. Mr. Reynolds responded to questions regarding his interest in serving and his experience as a mobility manager; his opinions of the method by which to allocate transportation funding; his views on pedestrian and bicycle pathways relative to the Regional Transportation Plan and complete streets programming; and whether to include a public art component in the Complete Streets Policy and funding for the same. Mayor Crowell offered Mr. Reynolds the opportunity to provide additional comment, and Mr. Reynolds requested the Board's consideration.

Mayor Crowell thanked Mr. Kimbrough and Mr. Reynolds for their applications. Mayor Crowell polled the Board members and, following discussion, entertained a motion. **Supervisor Bonkowski moved to appoint Mark Kimbrough to the Carson City Regional Transportation Commission to fill an unexpired term that expires December 31, 2014. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

24. BOARD OF SUPERVISORS NON-ACTION ITEMS:

FUTURE AGENDA ITEMS (10:24:09) - Mayor Crowell discussed the purpose of this item. Mr.

Munn cautioned against deliberating on future agenda items and, following a brief discussion, Mayor Crowell expressed appreciation for the admonition. Supervisor McKenna advised that the Parks and Recreation Commission recently approved renaming the Pony Express Pavilion to the Marv Teixeira Pony Express Pavilion. Supervisor McKenna requested to agendize a Board action item as soon as possible in order to accomplish the renaming prior to the Boys and Girls Clubs of Western Nevada annual fund raiser event. Mayor Crowell responded to questions of clarification regarding the purpose of the subject item, and discussion ensued.

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE BOARD MEMBERS

(10:37:17) - Supervisor Abowd announced The Greenhouse Project benefit concert scheduled for Wednesday, July 9th, and listed available parking sites.

STAFF COMMENTS AND STATUS REPORTS (10:29:59) - Ms. Works provided a status report on the Nevada 150 Fair. Transportation Manager Patrick Pittenger provided additional information on parking to be made available at the Casino Fandango and the shuttle service to be provided by JAC. In response to a question, Ms. Works advised of the possibility of a bike valet. She and Mr. Pittenger responded to additional questions of clarification.

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RECESS AND RECONVENE BOARD OF SUPERVISORS (10:37:45; 5:29:20) - Mayor Crowell recessed the meeting at 10:37 a.m., and reconvened at 5:29 p.m.

25. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION - POSSIBLE ACTION TO ADOPT BILL NO. 110, ON SECOND READING, AN ORDINANCE AMENDING TITLE 18, ZONING; CHAPTER 18.03, DEFINITIONS; CHAPTER 18.04, USE DISTRICTS; AND CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, TO ADOPT REGULATIONS TO ALLOW MEDICAL MARIJUANA DISPENSARIES AS A CONDITIONAL USE WITHIN THE GENERAL COMMERCIAL AND GENERAL INDUSTRIAL ZONING DISTRICTS, AND TO ALLOW MEDICAL MARIJUANA CULTIVATION FACILITIES, PRODUCTION FACILITIES, AND TESTING LABORATORIES AS A CONDITIONAL USE IN THE GENERAL INDUSTRIAL ZONING DISTRICT, AND TO ESTABLISH DEVELOPMENT STANDARDS FOR SUCH FACILITIES, AND OTHER MATTERS PROPERLY RELATED THERETO (5:29:27) - Mayor Crowell introduced this item, and entertained disclosures. Supervisor Bonkowski read a prepared disclosure into the record, and advised that he would participate in discussion and action on this item. Mayor Crowell read a prepared disclosure into the record, a copy of which he provided to the Clerk, and advised that he would participate in discussion and action on this item. Mayor Crowell entertained additional disclosures and, when none were forthcoming, Community Development Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. In response to a question, he advised of having received no written comments since introduction of the ordinance, on first reading. He clarified that staff has answered questions regarding specific properties.

(5:41:16) Mayor Crowell entertained public comment. (5:41:20) Bruce Kittess suggested the irony of discussing medical marijuana “on the eve of Independence Day.” He requested the Board’s prudent consideration of this matter in consideration of the “entrepreneurs … who are itching to get started.” He advised of having sent the Board members “a few litigation articles,” and discussed concerns over the provisions of NRS 453A that the State will not be held responsible for any deleterious outcomes from the medical use of marijuana by any person. He expressed the hope that the operators of “the various facilities” will sign hold harmless agreements with the City. He expressed the opinion that the staff report is incomplete, reviewed the legislative history of medical marijuana, and discussed his opinion of the medical marijuana law.

(5:49:09) Chris Peternell advised of having recently been diagnosed with a seizure disorder, that he is a medical marijuana card holder, and that medical marijuana has “reduced [his] symptoms, improved [his] quality of life and health, preventing further seizures.” He discussed difficulties associated with growing his own medical marijuana, and looks forward “to the day when [he] can legally and safely and discreetly obtain the medical treatment [he] need[s] without the fear of an arrest or having to meet some drug dealer in a dark alley …” He requested the Board to pass the subject ordinance.

(5:51:15) Colleen Schiller reviewed research on the “average medical marijuana user,” and discussed concerns over the public noticing process associated with the subject ordinance. She expressed the opinion that the 300-foot residential setback should be “300 feet from the lot line regardless of where it was placed to the facility.” She expressed the further opinion that both Supervisor Bonkowski and Mayor Crowell have “a significant conflict of interest with opting in.” She responded to questions of clarification regarding her concerns over the public noticing process.

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(5:55:04) Julie Sutton provided anecdotal information regarding her 17-year-old son, who was diagnosed with a chronic pain disorder at the age of 8. She expressed support for the proposed ordinance.

(5:58:15) Guy Farmer inquired as to Supervisor Bonkowski's intention with regard to voting on the proposed ordinance. Supervisor Bonkowski advised of his intention to vote on the proposed ordinance, but to not vote on any individual applications.

(5:59:23) Dorea Shoemaker expressed support for the proposed ordinance, and commended City staff on preparation of the ordinance. She discussed her impressions from attending recent Douglas County Board of Commissioners meetings relative to medical marijuana establishments.

Mayor Crowell entertained additional public comment and, when none was forthcoming, Board discussion. In conjunction with displayed slides, Mr. Plemel responded to questions of clarification regarding various provisions in the proposed ordinance. Extensive discussion followed between the Board members and various City staff members.

Mayor Crowell entertained a motion. **Supervisor Shirk moved to have staff rewrite the ordinance to allow one dispensary and then, within a six-month anniversary of the first dispensary, to allow that second dispensary to come in; on the one-year anniversary of the dispensary, we allow the first cultivation establishment to come to town and that, on the one-year anniversary of that, then we allow the second cultivation to come forward and we limit it to two cultivation establishments; we also change the modified setbacks from the 300 back to the thousand.** **Supervisor McKenna seconded the motion** for purposes of discussion, and discussion ensued. Mr. Plemel and Mr. Ward responded to questions of clarification, and additional discussion took place. Mayor Crowell called for a vote on the pending motion.

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

Mayor Crowell entertained a motion. **Supervisor Abowd moved to adopt Bill No. 110, on second reading, Ordinance No. 2014-10, an ordinance amending Title 18, Zoning; Chapter 18.03, Definitions; Chapter 18.04, Use Districts; and Chapter 18.16, Development Standards, Division 1, Land Use and Site Design, to adopt regulations to allow medical marijuana dispensaries as a conditional use within the general commercial and general industrial zoning districts, and to allow medical marijuana cultivation facilities, production facilities, and testing laboratories, as a conditional use, in the general industrial zoning district, and to establish development standards for such facilities, and other matters properly related thereto.** **Supervisor McKenna seconded the motion.** Mayor Crowell entertained discussion on the motion. Mr. Plemel acknowledged that the maps included in the agenda materials are a part of the ordinance. Supervisor Shirk discussed his opposition to the motion. Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

CARSON CITY BOARD OF SUPERVISORS

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RESULT:	Approved [4 - 1]
MOVED:	Supervisor Karen Abowd
SECOND:	Supervisor John McKenna
AYES:	Supervisors Abowd, McKenna, Bonkowski, and Mayor Crowell
NAYS:	Supervisor Jim Shirk
ABSENT:	None
ABSTAIN:	None

26. PUBLIC COMMENT (6:39:34) - Mayor Crowell entertained public comment. (6:39:41) Santos Corral offered his services as a marijuana "caretaker."

(6:42:45) Peter Bader advised that his residence abuts a light industrial zoning district, and expressed concern over security and resources to be allocated for growing facilities. Mayor Crowell entertained additional public comment; however, none was forthcoming.

27. ACTION TO ADJOURN (6:46:53) - Mayor Crowell adjourned the meeting at 6:46 p.m.

The Minutes of the July 3, 2014 Carson City Board of Supervisors meeting are so approved this 16th day of October, 2014.

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk - Recorder