

CARSON CITY BOARD OF SUPERVISORS

Minutes of the June 2, 2016 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, June 2, 2016 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 Lori Bagwell, Ward 3
Supervisor Jim Shirk, Ward 4

STAFF: Nick Marano, City Manager
Sue Merriwether, Clerk - Recorder
Adriana Fralick, Chief Deputy District Attorney
Cheryl Eggert, Deputy Clerk
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 Recording Secretaries Division of the Carson City Clerk's Office, during regular business hours.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:20:12) - Mayor Crowell called the meeting to order at 8:30 a.m. Ms. King called the roll; a quorum was present. In the absence of United Methodist Church Reverend Bill McCord, Mayor Crowell requested that a moment of silence be observed. At Mayor Crowell's request, Ms. Fralick led the pledge of allegiance.

5. PUBLIC COMMENT (8:31:32) - Mayor Crowell entertained public comment. (8:31:55) Dee Williams stated that she and her minor-aged daughter are survivors of domestic violence. She advised of having been issued an Affidavit, from Justice Thomas Armstrong, stating that the Justice Court is destroying child abuse evidence every two years. Ms. Williams stated, "This violates several statutes in the State of Nevada, including NRS 11.250 which protects children's rights." Ms. Williams expressed concern that destruction of photographic evidence will violate a child's right to be protected from their abuser. Ms. Williams requested to agendaize an item to discuss "the culpability of Carson City" in entering into a contract to have the court records destroyed.

(8:34:57) Steven White distributed informational materials to the Board members and the Clerk. Ms. Fralick advised that the material would need to be reviewed to ensure no copyright violation prior to publishing to the website. Mr. White provided background information on, and an overview of, the informational material. He requested to schedule a meeting with the District Attorney and a Board member to discuss an ordinance which will define the difference between an artist and a commercial vendor.

(8:45:49) Dominick Martinelli introduced himself as "a local artist and photographer," and discussed the importance of including "places in downtown for First Amendment protected free speech ... as we go forward with the redevelopment project." Mayor Crowell referred Mr. Martinelli to the Arts and Culture Master Plan, and provided background information on the same.

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(8:48:58) Ward 2 Supervisor Candidate Maurice White introduced himself as the Airport Authority Treasurer, and advised of having distributed a copy of the Airport Authority budget to the Board members and the Clerk. He further advised of having heard rumors that the Airport Authority is on the verge of becoming insolvent, and reviewed the previously-distributed budget figures. "Indeed, that does show about a \$70,000 backwards motion; however, that is due to lag time and ... an instability within how the FAA manages reimbursements." Mr. White advised of an additional concern "that in year 2021, the airport is entering into a situation where we will have to have \$1.7 million for capital improvement projects. Indeed, again, this is a situation brought about by the way the FAA requires these projects to be put into the queue and started moving into their process. These projects won't all happen in 2021. In fact, there will probably be about a ten-year spread there. However, that's what we have to list on our CIP projects to get them into the queue. ... Additionally, the other CIP projects that are coming forward will only ... cost in the neighborhood of \$30,000 to \$70,000 per year for the Airport Authority. So if you take a look at that budget, you'll see that the airport is not in danger of becoming insolvent."

Mayor Crowell reminded everyone of the Epic Rides event, scheduled to begin June 17th. He read into the record a Proclamation for Bike Month. (8:53:16) Muscle Powered President Kelly Clark provided background information on Muscle Powered's 20th anniversary, and the reasons for celebrating Bike Month in June this year. She advised that June 6 - 10, 2016 is Bike to Work Week, and reviewed scheduled activities. Mayor Crowell requested Ms. Clark to convey the Board's appreciation to Muscle Powered, and presented her with the original Proclamation.

(8:57:40) Mr. Marano introduced Jennifer Budge, the new Parks and Recreation Department Director, and provided a brief overview of her background and experience. Mayor Crowell welcomed Ms. Budge. Ms. Budge thanked Mr. Marano for the opportunity, and commended Carson City's "exceptional park system." Ms. Budge reviewed her parks and recreation experience, and discussed her goals. Mayor Crowell entertained additional public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - May 5, 2016 (9:02:18) - Mayor Crowell entertained suggested revisions to the minutes 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 ON ADOPTION OF AGENDA (9:02:34) - Mayor Crowell advised of having been informed that items 17 and 18 would be deferred to a future meeting. He entertained additional modifications to the agenda and, when none were forthcoming, deemed the remainder of the agenda adopted, as published.

8. RECESS BOARD OF SUPERVISORS (9:02:56) - Mayor Crowell recessed the Board of Supervisors meeting at 9:02 a.m.

LIQUOR AND ENTERTAINMENT BOARD

9. CALL TO ORDER AND ROLL CALL (9:03:01) - Chairperson Crowell called the meeting to order at 9:03 a.m., noting the presence of a quorum, including Member Ken Furlong.

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10. PUBLIC COMMENT (9:03:08) - Chairperson Crowell entertained public comment; however, none was forthcoming.

11. POSSIBLE ACTION ON APPROVAL OF MINUTES - April 21, 2016 and May 5, 2016 (9:03:15) - Chairperson Crowell entertained suggested revisions and, when none were forthcoming, a motion. **Member Bonkowski moved to approve the minutes, as presented. Member Abowd seconded the motion. Motion carried 6-0.**

12. COMMUNITY DEVELOPMENT DEPARTMENT, BUSINESS LICENSE DIVISION

12(A) POSSIBLE ACTION TO APPROVE OBAID MOBALIGH, AS THE LIQUOR MANAGER FOR TALENTS ATHLETIC CENTER, LLC, LIQUOR LICENSE NUMBER 16-31293, LOCATED AT 2749 NORTH CARSON STREET (9:03:38) - Mayor Crowell introduced this item. Senior Permit Technician Lena Reseck reviewed the agenda materials, noting staff's recommendation of approval. (9:04:06) In response to a question, Obaid Mobaligh provided an overview of the Talents Athletic Center operations. He discussed plans for serving alcohol "only ... when the adults are playing. ... We don't want to do it while the kids are playing." In response to a question, Member Furlong discussed past experience with indoor soccer where "combined with alcohol, it really had a very negative impact on the environment around. And the challenge here is not so much for what occurs inside the business; it's what occurs outside the business as a result ..." Mr. Mobaligh advised that service will be limited to "two or three drinks ... And once they leave that place, they have to get out of the whole area. We have security for that. We want to make sure that everybody's safe."

Mr. Mobaligh acknowledged he holds current liquor licenses at two other businesses in town. He advised of having prevented the sale of alcohol to minors since he has been in business. He acknowledged that he will stop selling alcohol if the safety of the children becomes an issue. Ms. Reseck advised that Mr. Mobaligh submitted an hours of operation schedule, outlining the times alcohol will be available for sale. Ms. Fralick acknowledged that the board could restrict and / or condition the license. Mr. Mobaligh discussed the center's schedule of activities, and reiterated, "We will not sell when the kids are playing." In response to a further question, he clarified that alcohol would be sold at special events, such as tournaments. In response to a further question, he advised that wrist bands would be issued to anyone purchasing alcohol with a limit to three drinks. Mr. Mobaligh assured the board, "We want to make sure that we control this. We do not want to ... expose the kids into this situation."

Chairperson Crowell entertained public comment. **Member Abowd moved to approve Obaid Mobaligh, as the liquor manager for Talents Athletic Center, LLC, liquor license number 16-31293, located at 2749 North Carson Street. Member Bonkowski seconded the motion.** Chairperson Crowell entertained discussion on the motion. Following a brief discussion, Member Abowd thanked Mr. Mobaligh for taking on Talents Athletic Center. Chairperson Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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| RESULT: | Approved [6 - 0] |
| MOVER: | Member Karen Abowd |
| SECOND: | Member Brad Bonkowski |
| AYES: | Members Abowd, Bonkowski, Bagwell, Furlong, Shirk, and Chair Crowell |
| NAYS: | None |
| ABSENT: | None |
| ABSTAIN: | None |

12(B) POSSIBLE ACTION TO APPROVE LEE AN CHANG, AS THE LIQUOR MANAGER FOR KING LEE, LLC, DBA PANDA KITCHEN AND SUSHI, LIQUOR LICENSE NUMBER 16-31410, LOCATED AT 1986 EAST WILLIAM STREET (9:19:39) - Chairperson Crowell introduced this item. Senior Permit Technician Lena Reseck reviewed the agenda materials, noting staff's recommendation of approval. Chairperson Crowell entertained public comment; however, none was forthcoming. (9:20:24) Lee An Chang provided background information on his recent purchase of the restaurant. Chairperson Crowell entertained questions or comments of the board members and, when none were forthcoming, a motion. **Member Bonkowski moved to approve Lee An Chang, as the liquor manager for King Lee, LLC dba Panda Kitchen and Sushi, liquor license number 16-31410, located at 1986 East William Street. Member Abowd seconded the motion.** Chairperson Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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| RESULT: | Approved [6 - 0] |
| MOVER: | Member Brad Bonkowski |
| SECOND: | Member Karen Abowd |
| AYES: | Members Bonkowski, Abowd, Bagwell, Furlong, Shirk, and Chair Crowell |
| NAYS: | None |
| ABSENT: | None |
| ABSTAIN: | None |

13. PUBLIC COMMENT (9:21:54) - Chairperson Crowell entertained public comment; however, none was forthcoming.

14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (9:22:02) - Chairperson Crowell adjourned the Liquor and Entertainment Board meeting at 9:22 a.m.

15. RECONVENE BOARD OF SUPERVISORS (9:22:06) - Mayor Crowell reconvened the Board of Supervisors meeting at 9:22 a.m.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

16. ASSESSOR

16(A) POSSIBLE ACTION TO APPROVE THE REMOVAL OF THE TAXES AND PENALTIES FROM THE UNSECURED 2013 / 14 TAX ROLL, PURSUANT TO NRS 361.5607, IN THE AMOUNT OF \$179.82 (9:22:11) - Mayor Crowell introduced this item, and Assessor Dave Dawley reviewed the agenda materials. Supervisor Bonkowski commended Mr. Dawley and the Assessor's Office staff on a job well done. Mayor Crowell entertained additional questions or comments and, when none

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were forthcoming, a motion. **Supervisor Abowd moved to approve the removal of the taxes and penalties from the Unsecured 2013 / 14 Tax Roll for the following unsecured account numbers: AB 51085 (Berkovec, Kenneth L.); CB 40030 (Cash Pro); CB 42063 (Santa Cruz Tanning Co.); CB 45510 (Bogo Discount); and CB 45618 (Secularphilosophy.Net), in the amount of \$179.82. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

16(B) POSSIBLE ACTION TO ACCEPT THE ANNUAL TECHNOLOGY FUND REPORT FROM THE CARSON CITY ASSESSOR, PURSUANT TO NRS 250.085 (9:25:07) - Mayor Crowell introduced this item, and Assessor Dave Dawley reviewed the agenda materials. In addition, he discussed the purpose and programming costs associated with SJR 13. He responded to questions of clarification. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to accept the annual technology fund report from the Carson City Assessor, pursuant to NRS 250.085, showing expenditures of \$44,680.98, with two percent of the unsecured personal property taxes collected through April 15, in the amount of \$48,679, leaving a balance of \$97,176.02. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

17. PARKS AND RECREATION DEPARTMENT - POSSIBLE ACTION TO APPROVE A USE AGREEMENT, BETWEEN CARSON CITY AND THE CARSON CITY RAILROAD ASSOCIATION - Deferred.

18. FIRE DEPARTMENT - POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 14, CHAPTER 14.02, IN ORDER TO MAKE IT CONSISTENT WITH NAC 477 - Deferred.

19. HUMAN RESOURCES DEPARTMENT

19(A) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE EMPLOYEE / RETIREE HEALTH AND DENTAL INSURANCE CONTRACTS WITH PROMINENCE HEALTH PLAN (9:31:47) - Mayor Crowell introduced this item. Human Resources Department Director Melanie Bruketta reviewed the agenda materials, and responded to questions of clarification. Supervisor

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Bonkowski commended Ms. Bruketta and Chief Financial Officer Nancy Paulson on their negotiating skills. In response to a question, Ms. Bruketta reviewed plans for next year's negotiation process. Supervisor Abowd advised of having discussed with Mr. Marano the possibility of approaching the League of Cities or NACo to discuss working together in an insurance cooperative.

Supervisor Bonkowski pointed out that if negotiations hadn't taken place with Prominence Health Plan, "the cost difference between where we're at today and what that difference in premium would have been, is the equivalent of replacing the roof on the aquatic facility." He discussed the importance of the citizens understanding "that we are always working with vendors to get the best rate possible and those savings, we certainly can put them to good use."

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comment. When no public comment was forthcoming, Mayor Crowell entertained a motion. **Supervisor Bagwell moved to approve the employee / retiree health and dental insurance contracts with Prominence Health Plan. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk commended Ms. Bruketta and City staff on a job well done. Mayor Crowell called for a vote on the pending motion.

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

19(B) DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION THAT REPLACES RESOLUTION NUMBER 2013-R-44, A RESOLUTION OF THE BOARD OF SUPERVISORS OF CARSON CITY SETTING FORTH THE BENEFITS FOR UNCLASSIFIED EMPLOYEES (9:37:12) - Mayor Crowell introduced this item. Human Resources Department Director Melanie Bruketta reviewed the agenda materials, and responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve Resolution No. 2016-R-7, a resolution that replaces Resolution No. 2013-R-44, a resolution of the Board of Supervisors of Carson City setting forth the benefits for unclassified employees. Supervisor Shirk seconded the motion.**

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

Mayor Crowell recessed the meeting at 9:39 a.m.

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19(C) POSSIBLE ACTION TO REVIEW AND EVALUATE THE PERFORMANCE OF NICHOLAS F. MARANO, CITY MANAGER, AND TO DEFINE AND PRIORITIZE THE DESIRED OUTCOMES THE BOARD OF SUPERVISORS DEEMS NECESSARY FOR THE PROPER OPERATION OF THE CITY AND THE ATTAINMENT OF THE BOARD OF SUPERVISORS' POLICY OBJECTIVES, AND TO POSSIBLY ESTABLISH A MERIT INCREASE TO TAKE EFFECT ON JULY 1, 2016 (9:52:49) - Mayor Crowell reconvened the meeting at 9:52 a.m., and introduced this item. Mr. Marano reviewed the agenda materials in conjunction with displayed slides. Mayor Crowell and the Board members commended Mr. Marano's performance. At Mayor Crowell's request, Mr. Marano discussed performance-based budgeting and strategic planning in conjunction with displayed slides. At Supervisor Abowd's request, Mr. Marano discussed his experience with zero-based budgeting. He explained that "in theory, zero-based budgeting is a great idea ... but it was an enormous project ..." Discussion followed during which the Board members reviewed their various goals.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Following extensive discussion regarding the appropriate action, **Mayor Crowell moved to approve the conduct of the City Manager, to date, adopt the proposed future objectives that are in the packet put together by the City Manager, and ask the City Manager to take what he's heard today and come back, in a subsequent meeting, and explain his understanding of the goals to determine if they can be adopted as goals. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk requested to schedule a meeting with Mr. Marano "to discuss everything ... listed and then we can go into more detail and then clarify those things." Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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

Mayor Crowell commended Mr. Marano as "a credit to the City and a credit to the Marine Corps ..." At Supervisor Shirk's request, Mayor Crowell entertained a motion. In response to a question, Mr. Marano advised that he had not requested a merit increase. **Supervisor Shirk moved to establish a merit increase of \$6,702.84 for the City Manager to take effect July 1, 2016. Motion died for lack of a second.** Mayor Crowell entertained discussion. Supervisors Bagwell, Abowd, and Bonkowski expressed appreciation for the City Manager's willingness to not take a raise. Supervisor Shirk explained the reason for his motion. Mayor Crowell entertained additional discussion and, when none was forthcoming recessed the meeting at 10:53 a.m.

20. PURCHASING AND CONTRACTS

20(A) POSSIBLE ACTION TO DETERMINE THAT JUSTIN WILSON CONSTRUCTION IS THE LOWEST RESPONSIVE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1516-137, EAGLE STATION LANE SEWER REPAIR PROJECT, TO JUSTIN WILSON CONSTRUCTION, FOR A BID AMOUNT OF \$125,385, PLUS A

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CONTINGENCY AMOUNT OF \$12,538.50, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$137,923.50, TO BE FUNDED FROM THE SEWER LINE REPLACEMENT AND REPAIR FUND, AS PROVIDED IN FISCAL YEAR 15 / 16 (11:01:09) - Mayor Crowell reconvened the meeting at 11:01 a.m., and introduced this item. Purchasing and Contracts Administrator Laura Tadman reviewed the agenda materials, and acknowledged that the project is budgeted. At Mayor Crowell's request, Public Works Department Director Darren Schulz provided an overview of the project. Mr. Schulz and Project Manager Darren Anderson responded to questions of clarification, and discussion took place regarding the contingency amount.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to determine that Justin Wilson Construction is the lowest responsive bidder, pursuant to NRS Chapter 338, and to award Contract No. 1516-137, Eagle Station Lane Sewer Repair Project, to Justin Wilson Construction for a bid amount of \$125,385, plus a contingency amount of \$12,538.50, for a total not-to-exceed amount of \$137,923.50, to be funded from the sewer line replacement and repair fund, as provided in FY 15 / 16. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

20(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1516-165, CARSON CITY WATER RESOURCES SUPPORT, TO RESOURCE CONCEPTS, INC., FOR AN ANNUAL AMOUNT NOT TO EXCEED \$60,000.00, FOR TWO YEARS, TO BE FUNDED FROM THE WATER ACCOUNT - PROFESSIONAL SERVICES FUND, AS PROVIDED IN FISCAL YEARS 2016 / 17 AND 2017 / 18 (11:07:49) - Mayor Crowell introduced this item and, in response to a question, Purchasing and Contracts Administrator Laura Tadman clarified that the \$60,000 figure is for each year of the two-year contract. Ms. Tadman reviewed the agenda materials, and acknowledged that the contract amount had been budgeted. Public Works Department Director Darren Schulz responded to questions of clarification. Supervisor Bonkowski commented on the difficulties associated with managing water rights in Nevada, and expressed appreciation for the expertise at Resource Concepts, Inc.

Mayor Crowell entertained additional questions or comments from the Board members and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve Contract No. 1516-165, Carson City Water Resources Support, to Resource Concepts, Inc. for an annual amount not to exceed \$60,000 per year for two years, to be funded from the water account professional services fund, as provided in FY 2016 / 17 and 2017 / 18. Supervisor Shirk seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a comment, **Supervisor Abowd amended her motion to indicate an annual amount not to exceed \$60,000 and a contract total of \$120,000.** Supervisor Shirk

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continued his second. Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion.

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

20(C) POSSIBLE ACTION TO APPROVE THE PURCHASE OF MOTOROLA EQUIPMENT, THROUGH JOINDER CONTRACT #06913, EFFECTIVE THROUGH JUNE 30, 2018, THROUGH NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (“NASPO”) FOR A NOT-TO-EXCEED AMOUNT OF \$61,256.22, TO BE FUNDED FROM THE RECEIVING DEPARTMENT'S OPERATING BUDGETS AND THE COURT'S RESTRICTED FUNDS (11:11:55) - Mayor Crowell introduced this item. Purchasing and Contracts Administrator Laura Tadman reviewed the agenda materials, and advised that the purchase was budgeted. In response to a question, Control Systems Operations Manager James Jacklett reviewed the staff summary portion of the staff report. He responded to additional questions of clarification.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell commended Mr. Jacklett's presentation. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the purchase of Motorola equipment, through Joinder Contract 06913, through the National Association of State Procurement Officials for a not-to-exceed amount of \$61,256.22, to be funded from the receiving departments' operating budgets and the courts' restricted funds. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

20(D) POSSIBLE ACTION TO APPROVE CITY CONTRACT NO. 1516-155 / DELL MASTER LEASE AGREEMENT 571133-16559 FOR A NOT-TO-EXCEED ANNUAL AMOUNT OF \$200,000, TO BE FUNDED FROM VARIOUS INDIVIDUAL DEPARTMENTAL ACCOUNTS, AS APPROVED IN THE CITY'S BUDGET PROCESS; THE TERM OF THIS AGREEMENT IS JULY 1, 2016 THROUGH JUNE 30, 2021 (11:21:15) - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Tadman reviewed the agenda materials. Chief Information Officer Eric Von Schimmelmann discussed the purpose of the contract and responded to questions of clarification. He acknowledged that the lease agreement represents a financing methodology and that the

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standard purchasing guidelines will apply. Supervisor Bonkowski thanked Ms. Fralick and Information Technology Department staff for ensuring the revisions to the lease agreement were made prior to this meeting. Ms. Fralick credited Deputy District Attorney Iris Yowell with having thoroughly reviewed the lease agreement.

Mayor Crowell entertained additional questions or comments of the Board members and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve City Contract No. 1516-155 / Dell Master Lease Agreement 571133-16559 for a not-to-exceed annual amount of \$200,000, to be funded from various individual departmental accounts, as approved in the City's annual budget process; the term of this agreement is July 1, 2016 through June 30, 2021. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

20(E) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1516-160, FINANCIAL ADVISORY SERVICES, TO JNA CONSULTING GROUP, LLC, FOR A NOT-TO-EXCEED ANNUAL AMOUNT OF \$199,000, EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2021; FUNDING WILL BE DETERMINED AT THE TIME EACH TASK ORDER IS ISSUED, AS PROVIDED IN EACH FISCAL YEAR; THIS IS A PROFESSIONAL SERVICES CONTRACT AND, THEREFORE, NOT SUITABLE FOR PUBLIC BIDDING, PURSUANT TO NRS 332.115(1)(b) (11:26:27) - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Tadman reviewed the agenda materials. Chief Financial Officer Nancy Paulson reviewed the purpose of the contract, and responded to questions of clarification.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comment was forthcoming, Mayor Crowell entertained a motion. **Supervisor Bagwell moved to approve Contract No. 1516-160, Financial Advisory Services to JNA Consulting Group, LLC, for a not-to-exceed annual amount of \$199,000, for a total contract amount not to exceed \$995,000, effective July 1, 2016 through June 30, 2021. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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21. FINANCE DEPARTMENT

21(A) POSSIBLE ACTION TO ADOPT A RESOLUTION PROVIDING FOR THE TRANSFER OF CARSON CITY'S SHARE OF THE 2016 PRIVATE ACTIVITY BOND CAP TO THE NEVADA RURAL HOUSING AUTHORITY TO FINANCE THE COSTS OF SINGLE FAMILY RESIDENTIAL HOUSING (11:31:42) - Mayor Crowell introduced this item, and Grants Manager Janice Keillor reviewed the agenda materials. Ms. Keillor acknowledged no liability to the City associated with transferring private activity bond cap. In response to a further question, she explained that the City does not need to utilize the bond cap. "If we don't, then it ... reverts back to the State." Ms. Keillor advised that the Nevada Rural Housing Authority last requested the transfer in 2011.

(11:33:21) Nevada Rural Housing Authority Executive Director Gary Longaker provided background information on the Home at Last Program, and provided an overview of the May 3, 2016 letter which was included in the agenda materials. Mr. Longaker responded to questions of clarification.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell thanked the Nevada Rural Housing Authority for their service to Carson City. He entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2016-R-8, a resolution providing for the transfer of Carson City's share of the 2016 Private Activity Bond Cap to the Nevada Rural Housing Authority to finance the costs of single-family residential housing. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

21(B) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING EXPENDITURES OF FUNDS TO NON-PROFIT ORGANIZATIONS FOR FY2016/ 17 (11:36:27) - Mayor Crowell introduced this item, and Grants Administrator Janice Keillor reviewed the agenda materials. Supervisor Bagwell read into the record a disclosure statement, advising of a disqualifying conflict of interest and that she would abstain from discussion and action on this item. Supervisor Bonkowski advised of a business partner who serves on the Boys and Girls Clubs of Western Nevada Board of Directors. In response to a question, Ms. Fralick advised that Supervisor Bonkowski's disclosure was sufficient and that he did not need to abstain from discussion and action. Mayor Crowell advised of a similar disclosure to that of Supervisor Bagwell, and advised that he would abstain from discussion and action on this item. He entertained additional disclosures and, when none were forthcoming, a motion. **Supervisor Shirk moved to adopt Resolution No. 2016-R-9, a resolution authorizing expenditures of funds to non-profit organizations for FY2016 - 17. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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| RESULT: | Approved [3 - 0 - 2] |
| MOVER: | Supervisor Jim Shirk |
| SECOND: | Supervisor Karen Abowd |
| AYES: | Supervisors Shirk, Abowd, Bonkowski |
| NAYS: | None |
| ABSENT: | None |
| ABSTAIN: | Supervisor Bagwell, Mayor Crowell |

21(C) POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH MAY 20, 2016, PURSUANT TO NRS 251.030 AND NRS 354.290 (11:38:33) - Mayor Crowell introduced this item, and entertained questions or comments of the Board members and of the public. When no questions or comments were forthcoming, Mayor Crowell entertained 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 May 20, 2016, 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.

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

21(D) PUBLIC HEARING ON THE INTENT OF CARSON CITY, NEVADA TO ISSUE ONE OR MORE INSTALLMENT-PURCHASE AGREEMENTS IN A COLLECTIVE, MAXIMUM AGGREGATE PRINCIPAL AMOUNT UP TO \$5,300,000 TO ENABLE THE BOARD TO PAY ALL OR A PORTION OF THE COST OF ACQUIRING, IMPROVING, AND EQUIPPING A BUILDING PROJECT, AS DEFINED IN NRS 244A.019, IN THE CITY (11:38:58) - Mayor Crowell introduced this item, and opened the public hearing. Chief Financial Officer Nancy Paulson provided background information on this item, and introduced John Peterson, of JNA Consulting Group, LLC, and Bond Counsel Ryan Henry. Ms. Paulson responded to questions of clarification, and acknowledged that the City has no associated liability. Following a brief discussion, Mayor Crowell entertained public comment. No public comment was forthcoming, and Mayor Crowell closed the public hearing.

21(E) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING ONE OR MORE INSTALLMENT - PURCHASE AGREEMENTS FOR THE PURPOSE OF FINANCING THE COST OF A BUILDING PROJECT; DIRECTING THE CITY'S CHIEF FINANCIAL OFFICER TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; AUTHORIZING THE CITY'S CHIEF FINANCIAL OFFICER TO EXECUTE SUCH INSTALLMENT - PURCHASE AGREEMENT OR AGREEMENTS; AND PROVIDING THE EFFECTIVE DATE HEREOF (11:44:22) - Mayor Crowell introduced this item, and adopted, by reference, the comments and discussion relative to item 21(D). Chief Financial Officer Nancy Paulson

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introduced Ameresco, Inc. Senior Business Development Engineer Steve Frost, who narrated a PowerPoint presentation which was displayed in the meeting room. Mr. Frost and John Peterson, of JNA Consulting Group, LLC, responded to questions of clarification. At Mr. Marano's request, Project Manager Tom Grundy discussed the significant energy savings. Mr. Frost provided additional clarification. Public Works Department Director Darren Schulz and Mr. Frost responded to additional questions of clarification.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2016-R-10, a resolution authorizing one or more installment - purchase agreements for the purpose of financing the cost of a building project; directing the City's Chief Financial Officer to forward materials to the State of Nevada Department of Taxation; authorizing the City's Chief Financial Officer to execute such installment - purchase agreement or agreements; providing the effective date thereof; and providing for annual reports to the Board showing the actual utility savings on an annual basis versus the principal and interest paid in a given year. Supervisor Shirk seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a question, Mr. Frost explained that “part of the audit includes the measurement and verification plan so your staff has exactly what we're planning on doing going forward. ... some of the ... variables ... are, indeed, stipulated. In the case of lighting, we're doing a statistically-valid sampling to ensure that the fixtures are still in place and are still working. ... the before and after wattage measurements are done at the time of installation and the burn hours are what are stipulated. ... So that report will come to your staff on an annual basis and you can make it available to the Board at whatever time line works ...” Supervisor Bonkowski acknowledged that the explanation was consistent with the stated motion. Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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

22. BOARD OF SUPERVISORS NON-ACTION ITEMS:

FUTURE AGENDA ITEMS (12:01:26) - In reference to earlier public comment, Supervisor Abowd requested to agendaize discussion of the courts' document destruction process.

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (12:01:43) - Supervisor Abowd offered to assist Ms. Fralick in review of the arts as free speech issue which was presented during public comment. Supervisor Bagwell advised that the “animal services group” will be reviewing leash

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laws. In clarification of earlier comments, Mayor Crowell advised that the Board increased the ending fund balance during this year's budget process.

STAFF COMMENTS AND STATUS REPORTS

RECESS AND RECONVENE BOARD OF SUPERVISORS (12:02:42; 1:30:04) - Mayor Crowell recessed the meeting at 12:02 p.m., and reconvened at 1:30 p.m.

23. PUBLIC WORKS DEPARTMENT

23(A) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12 - WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01 - WATER CONNECTION CHARGES AND USE RATES, SECTION 12.01.030 - SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, BY PHASING IN A FIVE-YEAR CONNECTION CHARGE STRUCTURE, EFFECTIVE JULY 1, 2016, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATIONS, OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, IN COMPLIANCE WITH NRS 237, IS ACCEPTED AND ON FILE WITH THE BOARD OF SUPERVISORS (1:30:14) - Mayor Crowell introduced this item. Utility Manager David Bruketta reviewed the agenda materials, and responded to questions of clarification. In response to a question, Mr. Bruketta advised that direction from the August 20, 2015 Board of Supervisors meeting "was that a connection ... could be used for new capital improvement and ... paying for the debt associated with that new capital improvement. ... So, that's the idea behind that; ... it would be to one of those two areas specifically." Supervisor Bonkowski expressed concern that the connection charge revenue source not be used as a pledged resource for debt financing. "So, we have it available to pay debt but I don't want to use it as a pledge source because we can't count on it from year to year." Supervisor Abowd commented, "Growth pays for growth so that's the whole concept behind this. ... I'm in agreement. I don't want to be pledging ahead of growth ..." Supervisor Abowd advised of having received feedback that "it should not be a progressive increase; that it should be a totally implemented increase all at one time."

In response to a series of questions, Mr. Bruketta provided background information on the method by which the connection charges were calculated. In response to a further question, he explained that the water rates and connection charges in Douglas County are different than in Carson City. He further explained that "in a charge calculation, ... you take your existing cost basis, how much you have invested in your infrastructure already. They could have a totally different basis than we have so that's going to impact the top part of the calculation. And then their future costs. So when we do, like we're doing the upgrades right now, the \$30 million upgrades, the majority of that, ... 95% of that, is based on our existing capacity. That's all we did. They may build differently. They may build it based on future capacities or bigger capacities so that's how it can be different." In response to a further question, Mr. Bruketta explained, "When I read the staff report, back in 2009, the decision was that they were going to lower the fees so that they could stimulate economic growth. So, beyond that, I don't know." Supervisor Shirk expressed a preference to have "at least come back up to what the rates were in 2008 in the year 2020. I don't see how it could not go up higher than \$3,400 when our other municipalities around us, I know their rates are higher."

In response to a question, Mr. Bruketta estimated that roughly \$200,000 in connection charges was lost between 2009 and 2015. In response to a question, he was uncertain as to the method for calculating

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connection charges and water rates prior to 2009. In reference to the agenda materials, Supervisor Bonkowski advised that, after full implementation, Carson City's connection fee would be higher than Lyon County, Reno, and Douglas County, and less than Sparks and Washoe County. He pointed out that the Board spent "a lot of time with a lot of public input to come up with these new connection fees. It was a public process. There is a methodology behind it and that's what I'm always looking for. ... We went through this with the water and sewer rate fee where we changed the class rates and changed the rates themselves, based on actual impact and required reserves. We did it here with connection fees, based on real numbers with public input. So there is a method why we got to this new number." Supervisor Bonkowski pointed out that "it doesn't stop increasing after five years. There's a provision ... that allows it to increase every year, based on a CPI increase. So, considering the amount of time and effort that went into this, I'm pretty happy with the results." He expressed the opinion that "connection fees and impact fees ... don't help economic growth."

Supervisor Bagwell expressed appreciation for a justifiable rate, "and that the individual payer of this can articulate how it was determined versus it's pulled out of the air or it's comparative to another entity." She commended "having numbers that we can back up so that it's a cost recovery not a tax." She expressed the opinion that "the people that are going to be paying these will know that it's their fair share back into the system and it's imperative that it's not a tax because we have actual, valid numbers that support the math ..." Discussion followed.

Mayor Crowell inquired as to the formula to calculate a connection charge if no construction is taking place. Mr. Bruketta had no response. Mayor Crowell stated, "That answer alone tells you what happened back in 2009 when we dropped this rate because there was nothing going on. Nothing. So, ... why not drop it? ... we always want to, where we can, reduce rates ... so we dropped that to stimulate growth. It didn't happen for awhile and now it's coming back." Mayor Crowell commended the Utility Financial Oversight Committee in reviewing the details of these matters. In response to a question, Mr. Bruketta explained that connection charges are a buy-in to the existing system. "So the system's been paid for ..." In reference to the wastewater treatment plant, Mr. Bruketta advised of a capacity of 6.9 million gallons per day. The current flow to the treatment plant is 4.2 million gallons per day. "So, when they built that, they had to put in extra capacity and the difference between the 4.2 and 6.9 is the additional capacity. So, when people come and connect into the system, our infrastructure supports up to that amount. And ... that's what the connection fee is paying for; ... the capital, not operating, ... side of the existing capacity so as we use that existing capacity up, then we can reinvest in the infrastructure to make sure that it's ongoing and stays that way. So the connection charges are a buy-in to the system and they are for capital items. And they don't have an impact on the operating side. So, when we talk about rates, rates are operating ...; what it costs to operate the facility. So the two are separate." In response to a question, Mr. Bruketta advised the current rate would apply at the time of application. Engineering Manager Danny Rotter provided additional clarification, and discussion followed.

Mayor Crowell entertained public comments. (1:55:47) Mayoral Candidate Chris Carver expressed concern that, in 2012 / 13, the Board authorized the expenditure of approximately \$100,000 for an expert study by FCS Group. He stated that the current projection doesn't incorporate the concept of growth paying for growth. He expressed concern that "growth does pay for growth and, in this case, ... we're not even close to the rates that were in effect in 2009. Roughly 60 percent of our debt goes to utilities and that includes water and sewer." Mr. Carver expressed a desire "to see some better calculation from City staff and some rationale that supports why we're not going to do what the expert study provided and why we're not going

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to do what was originally proposed in March of 2016.” Mayor Crowell explained that the FCS study “did more than just talk about connection fees. That was a rate design that we had them come in and take a look at all the rate designs we had. So, the \$100,000 wasn't just for connection fees. It was for the whole thing.” In response to a question, Mr. Crowell advised that the analysis was done when the Board discussed adoption of the FCS rate study and whether or not that part of the rate study that dealt with connection fees should be adopted.

Following discussion, Mayor Crowell entertained additional public comment. (1:59:57) Mr. Carver expressed the opinion that “we paid a lot of money for an expert study. I think that we should incorporate either some adherence to what those experts gave to us that we didn't protest about or have another viable explanation as to why we're not going to bring these rates up to pay for growth so growth pays for growth.” In response to a comment, Mayor Crowell clarified that the connection fees are not being used to pay for debt. Mr. Carver expressed a desire for “a full explanation on, not only what we intend to do with this money in contravention to the title, but how the rationale was imposed to get to where we're at on this rate versus the other rate proposals that were set up and that has not been the subject of public debate.” Mr. Crowell advised that the matter had been before the Utility Financial Oversight Committee on approximately three different occasions.

Public Works Department Director Darren Schulz explained that developing the connection fees and water and sewer rates has been done over a period of three years. “The connection fees have been in front of the Utility Financial Oversight Committee three times and they've been to this Board one time. ... the formulas, how we got to where we're at, that's all been ... we've done that already. That's how we got up to the point where we are now with preparing the business impact statement. We did all those drills, checked off all those boxes, ... held the public meetings, got public comment to come up with something that we could agree upon. So, that's how we got where we are today. We've had that discussion multiple times in public. Now, we're just trying to pass ... what's the impact to businesses.

Mayor Crowell entertained additional public comment and, when none was forthcoming, additional Board member comments or questions. Supervisor Shirk read from the agenda materials, and expressed the opinion that the study doesn't “set the guidelines for how we're basing the fee structure for this particular hook up.” In response to a question, Mr. Bruketta was unaware of any statutory guidelines for establishing natural gas and electricity rates.

At Supervisor Abowd's request, Mayor Crowell recognized Utility Financial Oversight Committee Chair Andrea Engleman. Ms. Engleman provided historic information on past board actions relative to water and sewer rates and connection fees.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to find that the proposed ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage; Chapter 12.01, Water Connection Charges and Use Rates, Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets, and Meter Set Fees, by phasing in a five-year connection charge structure, effective July 1, 2016, and other matters properly related thereto; deleting the words “meeting the revenue requirements” from the title, does impose a direct and significant economic burden on a business or directly restricts the formation, operations, or expansion of a business; that a business impact statement has been prepared, in compliance with NRS 237, is accepted and on file with the Board of**

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Supervisors. Supervisor Shirk seconded the motion. Mayor Crowell entertained discussion on the motion. Supervisor Shirk expressed the belief that “the rates are significantly lower than ... they should be, but I’m in favor of raising the rates to get some revenue generated this way ...” Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote on the pending motion.

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

23(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12 - WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.01 - WATER CONNECTION CHARGES AND USE RATES, BY AMENDING SECTION 12.01.010 - DEFINITIONS, TO ADD MAXIMUM DAY GPM, AND REDEFINE A WERC AND TOTAL WERC AS 425 GPD; SECTION 12.01.030, SCHEDULE OF WATER CONNECTION CHARGES, LATERAL AND METER BOX SETS, AND METER SET FEES, TO REMOVE THE EXISTING WATER CONNECTION CHARGES; ADD WATER CONNECTION CHARGES PHASED IN OVER FIVE YEARS, EFFECTIVE JULY 1, 2016, WITH CLARIFYING LANGUAGE; ADD A CONNECTION CHARGE INDEX, EFFECTIVE JULY 1, 2021 (2:11:26) - Mayor Crowell introduced this item, and Utility Manager David Bruketta reviewed the agenda materials. Public Works Department Director Darren Schulz and Mr. Bruketta responded to questions of clarification. Mayor Crowell entertained additional Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 107, an ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage; Chapter 12.01, Water Connection Charges and Use Rates, by amending Section 12.01.010, Definitions, to add maximum day gpm and redefine a WERC and a Total WERC as 425 gpd; Section 12.01.030, Schedule of Water Connection Charges, Lateral and Meter Box Sets and Meter Set Fees, to remove the existing water connection charges, add water connection charges phased in over five years, effective July 1, 2016, with clarifying language, and add a connection charge index, effective July 1, 2021; and other matters properly related thereto. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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23(C) POSSIBLE ACTION TO FIND THAT THE PROPOSED ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12 - WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03 - SEWER CONNECTION CHARGES AND USE RATES; SECTION 12.03.030 - SCHEDULE OF SEWER CONNECTION AND HOOK-UP CHARGES, BY PHASING IN A FIVE-YEAR CONNECTION CHARGE STRUCTURE, EFFECTIVE JULY 1, 2016, DOES IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATIONS OR EXPANSION OF A BUSINESS; THAT A BUSINESS IMPACT STATEMENT HAS BEEN PREPARED, IN COMPLIANCE WITH NRS 237, IS ACCEPTED AND ON FILE WITH THE BOARD OF SUPERVISORS (2:17:57) - Mayor Crowell introduced this item, and Utility Manager David Bruketta reviewed the agenda materials. Mayor Crowell entertained Board member questions or comments and public comments and, when none were forthcoming, a motion. Supervisor Bonkowski moved to find that the proposed ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage; Chapter 12.03, Sewer Connection Charges and Use Rates; Section 12.03.030, Schedule of Sewer Connection and Hook-Up Charges, by phasing in a five-year connection charge structure, effective July 1, 2016, and other matters properly related thereto, deleting the words “and the revenue requirements to” from the title, does impose a direct and significant economic burden on a business or directly restrict the formation, operations, or expansion of a business; that a business impact statement has been prepared in compliance with NRS 237, is accepted, and on file with the Board of Supervisors. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

23(D) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 12 - WATER, SEWERAGE, AND DRAINAGE, CHAPTER 12.03 - SEWER CONNECTION CHARGES AND USE RATES, BY AMENDING SECTION 12.03.010 - DEFINITIONS, TO REDEFINE A SERC AND A TOTAL SERC AS 200 GPD; SECTION 12.03.030, SCHEDULE OF SEWER CONNECTION AND HOOK UP CHARGES, TO REDEFINE THE NUMBER OF SERC PER CUSTOMER CLASS, REMOVE THE EXISTING CHARGE PER SERC, ADD SERC CHARGES PHASED IN OVER FIVE YEARS, EFFECTIVE JULY 1, 2016, WITH CLARIFYING LANGUAGE; ADD A CONNECTION CHARGE INDEX, EFFECTIVE JULY 1, 2021 (2:19:35) - Mayor Crowell introduced this item, and Utility Manager David Bruketta reviewed the agenda materials. Mayor Crowell entertained questions or comments of the Board members and of the public and, when none were forthcoming, a motion. Supervisor Bonkowski moved to introduce, on first reading, Bill No. 108, an ordinance amending the Carson City Municipal Code, Title 12, Water, Sewerage, and Drainage; Chapter 12.03, Sewer Connection Charges and Use Rates, by amending Section 12.03.010, Definitions, to define a SERC and Total SERC as 200 gallons per day; Section 12.03.030, Schedule of Sewer Connection and Hook-Up Charges, to redefine the number of SERC per customer class, remove the existing charge per

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SERC, add SERC charges phased in over five years, effective July 1, 2016, with clarifying language, add a connection charge index, effective July 1, 2021; and other matters properly related thereto. Supervisor Abowd seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

23(E) POSSIBLE ACTION TO APPROVE A NEW, FULL-TIME LANDFILL WORKER POSITION (2:21:36) - Mayor Crowell introduced this item. Utility Manager David Bruketta provided background information, reviewed the agenda materials, and responded to questions of clarification. Mayor Crowell entertained additional Board member questions or comments and public comments. When no further questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bagwell moved to approve a new, full-time landfill worker position. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

23(F) DISCUSSION REGARDING PRESENTATION ON GEOGRAPHIC INFORMATION SYSTEMS AND ASSET MANAGEMENT IN CARSON CITY (2:25:41) - Mayor Crowell introduced this item, and Engineering Manager Danny Rotter narrated a SlideShow presentation, copies of which were included in the agenda materials. Public Works Department Director Darren Schulz distributed additional informational materials to the Board members and the Clerk. Mr. Rotter responded to questions of clarification. In reference to previous comments, Supervisor Bonkowski stated, "This is about changing the way we do business completely. We have a history, in Carson City, of deferring the low hanging fruit, which is typically maintenance, and that needs to change. And the only way that we can make that change is to make some fact-based policy decisions that are sustainable and long-term. And that was the impetus for this asset management system that we're currently working on. We're not talking about just saving the taxpayers a few dollars. We're talking about changing the way Carson City does business so we take care of our assets. We take care of our business the way we should without letting politics get involved in it or without letting the economy get involved in it. It is way too easy to get into the economic cycle where we go into a recession and we stop maintaining everything because we don't have the funds. And then, when the economy improves, like it is right now, then we're in a rush to try to find every spare penny and we throw that into CIP and we try to catch up and then we go into another recession before we catch up and

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it's a vicious cycle. We need to stop that cycle. We need to change the way we do business and that's what this is about.” Supervisor Bonkowski commended the program, and expressed the opinion “it will completely change the face of Carson City for the next 50 years.” In response to a question, Mr. Rotter provided additional background information on the asset management program. Mayor Crowell entertained public comment; however, none was forthcoming.

23(G) POSSIBLE ACTION TO APPROVE THE RECLASSIFICATION OF A GIS SPECIALIST (CCEA T1) POSITION TO AN ASSET MANAGER - PUBLIC WORKS (UNCLASSIFIED S2) POSITION (2:39:27) - Mayor Crowell introduced this item, and Engineering Manager Danny Rotter reviewed the agenda materials. In response to a question, Mr. Rotter explained the salary ranges, as reflected in the staff report.

Mayor Crowell entertained additional questions or comments of the Board members and public comment. When no further questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve the reclassification of a GIS Specialist (CCEA T1) to Asset Manager - Public Works (Unclassified S2). Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

24. PURCHASING AND CONTRACTS

24(A) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1516-167, GEOGRAPHIC INFORMATION SYSTEMS (“GIS”) SERVICES TO APPLIED GEOGRAPHICS, INC., FOR AN AMOUNT NOT TO EXCEED \$90,000, TO BE FUNDED FROM THE GIS FUND, AS PROVIDED IN THE FY 2016 / 17 BUDGET (2:41:16) - Mayor Crowell introduced this item. Engineering Manager Danny Rotter provided background information, reviewed the agenda materials, and responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve Contract No. 1516-167, Geographic Information Systems Services, to Applied Geographics, Inc. for an amount not to exceed \$90,000, to be funded from the Geographic Information Systems fund, as provided in the FY 2016 / 17 budget. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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24(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1516-168, ON-CALL GEOGRAPHIC INFORMATION SYSTEMS (“GIS”) SERVICES TO MICHAEL BAKER INTERNATIONAL, FOR AN AMOUNT NOT TO EXCEED \$100,000, TO BE FUNDED FROM THE GIS FUND, AS PROVIDED IN THE FISCAL YEAR 2016 / 17 BUDGET (2:43:31) - Mayor Crowell introduced this item, and Engineering Manager Danny Rotter reviewed the agenda materials. He advised that Michael Baker International has 16 staff persons assigned to GIS and “are the regional network to provide GIS services to AT&T’s field infrastructure.” Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve Contract No. 1516-168, On-Call Geographic Information Systems Services, to Michael Baker International, for an amount not to exceed \$100,000, to be funded from the GIS Fund, as provided in the FY 2016 / 17 budget. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion. Following a brief discussion, Mayor Crowell called for a vote on the pending motion.

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

25. RECESS BOARD OF SUPERVISORS (2:43:43) - Mayor Crowell recessed the Board of Supervisors meeting at 2:43 p.m.

REDEVELOPMENT AUTHORITY

26. CALL TO ORDER AND ROLL CALL (2:53:15) - Chairperson Karen Abowd called the Redevelopment Authority meeting to order at 2:53 p.m., noting the presence of a quorum.

27. PUBLIC COMMENT (2:53:32) - Chairperson Abowd entertained public comment; however, none was forthcoming.

28. POSSIBLE ACTION ON APPROVAL OF MINUTES - May 5, 2016 (2:53:41) - Chairperson Abowd entertained suggested revisions and, when none were forthcoming, a motion. **Member Bonkowski moved to approve the minutes, as presented. Member Crowell seconded the motion.** Chairperson Abowd entertained discussion on the motion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

29. COMMUNITY DEVELOPMENT DEPARTMENT - POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE EXPENDITURE OF UP TO \$60,000 FROM THE FISCAL YEAR 2016 / 17 REDEVELOPMENT REVOLVING FUND TO SUPPORT VARIOUS SPECIAL EVENTS IN SUPPORT OF THE REDEVELOPMENT DISTRICT (2:54:06) - Chairperson Abowd introduced this item, and Community Development Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. He advised that the applicants were inadvertently not notified of this meeting, and offered to defer the item to a future meeting. Member Crowell disclosed that his wife is a member of the Mile High Jazz Band Board

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of Directors and, following a brief discussion with Ms. Fralick, advised that he would abstain from discussion and action on this item.

Member Bonkowski disclosed that he is a member of the Brewery Arts Center and, in response to a question, Ms. Fralick advised of no conflict of interest. Member Bonkowski commended the Pow Wow event, but expressed concern over allocating redevelopment funding “when it's not ... being held in the Redevelopment District.” Mr. Plemel reviewed the statutory requirements for allocating funding from the redevelopment revolving fund. “... even if this event is outside, if it furthers the redevelopment plan, then there is the legal authority to make that expenditure.” Chairperson Abowd provided an overview of the presentation made by Pow Wow event representatives, and the action taken by the Cultural Commission. Discussion followed, and Mr. Plemel provided additional clarification of the statutory requirements in response to a question.

Chairperson Abowd entertained additional Redevelopment Authority member discussion and, when none was forthcoming, public comment. When no public comment was forthcoming, Chairperson Abowd entertained a motion. **Member Bonkowski moved to approve and recommend that the Board of Supervisors authorize the expenditure of \$18,000, from the FY2016 / 17 Redevelopment Revolving Fund, to support various arts and culture special events, as recommended by the Cultural Commission; not approving funding for the Pow Wow event, and authorizing \$9,000 to support other special events, as recommended by the Redevelopment Authority Citizens Committee, as an expense incidental to carrying out the Redevelopment Plan that has been adopted by the Carson City Board of Supervisors, and based on the findings that there is a causal connection between this redevelopment effort and the need for the expenses; the expenses are needed to ensure the success of the Redevelopment Plan; and that the amount of the expenses to be given are minor in comparison to the money required for the overall Redevelopment Plan. Member Bagwell seconded the motion.** Chairperson Abowd entertained discussion on the motion. Member Bonkowski expressed strong belief that “this is a precedent that we don't want to set where any special event can qualify.” He encouraged the Pow Wow event coordinators to reapply when the event is held in the Redevelopment District, and advised that he would be agreeable to approving the funding allocation. Member Bagwell expressed the opinion there is no causal connection between the Pow Wow event and the redevelopment effort. Chairperson Abowd expressed concern that the Pow Wow event coordinators were not notified of the hearing, and suggested “that's the missing component ...” Vice Chairperson Shirk expressed agreement that the event should be held within the Redevelopment District. Chairperson Abowd called for a vote on the pending motion.

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| RESULT: | Approved [3 - 1 - 1] |
| MOVER: | Member Brad Bonkowski |
| SECOND: | Member Lori Bagwell |
| AYES: | Members Bonkowski, Bagwell, Vice Chair Shirk |
| NAYS: | Chairperson Karen Abowd |
| ABSENT: | None |
| ABSTAIN: | Member Robert Crowell |

30. PUBLIC COMMENT (3:13:25) - Chairperson Abowd entertained public comment; however, none was forthcoming.

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31. **ACTION TO ADJOURN REDEVELOPMENT AUTHORITY MEETING (3:13:33)** - Chairperson Abowd adjourned the Redevelopment Authority meeting at 3:13 p.m., and passed the gavel to Mayor Crowell.

32. **RECONVENE BOARD OF SUPERVISORS (3:14:21)** - Mayor Crowell reconvened the Board of Supervisors meeting at 3:14 p.m.

33. **COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION**

33(A) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$60,000 FROM THE FISCAL YEAR 2016 / 17 REDEVELOPMENT REVOLVING FUND OF THE REDEVELOPMENT AUTHORITY TO SUPPORT VARIOUS SPECIAL EVENTS IN SUPPORT OF THE REDEVELOPMENT DISTRICT, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN (3:14:26) - Mayor Crowell introduced this item as corollary to item 29, advised that he would abstain from discussion and action, and passed the gavel to Mayor *Pro Tem* Karen Abowd. Community Development Director Lee Plemel reviewed the agenda materials. Mayor *Pro Tem* Abowd entertained discussion of the Board members and, when none was forthcoming, public comment. When no public comment was forthcoming, Mayor *Pro Tem* Abowd entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2016-R-11, authorizing the expenditure of \$27,000 from the FY 2016 / 17 Redevelopment Revolving Fund of the Redevelopment Authority, to support various special events in support of the Redevelopment District, as an expense incidental to carrying out the Redevelopment Plan; with the deletion of \$6,000 from the Resolution for the Pow Wow event. Supervisor Bagwell 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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| RESULT: | Approved [3 - 1 - 1] |
| MOVER: | Supervisor Brad Bonkowski |
| SECOND: | Supervisor Lori Bagwell |
| AYES: | Supervisors Bonkowski, Bagwell, Shirk |
| NAYS: | Supervisor Karen Abowd |
| ABSENT: | None |
| ABSTAIN: | Mayor Robert Crowell |

Mayor *Pro Tem* Abowd passed the gavel to Mayor Crowell.

33(B) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$745,000 FROM THE FISCAL YEAR 2016 / 17 REDEVELOPMENT REVOLVING FUND TO SUPPORT VARIOUS EVENTS AND INCENTIVES AS AN EXPENDITURE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN (3:17:41) - Community Development Director Lee Plemel introduced this item and reviewed the agenda materials. Mr. Plemel and Mr. Marano responded to questions of clarification. Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comment. (3:24:28) Mayoral Candidate Chris Carver expressed a preference for the City to “make an effort to move the fireworks into this and ... if we can make an exception for Epic Rides, ... part of which does not take place in the downtown, we should do kind of the same thing for the Pow Wow.”

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Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2016-R-12, authorizing the expenditure of \$745,000 from the FY 2016 / 17 Redevelopment Revolving Fund, to support various events and incentives as an expenditure incidental to carrying out the Redevelopment Plan. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a question, Mr. Plemel advised that he would contact Parks and Recreation Department representatives with regard to the possibility of moving the Pow Wow event to the Redevelopment District. He further advised that he would discuss the fireworks display with Mr. Marano. Discussion took place with regard to fundraising efforts. Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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

33(C) POSSIBLE ACTION TO ESTABLISH AND APPROVE A POLICY AND PROCEDURE TO ALLOW A PERSON WHOSE PROPERTY IS WITHIN THE BOUNDARIES OF AN ASSESSMENT DISTRICT TO APPLY FOR A HARDSHIP DETERMINATION, PURSUANT TO NRS 271, REGARDING THE PAYMENT OF SUCH ASSESSMENT (3:28:10) -

Mayor Crowell introduced this item, and Community Development Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. Supervisor Bonkowski noted the importance of clarity and consistency throughout the policy, especially relative to residential properties. Mr. Plemel responded to questions of clarification, and extensive discussion ensued.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to establish and approve the policy and procedure to allow a person, whose property is within the boundaries of an assessment district, to apply for a hardship determination, pursuant to NRS 271, regarding the payment of such assessments, as proposed by staff, including the deletion of the words “principal residence” in 3.1, Eligibility, and replacing it with the word “property,” and deleting the words “principal residence” in 3.2.1, and replacing it with the word “property.” Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. In response to a question, Supervisor Bonkowski clarified the intent of the motion. Supervisor Shirk commended Mr. Plemel for presenting the item. Mayor Crowell called for a vote on the pending motion.

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

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33(D) POSSIBLE ACTION TO ADOPT A RESOLUTION ESTIMATING THE COST TO BE PAID BY THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT (“NID”) ASSESSMENT AND THE ASSESSMENT ROLL FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE DOWNTOWN STREETScape ENHANCEMENT PROJECT; FIXING THE TIME AND PLACE TO HEAR PROTESTS REGARDING THE ASSESSMENT FOR JUNE 16, 2016, AT THE REGULARLY SCHEDULED MEETING OF THE BOARD OF SUPERVISORS; AND DIRECT STAFF TO PROVIDE NOTICE OF THAT PUBLIC HEARING, PURSUANT TO NRS 271 (3:53:25) - Mayor Crowell introduced this item, and Community Development Director Lee Plemel reviewed the agenda materials. In response to a comment, Supervisor Abowd advised that The Greenhouse Project donates \$6,000 to the Parks and Recreation Department each year to pay for watering the downtown flower baskets. She reminded everyone that the downtown flower baskets are business sponsored, and expressed a preference for the revenue to be allocated to “expanded services to the entire NID ...”

In response to a question, Mr. Plemel explained that the NID will have an elected board to represent the membership. City staff will work directly with the NID Board. Mr. Plemel responded to additional questions of clarification. Mayor Crowell entertained public comment. (3:59:14) Mayoral Candidate Chris Carver advised that he was “speaking on behalf of two individuals that own property within the NID that do not receive improvements under the current streetscapes, and will likely not receive services.” He requested that “the notification that's sent out from the City be inclusive, not only of questions that you have asked today about what exactly the services are and what exactly the improvements are, but also the specific language that is required to field a complaint or a protest.” Mr. Marano offered to schedule a meeting at any time.

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2016-R-13, estimating the cost to be paid by the Downtown Neighborhood Improvement District assessment and the assessment roll, for the purpose of paying for maintenance of the downtown streetscape enhancement project, fixing the time and place to hear protests regarding the assessment for June 16, 2016, at the regularly scheduled meeting of the Board of Supervisors, and directing staff to provide notice of that public hearing, pursuant to NRS 271. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk discussed the reasons he would vote against the motion. Mayor Crowell called for a vote on the pending motion.

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

Mayor Crowell recessed the meeting at 4:02 p.m., and reconvened at 4:14 p.m.

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33(E) POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A REQUEST FROM ROBERT F. LAUDER, P.E., RL ENGINEERING (PROPERTY OWNERS JOSE AND ELIZABETH HERNANDEZ) FOR A SPECIAL USE PERMIT TO ALLOW A CHURCH, ON PROPERTY ZONED SINGLE FAMILY ONE ACRE ("SF1A"), LOCATED AT 420 CLEAR CREEK AVENUE, APN 009-239-01 (SUP-15-080) (4:14:30) - Mayor Crowell introduced this item, and Planning Manager Hope Sullivan reviewed the agenda materials in conjunction with displayed slides. Mayor Crowell reviewed the format by which the appeal would be heard.

Mayor Crowell recognized Appellant Rob Lauder. (4:19:25) Mr. Lauder introduced himself for the record, and reviewed his April 16, 2016 letter which was included in the agenda materials. (4:25:46) Dwight Millard discussed his extensive experience with variances and churches in Carson City and in adjacent communities. He provided historic information on the subject property, and an overview of discussion which took place at the Planning Commission meetings relative to traffic circulation. Mr. Millard also discussed the neighborhood meeting, which took place on February 11, 2016, and provided an overview of the various concerns expressed at the Planning Commission meetings. Mr. Millard, Ms. Sullivan, Mr. Plemel, and Mr. Lauder responded to questions of clarification in conjunction with displayed slides, and discussion followed.

In response to a question, Ms. Sullivan advised that staff had recommended approval of the special use permit application at both Planning Commission meetings. Ms. Fralick responded to questions of clarification regarding the Board's purview in this matter. Ms. Sullivan responded to questions of clarification regarding the Planning Commission's purview, and Planning Division staff's process for developing a recommendation to the Planning Commission.

Mayor Crowell entertained public comment from any citizen who had testified at or submitted a letter to the Planning Commission meetings. (4:59:20) Joyce Ramos, a resident of Clear Creek Avenue, pointed out her residence on a displayed aerial photograph. At Mayor Crowell's request, Ms. Ramos discussed her opposition to the special use permit application. She responded to questions of clarification. In response to a question, Ms. Sullivan explained the conditional use designation of a church in the subject zoning district "which means it may establish subject to a special use permit ..."

(5:06:23) Jean Gunter advised of having lived in the subject neighborhood for 32 years. At Mayor Crowell's request, Ms. Gunter described the location of her property in relation to the proposed church location. Ms. Gunter discussed concerns regarding increased traffic in the area, garbage dumping, and weekday use of the church building.

(5:11:51) Christy Geyser pointed out the location of her property on the displayed aerial photograph, and advised that she was in attendance at both Planning Commission meetings. She expressed agreement with Ms. Gunter's concerns regarding increased traffic, and discussed concerns over the disappearing rural portions of Carson City. Ms. Geyser and Ms. Gunter responded to questions of clarification.

(5:16:06) Ms. Ramos advised that she has lived in her current residence for 17 years and that she is "the newcomer."

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Mayor Crowell entertained additional public comment from anyone who attended the Planning Commission meetings or sent letters in lieu of attendance. (5:16:54) Maria Vega described the location of her residence, using the displayed aerial photograph. She discussed concerns regarding increased traffic, weekday use of the church building, and the number of existing churches in the area.

(5:20:09) Karen Flaim advised that her father owns the residence at 5320 Center Drive, "... directly behind the existing church." She discussed concerns over increased traffic and lighting. Milton Flaim provided additional clarification.

Mayor Crowell entertained additional public comment and, when none was forthcoming, invited the appellants to return for rebuttal. (5:25:58) Mr. Millard advised of no intention, at the present time, for any kind of weekday school. He was uncertain as to whether the Schulz Ranch development is "tied into Topsy [Lane] yet and you ... may have construction workers using Center Drive at the current time ..." He pointed out that one-acre parcels are not available in high density locations. He acknowledged the traffic from Western Nevada Supply, and suggested a condition of approval to designate Arthur Drive for residential traffic only. He further suggested a condition of approval for the church to "chain the northeast parking lot ... You'd still have that in case of emergency and fire ..." He expressed disagreement that two churches in close proximity will be a problem, and the opinion that, as soon as the freeway bypass is completed, much of the local traffic will "just by logic go away."

(5:29:57) Jose Hernandez disagreed with earlier comments regarding the church not having common interests with the neighbors. "... that's why a church exists. We just want to do good. I don't know any church organization that wants to go to a place to harm people." Mr. Hernandez advised that he and Pastor Victor Romero were very good friends. He met recently with Pastor Romero's widow, who advised him of no opposition to the proposed church.

In reference to earlier discussion regarding churches being conditional uses, Mr. Lauder expressed the opinion that "the emphasis is on the conditions. ... Generally speaking, when a special use permit is granted, ... the list of conditions goes on ... There can be dozens and dozens of conditions and ... staff does a fantastic job of compiling those. ... sometimes those conditions come as recommendations from staff. Sometimes they come out of agreements made during Planning Commission hearings. But ... 99% of the time, they're well considered and they're well thought out and they're good ideas. ... one of the strongest of those has to do with lighting." Mr. Lauder commended the Planning Division on their role in reducing light in the night sky in Carson City. He apologized to Ms. Geysler that her invitation to the neighborhood meeting was inadvertently overlooked.

Mayor Crowell commented on the difficulty associated with decisions on appeal, and entertained Board member discussion. In response to a comment, Deputy District Attorney Dan Yu agreed that the Board has no purview to discuss the denomination of a church. He advised of having reviewed applicable and relevant case law, and expressed the belief that the Planning Commission took no action or made any statement on the record in violation of the Religious Land Use and Institutionalized Persons Act. Mayor Crowell expressed the belief that the September 17, 2015 letter from Ministerios Una Puerta al Camino is not the basis for any of the findings or the lack thereof. Ms. Sullivan agreed. "Although that letter was entered into the record, at no time did staff or the Planning Commission consider the denomination of the

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church. And, in fact, if we were to have a church and a church was to vacate and another group want to occupy it, it would be a continuation of use which ... speaks to your question of whether or not we would distinguish based on the type of worship they conducted. We would not do that.”

Ms. Sullivan pointed out that condition of approval 11 addresses the berming and landscape along the western and northern property lines. Condition of approval 25 addresses that “if the special use permit were to be issued, it does not include child care. So it does not include a school and it does not include any type of day care facility.”

Supervisor Abowd expressed concern that a comprehensive traffic study, based on projected growth, has not been conducted. Engineering Manager Danny Rotter recalled that the traffic report submitted was based on an average daily trip analysis, not a level of service analysis. He further recalled that “this type of use ..., from an engineering standpoint, that number of average daily trips wouldn't have an impact above a level of service analysis. So, the analysis that was submitted would be the same type of analysis we would have submitted whether it was a church or an office building or any type of average daily trips along that line. So that's why a comprehensive ... wasn't completed.”

The Board members discussed finding number 2. In response to a series of questions, Mr. Lauder agreed to construction of a masonry wall as a condition of approval; he expressed the opinion that a six-foot masonry wall would be reasonable; he stated, “There will never be a school on that property with this ownership”; he expressed the understanding that Sunday School classroom time would be limited to times when worship was in session and perhaps one evening a week; he advised that parking lot lighting would only be during hours of operation and that photo-sensors and/ or timers would turn off lights automatically at a certain point in the evening; he advised that gates were not considered or discussed, but expressed the opinion that they could be easily incorporated.

Mayor Crowell questioned the Planning Commission's rationale relative to finding number 5. Supervisors Bagwell, Bonkowski, and Abowd concurred. Discussion took place regarding finding number 3, and Supervisor Abowd expressed the belief that the burden of proof was not met. She agreed with Mr. Millard's previous suggestions for additional conditions of approval. Supervisor Bonkowski agreed, and pointed out that the church's peak traffic will likely not be the same as peak traffic use for the area. Discussion followed. Mr. Rotter advised that the peak hour trip analysis considers, on Sundays, 320 average daily trips; the peak hour being 60 trips. He reviewed traffic analysis criteria.

Mayor Crowell suggested a developing consensus and recapitulated the discussion, as follows: We can't uphold 2, 3, or 5 and that, as a condition, we would require a six-foot block wall on the north side of the property; ask that the northwest exit be gated or chained; and that Arthur Drive would be designated for residential traffic only. Ms. Sullivan suggested that the masonry wall condition may slightly conflict with condition of approval 11, and recommended language to alleviate the conflict. Mr. Marano suggested that restricting Arthur Drive to residential traffic only may need to be reagendaized for a separate meeting. Mr. Rotter stated that he would discuss the matter with Transportation Manager Patrick Pittenger, and recommended keeping the issue separate from action on the subject item.

Mayor Crowell moved to not uphold the Planning Commission's decision on findings 2, 3, and 5, and that a special use permit be granted, with additional conditions that a six-foot high block wall be constructed on the north side of the property; that the northwest exit be chained or gated; that

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consistent with the existing special use permit conditions, no school will be operated on the property; berms will be constructed along the western side of the property; and that the Board commits to agendizing discussion and possible action relative to decreasing commercial traffic on Arthur Drive; if the masonry wall conflicts with condition of approval 11, the masonry wall takes precedence. Supervisor Bonkowski seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

34. PUBLIC COMMENT (6:07:20) - Mayor Crowell entertained public comment; however, none was forthcoming.

35. ACTION TO ADJOURN (6:07:29) - Mayor Crowell adjourned the meeting at 6:07 p.m.

The Minutes of the June 2, 2016 Carson City Board of Supervisors meeting are so approved this 7th day of July, 2016.

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk - Recorder