

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, July 21, 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
(8:31:01) - Mayor Crowell called the meeting to order at 8:31 a.m. Ms. Merriwether called the roll; a quorum was present. Good Shepherd Wesleyan Church Pastor Nick Emery provided the invocation. Mayor Crowell requested a moment of silence in honor of former Supervisor Marilee Swirzcek. At Mayor Crowell's request, Mr. Marano led the pledge of allegiance.

5. PUBLIC COMMENT (8:32:41) - Mayor Crowell entertained public comment. (8:32:53) A female speaker recapitulated comments provided at previous Board meetings. "... the Justice Court is destroying child abuse court case files and in these files is evidence of batteries to children. This evidence is protected under NRS 11.250 and these children have the right to sue the City of Carson for destroying evidence of the batteries to them. The children, at age 18, can begin exercising their rights in the State of Nevada but the statutes do continue tolling. So these children whose case files have been destroyed could sue you many, many, many years down the road. Now, you all became accountable because, in the State of Nevada, they determine 30 days to be a reasonable amount of time to correct the court administration's errors. The Court Administrator ... is Maxine Cortes. The Mayor was in the Court Administrative Offices this week so you have access to court administration. Maxine Cortes is your employee. You are the one who has authority over her.

"Justice Armstrong issued two orders; the first one is wrong. The caption is wrong ... and Justice Armstrong issued this order incorrectly based upon the errors that Maxine Cortes made in the child abuse court case file. Maxine Cortes removed the child's name as the plaintiff and Maxine Cortes changed the name of the defendant from a male name to a female name and changed the address of the defendant and all this is documented in this particular child abuse case. So, Justice Armstrong, a couple of days later issued another order with the correct caption and he ordered Maxine Cortes to set a hearing for this abused child. On the day and time of the hearing, Maxine Cortes removed, in violation of Justice Armstrong's orders, removed the case from the Justice's docket.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 2

“We are keeping you updated on all the lawsuits that we have against you and the reason we're waging these lawsuits, not only against Carson City, but also against you each individually, is because a case came down in 2008 from the United States Supreme Court and it was Kidd ... and he sued John Ashcroft personally. ... And the United States Supreme Court upheld that a public employee, whether elected, appointed, hired, or contracted, can have their personal assets sued if they had the authority to correct an employee and chose not to do so.” In response to a question, the female speaker advised that she was speaking “anonymously because of the retaliation that we survivors of domestic violence are receiving.”

Mayor Crowell entertained additional public comment. (8:37:00) Sharon Rosse, representing the Capital City Arts Initiative, introduced the new Sierra Room exhibition by Mike Malley. She distributed informational materials with regard to the same and announced a reception scheduled for Friday, September 9th at 5:00 p.m. Ms. Rosse also announced the exhibitions at the courthouse and the Business License Division. Mayor Crowell entertained additional public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 16, 2016 (8:39:03) - Mayor Crowell entertained suggested revisions and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the minutes of June 16, 2016, as presented. The motion was seconded and carried unanimously.**

7. POSSIBLE ACTION ON ADOPTION OF AGENDA (8:39:21) - Mayor Crowell entertained modifications to the agenda and, when none were forthcoming, deemed the agenda adopted, as published.

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION OF A PROCLAMATION FOR NATIONAL NIGHT OUT - LAW ENFORCEMENT AND PUBLIC SAFETY CRIME PREVENTION MONTH, AUGUST 2016 (8:39:36) - Mayor Crowell introduced this item, and requested the Board members and Sheriff Ken Furlong to join him on the meeting floor. Mayor Crowell read into the record the language of the Proclamation, copies of which were included in the agenda materials. Mayor Crowell commended Sheriff Furlong and his staff on all they do to “integrate within the community. That's how we solve problems.” Mayor Crowell presented the original Proclamation to Sheriff Furlong. (8:43:20) Sheriff Furlong expressed appreciation for the support of the community, and listed several of the many agencies which participate in the event. He introduced intern officers from Germany who are working with the Sheriff's Office for the next three weeks. “This is an opportunity for them to see how we do law enforcement and public cooperation and partnerships together here in Carson.” Mayor Crowell welcomed the intern officers, Tobias and Christian.

8(B) PRESENTATION OF A PROCLAMATION FOR PARKS AND RECREATION MONTH, JULY 2016 (8:45:24) - Mayor Crowell introduced this item, and read into the record the language of the Proclamation included in the agenda materials. Parks and Recreation Department Director Jennifer Budge thanked the Parks and Recreation Department staff, some of whom were in attendance. She encouraged everyone to enjoy the community parks and recreation facilities. Mayor Crowell presented the original Proclamation to Ms. Budge.

8(C) PRESENTATION OF LENGTH OF SERVICE CERTIFICATES TO CITY EMPLOYEES (8:50:09) - Mayor Crowell introduced this item, and presented a Longevity Award to Parks Operation Manager David Navarro in recognition and appreciation of ten years of continuous and dedicated

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 3

service to the community. Mayor Crowell presented Longevity Awards to Alternative Sentencing Supervisor Claudia Saavedra and Sergeant James Primka in appreciation of twenty years' continuous and dedicated service to the community. Mayor Crowell presented a Longevity Award to Chief Deputy Treasurer Beth Huck in recognition and appreciation of twenty-five years of continuous and dedicated service to the community. The Board members, City staff, and citizens present applauded each of the honorees.

9. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO APPROVE CONTRACT NO. 1617-028, A JOINDER CONTRACT WITH THOMAS PETROLEUM, LLC, CARSON VALLEY OIL, CO., AND FLYERS ENERGY, LLC, THROUGH THE STATE OF NEVADA RFQ / CONTRACT #3064, AMENDMENT 1, FOR BULK FUEL AND DELIVERY SERVICES; AND WITH THOMAS PETROLEUM, LLC, THROUGH THE STATE OF NEVADA RFQ / CONTRACT #3125, CARDLOCK FUELING NETWORK, FOR AN AMOUNT NOT TO EXCEED \$981,425, FROM VARIOUS CITY FUEL ACCOUNTS, AS APPROVED IN THE FY 17 BUDGET (8:54:43) - Mayor Crowell introduced this item, and Public Works Department Director Darren Schulz reviewed the agenda materials. Fleet Manager Zach Good responded to questions of clarification. Mayor Crowell entertained additional questions or comments of the Board and of the public and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve Contract No. 1617-028, a joinder contract with Thomas Petroleum, LLC; Carson Valley Oil Company; and Flyers Energy, LLC, through the State of Nevada RFQ / Contract No. 3064, Amendment No. 1, for bulk fuel and delivery services; and with Thomas Petroleum, LLC, through the State of Nevada RFQ Contract No. 3125, Cardlock Fueling Network, for an amount not to exceed \$981,425, from various City fuel accounts, as approved in the FY 2017 budget. Supervisor Bagwell 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 Lori Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Abowd, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

10. FINANCE DEPARTMENT - POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY, AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH JULY 8, 2016, PURSUANT TO NRS 251.030 AND NRS 354.290 (8:58:59) - Mayor Crowell introduced this item, and Chief Financial Officer Nancy Paulson acknowledged nothing unusual in the report. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept the report on the condition of each fund in the treasury, and the statements of receipts and expenditures, through July 8, 2016, pursuant to NRS 251.030 and NRS 354.290. Supervisor Shirk seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 4

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

11. FIRE DEPARTMENT - POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT TO PROVIDE WHEELCHAIR VAN SERVICES, BETWEEN CARSON TAHOE REGIONAL HEALTHCARE, A NEVADA NON-PROFIT CORPORATION, AND CARSON CITY FIRE DEPARTMENT (8:59:41) - Mayor Crowell introduced this item. Deputy Fire Chief Tom Tarulli provided background information and reviewed the agenda materials. Deputy Chief Tarulli and Deputy District Attorney Iris Yowell responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to authorize the Mayor to sign an agreement, between Carson Tahoe Regional Healthcare and the Carson City Fire Department, providing wheelchair van services, with the corrections as submitted in the late material and as discussed on the record. Supervisor Bagwell seconded the motion.** Mayor Crowell called for a vote on the pending motion.

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

In response to a question, Chief Financial Officer Nancy Paulson advised that approximately \$30,000 is transferred to the fleet management fund each fiscal year “to build up funds to replace the vehicles.”

12. CITY MANAGER

12(A) PRESENTATION ONLY ON AN OVERVIEW OF THE WATER RESOURCES FOR THE CARSON RIVER WATERSHED (9:08:42) - Mayor Crowell introduced this item, and invited Carson Water Subconservancy District General Manager Ed James to the meeting table. Mr. James narrated a SlideShow presentation which was displayed in the meeting room and included in the agenda materials. Mr. James and City Engineer Danny Rotter responded to questions of clarification, and discussion ensued. In response to a question, Mr. James stated that “throughout the State, we are really ahead of the curve and we are not dealing with half the issues that the Humboldt watershed ... or the Walker ... or other places.” He discussed the critical importance of ongoing planning. Mayor Crowell entertained public comment and, when none was forthcoming, thanked Mr. James for his presentation.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 5

12(B) POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER, FOR THE PERIOD OF JUNE 4, 2016 THROUGH JULY 8, 2016 (9:48:09) - 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, he entertained a motion. **Supervisor Bonkowski moved to ratify the approval of bills and other requests for payments by the City Manager for the period of June 4, 2016 through July 8, 2016.** Supervisor Shirk seconded the motion. Mayor Crowell called for a vote on the pending motion.

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

13. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION - POSSIBLE ACTION TO RECOMMEND APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CARSON WATER SUBCONSERVANCY DISTRICT, WHERE THE DISTRICT AGREES TO FUND UP TO \$75,000 FOR THE PURPOSES OF ASSISTING WITH CARSON CITY GOLDEN EAGLE LANE EROSION CONTROL PROJECT, AND TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT (9:48:40) - Mayor Crowell introduced this item, and Senior Natural Resource Specialist Rich Wilkinson reviewed the agenda materials. In reference to the fiscal impact portion of the staff report, he clarified the intent to move forward with the project even without the full funding. "The engineer's estimates were \$150,000 and, if we receive all of our grant funding, we'll still be about \$10,000 short. But what's nice about this project is it can be done in phases. And so we'd like to do as many of those phases as possible." Mr. Wilkinson responded to questions of clarification.

Mayor Crowell entertained additional questions or comments of the Board members and, when none were forthcoming, public comment. When no public comment was forthcoming, he entertained a motion. **Supervisor Abowd moved to approve the Carson Water Subconservancy District Interlocal Agreement for Watershed Improvements in the Golden Eagle Lane area, and to allow the Mayor to sign the Agreement.** 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, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

14. RECESS BOARD OF SUPERVISORS (9:54:22) - Mayor Crowell recessed the Board of Supervisors meeting at 9:54 a.m.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 6

BOARD OF HEALTH

15. CALL TO ORDER AND ROLL CALL (10:06:26) - Chairperson Pintar called the meeting to order 10:06 a.m. Ms. Merriwether called the roll; all members of the Board of Health were present, constituting a quorum.

16. PUBLIC COMMENT(10:06:51) - Chairperson Pintar entertained public comment; however, none was forthcoming.

17. POSSIBLE ACTION ON APPROVAL OF MINUTES - May 19, 2016 (10:07:11) - Chairperson Pintar entertained suggested revisions and, when none were forthcoming, a motion. **Member Crowell moved approval of the minutes. Member Abowd seconded the motion. Motion carried 7-0.**

18. HEALTH AND HUMAN SERVICES DEPARTMENT

18(A) POSSIBLE ACTION ON APPROVAL OF THE HEALTH OFFICER'S REPORT, WITH FEEDBACK AND DIRECTION FROM THE BOARD DISCUSSED AT THE MEETING, INCORPORATED (10:07:35) - Chairperson Pintar introduced this item, and presented her report, a copy of which was provided for inclusion in the record. Chairperson Pintar entertained a motion. **Member Abowd moved to accept the Health Officer's Report. Member Bagwell seconded the motion.** Chairperson Pintar entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [7 - 0]
MOVER:	Member Karen Abowd
SECOND:	Member Lori Bagwell
AYES:	Members Abowd, Bagwell, Bonkowski, Crowell, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

18(B) PRESENTATION AND DISCUSSION, BY BRUCE LOCKWOOD, PROFESSIONAL RESEARCH CONSULTANTS, INC., OF CARSON TAHOE HEALTH'S 2016 COMMUNITY HEALTH NEEDS ASSESSMENT (10:14:09) - Chairperson Pintar introduced this item. Jana DeStefano, of Professional Research Consultants, Inc., narrated a SlideShow presentation which was displayed in the meeting room and included in the agenda materials. Chairperson Pintar and Ms. DeStefano responded to questions of clarification, and discussion ensued. Taylor Radtke provided additional clarification with regard to how the Health Department is working together with the hospital on the community health needs assessment process. Chairperson Pintar advised that the community health needs assessment results will be available to the public in October. "They haven't been published to date but they have been presented to a selected public group yesterday and to the Executive Board of Carson-Tahoe Regional Healthcare today." Chairperson Pintar entertained additional questions or comments of the board members and, when none were forthcoming, of the public. No public comment was forthcoming.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 7

18(C) REVIEW AND POSSIBLE ACTION TO REVISE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT'S CURRENT STRATEGIES TO ADDRESS "AREAS FOR IMPROVEMENT" AS IDENTIFIED BY THE PUBLIC HEALTH ACCREDITATION BOARD DURING A SITE VISIT (10:37:22) - Chairperson Pintar introduced this item, and Taylor Radtke thanked the entire community, on behalf of the accreditation team, for the support throughout the entire process. Ms. Radtke reviewed the agenda materials, and Chairperson Pintar provided additional clarification at various points throughout the presentation. Ms. Radtke, Chairperson Pintar, and Mr. Marano responded to questions of clarification, and extensive discussion followed.

Chairperson Pintar thanked Ms. Radtke for her presentation, and entertained public comment. When no public comment was forthcoming, Chairperson Pintar entertained a motion. **Member Bagwell moved to accept the current strategies in place to address the Public Health Accreditation Board's identified areas for improvement, along with the discussion on the record about creating a spreadsheet with the goals and the specific details of achievement. Member Crowell seconded the motion.** Chairperson Pintar called for a vote on the pending motion.

RESULT:	Approved [7 - 0]
MOVER:	Member Lori Bagwell
SECOND:	Member Robert Crowell
AYES:	Members Bagwell, Crowell, Abowd, Bonkowski, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

19. PUBLIC COMMENT(11:15:29) - Chairperson Pintar entertained public comment; however, none was forthcoming.

20. ACTION TO ADJOURN BOARD OF HEALTH MEETING (11:15:39) - Chairperson Pintar adjourned the meeting at 11:15 a.m.

21. RECONVENE BOARD OF SUPERVISORS MEETING (11:23:05) - Mayor Crowell reconvened the Board of Supervisors meeting at 11:23 a.m.

22. PUBLIC WORKS DEPARTMENT

22(A) POSSIBLE ACTION TO APPROVE THE LEASE OF SUITE 10, AT 2621 NORTHGATE LANE, TO THE CAPITAL CITY CIRCLES INITIATIVE, A NON-PROFIT CHARITABLE ORGANIZATION, AS IT WILL BE IN THE BEST INTERESTS OF CARSON CITY, PURSUANT TO NRS 244.284 (11:23:12) - Mayor Crowell introduced this item, and disclosed that he serves as a member of the Capital City Circles Initiative Board of Directors. He advised that he would abstain from discussion and action, passed the gavel to Mayor *Pro Tem* Karen Abowd, and stepped away from the dais. Real Property Manager Stephanie Hicks reviewed the agenda materials. Supervisors Bonkowski and Bagwell reviewed suggested revisions to the lease agreement, and discussion followed. Public Works Department Director Darren Schulz responded to questions regarding maintenance costs and previous attempts to sell the building.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 8

Mayor *Pro Tem* Abowd entertained additional questions or comments of the Board members and of the public. When no additional questions or comments were forthcoming, she entertained a motion. **Supervisor Bonkowski moved to approve the lease of Suite 10 at 2621 Northgate Lane to the Capital City Circles Initiative, a non-profit charitable organization, as it is in the best interests of Carson City, pursuant to NRS 244.284, with the changes as discussed on the record.** Supervisor Shirk **seconded the motion.** Mayor *Pro Tem* Abowd called for a vote on the pending motion.

RESULT:	Approved [4 - 0 - 1]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Jim Shirk
AYES:	Supervisors Bonkowski, Shirk, Bagwell, and Mayor <i>Pro Tem</i> Abowd
NAYS:	None
ABSENT:	None
ABSTAIN:	Mayor Robert Crowell

Mayor *Pro Tem* Abowd returned the gavel to Mayor Crowell, who had returned to the dais.

22(B) POSSIBLE ACTION TO ACCEPT THE DEDICATION OF RIGHT-OF-WAY FROM APNs 008-922-26 AND 008-923-10, LOCATED AT THE SOUTHWEST AND SOUTHEAST CORNERS OF THE INTERSECTION OF COLLEGE PARKWAY AND RESEARCH WAY (11:32:58) - Mayor Crowell introduced this item. Real Property Manager Stephanie Hicks provided background information, and reviewed the agenda materials. Ms. Hicks and Engineering Manager Danny Rotter responded to questions of clarification.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept the Dedication of Right-of-Way, from APNs 008-922-26 and 008-923-10, located at the southwest and southeast corners of the intersection of College Parkway and Research Way.** **Supervisor Bagwell 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 Lori Bagwell
AYES:	Supervisors Abowd, Bagwell, Bonkowski, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

22(C) POSSIBLE ACTION TO PROVIDE RECOMMENDATION TO THE BUREAU OF LAND MANAGEMENT REGARDING THE SALE OF 1251 PINION HILLS DRIVE, APN 010-082-04, CONSISTING OF APPROXIMATELY 2.27 ACRES, IDENTIFIED FOR DISPOSAL IN THE OMNIBUS PUBLIC LANDS MANAGEMENT ACT OF 2009 (11:36:10) - Mayor Crowell introduced this item. Real Property Manager Stephanie Hicks provided background information, reviewed the agenda materials in conjunction with displayed slides, and responded to questions of clarification.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 9

Mayor Crowell entertained public comment. (11:41:47) Janna Tisea advised of having submitted a request for right-of-way to the BLM. She discussed “this property and the impact that it has on the surrounding neighborhood. It is extremely important for the well being of all the other houses and residents around it. It is a place where water flows through, where we do have flooding problems to the east ... Water drains through this property and any further development of this area could negatively impact the houses that are above it.” Ms. Tisea advised of having done “extensive landscaping to try to maintain the property and avoid erosion,” and expressed the belief that “any digging out of any sagebrush or anything on this very large property would have a negative impact.”

(11:42:52) Karon Dutcher discussed concern over flooding issues in the area. Using a displayed map, she described the route of flood water, and responded to questions of clarification.

(11:45:05) In response to a question, Ms. Tisea expressed the opinion “it would be best if the City owned this property and it was not offered for public sale for residents. ... especially listening to all the discussion on water, ... this is going to be a point of contention in this area ..., especially with adding ... another septic and another well. We just drilled down to 250 meters to get water for our well and ... other neighbors are digging down just as far. This property should belong to the City. ... the property that is directly to the west is a slope directly into the Carson River. So, anything that is built on this property is going to be directly into the Carson River, any kind of building material, sediment, everything is going right there. So that's something to consider as well. ... this property has belonged to the BLM ... for so long and I would love to know what the reason was, that it was never developed previous to now.”

In response to a question, Ms. Hicks advised that the property has been designated, by the BLM, as indefinitely postponed for sale. “So we could continue to leave it in the status that it's in currently.”

(11:46:51) Virginia DaSilva described the location of her property relative to the subject parcel. She concurred with previously-expressed concerns over “water runoff, the erosion problem. Our north property line, which ... is directly in line with this parcel's north property line, ... erodes when it rains hard. Our south property line, which would run right through the middle of this BLM parcel, that erodes as well. There's a nice, 3-foot erosion ditch there that Mother Nature created. ... that BLM parcel has three rivers of water running through it that I know of in the past eleven years of living here. My concern is the same ... we have all purchased existing homes with existing wells. We've all had to dig deeper. Just in the past two weeks, I've noticed two other ... well-drilling equipment within ... a block of where we live. So I have concerns about water ...” Ms. DaSilva acknowledged geothermal in the area, and advised “our cold water is always warm. The water that comes out of our garden hose is hot.”

(11:48:50) Ms. Tisea discussed a “severe sediment problem. Just having to put in a new water filter, the best option that we could come up with, every night to clean our water, we would have to backwash 100 gallons of water through our filter just to clear out the sediment, which would go directly into the septic and seep into the ground. And any new build is going to have the exact same problem. We took the option of having dirty water in our house.” Ms. Tisea discussed additional concerns regarding erosion. She responded to questions of clarification.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 10

(11:51:45) Ms. DaSilva discussed recreational use of the property to access the River. She advised of having met with BLM representatives to discuss the possibility of a pedestrian access easement. She was informed of the application process, which she reviewed; and was advised of no guarantee “that BLM would be able to process the application in time prior to any auction taking place.”

Mayor Crowell invited the BLM representatives to the meeting table. (11:54:17) Sierra Front Field Manager Brian Smith discussed his involvement “as a manager on the design charette, the recreational planning that became the basis for the [Omnibus Public Lands Management Act] several years ago.” Mr. Smith advised that BLM is “not in the business of managing isolated little parcels in residential areas. We try to get out of that. The bill in 2009 ... set up a process and a goal of disposing of those. In this case, with the residential lands, the process is a competitive bid process; the intent is to maximize the sale values so that we can turn around and put it into other purposes; one, to cover our expenses and then, two, ... to acquire environmentally sensitive lands.”

In response to a question, Mr. Smith advised that the recommendation has “been deferred ... largely on the recommendation of the City. The intent of Congress is to get rid of it. To dispose of it, that's in line with BLM policy.” Mr. Smith expressed a preference to dispose of the parcel. In response to a question, Mr. Smith advised that “drainage issues, under Nevada law, ... residential storm water issues are the responsibilities of the local governments, of developers, and land owners. BLM ... manages for natural landscapes. We're not in the flood prevention business. That said, local governments could apply for a right-of-way for erosion control, storm water management features. ... if it's a planned development, the developer could apply for some sort of right-of-way.” Mr. Smith responded to follow-up questions of clarification. In response to a further question, he advised that the “law is directing us ... to sell it. ... it's a matter of when really.”

(11:57:53) BLM Assistant Field Manager Victoria Wilkins advised that legislation specifically allows for the City to indefinitely defer sale of the parcels. “... right now it is deferred indefinitely until there's a recommendation from the Board ... Basically, there has been no management on that parcel and that is likely what will continue as status quo.”

In response to a question, Engineering Manager Danny Rotter referenced the erosion control and storm drain ordinance, adopted approximately eight years ago. “It's much more stringent than ... when these houses were built. Typically, we would require a grading plan; not impacting natural drainages or drainages that have been pushed to other property lines by other property owners; we would have looked upstream to convey those flows or divert those flows. In this instance, with a single-family home, we ... would make them go up the hill and build a detention basin or something. That's more of a subdevelopment-type analysis. So, we would require a grading permit, an erosion control plan, and we would probably look at some of those issues of where that flow is coming down from other property owners and maybe building some berthing ... and then where it would cross the road.”

In response to a question, Mr. Smith explained the processes associated with a right-of-way easement for a trail. In response to a question, Ms. Hicks explained the motivation for the subject recommendation is “those funds would then be available for future acquisition of environmentally-sensitive lands within the City.” In response to a further question, she advised of development interest in the parcel. In response to a question, Mr. Rotter described storm drainage and flooding issues in the area. He responded to additional

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 21, 2016 Meeting
Page 11

questions of clarification, and discussion ensued. Mr. Smith and Mr. Rotter responded to additional questions of clarification.

(12:10:50) In response to a question, Ms. DaSilva expressed agreement with Mr. Rotter's previous comments. "... if it does go up for auction, if it does get developed, whoever does buy that and puts a home there, they'd really want to be very careful about where they put their home. I definitely would put it on the southern end of that parcel which is higher land and most of the water runs on the north end. I know that because I'm on the north end. It runs through mine first ... I have great neighbors and you cannot buy great neighbors. And, like Janna says, hopefully, ... if ... BLM puts it up for auction or you decide to do something with it, I hope it's a great neighbor who wants to landscape with sagebrush and bitter brush and rabbit brush and pinions and junipers to help erosion control." Ms. DaSilva expressed additional concern over water and the aquatic trail. "This is one of the few pieces of land that has road access to [the aquatic trail.] ... you can take Pinion Hills Drive all the way to where it ends and that's an open lot there."

Mr. Rotter responded to questions of clarification regarding the feasibility of building on the "lot ... directly to the west across Pinion Hills Road."

(12:15:30) In reference to displayed slides, Ms. Dutcher described flooding issues at Persia and Deer Run Road.

(12:16:44) Ms. Tisea expressed support for selling the parcel "if ... we just meet all of these pressures that are on the property." In response to a comment, she also expressed support for indefinitely postponing the sale.

(12:17:53) Ms. DaSilva advised that the neighborhood is also "informally ... a dark skies neighborhood. We don't want street lights."

Mr. Rotter, Mr. Smith, and Ms. Wilkins responded to additional questions of clarification, and discussion followed. Mayor Crowell suggested tabling the item, and requested the homeowners to meet with Public Works Department and Planning Division staff. Mayor Crowell thanked the BLM representatives for their attendance and participation.

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

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS (12:24:21) - Supervisor Abowd advised that the Arts and Culture Coordinator interviews were conducted last Friday with "some exceptional candidates. And we have three exceptional people coming here for one-on-one interviews on August 3rd."

CARSON CITY BOARD OF SUPERVISORS
Minutes of the July 21, 2016 Meeting
Page 12

Supervisor Bonkowski advised of having met with Charter Communications representatives, together with Mayor Crowell, and of upcoming meetings with other providers. "As soon as we have had a chance to meet with all the vendors, then we can try to coordinate some information and bring it back to the Board."

In reference to public comment, earlier in the meeting, Supervisor Bagwell requested a District Attorney's briefing on the accusation that records are being destroyed and on pending litigation.

In reference to the July 7th approval of the First Amendment to the Third Amended and Restated Commitment Agreement for Continuing Business Operation, between the City, the Redevelopment Authority, and Richard Campagni, Supervisor Shirk expressed the opinion "the motion did not clearly identify from what funding revenue these payments to Dick Campagni will be made." He requested clarification.

STAFF COMMENTS AND STATUS REPORTS

RECESS AND RECONVENE BOARD OF SUPERVISORS (12:26:52; 1:32:52) - Mayor Crowell advised that he would declare a conflict of interest relative to the Carson City Visitors Bureau interviews. He recessed the Board of Supervisors meeting at 12:27 p.m., and reconvened at 1:32 p.m.

24. CITY MANAGER

24(A) POSSIBLE ACTION TO APPOINT THREE MEMBERS TO THE CARSON CITY VISITORS BUREAU, AS REPRESENTATIVES FOR THE FOLLOWING POSITIONS: HOTEL / MOTEL INDUSTRY, OTHER COMMERCIAL INTERESTS, AND CITIZEN-AT-LARGE (1:33:07) - Mayor Crowell introduced this item, and entertained disclosures. Supervisor Abowd read a prepared disclosure statement into the record, relative to Carson City Visitors Bureau candidates Renee Plain and Jonathan Boulware. Supervisor Abowd advised of no disqualifying conflict of interest and that she would participate in the interview process and subsequent action. Mayor Crowell read a prepared disclosure statement into the record relative to Renee Plain, advised of a disqualifying conflict of interest, and that he would pass the gavel to Mayor *Pro Tem* Karen Abowd.

(1:35:47) Mr. Marano recommended taking administrative action to reappoint Jonathan Boulware and Renee Plain, and then to interview Sandra Nagel.

Mayor Crowell entertained a motion to reappoint Jonathan Boulware. **Supervisor Bonkowski moved to ratify the City Manager's recommendation to reappoint Jonathan Boulware to his position for a term that expires in July 2018. Supervisor Bagwell seconded the motion.** Mayor Crowell called for a vote on the pending motion.

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

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 13

Mayor Crowell passed the gavel to Mayor *Pro Tem* Karen Abowd. Mayor *Pro Tem* Abowd entertained a motion to reappoint Renee Plain. **Supervisor Bonkowski moved to ratify the City Manager's recommendation to reappoint Renee Plain to her position for a term that expires July 2018. Supervisor Shirk seconded the motion.** Mayor *Pro Tem* Abowd called for a vote on the pending motion.

RESULT:	Approved [4 - 0 - 1]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Jim Shirk
AYES:	Supervisors Bonkowski, Shirk, Bagwell, and Mayor <i>Pro Tem</i> Abowd
NAYS:	None
ABSENT:	None
ABSTAIN:	Mayor Robert Crowell

Mayor Crowell returned to the dais and requested Mayor *Pro Tem* Abowd to continue. Mayor *Pro Tem* Abowd invited Sandra Nagel to the meeting table, and provided an overview of the interview process. (1:37:26) Sandra Nagel introduced herself, for the record, as the General Manager of the Hampton Inn and Suites. Ms. Nagel responded to questions regarding her interest in serving; suggestions for change in Carson City Visitors Bureau ("CVB") policies and strategies; her viewpoint on the relationship between the CVB and the Arts and Culture Commission; integration of the V&T Railway with marketing and events in Carson City; the data necessary to make decisions on funding requests; how to increase participation, by the lodging properties, with the CVB. Mayor *Pro Tem* Abowd offered Ms. Nagel the opportunity to comment further and, when she declined, Mayor *Pro Tem* Abowd entertained a motion. **Supervisor Bonkowski moved to appoint Sandra Nagel to the citizen-at-large position, for a term that will expire July 2018. Supervisor Bagwell seconded the motion.** Mayor *Pro Tem* Abowd called for a vote on the pending motion.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Lori Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Shirk, Mayor Crowell, and Mayor <i>Pro Tem</i> Abowd
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor *Pro Tem* Abowd welcomed Ms. Nagel.

24(B) POSSIBLE ACTION TO APPOINT ONE MEMBER TO THE AIRPORT AUTHORITY "MANUFACTURER" POSITION TO FILL A PARTIAL TERM THAT WILL EXPIRE OCTOBER 2017 (1:35:02) - Mayor Crowell advised of a disqualifying conflict of interest, and that he would abstain from the interview process and subsequent action. (1:45:46) Mayor *Pro Tem* Abowd introduced this item, and welcomed Larry Tores to the meeting table. Mr. Tores introduced himself, for the record, and responded to questions regarding his interest in serving; ways to advance the Airport economically; his vision for potential future development at the Airport; the Airport as an economic engine for Carson City; anticipated contributions to the Airport Authority. Mayor *Pro Tem* Abowd offered Mr. Tores the opportunity to comment further. Mr. Tores expressed the opinion "Carson has a lot to offer and ... it's certainly possible to see more visitors, both fly-ins ... and otherwise."

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 14

Mayor *Pro Tem* Abowd entertained a motion. **Supervisor Bagwell moved to appoint Larry Tores to the Airport Authority “Manufacturer” position to fill a partial term set to expire October 2017. Supervisor Shirk seconded the motion.** Mayor *Pro Tem* Abowd called for a vote on the pending motion.

RESULT:	Approved [4 - 0 - 1]
MOVER:	Supervisor Lori Bagwell
SECOND:	Supervisor Jim Shirk
AYES:	Supervisors Bagwell, Shirk, Bonkowski, and Mayor <i>Pro Tem</i> Abowd
NAYS:	None
ABSENT:	None
ABSTAIN:	Mayor Robert Crowell

Mayor *Pro Tem* Abowd welcomed Mr. Tores, and returned the gavel to Mayor Crowell, who had returned to the dais.

25. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

25(A) POSSIBLE ACTION TO ADOPT BILL NO. 112, ON SECOND READING, AN ORDINANCE AMENDING TITLE 8, PUBLIC PEACE, SAFETY, AND MORALS, CHAPTER 8.10, RECREATIONAL VEHICLE PARKING, SECTIONS 8.10.040, DEFINITIONS, AND 8.10.050, RECREATIONAL PARKING ON PUBLIC STREETS, TO ADD UTILITY TRAILERS TO THE LIST OF RECREATIONAL VEHICLES FOR WHICH ON-STREET AND OFF-STREET PARKING REQUIREMENTS APPLY, AND TO LIMIT ON-STREET PARKING OF RECREATIONAL VEHICLES TO SPECIFIC PERIODS FOR LOADING AND UNLOADING ONLY (1:51:21) - Mayor Crowell introduced this item and, in response to a question, Planning Manager Hope Sullivan advised of no revisions, other than those discussed at introduction of the bill, on first reading. Mayor Crowell entertained public comment; however, none was forthcoming. Supervisor Shirk reviewed suggested revisions. Deputy District Attorney Iris Yowell responded to questions of clarification, and discussion ensued.

Mayor Crowell entertained additional Board member questions or comments and called again for public comment. When no further questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to adopt Bill No. 112, on second reading, Ordinance No. 2016-13, an ordinance amending Title 8, Public Peace, Safety, and Morals, Chapter 8.10, Recreational Vehicle Parking, Sections 8.10.040, Definitions, and 8.10.050, Recreational Parking on Public Streets, to add utility trailers to the list of recreational vehicles for which on-street and off-street parking requirements apply, and to limit on-street parking of recreational vehicles to specific periods for loading and unloading only. Supervisor Bagwell 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 Lori Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Abowd, Shirk and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 15

25(B) POSSIBLE ACTION TO APPROVE A FINAL SUBDIVISION MAP, KNOWN AS SCHULZ RANCH, PHASE 2, FROM LENNAR RENO, LLC, RESULTING IN THE CREATION OF 105 RESIDENTIAL LOTS, ON PROPERTY ZONED SINGLE FAMILY 6,000 - SPECIFIC PLAN AREA, LOCATED ON CENTER DRIVE, APNs 009-311-69 AND 009-311-71, WHICH FULLY COMPLIES WITH ALL OF THE CONDITIONS OF APPROVAL, AS CONTAINED IN THE SCHULZ RANCH COMMON OPEN SPACE DEVELOPMENT TENTATIVE MAP STAFF REPORT AND SCHULZ RANCH DEVELOPMENT AGREEMENT, AS AMENDED, PURSUANT TO THE REQUIREMENTS OF CARSON CITY MUNICIPAL CODE (FSM-14-078) (1:55:737) - Mayor Crowell introduced this item. Special Projects Planner Susan Pansky provided background information, reviewed the agenda materials in conjunction with displayed slides, and responded to questions of clarification. (1:58:21) Chris Baker, representing Lennar Reno, LLC, and Engineering Manager Danny Rotter responded to additional questions of clarification.

Mayor Crowell read into the record email correspondence from Vicki Reifer; a copy of the email was submitted for inclusion in the record. (2:05:04) In response to a question, Land Development Director Tim Scheidemann advised of having recently directed the construction manager to ensure the correct routes were being utilized for construction traffic in and out of the development. Mayor Crowell requested Mr. Scheidemann to re-emphasize the requirement. In response to a question, Mr. Scheidemann advised that Center Drive has been reconstructed. "We're under construction on Topsy Lane currently. We are anticipating paving the first week of September, wrapping up all the striping and raising of the man holes by the end of September so it'll be completely open and, then also, the same time frame with Race Track Road that ties Center Drive into Bigelow." In response to a further question, Mr. Scheidemann advised that "all substantial work will be completed by the end of September." Mr. Scheidemann and Mr. Rotter responded to additional questions of clarification, 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, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve a final subdivision map, known as Schulz Ranch Phase 2 from Lennar Reno, LLC, resulting in the creation of 105 residential lots, on property zoned Single-Family 6,000 - Specific Plan Area, located on Center Drive, APNs 009-311-69 and 009-311-71, which fully complies with all of the conditions of approval, as contained in the Schulz Ranch Common Open Space Development Tentative Map staff report and Schulz Ranch Development Agreement, as amended, pursuant to the requirements of the Carson City Municipal Code. 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, Bagwell, Shirk and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor Crowell reiterated the request to address the construction traffic issues.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 16

25(C) POSSIBLE ACTION TO APPROVE A REQUEST FROM STATE STREET DEVELOPMENT, LLC (PROPERTY OWNER: STATE STREET DEVELOPMENT, LLC) FOR A TENTATIVE PLANNED UNIT DEVELOPMENT, TO CREATE 105 SINGLE-FAMILY ATTACHED RESIDENTIAL LOTS, INCLUDING A REQUEST FOR A REDUCTION IN PERIMETER SETBACKS, A REDUCTION IN THE MINIMUM LOT SIZE, THE USE OF A MODIFIED PARKING STANDARD, AND A SPECIAL USE PERMIT TO ALLOW A RESIDENTIAL USE, ON PROPERTY ZONED GENERAL COMMERCIAL, LOCATED AT STATE STREET, APN 002-441-23 (2:12:15) - Mayor Crowell introduced this item, and Planning Manager Hope Sullivan reviewed the agenda materials in conjunction with displayed slides. Ms. Sullivan responded to questions of clarification throughout the presentation, and suggested an additional condition of approval regarding the striping on Sage Street at the intersection with William Street. "That's intended to improve the operations of that intersection. That is an improvement that was recommended by the applicant's traffic engineer but it was just an oversight that the Planning Commission did not include it. They were talking a lot about that ten foot variance to the south." Ms. Sullivan reviewed the late material, which included a July 21, 2016 memorandum with a recommendation to modify the language of condition of approval 13. "That condition is intended to essentially eliminate the opportunity for a building within ten feet of that property line where the variance was granted along the south where it will be commercial; although ancillary structures, like HVAC units, trash dumpsters, things that aren't buildings, would be allowed there. You just can't build a building there. The applicant has agreed to the wording that I provided in this memo," and Ms. Sullivan requested the Board to include the revised language.

In response to a question, Transportation Manager Patrick Pittenger discussed the Greening William Street conceptual corridor study. He advised that no design nor any formal engineering study has been done. In response to a further question, Mr. Pittenger was uncertain how a round-about at State and William Streets would impact traffic. He explained the concept of a round-about to "ensure the flow of traffic. It would still be a three-legged intersection, and it would allow the traffic to flow there. But we're not even certain that a round-about would work at that location; just as we were not certain that a traffic signal would work there either if you ever needed one because of the proximity to the signal to the east. And that would be a key consideration." Supervisor Abowd expressed concern over pedestrians crossing, from the State Street area, to access Mills Park, and inquired as to a way to facilitate the same. Mr. Pittenger advised of "nothing currently planned or funded in that area. Not saying that something couldn't be implemented there. If we were to pursue something at that location, you would be looking at ... those rectangular, rapid flashing beacons ... like we have on Stewart Street. The equipment there is on the order of about \$20,000, for example. If you were to do one here, you'd have to make sure you designed it appropriately. This is a relatively wide road and we don't have a cross walk as it is there now." Mr. Pittenger advised of having researched accident history in the area and, while he was aware of the fatal vehicle / pedestrian accident in the past, he advised that there have been two non-injury accidents over the past four to five years.

(2:21:18) In response to a question, Mark Turner had "no issue" with adding to the CC&Rs a prohibition against vehicle parking on the street. Mr. Pittenger acknowledged no round-about is included in the project. Chris Baker, representing State Street Development; Mr. Turner; and Ms. Sullivan responded to questions of clarification.

Mayor Crowell entertained public comment. (2:25:53) Bruce Kittess discussed objections to the Mills Landing Plan in that "the streets should be private not public. The variance, the reductions, the modifications are more than enough concession. You've been very accommodating. ... the 2006 Landmark

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 17

plan is superior to this plan. ... it had a pocket park. There is no more pocket park. There were 94 zero-lot line houses, forty of which had two-car garages. Now you have 105 with one-car garages. They were private streets, 22-feet wide with sidewalks on both sides. Now, you want to have a public street, 20-feet wide with sidewalk on one side. ... 40 to 50 homes on a 20-foot fire lane alley is extreme. It's one thing to have ten houses, 20 houses on a 20-foot alley. That's the definition of 20 feet, but not 40 to 50 homes." Mr. Kittess expressed objection to rolled curbs, and advised that the "2006 plan met the City's parking requirements. It didn't need to apply Reno / Sparks parking requirements. ... the 2006 had no parking on driveways or the street or obstructing sidewalks, whereas this has parking on the driveways and no parking on the street." Mr. Kittess suggested visualizing the number of cars parked in the driveway, and expressed the opinion that the line of sight will be impaired. He suggested that the District Attorney's review of CC&Rs "does not imply that the City monitor or enforce CC&Rs." He stated that the "active fault requires a 25-foot building setback, but there's an additional 50-foot reinforced building zone; not only for the structures but remedial grading to prepare for the structures." Mr. Kittess expressed the opinion "there's a potential for earthquake damage to the streets." He expressed the further opinion that "approving public streets for this PUD is an affront to the homeowners of existing PUDs that are paying for their private streets. ... The taxpayers should not be on the hook for the cost of policing the no on-street parking, snow removal, standard maintenance, as well as the potential for extraordinary maintenance and whatever liability you think there may be. The City is struggling to take care of our existing streets so why would you take on the maintenance of substandard streets? The Mills Landing homeowners will have better maintained streets if they are private."

In response to a question, Ms. Sullivan recommended modifying condition of approval 12 "to add that the curb shall be painted red in all areas that aren't driveways or parking stalls." In response to a further question, she advised that the painting would be done with private funding. In response to a question, Engineering Manager Danny Rotter explained that "PUDs, by municipal code, require the transfer of common area or rights-of-way by separate document. ... The tentative PUD goes through, the map records, and the offer is made for dedication for a public street. Then a separate document would be recorded to accept that street. ... Just up the hill is a public street for Millennium, and ... they might even be doing more than necessary to provide connectivity with additional trails and that sort of thing. So, it's a policy decision that that's the mechanism that follows; a dedication is made, the road is constructed to our standards and inspected to our standards, accepted by a building permit, and then brought forward for acceptance."

In response to a question, Mr. Baker explained there are City standards which require sidewalk on one side of the street and sidewalk on both sides of the street. "In this case, we actually have a larger pavement section, by a foot, that is technically required. So, ... it just doesn't, to put sidewalks on both sides of the street for the amount of pedestrians you're talking about, we have internal path connections also, we felt it was overkill." He responded to the additional questions and concerns discussed by Mr. Kittess. Mr. Pittenger advised that the developer is meeting all City standards. In response to a previously-expressed concern, he explained that roadway width is an important consideration relative to maintenance. "The fact that these are narrower roads will actually reduce ... maintenance costs in the future." In response to a question, Ms. Sullivan advised that the Fire Department had reviewed the plan and provided comments. "... they found the turning radii and, with the provision of no parking on the streets, ... would meet their access needs."

In response to a question, Mr. Rotter suggested that the decision relative to public or private streets "is probably a combination of the desire of the developer for the feel of the community. If they gate it in and

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 18

they want no other access, then that would be streets only for that private community. The other one would be ... connectivity in providing an open area and additional trails. ... therefore, it's a public use." In response to a further question, Mr. Rotter suggested "it's a policy decision and a discussion on what those roads and sidewalks are providing within the right-of-way." Mr. Baker explained, "... we have base line Code requirements that we have to meet. We look up the road standard for public street in Carson City and that's it." Discussion followed. Mr. Baker and Mr. Turner responded to additional questions regarding designated guest parking. In response to a further question, Mr. Rotter reviewed pertinent portions of the municipal code relative to the issue of public versus private streets. In response to a previous question, Ms. Sullivan reviewed the CC&Rs for the proposed development relative to guest parking. She advised there is no proposal for signage "and the CC&Rs seem to be silent on the matter." In response to a question, Ms. Sullivan advised that, if the roads are public, the Sheriff's Office or City Code Enforcement would be responsible for enforcement. Extensive discussion followed.

Mayor Crowell entertained additional public comment. (3:01:13) Alan Schnauser introduced himself as the property owner "on the east side of State Street." He expressed support for the proposed project, and commended the "excellent use of the land." He expressed understanding for the previously-discussed concerns, but reiterated, "this is a great use of this land."

(3:02:01) Bruce Kittess stated, "Street maintenance is a hot subject in Carson City. Historically, PUDs that have narrow streets are private. They're common area." He read a pertinent portion of the Carson City Municipal Code relative to street width, and suggested "giving them another exception. ... approve it the way it is," but he objected to it being a public street. "You can't have dual responsibility. ... who's fault is it that there was an accident because of the cars parked in the street? Was it the Sheriff or was it the homeowners association? You don't have dual responsibility." Mr. Kittess expressed the opinion that "this development ... is going to have a fair amount of maintenance and potential damage."

In response to a question, Mr. Rotter reviewed additional pertinent sections of the municipal code relative to private and public roads and road widths. In response to previous comments, Mr. Baker expressed the opinion, "there's really not many waivers here being asked. The request is really to allow for a residential use in a general commercial zone. And, again, this is a reduction in the lot size because a general commercial zone is required to be a 6,000 square foot lot. We're trying to provide a product that is for sale. So if we were to do a for-lease product in this, that would not be necessary. There actually isn't a variance to the parking standard. Carson City Code allows us to use outside sources. There's been a lot of talk about Reno and Sparks. We just cited those for comparative purposes. We're actually utilizing ITE, which is ... a very reputable source. And then, really, the only variance we're asking for is for that periphery setback. On two sides, we're up against open space and the other side, we're providing a ten-foot easement ... which really functions as meeting the setback. ... I just ... wanted to bring it back and really ... lay out what's actually being requested. Again, most of that's just so we can provide a for-sale product."

Supervisor Bonkowski requested the developer to address the "product type ... entry-level workforce housing and his view of the need for that product in town and the difficulty in building entry-level housing when we elevate this project to a higher standard, the same standard that we would hold ... one-acre homes on the west side of town to." Mr. Turner reminded the Board that "the theme of what we're trying to do here is to provide some entry-level housing which Carson City does not have. There is no entry-level housing for sale in the \$200,000 to \$220,000 range in Carson City. So if you are a young person or a person whose means are limited, you don't have anything that you can go and buy. There are a very limited

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 19

number of ways that we can present a product to this market at this point in time.” Mr. Turner suggested that “denser housing” is not really understood in Carson City. “If you go to communities around the west, Boise, Portland, coastal communities in California, this has been going on for a long time and that is the only way that they’ve been able to bring housing into a range of affordability. ... But, we’re in Carson City and we have a rapidly growing workforce here that does not have a place to live. ... the supply of rental housing here in Carson City is virtually nil. ... If it’s important for this community to provide housing for people in that economic demographic, then there are some compromises that have to be made. The days of a 1,300 or 1,400 square foot, two-car garage, attached house on a 6,000 or 7,000 square foot lot for \$200,000 ... are gone. They’re never coming back. Land values are too high. It cannot be done. The codes that we have to build to nowadays have elevated the cost of building homes. ... So, we don’t have a choice to reduce the quality of construction. The code is the code and you have to build the house to the code. And we just had a code update, on the 1st of July, for energy which is adding costs already to the houses. Granted, there may be a long-term benefit of reduced energy consumption, but the immediate effect of that is an increase in the cost of housing.

“So, we are trying to present an entry-level product here that can be purchased in the range of \$200,000 to \$250,000 or thereabouts, and this is the only way that I know how to do it and I’ve been in this business for a quarter century. ... if this were a for-lease product, we wouldn’t even be having this discussion. This is a for-sale product which is needed and, if it were denied, I guess I could take this ... fill that whole thing with storage garages if that’s what people would want. But that’s not what we want to do. We want to create entry-level housing.”

Supervisor Bonkowski discussed the sorely-needed niche filled by the proposed product. He expressed respect and appreciation for Mr. Kittess and his planning skills. “... the fact is, this is not a product that can or should meet the same level as every other project in town. There’s no possible way to build it. If we hold every entry-level project to the level that we’re being asked to do this, we’ll never build a project and we’ll never have entry-level housing and that is a whole other conversation that we could debate for a long time that is not going to benefit the City.”

With regard to drainage and earthquake issues, Mr. Baker acknowledged that the streets are being designed to meet the standards of the Code. He advised, “the fault is actually not even located on the property. The fault is on the slope in the Millennium HOA property. The geotech report ... required a 25-foot setback to a structure and, within the 50-foot setback, you had to do some geotech upgrades. We are prepared ..., and there is a condition, to do those geotech upgrades for the units. And the roads are not within that 50-foot setback either. So, the roads, as far as construction and design are to City Code and they will be constructed that way.”

Supervisor Shirk commended Mr. Turner on entry-level housing projects, and suggested there are homes available for sale in the entry-level price range. Supervisor Shirk explained his intent to “look at it from the citizens ... and the roads are the biggest issue. I don’t think the setbacks, ... the open space, ... the quality of work that you do is the question. It is the roads ... that I’m questioning.”

Mr. Turner requested the Board to consider that each owner “is also a taxpayer. ... If they’re paying their property taxes, they’re entitled to [City] services. ... We do want to increase the property tax base here in our City.”

CARSON CITY BOARD OF SUPERVISORS

Minutes of the July 21, 2016 Meeting

Page 20

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve a request from State Street Development, LLC (property owner: State Street Development, LLC) for a tentative planned unit development to create 105 single-family attached residential lots, including a request for a reduction in perimeter setbacks, a reduction in the minimum lot size, the use of a modified parking standard, and a special use permit to allow a residential use, on property zoned general commercial, located at State Street, APN 002-441-23, based on the findings and subject to the recommended conditions of approval contained in the memorandum, dated July 8, 2016, from the Planning Manager, with the modified language to condition of approval 13, included in the memorandum, dated July 20, 2016, from the Planning Manager, and condition of approval 12 that the curbs are painted red. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk reiterated his appreciation for the developer “doing what he does in the community.” Supervisor Shirk expressed the opinion, relative to the “width street and the circumstances within this area, ... that's up to the homeowner who potentially will buy in there if they want to live in this area with the setbacks, with the streets and so forth.” He expressed the hope “it's a trend that will continue of new developments coming to Carson.” Supervisor Bagwell suggested reviewing the Code relative to public and private roads. Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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

26. PUBLIC COMMENT (3:20:44) - Mayor Crowell entertained public comment; however, none was forthcoming.

27. ACTION TO ADJOURN (3:21:03) - Mayor Crowell adjourned the meeting at 3:21 p.m.

The Minutes of the July 21, 2016 Carson City Board of Supervisors meeting are so approved this 18th day of August, 2016.

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk - Recorder