

## **CARSON CITY BOARD OF SUPERVISORS**

### **Minutes of the August 17, 2017 Meeting**

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, August 17, 2017 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 John Barrette, Ward 4

**STAFF:** Nancy Paulson, Deputy City Manager  
Sue Merriwether, Clerk - Recorder  
Adriana Fralick, Chief Deputy District Attorney  
Kathleen King, Chief Deputy Clerk

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

**1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE** (8:30:36) - Mayor Crowell called the meeting to order at 8:30 a.m. Ms. Merriwether called the roll; a quorum was present. Airport Road Church of Christ Pastor Bruce Henderson provided the invocation. At Mayor Crowell's request, Library Director Sena Loyd led the Pledge of Allegiance.

**5. PUBLIC COMMENT** (8:32:49) - Mayor Crowell entertained public comment. (8:33:15) Library Director Sena Loyd announced the availability of solar glasses. She reviewed safety information, and described a method by which to view the eclipse without looking directly at the sun. Mayor Crowell entertained additional public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON APPROVAL OF MINUTES - July 20, 2017** (8:36:21) - Mayor Crowell entertained suggested revisions and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the minutes, with a previously submitted correction to page 14. Supervisor Bagwell seconded the motion. Motion carried 5-0.**

**7. POSSIBLE ACTION ON ADOPTION OF AGENDA** (8:36:52) - Mayor Crowell introduced this item, and advised that item 19(E) would be deferred to a future meeting. Mayor Crowell entertained additional modifications to the agenda and, when none were forthcoming, deemed the agenda adopted as modified.

**8. SPECIAL PRESENTATIONS OF LENGTH OF SERVICE CERTIFICATES TO CITY EMPLOYEES** (8:37:39) - Mayor Crowell introduced this item, and requested the Board members to join him on the meeting floor. Mayor Crowell congratulated Battalion Chief Thomas Raw on his recent promotion, and presented him with a Longevity Award commemorating 25 years of continuous and dedicated service to the City. The Board members, City staff, and citizens present applauded.

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#### CONSENT AGENDA

(8:41:01) - Mayor Crowell entertained requests to hear items separate from the consent agenda and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the consent agenda, consisting of items 9 and 10. 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, Barrette, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

#### **9. CITY MANAGER - POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER, FOR THE PERIOD OF JULY 8, 2017 THROUGH AUGUST 4, 2017**

#### **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 AUGUST 4, 2017, PURSUANT TO NRS 251.030 AND NRS 354.290**

#### ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

#### **11. ANY ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME**

#### **12. CITY MANAGER - POSSIBLE ACTION TO APPOINT ONE PERSON TO THE CARSON CITY VISITORS BUREAU, AS REPRESENTATIVE FOR THE HOTEL / MOTEL INDUSTRY, FOR A TWO-YEAR TERM THAT EXPIRES JULY 2019** (8:41:45) - Mayor Crowell introduced this item, and invited Jesse Dhami to the meeting table. (8:42:17) Mr. Dhami responded to questions regarding his interest in reappointment; suggestions for funding allocations; the areas of tourism which are currently untapped and suggestions for shoulder season events which would extend visitors' time; the CVB's biggest successes over the last few years and the programming which provides the best opportunity for improvement; suggestions to increase Carson City's national presence with tour operators who promote the region; and suggestions to market the City's recreation and history. Mayor Crowell offered Mr. Dhami the opportunity to comment further, and he expressed appreciation for the blessing of living in Carson City and for the opportunity to have served on the Visitors Bureau Board. He requested the Board's consideration of his application for reappointment.

(9:11:17) Mayor Crowell welcomed Trish Trenoweth to the meeting table, and provided an overview of the interview process. Ms. Trenoweth responded to questions regarding her interest in serving; suggestions for allocating funding; suggestions for marketing recreation and history; suggestions to increase Carson City's national presence with tour operators; the CVB's biggest successes and the programming which provides the best opportunities for improvement; and the areas of tourism that are untapped and suggestions

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for the shoulder seasons. Mayor Crowell offered Ms. Trenoweth the opportunity comment further, and she expressed appreciation for the opportunity to participate in the interview process.

The Board members discussed their preferences, and Mayor Crowell entertained a motion. **Supervisor Abowd moved to appoint Jesse Dhami as a representative for the hotel / motel industry for a two-year term that expires July of 2019. Supervisor Barrette seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

(9:26:59) At Mayor Crowell's request, Jacobs Entertainment, Inc. Vice President of Nevada Operations Jonathan Boulware provided an update on recent Jacobs Entertainment acquisitions and his term as chair of the Visitors Bureau Board. Mayor Crowell recessed the meeting at 9:30 a.m., and reconvened at 9:41 a.m.

**13. PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO APPROVE SUBMITTAL OF A GRANT APPLICATION TO THE NEVADA DIVISION OF EMERGENCY MANAGEMENT FOR EMERGENCY GENERATORS FOR WELLS AND BOOSTER PUMPS (9:41:18)** - Mayor Crowell introduced this item. Real Property Manager Stephanie Hicks reviewed the agenda materials, and responded to a question of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve submittal of a grant application to the Nevada Division of Emergency Management for emergency generators and booster pumps. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

### 14. PARKS, RECREATION, AND OPEN SPACE DEPARTMENT

**14(A) PRESENTATION FROM THE CARSON CITY WEED COALITION (9:43:04)** - Mayor Crowell introduced this item. Carson City Weed Coordinator Daniel Anderson narrated a PowerPoint presentation, and responded to questions. Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. (9:55:52) Washoe Tribe Environmental Protection Department Environmental Specialist John Warpeha expressed support for Mr. Anderson's programs. Mr. Anderson, Mr. Warpeha, and Open Space Administrator Ann Bollinger responded to

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additional questions of clarification. Mayor Crowell entertained additional public comment and, when none was forthcoming, thanked Mr. Anderson, Mr. Warpeha, and Ms. Bollinger.

**14(B) POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN THE PROJECT AGREEMENT, FROM THE STATE OF NEVADA DIVISION OF STATE LANDS, PROVIDING \$200,000 FOR TRAIL IMPROVEMENTS ON THE NORTH END OF THE PRISON HILL RECREATION AREA** (10:07:20) - Mayor Crowell introduced this item, and disclosed that his son is the Director of the Department of Conservation and Natural Resources. Mayor Crowell advised of no conflict, and that he would participate in discussion and action. Open Space Administrator Ann Bollinger reviewed the agenda materials.

Mayor Crowell entertained Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Bagwell moved to authorize the Mayor to sign the Project Agreement from the State of Nevada Division of State Lands, providing \$200,000 for a new trailhead and trail improvements on the north end of the Prison Hill Recreation Area. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**14(C) POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO SIGN THE GRANT AND COOPERATIVE AGREEMENT, FROM THE BUREAU OF LAND MANAGEMENT / SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT, PROVIDING \$1,843,685 FOR THE DESIGN AND CONSTRUCTION OF NON-MOTORIZED TRAILS AS PART OF THE CARSON RIVER TRAIL SYSTEM, PHASE II - RANCH CONNECTIONS** (10:09:38) - Mayor Crowell introduced this item, and Open Space Administrator Ann Bollinger reviewed the agenda materials. Supervisor Barrette thanked Ms. Bollinger for her hard work. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to authorize the Mayor to sign the funding agreement, from the Bureau of Land Management / Southern Nevada Public Lands Management Act, providing \$1,843,685 for the design and construction of non-motorized trails as part of the Carson River Trail System, Phase II - Ranch Connection. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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

**15(A) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 8, PUBLIC PEACE, SAFETY, AND MORALS, CHAPTERS 8.08, NUISANCES, AND 8.09, ENFORCEMENT PROVISIONS FOR NUISANCES (10:12:21)** - Mayor Crowell introduced this item. Deputy District Attorney Iris Yowell 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 introduce, on first reading, Bill No. 120, an ordinance amending Title 8, Public Peace, Safety, and Morals, Chapters 8.08, Nuisances, and 8.09, Enforcement Provisions for Nuisances; and we are approving the late material edition that was provided before the meeting today, with changes to Section 1, Item 1(c), adding the word "structures" after the word "lodging," and to Section 4, Item 1, deleting the two words "property manager."** Supervisor Abowd seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

Mayor Crowell thanked Kevin McCoy and the Code Enforcement staff for their hard work.

**15(B) POSSIBLE ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION, FROM CARSON CITY PUBLIC WORKS (PROPERTY OWNER: CARSON CITY), TO ABANDON APPROXIMATELY 30,297 SQUARE FEET OF PUBLIC RIGHT-OF-WAY, AN AREA 60 FEET WIDE AND UP TO 508.94 FEET LONG, KNOWN AS HEMLOCK STREET, BETWEEN SILVER SAGE DRIVE AND CENTER DRIVE, ON PROPERTY ADJACENT TO 501 ARTHUR STREET, 601 ARTHUR STREET, 5320 CENTER DRIVE, 420 CLEAR CREEK AVENUE, AND 480 CLEAR CREEK AVENUE, APNs 009-236-02, 009-236-03, 009-236-04, 009-239-03, AND 009-239-04; REFERENCE AB-16-186 (10:18:06)** - Mayor Crowell introduced this item, and opened the public hearing. Planning Manager Hope Sullivan provided background information, reviewed the agenda materials in conjunction with displayed slides, and responded to questions of clarification. (10:21:02) Real Property Manager Stephanie Hicks advised of having sent certified letters and of having received one question relative to timing of the abandonment.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve an Abandonment of Public Right-of-Way application from Carson City Public Works (property owner: City of Carson City) to abandon approximately 30,297 square feet of public right-of-way, an area 60 feet wide and up to 508.94 feet long, known as Hemlock Street, between Silver Sage Drive and Center Drive, on property adjacent to APNs 009-236-02, 009-236-03, 009-236-04, 009-239-03, and 009-239-04, based on the findings and subject to the conditions of approval contained in the staff report, and authorize the Mayor to sign the Order of Abandonment.** Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion, and Supervisor Bonkowski thanked the staff for their cooperation. Mayor Crowell called for a vote on the pending motion.

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

**15(C) POSSIBLE ACTION TO APPROVE AN ABANDONMENT OF PUBLIC RIGHT-OF-WAY APPLICATION, FROM CARSON CITY SCHOOL DISTRICT (PROPERTY OWNER: CITY OF CARSON CITY), TO ABANDON APPROXIMATELY 7524 SQUARE FEET OF PUBLIC RIGHT-OF-WAY, KNOWN AS CORBETT STREET, WEST OF NORTH STEWART STREET, ADJACENT TO PROPERTY LOCATED AT 202 EAST CORBETT STREET AND PROPERTY ON EAST JOHN STREET, APNs 002-138-17, 002-153-04, AND -11; REFERENCE AB-17-086 (10:23:34) - Mayor Crowell introduced this item, and opened the public hearing. Planning Manager Hope Sullivan reviewed the agenda materials in conjunction with displayed slides. Mayor Crowell entertained Board member questions or comments and public comments. When no questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve an Abandonment of Public Right-of-Way application, from Carson City School District (property owner: City of Carson City) to abandon approximately 7,524 square feet of public right-of-way, known as Corbett Street, on property adjacent to APN 002-138-17, 002-153-04, and 002-153-11, based on the findings and subject to the conditions of approval contained in the staff report, and authorize the Mayor to sign the Order of Abandonment. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.**

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

## 16. FINANCE DEPARTMENT

**16(A) PUBLIC HEARING ON THE CITY'S INTENT TO ISSUE GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000, FOR THE PURPOSE OF FINANCING SEWER PROJECTS FOR THE CITY (10:26:08) - Mayor Crowell introduced this item, and Ms. Paulson reviewed the agenda materials. Mayor Crowell opened the public hearing, and entertained public comment. When no public comment was forthcoming, Mayor Crowell closed the public hearing.**

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**16(B) POSSIBLE ACTION TO APPROVE A GRANT AGREEMENT, BETWEEN THE STATE OF NEVADA COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) PROGRAM (“GRANTOR”) AND CARSON CITY, NEVADA (“GRANTEE”), TO RECEIVE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FUNDING, THROUGH AN ALLOCATION FROM THE STATE ADMINISTERED CDBG PROGRAM (10:27:19)** - Mayor Crowell introduced this item and entertained disclosures. Supervisor Barrette read a prepared disclosure statement into the record, and advised that he would abstain from discussion and action on this item. Mayor Crowell entertained additional disclosures and, when none were forthcoming, Ms. Paulson reviewed the agenda materials.

Mayor Crowell entertained public comment and, when none was forthcoming, Board member questions or comments. Ms. Paulson responded to questions of clarification. Mayor Crowell entertained additional questions or comments and, when none were forthcoming, a motion. **Supervisor Bagwell moved to approve a grant agreement, between the State of Nevada Community Development Block Grant Program and Carson City, Nevada, to receive U.S. Department of Housing and Urban Development funding through an allocation from the state-administered CDBG Program. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [4 - 0 - 1]
<b>MOVER:</b>	Supervisor Lori Bagwell
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors Bagwell, Abowd, Bonkowski, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor John Barrette

**17. CLERK - RECORDER - POSSIBLE ACTION TO APPROVE THE SOFTWARE LICENSING AGREEMENT AND THE SOFTWARE MAINTENANCE AGREEMENT (FOR A DURATION OF 3 YEARS FOR MAINTENANCE WITH ANNUAL PAYMENTS OF \$14,250) WITH PIONEER TECHNOLOGY GROUP, LLC, FOR AN AMOUNT OF \$134,150, PLUS A CONTINGENCY AMOUNT OF \$5,000, FOR POSSIBLE THIRD PARTY DATA AND IMAGE CONVERSIONS, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$139,150, TO BE FUNDED FROM THE CAPITAL PROJECTS FUND / SOFTWARE REPLACEMENT ACCOUNT AND THE GENERAL FUND / IT SOFTWARE MAINTENANCE ACCOUNT, AND TO AUTHORIZE SUBSEQUENT RENEWALS FOR MAINTENANCE IN THE MANNER AND IN THE AMOUNT DESCRIBED IN THE SOFTWARE MAINTENANCE AGREEMENT (10:31:52)** - Mayor Crowell introduced this item. Ms. Merriwether provided background information and reviewed the agenda materials. Chief Information Officer Eric Von Schimmelmann and Ms. Merriwether responded to questions of clarification. In response to a comment, Mayor Crowell provided background information on Advanced Data Systems. Ms. Merriwether thanked ADS for their service over many years. “They have given us excellent support and it’s been wonderful working with them.”

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve the Software License Agreement and the Software Maintenance Agreement, for a duration of three years for maintenance with annual payments of \$14,250, with Pioneer Technology Group, LLC, for an amount of \$134,150, plus a contingency amount of \$5,000**

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for possible third-party data and image conversions, for a total not-to-exceed amount of \$139,150, to be funded from the Capital Projects Fund / Software Replacement account and the General Fund / IT Software Maintenance Account, and to authorize subsequent renewals for maintenance in the manner and in the amount described in the Software Maintenance Agreement. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [5 - 0]
<b>MOVED:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor Lori Bagwell
<b>AYES:</b>	Supervisors Abowd, Bagwell, Bonkowski, Barrette, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

### **18. 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** (10:46:11) - Mayor Crowell reported that seven citizens have submitted "issues and solutions" for the Mayor's Challenge.

#### **STAFF COMMENTS AND STATUS REPORTS**

**RECESS AND RECONVENE BOARD OF SUPERVISORS** (10:46:50) - Mayor Crowell recessed the meeting at 10:46 a.m., and reconvened at 1:30 p.m.

### **19. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION**

**19(A) POSSIBLE ACTION ON APPROVAL OF A PLANNED UNIT DEVELOPMENT THAT WOULD LIMIT THE ALLOWED USES AND CONDITIONAL USES, LIMIT THE BUILDING HEIGHT, AND LIMIT THE SIGNAGE ON THE PROPERTY ZONED NEIGHBORHOOD BUSINESS, LOCATED AT 806 RANDELL DRIVE, APN 009-072-01; 19(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO AMEND THE ZONING MAP BY RESCINDING A RESOLUTION OF INTENT AFFECTING PROPERTY ZONED NEIGHBORHOOD BUSINESS, LOCATED AT 806 RANDELL DRIVE, APN 009-072-01; ZMA-17-049; 19(C) POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A SPECIAL USE PERMIT, SUP-17-050, FOR A CHILD CARE FACILITY, ON PROPERTY ZONED NEIGHBORHOOD BUSINESS WITH A RESOLUTION OF INTENT, LOCATED AT 806 RANDELL DRIVE, APN 009-072-01; and 19(D) POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A VARIANCE, VAR-17-054, TO ALLOW A REDUCTION, FROM FOUR ON-SITE PARKING SPACES TO ONE ON-SITE PARKING SPACE FOR A CHILD CARE FACILITY, ON PROPERTY ZONED**

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**NEIGHBORHOOD BUSINESS WITH A RESOLUTION OF INTENT, LOCATED AT 806 RANDELL DRIVE, APN 009-072-01** (1:31:34) - Mayor Crowell introduced and combined items 19(A) through (D). He entertained disclosures, and Supervisor Bonkowski read into the record a prepared disclosure statement. Supervisor Bonkowski advised he would not participate in discussion and action, and left the meeting room. Mayor Crowell entertained additional disclosures; however, none were forthcoming.

Planning Manager Hope Sullivan provided background information, and reviewed the agenda materials in conjunction with displayed slides. Ms. Sullivan responded to questions of clarification, and extensive discussion ensued.

Mayor Crowell invited Nevada Builders Alliance CEO Aaron West to the meeting table. In response to a question, Mr. West advised that “the zone change and the PUD are merely recommendations from the Planning Commission to the Board of Supervisors. ... And then ... the appeal of the special use permit and the variance are the other items.” Mr. West provided detailed background information, and requested “additional consideration for some things that have come to light as we’ve gone through this process. ... possibly allowing more uses in terms of health and fitness like yoga, massage therapy, chiropractic ... Pilates. There might be an opportunity there as well.”

Mr. West provided background information on the variance in conjunction with displayed slides, and on the daycare proposal. Mr. West and Ms. Sullivan responded to questions of clarification, and extensive discussion ensued.

Mayor Crowell entertained public comment. (2:16:31) Michael Bashor described the location of his property relative to the subject property, improvements to his property, and plans for future improvements. Mr. Bashor expressed appreciation for the assistance of Mr. West and Ms. Sullivan to help explain ‘what this is all about. And it simply comes down to us for the child care. They’re asking of upwards of 36 children to be 30 feet from my door. I have neighbors with children. One of them is sitting here with me and ... we love the kids in the neighborhood coming around to play but 36 children right on my back door seems quite excessive. I understand that there are properties on the west side and throughout Carson City that do have large child care facilities in their neighborhoods but those neighborhoods are much larger than ours. ... most of these properties are approximately 6,000 square feet and 6,000 square feet, you can’t get 20-foot setbacks like you’re supposed to have. ... the setback that’s only five feet on his west side is five feet from a 12-foot cinderblock wall. ... these are small ... lots and I just don’t feel comfortable, nobody in our neighborhood ... is comfortable with the child care. And I agree ... the neighborhood businesses that are on the list ... Pilates, yoga ... an MMA fighting dojo, that’s fine. It’s 36 children and their parents dropping them off is the concern for the parking and the traffic and the noise. And me and my wife ask you, please, to take this into consideration. We moved into this property knowing what was there and we’re hoping that it doesn’t change.” Mr. Bashor responded to questions of clarification.

Lynda Bashor introduced herself, for the record, and advised of having met with several of the neighbors. “And, again, ... we’ve worked with Aaron as much as possible and with Hope. And I have met with some of the neighbors that live in the condos and I know that they have submitted letters to you as well. And they do park on the street in the evening just because of the spill over of them living in there. So it’s not to the point of where they’re taking up that entire street. By no means. ... not to be on both sides of the fence, but really, too, ... I want Aaron and their business to be successful. They own that property. I would never go in and tell my neighbor ... you have to put a kitchen. ... But to have ... 36 vehicles there, that’s a lot. ... that street, Randell, dead ends into our neighborhood. People go down Little Lane and, to avoid that light, they pass through our neighborhood and it’s been going on prior to me living there. And ... to allow

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for a yarn or Pilates or anything on that list besides something that's going to generate tons of noise or potentially crawling up my fence to get into my backyard. ... We're not unopposed to that and we will definitely always work with Aaron on whatever is going to generate money for our City. Most definitely."

(2:23:26) Isai Marichamy advised that he is a neighbor to the Bashors, and that he has a young child with whom he "hangs out in the back yard during weekdays in the evenings and on the weekends. And I can tell you 20 kids need not be outside to make noise. They can still be inside and make so much noise to bother the neighbors. ... That's the biggest concern of ours. Even 20 kids inside the house, not even getting outside the house, can make enough noise that can reach our house and beyond that. And that is our main concern and we lose our enjoyment of our backyard as well as our home. And, in addition, I have the same concerns about the parking. On Randell, we always see some kind of truck and trailer parking because of the condo lawn maintenance company. So it's not always empty. It's being used. If you drive over there, you will see the lawn maintenance company for the condos park their truck with a trailer so it's not always empty. Most of the day times, it has parking in it and we always have noise from the USPS facility. Five o'clock, everyday, we are woken up by the big rigs that come into the USPS facility. We put up with that. Now, we are going to put up with all the noise all day long and that is the biggest concern we have."

(2:26:31) Cheryl LaCombe introduced herself as a "life-long Carson City resident, a public employee, and a mother of a young child." She read a prepared statement into the record expressing support for the "proposed amendment to the zoning to the Randell Drive property." She discussed support for the proposed day care center, and responded to questions of clarification.

(2:29:09) Theresa Gantenbein provided background information on her home daycare operation. She stated, "I have a list of parents that need child care. ... it's very hard for them to find a good child care for children under 2, 3, and 4 years old. ... I have several ... that are full time and I have several that are part time. What that means is that I have a couple parents [whose children] I watch for two to three days a week because they're nurses. My husband, David, ... is a nurse. So I understand those long hours. So that's where we get the hours from 6:00 to 8:00; not that those children are outside at those times. I just want to express that. Trust me, I'm not a morning person. I don't like playing outside at 7:00 in the morning. ... the kids come in and they eat breakfast and they play inside.

"I would like to expand my business because I have such a request right now. ... I haven't even advertised. The parents that I do have have extended to their friends and their families that they love coming to my home with their children. They have entrusted me with their little ones every day and their children love coming to my home. They play inside. They play outside ... If you knew this house that Aaron has ... there are four different offices and ... child care licensing came in and said ... this is the size of each room, this is the amount of children you can have in each room. Different ages in each room. So it's not all 36 children would be outside in the yard making noise from 6:00 in the morning until 5:30, 7:00 at night.

"You're thinking a lot of noise. They're not elementary kids. They're not high school kids out there screaming. They're little babies. They're infants. Yes, they make noise. ... we deal with it. A lot of the times we just take them back inside to see what's going on. But there's not that much noise. I've been in this for two years and it's not an elementary school. We don't have ... 10 classes outside playing recess all at once, running around ... They're not that bad, really.

"This building would be perfect because of the different rooms that he has ... The backyard is perfect. On the one side of the house is nothing but what they tell us has to be a sand area. It has one neighbor on that side. That's where they're going to be primarily. There's a little grass area but they tend to play on the

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equipment more than just in the grass. As far as children climbing on the fence, they're not taller than this table. They cannot take down that fence. They cannot climb it. They're not on the fence. I have a home now, they're not on the fence. I can guarantee they're not going to tear down the neighbors' fences.

"As far as the parking, ... they're there five minutes in the morning, five minutes in the evening. They come at different times. I have one mom that comes in at 6:30 and I have another mom that comes in at 8:00. I don't have 36 cars out front all at once. Never do I even have ... three cars out there at once. It's public parking because of the side streets ... They were saying the variance of the one wall is next to the post office. There's no house over there so I don't know what that means as far as five feet. There's a parking lot there, nobody over there to complain about them being on the wall ... I just ... really, really want you guys to approve this because I really want to put four or five moms to work. I really want to help out these working parents that have a very hard time finding a good daycare. I want mine to be one of the best daycares in this town and I want to improve that for my parents."

In response to a comment, Ms. Gantenbein advised "there are other daycares in town ... How do you approve one daycare in a housing area that has no parking compared to what Aaron has on his where there's a whole side street and ... they're not parking in front of anybody's house. They're not blocking anybody's driveway and, as a business owner, I ask my parents to respect my neighbors. ... don't park in front of their house. Don't use their driveways as turnarounds. It's just common sense. Turn around how you have to. Go around the block. I've driven in that neighborhood and where the neighbors are behind us, you have to drive down Randell Drive and go to the left and then go to the left again and they're in a circle. My people are not going to drive by their house every single day. They have to go through another neighborhood to go by their house so I don't understand where the traffic for them comes in. There's two exits in that whole neighborhood that I've seen that I could get in and out of there. And I fully understand their, ... I respect their wishes ... too but I would love to have this business as it is desperately needed in our town." Ms. Gantenbein responded to questions of clarification.

(2:37:46) David Gantenbein discussed the benefits of having a daycare in a residential area, and suggested considering worse scenarios than what is likely to result from a day care. He assured the Board that, as lessors, they will be responsible for any damage to fences. He further assured the Board that if "noise becomes an issue, then ... everybody that's watching these children will have to deal with that appropriately."

Ms. Sullivan responded to questions of clarification, and discussion ensued. (2:43:15) Mayor Crowell recessed the meeting at 2:43 p.m., and reconvened at 2:50 p.m.

Mayor Crowell entertained additional public comment and, when none was forthcoming, additional discussion of the Board members took place. Mayor Crowell entertained additional public comment. (3:13:10) Lynda Bashor provided an overview of discussion which took place during the Planning Commission meeting. She expressed concern that "we're going back and forth on this. And I understand this is a really difficult situation. I've heard this. This is very emotional for me. This is my home, to the point of I don't want to sell my home to have to move. I understand ... the young lady that came up. I was a single mom my daughter's entire life. This has just been very emotional, from May until now. I understand about child cares. In the last meeting, we were there, the Planning Commission approved new child cares for our community. To say that the neighbors looking ... to the right of that property basically doesn't exist; there are renters there. There's a property there but that keeps being said. There is a fence

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line there with people that live there; that it is affecting them too. They're not coming forward because they're renters. They're not getting the notices to come and hear and speak. ... Isai that spoke today is part of that. ... we do deal with the Post Office noise.

'Back to the parking, trucks sit outside there every day, big rigs, to go in there. To say that my home ... that you have to go in my neighborhood before my home is exposed to that, I hear all of that and I understand this is a really difficult situation. And to say that a yoga that, yes, 30 people would be parked out there. I think the Bondis said it well; that, yes, we have this couple out here that wants this business more than anything. And I know that's difficult. And that on that list there's nobody that's come forward to say, 'yes, I want to do yoga' or have a tea shop in there. They have a viable business that has come to them and said, 'this is what we want to do,' but at the last meeting we were here with the Planning Commission. That was it. We were done. It was said that 'okay, the writing's on the wall. The entire neighborhood has said that this is not going to work for us and that we have worked with Aaron exhaustively and let's put this to rest.' And now, today, we're back here saying that, 'please let us do this again,' and the work has continued on the back side of our fence to prep for a child care. We see it. ... I can see on the other side of my fence. Cassinelli has been there prepping it for the child care so he's ready to move forward with that and we want to just be done with this.

'I understand that, whether it's 20 cars outside there or ... there could be 20 or 36 people coming to drop off their kids. I'm just saying that it's a small neighborhood and it's just, I get it. I know that behind Adele's there's that child care that's there. There's a few homes in there mixed in with businesses. We don't have any other businesses. The condos that are there, that HOA was able to buy that strip of land and keep from putting a strip mall there. We're getting ready to have additional condos put on Little Lane and we just want to keep our neighborhood. BAWN is five parcels in. We have the Post Office. We have substantial noise from the Post Office but we knew that when we bought that property. All of us did. And ... the time that this meeting takes place, our neighbors all can't be here to tell you the same thing that my husband, myself, and the letters that you've all received. And I feel for them. I understand you want to do that child care. I don't want people to not be successful but we're just asking you to please follow what the Planning Commission has said. And there really isn't a good way for parking for any of those because it just is a wider street that then goes narrow and goes into our neighborhood and the Bondis, if you look at their letter, will tell you our cluster box is right there for where we get our mail and it's just a difficult ... situation. And I understand why we're spending so much time when you guys have other agenda items that you should probably be moving on and getting to. Aaron has pleaded his case and they have a piece of property they own but ... I don't know what we do here."

Mr. West responded to additional questions of clarification, and additional discussion took place among the Board members and Ms. Sullivan. Mayor Crowell entertained a motion for item 19(A). **Supervisor Bagwell moved to approve a request from the Nevada Builders Alliance for a planned unit development so as to limit the land uses to the uses listed in the staff report, and an amendment to the title portion that will allow the permitted uses under residential office, to wit: art gallery, massage therapy, museum, office park, single-family two-family dwelling, tea house, and health / fitness; the building must stay single story; and to limit the signage not to exceed two feet by three feet, on property located at 806 Randell Drive, APN 009-072-01, based on the findings contained in the staff report and discussion on the record today.** In response to a question, Supervisor Bagwell explained the intent of her motion to disallow the child care facility. Ms. Sullivan offered additional clarification. **Mayor Crowell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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<b>RESULT:</b>	Failed [2 - 2 - 1]
<b>MOVER:</b>	Supervisor Lori Bagwell
<b>SECOND:</b>	Mayor Robert Crowell
<b>AYES:</b>	Supervisor Bagwell and Mayor Crowell
<b>NAYS:</b>	Supervisors Abowd and Barrette
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Brad Bonkowski

Extensive discussion followed and Ms. Sullivan provided detailed background information on the events leading up to the subject hearing. Mayor Crowell entertained a motion. **Supervisor Abowd moved the previous motion with the inclusion of the child care. Supervisor Barrette seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

Ms. Sullivan responded to additional questions of clarification, and acknowledged that, based on the previous motion, the child care will be a conditional use under the planned unit development.

Mayor Crowell entertained a motion for item 19(B). **Supervisor Barrette moved to introduce, on first reading, Bill No. 121, an ordinance to rescind the Resolution of Intent associated with the zoning, on property located at 806 Randell Drive, APN 009-072-01, based on the findings contained in the staff report. Supervisor Abowd seconded the motion.** Mayor Crowell called for a vote.

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

(3:42:34) In reference to item 19(C), Ms. Sullivan reviewed proposed conditions of approval based on the discussion which had taken place at this meeting, as follows: "For the benefit of the record, ... I've heard discussion on a three-year expiration of this special use permit. I'm not sure if that's an expiration or a public review. I would need clarification on that. The use may only operate on weekdays, Monday through Friday. The condition ... 13, which limits the number of children to 20, would be removed. And condition 14 ... would be modified; that's the use of the outdoor area to read '8:00 a.m. to 5:30 p.m.'" Discussion took place to clarify the three-year expiration condition of approval for the special use permit, and Ms.

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Sullivan offered the following suggested language: "This use permit is subject to staff review after three years from the date of Board action. The staff ... will review compliance with all conditions. Should the staff find any violation of conditions, the staff is encouraged to refer the matter to the Planning Commission for a public hearing and review."

Mayor Crowell entertained a motion. **Supervisor Abowd moved to uphold the appeal and to overturn the decision of the Planning Commission on the special use permit for a child care facility, on property zoned neighborhood business located at 806 Randell Drive, subject to the conditions as stated for the record.** Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

<b>RESULT:</b>	Approved [3 - 1 - 1]
<b>MOVER:</b>	Supervisor Karen Abowd
<b>SECOND:</b>	Supervisor Lori Bagwell
<b>AYES:</b>	Supervisors Abowd, Bagwell, Barrette
<b>NAYS:</b>	Mayor Robert Crowell
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Brad Bonkowski

(3:45:44) Mayor Crowell entertained discussion relative to item 19(D). Following a brief discussion, Mayor Crowell entertained a motion. **Supervisor Bagwell moved to reverse the Planning Commission's decision and grant the appeal for the variance to allow a reduction, from four on-site parking spaces to one on-site parking space for a child care facility, on property zoned neighborhood business, located at 806 Randell Drive, based on the ability to find that there are special circumstances applicable to the subject property, including shape, size, topography, and location of surroundings; strict application of the zoning ordinance would deprive the subject property of the privileges enjoyed by other properties in the vicinity or under identical zone classifications; including the conditions of approval outlined in the staff report.** Supervisor Abowd seconded the motion. Following discussion on the motion, Mayor Crowell called for a vote.

<b>RESULT:</b>	Approved [3 - 1 - 1]
<b>MOVER:</b>	Supervisor Lori Bagwell
<b>SECOND:</b>	Supervisor Karen Abowd
<b>AYES:</b>	Supervisors Bagwell, Abowd, Barrette
<b>NAYS:</b>	Mayor Robert Crowell
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	Supervisor Brad Bonkowski

**19(E) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT, BETWEEN CARSON CITY AND THE MYERS FAMILY EXEMPT TRUST; THE ARRAIZ FAMILY 1993 TR 10/18/93; RD LOMPA LLC, A NEVADA LIMITED LIABILITY COMPANY; AND LOMPA RANCH EAST HILLS LLC, A NEVADA LIMITED LIABILITY COMPANY, REGARDING THE DEVELOPMENT OF A PROJECT KNOWN AS THE LOMPA RANCH NORTH SPECIFIC PLAN AREA, APNs 010-041-16, -38, -52, -70, -71, -75, AND -76 - Deferred.**

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**20. PUBLIC COMMENT** (3:48:20) - Mayor Crowell entertained public comment; however, none was forthcoming.

**21. ACTION TO ADJOURN** (3:48:30) - Mayor Crowell adjourned the meeting at 3:48 p.m.

The Minutes of the August 17, 2017 Carson City Board of Supervisors meeting are so approved this 21<sup>st</sup> day of September, 2017.

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ROBERT L. CROWELL, Mayor

ATTEST:

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SUSAN MERRIWETHER, Clerk - Recorder