

**CARSON CITY BOARD OF SUPERVISORS**

**Minutes of the November 16, 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, November 16, 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:** Nick Marano, City Manager  
Aubrey Rowlett, Chief Deputy Clerk  
Nancy Paulson, Deputy City Manager  
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 (8:32:)**

- Mayor Crowell called the meeting to order at 8:33 a.m. Ms. Rowlett called the roll; a quorum was present. Salvation Army Lieutenant Mark Cyr provided the invocation. At Mayor Crowell's request, Chief Financial Officer Jason Link led the Pledge of Allegiance.

**5. PUBLIC COMMENT (8:35:34)** - Mayor Crowell commented on the rain and minor flooding in the streets. He advised that Public Works Department staff has been out all night working on the flooding issues. He reminded everyone to work hard to keep rain and debris from storm drains, and advised anyone experiencing flooding issues to contact the Public Works Department.

Mayor Crowell entertained additional public comment. (8:37:32) Sharon Rosse, of the Capital City Arts Initiative, distributed informational materials to the Board members and the Clerk and described the new Sierra Room art exhibit. She also described the exhibits at the courthouse art gallery and the permit center art gallery.

Mayor Crowell entertained additional public comment. (8:39:24) Salvation Army Lieutenant Mark Cyr provided a report on his recent participation in the Santa Rosa wildfire relief efforts. Mayor Crowell thanked Lieutenant Cyr and the Salvation Army. He entertained additional public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON APPROVAL OF MINUTES - October 19, 2017 and November 2, 2017 (8:44:20)** - Mayor Crowell entertained suggested revisions to the minutes and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the minutes of October 19, 2017, as presented. The motion was seconded and carried unanimously. Supervisor Bonkowski moved to approve the minutes of November 2, 2017, as presented. Supervisor Abowd seconded the motion. Motion carried 3-0-2, Supervisor Bagwell and Mayor Crowell abstaining.**

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7. **POSSIBLE ACTION ON ADOPTION OF AGENDA (8:45:50)** - Mayor Crowell introduced this item, and entertained modifications to the agenda. When no agenda modifications were forthcoming, Mayor Crowell deemed the agenda adopted, as published. (1:33:24) Mayor Crowell modified the agenda to address item 27(C) prior to 27(A).

**CONSENT AGENDA**

(8:46:00) - Mayor Crowell introduced the consent agenda, and entertained disclosures. Supervisor Abowd read a prepared disclosure statement into the record, and advised that she would participate in discussion and action on item 10(A). Mayor Crowell entertained additional disclosures; however, none were forthcoming. At the request of one of the Supervisors, Mayor Crowell advised that items 12(A) and (B) would be heard separate from the consent agenda. When no additional requests to hear items separate from the consent agenda were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the consent agenda, consisting of items 8, 9, 10 with the version of the Lease Agreement distributed as late material, and 11. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, entertained requests from the public to hear items separate from the consent agenda. When no requests were forthcoming, Mayor Crowell called for a vote on the pending motion.

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

8. **CITY MANAGER - POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF OCTOBER 7, 2017 THROUGH NOVEMBER 3, 2017**

9. **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 NOVEMBER 3, 2017, PURSUANT TO NRS 251.030 AND NRS 354.290**

10. **PARKS AND RECREATION DEPARTMENT - POSSIBLE ACTION TO APPROVE THE LEASE OF 1,600 SQUARE FEET OF BUILDING SPACE, LOCATED AT 864 EVALYN DRIVE, TO TRUCKEE MEADOWS PARKS FOUNDATION, A NON-PROFIT NEVADA CORPORATION, FOR PUBLIC BENEFIT**

11. **PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO APPROVE AMENDMENT NO. 1 OF THE WESTERN NEVADA SAFE ROUTES TO SCHOOL AGREEMENT, AGREEMENT NO. PR062-17-063, WITH THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION**

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**12. PURCHASING AND CONTRACTS**

**12(A) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1718-062 WITH SLOAN VAZQUEZ McAFEE FOR SOLID WASTE FRANCHISE AGREEMENT CONSULTING SERVICES, FOR A NOT-TO-EXCEED TOTAL AMOUNT OF \$117,660, TO BE FUNDED FROM THE LANDFILL PROFESSIONAL SERVICES ACCOUNT (8:48:42)** - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Rader reviewed the agenda materials. Construction Manager Rick Cooley introduced Sloan Vazquez McAfee Principal Joe Sloan, and reviewed details of the contract. Mr. Sloan responded to questions of clarification, and discussion followed.

Mayor Crowell entertained additional Board member questions or comments and public comments. When no additional questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve Contract No. 1718-062, with Sloan Vazquez McAfee for Solid Waste Franchise Agreement Consulting Services, for a not-to-exceed total amount of \$117,660, to be funded from the Landfill Professional Services Account. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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| <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   |

**12(B) POSSIBLE ACTION TO APPROVE THE PURCHASE OF BURN INSULATION MATERIAL FROM FIRE FACILITIES, INC., FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$58,530.89, TO BE FUNDED FORM THE REPAIRS / TRAINING FACILITIES ACCOUNT IN THE CAPITAL PROJECTS FUND (9:04:41)** - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Rader reviewed the agenda materials. Fire Chief Sean Slamon reviewed details of the proposed purchase. Ms. Paulson responded to questions of clarification. Supervisor Bagwell requested to have the purchase appropriately allocated to operating costs and capital costs.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bagwell moved to approve the purchase of burn insulation material from Fire Facilities, Inc. for a total not-to-exceed amount of \$58,530.89, to be funded from the Repairs / Training Facility Account in the Capital Projects fund. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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| <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   |

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**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**13. ITEMS PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME** (8:48:40) - Please see the minutes for items 12(A) and 12(B).

**14. RECESS BOARD OF SUPERVISORS MEETING** (9:10:48) - Mayor Crowell recessed the Board of Supervisors meeting at 9:10 a.m., and passed the gavel to Redevelopment Authority Chair Karen Abowd.

**REDEVELOPMENT AUTHORITY**

**15. CALL TO ORDER AND ROLL CALL** (9:11:00) - Chairperson Karen Abowd called the Redevelopment Authority meeting to order at 9:11 a.m., noting the presence of a quorum.

**16. PUBLIC COMMENT** (9:11:06) - Chairperson Abowd entertained public comment; however, none was forthcoming.

**17. POSSIBLE ACTION ON APPROVAL OF MINUTES - June 1, 2017 and June 15, 2017** (9:11:15) - Chairperson Abowd introduced this item, and entertained a motion. **Member Bonkowski moved to approve the minutes, as presented. Member Barrette seconded the motion. Motion carried 5-0.**

**18. CITY MANAGER - POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AN AGREEMENT, BETWEEN CARSON CITY, CARSON CITY REDEVELOPMENT AUTHORITY, AND CHRIS RUSSELL, PURSUANT TO THE INCENTIVE PROGRAM FOR REDEVELOPMENT PROJECT AREA NO. 2: SOUTH CARSON STREET - CARSON AUTO ROW; THE INCENTIVE WILL BE IN THE FORM OF A 30% REBATE OF THE BASIC CITY - COUNTY RELIEF TAXES AND SUPPLEMENTAL CITY - COUNTY RELIEF TAXES (SALES TAXES) GENERATED BY THE NEW AUTO SALES DEALERSHIP LOCATED WITHIN CARSON CITY REDEVELOPMENT PROJECT AREA NO. 2, FOR A MAXIMUM REBATE AMOUNT OF \$3,500,000** (9:11:46) - Chairperson Abowd introduced this item. Mr. Marano provided background information on this item, and reviewed the provisions of the agreement which was included in the agenda materials. Discussion took place, between Ms. Fralick and Supervisor Bonkowski, regarding the addition of dispute resolution provisions. Discussion took place regarding various provisions contained in the agreement, and Mr. Marano summarized the provisions of the proposed agreement. Chairperson Abowd noted the location of the property as the old Craft Market.

(9:23:14) Chairperson Abowd welcomed Chris Russell and Chief Financial Officer Paul Stevens, of Chris Russell Auto Group. Mr. Russell thanked the Board for the opportunity, and narrated a SlideShow presentation which was displayed in the meeting room. Mr. Stevens reviewed the projected economic impact of the dealership over a 15-year period. Mr. Russell introduced a commercial which was played in the meeting room, and then discussed the same. Mr. Stevens discussed the jobs to be made available relative to the provisions of the proposed agreement and previous discussion.

At Chairperson Abowd's request, Mr. Marano advised that the main difference between the proposed partnership and what has been done with other car dealers in the past is construction of the commercial driveway. "Everything else is a rebate based on the sales tax generated by the business once they hit that

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30-full-time employee number. ... the other deals, each one of them are different and ... there's been a couple amendments to each one of them but the previous auto incentive deals involved either money or property, sometimes both, up front. So ... the taxpayer is not footing any additional bill for this specific agreement so it's purely a sales tax rebate. We're going to rip up all that curb, gutter and sidewalk driveway on Carson Street and put all new ones in anyway. We're just going to move that part forward. So I think that's the main difference between the previous and the current auto incentive deals."

Supervisor Bonkowski read into the record a portion of the resolution which created Carson City Redevelopment Area No. 2. Extensive discussion followed, between the Board members, Mr. Russell, Mr. Stevens, and City staff regarding various provisions of the proposed agreement. Ms. Fralick advised that she would work with Mr. Russell's attorney to revise the agreement. She summarized the Board's direction, as follows: to provide for a mediation / arbitration process; to maintain 30 employees or the incentive is abated for the quarter, to be verified annually; at least 50% of the employees to be Carson City residents, if feasible; and the \$3 million rather than the \$3.5 million rebate. Additional discussion followed.

Chairperson Abowd entertained additional member comments and public comments. When no additional comments were forthcoming, she entertained a motion. **Member Crowell moved to approve an agreement, between Carson City, Carson City Redevelopment Authority, and Chris Russell, pursuant to the Incentive Program for Redevelopment Project Area No. 2; South Carson Street - Carson Auto Row. The incentive will be in the form of a 30% rebate of the Basic City - County Relief Taxes and Supplemental City - County Relief Taxes generated by the new auto sales dealership located within Carson City Redevelopment Project Area No. 2, for a maximum amount of \$3 million, subject to the following conditions: that there is an aspirational goal of 50% of the employees coming from Carson City; that the agreement is for 20 years; that the amount is \$3 million, not \$3.5 million; that there is a quarterly ratchet on whether or not they have met the 30 full-time employees requirement; and that there is to be a dispute resolution clause that is standard with other City agreements. Vice Chairperson Bagwell seconded the motion.** Chairperson Abowd entertained discussion on the motion. Member Barrette and Vice Chairperson Bagwell commented on their support for the motion. Chairperson Abowd called for a vote on the pending motion.

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| <b>RESULT:</b>  | <b>Approved [5 - 0]</b>   |
| <b>MOVER:</b>   | <b>Member Robert Crowell</b>  |
| <b>SECOND:</b>  | <b>Vice Chair Lori Bagwell</b>  |
| <b>AYES:</b>    | <b>Member Crowell, Vice Chair Bagwell, Members Bonkowski, Barrette, and Chair Abowd</b> |
| <b>NAYS:</b>    | <b>None</b>   |
| <b>ABSENT:</b>  | <b>None</b>   |
| <b>ABSTAIN:</b> | <b>None</b>   |

Mr. Russell thanked the Redevelopment Authority members.

**19. PUBLIC COMMENT (10:19:01)** - Chairperson Abowd entertained public comment; however, none was forthcoming.

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**20. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY MEETING (10:19:07)** - Chairperson Abowd adjourned the Redevelopment Authority meeting at 10:19 a.m. and returned the gavel to Mayor Crowell.

**21. RECONVENE BOARD OF SUPERVISORS MEETING (10:30:55)** - Mayor Crowell reconvened the Board of Supervisors meeting at 10:30 a.m.

**22. CITY MANAGER - POSSIBLE ACTION TO APPROVE AN AGREEMENT, BETWEEN CARSON CITY, CARSON CITY REDEVELOPMENT AUTHORITY, AND CHRIS RUSSELL, PURSUANT TO THE INCENTIVE PROGRAM FOR REDEVELOPMENT PROJECT AREA NO. 2: SOUTH CARSON STREET - CARSON AUTO ROW; THE INCENTIVE WILL BE IN THE FORM OF A 30% TAX REBATE OF THE BASIC CITY - COUNTY RELIEF TAXES AND SUPPLEMENTAL CITY - COUNTY RELIEF TAXES (SALES TAXES) GENERATED BY THE NEW AUTO SALES DEALERSHIP LOCATED WITHIN CARSON CITY REDEVELOPMENT PROJECT AREA NO. 2, FOR A MAXIMUM REBATE AMOUNT OF \$3,500,000 (10:31:05)** - Mayor Crowell introduced this item, noting that it corresponded to item 18 on the Redevelopment Authority agenda. Mayor Crowell entertained public comment and, when none was forthcoming, incorporated the entire record relative to item 18. He entertained a motion. **Supervisor Bonkowski moved to approve an agreement, between Carson City, Carson City Redevelopment Authority, and Chris Russell, based on the same terms and conditions as approved by the Redevelopment Authority. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**23. FINANCE DEPARTMENT**

**23(A) POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF CARSON CITY, NEVADA HOSPITAL REVENUE AND REFUNDING BONDS (CARSON-TAHOE REGIONAL HEALTHCARE PROJECT), SERIES 2017, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$111,073,000, TO FINANCE COSTS OF ACQUIRING, CONSTRUCTING, AND EQUIPPING ADDITIONAL HEALTH AND CARE FACILITIES AND SUPPLEMENTAL FACILITIES FOR A HEALTH AND CARE FACILITY FOR THE BENEFIT OF CARSON-TAHOE REGIONAL HEALTHCARE, A NEVADA NONPROFIT CORPORATION, AND TO REFINANCE CERTAIN OBLIGATIONS PREVIOUSLY ISSUED BY THE CITY FOR THE BENEFIT OF CARSON-TAHOE REGIONAL HEALTHCARE; MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO SUCH PROJECT AND SUCH BONDS; DELEGATING TO CITY OFFICIALS THE AUTHORITY TO DETERMINE CERTAIN FINAL TERMS OF THE BONDS; AUTHORIZING EXECUTION BY THE CITY OF A LOAN AGREEMENT, AN INDENTURE OF**

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**TRUST, A BOND PURCHASE AGREEMENT, ONE OR MORE ESCROW AGREEMENTS, IF NECESSARY, AND CERTAIN CLOSING DOCUMENTS IN CONNECTION THEREWITH; REPEALING RESOLUTION NO. 2017-R-37 AND RESOLUTION NO. 2017-R-38 IN THEIR ENTIRETY; RATIFYING ALL CONSISTENT ACTIONS HERETOFORE TAKEN TOWARD THE ISSUANCE AND SALE OF THE BONDS (10:32:15)** - Mayor Crowell introduced this item, and entertained disclosures. Supervisors Abowd and Bonkowski and Mayor Crowell read prepared disclosure statements into the record. Supervisor Bonkowski advised that he would abstain from participating in discussion and action on this item. John Peterson, of JNA Consulting Services, provided an overview of the effect of recently proposed tax law revisions. He explained that one of those revisions would directly impact the proposed transaction for the hospital because it would prohibit private activity bonds. He reviewed the agenda materials, and responded to questions of clarification.

Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Peterson reiterated there is no financial obligation of the City for these bonds. "They are solely secured by the pledge of revenues from Carson-Tahoe Hospital." Mayor Crowell entertained Board member questions or comments and, when none were forthcoming, a motion. **Supervisor Abowd moved to adopt Resolution No. 2017-R-39, a resolution authorizing the issuance of Carson City, Nevada Hospital Revenue and Refunding Bonds, Carson-Tahoe Regional Healthcare Project, Series 2017, in an aggregate principal amount not to exceed \$111,073,000 to finance costs of acquiring, constructing, and equipping additional health and care facilities and supplemental facilities for a health and care facility for the benefit of Carson-Tahoe Regional Healthcare, a Nevada nonprofit corporation; and to refinance certain obligations previously issued by the City for the benefit of Carson-Tahoe Regional Healthcare; making determinations as to the sufficiency of revenues as to the other matters related to such projects and such bonds; delegating to City officials the authority to determine certain final terms of the bonds and authorizing execution by the City of a loan agreement and indenture of trust, a bond purchase agreement, one or more escrow agreements, if necessary, and certain closing documents in connection therewith; repealing Resolution No. 2017-R-37 and Resolution No. 2017-R-38 in their entirety; ratifying all consistent actions heretofore taken toward the issuance and sale of the bonds. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Barrette discussed his support of the motion. Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote.

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

**23(B) POSSIBLE ACTION TO ADOPT A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,875,000, FOR THE PURPOSE OF FINANCING SEWER PROJECTS FOR THE CITY;**

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**PROVIDING THE MANNER, FORM, AND CONTENTS OF THE NOTICES; AUTHORIZING THE CITY MANAGER OR THE CITY’S CHIEF FINANCIAL OFFICER TO ARRANGE FOR THE SALE OF THE BONDS; AND PROVIDING THE EFFECTIVE DATE (10:40:44)** - Mayor Crowell introduced this item, and John Peterson, of JNA Consulting Group, reviewed the agenda materials. Mr. Peterson responded to questions of clarification. Mayor Crowell entertained public comment; however, none was forthcoming. Ms. Paulson responded to questions of clarification. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2017-R-40, a Resolution of Intent proposing the issuance of and authorizing the publication of notices relating to the General Obligation (Limited Tax) Sewer Bonds (additionally secured by pledged revenues), in the aggregate principal amount not to exceed \$4,875,000, for the purpose of financing sewer projects for the City; providing the manner, form, and contents of the notices; authorizing the City Manager or the City’s Chief Financial Officer to arrange for the sale of the bonds; and providing the effective date. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**23(C) POSSIBLE ACTION TO RECOMMEND TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) APPROVAL OF THE CARSON CITY FY 2018 SECOND ROUND OF FUNDING RECOMMENDATIONS, IN THE AMOUNT OF \$132,334, TO IMPLEMENT PROGRAMS ASSOCIATED WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”)** (10:43:53) - Mayor Crowell introduced this item, and entertained disclosures. Mayor Crowell read a prepared disclosure statement into the record, and advised that he would participate in discussion and action on this item. Supervisor Bagwell read a prepared disclosure statement into the record, and advised that she would participate in discussion and action on this item. Supervisor Barrette read a prepared disclosure statement into the record, and advised that he would abstain from participating in discussion and action on this item. Mayor Crowell advised that all three disclosures were previously discussed with counsel.

Grants Administrator Ana Jimenez reviewed the agenda materials, and responded to questions of clarification. (10:48:36) Mayor Crowell welcomed Accessible Space, Inc. Regional Representative Denise Coons. Ms. Coons provided background information on Frost-Yasmer Estates, and reviewed the funding application. She responded to questions of clarification.

(10:56:20) Mayor Crowell welcomed Salvation Army Lieutenant Mark Cyr to the meeting table. Lieutenant Cyr reviewed the application which was included in the agenda materials, and responded to questions of clarification. Discussion followed, and Supervisor Bonkowski recommended applying for the next round of funding “after you’ve already closed on the building. And we know that we can actually give you the money and that you can use it. Because right now, ... I don’t think you can close on the building

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by December 31<sup>st</sup>, and it would require us to set that money aside on the hopes that you close and, then if you don't, we'd have to meet again and re-allocate that to somebody else. So, for that reason, I would really have difficulty approving the application today." Mayor Crowell agreed.

Transportation Manager Lucia Maloney responded to questions regarding the North Carson Street Pedestrian Improvements application which was included in the agenda materials.

Mayor Crowell entertained public comment and, when none was forthcoming, Ms. Jimenez reviewed possible funding options. Ms. Jimenez responded to questions of clarification, and discussion followed. Mayor Crowell tabled the subject item in order to provide Ms. Coons the opportunity to make a phone call. (11:13:06) Mayor Crowell welcomed Ms. Coons to the meeting table. In response to a question, Ms. Coons advised that the Frost-Yasmer elevator project will move forward.

Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to recommend the U.S. Department of Housing and Urban Development approval of the Carson City FY 2018 second round of funding recommendations, in the amount of \$53,015 to Accessible Space Yasmer Estates and \$79,319 to Carson City Public Works. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Mayor Crowell expressed the opinion that the Salvation Army project is important for Carson City. He expressed understanding over the issues associated with awarding funding at this meeting, and requested Lieutenant Cyr to resubmit the application for the next round of funding. Mayor Crowell entertained additional discussion on the motion and, when none was forthcoming, called for a vote.

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

**24. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO APPROVE AMENDMENT NO. 2 TO CONTRACT NO. 1415-112, DOWNTOWN CARSON STREET URBAN DESIGN TO LUMOS & ASSOCIATES, INC. TO EXTEND THE CONTRACT TERMS THROUGH SEPTEMBER 30, 2018, AND FOR AN ADDITIONAL \$238,900, FOR A TOTAL CONTRACT AMOUNT OF \$1,374,926, TO BE FUNDED FROM VARIOUS CAPITAL ACCOUNTS (11:08:42) -** Mayor Crowell introduced this item, and entertained disclosures. Supervisor Abowd read a prepared disclosure statement into the record, and advised that she would participate in discussion and action on this item. Supervisor Bonkowski 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; however, none were forthcoming.

Purchasing and Contracts Administrator Laura Rader reviewed the agenda materials. City Engineer Dan Stucky reviewed details of the project, and the reason for the amendment. Supervisor Abowd pointed out a necessary correction to page 2 of 11, Assumptions and Exceptions.

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Mayor Crowell entertained additional questions or comments of the Board members and of the public. When no additional questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Abowd moved to approve Amendment No. 2 to Contract No. 1415-112, Downtown Carson Street Urban Design, to Lumos & Associates, Inc. to extend the contract term, through September 30, 2018, and for an additional \$238,900, for a total contract amount of \$1,374,926, to be funded from various capital accounts. Supervisor Bagwell seconded the motion.**

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

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

**25(A) POSSIBLE ACTION TO ADOPT BILL NO. 127, ON SECOND READING, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT, BETWEEN CARSON CITY AND THE MYERS FAMILY EXEMPT TRUST; ARRAIZ FAMILY 1992 TRUST 10/18/93; RD LOMPA LLC, A NEVADA LIMITED LIABILITY COMPANY; LOMPA RANCH EAST HILLS LLC, A NEVADA LIMITED LIABILITY COMPANY; AND TERRASAS & TRIPP LLC, A NEVADA LIMITED LIABILITY COMPANY, REGARDING THE DEVELOPMENT OF A PROJECT KNOWN AS THE LOMPA RANCH NORTH SPECIFIC PLAN AREA, ASSESSOR'S PARCEL NUMBERS 010-041-16, -38, -52, -70, -71, -75, AND -76 (11:15:33) - Mayor Crowell introduced this item, and Community Development Director Lee Plemel reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to adopt Bill No. 127, on second reading, Ordinance No. 2017-25, an ordinance approving a development agreement, between Carson City and the Myers Family Exempt Trust; the Arraiz Family 1993 Trust 10/18/93; RD Lompa LLC, a Nevada limited liability company; Lompa Ranch East Hills LLC, a Nevada limited liability company; and Terrasas and Tripp 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. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Barrette discussed his support of the motion. Supervisor Abowd encouraged continued effort to ensure an access onto East William Street. Mayor Crowell entertained additional discussion and, when none was forthcoming, 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 Brad Bonkowski  |
| <b>AYES:</b>    | Supervisors Abowd, Bonkowski, Bagwell, Barrette, and Mayor Crowell |
| <b>NAYS:</b>    | None   |
| <b>ABSENT:</b>  | None   |
| <b>ABSTAIN:</b> | None   |

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**25(B) POSSIBLE ACTION TO ADOPT BILL NO. 128, ON SECOND READING, AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR SCHULZ RANCH, BETWEEN CARSON CITY; LENNAR RENO, LLC; AND RYDER-DUDA CARSON, LLC, ON APNs 009-311-64; 010-671-06, -07, -08, -09, -10, -11, -12, -13, -14, -15; 010-701-01 THROUGH -20; 010-702-01 THROUGH 09; 010-703-01 THROUGH -32; 010-704-01 THROUGH -53; 010-705-01 THROUGH -15; 010-711-01 THROUGH -10; 010-712-01 THROUGH -28; 010-713-01 THROUGH -09; 010-714-01 THROUGH -22; AND 010-715-01 THROUGH -10, TO CHANGE THE REQUIREMENT TO COMPLETE THE CENTRAL NEIGHBORHOOD PARK LOCATED IN PHASE 3 TO BEFORE THE ISSUANCE OF THE 250<sup>TH</sup> BUILDING PERMIT (MISC-17-114) (11:18:30) - Mayor Crowell introduced this item, and Special Projects Planner Susan Pansky reviewed the agenda materials. Mayor Crowell entertained questions or comments of the Board members and the public and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to adopt Bill No. 128, on second reading, Ordinance No. 2017-26, an ordinance approving the Second Amendment to the Development Agreement for Schulz Ranch, between Carson City; Lennar Reno LLC; and Ryder-DUDA Carson LLC, on the APNs published in the agenda, to change the requirement to complete the central neighborhood park located in Phase 3 to before the issuance of the 250<sup>th</sup> building permit. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.****

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

**25(C) POSSIBLE ACTION TO APPROVE A FINAL SUBDIVISION MAP, KNOWN AS SCHULZ RANCH, PHASE 3 FROM LENNAR RENO, LLC, RESULTING IN THE CREATION OF 111 RESIDENTIAL LOTS, ON PROPERTY ZONED SINGLE-FAMILY 6,000 - SPECIFIC PLAN AREA (SF6-SPA), LOCATED ON RACE TRACK ROAD, APN 010-571-07, WHICH FULLY COMPLIES WITH ALL OF THE CONDITIONS OF APPROVAL AS CONTAINED IN THE SCHULZ RANCH COMMON OPEN SPACE DEVELOPMENT AGREEMENT, AS AMENDED, PURSUANT TO THE REQUIREMENTS OF CARSON CITY MUNICIPAL CODE (FSM-17-073) (11:20:01) - Mayor Crowell introduced this item, and Special Projects Planner Susan Pansky reviewed the agenda materials. Civil Engineer Dan Birchfield and Community Development Director Lee Plemel responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve a Final Subdivision Map, known as Schulz Ranch, Phase 3, from Lennar Reno, LLC, resulting in the creation of 111 residential lots, on property zoned Single Family 6,000 - Specific Plan Area, located on Race Track Road, APN 010-671-07, which fully complies with all of the conditions of approval, as contained in the Schulz Ranch Common Open Space Development Tentative Map Notice of Decision 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.****

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

**26. 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 (11:26:43)** - Supervisor Bagwell invited everyone to the art exhibit honoring Native Americans at the Wungnema House, on Friday November 17<sup>th</sup> at 5:00 p.m. She advised of having recently attended a 4-H function, and commended the event. Mayor Crowell recapped his recent trip to Washington, D.C., together with Mrs. Crowell and Supervisor Bagwell. He discussed the importance of pursuing support for the TIGER grant and the Greening of America grant. Supervisor Bagwell provided additional detail. Mr. Marano announced the Silver & Snowflakes Christmas Tree Lighting ceremony and the Hot Chocolate and Empty Bowls event to follow at City Hall.

**STAFF COMMENTS AND STATUS REPORTS**

**RECESS AND RECONVENE BOARD OF SUPERVISORS MEETING (11:34:01)** - Mayor Crowell recessed the meeting at 11:34 a.m., and reconvened at 1:33 p.m.

**27. PUBLIC WORKS DEPARTMENT**

**27(A) POSSIBLE ACTION TO PROVIDE RECOMMENDATION TO THE BUREAU OF LAND MANAGEMENT REGARDING THE SALE OF FOUR PARCELS; ONE LOCATED ON SOUTH EDMONDS DRIVE, APN 010-192-04, AND THREE LOCATED OFF FLINT DRIVE, APNs 008-011-94, 010-691-05, AND A PORTION OF APN 008-011-17, IDENTIFIED FOR DISPOSAL IN THE OMNIBUS PUBLIC LANDS MANAGEMENT ACT OF 2009 (1:38:33)** - Mayor Crowell introduced this item, and provided the format for receiving public testimony. Real Property Manager Stephanie Hicks provided an overview of the agenda item, and introduced Open Space Administrator Ann Bollinger, Bureau of Land Management Sierra Front Field Office Assistant Field Manager Victoria Wilkins, City Engineer Dan Stucky, and Development Engineer Steven Pottey. Ms. Bollinger provided background information on the Omnibus Public Lands Management Act of 2009, in conjunction with displayed slides. Ms. Hicks reviewed the agenda materials in conjunction with displayed slides. Ms. Wilkins reviewed the National Environmental Policy Act (“NEPA”) and National Historic

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Preservation Act (“NHPA”) requirements relative to the subject item. Ms. Wilkins, Ms. Hicks, and Ms. Bollinger responded to questions of clarification.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to direct staff to forward to the BLM the recommendation for disposal of four parcels; one located on South Edmonds Drive, APN 010-192-04, and three located off Flint Drive, APNs 008-011-94, 010-691-05, and a portion of 008-011-17, in accordance with the provisions of the Omnibus Public Lands Management Act of 2009, as presented by staff. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**27(B) POSSIBLE ACTION TO PROVIDE RECOMMENDATION TO THE BUREAU OF LAND MANAGEMENT REGARDING THE SALE OF FOURTEEN PARCELS LOCATED IN THE PINION HILLS NEIGHBORHOOD, APNs 010-082-04; 010-083-06; 010-084-03; 010-084-02; 010-087-05; 010-087-06; 010-087-07; 010-087-08; 010-093-03; 010-094-02; 010-093-05; 010-097-02; 010-098-01; AND 010-098-02, IDENTIFIED FOR DISPOSAL IN THE OMNIBUS PUBLIC LANDS MANAGEMENT ACT OF 2009 (2:02:34)** - Mayor Crowell introduced this item, and Real Property Manager Stephanie Hicks provided an overview of the presentation. Open Space Administrator Ann Bollinger provided an overview of the Omnibus Public Lands Management Act process in conjunction with displayed slides. Ms. Hicks reviewed the agenda materials in conjunction with displayed slides, and responded to questions of clarification. Bureau of Land Management Sierra Front Field Office Assistant Field Manager Victoria Wilkins reviewed the NEPA and NHPA processes relative to the subject item.

Ms. Hicks invited Nevada Division of Water Resources Water Rights Section Chief Mark Sivazlian and USGS Nevada Water Science Center Director Dave Berger to the meeting table. Mr. Sivazlian discussed his observations of the area’s hydrology. Mr. Berger reviewed the requirements for drilling domestic wells. Mr. Sivazlian and Mr. Berger responded to questions of clarification, and extensive discussion followed.

Mayor Crowell entertained public comment. Supervisor Bonkowski requested each of the citizens to indicate their interest in acquiring adjacent parcels. Supervisor Abowd requested each of the citizens to indicate their interest in the City requiring the parcels to be two acres. Supervisor Barrette requested each of the citizens to indicate whether they “feel boxed ... or in actually buying [the parcels] for purpose.”

(2:26:57) Attorney Jennifer Mahe, representing Kirby Nish, discussed “a substantial issue regarding water quantity and water quality in the Pinion Hills area. There does not seem to be ... any substantial information that would imply that it’s not an issue.” In response to a question, Ms. Mahe advised that her statement was “based on the cumulative data that the homeowners have acquired over years, decades really, of living

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there. These are individuals who have been residing there ... back into the early '90's who have been forced to redrill wells to deeper depths or who are forced to treat their water and have encountered situations where their plumbing has corroded over time and has had to be replaced. ... it's anecdotal. It's certainly not scientific evidence but it's not as if it doesn't exist. There are a number of homeowners, it sounds like at least 63, who attended the open house who are reporting, at least a majority of them, that they're encountering substantial water quantity and water quality issues. With nothing in opposition of that, it would seem to me to be an issue that would need to be addressed."

In response to a question, Ms. Mahe discussed a "responsibility to people who would purchase now. So you're looking at selling 14 lots which, depending on where you land on zoning, could turn into 28 potential new residents who would then have to either treat their water so that it was potable or be exposed to this poor water quality. There's existing homeowners ... who are treating this water and dealing with the issue now. ... I don't know that selling these lots would change that for those homeowners that are out there but it would affect an additional up to 28 homeowners if they were subdivided and those additional lots were zoned one acre ... So simply, from a responsibility standpoint for the Board, you're talking about selling to 28 new individuals who will then have this same issue. That's ... the water quality issue.

"The water quantity is different. It does seem that, and even based on what we just heard from USGS and the Division of Water Resources, ... wells will impact the existing aquifer. And so putting in an additional 14 to 28 wells will presumably stress the aquifer that exists now and, by doing that, you will affect the quantity of water that is available for the residents that live in the Pinion Hills area now. It's possible, with scientific studies, that maybe that's not the case. It sounds like there's some concerns that maybe this is drought related. But regardless of that, the anecdotal evidence that we have at this point says there is truly a water quantity issue in the Pinion Hills area and I think that it would be irresponsible and an abuse of discretion for the Board to ignore that issue and just move forward with such limited scientific data available at this point as to what the impact would be with the additional up to 28 wells being placed in the aquifer."

(2:32:06) Kirby Nish advised that he has resided in the Pinion Hills area for over 40 years and requested the Board to consider "that homeowners purchased their residences with expectation of enjoying the continued rural character of the neighborhood. And heretofore BLM has been a good steward in that it has embraced the notion of the slow growth over time, a balanced growth, meaning recreational, conservatory use, in contrast with the Federal Lands Act and Omnibus Lands Bill, whose exclusive thrust is that of development. So I see an overarching problem with respect to the exclusive focus on self-sell with the shortsighted expectation of gain for the City through ... new property taxes.

"I look, as a homeowner, at problems that have been brought to the attention of the Board; specifically, the inadequate water quantity and I am testimonial to that. My well runs dry. I have a pump saver that shuts the well off when it's dry. I have to wait hours for the water to recover and this is after my having re-drilled a couple of times to make the well as deep as I can. I'm at currently approximately 295 feet ... I know a homeowner ... that has drilled 375 or 390 feet. Another property owner tells me that his house was vacant due to 'no water.' And moreover, well drillers have adumbrated the ... essential point that there are problems with the water; specifically, questionable potability.

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“In following the *Nevada Appeal* articles over the past several years, I see challenges to the City for the quality of Carson City wells in Carson City proper, the downtown. And, clearly, the water in our residential area pains in comparison to that much better water in the downtown. So I question what future water challenges the City would face with EPA, through NEPA, over the marked lesser quality. I know my water comes from the ground a brownish color and one of the chemicals that has been flagged as arsenic, etc., albeit in trace quantities but my research over the internet has disclosed a pattern of increasing amounts of minerals a function of proximity to the Carson River. And also a function of proximity to mining operations and, as of note, several years ago and for probably about a decade west of Sedge which is the entrance to Brunswick Canyon, there was a mining operation there. What they were doing with respect to the ... specifics of their mining is questionable but there was that mining presence.

“I’m looking at, from the City’s perspective, the notion of impact fees. ... no disrespect, but typically a municipality that is looking at domestic wells and septic is trending away toward municipal water and City sewer. As an example, Lyon County mandates that residents that have City utilities running by their parcel upon sale or development transition from the old septic well to the City utilities. And this seems a step backwards. Rather than City wells and City sewer infrastructure, we ... would be maintaining the old infrastructure for those parcels. And in terms of ... impact fees, ... when there’s a problem with respect to development, costs, liability commonly ... will pass those costs along to a developer. ... In this case, we have no developer to hold accountability for the quality of his well, for his sewer system. So these costs would be exclusively borne by the City so the liability would be retained by the City and I look at the cost of putting in this new infrastructure, i.e., more than one well for the Pinion Hills area along with City sewer and I’m looking at ... tens of millions of dollars at the outset and, moreover, if there are questions with respect to potability of the water, perhaps liability issues and I think of Flint, Michigan and I know that’s an egregious example and not on the scale that we are in Pinion Hills but certainly we have a water quality problem.

“Finally, we have the slope of the properties. Instead of being a flat, ... buildable parcel, most all parcels in question are sloped each year post rains. I see the City crews ... doing the excavating and trying to keep the water in check and though we have a sewer assessment on paper, constructively, there are no extant sewers in Pinion Hills. So you’re looking at tens of millions of dollars infrastructure and more exponentially that of functional liability. And also an ancillary problem, liability problem ... are the power lines running immediately behind the parcels in Pinion Hills. That is a major link between Reno. The source is Douglas County and there have been residents who have succumbed to cancer and I, myself, am a cancer survivor so there is that issue as well.”

In response to the question of zoning, Mr. Nish expressed a preference for “consistency. Two acres meshed with one acre makes little sense. ... if developed, it’ll probably end up being one-acre parcels, i.e., a double drain with respect to the demand for water. And I look at the first right of refusal, the opportunity perhaps to buy a parcel, not as a positive thing where I’m buying land as one normally would but buying to limit the development, to maintain the privacy surrounding my house. And I submit that for a homeowner buying up parcels to attempt to retain the privacy they now enjoy is untenable. So it’s an overarching transmogrification from a rural character of our neighborhood to an urban, figuratively overnight. Hence, I’m markedly opposed.”

In response to a question, Ms. Hicks advised of privately-owned parcels in the area which do not have residences constructed. Mr. Nish responded to questions of clarification regarding the purchase of his

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property. Ms. Mahe suggested that BLM or the City may be required to disclose, at the point of the auction, that “there is potential for the property ... to have either water quality or water quantity issues and what that would do to the value that you may recover from selling these parcels.” In response to a question, Ms. Wilkins described the environmental site assessment process conducted by BLM. “But, as far as any sort of disclosure or potential limitations on development, the expectation is that the buyer does due diligence and looks into those things independently.” Supervisor Bonkowski suggested that some of the items should be covered under the appraisal to determine fair market value. “So there would be value adjustments based on those types of issues if they’re documentable.” Ms. Wilkins agreed, and advised that “if there are no documented issues that may constrain uses of the parcel or may affect value of the parcel, that’s all information we provide to the Office of Evaluation Services and they factor that in when determining the fair market value.”

(2:46:09) Brian Coclich described the water quality at his home, and the multi-stage filtration system necessary for using the water. He advised of never having been aware of the public process associated with the Omnibus Public Lands Management Act, and that he and his wife purchased their parcel “and the property next to us so that we would have BLM on both sides. Really, our family was just looking at getting back to a rural-type lifestyle that we had when we were growing up. So that’s why we did it and so ... we’re concerned ... if those are sold and developed, especially if they are subdivided into one-acre parcels. Our opinion is, if it is sold, that they would be kept as two-acre parcels ... From our research, BLM does allow for right of first refusal in cases. We’re not aware, in fact today’s the first we’ve heard, that this particular case it wouldn’t be allowed but we would be interested ..., if they were to be sold, to purchase adjoining properties so that we can maintain ... and restrict development in our neighborhood.” Mr. Coclich responded to questions of clarification.

Ms. Mahe suggested that “selling the properties now and having people here say that they would buy them doesn’t really solve the problem down the road. It might put the problem off a couple decades but, as people pass away and their estates move to additional owners or down to children, it’s not as if those properties couldn’t then be sold to someone else and developed. So you may resolve the problem now by boxing in the ... current owners into buying these properties but, down the road, the assumption would have to be that those would end up in additional private ownership and that they would be able to be developed.” In response to a question, Ms. Mahe stated, “Selling the properties doesn’t, by default, solve that drainage issue. It just puts additional homeowners in an area where they have ... noted drainage problems. There may or may not be options to address drainage with the homeowners and that would be probably a separate topic, between the Board and the homeowners in Pinion Hills in general, regarding who’s responsible for drainage issues or maintaining the properties out there. Obviously, not approving it and letting it go forward, as far as we would know, would leave that problem in place. I think that, in reality, approving it and letting it go forward leaves the problem in place and just exposes additional homeowners to it.”

Mr. Coclich agreed that drainage “would be a big consideration” with additional homes. In response to a question, Ms. Hicks advised that any building permit application would include considerations for drainage. “It would allow the City to place some formal easements on them as well as give us some enforceability because now there’s a responsible homeowner that we could contact with issues. So we do feel that could improve the drainage issue.” In response to a question, Ms. Wilkins advised that the Omnibus Public Lands Management Act was written in such a way as to transfer lands to Carson City for the purpose of open space and to provide some parcels that would be available for disposal for growth and economic development to the City. “And also to alleviate some management issues with those isolated parcels that

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are really challenging for BLM to manage currently.” Supervisor Bonkowski clarified that the City does not receive the proceeds from any sale under the OPLMA. “... the only benefit to the City ... theoretically is that economic development is good for the City.” Ms. Bollinger provided additional clarification.

Mayor Crowell entertained additional public comment. (2:55:51) Merlyn Paine expressed wholehearted support of the previous comments. She advised of having resided in the Pinion Hills area for 24 years, and provided background information on purchase of her property. She discussed her background and experience in earth science and discussed concerns relative to the aquifer. She referenced her letter, included in the agenda materials, and discussed the abandoned property of an adjacent neighbor and the depth of another adjacent neighbor’s well. She advised of having replaced well pumps; well casings; household faucets, garbage disposals, and clothes washers over the years. “There are a lot of issues here. Erosion is rather obvious ... and the intersection at Deer Run and Pursia is sometimes blocked and has to be cleared before cars can continue down a major arterial.” Ms. Paine responded to questions of clarification regarding the erosion, and described the route of the drainage easement. In response to a further question, she expressed the opinion that development should not be allowed to occur in the area, even if there was currently none. “My personal, highest concern is the aquifer and it is getting drier here and it is getting warmer and the aquifer is being tapped continually by more and more homes and that’s not a good thing. The other thing that’s happening out there is the septic systems are going in there and, of course, they’re supposed to drain down into the aquifer, going through the filtering levels of particulates and all the other good things that clean the water. But there is a nitrogen problem and it’s included very nicely in the staff report that there’s an issue here and any systems that go in have to be equipped with a denitrification system to make that ... reasonable to go back down into the aquifer. The more homes we have out there, the more it’s going to be a problem and, even in my immediate neighborhood which is one-acre to 1.15 acres, they have to bring in surveyors to figure out where’s the well, ... where’s my septic system and then they have slopes, where can they put their well, and then where can they put their septic system and it’s this constant puzzle that goes back and forth and it’s very complex.”

Ms. Paine discussed additional concerns over the aquifer, “and yet there’s a proposal to punch a bunch more holes in and draw out water for just about any use. ... because the wells are not monitored, they can do anything they want. They can put in a reservoir pool just because it looks pretty. Just a nice pond. Nobody has to be out there on drip irrigation. ... they can put in landscaping like crazy and just tap on the aquifer. There’s no restriction out there whatsoever.

“If the water quality gets worse, which it would; if the aquifer continues to dry up, that means that more and more people are going to have more and more problems trying to get water for their existing homes. ... in the staff report, the strategic goal is quality of life and that’s kind of an issue here. There are existing residents and we moved out there, whether we knew there was going to be a water problem or not, ... we’re still out there. We really like it in a lot of ways. In other ways, it’s a constant headache and every once in a while I get up to here ... but then I look around and say no, this is worth it. I don’t mind shoveling debris off of my driveway as it comes down the slope and the right-of-way. I don’t really care if the bull dozers keep me from going out onto Deer Run for half a day. I don’t really care about that stuff.

“So, if we’re talking about quality of life, the existing plus the responsibility to any future buyers and the ... disclosure is a huge issue and the City is responsible for making that decision.” Ms. Paine expressed appreciation for the background research reflected in the staff report. “We’re talking about 28 acres. 28 acres, that’s all, out of 8,000 that was transferred. Okay, so the City is not going to get the sales money.

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Their maintenance and their problems are going to go way up if these parcels are developed. What does the City get out of it? Well, if you estimate ... \$3,000 a year tax assessment on each parcel, it comes out to be \$42,000 a year revenue to the City. Now, the City runs on not thousands of dollars but hundreds of thousands and millions of dollars in revenue and expenditures. This is pennies. This is nothing. Even if all 28 parcels were developed and, let's pretend, \$3,000 per parcel per year, \$84,000 a year. It's nothing. To go through all of this effort and the BLM issues and the City issues and the ongoing maintenance and the ongoing complaints and concerns from the residents, I can't see that it's worth it.

"Now, obviously, I'm opposed. I hope that you do not pass this on as a recommendation and, furthermore, I think that I'm certainly not interested in buying a parcel out there. I'm certainly not. Number one, they're not going to be cheap. This is not a throw away kind of a deal. The parcels that sold most recently, two in front of me, were about \$250,000 each." In response to a question, Ms. Paine was unaware of the disclosure on the two parcels. She advised that she and her husband had made offers on the parcels "according to the assessed value and we were quickly outbid and it was turned over. But the most recent is between \$200,000 and \$300,000. Your point is exactly on. I don't know what the disclosure was. My guess is that it wasn't much or the other thing in that area is a lot of buyers buy in, say this is really pretty, we want horses, stuff like that. And they have no idea what they're getting into ..." Ms. Paine reviewed details of the necessary water treatment.

Ms. Paine responded to questions of clarification, and stated "it's not a question of sour grapes and not-in-my-backyard kind of thing. I'm really worried about the resources and the people who are already there, whether they bought three years ago, or whether they bought 42 years ago, or certainly the people who might get into it now." Ms. Paine responded to additional questions of clarification.

(3:11:29) Charlene Baron advised of having lived in the subject area for 20 years. "We were given full disclosure, through our real estate agent, as to the water ... quality. We could not close without a reverse osmosis system on the drinking water. Didn't have to be the whole house. That was eaten up by the water within three years and we decided not to replace it and just to buy water at the grocery store ... The water quality ... we live with and it's part of the pioneer spirit for me that you have to deal with. Ours is 133 degrees in our well and ... it eats up the faucets and the grout and everything but it's just part of living up there and I like it because I'm not living in Reno ...

"One of the points that Ann or Victoria brought up is that, in selling these properties, it was ... creating a space for BLM not to have to many disposable properties. ... at least six, probably seven, of those properties are abutting BLM lands, open lands. So, in disposing of them, all you've done is gone up the hill further. And it's not going to solve any drainage problems because the drainage problem is coming from higher up on the hill. But I don't see any reason to dispose of the properties that just abut BLM. They've been there that way for years and ... it doesn't make sense to me. ... we're putting more stress on the aquifer. We're putting more septic systems on essentially one-acre lots. I really look at the septic system as being as big ... of a problem as the water quantity problem. ... I moved from 20 acres to the one acre and I really do wonder whether one acre is a big enough partition between homes and septic systems to really not have an effect on the water as it percolates through the soil." In response to a question, Ms. Baron expressed opposition to two-acre parcels.

"If you're telling me you had to approve this, it would be better if it wasn't 28 homes. I just don't see the reason for it. I don't understand why it's necessary. You've got a couple of parcels that are between two

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homes. That kind of makes more sense than 28 but ..., like we've been saying, nobody's maintaining these properties, nobody has maintained those properties in the 20 years that I've been there, and it hasn't caused, except for erosion on our heavy, heavy rain days, and it's part of living up in the hills."

In response to a question, Ms. Wilkins advised that the parcels which abut BLM property were included in the legislation. She clarified they were identified "by blocks. ... those parcels ... have to do with how they were parceled by the City. And our maps are title plats. They're actually large blocks so ... each contiguous set of parcels is one parcel on our maps." She responded to additional questions of clarification in conjunction with a displayed slide.

(3:17:17) Jacquelyn Sandage advised of having lived in the subject area for 23 years. She discussed concern over additional stress to the aquifer. In reference to Ms. Baron's comments, Ms. Sandage stated, "It's not so much the quality. We knew when we bought it that we could not drink the water without running it through reverse osmosis. We knew that it was hot. We knew there were issues. We're on our third pump in our well since we've been there. ... we have a holding tank in the garage. We have reverse osmosis. We have a water softener. We have all the things that everybody else has. That's not the issue. The issue is, as we drill more wells, what happens to the quantity. And then, of course, I talked to a gentleman who was in the septic business for 30 years and he said probably the biggest concern ... one acre. My septic system actually is very close to my neighbor's septic system which I don't know how that got approved when they did the building but kind of wonder how all of that percolates and then drops down ... As we add more houses out there, how much more septic can that ground water absorb and then, of course, what is that run off to the Carson River.

"When we did a VA refinance, they made us test the well. And I asked the guy, 'What are you testing for?' He said, 'The main concern is nitrates so we need to know if there's any fecal matter going into your well.' So those are the concerns that I have. ... and I'm adamantly opposed to the sale. And ... worst case scenario, if you told me that you were going to approve this, then I would say the 14 but I would ask that you don't approve it at all. ... it's been sitting there now since 2006 when they approved this. They didn't feel the need to sell it in 2009. Why do we need to sell it now?" Ms. Sandage responded to questions of clarification, and discussion followed.

Ms. Wilkins, Community Development Director Lee Plemel, and Ms. Hicks responded to questions of clarification, and discussion followed.

Mayor Crowell entertained additional public comment. (3:29:41) Merlyn Paine pointed out, on the vicinity map, "the way it was originally platted by the developer, a lot of the streets that are going up the hillside go down and they run at a 90 degree angle onto Deer Run Road which means, ... really what's going on where the right-of-way is ..., the drainage is going to run down the hill on the right-of-way and it currently runs right across the road into the house ... And we have a number of situations like that where people, when it looks like some rain is going to come and the mudslides are going to come, they're out there sandbagging so that their whole driveway and front yard area are not covered with the mud that's coming down the hill."

Mayor Crowell entertained additional public comment and, when none was forthcoming, recessed the meeting at 3:30 p.m. Mayor Crowell reconvened the meeting at 3:42 p.m.

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Mayor Crowell inquired of Ms. Hicks the benefit to the City of disposing of the parcels. Ms. Hicks suggested considering that these parcels are not currently maintained. "We've talked about drainage but we've also talked about being checker-boarded amongst a developed area, they are not being adequately maintained for fire hazards or weed control and so, again, that would provide us an opportunity to do those things because there would be a responsible owner that is developing the property. It is, again, ... something that has been part of our long-term planning process; not just in our own master plan and zoning but also through BLM's management plan and identified as parcels that they have concerns and issues with maintaining which ... is evidenced by the history. I think, for those reasons, it's important to consider."

Supervisor Abowd compared the subject area to Johnson Lane in Douglas County. "Sandy soil, same thing. BLM land abuts residential area, not maintained higher up, more development, more problems to be maintained. ... in some respects, I hear what you're saying but I also feel like ... this won't address that drainage issue. That drainage is coming from further up and so it's just going to be more parcels impacted by a situation that exists out there simply because of the nature of the soil. So I'm concerned about this in that I feel it kind of follows under the category of sensitive land. And it also concerns me that we are overstressing the aquifer out there. That's evidenced and that concerns me. It also concerns me that the last water study was done 26 years ago ... I do think this is a quality of life issue and so I really can't support the sale ..."

Supervisor Bonkowski stated that his "two reasons for potentially supporting this would be to allow adjacent property owners to purchase the parcels and to mitigate some of the drainage issues on these parcels. I think I'm going to disagree a little bit with Karen that I do think it will help with some of the drainage issues out there; not all of them but some of them because we have a responsible party. On the other side, the potential reasons not to support this, I think that there are enough development hurdles in this area that it's unlikely that you're going to get anybody that's going to want to purchase these that are above market value. The water quality ... is a development issue. It's not really a City issue. It's a development issue just like any other development issue that you have if you purchase this property and want to build a home. The water was bad before any of you built out there. It's going to be bad after we're all gone. Water quantity, however, is a different issue. If we put more wells in there, then obviously it's going to impact the aquifer in that area although we did hear, at least anecdotally ..., that the water levels, at least superficially, may be tied to the weather, the drought patterns more so than the number of actual wells in this area. So, at this point, ... I asked that the homeowners let me know in their comments if they would be interested in purchasing or not. I had two people say that they might be interested in buying. One said no. I talked to one other person who said yes so I've got three people that may potentially be interested in purchasing some of these parcels. I don't know that that's enough to sway me. I would really like to have had a lot more people tell me, ... I want to buy some land out there and keep it open so I haven't made a decision yet but I'd really like to hear what everybody else has to say."

Mayor Crowell advised of being "sensitive to the issues of the parcels being ... there." He commended Ms. Hicks' answer "from the standpoint of perhaps what a responsible point of view is. But, on the other hand, I look at this and I say ... there are issues out there. And if I'm going to exacerbate them, why am I doing that? I don't look at this as being a City money maker. ... I don't look at it from the standpoint of ... if it goes into private hands, are you going to be able to help some of the drainage issues out there and I'm not certain we get there. So, ... I appreciate BLM has a federal law that you're complying with but ... when I look at it and I say, 'What do I accomplish by doing this?' And that's where I'm struggling."

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Supervisor Bagwell commended the points made by the citizens and the Board members as valid. “And that makes the discussion even that much more difficult ... because everybody’s issues are ... important in the overall discussion. And so, to determine which side of the ledger wins, you really have to put the most pros and the cons to each decision And so, as we weigh this, which side has the stronger? And so, if we really believe that the water quantity, not quality, ... because I think that’s all handled by mitigating factors and rules and things that you have to do ... So, I’m going to take that one off the ledger. So now I want to decide whether the quantity of water in the area is appropriate or not and so, if I weighed it from a City perspective, what risk do we have if we allow them and then we find out that the quantity is insufficient and now we have well failures. Does that force the City to have to put in a project to salvage the hundred parcels? ... Do we exasperate or speed up any issues of having to potentially put in a \$10 million water / sewer line? ... For that reason, as I look at the ledger, I’m concerned about the quantity of water and I don’t think the benefits outweigh that potential quantity issue.”

Supervisor Barrette commended the Board members’ previous comments. “I have seen throughout my life ... of covering government and being in government that septic tanks and wells on the fringe of the urban area come back to bite you so I’m going to go with the people here who are saying I don’t think I can make this recommendation. In addition, we live in a high desert which means it could bite you even bigger than you would think otherwise. So, while I’m pro development, I just don’t think I can go with this one. Septic tanks are my big problem but the well problem is also.”

Ms. Wilkins, Ms. Bollinger, and Ms. Hicks responded to questions of clarification. Following discussion, Mayor Crowell commended City and BLM staff on their “remarkable” efforts at analyzing the situation. Mayor Crowell entertained a motion. **Supervisor Abowd moved to not direct staff to forward to the BLM the recommendation for disposal of fourteen parcels located in the Pinion Hills neighborhood. Supervisor Barrette seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Bonkowski commented that “consistent with what we did up on Clear Creek, where we did not approve additional density in that case because we couldn’t service those parcels, we have a situation here where I think I could live with development on these parcels if they were already in private ownership but they’re not. They’re in public ownership so, for that reason, I’m going to go ahead and go with the rest of you here. Mayor Crowell called for a vote on the pending motion.

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

**27(C) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO TERMINATE A LEASE CREATED SEPTEMBER 1, 1974, BETWEEN CARSON CITY, NEVADA (LESSOR), AND DOUGLAS SCOTT KRECK, DECEASED, STEVEN CHRISTOPHER KRECK, AND JEFFREY WESTON KRECK (LESSEES) FOR LOT 59 OF THE CARSON CITY INDUSTRIAL AIRPORT, ALSO KNOWN AS APN 005-062-12; 2450 LOCKHEED WAY (1:33:46) -** Mayor Crowell introduced this item, and entertained disclosures. Supervisor Abowd read a prepared

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disclosure statement into the record, and advised that she would abstain from participating in discussion and action on this item. Supervisor Bonkowski read a prepared disclosure statement into the record, and advised that he would abstain from participating in discussion and action on this item. Mayor Crowell entertained additional disclosures; however, none were forthcoming.

Real Property Manager Stephanie Hicks reviewed the agenda materials, and responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bagwell moved to approve a Notice of Termination of Lease, created September 1, 1974, between Carson City, Nevada, as the Lessor, and Douglas Scott Kreck, Deceased, and Steven Christopher Kreck, and Jeffrey Weston Kreck, Lessee, for Lot 59 of the Carson City Industrial Airpark. Supervisor Barrette 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>  | Approved [3 - 0 - 2]                             |
| <b>MOVER:</b>   | Supervisor Lori Bagwell                          |
| <b>SECOND:</b>  | Supervisor John Barrette                         |
| <b>AYES:</b>    | Supervisors Bagwell, Barrette, and Mayor Crowell |
| <b>NAYS:</b>    | None   |
| <b>ABSENT:</b>  | None   |
| <b>ABSTAIN:</b> | Supervisors Abowd and Bonkowski                  |

**28. PUBLIC COMMENT (4:05:09)** - Mayor Crowell entertained public comment; however, none was forthcoming.

**29. ACTION TO ADJOURN (4:06:08)** - Mayor Crowell adjourned the meeting at 4:06 p.m.

The Minutes of the November 16, 2017 Carson City Board of Supervisors meeting are so approved this 7<sup>th</sup> day of December, 2017.

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ROBERT L. CROWELL, Mayor

ATTEST:

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SUSAN MERRIWETHER, Clerk - Recorder