

CARSON CITY BOARD OF SUPERVISORS

Minutes of the April 5, 2018 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, April 5, 2018 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
Sue Merriwether, Clerk - Recorder
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 (8:31:09) - Mayor Crowell called the meeting to order at 8:31 a.m. Ms. Merriwether called the roll; a quorum was present. Calvary Chapel Pastor Pat Propster provided the invocation. At Mayor Crowell's request, Ms. Paulson led the Pledge of Allegiance.

5. PUBLIC COMMENT (8:33:45) - Mayor Crowell entertained public comment; however, none was forthcoming. At Mayor Crowell's request, Mr. Marano discussed the weather forecast and reviewed sandbag fill locations. He requested residents to check out the culverts and ditches around their homes and their neighbors' homes, and provided contact information for the Storm Center and for the Public Works Department.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - March 1, 2018 and March 15, 2018 (8:37:00) - Mayor Crowell introduced this item, and entertained a motion for the March 1, 2018 minutes. **Supervisor Bonkowski moved to approve the March 1, 2018 minutes, as presented. Supervisor Abowd seconded the motion. Motion carried 5-0.** Mayor Crowell entertained a motion for the March 15, 2018 minutes. **Supervisor Bonkowski moved to approve the March 15, 2018 minutes, with a previously-submitted typographical correction. Supervisor Abowd seconded the motion. Motion carried 5-0.**

7. POSSIBLE ACTION ON ADOPTION OF AGENDA (8:37:53) - Mayor Crowell introduced this item, and advised that item 8(A) would be deferred to a future meeting. Mayor Crowell entertained additional modifications and, when none were forthcoming, deemed the agenda adopted, as published. (10:27:50) At Mr. Marano's suggestion, Mayor Crowell modified the agenda to address item 18 prior to items 17(A) and (B).

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION REGARDING THE VETERAN'S RESOURCE CENTER - Deferred.

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8(B) PRESENTATION OF A PROCLAMATION FOR NATIONAL SERVICE RECOGNITION DAY, APRIL 3, 2018 (8:38:23) - Mayor Crowell introduced this item and, at his request, the Board members joined him on the meeting floor. Mayor Crowell welcomed Nevada Rural Counties RSVP Deputy Director and Chief Financial Officer Nick Providenti, and read the language of the Proclamation into the record. Mr. Providenti read a prepared statement into the record thanking the Board for the Proclamation. He introduced several RSVP staff persons and volunteers who were present in the meeting room, and also acknowledged RSVP Board Members Stacey Giomi and Nick Marano.

8(C) PRESENTATION OF A PROCLAMATION FOR PARKINSON'S AWARENESS MONTH (8:46:11) - Mayor Crowell introduced this item, and invited Brian and Lily Reedy to the meeting table. Mayor Crowell read into the record the language of the Proclamation, and presented the original to Mr. Reedy. Mr. and Mrs. Reedy both expressed appreciation for the Proclamation, and discussed the support group.

CONSENT AGENDA

(8:55:30) - Mayor Crowell introduced the consent agenda. He entertained requests to hear items separate from the consent agenda and, when none were forthcoming, a motion. **Supervisor Bagwell moved to approve the consent agenda for items 9 and 10, as published. Supervisor Barrette 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 Lori Bagwell
SECOND:	Supervisor John Barrette
AYES:	Supervisors Bagwell, Barrette, Abowd, Bonkowski, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

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 MARCH 23, 2018, PURSUANT TO NRS 251.030 AND NRS 354.290

10. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO APPROVE THE PURCHASE OF ONE F150 TRUCK FOR THE OPEN SPACE DIVISION, FROM CAPITAL FORD, THROUGH THE STATE OF NEVADA'S COMPETITIVE BID LIST FOR A NOT-TO-EXCEED AMOUNT OF \$27,196.31, TO BE FUNDED FROM THE QUALITY OF LIFE / OPEN SPACE EQUIPMENT ACCOUNT

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

11. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME -
None.

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12. SHERIFF - POSSIBLE ACTION TO APPROVE THE SUBMISSION OF A DEPARTMENT OF JUSTICE, 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, FOR A BEHAVIORAL HEALTH PEACE OFFICER POSITION (8:56:07) - Mayor Crowell introduced this item. Assistant Sheriff Jerome Tushbant provided background information and reviewed the agenda materials. He introduced LCSW Bekah Bock who, at Mayor Crowell's request, discussed the benefits of the proposed Behavioral Health Peace Officer position based on her experience with Lyon County. Supervisor Bonkowski pointed out necessary corrections to the grant application, and Assistant Sheriff Tushbant discussed the same.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve the submission of the Department of Justice 2018 Edward Byrne Memorial Justice Assistance Grant Program, for a behavioral health peace officer position.** **Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

13. PURCHASING AND CONTRACTS

13(A) POSSIBLE ACTION TO APPROVE THE PURCHASE OF MOTOROLA REPLACEMENT RADIOS, THROUGH JOINDER CONTRACT NO. 06913, EFFECTIVE THROUGH JUNE 30, 2018, THROUGH NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (“NASPO”), FOR A NOT-TO-EXCEED AMOUNT OF \$258,233.62, TO BE JOINTLY FUNDED FROM THE FLEET MANAGEMENT AND AMBULANCE FUNDS (9:03:02) - Mayor Crowell introduced this item, and thanked Purchasing and Contracts Administrator Laura Rader for her service to the City. He commented that Ms. Rader had been “instrumental in making sure that our contract and procurement programs are done in a very professional way. ... she’s been a main stay in City Hall ... She’s always there.” Mayor Crowell commended Ms. Rader’s technical ability and wished her well in her new position of employment.

Ms. Rader reviewed the agenda materials, and Electrical Communications Foreman Shawn Wiese reviewed details of the proposed purchase. Mr. Marano responded to a question of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve the purchase of Motorola replacement radios, through Joinder Contract No. 06913, effective through June 30, 2018, through NASPO for a not-to-exceed amount of \$258,233.62, to be jointly funded from the Fleet Management and Ambulance Funds.** **Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

13(B) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1718-147, ALTERNATIVE SENTENCING DRUG TESTING SYSTEM WITH MICROGENICS CORP., PART OF THERMOFISHER SCIENTIFIC FOR A NOT-TO-EXCEED ANNUAL AMOUNT OF \$64,000, FOR FIVE YEARS WITH TWO (2) ONE-YEAR RENEWAL OPTIONS FOR ONSITE URINALYSIS SUBSTANCE ABUSE TESTING, TO BE FUNDED FROM THE DRUG TESTING FEES ACCOUNT IN THE GENERAL FUND (9:08:20) - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Rader reviewed the agenda materials. Department of Alternative Sentencing Chief Tad Fletcher and Ms. Rader responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve Contract No. 1718-147, Alternative Sentencing Drug Testing System, with Microgenics Corp., part of Thermofisher Scientific, for a not-to-exceed annual amount of \$64,000, for a term of five years and a total not-to-exceed amount of \$320,000, with two one-year renewal options, for onsite urinalysis substance abuse testing facility, to be funded from the drug testing fees account in the general fund. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Bonkowski noted a necessary correction to the contract. Supervisor Abowd wished Ms. Rader well, and thanked Chief Fletcher for pursuing the contract. Mayor Crowell called for a vote on the pending motion.

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

13(C) POSSIBLE ACTION TO APPROVE CONTRACT NO. 1718-138, UP FIT OF PUBLIC WORKS AND EMERGENCY VEHICLES WITH SPENCER MOTORWORKS, LLC, DBA TSA CUSTOM CAR AND TRUCK, FOR A NOT-TO-EXCEED ANNUAL AMOUNT OF \$300,000 FOR FIVE (5) YEARS, TO BE FUNDED FROM VARIOUS CITY ACCOUNTS (9:14:07) - Mayor Crowell introduced this item, and Purchasing and Contracts Administrator Laura Rader reviewed the agenda materials. Fleet Services Supervisor Zach Good responded to questions of clarification. Mayor Crowell entertained Board member and public questions or comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve Contract No. 1718-138, Upfit of Public Works and Emergency Vehicles, with Spencer Motorworks LLC dba TSA Custom Car and Truck, for a not-to-exceed annual amount of \$300,000 for five years, for a total contract amount not to exceed \$1,500,000, to be funded from the various City accounts. Supervisor Barrette seconded the motion.**

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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 John Barrette
AYES:	Supervisors Bonkowski, Barrette, Abowd, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

14. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION - POSSIBLE ACTION TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN A LETTER ACKNOWLEDGING AN APPLICATION FROM NORTHERN NEVADA COMMUNITY HOUSING TO THE STATE OF NEVADA FOR THE USE OF HOME INVESTMENT PARTNERSHIP FUNDS AS PART OF THE FINANCING FOR THE AFFORDABLE HOUSING PROJECT LOCATED AT 680 HOT SPRINGS ROAD, AND THAT THE HOME FUNDS PARTICIPATION WILL TRIGGER A PROPERTY TAX EXEMPTION; AND TO PROVIDE PUBLIC COMMENTS REGARDING THE PROJECT(9:16:52) - Mayor Crowell introduced this item, and Community Development Director Lee Plemel introduced Lisa Dayton, representing the applicant. Mr. Plemel reviewed the agenda materials, and Ms. Dayton provided additional detail. Assessor Dave Dawley responded to questions of clarification regarding the property tax exemption application process, and subsequent annual requirements. Ms. Dayton responded to questions of clarification, and a brief discussion followed.

Mayor Crowell entertained public comment. **Supervisor Abowd moved to approve and authorize the Mayor to sign a letter acknowledging an application from Northern Nevada Community Housing to the State of Nevada for the use of HOME Investment Partnership Funds as part of the financing for the affordable housing project, located at 680 Hot Springs Road, and that the HOME funds participation will trigger a property tax exemption. Supervisor Barrette seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

Mayor Crowell recessed the meeting at 9:26 a.m., and reconvened at 9:37 a.m.

15. HEALTH AND HUMAN SERVICES DEPARTMENT

15(A) POSSIBLE ACTION TO ACCEPT AND PLACE A BUSINESS IMPACT STATEMENT ON FILE WITH THE BOARD OF SUPERVISORS, FINDING THAT THE PROPOSED CHANGES TO CCMC TITLE 9, CHAPTER 9.05, DO NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR THAT THE PROPOSED CHANGES

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DO NOT DIRECTLY RESTRICT THE FORMATION, OPERATION, OR EXPANSION OF A BUSINESS (9:37:09) - Mayor Crowell introduced this item, and Deputy District Attorney Iris Yowell reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept and place a Business Impact Statement on file with the Board of Supervisors finding that the proposed changes to CCMC Title 9, Chapter 9.05, do not impose a direct and significant economic burden on a business or that the changes do not directly restrict the formation, operation, or expansion of a business. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

15(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING TITLE 9, CHAPTER 9.05, HEALTH AND WELFARE - FOOD ESTABLISHMENTS, ADDING AND AMENDING SECTIONS RELATED TO THE PREVENTION OF FOODBORNE DISEASE OR ILLNESS (9:39:09) - Mayor Crowell introduced this item, and Deputy District Attorney Iris Yowell reviewed the agenda materials. Disease Control and Prevention Manager Dustin Boothe responded to questions of clarification. Supervisor Barrette pointed out necessary corrections throughout the bill. Ms. Yowell provided an overview of discussion, between herself, Mr. Boothe, and Supervisor Barrette relative to appeal procedures. Ms. Yowell distributed, to the Board members and the Clerk, copies of proposed language for Section 4(e) and reviewed the same.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 105, an ordinance amending Title 9, Chapter 9.05, Health and Welfare - Food Establishments, adding and amending sections related to the prevention of food borne disease or illness, with the amended language to page 3, adding Section 4(e), as presented, and with the non-substantive typographical errors corrected. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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15(C) POSSIBLE ACTION TO APPROVE CARSON CITY HEALTH AND HUMAN SERVICES APPLYING FOR THE TITLE X FAMILY PLANNING SERVICES GRANT, THROUGH THE OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH, OFFICE OF POPULATION AFFAIRS; FEDERAL FUNDING OPPORTUNITY NUMBER: PA-FPH-18-001 (9:52:05) - Mayor Crowell introduced this item, and Health and Human Services Department Director Nicki Aaker reviewed the agenda materials. Clinical Services Manager Veronica Galas responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bagwell moved to approve Carson City Health and Human Services applying for the Office of the Assistant Secretary for Health, Office of Population Affairs, federal funding opportunity number PA-FPH-18-001. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

16. FINANCE DEPARTMENT

16(A) DIRECTION AND POSSIBLE ACTION TO FIND THAT THE CITY HAS SUFFICIENT FINANCIAL RESOURCES TO PAY THE INCREASED SALARIES FOR ELECTED CITY OFFICERS AND THE BOARD OF SUPERVISORS FOR FISCAL YEAR 2019, AND TO APPROVE THE INCREASE AS OUTLINED IN STATE LAW (9:56:14) - Mayor Crowell introduced this item, and Chief Financial Officer Jason Link reviewed the agenda materials. Mr. Link noted a revision to the fiscal impact to reflect \$50,837. Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Link and Mayor Crowell responded to questions of clarification. Mayor Crowell entertained a motion. **Supervisor Bonkowski found that the City has sufficient financial resources to pay the increased salaries for elected City officials and the Board of Supervisors for FY 2019, and moved to approve the increase as outlined in state law, noting that any elected official can provide written notice to the Human Resources Department to forego the proposed salary increase for the fiscal year noted. Supervisor Bagwell seconded the motion.** Supervisor Bonkowski advised that he would forego the increase. Supervisor Abowd advised that she would forego the increase. Supervisor Barrette advised that he would forego the increase. Mayor Crowell called for a vote on the pending motion.

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

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16(B) POSSIBLE ACTION TO ADOPT A RESOLUTION CREATING THE ARTS AND CULTURE FUND, A SPECIAL REVENUE FUND (10:00:03) - Mayor Crowell introduced this item, and Chief Financial Officer Jason Link reviewed the agenda materials. Mr. Link responded to questions of clarification. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to adopt Resolution No. 2018-R-5, with the amended description language, a resolution creating the Arts and Culture Fund, a special revenue fund. 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]
MOVED:	Supervisor Karen Abowd
SECOND:	Supervisor Lori Bagwell
AYES:	Supervisors Abowd, Bagwell, Bonkowski, Barrette, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

16(C) POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE FINANCIAL AND BUDGETARY POLICIES FOR CARSON CITY (10:01:59) - Mayor Crowell introduced this item, and Chief Financial Officer Jason Link reviewed the agenda materials. Supervisor Bagwell discussed concerns about the Board not having a choice over decisions already made by the Internal Finance Committee relative to budget augmentations. She suggested imposing a dollar limit on decisions which can be made by the Internal Finance Committee. Supervisor Abowd expressed a concern that this would "delay the ability to do business." Mr. Marano acknowledged that this would "frequently delay the ability to do business. In order to get items agendized, get it in front of the Board ..." He inquired as to an issue he has not been made aware of, and suggested "it sounds like a solution ... in search of a problem." Discussion followed, and Supervisor Barrette suggested a revision to paragraph 1(b)(iii), under the "Enterprise Fund Financial Stabilization Policy" section.

Additional discussion took place regarding Supervisor Bagwell's concerns and suggestions, and Mr. Link responded to additional questions of clarification. Supervisor Bonkowski suggested a periodic report from the IFC, and additional discussion followed. Mr. Link and Ms. Paulson responded to additional questions.

Mayor Crowell discussed the importance of not 'hamstring[ing] the ability of the City to operate on a timely basis. ... I want to make sure that ... there's a line between policy and the City. We're a City Manager-run government and they should have the ability to move. And so, ... if we can provide some additional transparency, if we think that's necessary here, that's fine. But I don't think that ... we ought to be involved in the day-to-day decision making how government is run. ... we set the policies, we approve the budget, and we expect people to comply with it. So, it's good to clarify some of these things.' Additional discussion followed and, in response to a question, Mr. Link acknowledged sufficient direction.

17. DISTRICT ATTORNEY

17(A) PRESENTATION BY EGLET PRINCE LAW FIRM ON THE OPIOID EPIDEMIC IN NEVADA COUNTIES (10:54:16) - Mayor Crowell introduced this item. Attorney Robert Eglet introduced Attorney Bill Bradley and reviewed the agenda materials. Mr. Bradley discussed the detriments of multi-district litigation. Mr. Eglet and Mr. Bradley responded to questions of clarification, and

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discussion followed. Supervisor Bonkowski left the meeting at approximately 11:40 a.m. A quorum of the Board was still present.

Mayor Crowell entertained public comment; however, none was forthcoming. Mayor Crowell thanked Mr. Eglet and Mr. Bradley for their presentation. He requested Mr. Woodbury to return to the Board with a recommendation, after having considered the information presented and the subsequent discussion.

17(B) DISCUSSION AND POSSIBLE ACTION TO APPROVE ENTERING INTO A CONTINGENCY FEE AGREEMENT, ON BEHALF OF CARSON CITY, WITH EGLET PRINCE LAW FIRM TO PURSUE LEGAL CLAIMS AGAINST THE MANUFACTURERS AND DISTRIBUTORS OF PRESCRIPTION OPIOIDS, SEEKING RECOVERY OF MONETARY DAMAGES FOR THE NEGATIVE IMPACT OF OPIOIDS ON CARSON CITY AND ITS RESOURCES (11:58:23) - In response to a question, Mayor Crowell requested the District Attorney's staff to consider the information presented, under item 17(A), and return to the Board with a recommendation. Mayor Crowell noted the policy and political implications, and discussed the importance of everyone being "on the same page ... at least locally." He suggested "there's a different theory of damages. ... if we're splitting off Medicaid damages, okay, ... but that doesn't pick up the rest of the damages that we're getting locally here. That's what I want you to think through. ... the other thing is, I don't want to interfere with ... something that's going to happen to the state from proceeding down the road but I also want to make sure that, ... if we're going to get involved in this, the damages we see here locally are taken care of." Mayor Crowell expressed agreement with earlier comments by District Attorney Woodbury "that sometimes a public lawyer can get better ... injunctive relief. ... I wish I could say that happens today in terms of a bunch of veteran drug addicts that are living in our shamble hotels, and it's not." Ms. Fralick acknowledged sufficient direction.

18. CITY MANAGER - PRESENTATION BY THE CITY MANAGER TO PROVIDE AN UPDATE ON CURRENT CITY PROJECTS, ACTIVITIES, AND OTHER ITEMS OF INTEREST TO THE BOARD OF SUPERVISORS AND THE COMMUNITY (10:28:20) - Mayor Crowell introduced this item, and Ms. Paulson narrated a SlideShow presentation, copies of which were included in the agenda materials. Ms. Paulson and Mr. Marano responded to questions throughout the presentation. Mayor Crowell recessed the meeting at 10:42 a.m., and reconvened at 10:54 a.m.

**19. 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

STAFF COMMENTS AND STATUS REPORTS

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RECESS AND RECONVENE BOARD OF SUPERVISORS MEETING (12:00:54;) - Mayor Crowell recessed the meeting at 12:00 p.m., and reconvened at 2:02 p.m.

20. PUBLIC WORKS DEPARTMENT - POSSIBLE ACTION TO PROVIDE STAFF DIRECTION ON KEY DECISION POINTS REGARDING A NEW SOLID WASTE AND RECYCLABLE MATERIALS FRANCHISE REQUEST FOR PROPOSAL TO BE ISSUED TO PUBLIC BIDDERS IN JUNE 2018 (2:02:20) - Mayor Crowell introduced this item, and Construction Manager Rick Cooley introduced Public Works Department Director Darren Schulz and Sloan Vazquez McAfee Partner Christa McAfee. Mr. Cooley provided background information and reviewed the agenda materials. Ms. McAfee provided an overview of her firm and her experience, and narrated the presentation which was included in the agenda materials. Ms. McAfee responded to questions of clarification throughout the presentation.

Mayor Crowell entertained public comment. (3:00:30) Don Leonard advised of having lived in Carson City for 16 years, and expressed appreciation for the current service. "They are timely, they are regular. If there's something blowing down the street when we have wind once in awhile, I've seen the drivers get out there and retrieve it. We're very happy with them." Mr. Leonard expressed concern over mandatory service in consideration of small households and citizens on fixed incomes. He responded to questions of clarification.

(3:03:27) Stacey Giomi expressed disappointment with the current service "for a variety of reasons. ... I live in an area of town that requires me to have a bear-proof container. I routinely have bears. I've had a bear bend my garage door to get at my garbage can and, after he or she did that, I got a bear-proof can. And Waste Management has broken two of my bear-proof cans that I've invested \$300 a pop in. And they make me sign a document that says they're not responsible for damage unless they provide the can. ... My can is never upright when I come home. It's always laying on the ground and so the lid gets snapped back and broken.

"So I'd like to see the franchise agreement include information about the provision of a bear-proof can. I'm certainly willing to spend a little more for that but, as a reminder, ... the City has an ordinance that requires people to provide for bear-proof cans if they live in an area that has bears. And so I would like to see that ... included in there, either as an option or a provision if you live in certain parts of town. I absolutely think it's necessary.

"I think the other thing that's absolutely vital is the provision of local customer service. You can't find any information on Waste Management's site about Carson City. You can see national information. You can see what they recycle generally but then, if you put something out that's recyclable in Phoenix, it's left on the ground here in Carson. And there's nowhere to go. So I would really encourage you to require them to have a local office. I know there's a cost involved with that but you can't beat customer service and, in my mind, you can't beat walking into an office somewhere and looking someone in the eye and getting a straight answer.

"And, finally, I'll just weigh in on the mandatory thing. ... we all live in Nevada because we like our independence. No one likes to be told what to do. Having said that, I feel like we've reached a point where it's time. That's just my two cents' worth. I think we should have mandatory service. I think that we can craft some exemptions that don't drive the cost up to the point where it isn't beneficial to have mandatory

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service. ... And I absolutely think that mandatory service has to include single-stream recycling. It's just time. I know we don't like being told what to do but there are a lot of reasons that I think we should do it."

(3:06:47) Ann Macquarie introduced herself as a 30-year resident of Carson City, and advised that she has been "recycling ... ever since I got my first plastic bin recycling container. I'm a very faithful recycler. I've been sorting recycling all those years. I take my paper one place, my cardboard somewhere else, and I take whatever Waste Management will take. But, you know what? I'm getting old and I would so much like to put that all in one bin together like a hundred million other Americans, approximately, can do. So I strongly support single-stream recycling and it's just time." In response to a question, Ms. Macquarie expressed support for mandatory recycling. "I support it because if that's what it takes to get single-stream recycling, I think it's worth it. And, honestly, I hadn't thought of all of the other reasons that your consultant gave which I think are also very good reasons. So I support that strongly as well."

(3:07:59) Aster Girma introduced herself as a resident of Carson City and as the founder of Nevada Green Institute. Ms. Girma expressed support for single-stream recycling. "As individuals or consumers do not have to do the sorting, they are more encouraged to participate in the curbside recycling program. I support the mandatory because the more the participants increase ..., the cost will be lower. Second, recycling helps sustain our environment, reduce and save energy. Third, it will prevent pollution, reduce the need for landfills and incineration, preserve the natural resources, protect our open space, and even help the economy by protecting and increasing the number of manufacturing jobs.

"What is the challenge? Because any recycling program must be ... cost effective and efficient. So we build on that concept. The challenge is the most notable criticism of a single-stream recycling system is that it's led to a decrease in quality of materials recovered. Putting all the materials into a single bin surely increases the level of contamination ... How to reduce the negative impact of this process which is the best we have now is single stream, adopt best practices. Plan a successful and economically viable single-stream recycling program, we need to have strategies to increase the residents' participation. One is mandatory and the other is education, and then to minimize contaminated recyclable materials. The proposal or the franchise agreement to include continuous public outreach programs. One is to increase public awareness to achieve high residential recycling rates. This is a key because cost is associated with it. Second, increase public awareness of the importance of proper waste disposal to minimize contaminated recyclable materials. This, in turn, will save money and increase program efficiency. Ultimately, it helps to divert the greatest volume of recycling materials from the landfills.

"To sum up, efficiency and cost effectiveness is very important and this proposal should be included. Increase participants in this program, and knowledge how to do it in this program is very relevant. Without the three important strategies, ... 83% percent of residents who support it may not be happy with the result." Ms. Girma responded to questions of clarification, and discussion followed.

(3:17:15) Steve Oxoby introduced himself as a resident since 1954, and stated that "when the wind blows in my neighborhood on collection day, I have to go out and collect all the stuff that's in my shrubs. I ... dropped Waste Management ... eight or nine months ago and have been doing it on my own. I kinda like it. The new routes, if you're going to be going out in the rural areas, seems to me that it might not be that economical gas-wise ... I'm in an urban area so I can't hang my hat on that. I've been in my house for 28 years and I've got all the receipts that I've gotten from the dump site so you can see that I've been taking care of my stuff. My wife and I are retired, empty-nesters. We fill up a 96-gallon bin once a month and

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if we have a little more recyclables then I put it in bags so I can take it all to the dump at one time. I'm not quite sure what I'm going to do with my 96-gallon cart because it sounds like it's preferred for the service provided ...

"One thing I noticed, if I don't have any garbage and I just want to take recycling out to the dump, it's great. And in the past when ... I was having pick up service, when I put cardboard out there, it looked like it was just thrown in with the other garbage." Mr. Oxoby expressed disagreement with mandatory service.

(3:20:58) Paul Esswein introduced himself as a Carson City resident, and expressed the opinion "everybody generates trash so everybody should participate in the cost of the collection and processing of that trash. Therefore, I'm supportive of the mandatory trash collection. I also would be supportive of the single-stream recycling."

(3:21:33) Chas Macquarie introduced himself as Ann Macquarie's husband, and expressed agreement with everything she said. Mr. Macquarie expressed agreement with some of Aster Girma's comments "in that ... continuing education and how it's going to work is important." Mr. Macquarie expressed agreement with mandatory pick up and single-stream recycling. He responded to questions of clarification, and a brief discussion followed. He commended Ms. McAfee's presentation, and expressed confidence that the consultants can develop reasonable exemption provisions for the Board's consideration.

(3:23:04) Kathy McCormick introduced herself as a Carson City resident, and advised of having participated in three of public meetings. She referenced a paper published by Recycling Partnership "that had some very interesting conclusions in terms of why those might be the ways to go. It says that one of the simplest strategies to improve program performance, in terms of the tonnage collected, is mandatory because opt-in ... underperforms compared to automatic collection by about 100 tons per household per year of recycling in terms of ... what goes to the land fill." With regard to exemptions, Ms. McCormick suggested a mechanism similar to that which was developed for the City's utilities "where customers could contribute to ... funding folks with budget problems ..."

"Beyond the health and safety issues ..., there's a cost issue to the City because ... there would have to be more time for inspection and enforcement services on the part of Public Works if we don't have a hundred percent participation. The second finding from this Recycling Partnership study in 2016 really surprised me and they were saying ... that moving from bins to roll carts for recyclables brought in equally ... more recyclables. A hundred pounds per household per year above what they were getting from bins. That sounded fairly convincing to me as well. And they just happened to be talking about a community of 50,000 homes ... If we were that size, that would have been almost 3,000 additional tons per year collected just from changing ... what you take it to the curb in.

"This report from Recycling Partnership is talking about a sleeping giant in the form of multi-family recycling. We had a person come to one of the sessions who lives in a motel, doesn't have a car and doesn't have a way to recycle. And he was asking if there could be some centralized spot for him to do that and that seems entirely reasonable. ... That's also applicable to any number of apartments homes in town." Ms. McCormick read further from the Recycling Partnership report.

(3:31:05) Fred Voltz read statistical information into the record from cities in adjacent states, and expressed support for mandatory trash pick up. "... it seems like the time has come and this is the appropriate moment

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to be doing this." He discussed concerns over ensuring properly contained trash for those citizens who prefer to transport their trash to the land fill; illegal dumping in commercial dumpsters; and the need for bear-proof containers at Carson-Tahoe Regional Medical Center. Mr. Voltz reviewed research on the cost of bear-proof containers, and responded to questions of clarification.

(3:38:28) Rob Basson introduced himself as a resident of Carson City since the early '70s. "When recycling came about, I was thrilled. I've been an active participant. It's been a good service but I support mandatory, single-stream recycling for sure. I would think that you'd have a lot of ... exemptions because I can understand that there are some people that's a little extreme since they have one little bag."

(3:39:33) Domingo Munoz introduced himself as a Carson City resident for about 25 years and a Waste Management employee. "I've been hired to do recycling and ... Waste Management, they only give you quality. We have the trucks. We have the permit. We have everything except for sometimes we're not in a good mood. ... we are people, humans like everybody and ... I've been working for Waste Management for 20 years and, before that, it was Capital Sanitation. I did work for them too for about ten years until Waste Management came in. ... the only thing we want to give you is serve our community, clean up our community, no matter what. ... My company has the equipment, has the people, has everything." Mr. Munoz responded to questions of clarification.

(3:42:26) John Wood expressed a preference for "competitive bidding for the individual customers so that we can have competition. I think competition for the business, on a regular basis, is going to keep the cost down and the service up. ... You can see there are a lot of people. Everybody has their own horse to ride and I don't think that we can have a system that is going to be a one-size-fits-all that is going to be affordable for everyone. So my particular bent would be towards allowing free enterprise to start picking up the trash. We have several people in town, other than Waste Management, who are in that business and I was kind of curious, if we do go with whoever ... what happens to the private individuals who are also collecting even commercial trash right now if we give that franchise to one particular company? Are we putting them out of business? And I think that would be anti-competitive and anti-free-enterprise if we were to do that. So I think that's something that we need to consider is what we're going to be doing in the long run to any competition out there. Waste Management is famous for coming in ... it took me a year to try to figure out how to even get hold of somebody that would actually return a call to me. ... Sparks and Reno have given the franchise to Waste Management for trash and nobody can compete with them. So ... I get a bill from them every month for my facility and ... I have no choices. I can't ... ask Olcese or whoever to give me a competing bid on hauling garbage. I either don't haul garbage and just let it pile up in my parking lot or I'm forced into paying one particular garbage provider. So I would like to see free enterprise.

"The other option ... is that if we're not going to go with free enterprise ... perhaps the City should go into the garbage collection business. Some cities do that. That way, if you're going to make it mandatory, you can collect on the property taxes. We have people we can come and talk to if there's a problem with the collection. Waste Management does not have an easy way to contact them. I would suggest that they have at least an email. ... I will admit that their local people here that come around and collect the garbage are phenomenal. They do pick up stuff that falls out of the can. It's just unbelievable ... the person who's driving the truck is a phenomenal employee that I would like to have working for me. But, that being said, there's more to it than just the person that comes out and picks up your garbage." Mr. Wood responded to questions of clarification, and discussion followed.

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(3:53:52) In response to a previous comment, Kathy McCormick advised of having been assured by the consultants, during one of the public meetings, that shattered glass is not a problem in single-stream recycling.

(3:54:52) Steve Oxoby suggested that bear-proof containers would solve the problem of blowing trash on pick up day. He expressed the hope that there would be “a period where the vendor would not be increasing rates.”

Mayor Crowell entertained additional public comment and, when none was forthcoming, recessed the meeting at 3:56 p.m. Mayor Crowell reconvened the meeting at 4:07 p.m.

Mayor Crowell entertained additional comments of Mr. Cooley and Ms. McAfee and, when none were forthcoming, of the public. When no additional public comment was forthcoming, Mayor Crowell closed public comment.

At Mayor Crowell’s request, Mr. Marano read into the record email correspondence, dated April 1, 2018, from Supervisor Brad Bonkowski. Supervisor Abowd expressed agreement with continuing franchised residential and commercial service, and expressed the opinion that construction and demolition “should be separated out to keep construction competitive.” Supervisor Abowd expressed the further opinion that “we should have mandatory [service] with exemptions. What those exemptions are ... definitely needs to include proof of hauling ...” With regard to single-stream recycling, Supervisor Abowd expressed the opinion that “bi-weekly recycling is the most cost effective ... and I do feel that there should be fee-based commercial recycling with the option to opt in or out on that wherever its applicable. ... there should be options for yard waste and a seasonal allowance, however that’s painted in terms of the person that applies but we definitely have a seasonal need that’s astronomical at certain times of the year and not at others. ... I definitely feel there should be a road impact fee besides the franchise fee. ... there should be a negotiable aspect in the contract ... for food waste compostability or future options in terms of what they do with those products. ... delinquent payments need to be handled by the hauler. ... we don’t want to be the bill collector. ... there need to be provisions for bear-proof containers ... I need to see how that costs out. Otherwise, certain areas definitely have to have them but, nonetheless, bears aren’t area-specific. I do insist on local customer service. That’s an absolute. And I would like to know what the franchisees, individually, what they do with their recyclables.” Supervisor Abowd responded to questions of clarification, and a brief discussion followed.

Supervisor Bagwell suggested there should be controls and conditions for construction and demolition “but anybody that meets it, we would certify them on a list.” Supervisor Abowd expressed agreement. Supervisor Bagwell expressed agreement with not limiting lot sizes for the opt-out. “... it needs to be the few conditions that we find appropriate. I don’t want the City in the business of collecting and please be sure that the vacant lots and vacant homes, at any given time, are not assessed. ... I do want the bid to include general containers ... how much is it going to cost us if we went to wildlife proof ... If it’s only going to cost us \$0.50 over fifteen years, then why don’t we already go ahead and move to that? And then, I’d also like to see options for people to not have to be a 96-yard bin. Could we please have options for the smaller bin for those homes that really will never produce that type of thing?” Ms. McAfee responded to questions of clarification. Supervisor Barrette expressed a preference for a road impact fee, for mandatory pickup and single-stream recycling, and for wildlife-proof containers. He expressed general agreement with previous comments.

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Ms. McAfee, Ms. Fralick, and Mr. Marano responded to additional questions of clarification. Mayor Crowell suggested the following motion: ‘We would continue with franchise residential and commercial service; we would exempt construction and demolition service which would be on the open market; we would have a road impact fee that would be established by the Board of Supervisors; we would have mandatory service with the exemption of ... people who could prove, over a certain period of time, that they have, in fact, used the landfill here with deposit receipts; that vacant lots and vacant homes are not part of the mandatory service until there is somebody in them; on single-stream and on mandatory service, we want to see the cost-out for wildlife-proof containers for everybody in the City who’s on mandatory service; there would be automated single-stream recycling service with standard 96-gallon carts and it would be done bi-weekly so that trash would be picked up weekly and next week would be recyclables; and that there be fee-based commercial recycling that incentivizes both the service provider and the customer to participate; and that we are provided at least a quarterly statement of what’s happening on the recyclable material; on yard waste, we ask the proposers to include possible options to remove yard waste which would include differing pickups at different times of the year to effect what happens in the various seasons; the associated fee with each of those options that they propose; and the option for smaller bins. Supervisor Barrette discussed concerns over “a lot of trash” in the downtown area. Supervisor Bagwell requested to include a provision for large, bulky items. Supervisor Abowd reiterated the need for the hauler to handle delinquent payments, and negotiable aspects for such things as food waste. **Mayor Crowell so moved. Supervisor Barrette seconded the motion.**

RESULT:	Approved [4 - 0 - 1]
MOVER:	Mayor Robert Crowell
SECOND:	Supervisor John Barrette
AYES:	Mayor Crowell, Supervisors Barrette, Abowd, Bagwell
NAYS:	None
ABSENT:	Supervisor Brad Bonkowski
ABSTAIN:	None

21. PUBLIC COMMENT(4:28:14) - Mayor Crowell entertained public comment; however, none was forthcoming. Mr. Marano provided an update on precautions being taken for the forecasted storm.

22. ACTION TO ADJOURN (4:29:55) - Mayor Crowell adjourned the meeting at 4:29 p.m.

The Minutes of the April 5, 2018 Carson City Board of Supervisors meeting are so approved this 3rd day of May, 2018.

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk - Recorder