

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, March 7, 2019 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor *Pro Tem* Lori Bagwell
Supervisor Stacey Giomi, Ward 1
Supervisor Brad Bonkowski, Ward 2
Supervisor John Barrette, Ward 4

STAFF: Nancy Paulson, City Manager
Aubrey Rowlatt, Clerk - Recorder
Adriana Fralick, Deputy City Manager
J. Daniel Yu, Assistant 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
(8:31:50) - Mayor *Pro Tem* Bagwell called the meeting to order at 8:32 a.m. Ms. Rowlatt called the roll; a quorum was present. Mayor Crowell was absent. New Hope Crossing Pastor Nick Emery provided the invocation. At Mayor *Pro Tem* Bagwell's request, Sharon Rosse led the Pledge of Allegiance.

5. PUBLIC COMMENT (8:33:15) - Mayor *Pro Tem* Bagwell entertained public comment. (8:33:30) Sharon Rosse, of Capital City Arts Initiative, introduced the newest Sierra Room exhibit and the artist, Fred Howland. Ms. Rosse announced an artist reception scheduled for Friday, March 29th. (8:34:28) Mr. Howland thanked the Board for the opportunity to exhibit his art. Ms. Rosse provided an overview of informational materials she had distributed to the Board members and the Clerk. Mr. Howland responded to questions regarding his exhibit. Mayor *Pro Tem* Bagwell entertained additional public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - February 7, 2019 (8:36:30) - Mayor *Pro Tem* Bagwell introduced this item, and entertained a motion. **Supervisor Bonkowski moved to approve the minutes, with a previously submitted typographical correction. Supervisor Barrette seconded the motion. Motion carried 4-0.**

7. POSSIBLE ACTION ON ADOPTION OF AGENDA (8:37:05) - Mayor *Pro Tem* Bagwell introduced this item, and entertained modifications to the agenda. Ms. Paulson advised that items 13(A) and (B) would be deferred to a future meeting. Mayor *Pro Tem* Bagwell entertained additional modifications; however, none were forthcoming.

CONSENT AGENDA

(8:37:30) - Mayor *Pro Tem* Bagwell introduced the consent agenda and entertained requests to hear items separately. Mayor *Pro Tem* Bagwell advised that item 9(A) would be heard separately. She entertained additional requests to separately hear consent agenda items and, when none were forthcoming, a motion.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 2

Supervisor Bonkowski moved to approve the consent agenda, consisting of items 8 and 9(B). Supervisor Giomi seconded the motion.

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

8. FINANCE DEPARTMENT - DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY, AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH FEBRUARY 22, 2019, PURSUANT TO NRS 251.030 AND NRS 354.290

9. PURCHASING AND CONTRACTS

9(A) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF AWARD OF BID NO. 1819-171, BLEED CONTROL KITS, TO NORTH AMERICAN RESCUE TO PURCHASE BLEED CONTROL KITS TO BE PLACED THROUGHOUT CARSON CITY; DOUGLAS, LYON, AND STOREY COUNTIES, FOR A NOT-TO-EXCEED AMOUNT OF \$80,400 FOR FY 19, AND A NOT-TO-EXCEED AMOUNT OF \$25,000 IN FY 20 (8:38:20) - Mayor *Pro Tem* Bagwell introduced this item, and Purchasing and Contracts Administrator Carol Akers presented the agenda materials. Public Health Preparedness Manager Jeanne Freeman responded to questions regarding cost / quotes and management / maintenance responsibility. Mayor *Pro Tem* Bagwell entertained additional Board member questions or comments and public comments and, when none were forthcoming, a motion. Supervisor Giomi moved to approve the award of the bid, as presented. Supervisor Bonkowski seconded the motion.

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

9(B) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF AMENDMENT NO. 2 TO CONTRACT NO. 1516-175, MENTAL HEALTH CONSULTANT FOR THE CARSON CITY JAIL, FOR AN ADDITIONAL ANNUAL AMOUNT OF \$3,200, THROUGH JUNE 30, 2019, FOR A TOTAL CONTRACT AMOUNT OF \$84,272, TO BE FUNDED FROM THE SHERIFF'S OFFICE PROFESSIONAL SERVICES ACCOUNTS

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 3

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

10. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME
(8:38:17) - Please see the minutes for item 9(A).

11. CITY MANAGER

11(A) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO ACKNOWLEDGE AN APPLICATION FROM CENTURIA FOODS FOR STATE INCENTIVES, THROUGH THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT (8:44:51) - Mayor *Pro Tem* Bagwell introduced this item, and entertained disclosures. Supervisor Barrette read a prepared disclosure statement into the record, and advised that he would participate in discussion and action. Mayor *Pro Tem* Bagwell entertained additional disclosures; however, none were forthcoming. Northern Nevada Development Authority Director of Business Development Andrew Haskin introduced Centuria Foods Science and Marketing Director Jason Hastings. Mr. Haskin presented the agenda materials.

In response to a question, Mr. Hastings advised of having identified a proposed location off of Arrowhead Drive. In response to a further question, he advised that the Centuria Foods corporate office is located in Las Vegas, Nevada.

Mayor *Pro Tem* Bagwell entertained additional Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to acknowledge an application from Centuria Foods for state incentives through the Governor's Office of Economic Development. Supervisor Giomi seconded the motion.**

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

11(B) DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE BILLS SPONSORED AND CO-SPONSORED BY ASSEMBLYMAN AL KRAMER, SPECIFICALLY ASSEMBLY BILL 191, ASSEMBLY BILL 214, BILL DRAFT REQUEST S-50 AND BILL DRAFT REQUEST 48 - 45 (8:49:10) - Mayor *Pro Tem* Bagwell introduced this item and, in response to a question, Ms. Paulson advised that Assemblyman Kramer had planned to arrive by 10:00 a.m. Mayor *Pro Tem* Bagwell deferred the item until such time as Assemblyman Kramer could be present.

(10:45:42) Mayor *Pro Tem* Bagwell invited Assemblyman Al Kramer to the meeting table. Assemblyman Kramer presented the agenda materials, and responded to questions regarding the proposal to convert the Nevada State Prison to a museum. Assemblyman Kramer and Airport Manager Ken Moen responded to questions regarding the provisions of BDR S-50. Supervisor Bonkowski expressed a willingness to support the intent of BDR S-50 until such time as the actual bill language is available.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 4

Mayor *Pro Tem* Bagwell entertained public comment. (11:01:42) Maurice White, representing the Nevada State Prison Preservation Society, expressed appreciation to Assemblyman Kramer for bringing AB 214 to the attention of the Board, and requested the Board's support.

(11:03:11) Carson City Culture and Tourism Authority Executive Director David Peterson expressed support for AB 214, and expressed the support of the Carson City Chamber of Commerce.

Mayor *Pro Tem* Bagwell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to support AB 191 and AB 214 and BDR 48 - 45, and to support the intent of BDR S-50 until such time as we can read the final language. Supervisor Barrette seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

Mayor *Pro Tem* Bagwell thanked Assemblyman Kramer for his attendance and participation.

12. PURCHASING AND CONTRACTS - DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT K.G. WALTERS CONSTRUCTION CO., INC. IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO NRS CHAPTER 338, AND TO AWARD CONTRACT NO. 1819-167, EMPIRE LIFT STATION IMPROVEMENT PROJECT, TO K.G. WALTERS CONSTRUCTION CO., INC. FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$227,700.00 (8:49:27) - Mayor *Pro Tem* Bagwell introduced this item, and Purchasing and Contracts Administrator Carol Akers presented the agenda materials. Mayor *Pro Tem* Bagwell entertained public comment and, when none was forthcoming, a motion. **Supervisor Giomi moved to determine that K.G. Walters Construction Co., Inc. is the lowest responsive and responsible bidder, pursuant to NRS Chapter 338, and to award Contract No. 1819-167, Empire Lift Station Improvement Project, to K.G. Walters Construction Company, for a total not-to-exceed amount of \$227,700.00. Supervisor Barrette seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion. Ms. Akers acknowledged that a necessary correction had been made to the signature page of the contract. Mayor *Pro Tem* Bagwell called for a vote on the pending motion.

RESULT:	Approved [4 - 0 - 1]
MOVER:	Supervisor Stacey Giomi
SECOND:	Supervisor John Barrette
AYES:	Supervisors Giomi, Barrette, Bonkowski, and Mayor <i>Pro Tem</i> Bagwell
NAYS:	None
ABSENT:	Mayor Robert Crowell
ABSTAIN:	None

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 5

13. PUBLIC WORKS DEPARTMENT

13(A) DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE FROM THE NEVADA DEPARTMENT OF TRANSPORTATION OF THE ASSIGNMENT OF THE MULTI-USE LEASE AGREEMENT, NUMBER R307-06-030, CONCERNING ASSESSOR'S PARCEL NUMBER 009-12-501, MADE AUGUST 25, 2006, AND AMENDED JULY 6, 2011 AND JULY 7, 2016, BETWEEN THE STATE OF NEVADA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, LESSOR, AND McDONALD'S USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, LESSEE - Deferred.

13(B) DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE FROM THE NEVADA DEPARTMENT OF TRANSPORTATION OF THE ASSIGNMENT OF THE MULTI-USE LEASE AGREEMENT, NUMBER R422-93-030, CONCERNING ASSESSOR'S PARCEL NUMBERS 009-123-01 AND 009-123-13, MADE JANUARY 24, 1994, AND AMENDED JUNE 29, 2012 AND NOVEMBER 2, 2016, BETWEEN THE STATE OF NEVADA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, LESSOR, AND MGP IX PROPERTIES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, LESSEE - Deferred.

14. PARKS, RECREATION, AND OPEN SPACE DEPARTMENT - DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION FOR THE NAMING OF TWO NEW PARK FACILITIES AS CARSON RIDGE DISC GOLF PARK AND SCHULZ RANCH PARK (8:51:23) - Mayor *Pro Tem* Bagwell introduced this item and presented the agenda materials. Recreation Superintendent Dan Earp noted a correction to the staff report which had been pointed out by Supervisor Bonkowski. Mayor *Pro Tem* Bagwell entertained public comment and, when none was forthcoming, a motion. Supervisor Bonkowski moved to name park facility #1 as Schulz Ranch Park, and park facility #2 as Carson Ridge Disc Golf Park. Supervisor Barrette seconded the motion.

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

15. FINANCE DEPARTMENT - DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF THE AUDIT COMMITTEE'S RECOMMENDATION TO APPROVE THE COMPLETED REMEDIATION PLANS AND TO REMOVE THE COMPLETED FINDINGS FROM THE AUDIT FINDINGS TRACKING SUMMARY REPORT (8:53:55) - Mayor *Pro Tem* Bagwell introduced this item, and Chief Financial Officer Sheri Russell presented the agenda materials. At Mayor *Pro Tem* Bagwell's request, Ms. Russell provided background information and additional detail on the 2017 CAFR and Single Audit Findings. Supervisor Bonkowski expressed support for closing the item "as long as we make a note that we'd like to have an update" once the District Attorney's Office has rendered an opinion. Ms. Russell offered to update the Board the next time she presents a report. Supervisor Giomi described a similar situation, i.e., state law in conflict with federal grant guidelines, which he addressed with the help of the District Attorney's Office approximately ten years ago. Ms.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 6

Russell clarified that the City will follow federal grant guidelines. "That is the plan. That is the procedure ... implemented if we are using architects or surveyors under a grant and ... it has to be over \$3,500. So if we're spending \$4,000, we will go through the process of getting a SOQ, basing the hiring ... on qualifications and then negotiating a price. That's what NRS requires. I think it's going to be hard to find an architect who's going to want to put together a whole SOQ and go through the whole interview process and all of that for \$4,000, but that's what the grant requires so that's what we're going to do. Citywide, we don't plan on doing that. And that's the conflict."

Mayor *Pro Tem* Bagwell entertained additional Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to accept the Audit Committee's recommendation to approve the completed remediation plans, and remove the completed findings as presented, from the Audit Findings Tracking Summary Report, and to direct staff to return to the Board with an update, once a legal opinion on the grant finding is available.** Supervisor Giomi seconded the motion. Mayor *Pro Tem* Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

16. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

16(A) DISCUSSION AND POSSIBLE ACTION REGARDING THE ADOPTION OF BILL NO. 102, ON SECOND READING, AN ORDINANCE AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.05, BUILDING CODE, SECTION 15.05.020, ADOPTION AND ADMINISTRATION OF BUILDING AND CONSTRUCTION CODES, BY ADOPTING THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, UNIFORM PLUMBING CODE, INTERNATIONAL RESIDENTIAL CODE, UNIFORM MECHANICAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE, AND THE 2018 NORTHERN NEVADA AMENDMENTS TO THESE CODES (9:00:32) - Mayor *Pro Tem* Bagwell introduced this item, and inquired as to requested revisions since introduction of the bill, on first reading. Ms. Paulson advised of no requested revisions. Chief Building Official Corey Coleman confirmed no revisions had been requested since introduction on first reading. He stated, "It was a really smooth process." Mayor *Pro Tem* Bagwell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to adopt, on second reading, Ordinance No. 2019-4.** Supervisor Giomi seconded the motion. Mayor *Pro Tem* Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 7

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

16(B) DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION OF WHETHER MS. ANN SULLIVAN, OWNER OF CAPITAL CITY LIQUIDATORS LOCATED AT 3390 SOUTH CARSON STREET, IS IN FULL COMPLIANCE WITH THE OUTSIDE STORAGE REQUIREMENTS STIPULATED TO IN THE AGREEMENT, BETWEEN ANN SULLIVAN AND CARSON CITY, FOR THE PURPOSES OF RESOLVING THE ISSUE OF REPEATED VIOLATIONS OF THE OUTSIDE STORAGE REQUIREMENTS AND THE POTENTIAL BUSINESS LICENSE REVOCATION (9:01:42) - Mayor *Pro Tem* Bagwell advised of having been informed that Ms. Sullivan's attorney would not be able to be present until 11:00 a.m. In response to a question, Mr. Yu left to the Board's discretion to hear the item prior to 11:00 a.m. "... it is agendized. There's no specific time called out for this item. If the Board's desire is to accommodate that request by the attorney of the business owner, I'm comfortable with that as well. I understand that we're kind of flying through things pretty quickly this morning. ... efficiency is something that we also have to be mindful of. I don't think that there's any legal stipulation on the record, informally or formally, saying that the City had agreed to an 11:00 hearing on this matter. ... it is agendized properly and I don't have an issue or a legal concern with proceeding forward at this moment. ... again, I'll leave that at the discretion of the Board."

Mayor *Pro Tem* Bagwell suggested hearing testimony and discussion and then deciding whether to move forward with action or wait on Ms. Sullivan's attorney. Mayor *Pro Tem* Bagwell entertained disclosures and Supervisor Bonkowski read a prepared disclosure statement into the record. Mayor *Pro Tem* Bagwell entertained additional disclosures; however, none were forthcoming.

In the absence of a Planning Division representative, Mayor *Pro Tem* Bagwell recessed the meeting at 9:04 a.m. Mayor *Pro Tem* Bagwell reconvened the meeting at 9:20 a.m.

(9:20:39) Planning Manager Hope Sullivan presented the agenda materials. She reported that Code Enforcement staff inspected the property earlier in the day, and have estimated that "35% of the site is now covered with outdoor storage. That would mean we're still in a non-compliant situation by our interpretation. However, it is an improvement since December." Ms. Sullivan expressed the understanding that the business owner is aware her property is non-compliant with the City Code.

Mayor *Pro Tem* Bagwell invited Capital City Liquidators Owner Ann Sullivan to the meeting table. (9:22:12) Ms. Ann Sullivan stated that "six weeks of bad weather" left her "unable to get into the back yard to do anything ... We have moved some of the stuff in the back but can't get to the rest of it. That's why I'm asking for an extension." In response to a question, Ms. Ann Sullivan requested a 30-day extension. "Hopefully, the weather's going to be changing here soon." In response to a further question, Ms. Ann Sullivan explained, "I've still got some snow in [the back yard]. It's muddy so I've been unable, in the whole six weeks ... I'm not just trying to blow smoke here. ... just been unable to get into the yard. The

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 8

front is completely clean. Everything's behind the fence. We've been working on anything we can do on a good day and there's not been many of those."

In response to a question, Deputy District Attorney Ben Johnson advised that, "pursuant to the agreement, ... if the Board finds that the business is out of compliance, the business license would be suspended or revoked." In response to a further question, Mr. Johnson was uncertain as to whether the agreement included time lines to remove property if the business was to close. Ms. Hope Sullivan advised that, if the business license is suspended or revoked, "they would continue to be in violation. They would be in violation without a business license so they couldn't lawfully conduct business. And the violation would be a violation of Title 18. ... and if they continued to conduct business, they'd also be in violation of Title 4 and we would continue to pursue code enforcement likely through the court system." Ms. Hope Sullivan acknowledged "we'd be looking at a period of months ..." "What's before the Board today, ... we're kind of sitting on Title 4. ... Title 4 is the business license provision. So the question is, can this business owner continue to lawfully conduct business in Carson City? The answer is yes or no. What we're telling you is the business owner is in violation of Title 18. And what I hear the business owner saying is, 'Give me another 30 days to conduct my business and try to get into compliance with Title 18.' I'm telling you right now they are out of compliance with Title 18 and the decision before the Board is to allow them to continue to conduct business lawfully for the next 30 days or not."

In response to a question, Ms. Hope Sullivan expressed the belief that "wholesaling is a business so it would be conducting business. I believe, should you revoke the business license, they would have to seek to reinstate it or they'd have to sell the business to a different person who could come into compliance. Or we would be looking for them to come into compliance and then consider reinstatement of the business license."

Ms. Ann Sullivan stated, "It does us no good not to be in compliance. But I can't do something physically ... with the snow and try and get any of the things moved. It's impossible. There's just too much in there that I need equipment for to get in there and move it. And I've been buried in snow, two feet of it for the last six weeks. We could have been in compliance if the weather had been good."

In response to a question, Mr. Johnson suggested executing an amendment to the existing agreement. "And I would ... recommend to the Board to stipulate that it be countersigned by the end of today by Ms. [Ann] Sullivan. And because ... there's nothing currently in the agreement, it would be an amendment and so you could add ... terms, provided that they are ... agreeable to Ms. [Ann] Sullivan."

Supervisor Giomi expressed a willingness to extend the time by 45 days. "... we want it cleaned up. And you want it cleaned up, right? You're telling us you want it cleaned up?" Ms. Ann Sullivan acknowledged the accuracy of the statement. "That back yard serves no use to me." Supervisor Giomi expressed an unwillingness to get into a position where the City revokes the license "and then are months down the road in court trying to get it solved." Supervisor Giomi requested a commitment from Ms. Ann Sullivan as to how much time she needs and then adhering to that amount of time. Ms. Ann Sullivan reiterated her concern over the weather, and stated, "I'll take you up on your 45 days."

Supervisor Bonkowski expressed a preference for 30 days "plus the 30 days that they not be allowed to be open to the public but could still ... be able to sell to other wholesalers or to another liquidator so that we can get the property cleaned off."

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 9

Mayor *Pro Tem* Bagwell entertained additional Board member questions or comments and, when none were forthcoming, public comment. (9:30:55) Jerry Vaccaro introduced himself as Ann Sullivan's husband and requested Supervisor Bonkowski to "clarify in the record our relationship and your reason for wanting to vote on this." Mr. Vaccaro provided background information on the ethics violation complaint which Supervisor Bonkowski had cited in his disclosure statement. Mr. Yu suggested that Mayor *Pro Tem* Bagwell disallow the inflammatory and disruptive remarks by Mr. Vaccaro. Mayor *Pro Tem* Bagwell requested Mr. Vaccaro to limit his comments to the subject agenda item.

Mr. Vaccaro read into the record a portion of the February 25, 2019 letter from Attorney John Bartlett which was included in the agenda materials. Mr. Vaccaro advised that the business is for sale and that code compliance is required prior to a sale being completed. Mayor *Pro Tem* Bagwell entertained additional public comment; however, none was forthcoming.

Ms. Hope Sullivan advised that "pursuant to the terms of Title 18, the applicant can seek a special use permit to exceed the 20% of outdoor storage. So, we were talking about Title 4 versus Title 18 and what's in front of you right now is the potential revocation of a business license which would be part of Title 4 but the reason for that would be because of a violation of Title 18. ... there is the opportunity to exceed the 20% if the applicant were able to obtain a special use permit." In response to a question, Ms. Hope Sullivan advised of an active code violation case, on this property, since November of 2015.

In response to a question, Ms. Ann Sullivan agreed to a 30-day extension and then a 30-day agreement to "wind down" the business if it is not brought into compliance with the code. Mayor *Pro Tem* Bagwell entertained a motion. **Supervisor Giomi moved to direct the District Attorney's Office to draft an amendment to the agreement, between Ann Sullivan, owner of Capital City Liquidators, and Carson City, for the purposes of resolving the issues of repeated violations of outside storage requirements, granting the business 30 days to come into compliance and, if after 30 days they are not in compliance, the license will be revoked, pending an additional 30 days to liquidate assets. Supervisor Bonkowski seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion. In response to a comment, Supervisor Giomi clarified that the 30 days is not weather dependent. Ms. Ann Sullivan and Mr. Vaccaro acknowledged their understanding. In response to a question, **Supervisor Giomi amended his motion to specifically include the provisions of paragraph 4(F) of the original agreement, together with all other applicable provisions of the original agreement. Supervisor Bonkowski continued his second.** Ms. Hope Sullivan clarified, "The staff would make an interpretation of whether or not there was compliance. If we determine compliance, the business stays in business. If we determine non-compliance, the business license is revoked and the Board takes no further action." Supervisor Giomi stated, "That is the intention of my motion." Supervisor Bonkowski further clarified, "At the end of 30 days, staff will make a determination of whether there's compliance or not. If there's not compliance, then the business license is revoked so they're not able to be open to the public. But they would still have 30 days to clear out the property one way or another." Supervisor Giomi acknowledged this as the intent of his motion. In response to a question, Ms. Hope Sullivan expressed uncertainty as to the details of the initial code enforcement violation. "... between December 2018 and current time, they've gone from 40% coverage to 35% coverage, roughly." Mayor *Pro Tem* Bagwell called for a vote on the pending motion.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 10

RESULT:	Approved [3 - 1 - 1]
MOVED:	Supervisor Stacey Giomi
SECOND:	Supervisor Brad Bonkowski
AYES:	Supervisors Giomi, Bonkowski, and Mayor <i>Pro Tem</i> Bagwell
NAYS:	Supervisor John Barrette
ABSENT:	Mayor Robert Crowell
ABSTAIN:	None

17. HEALTH AND HUMAN SERVICES DEPARTMENT - DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF THE INDIGENT TAX REFUND STRATEGIC PLAN THAT INCLUDES A SPENDING PLAN FOR A REFUND FROM THE FY 17 INDIGENT ACCIDENT FUND (9:40:27) - Mayor *Pro Tem* Bagwell introduced this item. At Health and Human Services Department Director Nicki Aaker's request, Human Services Manager Mary Jane Ostrander provided historic information on the indigent tax refund. Ms. Ostrander acknowledged collaborative partners present in the meeting room, and expressed appreciation for their attendance and partnership in preparing the best plan for the funding. Ms. Ostrander provided an overview of the strategic plan, including county responsibilities under NRS 428. Ms. Aaker provided additional detail.

(9:50:43) Justice Tom Armstrong thanked Ms. Aaker and Ms. Ostrander for developing the strategic plan, "and for thinking of the courts as a partner in this proposal." Judge Armstrong emphasized the importance of the transitional housing program to the specialty court programs. "It is the biggest glaring weakness that we have in our programs. I'm very proud of ... all of our programs and I'm very proud of the misdemeanor treatment program ... In fact, this is so important to me that I am missing misdemeanor treatment court today. In fact, I'm missing a graduation for one of my misdemeanor treatment court participants because, in the big picture, this is something that we need to address ... And the plan here that ... has been put together is ... when does something like this happen? When does, all of a sudden, \$900,000 ... just show up? ... I've been working on ... some version of this type of program since I started the court. I identified a need in my courts which was the impetus to me starting the program. I started working the program, then the idea for transitional sober living became apparent. ... We all need safe and stable housing. ... People in recovery, people who have a substance abuse disorder need safe, stable, and sober housing. And as you might imagine, especially for our populations in the court that are criminal justice implicated, that's not common. It's not easy to find safe and stable housing for a lot of people in Carson City without those issues. With those issues, it's very challenging." Judge Armstrong provided additional specific detail. "I emphasize, in my courts, the word transitional. We're not looking for permanent placements. We're looking for someone to spend three months, during the hardest phases of their treatment court program, to have safe, stable, sober, accountable living ... And the goal is to transition them into eventually full-time employment, to transition them to housing that is not transitional, not supervised but independent and productive. And eventually, their own place to pay their own rent or, hopefully, buying their own home someday, right? That's the goal."

Judge Armstrong discussed the importance of drug testing for the specialty court programs. "It's best practices. Programming without this kind of accountability and supervision ... you're not going to change behaviors without working this part in. It's not free. We spend tons of money on supplies and treatment and ... manpower ... doing the testing, but we wouldn't do it if it wasn't necessary. I dream one day of having some version of the Crossroads Program here in Carson City. I've met with the Salvation Army.

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 11

I've met with Community Counseling Center. I've looked at properties. We've talked to property owners and if we had the money, we don't have the inventory. ... If we have a place that's willing to open up but we don't have any ... funding. And here we are. We have an opportunity here and I just think we'd be remiss if we did not jump on it."

In response to a question, Judge Armstrong advised of a provider in town, Life Recovery. "They have a men's house, a women's house. The women's house is on the verge of shutting down. The men's house has availability. We currently contract with them, as it stands, and it is sober living. It's designed for sober living. We've talked ... with some property owners in town, some weeklies and that sort of thing and tried to work something out. And, for some people, that's a valid placement. For people in recovery, unless the entire premises is sober, it's not a valid placement; at least not initially." Judge Armstrong and Ms. Ostrander responded to questions of clarification, and discussion followed.

In response to a question, Chief Financial Officer Sheri Russell explained "this is part of a property tax rate we collect. And then the vast majority of that is a county match that goes back to the state. So they've said they're going to give us a credit of this \$800,000 so we won't pay it. When they send that bill, there'll be a credit on there. So, until we see that money, I don't think anybody's interested in spending it; until we know exactly when it's coming in. We're just asking if, when we do get that money, is this a good plan? In response to a further question, Ms. Russell was uncertain as to why it can't be started now. "The email this morning ... said something about one more approval process ... It's through NACo and the state so there's probably one more hoop they have to jump through. But I think until this money comes in and we know it's for sure ours, I don't think anybody plans on spending anything." Ms. Aaker advised of no reason to believe "this is not going to go through."

Mayor *Pro Tem* Bagwell and Judge Armstrong discussed the many and various benefits of the proposed transitional housing program. (10:10:27) Justice Kristin Luis advised that she presides over the mental health court. "So, obviously, we have people who are dealing with some of the same substance abuse issues that Judge Armstrong was just talking about. But, more importantly, they have a significant mental health issue that can be debilitating for them. And so, the biggest part, ... especially early in the program, some of our people are in residential treatment. If they're not, they're in intensive outpatient treatment and that consists of going to groups at least three times per week, three hours at a time. So that's a pretty heavy responsibility along with other counseling groups that they're participating in. So that usually lasts for 90 days. So when we're looking at this housing piece and trying to get people through that part of it, we try to get them to the stage where they can get employment and start taking steps on their own to pass the GED or to do some of the other things that they haven't done once that 90 days is past. And so that's why the time period that we're looking at is so important. And when we're dealing with the mental health side of it too, getting people stabilized in treatment and stabilized on medications is a big piece.

"I'm not dealing with anybody who's graduating the program right now. ... But I do have at least a couple of people in our program who are looking to graduate towards the summer. One of them had criminal charges. One of them had significant mental health issues, had children removed. She's now working ... a full-time job at Olive Garden. She's paying for her own housing. She's gotten off of public assistance and she's looking at re-unifying with her children. Those are the pictures that we want to see. Those are the things that we want to try and do and, when we're able to take that step, then all of the assistance that was previously provided to her can go to somebody else and we can try and continue with these success stories. Is everybody going to reach that mark? Not necessarily but a lot of our people also have social

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 12

security disability. We just need to get that in place, get them in some permanent housing and we can take care of those issues. But this is a huge piece and we need to be able to have something that we can look forward with."

Mayor *Pro Tem* Bagwell entertained questions or comments and, when none were forthcoming, thanked Judge Luis for her attendance and participation. Ms. Ostrander responded to questions of clarification, and discussion followed. Ms. Ostrander described additional details of the proposed strategic plan. She and Ms. Aaker responded to questions throughout the presentation, and discussion followed.

(10:33:48) Carson City Senior Center Executive Director Courtney Warner responded to questions regarding the Meals on Wheels program.

Mayor *Pro Tem* Bagwell entertained public comment and, when none was forthcoming, additional discussion of the Board members. Following additional discussion, Mayor *Pro Tem* Bagwell entertained a motion. **Supervisor Bonkowski moved to approve allocating the anticipated credit reimbursement from the Medicaid Match Program, upon receipt, as follows: the four items listed under primary needs personnel in the strategic plan would be funded for three years with five percent increases in years two and three; the Human Services General Assistance Supplemental Program would be funded for three years at the stated amount of \$6,000 per year; the next two items, under Secondary Need Transitional Housing, would be funded for three years with three percent increases in years two and three; and under one-time needs, item one would be funded for three years; item number two, under one-time needs, would be funded for three years at the stated amount; and item three, Meals on Wheels, would be funded for one year at \$30,000, in addition to any remaining balance of the credited amount to be allocated for the bad debt write-off amount for indigent ambulance service, subject to final approval from NACo on that last item being allowed. Supervisor Barrette seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion. Supervisor Bonkowski responded to questions of clarification regarding the intent of his motion, and a brief discussion ensued. Supervisor Giomi expressed a preference that any remaining balance be allocated to the Meals on Wheels Program, in years two and three, rather than the indigent ambulance service. Mayor *Pro Tem* Bagwell suggested that "it's up to the \$30,000 for Meals on Wheels, whether it takes one year or three years." **Supervisor Bonkowski so amended his motion. Supervisor Barrette continued his second.** Mayor *Pro Tem* Bagwell called for a vote on the pending motion.

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

Supervisor Giomi thanked Ms. Ostrander for "making this evidence based. ... that speaks a lot to your professionalism and to our ability to sustain these programs in the eyes of people we may fund in the future."

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 7, 2019 Meeting

Page 13

18. BOARD OF SUPERVISORS NON-ACTION ITEMS:

LEGISLATIVE MATTERS (11:04:04) - Ms. Paulson reported on the status of SB 48; AB 136, AB 190, and SB 231; worker's compensation bills; AB 133; AB 84; AB 81; collective bargaining bills - AB 103 and SB 111; and SB 245. Sheriff Ken Furlong responded to questions regarding AB 143. Ms. Fralick advised that bills regarding the Open Meeting Law and the Ethics Law are being monitored. Mayor *Pro Tem* Bagwell requested to review AB 70 and the bill on prevailing wage at a future Board meeting.

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 (11:24:06) - Mayor *Pro Tem* Bagwell reported on yesterday's Rifle Range Task Force meeting, which she and Supervisor Bonkowski attended.

STAFF COMMENTS AND STATUS REPORTS

19. PUBLIC COMMENT (11:25:06) - Mayor *Pro Tem* Bagwell entertained public comment. (11:25:12) Maurice White, representing the Nevada State Prison Preservation Society, invited the Board members and City staff to visit the Nevada State Prison for a tour. Mayor *Pro Tem* Bagwell entertained additional public comment; however, none was forthcoming.

20. ACTION TO ADJOURN (11:25:50) - Mayor *Pro Tem* Bagwell adjourned the meeting at 11:25 a.m.

The Minutes of the March 7, 2019 Carson City Board of Supervisors meeting are so approved this 4th day of April, 2019.

LORI BAGWELL, Mayor *Pro Tem*

ATTEST:

AUBREY ROWLATT, Clerk - Recorder