

**CARSON CITY BOARD OF SUPERVISORS**  
**Minutes of the September 5, 2019 Meeting**  
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, September 5, 2019 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Mayor Robert Crowell  
Supervisor Stacey Giomi, Ward 1  
Supervisor Brad Bonkowski, Ward 2  
Supervisor Lori Bagwell, Ward 3  
Supervisor John Barrette, Ward 4

**STAFF:** Nancy Paulson, City Manager  
Aubrey Rowlatt, Clerk - Recorder  
Dan 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** (8:31:36) - Mayor Crowell called the meeting to order at 8:31 a.m. Ms. Rowlatt called the roll; a quorum was present. Airport Road Church of Christ Pastor Bruce Henderson provided the invocation. At Mayor Crowell's request, Chief Financial Officer Sheri Russell led the Pledge of Allegiance.

**5. PUBLIC COMMENT** (8:34:25) - Mayor Crowell entertained public comment; however, none was forthcoming.

**6. POSSIBLE ACTION ON APPROVAL OF MINUTES - August 1, 2019** (8:34:57) - Mayor Crowell introduced this item, and entertained a motion. **Supervisor Bagwell moved to approve the minutes with a correction to item 5. Supervisor Bonkowski seconded the motion. Motion carried 5-0.**

**7. POSSIBLE ACTION ON ADOPTION OF AGENDA** (8:35:27) - Mayor Crowell introduced this item, and entertained modifications to the agenda. Mayor Crowell advised that item 9(B) would be heard separate from the consent agenda. At Supervisor Bagwell's request, Mayor Crowell agreed to separately hear item 8. Mayor Crowell entertained additional modifications to the agenda; however, none were forthcoming.

**CONSENT AGENDA**

(8:36:02) - Mayor Crowell introduced the consent agenda and entertained a motion. **Supervisor Bonkowski moved to approve the consent agenda, consisting of item 9(A). 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, Giomi, Barrette, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**8. FINANCE DEPARTMENT - DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH AUGUST 22, 2019, PURSUANT TO NRS 251.030 AND NRS 354.290 (8:36:23)** - Mayor Crowell introduced this item. Chief Financial Officer Sheri Russell presented the agenda materials, including late material which had been distributed prior to the start of the meeting. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Bagwell moved to approve the most recent version of the report. Supervisor Barrette seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

## 9. PURCHASING AND CONTRACTS

**9(A) DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF TWO NEW DEFIBRILLATORS FOR THE FIRE DEPARTMENT, UTILIZING THE LAKE TAHOE REGIONAL FIRE CHIEF'S ASSOCIATION DISCOUNT PRICING, FOR AN AMOUNT NOT TO EXCEED \$57,962.70, AS APPROVED IN THE FY 20 CAPITAL IMPROVEMENT BUDGET**

**9(B) DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF WIRELESS MICROPHONES AND SUPPORT EQUIPMENT FOR THE BOB BOLDRICK THEATER, UTILIZING JOINDER CONTRACT NO. R160901 WITH OMNIA PARTNERS, FOR AN AMOUNT NOT TO EXCEED \$89,614.19, TO BE FUNDED BY THE REDEVELOPMENT FUND (8:38:18)** - Mayor Crowell introduced this item. Recreation Program Manager Eric Klug presented the agenda materials and responded to questions. Mayor Crowell entertained public comment and, when none was forthcoming, commended Mr. Klug's presentation. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the purchase, as requested. Supervisor Bagwell seconded the motion.** Supervisor Bonkowski noted that purchase of the subject items was previously approved through the CIP Process. "It is budgeted. We did plan for this." Mayor Crowell entertained additional

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discussion on the motion and, when none was forthcoming, called for a vote.

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

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

**10. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME** (8:36:23) - Please see the minutes for items 8 and 9(B).

**11. CITY MANAGER**

**11(A) DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF THREE MEMBERS TO THE HISTORIC RESOURCES COMMISSION DUE TO EXPIRING TERMS, EACH FOR A TERM EXPIRING IN FEBRUARY 2023** (8:49:47) - Mayor Crowell introduced this item, and entertained Board member and public comments. When no comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bagwell moved to appoint Lou Ann Speulda-Drews, Dr. Gregory Hayes, and Jed Block, each to fill a four-year term expiring in February 2023. Supervisor Giomi seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**11(B) DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF NANCY PAULSON, CITY MANAGER, AS THE ACTING PUBLIC GUARDIAN, EFFECTIVE SEPTEMBER 5, 2019, UNTIL THE APPOINTMENT OF A NEW PUBLIC GUARDIAN BY THE BOARD OF SUPERVISORS** (8:50:50) - Mayor Crowell introduced this item, and entertained Board member questions or comments and public comments. When no questions or comments were forthcoming, Mayor Crowell entertained a motion. **Supervisor Giomi moved to appoint Nancy Paulson, City Manager, as acting Public Guardian, effective September 5, 2019, until the appointment of a new public guardian by the Board of Supervisors. 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 Stacey Giomi
<b>SECOND:</b>	Supervisor Brad Bonkowski
<b>AYES:</b>	Supervisors Giomi, Bonkowski, Bagwell, Barrette, and Mayor Crowell
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**12. CARSON CITY AIRPORT AUTHORITY - DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO APPLY FOR A LOT LINE ADJUSTMENT TO TRANSFER APPROXIMATELY 235 SQUARE FEET OF LAND FROM THE CARSON CITY AIRPORT AUTHORITY, APN 005-02-110, TO MOUNTAINVIEW COMMUNITY ASSOCIATION, APN 005-09-119, AND AUTHORIZATION FOR THE CARSON CITY AIRPORT AUTHORITY CHAIR TO INITIATE AND SIGN A LOT LINE ADJUSTMENT WITH MOUNTAINVIEW COMMUNITY ASSOCIATION IN ORDER TO INCORPORATE THE SQUARE FOOTAGE INTO THE ADJACENT MOUNTAINVIEW COMMUNITY ASSOCIATION LEASED PROPERTY, KNOWN AS APN 005-09-119 (8:51:30)** - Mayor Crowell introduced this item, and Airport Manager Ken Moen presented the agenda materials. Mayor Crowell entertained Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to authorize the Carson City Airport Authority Chair to initiate and sign the lot line adjustment, as requested. Supervisor Bagwell seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**13. PUBLIC WORKS DEPARTMENT - DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR PROPOSALS (“RFP”) FOR THE DEVELOPMENT OF 3410 BUTTI WAY, APN 010-037-04, FOR AFFORDABLE / WORKFORCE HOUSING AND DIRECTION TO STAFF FOR PUBLICATION OF THE RFP IN ORDER TO SEEK PROPOSALS FROM QUALIFIED DEVELOPERS THROUGH A COMPETITIVE PROCESS (8:55:05)** - Mayor Crowell introduced this item, and Real Property Manager Stephanie Hicks introduced City Engineer Dan Stucky. Ms. Hicks presented the agenda materials in conjunction with displayed slides. Ms. Hicks responded to questions of clarification, and discussion followed. Supervisor Giomi commended staff on the request for proposals.

Mayor Crowell entertained public comment. (9:10:20) Carson City Veteran’s Village President Ed Schnable advised that his board has reviewed the draft request for proposals. He recommended and

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requested the Board's adoption of the document. Mayor Crowell entertained additional public comment. (9:10:57) Denny French expressed concerns over air quality, noise, and traffic issues. He thanked Planning Division and Utilities staff for their recent assistance in helping him understand water quality and water capacity. He discussed impacts of the freeway to his quality of life. (9:14:50) Mayor Crowell responded to questions from Nevada Rural Housing Authority Community Development Director Stacey Sept. Mayor Crowell entertained additional public comment; however, none was forthcoming.

Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, a motion. **Supervisor Bagwell moved to approve the RFP, as described on the record, and direct staff to publish the RFP. Supervisor Giomi seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

Mayor Crowell thanked Supervisors Bonkowski and Bagwell for their involvement in developing the request for proposals.

**14. RECESS BOARD OF SUPERVISORS MEETING** (9:16:40) - Mayor Crowell recessed the Board of Supervisors meeting at 9:16 a.m., and advised that he would be leaving the meeting to attend to an urgent Nevada League of Cities matter. Mayor Crowell introduced and welcomed the newest Deputy District Attorney, Pierron Tackes. Mayor Crowell passed the gavel to Redevelopment Authority Chairperson Lori Bagwell.

### REDEVELOPMENT AUTHORITY

**15. CALL TO ORDER AND ROLL CALL** (9:24:42) - Redevelopment Authority Chairperson Lori Bagwell called the Redevelopment Authority meeting to order at 9:24 a.m., noting the presence of a quorum. Member Crowell was absent.

**16. PUBLIC COMMENT** (9:24:51) - Chairperson Bagwell entertained public comment; however, none was forthcoming.

**17. ACTION ON APPROVAL OF MINUTES - July 18, 2019** (9:25:49) - Chairperson Bagwell introduced this item, and entertained a motion. **Member Bonkowski moved to approve the minutes, with a previously-submitted typographical correction. The motion was seconded and carried 4 - 0 - 1.**

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

**18(A) DISCUSSION AND POSSIBLE ACTION CONCERNING A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE EXPENDITURE OF \$20,000 FROM THE FY 2020 REDEVELOPMENT REVOLVING FUND TO UPDATE THE FUJI PARK MASTER PLAN** (9:26:22) - Chairperson Bagwell introduced this item, and Community Development Director Lee Plemel provided an overview of the subject and following items. Mr. Plemel presented the agenda materials for the subject item. Member Bonkowski thanked staff for agendizing this item. He requested that the master plan scope of work include consideration of the appropriate capacity for Fuji Park based on traffic circulation and parking. Mr. Plemel responded to an additional question of clarification and Chairperson Bagwell entertained public comment. When no public comment was forthcoming, Chairperson Bagwell entertained a motion. **Vice Chairperson Giomi moved to recommend to the Board of Supervisors approval of the expenditure of \$20,000 for the Fuji Park and Fairgrounds Master Plan. Member Bonkowski seconded the motion.** Chairperson Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote. **Motion carried 4 - 0 - 1.**

**18(B) DISCUSSION AND POSSIBLE ACTION CONCERNING A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE EXPENDITURE OF \$12,000 FOR THE PURCHASE AND PLACEMENT OF INFORMATIONAL SIGNS AT MILLS PARK, LOCATED AT 851 EAST WILLIAM STREET, IN ACCORDANCE WITH THE ADOPTED PARKS, RECREATION AND OPEN SPACE DEPARTMENT SIGNAGE MASTER PLAN** (9:29:08) - Chairperson Bagwell introduced this item, and Community Development Director Lee Plemel presented the agenda materials. Chairperson Bagwell entertained questions or comments of the Board members and of the public and, when none were forthcoming, a motion. **Member Bonkowski moved to recommend to the Board of Supervisors approval of the expenditure of \$12,000 for Mills Park signs. Vice Chairperson Giomi seconded the motion.** Chairperson Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote. **Motion carried 4 - 0 - 1.**

**19. PUBLIC COMMENT** (9:30:11) - Chairperson Bagwell entertained public comment; however, none was forthcoming.

**20. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY MEETING** (9:30:18) - Chairperson Bagwell adjourned the Redevelopment Authority meeting at 9:30 a.m.

**21. RECONVENE BOARD OF SUPERVISORS MEETING** (9:30:21) - Mayor *Pro Tem* Bagwell reconvened the Board of Supervisors meeting at 9:30 a.m.

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

**22(A) DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION AUTHORIZING THE EXPENDITURE OF \$20,000 FROM THE FISCAL YEAR 2020 REDEVELOPMENT REVOLVING FUND TO UPDATE THE FUJI PARK MASTER PLAN, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN** (9:30:29) - Mayor *Pro Tem* Bagwell incorporated the discussion which took place under item 18(A), and entertained additional questions or comments. In response to a question, Mr. Yu advised that the quorum was not

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reduced due to Mayor Crowell's absence and that four votes would be needed to pass the resolution. Mayor *Pro Tem* Bagwell entertained public comment and, when none was forthcoming, a motion. **Supervisor Giomi moved to approve Resolution 2019-R-25. Supervisor Barrette seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

**22(B) DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION AUTHORIZING THE EXPENDITURE OF \$12,000 FOR THE PURCHASE AND PLACEMENT OF INFORMATIONAL SIGNS AT MILLS PARK, LOCATED AT 851 EAST WILLIAM STREET, IN ACCORDANCE WITH THE ADOPTED PARKS, RECREATION AND OPEN SPACE DEPARTMENT SIGNAGE MASTER PLAN, AS AN EXPENSE INCIDENTAL TO CARRYING OUT THE REDEVELOPMENT PLAN** (9:31:31) - Mayor *Pro Tem* Bagwell introduced this item, and incorporated the discussion which took place under item 18(B). Mayor *Pro Tem* Bagwell entertained Board member questions or comments and public comments and, when none were forthcoming, a motion. **Supervisor Giomi moved to approve Resolution No. 2019-R-26. Supervisor Barrette seconded the motion.** Mayor *Pro Tem* Bagwell called for a vote on the pending motion.

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

**22(C) DISCUSSION AND POSSIBLE ACTION REGARDING A FINAL SUBDIVISION MAP KNOWN AS SCHULZ RANCH PHASE 4, RESULTING IN THE CREATION OF 100 RESIDENTIAL LOTS AND COMMON AREA, ON PROPERTY ZONED SINGLE FAMILY 6,000-SPECIFIC PLAN AREA (SF6-SPA), LOCATED ON RACE TRACK ROAD, APN 009-311-64 (FSM 18-121)** (9:32:02) - Mayor *Pro Tem* Bagwell introduced this item, and Associate Planner Heather Ferris presented the agenda materials in conjunction with displayed slides. City Engineer Dan Stucky responded to questions of clarification.

(9:39:02) Dustin Barker, representing Lennar Homes, referred to the final map and advised that the drainage improvements being discussed were part of a "different phase ... than the final map." With regard to concerns over a drainage problem, Mr. Barker explained that "the drainage improvements that were

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approved with that final map have been installed so ... there is places for the water to go. Those have been installed. The south property owners of that association didn't like the alignment of where that pipe was in the street and so they're wanting us to ... take it out ... and put it fifteen feet to the left in that same road. So, ... the approved plans by Carson City have been done. The remaining work that's left is just to repave where the trench is of that pipe. So ... the home sites do drain in accordance with engineered plans ... the current approved plans that are in place for that phase.

“... the site for the final map that we're talking about does not drain to this area at all. It drains to the north. There's a retention pond ... in the northeast corner so this final map has, from a drainage standpoint, ... nothing to do with that area that there's a concern. As [Mr. Stucky] talked, I don't have any further update than what [Mr. Stucky] had. We do have a verbal update. We talked about timing. We've put numerous proposals out. We've gotten numerous verbal agreements by the property owners to the south. It's a homeowners association and so the board changes over. And as that's changed over, we've had to ... restart and re-do. The documents that are in front of them were sent probably two months ago. They've done their diligence on them. We've gotten the verbal that the actual board has met. They're waiting for their formal meeting ... to be able to ratify and that one is on September 11<sup>th</sup>. So we're optimistic that once we get those easements we can then go re-do the drainage improvements in this new alignment and meet some of their other concerns that they were looking forward and then, worst case, if that doesn't happen, we do have a Plan B as [Mr. Stucky] mentioned that utilizes the public utility easement that doesn't need the required signatures of these homeowners.”

In response to a question, Planning Manager Hope Sullivan explained that “when you see a tentative map, you see an entire tentative map and you create conditions of approval for that entire tentative map. When you consider a final map, regardless of whether it's a phase of a final map or if the tentative map doesn't have phases, we revisit all of those conditions of approval and we have to be able to make each of those conditions of approval. We have to be able to tell you these can all be met.

“I want to focus ... on finding number 8 which says, 'Prior to submittal of any final map or parcel map, Development Engineering shall approve all on-site and off-site improvements.' To kind of revisit quickly what [Mr. Stucky] and [Ms. Ferris] already told you, this Board approved a final map of Phase 3. After that final map was approved, the City received a cease and desist letter. That is when it came to ... everyone's attention, including the D.A., that there was a question about the lawfulness of the easements. So, at the time of Phase 3, we weren't aware of that. We are now aware of that and Lennar and the City staff and the HOA have been all working fairly aggressively to resolve it. But I don't want this Board to think that we only look at the findings based on the phase. We look at all of the findings for every single phase regardless of which phase benefits.”

Supervisor Giomi inquired as to the possibility of deferring action on this item until September 19<sup>th</sup> or the first Board meeting in October. Mr. Barker advised that timing is critical. “We were trying to put this final map in front of you ... probably three months ago. We've been waiting to try to get everybody comfortable ... Now that we have people comfortable, we've got staff approval on this, ... our timing is we've stopped building homes with that product line that would be going on in this phase ... until we get this final map done. The improvement plans have been approved, bonded for, and improvements are done. So if you go

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out there ... it's a different configuration. But we're ready to build homes and we're ready to pull a building permit as soon as this final map goes. And that's what our intent is. We've invested not just the money for the land but additional money to go put the improvements in. So that's why I would ... move forward with it.

"As far as us being at the table to be able to get these things resolved, we won't rehash the history of this whole issue but there's debate on the legality of the easements and everything else. We're trying to do the right thing for everybody in the neighborhood and for the City. We've worked really hard ... to try to get resolution where everybody gets some satisfaction as to what we're trying to accomplish. ... Part of building community is not just the homes that we build but also the ... neighborhoods that are surrounding us and hopefully you ... have seen that we've demonstrated that out at Schulz Ranch with the various parks and the bypass and the various things that we've been able to accomplish out there. So my request would be to move forward with the final map because, if not, I've stopped my development ... of building the actual homes."

In response to a question, Mr. Yu provided background information on, and an overview of, the cease and desist letter received from the South Meadows HOA attorney. "What was contained in that letter was a reference to what they believed to be an unlawful transfer of the easements from the homeowners. So it was the unit owners of those property parcels because they were subject to approval from the HOA board. The contention there was that they did not receive approval from the HOA board and, therefore, the transfer or conveyance of those easements were illegal. Once we received notice of that, that's when we contacted Public Works and that's when the process of debate and discussion initiated."

In response to a question, Mr. Barker stated, "We've built the improvements that have been approved by the City. ... We're trying to avoid conflict between homeowners and residents and the City ... It's going to cost us money to rip out improvements and put back in. So we have the best interests to be able to go do that. When I say that you have a bond, ... we're out there building homes. We're present. We've still got a couple years left to be out there so it's not as if we're going anywhere. But the mechanics of the subdivision improvement agreement and bonds for improvements that give the City security as far as if the work's going to get done ... When we say bonds, it's not to say, 'Well, you guys have a bond so you guys can deal with it.' It's more just to say that you've got that process in place and it's there."

"For us, ... we would all love for this to be done. We were days away from having the improvements 100% complete when we got the cease and desist letter. It's a tough process when you're dealing with a homeowners association because you're dealing with individual homeowners and a board and there's just a lot of parties involved. And so we're trying to accommodate all of them. So, ... we're committed to be able to get that done. We still have building permits to pull. We have C of O's to do. We have bonds out there. There's plenty of obligations that we have to the City and to that community to continue what we're doing out there so I feel like there's ample evidence for that and, hopefully, the staff can appreciate the effort that all of us have put into it; that we're not trying to make this problem go away easily. We're trying to do the right thing which has been harder but we're really close right now."

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“And then the Plan B option about going to the public utility easement is another option where we wouldn’t have to go through the homeowners. The real issue … is that the streets that we’re talking about are owned by the individual parcels. So, our final map, you’ve got home sites and then you’ve got streets for several parcels. And in that community, it’s not the case. The home site goes into the street so you’ve got multiple people that own 50 feet of the street. And so that’s what’s been the difficulty as far as timing goes. And the HOA president that’s in place right now, very competent. She seems very encouraged to be able to get this done. All parties involved, including them, are ready to get resolution to it. So I think we’re really, really close.”

Mr. Barker acknowledged that the completed improvements have not yet been accepted by the City. He responded to additional questions of clarification, and discussion followed. In response to a series of questions, Mr. Stucky stated, “… we’re close on Option A and everybody’s hopeful that that will work out. I think we have a good Option B that I’m comfortable if Option A doesn’t work, we will move to Option B and I think it will work at this point. It’s at a conceptual level right now but I think it will work.” In response to a comment, Mr. Stucky stated that, “If Plan A is approved at the HOA … Plan A will get done. Plan B, from what we’ve seen, we don’t have final engineering plans that we’ve signed off on, but Plan B looks like a viable alternative but I can’t tell you right now because I haven’t signed off … We’re still with Plan A. So I can’t tell you right now Plan B because we haven’t got to that final design, final plan level yet. … that’s my level of comfort right now.”

In response to a further question, Mr. Stucky advised that there is an improvement agreement on Phase 3 “that is connected to those drainage improvements, as Lennar mentioned. I think Phase 4, in their opinion, … it’s separated somewhat from this drainage issue that we’re trying to resolve. … As far as not issuing CO’s on Phase 4, I’m not sure if we can tie that back to the drainage improvements … on Phase 3 that we’re talking about.” Extensive discussion followed which involved Mr. Barker.

Public Works Department Director Darren Schulz concurred with the previous comments and discussion. “Trying to get it to resolution, especially the last few months, we’ve been on the phone, we’ve been in meetings every single day to try to get it resolved. Where we are today, staff, we just barely got comfortable with what we brought before you today. We would really like to have that line signed but we barely got comfortable with the discussions we’ve had, the email that was provided, that this is a done deal. But it all goes up to if you’re not comfortable today, rather than add language into it, I would punt this two weeks. We either have that signature or we don’t and then we move forward. I know Lennar is anxious to go and we’re trying to help them and we agree that Lennar is doing everything they can to try and get us there but we need that signature. That’s where we’re at.”

In response to a question, Mr. Barker stated, “I wouldn’t associate two weeks and detriment in the same sentence. … my point is that we were intending to have this final map done three months ago. In my best opinion, this final map is separate from what we’re talking about right now. There’s plenty of other conditions, there’s plenty of other securities that the City has in place regarding these improvements. The improvements are in dispute as far as whether they’re done in accordance with what everybody wants and how they want them … done. The City holds easements right now. We hold easements right now. I’ve already made statements those easements are good. Despite all that, we’re still going to spend the time to

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try to do what's right for everybody and that's what we're trying to do right now. ... I've been accommodating ... and that's why I'm pushing to ... move forward with it. But to me, a detriment for two weeks. It's not a detriment. I just want to hold all of us to keep going. And it's tough when we're in positions where we're trying to accommodate with these third parties who aren't represented today. ... I wish they were here so that we could talk through this. So, is two weeks a detriment? No. It's just more ... I've already waited three months to get to this chair. ... We've been patient. We sent the final agreements that we've talked about that the HOA says that they're good with July 15<sup>th</sup>, almost two months ago, a month and a half ago."

**Supervisor Bonkowski moved to defer action on this item until the next meeting.** Mayor *Pro Tem* Bagwell entertained public comment; however, none was forthcoming. **Supervisor Giomi seconded the motion.** Mayor *Pro Tem* Bagwell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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

**FUTURE AGENDA ITEMS** (10:04:56) - Supervisor Bonkowski requested an update on the Asset Management Plan within the next month or two. Supervisor Giomi referred to a previous request to agendize discussion regarding Title 18. Supervisor Barrette requested a report from Code Enforcement regarding signage.

**STATUS REVIEW OF PROJECTS**

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS**

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS**

**STATUS REPORTS AND COMMENTS FROM BOARD MEMBERS** (10:06:40) - Supervisor Giomi advised that the Cultural Commission is proposing a resolution to recommend extension of the sunsetted 1% room tax for the Arts and Cultural position.

**STAFF COMMENTS AND STATUS REPORTS**

**24. PUBLIC COMMENT** (10:07:53) - Mayor *Pro Tem* Bagwell entertained public comment. (10:08:03) In reference to item 13, Omar Afifi inquired as to qualifications and Public Works Department Director Darren Schulz and Supervisor Bonkowski responded to his questions. (10:12:42) Sheriff Ken

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Furlong advised that the Carson City School District was awarded a substantial grant for school safety. There are two school safety officer positions which have been approved to be added to the school district. Mayor *Pro Tem* Bagwell entertained additional public comment; however, none was forthcoming.

**25. ACTION TO ADJOURN** (10:14:38) - Mayor *Pro Tem* Bagwell adjourned the meeting at 10:14 a.m.

The Minutes of the September 5, 2019 Carson City Board of Supervisors meeting are so approved this 3<sup>rd</sup> day of October, 2019.

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ROBERT L. CROWELL, Mayor

ATTEST:

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AUBREY ROWLATT, Clerk - Recorder