

CARSON CITY BOARD OF SUPERVISORS
Minutes of the January 16, 2020 Meeting
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, January 16, 2020 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 Rowlett, Clerk - Recorder
Dan Yu, Assistant District Attorney
Tamar Warren, Senior Public Meetings 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. All meeting minutes are available for review at: <https://www.carson.org/minutes>.

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE

(8:31:03) – Mayor Crowell called the meeting to order at 8:31 a.m. Ms. Rowlett called roll and a quorum was present. Bruce Henderson, Minister of the Airport Road Church of Christ, provided the invocation. At Mayor Crowell's request, Supervisor Bagwell led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:33:13) – Mayor Crowell entertained public comments. Scott Drake informed the Board that he had a safety concern because young off-road dirt bikers, who are not old enough to drive, had been driving fast on the blind corners of "the dirt road portion [on] the very south-most portion of [Prison Hill]". Mr. Drake wished to see the road "contained" and clear maps provided to the public. Mayor Crowell requested that Ms. Paulson speak to Parks, Recreation, and Open Space Director Jennifer Budge to address Mr. Drake's concern. Mr. Drake stated "I don't really have any confidence in the Open Space folk. They kind of created this, invited it, I don't think they're capable of solving it in any real time, quickly."

(8:33:32) – Clark Burns introduced himself and proposed a year-round memorial to commemorate the lives lost during the [2011] IHOP shooting as his Eagle Scout project. Mr. Burns proposed the location of the shooting, McFadden Plaza, or the Lone Mountain Cemetery as possible locations to permanently display the names of the shooting victims. He also noted that he had secured the approval of the Nevada National Guard for the project. Mayor Crowell informed Mr. Clark that a memorial already existed in Mills Park (near the Firefighters' Memorial) of an obelisk and a memorial tree. The Mayor encouraged Mr. Burns to look at what exists at the moment, and work with the Parks and Recreation Department as well.

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(8:42:35) – Deni French introduced himself and thanked the Sheriff’s Department dispatch and volunteers, and the Public Works Department for their quick responses to his requests. Mr. French expressed concern over the three percent water rate increase stating “any increase is huge to me.” Mayor Crowell thanked Mr. French for his comments.

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – DECEMBER 19, 2019

(8:44:34) – Mayor Crowell introduced the item and noted a corrected version had been distributed to the Board. **Supervisor Bagwell moved to approve the corrected minutes of the December 19, 2019 meeting. The motion was seconded by Supervisor Barrette.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote. **Motion carried 5-0-0.**

7. FOR POSSIBLE ACTION: ADOPTION OF AGENDA

(8:45:08) – Mayor Crowell introduced the item and entertained requests for modifications. When none were forthcoming, he deemed the agenda adopted.

8. SPECIAL PRESENTATIONS

8.A PRESENTATION OF LENGTH OF SERVICE CERTIFICATES TO CITY EMPLOYEES.

(8:45:28) – Mayor Crowell introduced this item, and invited Taylor Mieras, Deputy Sheriff; and Haley Swift, Senior Library Assistant to the meeting table. Mayor Crowell presented Mr. Mieras and Ms. Swift Longevity Certificates commemorating five years of dedicated service to the City, followed by a group photograph with the Board of Supervisors.

8.B PROCLAMATION AND PRESENTATION OF THE EMPLOYEE-OF-THE-QUARTER AWARD TO DIANE BAKER, DEPARTMENT BUSINESS MANAGER.

(8:48:27) – Mayor Crowell introduced the item and invited Ms. Baker to join the Board at the meeting table. He also read a proclamation into the record recognizing Ms. Baker as Employee of the Quarter. Ms. Baker recognized the Library Staff and noted that she was able to focus on the strategic planning because of their assistance and contributions to the Library’s day-to-day activities. The Mayor and the Board of Supervisors posed for a photograph with Ms. Baker and congratulated her on receiving the Employee-of-the-Quarter Award.

CONSENT AGENDA

(8:52:43) – Mayor Crowell introduced the Consent Agenda and entertained requests to hear items separately. When no requests were forthcoming, Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the consent agenda consisting of items 9.A, 10.A, and 11.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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RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Bonkowski
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Barrette, Giomi, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

9. CITY MANAGER

9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION ON RATIFYING THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF DECEMBER 7, 2019 THROUGH JANUARY 3, 2020.

10. FINANCE

10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH JANUARY 3, 2020, PER NRS 251.030 AND NRS 354.290.

11. PURCHASING AND CONTRACTS

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AMENDMENT NO. 1 TO CONTRACT NO. 19300060, ASSET MANAGEMENT NEEDS ASSESSMENT AND SOFTWARE SOLUTIONS EVALUATION, WITH ATKINS, FOR AN ADDITIONAL AMOUNT OF \$51,466, FOR A NEW NOT TO EXCEED TOTAL CONTRACT AMOUNT OF \$107,596.00.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

12. ITEM(S) PULLED FROM THE CONSENT AGENDA WILL BE HEARD AT THIS TIME.

No items were pulled from the consent agenda.

13. SHERIFF

13.A FOR DISCUSSION ONLY: PRESENTATION OF A BIENNIAL REPORT ON CARSON CITY JAIL CONDITIONS AND INFORMATION CONCERNING DEATHS OF PRISONERS WITHIN THE JAIL.

(8:53:22) – Mayor Crowell introduced the item. Carson City Sheriff Ken Furlong gave background on the 2019 Legislative Actions, “the tragedies that happened in the jail, as well as the condition of the jail.” He also noted that the discussion would give transparency to the public, adding that “it is very, very important that we take the

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health, safety, and welfare of not only the inmates, but the Staff and the structure of the facility as well.” Sheriff Furlong entertained input on any adjustments the Board wished to make on these semi-annual presentations on the topic.

(8:55:04) – Assistant Sheriff Jerome Tushbant provided the following 2019 calendar year statistics regarding the Carson City Jail: 3,604 bookings and “slightly less than that releases”; a monthly population of around 180, with a high of 190 inmates; the daily population of around 134 male and 46 female inmates, with an average 86-day stay. He also noted that there had been six attempted suicides, a 50 percent increase from 2018 and a 200 percent increase from 2017. Assistant Sheriff Tushbant also spoke of a decrease in the use of force (a 55 percent decrease from 2018); and noted that 4,617 inmates had requested a visit to the medical facilities. He also presented the Staff Report, incorporated into the record, regarding the two deaths occurring in the Jail, and responded to clarifying questions.

(8:57:56) – Captain Jim Primka explained the Board notification timeline of 48 hours. In response to a question from Supervisor Bonkowski, Sheriff Furlong indicated he did not have an exact installation date for the new Dispatch equipment and predicted it would be “within the quarter”. He also encouraged the Board to tour the Jail because they would provide “great input”. Captain Primka informed Supervisor Giomi that “every inmate that comes in is seen by our psychologist” especially if they have prior history of anxiety or mental health issues and they are placed in an observation area. Mayor Crowell inquired about the percentage of the Jail population with medical hold/mental health issues and Assistant Sheriff Tushbant believed that “a supermajority are suffering from some sort of behavioral illness.” Supervisor Bagwell inquired about “stressors” later on during their incarceration period and was informed that staffers are familiar with the individuals and cited the case of Mr. Hopper who had spoken about visiting his attorney the following day and had not exhibited triggers that would cause concern. Sheriff Furlong informed Mayor Crowell that the facility was licensed for 274 beds; however, the maximum capacity had not yet been reached for beds, but pods had reached that capacity. He also reviewed several alternatives to overcrowding, such as house arrest, and reviewed the process of communicating via a kiosk which would handle complaints and other items such as commissary orders. Captain Primka noted that they reach out to family members who initiate complaints as well.

(9:01:51) – Supervisor Barrette requested information on substance abuse and was informed that almost 60 percent of inmates had behavioral health issues and about 80 percent had overlapping substance abuse issues. Discussion ensued regarding post-Jail services as well.

(9:12:03) – Facilities Maintenance Manager Ron Reed gave background and reviewed the building maintenance information for Supervisor Giomi, noting it was “in top shape”; however, he stated that it was “showing its age”. He also explained that the mandatory thermostat setting has its benefits, although there were complaints about the temperature which they normally take care of. Mayor Crowell entertained public comments; however, none were forthcoming.

14. PURCHASING AND CONTRACTS

14.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT NO. 19300020, REUSE MASTER PLAN, WITH MANHARD CONSULTING FOR A TOTAL CONTRACT AMOUNT OF \$131,200 TO BE FUNDED FROM THE WASTEWATER

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PROFESSIONAL SERVICES ACCOUNT AND A REIMBURSEMENT OF \$50,000 FROM CARSON WATER SUBCONSERVANCY DISTRICT (CWSD) TO THE CITY. (Carol Akers, CAkers@carson.org and Andy Hummel, AHummel@carson.org)

(9:15:15) – Mayor Crowell introduced the item. Purchasing and Contracts Administrator Carol Akers presented the item and noted that it was budgeted. She also indicated that the Carson Water Subconservancy District would reimburse the City the amount of \$50,000 to offset the cost. Wastewater Utility Manager Andy Hummel gave background, presented the agenda materials, including an overview of the contract. Mr. Hummel also discussed the treatment process and responded to Supervisors' questions. Discussion ensued regarding conducting public meetings and Mr. Hummel informed Supervisor Giomi that the members of the public would have an opportunity for comments. Supervisor Bagwell was informed that the bid will stand as is and that Manhard Consulting would honor it, even though it was prioritized for a later date. Supervisor Barrette was informed that replacements for golf courses had been identified in Open Space and the prison farm at the Stewart facility. He also informed Mayor Crowell that the leakage from the Brunswick area was going to the [Carson] River and that discussion was planned with the Nevada Department of Environmental Protection [NDEP] now that they had "finally started to catch up" with their staffing. Mayor Crowell entertained public comments.

(9:27:03) – Mr. French expressed concern regarding salt content, fertilizers, and pesticides when using reclaimed water for golf courses. He was especially concerned with the contamination of the water table and the pollution that it may cause. There were no additional comments; therefore, Mayor Crowell entertained a motion.

(9:29:25) – Supervisor Giomi moved to approve contract number 19300020, Reuse Master Plan, as presented. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Giomi, Bagwell, Barrette, Bonkowski, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

15. COMMUNITY DEVELOPMENT - PLANNING

15.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 101, AN ORDINANCE AMENDING TITLE 18 APPENDIX, DIVISION 2, SECTION 2.3 OF THE CARSON CITY MUNICIPAL CODE (CCMC) TO ALLOW TANDEM PARKING SPACES TO COUNT TOWARDS THE REQUIRED MINIMUM NUMBER OF PARKING SPACES IN SINGLE FAMILY RESIDENTIAL DEVELOPMENTS.

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(9:30:24) – Mayor Crowell introduced the item. Supervisor Bonkowski recommended a short recess to read the provided late material. Planning Manager Hope Sullivan clarified that during its last meeting the Board had directed the District Attorney's Office to "make conforming changes" reflected in the updated material.

(9:40:48) – Mayor Crowell reconvened the meeting and requested further clarification from the District Attorney's Office. Mr. Yu explained that the document was "substantially different in look and appearance from the first draft." However, he clarified that "substantively...it's identical." Mr. Yu noted that the provisions directed by the Board had been included in the document and explained the reasons for the delay which included distributing it to the Board at the same time as to public to comply with the Open Meeting Law, adding that the only deletions were to remove redundancies. He also explained that subsequently, they will work closer with the Planning Division to ensure timely delivery.

(9:45:40) – Deputy District Attorney Ben Johnson reviewed the additions and deletions in each paragraph and responded to clarifying questions. Discussion ensued regarding acceptance of the changes. Applicant John Krmpotic noted that "the language is exactly what we discussed here last time" and was in favor of the revised document. Supervisor Giomi was not in favor of late material in general; however, he was in favor of delaying any action on the item. Supervisor Barrette explained that historically he was not for tandem parking and wished to have further public input; however, he praised the District Attorney's Office for making the appropriate changes. Supervisor Bagwell agreed with Supervisor Giomi; however, she believed the public was given appropriate notice. She also noted that the changes were based on the direction given to Staff at the previous meeting, adding that since the request was applicant-driven, "we need to adhere to those timelines." Supervisor Bonkowski believed that he could move forward with the item; however, he also was not in favor of receiving late material immediately before an item was up for review, calling it an abdication of their responsibility. Supervisor Bonkowski suggested receiving a redline and a clean copy in the future. Supervisor Barrette believed the item was applicant driven but not applicant specific. Supervisor Bonkowski believed that the item, if approved, would be "written in sand, not granite" and could be changed in the future.

(9:56:30) – Associate Planner Heather Ferris confirmed that no public comment was received regarding the item. Mr. Yu explained the statutory requirements for the first and second reading of an ordinance, stressing that it was not an excuse; however, he believed that the changes were not substantive other than incorporating the recommended changes by this Board at the previous meeting. He recommended skipping a meeting in between readings to ensure timely delivery. Supervisor Bonkowski suggested having another first reading prior to the second reading of an ordinance, since the Board would be making the final decision on the item. Mayor Crowell entertained public comments.

(10:02:57) – Mr. French reiterated his concern that the project was applicant specific, and he wished to ensure the ordinance contained the 20-foot driveway specification. Mayor Crowell explained the application fee process for Mr. French as well. Supervisor Bagwell explained that the Board had opted to require a Special Use Permit through the Planning Commission for projects requesting tandem parking spaces. Mayor Crowell entertained next steps. Supervisor Bonkowski noted that he had a chance to read the document and hear Staff's explanation; therefore, he was ready to proceed. Mayor Crowell entertained a motion.

(10:09:35) – Supervisor Bonkowski moved to adopt Bill No. 101 on second reading, Ordinance No. 2020-1, [specifically] the version that was handed out immediately preceding the agenda item, including the

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following changes: deleting one of the “wheres” in Section 5.a.2 (in line three); Section 5.a.5 to read “provide a covered enclosed structure”, and 6.b.3 to read “provide a covered enclosed Structure.” Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (4-1-0)
MOVER:	Supervisor Bonkowski
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Giomi, and Mayor Crowell
NAYS:	Barrette
ABSTENTIONS:	None
ABSENT:	None

16. PUBLIC WORKS

16.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED COVENANT OF USE, PROHIBITING EXPLICITLY RELIGIOUS ACTIVITIES IN VIOLATION OF FEDERAL LAW AND DISCRIMINATION IN VIOLATION OF FEDERAL LAW, FOR THE BREWERY ARTS CENTER BUILDING (449 WEST KING STREET; APN 003-207-04) THAT THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) REQUIRES TO RELEASE ITS INTEREST IN THE PROPERTY, EXCEPT AS OTHERWISE NOTED IN THE COVENANT, IN ORDER TO FINALIZE THE RECONVEYANCE OF THE PROPERTY TO THE BREWERY ARTS CENTER.

(10:11:14) – Mayor Crowell introduced the item. City Engineer Dan Stucky gave background on the item and presented the agenda materials. Brewery Arts Executive Director Gina Hill explained that they were working with the District Attorney’s Office to ensure that the Center could continue to provide a venue for weddings and parochial high school events such as proms and remain within the guidelines of the federal law. Supervisor Giomi inquired whether the recording of the Covenant should wait until Ms. Hill received answers. Ms. Hill noted “we don’t have a choice” and explained that she had been advised by her attorneys to move forward. She also confirmed for Supervisor Barrette that the Brewery Arts Board had signed off on the reconveyance. Mayor Crowell entertained public comments.

(10:16:37) – Laurie Sonderegger introduced herself as a King Street resident and a Board Member of the Fountainhead Foursquare Church and inquired about why “Christians couldn’t use the Brewery Arts Center”. Mr. Stucky gave further background dating back to a federal grant in 1977, which included certain restrictions. He noted that the City wished to ensure that they were not in violation of the grant as they released the property back to its previous owner. Ms. Hill clarified that the Covenant applied only to the 449 West King Street property which was separate from the performance hall. Deputy District Attorney Todd Reese clarified that if the Covenant were not recorded the grant (which was a substantial sum) would have to be repaid.

(10:24:02) – Steve Brockway introduced himself and received clarification that all religions would be excluded from having explicit activities.

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(10:24:58) – Mr. French pointed out that he could not hear the presenters' names while sitting in the audience. There were no additional public comments; therefore, Mayor Crowell entertained a motion.

(10:25:35) – Supervisor Bagwell moved to approve the Covenant of Use. Supervisor Giomi seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Bagwell
SECONDER:	Supervisor Giomi
AYES:	Supervisors Bagwell, Giomi, Barrette, Bonkowski, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

17. RECESS AS THE BOARD OF SUPERVISORS

(10:26:02) – Mayor Crowell recessed the Board of Supervisors at 10:26 a.m.

REDEVELOPMENT AUTHORITY

18. CALL TO ORDER & ROLL CALL - REDEVELOPMENT AUTHORITY

(10:33:58) – Chairperson Bagwell called the Redevelopment Authority meeting to order at 10:33 a.m. and noted for the record that all members were present.

19. PUBLIC COMMENT

(10:34:03) – Chairperson Bagwell entertained public comments; however, none were forthcoming.

20. FOR POSSIBLE ACTION: APPROVAL OF MINUTES - DECEMBER 19, 2019

(10:34:08) – Chairperson Bagwell introduced the item and entertained a motion.

(10:34:14) – Member Bonkowski moved to approve the minutes of the December 19, 2019 Redevelopment Authority meeting minutes with the correction that Member Crowell was present. The motion was seconded by Vice Chair Giomi. Motion carried 5-0-0.

21. CITY MANAGER

21.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF ONE MEMBER TO THE CARSON CITY REDEVELOPMENT AUTHORITY

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CITIZENS COMMITTEE TO FILL A POSITION RESERVED FOR A BUSINESS OPERATOR OR PROPERTY OWNER FOR A TERM EXPIRING IN JANUARY, 2023.

(10:34:36) – Chairperson Bagwell introduced the item and noted that current Committee member Ronni Hannaman had applied for a reappointment. She also entertained public comments and when none were forthcoming, a motion.

(10:35:03) – Vice Chair Giomi moved to reappoint Ronni Hannaman to the Redevelopment Authority Citizens Committee. Member Bonkowski seconded the motion.

RESULT:	APPROVED (5-0-0)
MOVER:	Vice Chair Giomi
SECONDER:	Member Bonkowski
AYES:	Vice Chair Giomi, Members Bonkowski, Barrette, Crowell, and Chairperson Bagwell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

22. PUBLIC COMMENT

(10:35:19) – Chairperson Bagwell entertained public comments. Mr. French recommended a legislative recess during the Holiday season, since many developments were approved around the Holidays.

23. FOR POSSIBLE ACTION: TO ADJOURN AS THE REDEVELOPMENT AUTHORITY

(10:38:56) – Chairperson Bagwell adjourned the Redevelopment Authority at 10:38 a.m.

24. RECONVENE AS THE BOARD OF SUPERVISORS

(10:39:01) – Mayor Crowell reconvened the Board of Supervisors meeting at 10:39 a.m.

25. CITY MANAGER

25.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF ONE MEMBER TO THE CULTURAL COMMISSION TO FILL A THREE-YEAR TERM THAT WILL EXPIRE IN JANUARY, 2023.

(10:39:10) – Mayor Crowell introduced the item. Ms. Paulson presented the agenda materials and noted that applicant Terri McBride who was requesting reappointment had to return to work. She also explained that applicant Shanna Kreuger had withdrawn her application. Mayor Crowell entertained public comments and when none were forthcoming, a motion.

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(10:39:53) – Supervisor Giomi moved to appoint Terri McBride to the Cultural Commission. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Giomi, Bagwell, Barrette, Bonkowski, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

25.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF TWO MEMBERS TO THE CARSON CITY OPEN SPACE ADVISORY COMMITTEE, EACH FOR A TERM THAT EXPIRES IN JANUARY, 2024.

(10:40:13) – Mayor Crowell introduced the item. Ms. Paulson invited applicant Daniel Greytak to the comment table. Mr. Greytak explained that he was ready to step in should current Member Gerald Massad decide not to seek reappointment; however, now that he had, Mr. Greytak did not “need to bump him off.” Mayor Crowell thanked Mr. Greytak and entertained a motion.

(10:39:53) – Supervisor Bagwell moved to reappoint Margie Evans and Gerald Massad to the Open Space Advisory Committee. Supervisor Bonkowski seconded the motion. Mayor Crowell entertained discussion on the motion. Supervisor Giomi received confirmation from Ms. Paulson that the two applicants, Gary Stone and David Francel were not in attendance, and that David Strull had withdrawn his application. Mayor Crowell called for the vote.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Bagwell
SECONDER:	Supervisor Bonkowski
AYES:	Supervisors Bagwell, Bonkowski, Barrette, Giomi, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES

(10:42:38) – Mayor Crowell announced a closed session to confer with Management Representatives at 10:42 a.m.

(12:10:30) – Mayor Crowell reconvened the meeting at 12:10 p.m.

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26. FIRE

6.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CARSON CITY FIRE DEPARTMENT CLASSIFIED CHIEF OFFICERS ASSOCIATION (CCOA), THE CARSON CITY FIRE FIGHTERS ASSOCIATION, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 2251 (LOCAL 2251), AND CARSON CITY REGARDING CCOA'S WITHDRAWAL OF REPRESENTATION OF THE BATTALION CHIEF'S SUPERVISORY BARGAINING UNIT AND THE REPRESENTATION OF THAT BARGAINING UNIT BY LOCAL 2251.

(12:10:51) – Mayor Crowell introduced the item. Mr. Reese presented the agenda materials including the memorandum of understanding (MOU) regarding the voluntary withdrawal of Carson City Fire Department Classified Chief Officers Association as bargaining agent and recognition of representation by Local 2251. Mayor Crowell entertained Board and public comments, and when none were forthcoming, a motion.

(12:12:43) – Supervisor Giomi moved to approve the memorandum of understanding with the change to reflect the effective date as January 16, 2020. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Giomi, Bagwell, Barrette, Bonkowski, and Mayor Crowell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

27. DISTRICT ATTORNEY

27.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING POTENTIAL LITIGATION, INCLUDING REQUESTS FOR INJUNCTIVE AND DECLARATORY RELIEF, RELATING TO PROPOSED HEMP CULTIVATION ON CARSON CITY OPEN SPACE PROPERTY LOCATED AT 4900 CARSON RIVER ROAD AND AUTHORIZATION FOR THE DISTRICT ATTORNEY TO PREPARE AND FILE ALL NECESSARY LEGAL DOCUMENTS.

(12:13:13) – Mayor Crowell introduced the item and entertained disclosures. Supervisors Bagwell and Bonkowski read into the record prepared disclosure statements, advised of no disqualifying conflict of interest and noted that they would participate in discussion and action. Mayor Crowell read into the record a prepared disclosure statement advising of a disqualifying conflict and noted that he would not vote on the item. Mayor Crowell turned the gavel over to Mayor Pro Tem Bonkowski to run the meeting.

(12:16:17) – Mr. Johnson gave background and presented the agenda materials. Mayor Pro Tem Bonkowski entertained Board and public comments, and when none were forthcoming, a motion.

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(12:17:11) – Supervisor Giomi moved to authorize the District Attorney’s Office to take any legal action necessary to protect the City as it relates to this subject. Supervisor Bagwell seconded the motion. Mayor Pro Tem Bonkowski entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	APPROVED (4-0-1)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Giomi, Bagwell, Barrette, and Mayor Pro Tem Bonkowski
NAYS:	None
ABSTENTIONS:	Mayor Crowell
ABSENT:	None

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NON-ACTION ITEMS

(12:17:46) – Mayor Pro Tem Bonkowski returned the gavel to Mayor Crowell who introduced the item. Ms. Paulson explained that the lead reclamation had begun at the Rifle and Pistol Range, and that 50,000 lbs. of lead had been removed from three backstops according to Parks and Recreation Director Jennifer Budge.

FUTURE AGENDA ITEMS

N/A

STATUS REVIEW OF PROJECTS

N/A

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

N/A

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

N/A

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD

N/A

STAFF COMMENTS AND STATUS REPORT

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N/A

29. PUBLIC COMMENT

(12:18:54) – Mayor Crowell entertained public comments and when none were forthcoming, he recessed the meeting until 5:30 p.m.

-- EVENING SESSION - 5:30 P.M. --

(5:30:35) – Mayor Crowell called the meeting back to order at 5:30 p.m. All Supervisors were present.

29. COMMUNITY DEVELOPMENT - PLANNING

29.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A TENTATIVE SUBDIVISION MAP KNOWN AS ANDERSEN RANCH TO CREATE 203 SINGLE FAMILY LOTS ON 48.2 ACRES ZONED SINGLE FAMILY 6000 (SF6) AND SINGLE FAMILY 12,000 (SF12), ON PROPERTY LOCATED AT 1450 MOUNTAIN STREET, GENERALLY EAST OF ORMSBY BOULEVARD, WEST OF MOUNTAIN STREET, NORTH OF WASHINGTON STREET, AND SOUTH OF LONG STREET, APNS 007-573-09, -10, AND -11.

(5:30:47) – Mayor Crowell introduced the item and provided several housekeeping rules including the fact that he would not limit public comment to three minutes; however, he advised the speakers to “stay on point” and reminded everyone that the written comments have already been made part of the record and read by the Board.

(5:32:11) – Ms. Sullivan gave background on the subject property and clarified that the conceptual map had been reviewed on May 31, 2019. She also stated that all legal notifications had been done appropriately. Additionally, the application had been available online, and notification had gone to the Nevada Appeal and Carson Now “well in advance of the legal requirements.” Ms. Sullivan addressed Title 17 and common open space requirements. She also explained that the final map approval was heard by the Planning Commission and approved by the Board of Supervisors. Ms. Sullivan then introduced the project as part of the Staff Report, reviewed the conditions of approval, incorporated into the record, and responded to clarifying questions by the Board.

(5:53:30) – Engineering Project Manager Steven Pottéy reviewed the floodplain concerns and highlighted the FEMA requirement as part of the conditions of approval. He also noted that the development must adhere to the West Carson Area Drainage Plan, funded by FEMA through the Carson Water Subconservancy district. Mr. Pottéy responded to clarifying questions throughout the Staff presentation.

(5:55:32) – Transportation Manager Lucia Maloney addressed the traffic impact study portion of the Staff report. She explained that a supplemental analysis was conducted because the initial one had taken place during a “minimum [school] day”. Ms. Maloney also responded to clarifying questions by the Supervisors.

(6:10:14) – Parks and Recreation Director Jennifer Budge also responded to questions and explained that improvements by developers typically exceed the Residential Construction Tax amount. She also noted that the homeowners’ association (HOA) will maintain the parks with the City defining the maintenance standards.

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(6:20:15) – Applicant Mike Railey, Planning Manager of Christy Corporation introduced himself and Christy Corporation President Scott Christy. He also introduced Loren Chilson, Principal at Headway Transportation. Mr. Railey noted the comprehensive job done by Staff and reviewed a presentation which is incorporated into the record. He also clarified that this was an entirely different project than the Vintage Project, emphasizing that the smaller lots were limited to the interior of the project with the larger homes being placed around them. Mr. Railey explained that they had incorporated many of the requests heard during a public meeting. He also responded to clarifying questions by the Board.

(6:28:13) – Mr. Christy highlighted the common open space development areas noting that they had designated seven times more than what was required. He also stated that they would agree to build single-story homes adjacent to current single-story ones and two-story homes near existing two-story ones. Mr. Christy offered to remedy the tumbleweed situation upon taking ownership of the property.

(6:42:08) – Mayor Crowell recessed the meeting for 10 minutes and reiterated the public comments process he had outlined earlier. He also reminded members of the public that the Board had read all the correspondence which has been made part of the record.

(6:52:10) – Mayor Crowell reconvened the meeting. A quorum was still present.

(6:52:13) – Carson City School District Project Manager Mark Johnson discussed the development's impact on the School District and projected 203 additional single-family units would add 63 students across all grade levels: 29 at the elementary level (which would currently be zoned for Fritsch Elementary School), 14 at Carson Middle School (currently over capacity), and 19 at Carson High School. He also discussed the expansion of Eagle Valley Middle School. Mr. Johnson responded to clarifying questions by the Supervisors.

(6:57:50) – Mayor Crowell entertained public comments.

(6:58:00) – Betsy Strasburg introduced herself and Richard Nagel as residents on Tahoe Drive on the southeast corner of Andersen Ranch. She referenced the first paragraph of Carson City Municipal Code Chapter 17.10 and asked, "if the purpose of the ordinance is not satisfied, why are we even entertaining the subparts of this Title to test for compliance?" She wished the Applicant had provided a computer simulation of all the one-story and two-story homes for visualization purposes. She visually demonstrated to the Board the development layout by scale and noted that the large amount of masonry was "not cohesive to the neighborhood" and believed no amount of vegetation or decomposed granite is going to hide the rooflines.

(7:05:23) – Mr. Nagel commented on the density and lack of sufficient space between the houses. He wished to see the area developed, although he believed that "we need the right development that we can afford that won't impact our schools radically [and] that won't financially impact our City for years to come." He cited an example in San Jose, California where the HOA had failed to maintain the drainage areas and had burdened the City.

(7:08:04) – Jason Prout introduced himself as a resident off West Long Street. As a commuter, he estimated 400 additional cars in the area and requested that Staff look into "regional modes of transportation", potentially

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making Curry Street and Division Street one-way streets due to how “clogged up” the area is. He also recommended looking at building the infrastructure prior to putting the people in the development.

(7:11:04) – Deni French introduced himself and agreed with Ms. Strasburg’s and Mr. Nagel’s comments. He stated that while he understands the area will be developed, he does not believe that the project “fits.”

(7:13:07) – Emiliano Carrillo introduced himself and advocated for development at a healthy rate, without over-developing. He believed infrastructure must be addressed first and was certain “this model isn’t reassuring.” He wished to see a different project or a different point of view so that people around this community don’t feel smothered; don’t feel in the spotlight.” Mayor Crowell noted that Mr. Carrillo has been his “shadow” for the past three months and called him “one bright kid.”

(7:16:27) – LeAnn Saarem introduced herself and referenced her written correspondence. She expressed concern about the precedence that the City is setting for new developments with small lots, the proximity of the homes, the infill, and the consistency and equity of the neighbors that are around. She clarified that she is not against the development, but she believed that it needs to be very well-thought-out and controlled to “preserve Carson City for the great place it is and why people want to come here.” She did not believe that the project fits every part of Carson City Municipal Code Chapter 17.10 because of the property constraints such as steep grades and wetlands. Ms. Saarem wished for Staff to reevaluate the 5,000 square-foot smaller lots and believed traffic issues could not be effectively addressed. She believed that the City, the community, and Christy Corporation could win from the development if the lot sizes were more consistent and “palatable” to everyone.

(7:30:03) – Rachelle Russum introduced herself as a 36-year Nevada resident and stated that she is in favor of the project, as she had been trying to purchase a home on the west side of the City. However, she was concerned about having a two-story house behind a single-story house, as she “wouldn’t want someone looking down into my house.” She proposed decreasing the number of lots down to approximately 150 and agreed with Ms. Saarem’s comments.

(7:32:24) – David Lambden introduced himself as a resident on Bolero Drive and stated that he was “thrilled” to see the development and had “simple hopes” for the project such as not raising the development height and stated that his street “fills” when it rains. He also believed that “you learn to live with it” and pointed out similar “bungalows” in cities like New York and Chicago. He stated that he “had a hard time believing that 200 families are all going to generate 60 school children. He also commented that he appreciated the effort that went into the development.

(7:38:36) – Suzanne Fox introduced herself as a resident on the west side of Ormsby Boulevard and cautioned about the development negatively impacting future wildlife issues, wildlife law enforcement staff, privacy issues, and “ridiculous restrictions” and maintenance issues imposed by the HOA. She noted that, per Carson City Municipal Code Chapter 17.10, the development would not be compatible with the surrounding area, and she pointed out concern for diminishing property values as a result of the development concealing “the views of the majestic Sierra Nevada.” She urged for studies to be undertaken by unbiased third parties prior to approving the development.

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(7:46:45) – Patrick Anderson introduced himself as a resident on Mountain Street and spoke in favor of the project. He stated that he “is sensitive to those people who live on those streets on the north and south borders” that have lived on private, dead-end streets and oppose the connectivity of the roadways from the development, adding “you cannot have enough connectivity in a neighborhood” in case of a tragic occurrence. He noted that Carson City School District’s management team and the Carson City School Board “have always been extremely accountable to the citizens of Carson City” and referenced the comment he made at the December 17, 2019 Carson City Planning Commission meeting, which was that he believed the project is “entirely consistent with the west side.”

(8:01:28) – Jason Kuchnicki introduced himself as a resident on Valencia Court and echoed previous public comments regarding taxpayers “having to hold the bag” for roads and flooding and concern for the City schools’ population growth, for which he strongly supported a “voluntary impact fee for the schools from the developer.” He was in favor of the voluntary condition applied by Mr. Christy, which Mr. Kuchnicki commended him for, to have single-story residences around the northern boundary along with the addition of the trail, as he believed it would “enhance the experience [for] recreationists.” He commented that a 30-foot buffer raises concerns about security and privacy and would impact home values, and he wished to have boundaries comparable to those at Long Ranch Estates, which he noted are 75 feet, but with a balance between the southern and northern boundaries. He stated that the multi-use path on the southern end “doesn’t really make sense,” and he believed that the trails would be used for area residents rather than to travel to Lake Tahoe. As a hydrologist, he recommended getting rid of the detention basins in exchange for 50-to-75-foot buffers to “enhance the recreational value.” He highly encouraged the Board to look into implementing some energy-efficiency standards into the Code for at least a portion of the development to reduce energy costs and greenhouse gas emissions.

(8:10:07) – Maxine Nietz introduced herself as a resident as well as a taxpayer, property owner, business owner, and volunteer and commented that some of the 250 square-foot per lot open space was inside the residential development as backyard space, which she stated meant it would not be a community recreational open space. Mayor Crowell noted that the Applicant had addressed this issue. Ms. Nietz inquired about the rock mulch and commented that the green in the common open space areas of the tentative map was disingenuous, as the rock mulch, decomposed granite, and concrete are not green. She stated that she was told that the Mountain Street/Fleischmann Way stop sign was put up as a result of the pressure from the Vintage Project and paid for by taxpayers, which differed from what she had heard at this meeting. Ms. Maloney clarified that the stop sign was put in due to the conditions of the intersection at the time rather than for any City project. Ms. Nietz advocated for the City to have an archeologist on Staff to ensure that Native American encampments had been identified and encapsulated to protect them for future study similar to what was done for the Silver Oak development. She echoed the disagreements from previous public comments about the development and remarked “I know that you see only the money potential for the City; however, I see a different future.” She also clarified for Mayor Crowell, per his request, that she believed that the Board would gain revenue in property tax from the development, to which Mayor Crowell responded that the City’s primary revenue source is sales tax.

(8:19:29) – Mr. Railey explained that the development’s open space calculations do not factor in any private yard areas, so there would be 7.96 acres of common open space provided outside of individual lots. Ms. Sullivan confirmed that what Mr. Railey and Ms. Nietz stated were both correct and referred to the Code as well as noted that the open space indicated on the tentative map is the common open space and does not include backyard space.

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She informed that the final map would still need approval from the Board and remain consistent with what was presented with any conditions of approval identified by the Board.

(8:21:14) – At Supervisor Bonkowski's request, Mr. Christy stated that the schedule for construction is approximately a four-year build out, "based on approvals and getting to a point where we can start construction, we're probably in a range of a year out from that."

(8:22:34) – Alicia Timoff introduced herself as a new resident off of Long Street and Mountain Street and commented on how residents should have commented on the smaller lot sizes to change them as a community prior to when the project was submitted to the Board, as the lot sizes had already been approved. She believed the project to be a good plan by raising her home value, and that the "school situation" will be addressed by the time she chooses to have children. She appreciated the Developer taking comments into consideration regarding house heights, and she believed that the Developer would try to fit more grass into the open space areas if the community pushed for it. Her main concern was the tumbleweeds and the fire hazard they posed to her house and the surrounding houses, as she has been in contact with the City since September 2019. Ms. Timoff showed a photo of her backyard to the Board. Supervisor Giomi attested to the condition of the tumbleweeds in her backyard and Ms. Timoff believed the development would ease that situation. She also requested preventative measures as a condition to address the tumbleweed and fire hazard issues including a 30-foot mowed firebreak for the cheat grass around the entire perimeter of the. Mayor Crowell agreed that what happened to Ms. Timoff's backyard is "completely unacceptable," and discussion ensued between Mayor Crowell and Ms. Timoff regarding the tumbleweed issue and the role of the Andersens or the Andersen Family Trust on the matter.

(8:36:45) – Patty Clark introduced herself and spoke on behalf of the Andersen family by explaining their history with the property as "extremely good caretakers of the land," even though they are currently unable to witness the day-to-day issues that arise due to living elsewhere. She spoke in favor of the smaller lots and stated that as a realtor she could assure that "smaller lots are the gold standard for the aging population and especially the aging population that is coming into this area from the high tax, coastal states."

(8:42:33) – Ms. Nietz offered a rebuttal to Ms. Clark's comment by stating that Ms. Clark would be reaping a profit as a realtor if the project is approved, to which Mayor Crowell stated he did not wish to take on "personal issues". Ms. Nietz inquired about "why their property right is way above my property right?" Mayor Crowell reiterated his request to avoid personal attacks during public comment.

(8:44:02) – There were no additional speakers; therefore, Mayor Crowell closed the public comment portion and entertained Board comments.

(8:44:45) – In response to a question by Supervisor Giomi should the HOA cease to exist or function, Ms. Sullivan read the following from Condition of Approval No. 31:

"A recorded covenant or deed restriction shall be placed on all properties within the proposed development to ensure maintenance of these amenities is funded in perpetuity. The restrictions will provide that should the HOA ever cease to exist, an assessment will then be implemented by the City to form a Landscape Maintenance District (LMD), per CCMC to provide for 100% of the maintenance and upkeep of the public recreation amenities, including the trailhead and the multi-use path."

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(8:45:20) – Mr. Pottéy clarified that the developer will “not be just moving floodwater over the side. They have to convey it all through the project.” He also noted that the lots are graded to drain, with the backs of the lots being a few feet higher than the street. Mr. Christy explained to Supervisor Barrette that he could not commit to the price points of the homes, as the prices will be market-driven. Ms. Sullivan noted that the roads will be public; therefore, no road responsibilities will be assigned to the HOA. Supervisor Bagwell recommended changing the construction hours to 9 a.m. until 5 p.m. on weekends and Mr. Christy stated that would be “acceptable”. Based on a request from Supervisor Bagwell, Ms. Sullivan recommended adding Condition No. 49 to state: “*Within 30 days of property acquisition, the entire property must be mowed to remove all tumbleweed and tumble mustard weed so as to avoid weeds from breaking up and migrating off the property...also, a 30-foot mowed fire break must be maintained from mid-June through September in the unimproved areas.*” Supervisor Bagwell also requested the following change to Condition No. 47: “*Along the northern perimeter, homes ~~adjacent~~ will be limited to single-story.*” Discussion ensued regarding buffers and Mr. Christy outlined their plans including those regarding grading. Mayor Crowell entertained a motion.

(9:00:35) – Supervisor Bonkowski moved to approve the tentative subdivision map, based on the ability to make the required findings in the affirmative and subject to the conditions of approval recommended by the Planning Commission with the following staff modifications:

Conditions 30 and 37 will add the language “a recorded covenant or deed restriction shall be placed on all properties within the proposed development to ensure maintenance of these amenities as funded in perpetuity. Condition 37 will add the words “in perpetuity” after HOA. Condition 35 will spell out Parks Recreation and Open Space (not PROS as previously abbreviated). Condition 47 will be revised to read: Along the northern perimeter, homes will be limited to a single story. Condition 49 will be added to read: Within 30 days of property acquisition, the entire property must be mowed to remove all tumbleweed and tumble mustard weed so as to avoid weeds from breaking up and migrating off the property. This condition shall be maintained. Also, a 30-foot mowed fire break must be maintained from mid-June through September in the unimproved areas. Condition 9 will be modified to reflect: Hours of construction will be limited to 9:00 a.m. to 5:00 p.m. on Saturday and Sunday.

And in addition, Staff’s modification to Condition 39 as it is stated in the Planning Manager’s memo of January 3, 2020. Supervisor Bagwell seconded the motion. Mayor Crowell entertained discussion.

(9:03:00) – Supervisor Barrette gave background and explained that he would have voted for the Vintage project since the interior roads would not have belonged to the City, and no children would have been going to the schools. However, he objected to this project because of the roads and not because of the Developers. Supervisor Bonkowski thanked members of the public for attending this meeting and for providing input. He believed that “we have a rulebook in place...so that when people come to town to build a project, they’ll know what to expect.” He invited input to the Municipal Code changes which are underway; however, at this time, this project was in compliance with the current rulebook, and did not see how the project could be denied. Supervisor Giomi noted that he appreciated Supervisor Barrette’s comments; however, he believed the Board bears a responsibility not to make decisions on a piecemeal basis and recommended having a discussion regarding the acceptance of roads during the Board’s Strategic Planning meeting. Supervisor Giomi recounted his conversations with current and former Planning Directors regarding Municipal Code Chapter 17.10 and agreed with Supervisor Bonkowski.

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Mayor Crowell also believed that “we have a zoning code, and I think we have to live by that.” Supervisor Barrette reiterated that “we cannot go on accepting more roads.” Supervisor Bagwell explained that the Christy Group was local and that she appreciated their offer to clear out the tumbleweeds, to volunteer to build single-story homes on the northern perimeter of the development, to reduce construction time on the weekends, and to change the design from the Mediterranean architecture to fit in better. Mayor Crowell entertained additional discussion, and when none were forthcoming, he called for the vote.

RESULT:	APPROVED (4-1-0)
MOVER:	Supervisor Bonkowski
SECONDER:	Supervisor Bagwell
AYES:	Supervisors Bonkowski, Bagwell, Giomi, and Mayor Crowell
NAYS:	Barrette
ABSTENTIONS:	None
ABSENT:	None

30. PUBLIC COMMENT

(9:16:58) – Mayor Crowell entertained public comments. Mr. Kuchnicki thanked the Board for considering updates to the Master Plan and the Municipal Code. Ms. Nietz stated that she had believed that “Carson City would be my forever home. You guys have just broken my heart.” Ms. Saarem expressed disappointment that the lot sizes would be reduced and wished to take part in updating the Municipal Code. Mr. French also expressed his disappointment in the evening’s outcome and called the Municipal Code updates necessary, wishing to be a part of those changes. Mr. French thanked Mr. Barrette for his vote. Ms. Timoff thanked the Developer for “dealing with the tumbleweeds.” Lori Edner introduced herself and presented a petition to remove the Wells Fargo kiosk on Second and Carson Streets, noting that it was not compatible with the downtown and the historic structures there. Ms. Paulson offered to “look into it” noting that the City had an existing lease at the moment.

31. FOR POSSIBLE ACTION: TO ADJOURN

(9:23:06) – Mayor Crowell adjourned the Board of Supervisors meeting at 9:23 p.m.

The Minutes of the January 16, 2020 Carson City Board of Supervisors meeting are so approved this 20th day of February, 2020.


ROBERT L. CROWELL, Mayor

ATTEST:


AUBREY ROWLATT, Clerk - Recorder