

**CARSON CITY BOARD OF SUPERVISORS**  
**Minutes of the October 15, 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, October 15, 2020 in the Community Center Bob Boldrick Theater, 851 East William Street, Carson City, Nevada.

**PRESENT:**

Acting Mayor Brad Bonkowski  
Supervisor Stacey Giomi, Ward 1  
Supervisor Lori Bagwell, Ward 3  
Supervisor John Barrette, Ward 4

**STAFF:**

Nancy Paulson, City Manager  
Stephanie Hicks, Deputy City Manager  
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 and audio recordings are available for review at: <https://www.carson.org/minutes>.

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

(8:30:32) – Acting Mayor Bonkowski called the meeting to order at 8:30 a.m. and read the *Notice to The Public*, incorporated into the agenda, stating that public comment will be heard at the beginning and at the end of the Board meeting, as agendaized. He also instructed the public to send their comments to [publiccomment@carson.org](mailto:publiccomment@carson.org) before 3:00 p.m. the day before Board meetings. Ms. Warren called roll and noted that a quorum was present. Hope Crossing Community Church Pastor Nick Emery provided the invocation and led the Pledge of Allegiance.

**5. PUBLIC COMMENT**

(6:33:45) – Acting Mayor Bonkowski entertained public comments. Carson City Sheriff Ken Furlong requested “everybody in this community, as we go through the final weeks before the elections, please stand down on the violence, destruction, and political escalations that are taking place in this community.” He also noted “we are experiencing an awful lot of damage in this town...they are politically associated” and implored the leadership of the political parties, and as a community, to look out for one another and to contact the Sheriff's Office should they see anything damaging to neighbors and the community. Acting Mayor Bonkowski reiterated those concerns and reminded everyone that by destroying someone else's property or defacing their political signs, they would be “giving up your right for that same protection.”

(8:36:40) – Supervisor Bagwell thanked “everyone for wearing pink this month to recognize Breast Cancer Awareness Month.” Ms. Paulson noted that public comment received via email has been provided to the Board and will be included in the official meeting records.

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**6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – SEPTEMBER 17, 2020**

(8:37:31) – Acting Mayor Bonkowski introduced the item and entertained changes, corrections, and/or a motion.

(8:37:41) – Supervisor Bagwell moved to approve the minutes of the September 17, 2020 Board of Supervisors meeting as presented. Supervisor Barrette seconded the motion which carried 4-0-0.

**7. FOR POSSIBLE ACTION: ADOPTION OF AGENDA**

(8:37:56) – Acting Mayor Bonkowski introduced the item. Ms. Paulson and the Supervisors indicated they had no changes to the agenda. Acting Mayor Bonkowski considered the agenda adopted as published.

**CONSENT AGENDA**

(8:38:16) – Acting Mayor Bonkowski introduced the item and stated that agenda items 10.A and 10.C would be pulled from the Consent Agenda. No additional items were requested for discussion. Acting Mayor Bonkowski entertained a motion.

(8:38:41) – Supervisor Bagwell moved to approve the Consent Agenda as published except for items 10.A and 10.C. Supervisor Barrette seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Bagwell
<b>SECONDER:</b>	Supervisor Barrette
<b>AYES:</b>	Supervisors Bagwell, Barrette, Giomi, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**8. CITY MANAGER**

**8.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 SEPTEMBER 5, 2020 THROUGH OCTOBER 2, 2020.**

**9. FINANCE**

**9.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 OCTOBER 2, 2020, PER NRS 251.030 AND NRS 354.290.**



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**10. PURCHASING AND CONTRACTS**

**10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF A SPARE CENTRIFUGE SCROLL ASSEMBLY FOR THE CARSON CITY WATER RESOURCE RECOVERY FACILITY FROM ANDRITZ SEPARATION INC., FOR AN AMOUNT NOT TO EXCEED \$75,699.**

(8:39:05) – Acting Mayor Bonkowski introduced the item. Wastewater Utility Manager Andy Hummel presented the agenda materials and responded to clarifying questions. He explained to Acting Mayor Bonkowski that the purchased spare parts would be subject to a 12-month warranty when installed, and to an 18-month warranty without immediate installation, adding that probably at time of use, the parts may be out of warranty. In response to a question by Supervisor Bagwell, Mr. Hummel explained that should the equipment get upgraded prior to needing the part, it may never be used; however, it can be sold to other plants. Acting Mayor Bonkowski entertained a motion.

(8:46:14) – Supervisor Giomi moved to approve the purchase as presented. Supervisor Barrette seconded the motion.

<b>RESULT:</b>	<b>FAILED (2-2-0)</b>
<b>MOVER:</b>	Supervisor Giomi
<b>SECONDER:</b>	Supervisor Barrette
<b>AYES:</b>	Supervisors Giomi and Barrette
<b>NAYS:</b>	Supervisor Bagwell and Acting Mayor Bonkowski
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

(8:46:44) – Acting Mayor Bonkowski clarified that the motion had failed due to the concern of spending \$75,699 at this time for a part that “may or may not be needed.” He also encouraged Mr. Hummel to return with the request “if you can work your way through the timing and the warranty.” Supervisor Bagwell recommended looking into a rental option as well.

**10.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF ONE NEW MOWER FOR THE PARKS, RECREATION AND OPEN SPACE DEPARTMENT (“DEPARTMENT”), UTILIZING JOINDER CONTRACT NO. 2017025 WITH OMNIA PARTNERS, FOR AN AMOUNT NOT TO EXCEED \$102,953.19.**

**10.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AMENDMENT NO. 2 TO CONTRACT NO. 20300042, IRRIGATION UPGRADES PHASE 2, WITH SITEONE LANDSCAPE SUPPLY, FOR ADDITIONAL IRRIGATION EQUIPMENT AND LABOR AND TO INCREASE THE CONTRACT AMOUNT BY \$11,078.89, FOR A NEW TOTAL CONTRACT AMOUNT OF \$159,539.16 TO BE FUNDED FROM THE QUALITY OF LIFE-CAPITAL FUND.**

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(8:47:56) – Acting Mayor Bonkowski introduced the item. Purchasing and Contracts Administrator Carol Akers provided background. Parks Superintendent David Navarro presented the Staff Report via WebEx and responded to clarifying questions. Acting Mayor Bonkowski entertained a motion.

(8:52:02) – Supervisor Bagwell moved to approve the amendment as submitted. Supervisor Giomi seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Bagwell
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Bagwell, Giomi, Barrette, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

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

Please see the minutes of items 10.A and 10.C.

**12. FIRE**

**12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$1,802,033 THROUGH THE NEVADA DIVISION OF FORESTRY (NDF) FROM MONEY APPROPRIATED BY SENATE BILL (SB) 508 (2019), TO FUND HAZARDOUS FUEL REDUCTION PROJECTS IN THE CARSON CITY WILDLAND URBAN INTERFACE AREAS.**

(8:52:23) – Acting Mayor Bonkowski introduced the item. Carson City Fire Marshal Dave Ruben gave background and reviewed the Staff Report. He also recommended acceptance of the grant. Supervisors Barrette and Giomi commended the Fire Department and NV Energy for being proactive. Acting Mayor Bonkowski entertained additional comments and when none were forthcoming, a motion.

(8:54:37) – Supervisor Giomi moved to accept the grant as presented. Supervisor Barrette seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Giomi
<b>SECONDER:</b>	Supervisor Barrette
<b>AYES:</b>	Supervisors Giomi, Barrette, Bagwell and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None



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**12.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT WITH NV ENERGY FOR THE CARSON CITY FIRE DEPARTMENT (CCFD) TO PROVIDE STANDBY SERVICES FOR UTILITY OPERATIONS DURING HIGH FIRE DANGER CONDITIONS AND TO PROVIDE EMERGENCY AND NON-EMERGENCY HAZARDOUS FUELS REDUCTION, BOTH [OFF AND] ON-CALL BASIS, AND AUTHORIZATION FOR THE FIRE CHIEF TO SIGN THE CONTRACT.**

(8:54:50) – Acting Mayor Bonkowski introduced the item. Fire Marshal Ruben presented the Staff Report, incorporated into the record. Supervisor Giomi praised NV Energy for its “unique approach...and something that would have benefited a lot of California communities” had a similar program been in place.

(8:58:26) – Carson City Fire Chief Sean Slamon recognized Fire Marshal Ruben and Wildland Fuel Management Officer Rodd Rummel for their passion and efforts to protect Carson City from wildfires. He also noted that the City had one of the most aggressive preventative measures in place among the western states. Acting Mayor Bonkowski agreed with Chief Slamon and Supervisor Barrette praised the contributions of NV Energy. Acting Mayor Bonkowski entertained a motion.

(9:00:59) – Supervisor Bagwell moved to approve the contract as presented and authorize the Fire Chief to sign the contract. Supervisor Giomi seconded the motion.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Bagwell
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Bagwell, Giomi, Barrette, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**13. COMMUNITY DEVELOPMENT - PLANNING**

**13.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AUTHORIZING THE CULTIVATION OF HEMP IN CERTAIN USE DISTRICTS AND ESTABLISHING GENERAL STANDARDS FOR HEMP CULTIVATION FACILITIES.**

(9:01:21) – Acting Mayor Bonkowski introduced the item. Community Development Director Lee Plemel gave background on hemp cultivation and cited the Board’s adoption of a moratorium on the cultivation of hemp on May 7, 2020, in order to develop appropriate regulations. Mr. Plemel referenced the proposed ordinance, incorporated into the agenda materials, which had been recommended by the Planning Commission, and reviewed several maps depicting the following zoning districts: Limited Industrial, General Industrial, General Industrial Airport, Agriculture, and Conservation Reserve (privately-owned lands). Both Mr. Plemel and Open Space Manager Lyndsey Boyer responded to clarifying questions by the Supervisors. Mr. Plemel clarified for



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Supervisor Bagwell, who noted that she had visited hemp cultivation areas and had noticed the “skunk” odor which would prohibit residents from enjoying their backyards, that Carson City’s agricultural properties are adjacent to suburban areas. Ms. Boyer confirmed that she had also visited hemp cultivation areas and had noticed the consistent odor. Supervisor Barrette inquired about controlling odors via indoor cultivation and was informed that could be an option. Supervisor Giomi explained that he had visited a marijuana growth location based on a complaint he had received, and had noticed the smell and confirmed that the neighbors could not go outside because of the odor, especially during the harvesting timeframe; however, he was in support of indoor growth. Discussion ensued regarding the height and water limitations in Conservation Reserve zones and Mr. Plemel confirmed that agricultural use was allowed there. Acting Mayor Bonkowski cited the example of Western Colorado and the odor generated by hemp cultivation, calling it a public nuisance, and did not wish Carson City residents to be subjected to the odor. He also recommended amending the ordinance to allow cultivation only in Industrial zoning districts – similar to that of marijuana and subject to the same standards. Acting Mayor Bonkowski recommended the following amendments to the draft ordinance:

- Prohibit hemp cultivation in Agriculture and Conservation Reserve outright.
- Delete Section III (Agriculture) and Section IV (Conservation Reserve) from the draft ordinance.
- Delete paragraph four of the Development Standards 1.21.

(9:24:20) – Mr. Plemel noted that marijuana was not allowed in Limited Industrial zones (and is further restricted to a geographic area). He also reiterated where marijuana may currently be grown on the maps provided in the Staff Report. Mr. Plemel explained that in Limited Industrial zones, should hemp be allowed, enforcement will be in the form of revoking a business license. Supervisor Barrette was in favor of requiring a Special Use Permit (SUP). Discussion ensued regarding enforcement options and Mr. Plemel explained the business license revocation process with the appeals being heard by the Board of Supervisors. Supervisor Giomi suggested a motion.

**(9:34:49) – Supervisor Giomi moved to introduce on first reading Bill Number 114 authorizing the cultivation of hemp in certain use districts and establishing general standards for hemp cultivation facilities with the following changes:**

- **Deletion of Section III (Agriculture) and Section IV (Conservation Reserve) of the draft ordinance.**
- **Deletion of paragraph four of 1.21 in Section V.**

**Supervisor Bagwell seconded the motion.**

(9:31:30) – Acting mayor Bonkowski clarified that a SUP would not be required; however, violations would be enforced via the revocation of the business license. **Mr. Plemel confirmed that hemp cultivation in Agriculture and Conservation Reserve zones would be prohibited based on this motion.** Supervisor Barrette preferred requiring a SUP. Discussion ensued regarding SUP versus business license revocations and Supervisors Bagwell and Giomi were in favor of the business license revocation and not requiring a SUP. Acting Mayor Bonkowski entertained additional comments and when none were forthcoming, he called for the vote.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Giomi
<b>SECONDER:</b>	Supervisor Bagwell
<b>AYES:</b>	Supervisors Giomi, Bagwell, Barrette, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None



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(9:42:57) – The Board agreed to have the ordinance returned at the next meeting for a second reading.

(9:43:10) – Acting Mayor Bonkowski recessed the Board of Supervisors.

(9:55:24) – Acting Mayor Bonkowski reconvened the meeting and entertained a request from Supervisor Bagwell.

**(9:51:31) – Supervisor Bagwell moved for reconsideration of item 13.A, Bill Number 114. Supervisor Giomi seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Bagwell
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Bagwell, Giomi, Barrette, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**(9:55:49) – Acting Mayor Bonkowski reopened item 13.A for reconsideration. Supervisor Bagwell moved to retain the previous action (motion to introduce on first reading Bill Number 114 with amendments) and add to it “that the District Attorney’s Office conform this ordinance to include the provisions that it is not a vested property right.”** Acting Mayor Bonkowski clarified that “the business license issue is a revocable privilege” similar to the language in the marijuana ordinance previously approved by the Board. **Supervisor Giomi seconded the motion.** Mr. Yu read the applicable paragraph from the marijuana ordinance into the record. He also confirmed that the first reading of this ordinance was “still valid”.

<b>RESULT:</b>	<b>APPROVED (4-0-0)</b>
<b>MOVER:</b>	Supervisor Bagwell
<b>SECONDER:</b>	Supervisor Giomi
<b>AYES:</b>	Supervisors Bagwell, Giomi, Barrette, and Acting Mayor Bonkowski
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**14. RECESS AS THE BOARD OF SUPERVISORS**

(10:00:08) – Acting Mayor Bonkowski recessed the Board of Supervisors.

**BOARD OF HEALTH**

**15. CALL TO ORDER & ROLL CALL - BOARD OF HEALTH**

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(10:00:32) – The meeting was called to order and roll was called. All Board of Health members (Chairperson Susan Pintar, Vice Chair Giomi, Member Bagwell, Member Barrette, Member Bonkowski, and Sheriff Ken Furlong) were present.

**16. PUBLIC COMMENT**

(10:01:14) – Chairperson Pintar entertained public comments; however, none were forthcoming.

**17. FOR POSSIBLE ACTION: APPROVAL OF MINUTES - JULY 16, 2020**

(10:01:38) – Chairperson Pintar introduced the item and entertained comments, corrections, or a motion.

**(10:01:48) – Member Bonkowski moved to approve the minutes of the July 16, 2020 Board of Health meeting as corrected. The motion was seconded by Vice Chair Giomi and carried 6-0-0.**

**18. HEALTH AND HUMAN SERVICES**

**18.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF THE REPORT OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT (CCHHS) DIRECTOR, NICKI AAKER.**

(10:02:42) – Chairperson Pintar introduced the item. Carson City Health and Human Services (CCHHS) Director Nicki Aaker presented updates on the following topics: Adolescent Sexual Health program; Title X program; CCHHS re-accreditation efforts; receipt of two public health awards (Epidemiology Program of the Year and Public Health Hero Award to Ms. Aaker); quality improvement projects in progress (such as rent and grocery assistance); COVID-19 cases and activities; and upcoming public health events calendar (encouraging Board member to attend virtually) which is incorporated into the record. She, along with Public Health Educator Sarah Johnson, also responded to clarifying questions.

(10:18:10) – Ms. Aaker clarified for Member Bagwell that face shields are not recommended by the Centers for Disease Control [and Prevention] (CDC). She also provided the following update on the Carson City COVID-19 activities from September 27, 2020 until October 10, 2020:

*57 new confirmed cases (a 33 percent increase from the previous two-week period) with an average age of 40 years-old; 26 females; 31 males; 58 percent of the cases reported being Hispanic/Latino; 40 percent non-Hispanic; two hospitalizations; 47 percent had contact with a known COVID-19 case; 27 percent visited a grocery or retail store; 20 percent attended school; 19 percent ate at a bar or a restaurant; and 60 percent had gone to work while symptomatic.*

(10:24:28) – She also explained that individuals with COVID-19 symptoms will not receive flu vaccines. Chairperson Pintar encouraged the public to take advantage of the vaccination events as most of the traditional methods such as school vaccinations were not taking place this year. Member Bagwell was informed that rapid tests were not available at this time and that COVID-19 test results would still be available within a week. Chairperson Pintar entertained additional comments and when none were forthcoming, a motion.



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(10:37:31) – Member Bonkowski moved to accept the Director’s report. Member Bagwell seconded the motion.

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Member Bonkowski
<b>SECONDER:</b>	Member Bagwell
<b>AYES:</b>	Members Bonkowski, Bagwell, Barrette, Furlong, Vice Chair Giomi, Chair Pintar
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**18.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE BIENNIAL 2020 REPORT FROM VITALITY UNLIMITED AS REQUIRED BY CONTRACT #1718-118 BETWEEN CARSON CITY AND VITALITY UNLIMITED.**

(10:37:57) – Chairperson Pintar introduced the item. Carson City Vitality Programs Manager Judith Ricketts-Stookey introduced herself, presented the Vitality Unlimited biannual report to the Board (November 1, 2019 to September 30, 2020) and responded to clarifying questions. Municipal Court Judge Thomas Armstrong clarified that because of bed availability and recovery issues, some individuals may be placed in a treatment program in Elko, and called the program a beneficial tool. Municipal Court Judge Kristin Luis also spoke in favor of the residential treatment program, and believed that treatment was more beneficial than incarceration. Judge Armstrong explained that the program serves “high risk individuals with the probability of reduced relapse.” Discussion ensued regarding the availability of resources and transitional housing in general. Judge Armstrong called the need “huge” and gave the example of working with Partnership Carson City, adding that if not placed in the right environment, relapse would be an issue. Chairperson Pintar entertained a motion.

(11:10:25) – Vice Chair Giomi moved to accept the report as presented. Member Barrette seconded the motion.

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Vice Chair Giomi
<b>SECONDER:</b>	Member Barrette
<b>AYES:</b>	Vice Chair Giomi, Members, Barrette, Bagwell, Bonkowski, Furlong, Chair Pintar
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**18.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT #1718-118, VITALITY SERVICES CONTRACT, EFFECTIVE DECEMBER 21, 2017 THROUGH DECEMBER 31, 2020, AND THE CORRESPONDING LEASE AGREEMENT BETWEEN CARSON CITY AND VITALITY UNLIMITED.**



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(11:10:54) – Chairperson Pintar introduced the item. Ms. Aaker presented the Staff Report, incorporated into the record, and highlighted the scope of work (Exhibit A). Discussion ensued regarding the availability of licensed personnel during the night and Ms. Stookey clarified that those individuals were behavioral health technicians, trained but not licensed. She also walked the Board through several “what if” scenarios during emergencies and other situations. Ms. Aaker highlighted several items in the contract (1.9-1.11) noting that the information received from the Specialty Case Manager stated inconsistent communication about receipt of applications, confirmation of bed dates, failure to report, and other inconsistencies which she had escalated to Ms. Stookey, who explained that she had informed the supervisors at the Elko facility where the issues had originated. Judge Lewis clarified that they communicate and follow up to obtain information from both the Elko and Carson City facilities. Ms. Aaker informed Vice Chair Giomi that she was responsible for the contract and wished to see better reporting, should the contract get extended.

(11:29:55) – Member Barrette stressed the importance of communication. Member Bagwell was not in favor of losing residential beds and offered to help work on a process and on “a few cleanups to an amended contract.” Member Bonkowski noted his agreement with Member Bagwell’s comments and stated that “Vitality could have been a little more proactive in making sure that they are delivering the items required under the contract, and at the same time I believe that the City should have been more responsible for holding them accountable in reporting back to the Board.” Ms. Aaker also reviewed the direct costs associated with the contract, including the utility expenses which were paid by Vitality. Judge Lewis cited the example of an individual treated by another provider and noted the cost savings to the courts by utilizing the services of Vitality, in comparison to other treatment plans. Judge Armstrong explained to Member Bagwell that the original terms of the contract had been negotiated with the Court Administrator, adding “we’d like to have a seat at the table” as the Vitality services supported the Court programs, during future negotiations. Ms. Aaker welcomed that participation.

(11:43:25) – Member Bonkowski compared the additional beds that had been provided to the City at no charge to Vitality’s presence at the Long Street location, noting that “it could be a wash” because [Vitality] paying rent at another location would increase the cost to the City. In this case, he believed he could support the extension of the contract, adding “it’s not about the services provided, I think we’ve heard from the courts and everybody else that the service is working, especially if we can tweak the accountability portion and the reporting part of it.” Chairperson Pintar clarified that CCHHS could not use the current space occupied by Vitality; therefore, they would incur the expense of renting another facility.

(11:49:20) – Sarah Adler introduced herself as a consultant to Vitality Unlimited and explained that she had discussed the availability of “therapeutic space” in Carson City with a realtor and had heard there was none. She also believed that “the City is undervaluing its dollar per square foot to get that kind of therapeutic space.” She believed “if this lease cannot be renewed it would be extremely challenging to recreate this space in Carson City.” Discussion ensued regarding the move of patients to Reno and Member Furlong believed that may cause hardship for his office. Chairperson Pintar clarified that the current contract did not have an automatic renewal component. Member Bagwell and Vice Chair Giomi were in favor of a new contract versus a renewal. Member Bonkowski recommended a one-year contract with a renewal option because “it will take a little more time to sort through this and to come to the right decision” and wished to direct Staff to return with a modified lease agreement, for a year. He also cited several available spaces in Carson City. Member Bagwell recommended taking time “to get a good re-write.” Member Barrette did not wish to derail the program; however, he was in favor of informing the community “with what’s going on.” Ms. Aaker informed the Board that she had received adequate direction.



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Judge Armstrong stated that “the deliverables on the contract, regarding the Court’s concerns have been met through the entire time, and may even have even exceeded in a lot of areas.” He called the program “important” and wished to avoid seeing “this resource leaving Carson City.” He also offered the Court’s assistance.

**18.D FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION REGARDING THE COLUMBIA SUICIDE SEVERITY RATING SCALE, A STANDARDIZED SUICIDE SCREENING TOOL.**

(12:08:43) – Chairperson Pintar introduced the item. Carson City Human Services Division Manager Mary Jane Ostrander introduced Jessica Flood, North Region Behavioral Health Coordinator, who reviewed (via WebEx) a PowerPoint presentation, incorporated into the record, titled *the Columbia Suicide Severity Rating Scale*. Ms. Flood, along with Mobile Outreach Safety Team member Bekah Bock, responded to clarifying questions. Member Bagwell was informed that community service providers such as Friends in Service Helping (FISH) and the Ron Wood Family Resource Center, certain City departments, and private service providers would be able to use this screening tool, adding that Carson Tahoe Health has already adopted these standardized criteria. Chairperson Pintar inquired whether the Carson City Senior Center would have access to the information and was informed the Case Managers would be using the tool. Ms. Bock believed that primary care physicians could also benefit from the training. Ms. Ostrander outlined a train-the-trainer rollout as a next step and offered to return with results and data. Member Bonkowski recommended addressing the issue of trainer and trainee attrition and Ms. Flood agreed. Member Bagwell wished to see the Carson City statistics for budgeting purposes and recommended providing the training to the entire community, including local church leadership. Chairperson Pintar suggested a follow-up presentation in three-to-six months. This item was not agendaized for action.

**18.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED APPROVAL OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT’S (CCHHS) REVISED STRATEGIC PLAN.**

(12:42:09) – Chairperson Pintar introduced the item. Member Bonkowski explained that this item had been heard by the Board twice previously; therefore, he recommended entertaining questions from Board members. Chairperson Pintar provided background on the previous iterations and summarized the three priorities of the plan as follows:

1. *Access to healthcare*
2. *Communicable disease outbreak preparedness and response*
3. *Public health funding*

(12:44:30) – Member Bonkowski pointed out the “amazing progress” that had been made since the first iteration of the CCHHS Revised Strategic Plan. Member Bagwell recommended clarifying Priority II, Objective 2E to include: *developing a plan for communication, including an up-to-date contact list*. Member Bonkowski recommended addressing the maintenance of that contact list.

(12:50:32) – Discussion ensued regarding evaluating the effectiveness of grants and their added value to the community. Member Bonkowski noted that Priority III, Objective 2B, should ensure that grants fit the City’s

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needs and to pursue the “correct grant.” Ms. Aaker called the document fluid and noted it would be “tweaked annually.” Chairperson Pintar entertained a motion.

**(12:56:14) – Vice Chair Giomi moved to approve the Strategic Plan with minor grammatical changes read into the record on 2E. Member Barrette seconded the motion.**

<b>RESULT:</b>	<b>APPROVED (6-0-0)</b>
<b>MOVER:</b>	Vice Chair Giomi
<b>SECONDER:</b>	Member Barrette
<b>AYES:</b>	Vice Chair Giomi, Members, Barrette, Bagwell, Bonkowski, Furlong, Chair Pintar
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**19. PUBLIC COMMENT**

(12:57:01) – There were no public comments.

**20. FOR POSSIBLE ACTION: TO ADJOURN AS THE BOARD OF HEALTH**

(12:57:23) – Chairperson Pintar adjourned the meeting at 12:57 p.m.

**21. RECONVENE AS THE BOARD OF SUPERVISORS**

(12:57:27) – Acting Mayor Bonkowski reconvened the Board of Supervisors meeting at 12:57 and recessed the meeting until 1:02 p.m.

**22. BOARD OF SUPERVISORS**

**22.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING DIRECTIVES AND RECOMMENDATIONS CONCERNING CARSON CITY DEPARTMENTAL AND STAFF FUNCTIONS IN CARSON CITY AS A CONSOLIDATED MUNICIPALITY IN RELATION TO THE EXERCISE OF EMERGENCY POWERS PURSUANT TO NRS CHAPTERS 244 AND 414 AND CCMC CHAPTER 6.02 FOR THE PURPOSE OF ENSURING THE HEALTH, SAFETY AND WELFARE IN CARSON CITY IN RESPONSE TO THE GLOBAL CORONAVIRUS (COVID-19) PANDEMIC.**

(1:02:56) – Acting Mayor Bonkowski introduced the item. Ms. Paulson announced that Carson City’s COVID-19 supply warehouse “is up and running” and that the City had received 83 orders as of October 14, 2020. She also informed the Board that even though the supply of face shields, gloves, and sanitizer stands was depleted, replacements were underway. Ms. Paulson indicated that deliveries to local businesses were being made approximately twice per week.



**CARSON CITY BOARD OF SUPERVISORS**  
**Minutes of the October 15, 2020 Meeting**  
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(1:04:14) – Ms. Aaker reported on the hospital statistics requested by Supervisor Barrette, noting that 61 percent of licensed hospital beds and 67 percent of Intensive Care Unit (ICU) beds were occupied. She also stated that 22 percent of ventilators were in use and clarified that not all hospitalizations take place in Carson City, as a higher level of care may be needed sometimes. Ms. Aaker clarified that two of the hospitalizations were COVID-19 related and that there were 36 confirmed COVID-19 cases.

(1:06:33) – Ms. Paulson offered to provide Supervisor Bagwell with the up-to-date Coronavirus Aid, Relief, and Economic Security (CARES) Act grant spending and available balance information. She also confirmed a tweet by the Governor for a \$20 million relief package to allow Personal Protection Equipment (PPEs) for businesses and non-profit organizations.

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

(1:09:15) – Acting Mayor Bonkowski entertained Board member questions or comments. Supervisor Giomi inquired about utilizing part of the affordable housing project on Butti Way for transitional housing. Ms. Hicks offered to discuss the request with the developer. Supervisor Giomi also reported on the Carson City Culture and Tourism Authority's report on travel indicators which he offered to send to the Board members. Supervisor Bagwell thanked the Parks and Recreation Department and Southwest Gas for the upcoming Halloween Boonanza event on October 29, 2020, 4:00-7:00 p.m. at Centennial Park. Supervisor Barrette pointed out safety issues and sign inconsistencies pertaining to the new school zone speed limits and wished to see the issues addressed. Acting Mayor Bonkowski announced that the Governor's Mansion would not host a Halloween trick-or-treat event. He also invited everyone to the Carson River Trail ribbon cutting event at 10:00 a.m. on October 30, 2020 at the Fifth Street Trailhead. He also notified the public that on November 4, 2020 the Board of Supervisors would hold a special meeting to interview candidates and fill the upcoming Ward 3 vacancy. Acting Mayor Bonkowski clarified for the public that the South Prison Hill drainage issue was being addressed and that the work being done in the Snyder Avenue and Clearview Drive area was for utility work; however, neither the Planning Commission nor the Board of Supervisors had approved a subdivision in the area as of now.

**FUTURE AGENDA ITEMS**

**STATUS REVIEW OF PROJECTS**

**INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS**

**CORRESPONDENCE TO THE BOARD OF SUPERVISORS**

**STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD**

**STAFF COMMENTS AND STATUS REPORT**

**24. PUBLIC COMMENT**

(1:19:02) – Acting Mayor Bonkowski entertained final public comments; however, none were forthcoming.

**25. FOR POSSIBLE ACTION: TO ADJOURN**

(1:19:10) – Acting Mayor Bonkowski adjourned the meeting at 1:19 p.m.

**CARSON CITY BOARD OF SUPERVISORS**  
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The Minutes of the October 15, 2020 Carson City Board of Supervisors meeting are so approved on this 19<sup>th</sup> day of November 2020.

  
BRAD BONKOWSKI, Acting Mayor

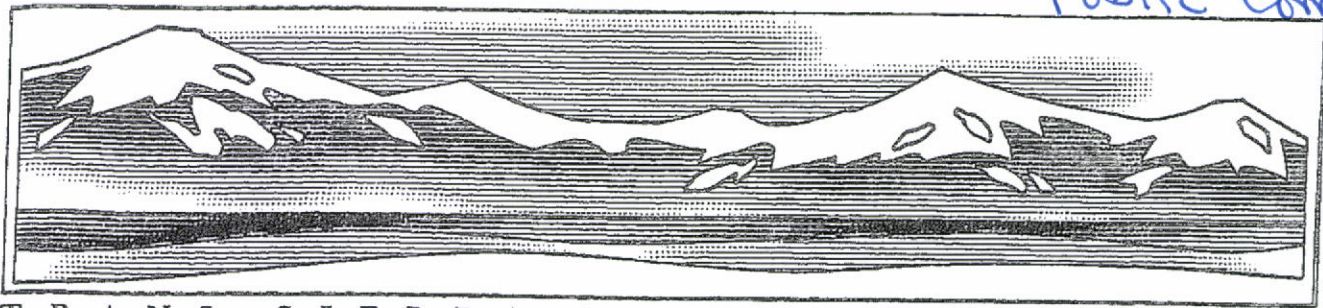
ATTEST:

  
AUBREY ROWLATT, Clerk – Recorder

Attachments: Emailed Public Comments



## PUBLIC COMMENT



# TRANS-SIERRA INVESTMENTS, INC.

October 12, 2020

Carson City Board of Supervisors  
201 N. Carson Street, Suite 2  
Carson City, NV 89701

RE: Tahoe Transportation District Proposed Tahoe Vehicle User Fee - One Tahoe Initiative

Good Morning Board of Supervisors,

The proposed Tahoe Transportation District One Tahoe Initiative was just brought to my attention for the first time a few weeks ago. The One Tahoe Initiative is seeking approval to start charging a fee for all vehicles that drive in the Tahoe Basin including locals, residents, businesses, employees, vendors, and all destination guests that are coming in from Reno, Carson City, Minden/Gardnerville, Sacramento or anywhere else in the Nation that drives into or through Lake Tahoe.

They are pushing this initiative purportedly to reduce traffic congestion and push forward their improvement projects in the Tahoe Basin, by requesting to have the TRPA code amended to allow this vehicle charge to be assessed. This has previously been attempted twice to get approved over the years but has failed for obvious reasons.

The fact is vehicle traffic counts have not been increasing every year and traffic counts are actually down significantly from the record highs in the 1980's. This user fee charge will hurt all residents, businesses, commuting employees and create a barrier to entry for our guests coming to or traveling through Lake Tahoe. The enclosed One Tahoe document shows a proposed 2019 user fee schedule starting out to charge non-residents \$4.10 per day, commuting employees \$1.06 per day, residents \$7.00 per month, and Lake Tahoe Businesses on TRPA trip generation of land use, with no limits on what they can charge with a variable rate. If the user fee is approved this would just be the beginning, and the charges would be unlimited to what they could implement.

In a South Lake Tahoe City Council meeting presentation on September 8, 2020, the Tahoe Transportation District presented with their consultant Derek Morse of Morse Associates Consulting that the rate structure could be adjusted by utilizing variable rates "potential tools for spreading visitation peaks through congestion pricing", so they would charge much higher (unlimited) rates as vehicle traffic becomes busier in the basin to deter people from driving or coming into Lake Tahoe. We also firmly believe this proposal will discriminate against lower income families and households just starting out that will not be able to afford to come to Tahoe.



Carson City Board of Supervisors  
October 12, 2020  
Page 2

It is apparent from their presentation that they are trying to reduce or stop day trip travelers to Lake Tahoe which includes all of our valley residents that spend significant dollars in Tahoe.

On October 1, 2020 the Douglas County Nevada Board of County Board of County Commissioners unanimously voted 5-0 and approved a motion "to not support the TTD Board authority to make future decisions about implementing revenue mechanisms". They have no interest in supporting a vehicle user fee or any other fees proposed by the TTD.

We urge the Board of Supervisors to protect our citizens, employees, businesses, community and tourists who visit Lake Tahoe and all of Carson City to put the Tahoe Transportation District on notice that you have no interest in moving forward any further on this proposal. Our company and many others in the community and surrounding communities are completely opposed to this initiative and the impacts it will have on all of us.

Thank you in advance for putting the Tahoe Transportation District on notice that Carson City has no interest in moving forward with their One Tahoe vehicle user fee initiative as it will hurt everyone both personally and economically.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary B. Casteel, Jr.", with a long horizontal flourish extending to the right.

Gary B. Casteel, Jr.  
Vice President and General Manager  
Trans-Sierra Investments, Inc.  
The Shops at Heavenly Village

Enclosures:

One Tahoe 2019 Proposed Fee Structure  
Reno Gazette Journal Article February 29, 2020  
Tahoe Transportation District Memo Provided to the City of South Lake Tahoe on 09/08/2020  
One Tahoe Initiative Update to TTD Board on January 31, 2020

# Recommended transportation user fees and illustrative\* rates (2019\$)

- ▶ Non-residents
  - Non-resident, non-commuter groups (1 or more persons) entering the basin by vehicle: \$4.10/day
  - Non-resident, commuter groups (1 or more persons) entering the basin by vehicle: \$1.06/day
- ▶ Residents
  - Resident households: \$7.00/month
  - Resident businesses based on trip generation of land use: average \$71/month

\*Planning level estimates based upon one scenario. May be subject to significant revisions based subsequent public/political processes and decision making, and system implementation.



# Tahoe leaders considering traffic fee to combat congestion, global warming

**Benjamin Spillman**, Reno Gazette Journal    Published 8:00 a.m. PT Feb. 29, 2020 | Updated 3:25 p.m. PT Feb. 29, 2020

People could face new user fees for driving in and out of the Lake Tahoe Basin as the region grapples with problems associated with road congestion and global warming.

The Tahoe Transportation District is studying a plan backers say would help the region fill a \$1.5 billion shortfall in transportation funds over the next 23 years.

The so-called One Tahoe plan would mean millions of people who visit Lake Tahoe annually would bear a greater burden when it comes to funding transit, trails and other infrastructure projects. Local residents would pay less.

During a meeting on Friday the district's board of directors heard an update on the project and voted unanimously in favor of continuing to study it.

The proposal could produce a flexible source of money that could reduce traffic congestion and cut down on greenhouse gas and other emissions that are harmful to the lake by creating and connecting new forms of transit with bike trails and walking paths.

"I think we have an opportunity here to really take a giant step in the Tahoe Basin in terms of transportation," said Cindy Gustafson, a Placer County, Calif., supervisor and district board member. "I'm tired of talking. We need to come up with funding."

**More:** [How global warming is turning up political heat on Nevada lawmakers \(/story/news/2020/01/28/nevada-legislature-pressure-combat-global-warming-climate-change/4549343002/\)](https://www.rgj.com/story/news/2020/01/28/nevada-legislature-pressure-combat-global-warming-climate-change/4549343002/)



State Route 28 and a new bike path from Incline Village to Sand Harbor flank Lake Tahoe's east shore on Tuesday, June 4. (Photo: Sam Gross and Benjamin Spillman)

But the fee idea also has the potential to be divisive as local leaders and residents worry about whether the added cost would prompt visitors to stay away from Lake Tahoe altogether.

Director Cody Bass, a member of the South Lake Tahoe City Council, said a fee could push visitors to competing destinations, such as the Eastern Sierra resort community of Mammoth.

"We have a lot of regional tourism," Bass said. "They will literally go somewhere else if they are going to be charged, even if it is \$5."

Steve Teshara, the district's board chairman, acknowledged a fee could drive some visitors away but added less traffic would be an acceptable result.

"Yes it might mean a few folks don't come to Tahoe," Teshara said. "That might be a few less cars and that might be something we can live with."

At the urging of Bass the directors watered down a motion to keep studying the plan to remove any commitment of support to the idea before approving it unanimously.



TAHOE TRANSPORTATION DISTRICT (TTD)  
Special Meeting – Notice of Agenda and Agenda

Parasol Foundation  
Meeting Room  
948 Incline Way  
Incline Village NV

February 28, 2020  
1:00 p.m.

This meeting is being called as a special meeting because it is not occurring on the regularly scheduled second Friday of the month at 9:30 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda may be taken out of order. The Board may combine two or more items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

- I. CALL TO ORDER AND GENERAL MATTERS
  - A. Roll Call and Determination of Quorum of TTD
  - B. Approval of Agenda for February 28, 2020
  - C. Approval of Minutes of January 31, 2020
- II. PUBLIC INTEREST COMMENTS

At this time, members of the public shall have the opportunity to directly address the Board. All comments are to be limited to no more than five minutes per person. The Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda. In addition, members of the public shall have the opportunity to directly address the Board after each item on which action may be taken is discussed by the public body, but before the public body takes action on the item.
- III. TAHOE REGIONAL PLANNING AGENCY ADVISORY PLANNING COMMISSION APPOINTEE REPORT
- IV. TAHOE TRANSPORTATION DISTRICT (TTD) BUSINESS ITEMS
  - A. For Possible Action: Approve Action Steps Related to the Recommendations from the Recreation Travel Regional Revenue Action Plan Contract, Also Known As the One Tahoe Initiative for the Development and Implementation of Regional Revenue Sources for Capital Projects, Transit Services, and Operations Needed to Support Recreation Travel and the Regional Transportation Plan
- V. DISTRICT MANAGER REPORT
- VI. BOARD, COMMISSION MEMBER AND STAFF COMMENTS
- VII. PUBLIC INTEREST COMMENTS
- VIII. ADJOURNMENT

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"I can't vote to say I support a basin entry fee," Bass said. "It's just not appropriate."

The vote meant staff could continue working to generate answers to board members' questions and craft plans to brief and build consensus with other agencies in advance of the 2021 legislative session in Nevada.

The idea behind the fee is to supplement about \$2 billion in local, state and federal funds expected to go toward the regional transportation plan in the coming decades.

Existing sources of money won't generate what's needed to pay what fee supporters say is needed to create a transportation system that allows people to move freely, cleanly and affordably around the basin without driving personal cars.

Nor will it cover costs needed to connect transportation within the basin with transit outside the basin to help people visit or commute without a car.

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More: [BLM advances plan for 11,000 miles of fire fuel breaks over six states; critics say it would be wasteful and damaging](#)  
([/story/news/2020/02/15/nevada-reno-blm-plan-fuel-breaks-environment-wildfire-great-basin/4767148002/](#))

"That is what this basin has to deliver," district manager Carl Hasty said. "And we have to all figure out how we are going to do that."

Backers considered other options, such as additional sales or fuel taxes. They settled on user fees as the most likely to generate the amount needed and

with the fewest legal and political hurdles.

Locals and Tahoe visitors have long endured traffic congestion on summer holidays, winter weekends and, increasingly, in day-to-day life.

Traffic contributes to runoff from roads that can harm the lake's water quality in addition to making it less pleasant to get from place to place.

In addition to coping with traffic, California, Nevada and local communities around the lake are coping with the worsening effects of global warming, which is caused by burning fossil fuels mostly for transportation.

The problem is prompting states and communities to put greater emphasis on reducing automobile emissions. More transit options that don't include personal driving could help.

**More:** [Child falls from ski lift at Northstar resort, transported to Renown \(/story/news/2020/02/24/chairlift-accident-boy-injured-california-northstar-resort-ski-lift/4863268002/\)](#)

"Transportation is the big payoff," Hasty said. "If you are going to do greenhouse gas reduction there is some serious work that needs to be done."

Although there appears to be widespread agreement that global warming and traffic congestion are problems in the Lake Tahoe Basin it would take a lot of technical work and political consensus-building to introduce new fees as a solution.

For starters, the legislatures of California and Nevada would need to authorize the transportation district to implement the fee.

That's a tall order even with consensus of local communities, which at this point remains lacking.

"This isn't going to be popular," said director Marsha Berkgigler, a member of the Washoe County Commission. "There are constituents that aren't going to like it."

Gustafson agreed.

**More:** [Local officials roll out revised Washoe County lands bill, critics say new version has old problems \(/story/news/2020/02/19/nevada-reno-valley-washoe-county-lands-bill-critics-sprawl-plan/4800581002/\)](#)

"If we don't get there with the whole basin this is dead on arrival with the legislatures," she said.

The League to Save Lake Tahoe, the environmental group behind the iconic Keep Tahoe Blue bumper stickers, also questioned the effort.



[League to Save Lake Tahoe Comment on One Tahoe Agenda Item](https://www.scribd.com/document/449427227/League-to-Save-Lake-Tahoe-Comment-on-One-Tahoe-Agenda-Item#from_embed)  
([https://www.scribd.com/document/449427227/League-to-Save-Lake-Tahoe-Comment-on-One-Tahoe-Agenda-Item#from\\_embed](https://www.scribd.com/document/449427227/League-to-Save-Lake-Tahoe-Comment-on-One-Tahoe-Agenda-Item#from_embed)) by Benjamin Spillman  
([https://www.scribd.com/user/27426982/Benjamin-Spillman#from\\_embed](https://www.scribd.com/user/27426982/Benjamin-Spillman#from_embed)) on Scribd

February 27, 2020

Tahoe Transportation District  
128 Market Street, Suite 3F  
Stateline, Nevada 89449

Re: Recreation Travel Regional Revenue Action Plan—One Tahoe

Dear Chairman Teshara and members of the Tahoe Transportation District Board,

Thank you for the opportunity to comment on the Recreation Travel Regional Revenue Action Plan Contract, also known as the One Tahoe Initiative, which the Tahoe Transportation District Board of Directors will consider at the February 28, 2020 special meeting. According to the staff report for the agenda item on this topic, adoption of the included recommendations will provide direction on a program additional work for the current and next fiscal year. We ask that the Board take the time necessary to strategically consider the next phase of the One Tahoe Initiative effort, including a focused attempt to reduce the resources required for the forthcoming work.

The agenda for the February 28 meeting includes a recap of actions taken at the prior Board meeting: "Board direction was clear enough. Staff heard support for the recommended transportation user fee idea and to seek legislation. Staff also heard support to include the Resort Triangle in the capital programming and open to supporting the collision location to be outside the Tahoe basin." Contrary to this summary, the minutes from the January meeting and notes from the League's staff attendance show that there was not broad agreement and in fact, Board representatives from the North Shore expressed extensive concern if not direct opposition to moving forward until other items such as free transit have been implemented. No action was taken at that meeting due to a lack of agreement among board members.

As you know, TRPA is currently updating the Regional Transportation Plan (RTP). It will include a "near term transit plan" - a 5-year transit action plan with mode share targets that are very different from the full 2017 RTP 20-year project list that One Tahoe is presently attempting to fund in its entirety. TTD is also currently working on a separate transit service package with funding estimates and potential partnerships to provide the revenue. Because of these upcoming changes in regional transit plans and priorities, especially in the near-term, TTD should include these considerations in its decision-making process for the next phase of the One Tahoe Initiative effort, including balancing the resource needs of the more immediate and near-term objectives with those for One Tahoe.

The rhetoric around One Tahoe as an effort to bring stakeholders together for continued conversation around transportation priorities and funding is a worthwhile endeavor, but there is already a venue for this. The Bi-State Consultation on Transportation (Bi-State) was initially convened in 2017 by the heads of Natural Resources Agencies for both the states of Nevada and California, and it has been reconvened this year. This group is charged with evaluating transportation options and how to fund them; it includes most of the relevant leaders and decision-makers whose support would be required for implementation of any plan to improve Basin-wide transportation. Both Carl Hasty and Steve Teshara sit on the Bi-State stakeholder group, along with other local and state agency heads and

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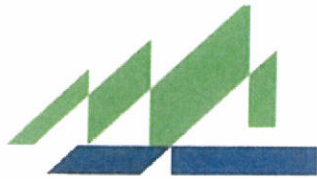


In a Feb. 27 letter Gavin Feiger, the league's senior land use policy analyst, said much of the work behind the One Tahoe project could be done through the Tahoe Regional Planning Agency's Bi-State Consultation Group.

"The rhetoric around One Tahoe as an effort to bring stakeholders together for continued conversation around transportation priorities and funding is a worthwhile endeavor, but there is already a venue for this," Feiger wrote.

*Benjamin Spillman covers the outdoors and environment in Northern Nevada, from backcountry skiing in the Sierra to the latest from Lake Tahoe's ecosystem. **Support his work by subscribing to RGJ.com right here** ([https://offers.rgj.com/specialoffer?gps-source=CPNEWS&utm\\_medium=onsite&utm\\_source=news&utm\\_campaign=NEWSROOM&utm\\_content=Spillman](https://offers.rgj.com/specialoffer?gps-source=CPNEWS&utm_medium=onsite&utm_source=news&utm_campaign=NEWSROOM&utm_content=Spillman)).*

Read or Share this story: <https://www.rgj.com/story/news/2020/02/29/lake-tahoe-traffic-fee-offset-climate-change/4903479002/>



MEMORANDUM

Date: July 6, 2020

To: Tahoe Transportation District (TTD) Board of Directors

From: TTD Staff

Subject: One Tahoe Regional Revenue Legislative Objectives for Changes to Article IX, TTD's Authorizing Language, for Revenue Source Establishment by Removing Current Prohibitions and Adding New Potential Choices for a Future TTD Board Decision and Associated Enablement

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**Action Requested:**

It is requested the Board hear the item and discuss what changes to TTD's existing enabling legislation under Article IX of the Tahoe Regional Planning Compact (bi-state compact) would mean for a future decision on establishing a regional revenue source.

**Fiscal Analysis:**

Existing enabling legislation under Article IX authorizes some funding mechanisms and prohibits others. To enact a regional revenue source under the existing law requires super majority voter passage in the Tahoe portions of all six local governments in both states at the same time. This impossibility has been attempted twice and failed both times. The existing enabling authority cannot provide a regional revenue source that can be used for the transportation system improvements and operations needed within TTD's jurisdiction. The One Tahoe initiative is about changing the legislation language to provide the ability for the Board to make a future decision for a revenue mechanism that will work to facilitate the implementation of the regional transportation plan and leverage other existing federal, state, local, and private sources.

**Work Program Analysis:**

Work to change TTD's existing enabling legislation is included in the new fiscal year's work program.

**Background:**

Since October 2018, TTD has been engaged in a lengthy public process to determine revenue ideas and arrive at support for enabling legislative changes to TTD's authority, in order that the Board can move forward at a future date to establish a regional revenue source to be used for transportation system improvements and operations as first envisioned in the bi-state compact of 1980. The region is in great need of such a source; as for decades, the regional transportation plan has had a serious shortfall and been heavily dependent on discretionary grant sources, for which there is not enough funding or is absent for services such as transit operations.

In February and March of this year, Derek Morse of Morse and Associates, the consultant team for the One Tahoe initiative effort, brought forward to the Board a series of recommendations for



a regional revenue source after having evaluated twenty-nine ideas that came out of the public process through a three-tiered screening process. He also recommended some administrative policies that need to be further developed and also administrative questions to answer when the revenue source would be adopted and put into use. Examples of this include annual revenue budgeting and distribution, equity, jurisdictional fair share, interplay and synchronization with the Resort Triangle portion of Placer County and Truckee area to the I-80 corridor to name a few.

The Board has attempted to make progress on these matters with some difficulty as the decision to pursue legislation and enable a viable regional source is significant. One area of misperception is that legislative pursuit means asking for money from the two states, an especially difficult task anytime, let alone in current economic conditions due to COVID-19. The intention has never been to ask for money from the states. Rather, the ask is to amend current enabling legislation and enable the Board to make a future decision on one or more new revenue sources that are unique to Tahoe, with its portions of five counties in two states and one municipality. Tahoe does not fit any other current state/local government model for local or regional funding, as existing models are most often county-wide in both states.

#### **Discussion:**

The 2019 Article IX Compact is included as Attachment A. Please refer to section (h)(9) which is the current revenue enabling legislative language that is in effect today. That language addresses what is authorized to be put in place and what is prohibited. The One Tahoe recommendations include establishing user fees as the best regional revenue source to enable versus any other source. The criteria that led to this recommendation included ease of collection and lower collection costs; greater transparency and flexibility to adapt over time, unlike other sources; fungibility to address transportation needs and without the funding restrictions of other sources; and financially securing the ability to address full transportation system needs.

Pursuit of amended enabling legislation will remove the prohibition on a user or entrance fee and enable the TTD Board to put a fee in place at a future date by a super majority vote of the Board. Successful legislative change will still require significant work to occur on the part of the Board and Staff to arrive at a super majority or two-thirds vote of the Board to put a fee in place.

The language proposed to be removed is highlighted in italicized bold type below:

(h) The district may, in accordance with its adopted transportation plan, do all of the following:

(9) By resolution, determine and propose for adoption a tax for the purpose of obtaining services of the district. The proposed tax shall be of general and of uniform operation throughout the region and may not be graduated in any way, except for a sales and use tax. If a sales and use tax is approved by the voters, as provided in this paragraph, it may be administered through the State of California and the State of Nevada, respectively, in accordance with the laws that apply within their respective jurisdictions and shall not exceed a rate of 1 percent of the gross receipts from the sale of tangible personal property sold in the district. The district is prohibited from imposing an ad valorem tax, a tax measured by gross or net receipts on business, ***a tax or charge that is assessed against persons or vehicles as they enter or leave the region***, or any tax, direct or indirect, on gaming tables and



devices. Any such proposition shall be submitted to the voters of the district and shall become effective upon approval in accordance with the applicable voter approval requirement for the voters voting on the proposition who reside in the State of California and upon approval in accordance with the applicable voter approval requirement for the voters voting on the proposition who reside in the State of Nevada. The revenues from the tax shall be used for the services for which it was imposed and for no other purpose.

The proposed language to be added to Article IX is:

***"By affirmative vote of at least two-thirds majority of the directors, impose fees, fix appropriate fee rates and manner of collection of fees from resident and non-resident transportation system users within the basin necessary to implement programs, projects, and services identified in the regional transportation plan that do not exceed the reasonable costs of implementation of the programs, projects, and services identified in the regional transportation plan, including but not limited to the costs of environmental and other studies, planning, design, construction, maintenance, operations, property acquisition, equipment and materials procurement, financing, and administration."***

Additional qualifications for enactment once authorized or other clarifying language in Article IX can also be proposed as needed, but the crux of the enabling language change is as previously described. The proposed language addresses a number of things. It addresses the unworkable revenue authority without removing it entirely, but specifically removes the prohibition on a fee or charge. It addresses the impossible voting requirements for achieving an affirmative vote in all jurisdictions, while still requiring a super majority vote of the Board, which will come only after significant work to get agreement. It allows the use of fees which would be most effective as a leveraging source of regional revenue for transportation. It limits the change to the bi-state compact a piece of legislation exclusive to the Tahoe region. And finally it is not asking the legislatures to authorize state revenues for use at Tahoe for transportation, but enables a regional "self-help" approach to funding the transportation revenue gap for the regional transportation plan.

**Additional Information:**

If you have any questions or comments regarding this item, please contact Carl Hasty at (775) 589-5501 or [chasty@tahoetransportation.org](mailto:chasty@tahoetransportation.org).

**Attachment:**

A. 2019 Article IX Compact



**CALIFORNIA GOVERNMENT CODE - GOV**

**TITLE 7.4. TAHOE REGIONAL PLANNING COMPACT [66800 - 66802]**

*( Title 7.4 added by Stats. 1967, Ch. 1589. )*

**ARTICLE IX. TRANSPORTATION DISTRICT**

(a) The Tahoe Transportation District is hereby established as a special purpose district authorized and operating under the federal authority provided by Public Law 96-551. The boundaries of the district are conterminous with those of the region as established under Public Law 96-551 for the Tahoe Regional Planning Agency.

(b) The business of the district shall be managed by a board of directors consisting of the following members:

(1) One member of the Board of Supervisors of each of the Counties of El Dorado and Placer appointed by the respective board of supervisors.

(2) One member of the City Council of South Lake Tahoe appointed by the city council.

(3) One member each of the Board of County Commissioners of Douglas County and Washoe County appointed by the respective board of county commissioners.

(4) One member of the Board of Supervisors of Carson City appointed by the board of supervisors.

(5) One member of the South Shore Transportation Management Association, or its successor organization, appointed by the association.

(6) One member of the North Shore Transportation Management Association, or its successor organization, appointed by the association.

(7) One member appointed by the governing body of the agency.

(8) One member appointed by a majority of the other voting directors who represents a public or private transportation system operating in the region.

(9) The Director of the Department of Transportation of the State of California.

(10) The Director of the Department of Transportation of the State of Nevada.

(11) One member appointed by the Governor of California.

(12) One member appointed by the Governor of Nevada.

(c) Any appointing authority may designate an alternate.

(d) The Director of the Department of Transportation of the State of California and the Director of the Department of Transportation of the State of Nevada shall serve as nonvoting directors, but shall provide technical and professional advice to the district as necessary and appropriate.

(e) The board of directors shall elect from its own members a chairperson and a vice chairperson, whose terms of office shall be two years. If a vacancy occurs in either office, the board may fill that vacancy for the unexpired term. A member who is elected to serve as chairperson or vice chairperson pursuant to this subdivision may be elected to serve a subsequent term as chairperson or vice chairperson, as applicable.

(f) The affirmative vote of at least a majority of the directors shall be required for the transaction of any business of the board of directors. If a majority of votes in favor of an action are not cast, an action of rejection shall be deemed to have been taken.



(g) The district may by resolution establish procedures for the adoption of its budgets, the appropriation of money, and the carrying on of its other financial activities. Those procedures shall conform insofar as is practicable to the procedures for financial administration of the State of California or the State of Nevada or one or more of the local governments in the district.

(h) The district may, in accordance with its adopted transportation plan, do all of the following:

(1) Own and operate a public transportation system to the exclusion of all other publicly owned transportation systems in the region.

(2) Own and operate support facilities for public or private transportation systems, including, but not limited to, parking lots, maintenance facilities, terminals, and related equipment, including revenue collection devices.

(3) Acquire and enter into agreements to operate upon mutually acceptable terms any public or private transportation system or facility within the region.

(4) Hire the employees of existing public transportation systems that are acquired by the district, without loss of benefits to the employees, bargain collectively with the employees, and extend pension and other collateral benefits to employees.

(5) Fix the rates and charges for transportation services provided pursuant to this article.

(6) Issue revenue bonds and other evidence of indebtedness and make other financial arrangements appropriate for developing and operating a public transportation system.

(7) Contract with private companies to provide supplementary transportation or provide any of the services needed in operating a system of transportation for the region.

(8) Contract with local governments in the region to operate transportation facilities and services under mutually agreeable terms and conditions.

(9) By resolution, determine and propose for adoption a tax for the purpose of obtaining services of the district. The proposed tax shall be of general and of uniform operation throughout the region and may not be graduated in any way, except for a sales and use tax. If a sales and use tax is approved by the voters, as provided in this paragraph, it may be administered through the State of California and the State of Nevada, respectively, in accordance with the laws that apply within their respective jurisdictions and shall not exceed a rate of 1 percent of the gross receipts from the sale of tangible personal property sold in the district. The district is prohibited from imposing an ad valorem tax, a tax measured by gross or net receipts on business, a tax or charge that is assessed against persons or vehicles as they enter or leave the region, or any tax, direct or indirect, on gaming tables and devices. Any such proposition shall be submitted to the voters of the district and shall become effective upon approval in accordance with the applicable voter approval requirement for the voters voting on the proposition who reside in the State of California and upon approval in accordance with the applicable voter approval requirement for the voters voting on the proposition who reside in the State of Nevada. The revenues from the tax shall be used for the services for which it was imposed and for no other purpose.

(10) Provide services from inside the region to convenient airport, railroad, and bus terminals without regard to the boundaries of the region.

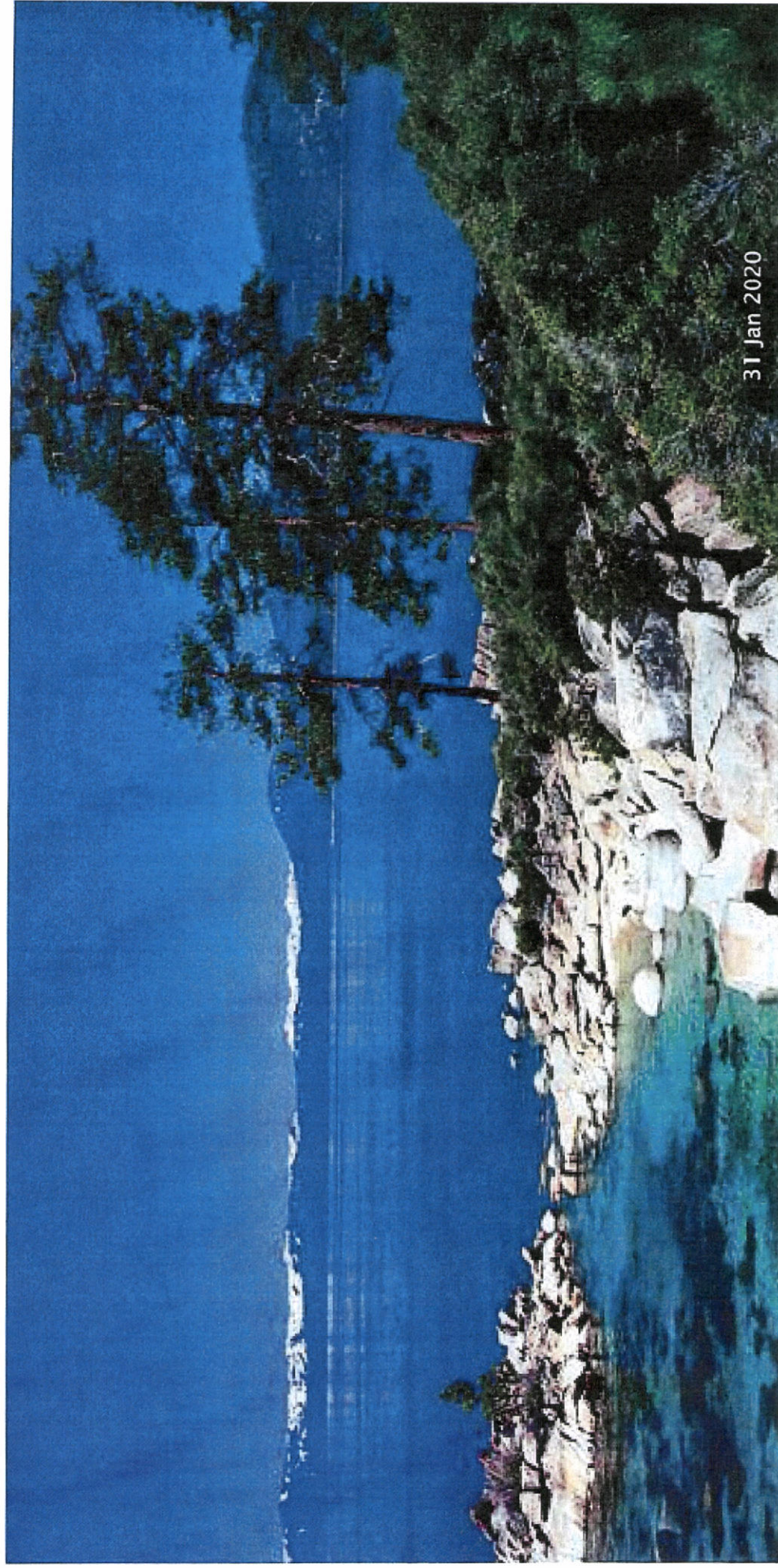
(11) The Legislature of the State of California and the Legislature of the State of Nevada may, by substantially identical enactments, amend this article.



# ONE TAHOE

*A transportation funding initiative*

*Update to TTD Board 31 Jan 2020*



31 Jan 2020

# Recommendations on funding mechanisms



# Transportation user fees

- ▶ Most equitable, effective and efficient given different types of use and users
  - Residents
    - Non-commuters
    - Commuters
    - Resident businesses
  - Non-residents
    - Day visitors
    - Extended visitors
    - Commuters
- ▶ Full transparency-revenue targets and fees driven by Regional Transportation Plan

# Transportation user fees

- ▶ Maximum fungibility across:
  - Governmental/administrative jurisdictions
  - Modes
    - Roads
    - Transit
    - Water ferries and taxis
    - Bicycle
    - Pedestrian
  - Activities
    - Capital
    - Operations and maintenance
- ▶ Administrative implementation/amendment



# Transportation user fees

- ▶ Flexibility to deal with future changes
  - Revenue from other sources (fed, state, local, private)
  - New mandates impacting transportation by local, state, and federal governments
    - Air quality
    - GHG
    - Congestion
    - Water quality
  - New technology
  - Evolving community goals
  - Adjustments to maintain equity in “who is paying”

**Critical direction/decisions  
needed from TTD Board to  
proceed**



# TTD critical direction/decisions

- ▶ What funding mechanisms to pursue
- ▶ Commitment to principles of governance
- ▶ Participation by the Resort Triangle outside the basin and Town of Truckee
- ▶ Legal/admin vehicle for Resort Triangle and Town of Truckee participation

# Governance concepts and recommendations



# Planning, programming, and budgeting

- ▶ Planning (RTP), programming (RTIP), and budgeting of ONE TAHOE revenues
- ▶ All projects and services must be in RTP and RTIP (Use existing TRPA/TMPO processes)
- ▶ Draft budgets by Technical Advisory Committee appointed by TTD Board with priorities based upon:
  - Routine operations and maintenance
  - System preservation
  - System renewal
  - New/expanded projects or services
- ▶ Unanimous agreement by TTD Board on budgets and budget amendments

# Additional governance issues

- ▶ Perceived inequities in current levels of transportation investment by member entities
- ▶ “Return of revenue to source”
- ▶ Maintaining equity between and among Resident and Non-Resident users over time
- ▶ Establishing fee structures and fee rates



# Potential impacts of additional governance issues

- ▶ Time is of the essence for increasing levels of transportation investment
  - Continued degradation the “Tahoe Experience” for visitors and residents
  - Accelerating impacts on the environment, water quality, and forest health
  - Ongoing drag on the basin economy
  - Ability to meet regulatory and community goals
    - Climate goals of CA and NV
    - GHG reduction
    - VMT reduction
    - Congestion relief
- ▶ The optimistic scenario for beginning ONE TAHOE revenue collection is beginning of 2023
- ▶ Each year of delay in collection is a loss of \$67 million in revenue

# Potential impacts of additional governance issues

- ▶ Resolution of additional governance issues will take time and resources
  - Data collection
  - Studies
  - Legal research
  - Negotiation
- ▶ Waiting to resolve all governance issues before seeking enabling legislation will probably push implementation to 2025 or later



# Further recommendations on ONE TAHOE governance

- ▶ Formal declaration of ONE TAHOE governance principles by TTD Board
  - Agreement on the principles of planning, programming and budgeting of ONE TAHOE revenues
  - ONE TAHOE enabling legislation will be pursued in parallel to resolving additional governance issues
  - All parties will work collaboratively and in good faith to towards resolution
  - ONE TAHOE revenue mechanisms will not be implemented until there is unanimous “agreement” by Board on outstanding governance issues
  - “Agreement” does not necessarily mean final resolution but that satisfactory progress is being made towards resolution

# Resort Triangle outside of basin and the Town of Truckee



# Resort Triangle and the Town of Truckee

- ▶ Various points of view regarding inclusion of the Resort Triangle outside the basin and the Town of Truckee in ONE TAHOE
- ▶ Multiple options exist for participation, each with significant issues and impacts
- ▶ If participation is desired, a decision on which option must be made prior to pursuing ONE TAHOE enabling legislation

# Recommendation if participation is desired

- ▶ Amend Bi-state compact to allow transportation user fees to be collected in the basin by TTD
  - Revenues would be invested in projects and services in the RTP
  - Per the RTP, significant investments would be made outside the basin for connectivity including in the portions of the RT outside the basin and in TT

*and...*

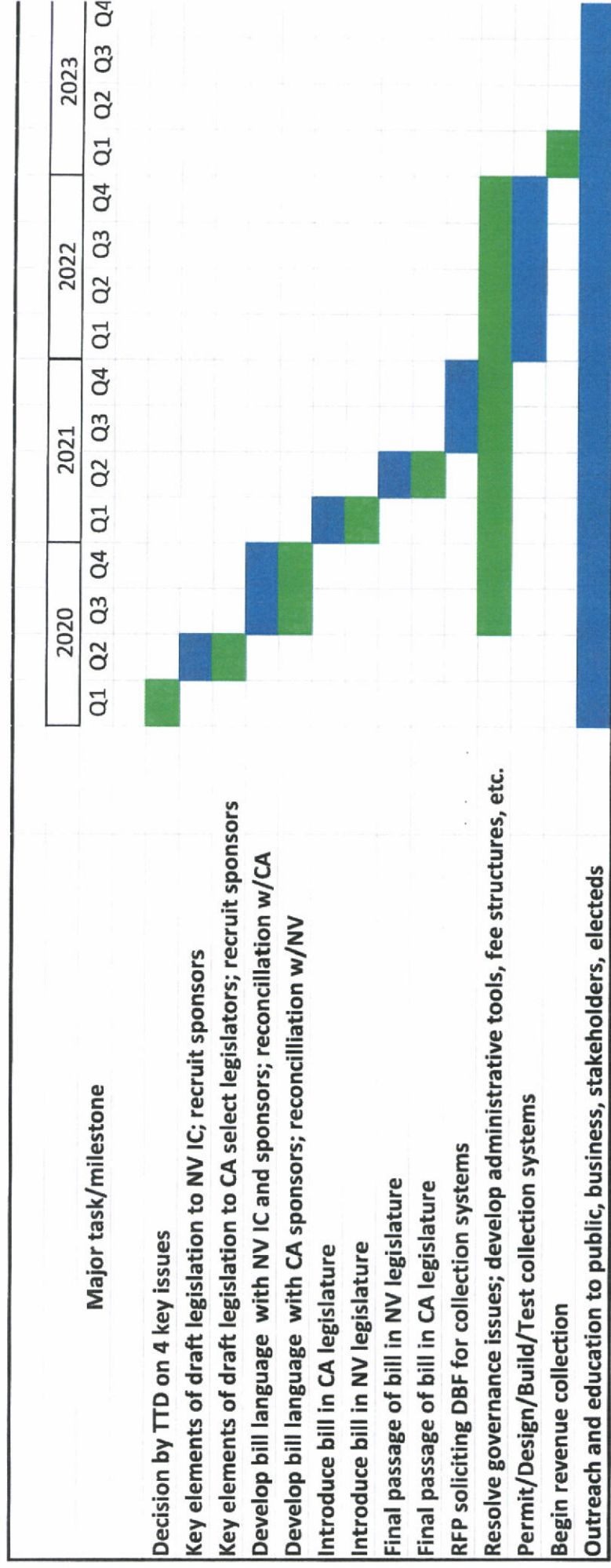
- ▶ Pursue legislation in California to create one or more new transportation special districts encompassing the Resort Triangle outside the basin and Town of Truckee
  - Agreements could then be entered into between TTD and the new district(s) to establish joint revenue collection, revenue sharing, conjunctive funding of projects, etc.



# Basis for recommendation

- ▶ Least impact on implementation timeline; other options expected to add 2+ years
- ▶ Provides time for parties to consider participation decision
- ▶ Allows time to work out details of coordination, revenue sharing, etc.
- ▶ Enables, if desired and necessary, independent implementation to minimize revenue loss

# Major task/milestone timeline for implementation





*Thank you!*

**From:** [Tamar Warren](#)  
**To:** [Public Comment](#)  
**Subject:** FW: Public Comment - Important Correspondence and Documents Regarding the Tahoe Transportation District One Tahoe Vehicle User Fee Charge Initiative  
**Date:** Monday, October 12, 2020 1:33:51 PM  
**Attachments:** [10122020112450-0001.pdf](#)  
**Importance:** High

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**From:** Gary Casteel Jr <gcasteeljr@trans-sierra.com>  
**Sent:** Monday, October 12, 2020 11:54 AM  
**To:** Stacey Giomi <sgiom@carson.org>; Brad Bonkowski <BBonkowski@carson.org>; Bob Crowell <BCrowell@carson.org>; Lori Bagwell <LBagwell@carson.org>; John Barrette <JBarrette@carson.org>; Tamar Warren <TWarren@carson.org>  
**Subject:** Public Comment - Important Correspondence and Documents Regarding the Tahoe Transportation District One Tahoe Vehicle User Fee Charge Initiative  
**Importance:** High

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Dear Carson City Board of Supervisors,

Please see the attached important correspondence and documents regarding the proposed vehicle user fee proposed by the Tahoe Transportation District One Tahoe vehicle user fee initiative.

Thanks again for your help and support regarding this critically important issue.

Sincerely,

Gary B. Casteel, Jr.  
Vice President/General Manager  
Phone: (775) 265-2087  
Fax: (775) 265-6703  
E Mail: [gcasteeljr@trans-sierra.com](mailto:gcasteeljr@trans-sierra.com)

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**From:** [Michael Tanchek](#)  
**To:** [Larry Leach](#); [Alfred Canary](#); [Bill Vance](#); [Earlene Issel](#); [Greg Short](#); [Daniel Goggiano](#); [Brad Bonkowski](#); [Stacey Gioni](#); [Stacie Wilke-McCulloch](#); [Lori Bagwell](#); [John Barrette](#); [Mo White](#); [Lisa Schuette](#)  
**Cc:** [Kelsey Penrose \(Carson Now\)](#); [Ann Knowles NV Appeal](#); [Planning Department](#); [Public Comment](#)  
**Subject:** Clearview Rezoning  
**Date:** Wednesday, October 7, 2020 2:16:17 PM  
**Attachments:** [East Clearview Rezoning.odt](#)

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**This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.**

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Evidently the decision has been made to go ahead with rezoning and slam in a bunch of houses at Silver Sage, Clearview and Center. Pavement markings for the initial excavation of the interior have been painted on the streets. Who and when the decision was evidently made isn't known. Two guys from the City Engineering Dept. were there checking USA markings. I asked them about the parcel and they said it was "ready to go." I went back over Planning Commission and Supervisors' agendas and didn't see anything. So, it's a bit of a mystery. It wouldn't surprise me that somebody's pushing ahead so that, when the time comes to make an "official" decision, so much work has been invested in the project that the decision makers don't have any choice but to approve it. In any event, I've attached the analysis I worked up. It's kind of long, so I put a quick summary at the beginning.

Feel free to get back to me.

Mike Tanchek  
740 Clearview

Carson City Board of Supervisors  
Carson City Planning Commission  
Zoning Map Amendment, File Number ZA-2020-0005  
East Clearview Drive Rezoning

On June 18, 2020, the Carson City Board of Supervisors ("Board") returned the Planning Commission's ("Commission") recommendation to amend the Carson City zoning map by changing the 5.266 acre parcel ("the parcel") west of Center Drive and north of Clearview Drive (APN 009-124-03) from SF1A to SF6 (Agenda Item 24.b).

Judging from the USA street marking for proposed excavation limits for the project, it appears that a decision has been reached, although I do not know when and by whom. In the event that a final decision has not yet been reached, I offer the following comments.

Summary Points

1. The residents in the directly affected neighborhood prefer that the parcel remain in SF1A.
2. The residents requested a "buffer" of SF1A on Center and SF21 on Clearview as an alternative zoning proposal. Supervisor Bonkowski described this alternative as "split zoning."
3. The Commission failed to consider the residents' alternative zoning proposal.
4. The residents' alternative proposal is neither arbitrary nor capricious because it reflects past practice and policy, reflects the existing development on both Clearview and Center, and is consistent with the Master Plan.
5. Staff's recommendation neglected to consider past policy and practice and the existing character of the neighborhood, particularly as it relates to horses and other farm animals.
6. The proposal is incompatible with the existing semi-rural character of the community South of Koontz.
7. Staff mistated the nature of the development actually taking place in the neighborhood and used examples of development projects which are either outside of the neighborhood or the product of thinly disguised spot zoning to justify further urban encroachment into the neighborhood.
8. Staff and the Commission neglected to consider the impact on public services, including schools and emergency services, of adding an additional 1,600 residents in South Carson from projects currently underway or approved.
9. Staff did not mention the Southwest Carson Traffic Circulation Study and the proposed expenditure of tax dollars to justify and subsidize the further urbanization of the community south of Clearview and west of Silver Sage, preferring to focus on the alleged 362 daily trips solely generated by the proposal.

My residence, 740 E. Clearview Drive, is on the northeast corner of Clearview and Center Drives. With approximately 300 feet of the east side of the parcel, I have the most frontage adjacent to the parcel. I am zoned SF1A and am on a domestic well located less than 60 feet of the property line.

I addressed the problems associated with domestic well contamination and diversion in my earlier comments to both the Commission and the Board and incorporate those same comments here.

In February, I provided comments regarding using a "special use permit" to convert the 2 1/2 acres of unsold commercial property at Clearview and Silver Sage to 34 townhouses. At that time, I told the Commission that my bigger concern was using that special use permit as a pretext for rezoning the parcel



being discussed today into a much higher housing density than already existed. The Planning Staff ("Staff") dismissed my concern, pointing out that my it was groundless because the parcel was zoned SF1A. I find it hard to believe that Staff did not know that this rezoning request was in progress and did not inform the Commission that the parcel was, in fact, being proposed for rezoning. Staff and the applicant did exactly what I said they would do and used that "special use permit" as justification for rezoning this parcel.

The residents around the parcel, myself included, would prefer that the parcel remain in SF1A. We see further encroachment of higher density development as a threat to our quality of life and the character of our neighborhood. A significant number of residents have told me they believe that the decision has already been made. The Board, Commission, and Staff can check off the box that says they had "public participation," and then the parcel will be rezoned according to the wishes of the developer. I appreciate the direction the Board gave to the Planning staff to explore other options with the developer. Although, as stated above, it does appear that the decision has already been made and Staff and the developer are proceeding as originally intended.

We have proposed an alternative referred to as the "buffer." Supervisor Bonkowski called this proposal "split zoning." This would allow changing the zoning along Center and Clearview to SF21 and the balance of the parcel to SF6. This alternative was proposed and supported by residents adjacent to the parcel as shown by their correspondence to the Commission on pages 11, 27, 29, 30, and 33 of the original Staff Report.

Staff took the position that the zoning change proposed by the affected residents could not be discussed in relation to this proposal because the proposal is a zoning change and no site plan has been filed. We disagree.

There are two issues to be decided: 1) Whether the parcel should be rezoned; 2) If it should be rezoned, what should the new zoning be? Neither question requires a site plan to be resolved. Should the parcel remain SF1A, be changed to all SF6, or be split zoned to reach a reasonable accommodation? Say that an alternative zoning change cannot be considered in a zoning change application because a site plan hasn't been filed is unreasonable. If that is really the case, then the applicant first needs to file a site plan based on the existing SF1A and then request the zoning change. Such a requirement would be neither reasonable nor realistic. By the same token, imposing that requirement in order to adopt the proposed alternative, would also be unreasonable and a textbook example of arbitrary and capricious conduct. Our late Mayor Bob Crowell was correct in his assessment that the issue of appropriate zoning for the parcel needs to be resolved first.

Supervisor Giomi raised a good point when he asked whether the alternative zoning would result in arbitrary and capricious lot lines. The answer is no, it would not. In fact, not recognizing the existing situation which is consistent policy and practice that resulted in the existing lot lines would be much more likely to result in an arbitrary and capricious finding.

The buffer concept in this neighborhood goes back decades. The area between Koontz and Colorado ("Kitchen development") was built up in the early 1970's as SF6. At that time, properties on the north side of Koontz remained in SF1A between the higher density of the Kitchen development and the semi-rural community South of Koontz. This was in large part because the SF6 designation wasn't compatible and conflicted with the horses and other livestock found on the properties south of the Kitchen development. For now, the north side of Koontz east of Silver Sage is still SF1A except for the moderate density creep from the west by Southpointe and the north by the Rasner subdivision off of Baker.



In the late 90's, developer Jim Bawden of Landmark Homes started building Southpointe. The first phase was on the north side of Koontz, east of Silver Sage. This consisted of the construction of 27 homes, 12 on SF6 surrounded by 13 on larger lot sizes with two one acre lots on the eastern side. These two one acre parcels were the original SF1A buffer in the neighborhood. If Center extended north of Koontz, these one acre parcels would be adjacent to Center. Later, the Rasner subdivision used a Master Plan amendment to convert their property into higher density SF12 instead of the existing SF1A. Keeping one acre buffers to the west at Southpointe and the south along Koontz were discussed at length during the amendment hearing and agreeable to the parties. While the parcels west, south, and east of the Rasner homes remain SF1A for now, it is predictable that all of the properties north of Koontz will either be rezoned or issued special use permits so that they can also be converted from SF1A to higher densities as part of the pattern of one bite at a time, creeping conversion.

The same pattern of creep taking place on Koontz is also taking place one bite at a time South of Koontz. The second phase of Southpointe involved the proposed construction of 90 or so homes on four fifths of the undeveloped SF1A tract bounded by Koontz, Center, Clearview, and Silver Sage. (The remaining 1/5 is the parcel that is the subject of this rezoning request.) Because of significant opposition by the existing residents, it was agreed to extend the one acre buffer that was in place north of Koontz to the south along Center for the full length of the development. The lot lines for both buffered areas match.

Getting back to Supervisor Giomi's original question, matching the existing lot lines that begin north of Koontz and extend south down Center for the remaining three hundred feet to Clearview would be neither arbitrary nor capricious. It would simply follow the existing precedent applied to the adjacent properties in a similar development. If there is a problem with arbitrary and capricious action in this case, it would be by acting contrary to and ignoring the prior buffering policy and practice.

With the benefit of hindsight, Landmark Homes should never have been permitted to extend Southpointe into the community of one acre minimums South of Koontz. This pre-dated the current master plan and was the proverbial "camel's nose under the tent." It opened the door for the expansion and intrusion of more higher density development into the semi-rural community South of Koontz. Using a mistake made in the past to justify making more mistakes in the future is not sound policy.

In its report to the Commission, Staff pointed out that "(T)he Zoning Map is a tool to implement the Master Plan. Pursuant to Nevada Revised Statutes (NRS) 278.250 the zoning map designation shall be consistent with the Master Plan designation. The current zoning designation of Single Family 1 acre is not consistent with the underlying Master Plan of Medium Density Residential. " Yet, Southpointe, which consists of SF6 with an SF21 buffer, is consistent with the Plan. This is true, even with the underlying agreement to limit the SF21 with one residence per acre. This is also borne out in the report prepared by Susan Pansky Planning for the Applicant is consistent with the residents' view. Figure 4 of the report shows that SF21 is consistent with Medium Density Residential and, as such, consistent with the Master Plan. Adopting our alternative zoning proposal and developing the parcel in question like Southpointe would, likewise, be consistent with the plan.

The maps showing the existing and proposed zoning on page 7 of Staff's report omitted the zoning designation adjacent block to the south of the parcel, bounded by Clearview, Center, Roventini, and Silver Sage. It is designated as Medium Density Residential on the Master Plan map. Staff says it is zoned SF1A. However, the Assessor's map shows the existing residential properties fronting Clearview to be about 4/10ths of an acre in size. This is consistent with SF21, not SF1A. While those parcels don't reflect SF6



proposed for the parcel directly across the street, they do mirror the existing zoning of the buffer on the west side of Center.

The Commission failed to address the alternative zoning proposal raised by the residents. As shown on the maps of existing and proposed zoning on page 7 of the Staff report, there is no SF6 zoning on Center Drive between Koontz Drive and Clearview Drive nor on Clearview between Silver Sage and Center. The SF6 zoning designation for the entire parcel is inconsistent with the current zoning on the north, south and east sides and does not provide an adequate transition between the proposed SF6 and the surrounding SF 1A and SF 21 .

Since the existing SF21 buffer on Center and the existing residences on the south side of Clearview already meet the requirements for SF21, both meet the Master Plan's designation of the area as Medium Density Residential, amending the proposed zoning to SF21 along Clearview would also be reasonable, consistent, and appropriate.

Staff and the Commission seem to place a fervent belief in the sanctity of the Master Plan to control zoning and any other values appear irrelevant when it comes to forcing conformity with their predetermined zoning choices. The Master Plan is a policy document used to guide the physical development of the City and does not have the force of law as a regulation or ordinance. The key word is "guide." The Master Plan is a guiding document, not a controlling one.

Goal 9.4 of the Plan is to "PROTECT THE CHARACTER OF EXISTING RURAL NEIGHBORHOODS." The Goal clearly states *"(T)he character of existing rural neighborhoods will be protected."* and *"(T)he quality and character of established neighborhoods will be maintained."* Goal 9.4a states that the policy is to *"(E)nsure that infill and redevelopment is designed in a manner that minimizes impacts on the character and function of rural neighborhoods."*

This pertains directly to the community South of Koontz. We have always been recognized as rural to a large extent and we live here, in large part, because of the rural character. This is a quality of life issue for us. We have a strong interest in protecting or maintaining the character of our community. We are the ones who will be forced to bear the impacts from new development most directly and believe that it is the City's obligation to balance our good faith expectations with the desires of the planners. As our semi-rural neighborhoods are converted to higher density urban areas, we are continuing to lose, not maintain, the diversity in our city.

The Staff concludes at Section II on page 3 of their Report that "the Amendment will provide for land uses compatible with existing adjacent land uses." This is questionable at best.

Carson City Municipal Code 7.13.050 deals with zoning and livestock. There is a significant distinction between animals allowed on SF1A and SF6. Subsection 4.a states: "Horses, swine, fowl, sheep or other animals of a similar nature shall not be maintained on any lot or parcel other than a lot or parcel zoned agriculture (A), conservation reserve (CR), single-family one-acre (SF1A), single-family two-acre (SF2A) or single-family five-acre (SF5A)." Not only is SF6 incompatible with farm animals, so are the larger, transitional lot sizes, specifically, SF12 and SF21. Common sense tells us that using SF12 and SF21 as transitions between SF6 and SF1A are not at all arbitrary or capricious and is quite reasonable even though the residents would be precluded from keeping farm animals.

Supervisor Bonkowski correctly identified the inevitable conflicts resulting from urbanizing neighborhoods



that have extensive equestrian communities. There are a greater number of horses South of Koontz than one might think. All of the SF1A properties adjacent to the parcel have livestock or facilities for livestock. The Tolle place on Center keeps horses, has a rodeo practice arena and is adjacent to the parcel. The Creeches, next door to Ms. Tolle also have horses. There are three residences at the intersection of Clearview and Center adjacent to the parcel. Silver Peak Stables provides facilities for boarding and training a number of horses, mainly charros from the Mexican community who can't keep horses where they live. The Canarys, on the southwest corner, don't have horses, but they do have shelters for horses and hay storage. I don't have horses, but I do have fencing, water, and shelter available for smaller animals such as llamas and goats.

Further south, between Silver Sage and Oak, most of the residents have horses or facilities for horses. Even so, the master planners have decided that everything west of Silver Sage until you reach the freeway needs to be converted to a much higher urban population density that is incompatible with anything other than household pets. Even though this area is not adjacent to the parcel proposed for rezoning, Staff and the applicant have used the development of this area as justification for the proposed zoning change when it's convenient.

Goal 9.4a states that the policy is to *"(E)nsure that infill and redevelopment is designed in a manner that minimizes impacts on the character and function of rural neighborhoods." Establish guidelines for the incorporation of higher density residential at the fringe of existing rural neighborhoods, as well as on individual lots within them (although this pattern will be discouraged).*" In addition, goal 9.4b deals with "Spot" rezoning, stating *"Discourage "spot" rezoning of parcels within established rural neighborhoods that have not been identified as higher density on the Land Use Map and/or that are not contiguous with lots zoned for a comparable density."* Evidently, when it comes to the community South of Koontz, these goals do not apply.

The so-called "transition" to a higher density, more urbanized community on both sides of Silver Sage is discussed on page 8 of the Pansky report where it says: *"The area surrounding Silver Sage Drive on both the east and west sides has been transitioning to higher density residential and commercial land uses slowly over the past several years."* This self-serving comment is used to justify the further intrusion of incompatible, higher density residential projects South of Koontz, but is entirely misleading. The projects cited as evidence of this supposed transition of the neighborhood South of Koontz deserve further scrutiny:

Jackson Village is an isolated 41 unit high density project on three and two-thirds acres on Eagle Station Lane. It is isolated from the community, walled off by Kohl's on the west, the Southwest Gas equipment yard to the east, Mountain View Health and Rehabilitation Center to the north and to the south, is directly across the street from the JC Penney and Greater Nevada Credit Union parking lots. Unable to secure a commercial tenant as intended by the master plan, it required a special use permit to move forward. After five years, it is still under construction.

Silver View Townhomes is located on unbroken ground at the corner of Silver Sage and Clearview. The undeveloped site is next to the Greater Nevada Credit Union. Consistent with its intended use as retail/commercial property, it was available for commercial development for several years. The only commercial interest we are aware of was Max Baer's proposed Beverly Hillbillies Casino which did not come to fruition. Unable to acquire a commercial tenant and much like Jackson Village, a special use permit to bring in 34 high density town homes was acquired in March of this year.



The Pansky report also mentions "...a 51-unit condominium development on East Roland Street" and ...the high density residential townhome community, Ross Park..."

Silver Crest Condominiums on Roland also required a special use permit just like Jackson Village and Silverview. It is located in The site is surrounded by one acre residential properties. This is an anomalous little neighborhood in an isolated triangle of mixed high density apartments, gated senior housing, townhomes, condominiums, a church, and mini-storage that is backed up against the freeway to the south, South Carson Street with the bowling alley and Aloha Liquors on the frontage road to the west, and Fire Station 53, Ross Gold Park, and Snyder Avenue along the northeast side.

Ross Park development is a "camel's nose under the tent" project like Southpointe. Currently, 75% of the properties in that neighborhood are one acre or greater with the remainder being half acres. Ross Park, on the other hand consists of building permits for 23 units on a 3/4 acre triangle bounded by California, Snyder, and Ross Gold Park. While it is a small parcel, it is the first project north of Snyder. It is the first of many and, at some time in the future, will serve as the "evidence" needed to provide justification for the planned conversion of all of the semi-rural properties to the west of Silver Sage to higher, urban densities.

The Ross Park project has been in the works for over 13 years. Some infrastructure was installed on the site, but it would appear that was done to evade losing the building permits. No residential units have been built. Engel & Volkers AG, a multi-national German company that generally assists clients in buying or selling luxury property worldwide, is looking for someone to purchase the site and permits. The same thing is happening on the other side of S. Carson Street and Snyder at the Cochise Multi-family project. Here, once again, no construction is taking place, the owner is just trying to sell a 6.8 acre parcel with permits for 143 units. They are essentially speculating on the permit market, rather than building homes.

To insist that this building permit lottery is evidence that "(T)he area surrounding Silver Sage Drive on both the east and west sides has been transitioning to higher density residential and commercial land uses slowly over the past several years" is ridiculous. In fact, the only real development that has taken place in the area South of Koontz was the large-scale development between Clearview and Roland, east of Ponderosa in the late 1990's and, more recently, the Canyon Vista development between Clearview and Appion, west of the newly completed freeway. In both cases, the developments are on one acre minimums. The higher density projects aren't even being built and the only real "transition" to higher density that has actually occurred in the community in the past 30 years is Southpointe.

Furthermore, the necessity of resorting to "special use permits" in lieu of "spot zoning," helps further the illusion of contiguity and urban development in the community. There simply is no real transition to higher density housing actually occurring place South of Koontz.

While Staff may enjoy the luxury of looking at projects in isolation, ignoring everything beyond the four corners of the application. the Commission and the Board are obligated to see the bigger picture.

The Commission failed to take into account the cumulative effects of recent actions involving development in the area, including the introduction of almost 700 more residential units west of Center between Koontz and the freeway.

<u>Project</u>	<u>Units</u>
Carson Hills Apartments	370
Cochise Multi-family	143
Jackson Square	41



Silver View	34
Silver Crest Condominiums	51
Ross Park	23
Clearview and Center Rezoning	<u>35</u>
Total units	697

Applying the U.S. Census Bureau average household size for Carson City of 2.33 persons per household to the total number of proposed households South of Koontz, this translates to more than 1,600 additional residents west of Center and south of Koontz. There is a real lack of transparency by not considering the role of this rezoning proposal as justification for the City's plan to convert a significant part of the community west of Center to a much higher population density.

On page 6 of the Pansky report, Andrew Feuling, Director of Fiscal Services for the Carson City School District, generally expects 30 students for every 100 residential housing units. While the applicant and the school district agree that the potential for 10 new students based on this proposal when viewed in isolation would not be a problem, Mr. Feuling also said that the "aggregate of all development," i.e., the cumulative effect from all of the development taking place, is an ongoing concern. Limiting the review to merely the parcel under consideration, the estimate is for approximately 10 students across all grade levels simply ignores the bigger issue facing our community. Notwithstanding students being generated from other new and proposed developments around Carson City, pose the same question, but include the students among the 1,600 additional residents to be expected soon, and the district's position could very well be different. Adding even more students to an ever increasing total will have an impact and require the people of Carson City to come up with more resources to deal with it. Clearly, the school district shares some of the concerns of the residents South of Koontz.

Another item not mentioned at all is the cumulative impact that will be generated by 1,600 more residents less than one mile from the already busy Fire Station 53 on Snyder Avenue.

An ongoing problem for the current residents South of Koontz is increasing traffic, particularly on Clearview, Silver Sage, Koontz, and Center. These streets are used as a by-pass from south Carson Street to Saliman and Edmonds. That was the case before the freeway and is still the case today.

At the February Commission hearing on the Silver View Townhomes project, Mary Siders, a resident of the Southpointe development, testified about the problems those residents were already having getting on to Silver Sage. She said the problem would be exacerbated by the proposed 34 residential units to be contributed by the Silver View Townhomes project. Add 41 more from Jackson Village and the potential for 38 more units from rezoning this parcel and you've got drivers from 113 more residences trying to use Silver Sage between Southpointe and the Greater Nevada Credit Union as their principle means of access. Things aren't looking any better for Ms. Siders.

There are currently about 40 homes on Clearview from Silver Sage to Edmonds. Yet, as I pointed out at the February hearing and Staff confirmed for this proposal, Clearview already sees about 7,000 vehicles per day. This traffic is not primarily local. Clearview enables drivers traveling to northeast Carson City and Lyon County to avoid three additional stoplights and the congestion on Carson Street. It is also faster and more convenient to use the same by-pass to access northbound 580 at Fairview rather than the 395-Hwy 50 interchange on south Carson Street.

According to Staff, the "Institute of Traffic Engineers (ITE) Trip Generation Rates Manual (9th Edition) indicates that 38 units would generate (sic) approximately 362 average daily trips..." Using the same



multiplier, an additional 1,076 average daily trips would actually be generated by the 113 new residential units coming into our neighborhood. This doesn't even include the contribution to the traffic load from the 513 additional residential units at Carson Hills Apartments and the Cochise Multi-family development.

Again, the Commission and the Board should be considering the this project in light of the bigger picture. The Southwest Carson Traffic Circulation Study isn't mentioned in relation to this proposal. Since the study is merely a proposal intended further the residential development South of Koontz, Staff does not appear to believe it is relevant to the current proposal. This is in keeping with Staff's practice of compartmentalizing individual projects and ignoring the overall impact on the community. This lack of transparency helps keep local residents from objecting to the plans until it's too late. It also creates a "sunk cost" issue, i.e., "we can't justify investing so many tax dollars in upgrading the streets if we don't move forward and build more residential units in the area."

The Cochise Multi-family and Ross Park projects should realize a substantial windfall in the value of their unsold building permits by providing a level of street access that they don't currently enjoy.

After reading the proposal, it is clear that the plan does nothing to address the residents' issues. It just makes the problem worse. Staff's recommendations in the Circulation Study that are most relevant to the residents South of Koontz are:

- Realignment of Snyder Avenue to Appion Way and then signaling the intersection of Appion/Snyder/S. Carson Street (and W. Overland)
- Improving access from properties south of the Snyder Avenue to Oak Street and then improving Oak Street between Roland Street and Clearview Drive
- Using Silver Sage Drive to accommodate additional traffic and promote circulation and development in the area

Reducing the number of driving lanes on S. Carson and then adding a fifth traffic signal will create more congestion on S. Carson from the freeway to Koontz. As a result, it will force highway traffic onto Appion and Oak and then onto Clearview and Silver Sage to avoid the congestion. In addition to the highway traffic, using Oak Street to funnel even more traffic onto Clearview and into the bottleneck at the Silver Sage/Clearview intersection will create an even worse impact on our neighborhood. Staff's plan also recognizes even more traffic on Silver Sage in order to accomodate the conversion of the existing properties in the neighborhood higher density residential.

In conclusion, the zoning for the Clearview parcel should remain as SF1A. However if it is going to be changed, it should reflect the alternative that was offered by the the residents directly impacted by the proposal. The parcel along Center should remain SF1A or, at the very least be no less than the existing SF21 on the west side of Center. The same goes for Clearview with the parcels being no less than the same size as those on the south side of the street. In the words of Susan Pansky, the existing residents "...are not asking for anything outside of what the master plan had contemplated in its last update."

In addition, the Master Plan is outdated and doesn't consider changes that have taken place in Carson City since 2006. Fifteen years is much too long an interval between plan revisions. It's time for the Board to initiate a significant city-wide revisiting, revision, and amendment of the Master Plan.

Michael Tanchek  
740 Clearview Drive  
Carson City, NV 89701

October 6, 2020



**From:** [Jackpot Equine](#)  
**To:** [Public Comment](#)  
**Subject:** ZONING CODE CHANGES COMMENT  
**Date:** Thursday, October 1, 2020 9:44:40 AM

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Dear Madames & Sirs...you hold the future of our development/population/water/crime/ecosystems/pollution/traffic/culture in your hands= votes to change zoning.

PLEASE stop the over subdivision of parcels, over growth, issuing and approval of cluster developments/gobbling up our open spaces.

We understand owners have a right to sell-develop... but WE ELECT YOU to protect & defend our lifestyles and this amazing valley etc we call home (some for generations)

Please consider how your allowing paving paradise to put up parking lots affects everything and once done...can never be again.

Thank you for your time. *Mrs. L*

**From:** [Jean Kvam](#)  
**To:** [Public Comment](#)  
**Subject:** October 15th meeting public comment  
**Date:** Wednesday, October 14, 2020 3:05:15 PM

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I am aware that the Carson City Municipal code contains a provision prohibiting the parking on residential streets of recreational vehicles for more than 72 hours. I am wondering why this code is not being enforced. On my street alone, There have been 2 boats parked for more than 4 months, a large motorhome parked for more than 2 months, and now there's a trailer that has been parked for more than a month. If the code is not going to be enforced, let's remove it.

Jean Kvam  
805 Crain St, Carson City, NV 89703