

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 1

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, March 3, 2022, in the Community Center Robert “Bob” Crowell Boardroom, 851 East William Street, Carson City, Nevada.

PRESENT:

Mayor Lori Bagwell
Supervisor Stacey Giomi, Ward 1
Supervisor Maurice White, Ward 2
Supervisor Stan Jones, Ward 3
Supervisor Lisa Schuette, Ward 4

STAFF:

Nancy Paulson, City Manager
Dan Yu, Assistant District Attorney
Stephanie Hicks, Deputy City Manager
Tamar Warren, Senior Public Meetings Clerk

NOTE: A recording of these proceedings, the Board’s agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk’s Office, during regular business hours. All meeting minutes are available for review at: <https://www.carson.org/minutes>.

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

(8:30:21) – Mayor Bagwell called the meeting to order at 8:30 a.m. Ms. Warren called roll and noted the presence of a quorum. Fountainhead Foursquare Church Co-Founding Pastor and Carson Tahoe Health Staff Chaplain Peggy Locke provided the invocation. Audience Member Bruce Scott led the Pledge of Allegiance at mayor Bagwell's request.

5. PUBLIC COMMENT

(8:33:23) – Mayor Bagwell introduced the item. Santos Corral introduced himself and spoke regarding the renovations at Ross Gold Park, noting that “all people of Carson City should have known this project was going on.” He believed that the City should have received “more input from the people that use this park,” adding that only “three dozen envelopes [notifications were] sent out.” Mr. Corral believed that the project cost was high and believed that the City had not done enough research. Mayor Bagwell noted that the renovations at the park had been planned for several years and offered to have the Parks, Recreation, and Open Space Director get in touch with him. Mr. Corral commended Parks Superintendent Dave Navarro and noted that “he is doing an excellent job.”

(8:36:35) – Jane Brinson introduced herself as a 39-year resident of Carson City and addressed the shortage of lifeguards at the City’s Aquatic Facility. She noted that she, along with several patrons of the facility, had offered to be trained as lifeguards; however, she believed that was a short-term solution, and wished to see a program, possibly at the high school level, for student certification. Mayor Bagwell clarified that Western Nevada College

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 2

offered a lifeguard certification course and thanked Ms. Brinson for volunteering to help. Supervisor Schuette thanked Ms. Brinson for bringing to light all the programs offered by the Aquatic Facility.

(8:39:58) – Deni French introduced himself and thanked the Parks and Recreation Commission and the Open Space Advisory Committee for having Citizens’ Climate Education present their suggestions for the City’s Master Plan such as white roofs, electric vehicle charging availability, new types of asphalt, and south-facing windows. Mr. French found it discouraging to walk on “a lot of asphalt” and recommended the group also address the planting of trees, adding that many of the City’s trees were neglected.

(8:43:15) – Paul McGrath stated that he was addressing “a lack of action by the Board about our marijuana crisis in this community and doing nothing about it.” He informed the Board that beginning next week, he planned to meet with all the service clubs and political organizations to introduce a pamphlet, incorporated into the record, to inform them that the former Board of Supervisors “had allowed that to happen in this community.”

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – FEBRUARY 3, 2022.

(8:46:45) – Mayor Bagwell introduced the item and entertained comments or corrections and when none were forthcoming, a motion.

(8:47:00) – Supervisor Giomi moved to approve the minutes of the February 3, 2022 Board of Supervisors meeting as presented. The motion was seconded by Supervisor White and carried 5-0-0.

7. SPECIAL PRESENTATIONS

7.A PRESENTATION OF A PROCLAMATION TO RECOGNIZE MARCH 2022 AS A MONTH TO CELEBRATE THE 50TH ANNIVERSARY OF THE OLDER AMERICAN ACT NUTRITION PROGRAM.

(8:47:22) – Mayor Bagwell introduced the item. She also invited the Carson City Senior Center Executive Director Courtney Warner and other Senior Center staff, volunteers, advisory group, and board members to join her as she read a proclamation, incorporated into the record, to recognize March 2022 as a month to celebrate the 50th Anniversary of the Older American Act Nutrition Program. Ms. Warner thanked everyone who had attended, the community, and the Board of Supervisors. Mayor Bagwell praised the Meals on Wheels programs for their creativity in providing drive-through meals during the COVID-19 shutdown. They were also joined by the Board of Supervisors for a commemorative photograph.

CONSENT AGENDA

(8:55:24) – Mayor Bagwell introduced the item and noted that item 9.A would be pulled from the Consent Agenda “just for a minor fix on the record,” and item 11.A for a disclosure. She inquired whether the Board wished to pull other items; however, none were forthcoming. Mayor Bagwell entertained a motion.

(8:55:47) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 10.A (Resolution No. 2022-R-8), and 10.B, as published. Supervisor White seconded the motion.

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 3

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor White
AYES:	Supervisors Giomi, Jones, Schuette, White, and Mayor Bagwell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

8. FINANCE

8.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 FEBRUARY 18, 2022, PER NRS 251.030 AND NRS 354.290.

9. PARKS, RECREATION & OPEN SPACE

9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED REVISIONS TO THE PARKS, RECREATION AND OPEN SPACE DEPARTMENT (“DEPARTMENT”) FEE POLICY AND SCHEDULE.

(8:56:10) – Mayor Bagwell introduced the item and referenced the proposed revisions, incorporated into the Staff Report and into the record, and recommended the following change to the Co-Sponsorship Application title: *(Please allow 60 business days for processing)*. She believed that the term “business days” would be confusing to the public as they would have to reference the City’s holiday schedule. No additional changes were recommended by the Board. Mayor Bagwell entertained a motion.

(8:57:40) – Supervisor Giomi moved to approve of the proposed Fee Policy and Schedule updates with the change as discussed above, removing the word “business” from the Co-Sponsorship Application. Supervisor Jones seconded the motion.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Jones
AYES:	Supervisors Giomi, Jones, Schuette, White, and Mayor Bagwell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

10. PURCHASING AND CONTRACTS

10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION DETERMINING THAT CARSON CITY ASSET NO. 1002, A RESERVE

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 4

TYPE 1 FIRE ENGINE WITH VEHICLE NO. 7007 ("EQUIPMENT"), HAS REACHED THE END OF ITS USEFUL LIFE AND AUTHORIZING ITS DONATION, AS-IS, TO WESTERN NEVADA COLLEGE FOUNDATION ("WNCF"), A NON-PROFIT ORGANIZATION.

Approved via the Consent Agenda, Resolution No. 2022-R-8.

10.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT WEST COAST PAVING, INC. ("WCP") IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES ("NRS") CHAPTER 338 AND WHETHER TO AWARD CONTRACT NO. 21300256 TO WCP TO PROVIDE STORM DRAIN IMPROVEMENTS FOR THE LAKEVIEW SUBDIVISION PROJECT ("PROJECT") FOR A TOTAL AMOUNT NOT TO EXCEED \$568,700.

11. SHERIFF

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED ACCEPTANCE OF A GRANT FROM THE NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, OFF-HIGHWAY VEHICLES PROGRAM ("STATE"), TO FUND DEVELOPMENT OF AN OFF-HIGHWAY VEHICLES PROGRAM BY THE CARSON CITY SHERIFF'S OFFICE ("CCSO") FOR THE PERIOD OF JANUARY 1, 2022 THROUGH DECEMBER 31, 2023 IN THE AMOUNT OF \$62,654 WITH A REQUIRED LOCAL MATCH IN THE AMOUNT OF \$14,545, AND WHETHER TO APPROVE A PROJECT FUNDING AGREEMENT BETWEEN THE STATE AND CCSO MEMORIALIZING THE ISSUANCE AND ACCEPTANCE OF THE GRANT AWARD.

(8:58:14) – Mayor Bagwell introduced the item and entertained disclosures. Supervisor White read into the record a prepared disclosure statement, advised of a disqualifying conflict of interest, and stated that he would not participate in discussion and action. Mayor Bagwell entertained additional disclosures or comments and when none were forthcoming, a motion.

(8:59:20) – Supervisor Schuette moved to ratify the previous submission of the grant application, authorize acceptance of the grant, and approve the project funding agreement as presented. Supervisor Jones seconded the motion.

RESULT:	APPROVED (4-0-1)
MOVER:	Supervisor Schuette
SECONDER:	Supervisor Jones
AYES:	Supervisors Giomi, Jones, Schuette, and Mayor Bagwell
NAYS:	None
ABSTENTIONS:	Supervisor White
ABSENT:	None

END OF CONSENT AGENDA

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 5

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

Please see the minutes for items 9.A and 11.A.

13. DISTRICT ATTORNEY

13.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 104, A PROPOSED ORDINANCE AMENDING GENERAL ADMINISTRATIVE PROVISIONS OF THE CARSON CITY MUNICIPAL CODE.

(8:59:52) – Mayor Bagwell introduced the item and responded to several clarifying questions by Mr. French regarding Consent Agenda items. Mr. Yu noted two minor clerical changes to the Ordinance: “an incorrect citation to one of the source authorities to one of the catch lines to the City Charter,” identified by Supervisor White, and the change in the Ordinance title from 2021 to 2022. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

(9:03:00) – Supervisor Jones moved to adopt, on second reading, Bill No. 104, including the clerical changes [noted by the Assistant District Attorney], Ordinance No. 2022-6. Supervisor White seconded the motion.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Jones
SECONDER:	Supervisor White
AYES:	Supervisors Giomi, Jones, Schuette, White, and Mayor Bagwell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

14. BOARD OF SUPERVISORS

NON-ACTION ITEMS:

FUTURE AGENDA ITEMS

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD

STAFF COMMENTS AND STATUS REPORT

(9:03:29) – Mayor Bagwell entertained Board reports. Supervisor White congratulated Ms. Paulson and Community Development Director Hope Sullivan for receiving the Paul Harris Fellow Recognition Award by the Carson City Rotary Foundation. He also invited the community to participate in the Western Nevada

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 6

Development District's (WNDD's) Nevada Speed Test, part of the Western Nevada Broadband Initiative, to provide broadband data to the legislature and utilize the information for future grants. The Speed Test is available on the WNDD's website at <https://wndd.org/>. Supervisor White also announced that the Nevada State Prison Preservation Society (NSPPS) would conduct tours from May 7, 2022 through October 31, 2022. The tours would take place on two Saturdays per month and on every three-day holiday weekend.

(9:05:28) – Supervisor Schuette thanked the various community organizations in Carson City that make a difference in the lives of the City's residents. She cited examples such as the Parks, Recreation, and Open Space Department teaming with the Nevada Humane Society for the Tails and Trails pet adoption event and the Carson Water Subconservancy District for its watershed education programs. Supervisor Schuette recommended those interested "follow your passion" to benefit Carson City.

(9:07:16) – Mayor Bagwell announced the celebration of the updated Grand Army of the Republic (G.A.R.) section of the Lone Mountain Cemetery, the restoration of which was spearheaded by the Daughters of the American Revolution (DAR), would take place on April 10, 2022, at 1:15 p.m. She also thanked each of the Supervisors for their contribution to purchase a tree. Mayor Bagwell acknowledged many of the community members and the rotary club of Carson City for their contributions as well.

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL

This item did not take place.

15. PUBLIC COMMENT

(9:08:54) – Mayor Bagwell entertained final public comments. Mr. French expressed concern that "a whole lot of cement and asphalt has been put into use" for the new office space at the City's landfill. He cited the example of actor Ed Begley, Jr. who had reduced his trash and encouraged everyone to donate or recycle their discarded items. He also encouraged everyone to walk to their destinations and wished to see developers create walkable environments.

16. FOR POSSIBLE ACTION: TO ADJOURN AS THE BOARD OF SUPERVISORS

(9:12:49) – Mayor Bagwell adjourned the meeting at 9:12 a.m.

BOARD OF HEALTH

17. CALL TO ORDER & ROLL CALL - BOARD OF HEALTH

(9:19:06) – Chairperson Lyons called the meeting to order. Ms. Warren called roll and noted the presence of a quorum consisting of Chairperson Dr. Colleen Lyons; Vice Chair Stacey Giomi; Member Lori Bagwell, Member Sheriff Kenny Furlong; Member Stan Jones; Member Lisa Schuette; Member Maurice White.

18. PUBLIC COMMENT

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 7

(9:19:30) – Chairperson Lyons entertained public comments. Deni French expressed concern that with the rapid increase of waste, the landfill would eventually outgrow its location and the paved areas would be used for waste disposal as well. Mr. French also recommended reconsidering the placement of cell towers near schools as they impacted brain development, especially in children. He believed that the 5G global wireless technology harmed birds and other creatures as well.

(9:22:43) – Debra Songer introduced herself and objected to the COVID-19 vaccine and its side effects. She also objected to several types of treatments received by individuals with COVID symptoms.

19. FOR POSSIBLE ACTION: APPROVAL OF MINUTES - DECEMBER 2, 2021

(9:26:18) – Chairperson Lyons introduced the item and entertained comments or a motion.

(9:26:26) – Member Bagwell moved to approve the minutes of the December 2, 2021 meeting. The motion was seconded by Member Schuette and carried 7-0-0.

20. HEALTH AND HUMAN SERVICES

20.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED ACCEPTANCE OF A REPORT OF THE CARSON CITY HEALTH OFFICER.

(9:27:00) – Chairperson Lyons introduced the item and presented her report which is incorporated into the record along with the Staff Report. Member Bagwell thanked Chair Lyons for a thorough report and appreciated the fact that it was in written format for reference.

(9:42:17) – Member Jones moved to accept the report as presented. Member White seconded the motion.

RESULT:	APPROVED (7-0-0)
MOVER:	Member Jones
SECONDER:	Member White
AYES:	Members Bagwell, Furlong, Giomi, Jones, Schuette, White, and Chair Lyons
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

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

(9:42:31) – Chairperson Lyons introduced the item. Carson City Health and Human Services (CCHHS) Director Nicki Aaker welcomed newly-hired Clinical Services Manager Katharyn Kurek, replacing Veronica Galas who

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 8

was still at CCHHS, in another capacity. She also noted that a revised copy of her report had been distributed to the Board as late material [and incorporated into the record]. Ms. Aaker entertained suggestions on the Board on how they preferred to receive her report. Member Bagwell thanked Ms. Aaker for the written report in advance and noted that the material would provide her “the ability to talk [to] the public about what’s going on” with good statistics and information. Ms. Aaker reviewed the presentation, incorporated into the record, and responded to clarifying questions. She also invited Julia Peek, deputy administrator of Community Health Services for the Nevada Division of Public and Behavioral Health, participating via WebEx, to discuss the State’s role in providing treatments for the City’s residents. Ms. Peek provided the following number 1-800-401-0946 for Nevadans to navigate through vaccination information, testing options, and therapeutics.

(9:51:44) – Ms. Peek reviewed information on the State’s website <https://nvhealthresponse.nv.gov/find-treatment/> and specifically addressed the *Free State-Supported Services*. She noted the availability of the free pre-exposure therapeutic Evusheld and the telehealth support for free screening and treatment. Ms. Peek responded to clarifying questions as well. Chair Lyons encouraged wearing masks for viral respiratory illnesses, washing hands, and staying home when exhibiting symptoms of viral illnesses. She also entertained public comments.

(9:58:50) – Mr. French stated that information about teenage pregnancies, sexually transmitted diseases (STDs), abortions, sexual assault, domestic violence, teen vaping was “a little bit hard to find” and inquired about CCHHS’s coordination with the schools regarding those issues. Chairperson Lyons noted that vaping has been “a huge issue in Carson City” and “is outranking the State” at this time and explained that CCHHS has provided outreach to teens and parents on the issue. Chairperson Lyons also provided information on the State’s Board of Health meeting and Ms. Songer stated that she would email her the information she wished to have passed along to the State.

(10:03:53) – Chairperson Lyons recessed the meeting for a Board of Supervisors presentation.

(10:04:11) – Mayor Bagwell thanked the Foundation for Carson City Parks and Recreation, “a fundraising arm to beautify all of the areas of our parks [system]” and invited former Carson City Mayor Ray Masayko (1996 – 2004) to join the Board as she presented his biography, noting he was honored as Citizen of the Year in Carson City in 1991. Mayor Bagwell credited Mr. Masayko for relocating City Hall to Downtown Carson City and the reconstruction of the Courthouse building. She also thanked him for donating a kiosk and four benches at Mayors Park, noting that a ribbon-cutting event was being planned for the future. Mr. Masayko would later join Mayor Bagwell and the Supervisors outside the Robert “Bob” Crowell Boardroom to unveil the Tree of Service, honoring all the mayors who had served the City, a gift from Mr. Masayko, who called himself the last living elected Mayor of Carson City. He also thanked Mayor Bagwell for her follow-through on his idea to have the Tree of Service, with each mayor’s name inscribed on a leaf. Mr. Masayko believed that it was a good way to honor the mayors who came before him and those who would take office later.

(10:15:53) – Mayor Bagwell invited the Board members to speak. Supervisor Jones recalled his first meeting with the former Mayor in Hawthorne, Nevada where they had served a free Thanksgiving meal “for those who needed it.” Supervisor Giomi thanked former Mayor Eugene Scrivner and the County Commission at that time for forming the Consolidated Municipality, calling it “unique in the State of Nevada,” which had created a great sense of community. Mr. Masayko was also grateful for “the visionaries back in 1969” who placed the consolidation question on the ballot. Mayor Bagwell, Mr. Masayko, and the Board of Supervisors stepped outside

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 9

the Boardroom to unveil a symbolic Tree of Service featuring plaques as leaves with the names of the Carson City mayors and the dates of their service. The tree and plaques were a gift from Mr. Masayko, through the Foundation for Carson City Parks and Recreation. Mayor Bagwell noted that she was working with the Carson City Chamber of Commerce and Mr. Masayko to create thumbnail biographies of the former Mayors. She also thanked Chairperson Lyons for recessing the Board of Health meeting to unveil the plaque.

(10:31:50) – Chairperson Lyons reconvened the meeting. A quorum was still present.

(10:30:51) – Ms. Aaker continued reviewing the CCHHS Director’s Report. and presented a video on chronic diseases and one on youth tobacco prevention activities. She stated that she was planning a future presentation regarding tobacco products and cessation efforts, and offered a similar presentation to agencies who would request them. Ms. Aaker identified several vacancies in her organization and congratulated CCHHS employee Christie Contreras for completing the Community Health Worker Certification. Member Bagwell called Ms. Contreras “a great find.” Ms. Aaker clarified that the committee on affordable housing would be bringing forward their recommendations to the Board of Supervisors, possibly during the second meeting in April 2022. Member Schuette recommended stressing to teens the financial burden of vaping as well. She also was in favor of addressing healthy lifestyles such as “healthcare versus sick-care.” Chairperson Lyons highlighted the consequences of vaping due to the oils and stressed the importance of prevention education. She also highlighted the vacancy for the position of Deputy Director and the other open positions and entertained a motion to accept the CCHHS Director’s Report.

(11:08:47) – Vice Chair Giomi moved to accept the report. Member White seconded the motion.

RESULT:	APPROVED (7-0-0)
MOVER:	Vice Chair Giomi
SECONDER:	Member White
AYES:	Members Bagwell, Furlong, Giomi, Jones, Schuette, White, and Chair Lyons
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

(11:09:14) – Chairperson Lyons noted that item 20.D would be heard prior to item 20.C.

20.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF THE 2021 ANNUAL REPORT OF THE CARSON CITY DEPARTMENT OF HEALTH AND HUMAN SERVICES (“CCHHS”).

(11:36:09) – Chairperson Lyons introduced the item. Ms. Aaker presented the 2021 CCHHS Annual Report, which is incorporated into the record, and highlighted several items, noting that the Department was 71 percent grant-funded. Vice Chair Giomi recommended including success metrics for programs. Member Schuette wished to see whether the survey included data on students who had tried tobacco products just once and had not continued using them. Ms. Aaker made the following corrections to the food service establishment critical violations:

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 10

- ~~373~~ 175 Critical violations reported in Carson City
- ~~359~~ 138 Critical violations reported in Douglas County

(11:53:15) – Member Bagwell noted the Supportive Housing Grant information captured on page 11 of Ms. Aaker’s report and acknowledged the difficulty of the solutions and the expensive nature of the endeavor. Chairperson Lyons clarified that Access to Healthcare “priorities were deferred due to the massive outreach” related to the COVID-19 pandemic. Ms. Aaker stated that the report will be available on the CCHHS website. Member Bagwell noted that she would use excerpts of the report in her upcoming Coffee and Conversation with the Mayor as CCHHS was the subject matter. Chairperson Lyons entertained a motion.

(12:08:11) – Member Furlong moved to the report as presented with the corrections discussed on the record. Member Bagwell seconded the motion.

RESULT:	APPROVED (7-0-0)
MOVER:	Member Furlong
SECONDER:	Member Bagwell
AYES:	Members Bagwell, Furlong, Giomi, Jones, Schuette, White, and Chair Lyons
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

20.D FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION ON SEXUAL ASSAULT AWARENESS MONTH AND RESOURCES FOR SEXUAL ASSAULT VICTIM-SURVIVORS IN CARSON CITY.

(11:09:20) – Chairperson Lyons introduced the item. Ms. Aaker explained that since April was Sexual Assault Awareness Month, she had invited representatives from the Carson City Sheriff’s Office, Advocates to End Domestic Violence, and CCHHS to provide information about their collaborative efforts to coordinate awareness and prevention of sexual assault and to support the victims of sexual assault in the community.

(11:09:58) – Advocates to End Domestic Violence (AEDV) Sexual Assault Coordinator Traci Trenoweth and Carson City Sheriff’s Office (CCSO) Detective Erin McMahon introduced themselves and provided a chronological description of the steps that take place after receiving a call regarding sexual assault. The initial call might come as a result of an Emergency Room (ER) visit, a call to law enforcement, or a call to the AEDV crisis hotline. Ms. Aaker provided information on the Sexual Assault nurses and their role in the examinations. She also discussed the training involved for all parties. Ms. Trenoweth noted that there were two staff members and 23 community volunteers who answered the crisis calls.

(11:17:48) – Human Services Manager Mary Jane Ostrander reviewed CCHHS’s role in providing counseling and necessary medication, without being in contact with the victim. She noted that many victims seek counseling up to a year later. Ms. Trenoweth highlighted the fact that AEDV stays with the victims even if the exams are in Washoe County and explained that many of the underage victims may choose not to report immediately. Member Bagwell received clarification that the NRS mandate to pay up to \$1,000 for costs for medical and psychological treatment is only for reported crimes and invited Ms. Trenoweth to inform the Board whether that should be

CARSON CITY BOARD OF SUPERVISORS
Minutes of the March 3, 2022 Meeting
Page 11

addressed in the future. Ms. Trenoweth noted that they would bring the item forward when the Carson City Municipal Code (CCMC) changes are discussed. Vice Chair Giomi commended the team members for their compassion. Member Furlong was informed that Carson City has a higher rate of reporting as the victims can report at a later date. Member White was informed by Chairperson Lyons that all sexual assault claims are subject to the "10 Steps to Believing," presented as part of agenda item 20.A, who added that a victim's memory could be distorted at times. She also stated that many incidents go unreported because of the negative responses victims receive from friends and family, adding "this is a man's issue" and the next step is to help men not be perpetrators. Member Furlong clarified that the first step of getting a report dictates how the process ends. Chairperson Lyons announced that April was Sexual Assault Awareness Month, and that April 4, 2022 was Denim Day "in support of women who have suffered through this kind of trauma."

21. PUBLIC COMMENT

(12:08:31) – Chairperson Lyons entertained final public comments. Mr. French thanked the Board for the information; however, he requested the presentation of additional information prior to voting on items. He also believed that caffeine should be considered an addictive substance due to its consumption by youth in concentrated amounts, in addition to electronic gadgets.

22. FOR POSSIBLE ACTION: TO ADJOURN

(12:11:42) – Chairperson Lyons adjourned the meeting at 12:11 p.m.

The Minutes of the March 3, 2022 Carson City Board of Supervisors meeting are so approved on this 7th day of April, 2022.



LORI BAGWELL, Mayor

ATTEST:



AUBREY ROWLATT, Clerk-Recorder

Attachments: written public comments

Late Material
3/3/2022
BOS Mtg

D Bentel: Public Comments re Erosion and Sediment Control for BOS Meeting on Friday February 24, 2022

I am providing a summary of my interpretation of legal requirements, and some questions the requirements raise, based on Carson City Code of Ordinances, Title 12. WATER, SEWERAGE AND DRAINAGE. I have attached the full document as a reference for your edification.

Background

§ 12.18.020. Applicability

This chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulation, and the NPDES municipal stormwater permit and any amendments, revisions or re-issuance thereof. No required permit issued pursuant to this chapter shall relieve a person of the responsibility to secure other permits and approvals required for activities regulated by any other applicable rule, code, act, permit or ordinance.

§ 12.18.040.2 Permit Application

Permit application shall be consistent with those required submittals for an engineering permit, along with plans, specifications, and project schedules for all construction operations for earth disturbances of more than 1 acre in size or areas greater than 10,000 square feet of new impervious surface or of more than 50 cubic yards of grading."

§ 12.18.070. Responsibility of permittee

2. Preventing damage to adjacent property (No person shall disturb earth on land so close to the property line as to endanger any adjoining public street, sidewalk, alley, or any public or private property without supporting and protecting such property from settling, cracking, or other damage which might result).
4. Promptly removing all soil, miscellaneous debris, materials applied, dumped, or otherwise deposited on public streets, highways, sidewalks, or other public thoroughfares or any other non-authorized offsite location, during transit to and from the construction site, or otherwise, where such spillage constitutes a public nuisance, trespass or hazard in the determination of the city engineer or a court of competent jurisdiction.

§ 12.18.080. General requirements.

2. All earth disturbances shall be conducted in such a manner so as to effectively reduce accelerated soil erosion and resulting sedimentation and should not exceed the erosion expected to occur for the site in its totally undeveloped state.

Discussion

The Deputy City Attorney said originally, in writing, that no Permit application was required for the Prison Hill projects, and one was only prepared after I filed a formal "Misdemeanor Complaint" in which the Parks Department, Open Space Department and Deputy District Attorney were specifically named. This complaint clearly showed why the erosion control plan and SWPPP were in fact required, according to the City's regulations. Based on my complaint, the Deputy DA provided me with a city-prepared SWPPP which was inadequate in that it did not specify any post-construction BMP's, or maintenance of the roadway after sediment had been

deposited on the road surface from all low points on the OHV western side of hill. I submitted an edited version of the SWPPP and was told by the DA that it wasn't his intent to have me review the SWPPP document, but would pass on my comments to the Parks and Open Space Departments. I also noted that he had not provided any answers to my question about not having prepared a SWPPP for Project 1 (Signs of Change 1 and 2) and have not had a response yet on this issue.

In my opinion, the constant use of prison hill as an OHV area is clearly an on-going earth disturbance that causes heavy erosion and sediment transport to occur after rain. The construction of sediment detention basins downstream of all major drainages on the on the west side of the hill (i.e., prior to discharging water towards Golden Eagle Lane), is crucial to stop sediment from reaching the road, and ultimately the Carson River. This is clearly an oversight in the engineering design.

Taking the appropriate regulations into account, the City is fully responsible to clean up the sediment deposited on Golden Eagle Lane after every storm that causes eroded sediment to be deposited on the roadway. The existing sediment piles and stormwater ditches from the October 2021 storms have NOT been addressed by the City, neither has sediment from previous storms ever been addressed. The City owns Prison Hill and therefore the City is responsible for removing the deposited sediment from the roadway and stormwater ditches, and ensuring that all culverts remain unblocked.

The State culvert under Golden Eagle Lane has been blocked for a very long time and the City and State go back and forth blaming the delay on each other. The State is happily accepting ALL sediment that is caused by OHV's in their Prison sediment placement area, and it is only a question of time before this gets into the Carson River. The City should insist that the State repair or replace the blocked culvert, and stop using the State as an excuse for not performing this work. The State may be fully justified in charging the City for this repair or replacement. It is deplorable that this issue has been allowed to continuously occur for over five years.

Carson City Code of Ordinances

Title 12. WATER, SEWERAGE AND DRAINAGE

Chapter 12.18. EROSION AND SEDIMENT CONTROL

§ 12.18.010. Definitions

12.18.01.3. "Best management practices (BMPs)" means physical, structural and/or managerial practices that, when used singly or in combination, control site run-off, spillage and leaks, errant dust, waste disposal and drainage from material storage and prevent or reduce the discharge of pollutants directly or indirectly to waters of the State, (United States). BMPs may include schedules of activities, prohibition of practices, design standards and maintenance activities.

12.18.01.6. "Earth disturbance" means any man-made change in the natural cover or topography of land, including all stripping, grading, cut and fill operations, building, paving and other activities, which may result in or contribute to soil erosion or sedimentation of the waters of the State.

12.18.01.8. "Excavation" means any act, by which soil or rock is cut into, dug, mined, quarried, uncovered, removed, displaced, relocated, or stockpiled, including the conditions resulting from excavation.

12.18.01.9. "Filling" means any act by which soil, rock or other construction materials are placed, stockpiled, dumped, or a combination thereof onto the surface of the earth that may be exposed to rain water or wind.

12.18.01.10. "Grading" means any stripping, excavating, filling, stockpiling, or any combination thereof, and also included shall be the land in its excavated or filled condition.

12.18.01.20. "Pollution" means contamination or other alteration of the physical, chemical or biological properties of waters of the State, including change in pH, temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the State that will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreation or to other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

12.18.01.21. "Stripping" means any activity that removes or significantly disturbs the vegetative surface cover including clearing and grubbing operations.

12.18.01.22. "Storm water" means surface runoff and drainage associated with storm events and snowmelt.

12.18.01.23. "Temporary soil erosion control measures" means interim control measures which are installed during construction and maintained for the purpose of controlling soil erosion until permanent soil erosion control measures are implemented.

§ 12.18.020. Applicability

All persons taking any action or applying for any land development, land division or construction permits and/or approvals shall be required to submit for approval of an erosion and sediment control plan with their application and/or request, or;

Any person who undertakes, or is responsible for undertaking any action, which involves earth disturbance, is ultimately responsible to see that soil erosion and sedimentation as well as the resultant changed water flow characteristics are controlled to the extent necessary to avoid damage to property and to avoid pollution of receiving waters. Nothing in this chapter shall be taken or construed as lessening or modifying the ultimate responsibility of such persons. Nor do the requirements of this chapter imply the assumption of any liability therefore on the part of the city.

The standards, criteria and requirements of this chapter are to be seen as minimum standards that are not necessarily adequate to meet the highly variable conditions that must be covered by effective control measures. Compliance with the requirements of this chapter may not, therefore, of itself discharge such person's responsibility to provide effective control measures.

Erosion and sedimentation that occurs from construction activities within the city shall be prevented from leaving construction sites by providing proper provisions for water disposal and by protecting soil surfaces during and after construction, in order to promote the safety, public health, convenience and general welfare of the community.

No permits shall be issued unless said permits include soil erosion and sediment control measures consistent with the requirements of this chapter and related development standards.

This chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulation, and the NPDES municipal stormwater permit and any amendments, revisions or re-issuance thereof. No required permit issued pursuant to this chapter shall relieve a person of the responsibility to secure other permits and approvals required for activities regulated by any other applicable rule, code, act, permit or ordinance.

§ 12.18.030. Exceptions to applicability.

No erosion and sediment control plan shall be required for the following:

1. Agricultural use of land zoned agricultural.
2. Single family residences with less than 1 acre of disturbed area and/or less than 50 cubic yards of grading.
3. All other land use zones or public areas of less than 10,000 square feet of new impervious surface, and/or less than 50 cubic yards of grading, and/or less than 1 acre of earth disturbance.
4. Where the city engineer agrees, in writing, with the permittee that the planned work and the final structures or topographical changes will not result in or contribute to soil erosion or sedimentation, i.e., the rainfall erosivity factor is less than 5 during the period of construction activity; will not interfere with any existing drainage course in such a manner as to cause damage to any adjacent property or result in the deposition of debris or sediment on any public way; will not present any hazard to any persons or property; or will have no detrimental influence upon the public welfare or upon the total development of the watershed.
5. Even though no erosion and sediment control plan is required under subsections (1), (2), (3), and (4) of this section, those operations and construction activities which are exempted from submitting an erosion and sediment control plan **must comply with the rules and regulations in this chapter when conditions change such that appropriate controls are necessary to retain soil erosion on the area of earth disturbance.**

§ 12.18.040. Permits and fees.

1. **Permit Requirement.** Except as exempted by Carson City Municipal Code, no person shall do any earth disturbance, unless the city issues a valid permit. Issuance by city does not exempt the parties from obtaining any other permits required by the State of Nevada or the Federal Government.

2. **Permit Application.** Permit application shall be consistent with those required submittals for an engineering permit, along with plans, specifications, and project schedules for all construction operations for earth disturbances of more than 1 acre in size or areas greater than 10,000 square feet of new impervious surface or of more than 50 cubic yards of grading.

4. Fees. No separate fees under this Section will be imposed.

§ 12.18.070. Responsibility of permittee. _

During earth disturbance operations the permittee shall be responsible for:

1. Preventing damage to any public utilities or services within the limits of earth disturbance and along any routes of travel of the equipment;
2. Preventing damage to adjacent property (No person shall disturb earth on land so close to the property line as to endanger any adjoining public street, sidewalk, alley, or any public or private property without supporting and protecting such property from settling, cracking, or other damage which might result).
3. Executing the proposed work in accordance with the permitted plans and in compliance with all the requirements of the permit and this chapter;
4. Promptly removing all soil, miscellaneous debris, materials applied, dumped, or otherwise deposited on public streets, highways, sidewalks, or other public thoroughfares or any other non-authorized offsite location, during transit to and from the construction site, or otherwise, where such spillage constitutes a public nuisance, trespass or hazard in the determination of the city engineer or a court of competent jurisdiction.

§ 12.18.080. General requirements. _

1. All temporary erosion control facilities and all permanent facilities intended to control erosion from any earth disturbance shall be installed before the work takes place.
2. All earth disturbances shall be conducted in such a manner so as to effectively reduce accelerated soil erosion and resulting sedimentation, and should not exceed the erosion expected to occur for the site in its totally undeveloped state
3. All persons engaged in earth disturbances shall design, implement, and maintain acceptable soil erosion and sedimentation control measures, in conformance with the erosion control technical standards adopted by the city.
4. All earth disturbances shall be designed, constructed and completed in such a manner so that the exposed area of any disturbed land shall be limited to the shortest possible period of time.
5. Sediment cause by accelerated soil erosion shall be removed from runoff water to the maximum extent practicable before it leaves the site of the earth disturbance.

6. Any temporary or permanent facility designed and constructed for the conveyance of water around, through, or from the earth disturbance area shall be designed to limit the water flow to a non-erosive velocity.

7. Temporary soil erosion control facilities shall be removed and earth disturbance areas graded and stabilized with permanent soil erosion control measures pursuant to standards and specifications prescribed in accordance with the provisions the development standards of Carson City.

8. Permanent soil erosion control measures for all slopes, channels, ditches, or any disturbed land area shall be completed as soon as possible after final grading or the final earth disturbance has been completed. When it is not possible to permanently stabilize a disturbed area after an earth disturbance has been completed or where significant earth disturbance activity ceases, temporary soil erosion control measures shall be implemented. All temporary soil erosion control measures shall be maintained until permanent soil erosion measures are implemented.

(Ord. 2006-29 § 10, 2006).

§ 12.18.120. Acts resulting in violation of Federal Clean Water Act. _

Any person who violates any provision of this chapter, any provision of any permit issued pursuant to this chapter, or who discharges waste or wastewater which causes pollution, or who violates any cease and desist order, prohibition, or effluent limitation, also may be in violation of the Federal Clean Water Act and may be subject to the sanctions of that Act including civil and criminal penalties.

(Ord. 2006-29 § 14, 2006).