

CARSON CITY BOARD OF SUPERVISORS

Minutes of the March 16, 2023 Meeting

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A regular meeting of the Carson City Board of Supervisors and Board of Health was scheduled for 8:30 a.m. on Thursday, March 16, 2023, 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 Curtis Horton, Ward 3
Supervisor Lisa Schuette, Ward 4

STAFF:

Nancy Paulson, City Manager
Scott Hoen, Clerk-Recorder
Dan Yu, Assistant District Attorney
Stephanie Hicks, Deputy City Manager
Tamar Warren, Senior Deputy Clerk

NOTE: A recording of these proceedings, the Board’s agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk’s Office, during regular business hours. 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

(8:33:17) – Mayor Bagwell called the meeting to order at 8:33 a.m. Mr. Hoen called roll and noted the presence of a quorum. Airport Road Church of Christ Minister Bruce Henderson provided the invocation. At Mayor Bagwell’s request, Carson City Treasurer Andrew Rasor led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:35:00) – Mayor Bagwell entertained public comments. Scott Sisco commented on item 16.B and gave background on Carson City sewer lines. He believed that he and other area residents should not pay for the extension of the sewer lines in his neighborhood in southeast Carson City. Debra Sisco called the proposed fees to be paid by the area residents challenging and was not in favor of the item. Deni French commented on SB221 and was in support of adding some insects to the endangered species list. He also wished to hear what changes would be coming to Mills Park. Ralph Thomas also commented on item 16.B and noted that he understood the reasons behind the project even though the cost to the residents is “a tough pill to swallow.”

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – FEBRUARY 16, 2023.

(8:41:25) – Mayor Bagwell introduced the item and noted a typographical error. She also entertained comments, corrections, or a motion.

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(8:42:18) – Supervisor Giomi moved to approve the minutes of the February 16, 2023 Board of Supervisors meeting as corrected. The motion was seconded by Supervisor White and carried 5-0-0.

7. SPECIAL PRESENTATIONS

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

(8:42:43) – Mayor Bagwell invited the Board to join her on the Boardroom floor. Carson City Sheriff Ken Furlong read the accomplishments and presented a Length of Service Certificate to Ramon Marquez-Montalvo, Deputy Sheriff, for five years of service. Deputy Marquez-Montalvo joined the Board and fellow officers for a commemorative photograph.

CONSENT AGENDA

(8:46:23) – Mayor Bagwell introduced the item and inquired whether the Board or the public wished to pull additional items from the Consent Agenda; however, none were forthcoming. She also entertained a motion.

(8:46:32) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 9.A, 10.A, 10.B, 10.C, 11.A, and 12.A as presented. Supervisor White seconded the motion.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor White
AYES:	Supervisors Giomi, Horton, Schuette, White, and Mayor Bagwell
NAYS:	None
ABSTENTIONS:	None
ABSENT:	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 FEBRUARY 4, 2023 THROUGH MARCH 3, 2023.

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 MARCH 3, 2023, PER NRS 251.030 AND NRS 354.290.

10. PURCHASING AND CONTRACTS

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10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE 75 SELF-CONTAINED BREATHING APPARATUS ("SCBA") UNITS AND COMPONENTS FOR THE CARSON CITY FIRE DEPARTMENT ("CCFD"), FOR AN AMOUNT NOT TO EXCEED \$631,411.40 FROM ALLSTAR FIRE EQUIPMENT INCORPORATED.

10.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR THE CARSON CITY PUBLIC WORKS DEPARTMENT ("PUBLIC WORKS") TO PURCHASE ONE NEW CHEVROLET SILVERADO FOR A NOT TO EXCEED AMOUNT OF \$44,688.65, UTILIZING JOINDER CONTRACT 99SWC-NV21-8888 BETWEEN THE STATE OF NEVADA AND MICHAEL HOHL MOTOR COMPANY ("MICHAEL HOHL").

10.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$386,000 INCREASE IN PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED \$1,137,554, FOR THE PURCHASE OF (1) BULK FUEL AND RELATED DELIVERY SERVICES UTILIZING STATE OF NEVADA JOINDER CONTRACT 99SWC-NV20-4287 WITH INTERSTATE OIL COMPANY, CONTRACT 99SWC-NV20-4867 WITH CARSON VALLEY OIL CO., INC. AND CONTRACT 99SWC-NV20-4283 WITH FLYERS ENERGY, LLC; AND (2) ADDITIONAL FUEL ACCESS THROUGH A CARD LOCK FUELING NETWORK USING STATE OF NEVADA JOINDER CONTRACT 99SWC-NV21-7551 WITH PILOT THOMAS LOGISTICS, LLC, RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$1,523,554 THROUGH JUNE 30, 2023.

11. TREASURER

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE TREASURER'S MONTHLY STATEMENT OF ALL MONEY ON DEPOSIT, OUTSTANDING CHECKS, AND CASH ON HAND FOR FEBRUARY 2023 SUBMITTED PER NEVADA REVISED STATUTES ("NRS") 354.280.

12. SHERIFF

12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A GRANT FROM THE DEPARTMENT OF JUSTICE, 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, FOR THE TRINET NARCOTICS TASK FORCE IN THE AMOUNT OF \$80,000, AND A PROPOSED INTERLOCAL AGREEMENT BETWEEN CARSON CITY AND DOUGLAS COUNTY TO PASS \$40,000 IN THE GRANT FUNDS TO DOUGLAS COUNTY FOR THE TRINET NARCOTICS TASK FORCE.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

No items were pulled from the Consent Agenda.

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14. COMMUNITY DEVELOPMENT

14.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, A PROPOSED ORDINANCE REPEALING PROVISIONS GOVERNING CERTAIN COMMON OPEN SPACE DEVELOPMENT IN CARSON CITY.

(8:46:58) – Mayor Bagwell introduced the item. Ms. Sullivan presented the Staff Report, incorporated into the record, and highlighted the background section. She also noted for the record that she had received public comments regarding the item and wished to clarify three items:

1. She noted that the application of Title 17.10 had been consistent with the Carson City Municipal Code (CCMC) and that it had not been abused.
2. She also clarified that Common Open Space Development and Planned Unit Development were both derived from the Nevada Revised Statute (NRS) 278A (Planned Development).
3. Ms. Sullivan addressed public comments that believed Planned Unit Developments cannot be used for infill due to the five-acre minimum, explaining that Title 17.09 allows for relief to the five-acre minimum.

(8:48:30) – Mr. Yu clarified that his memorandum, submitted into the record as late material, incorporated transitory language to explicitly establish the disposition of an application that was filed before March 3, 2023 (when at a joint meeting of the Board of Supervisors and the Planning Commission they voted to repeal Title 17.10), adding that applications filed after March 3, 2023 would not be considered, once the Ordinance is adopted.

(8:51:40) – Mark Turner of Silver Oak Development noted the presence of his colleagues from the Nevada Builders Alliance and called the Common Open Space Planning Tool very useful, especially for infill development, noting that Carson City was almost out of PUD-worthy land. He recommended alteration of the language instead of eliminating all of Title 17.10. Christy Corporation's Mike Railey concurred with Mr. Turner's comments and believed that Title 17.10 was flawed; therefore, he recommended modification of the code instead of its elimination. Jaron Hildebrand, Chief Executive Officer (CEO) of the Nevada Builders Alliance, was also opposed to the elimination of Title 17.10 and preferred amending it instead.

(8:57:02) – Sue Masielo noted that the March 3, 2023 joint meeting was advertised and that the builders would have known about it. She also believed that Common Open Space was not open to "all public" and that Title 17.10 placed the developers above the elected officials and the public. Deni French noted his agreement with Ms. Masielo's comments. Maxine Nietz was also in favor of the repeal and mentioned she had been opposing it for the past six years. Bob Weise was in favor of the repeal and recommended having a separate discussion regarding infill parcels "if the PUD doesn't work." He also recommended giving "some special weight" to adjacent property owners should a future ordinance be proposed.

(9:03:20) – Supervisor Giomi recommended making the PUD "right-sized for our community" and was in favor of repealing Title 17.10. Mayor Bagwell entertained a motion.

(9:04:32) – Supervisor White moved to introduce, on first reading, Bill No. 106, including the late material transitory language introduced by the District Attorney's Office. Supervisor Giomi seconded the motion.

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

15. PARKS AND RECREATION

15.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED DRAFT OF THE MILLS PARK MASTER PLAN FOR THE PRESERVATION, DESIGN AND DEVELOPMENT OF MILLS PARK IN CARSON CITY.

(9:05:07) – Mayor Bagwell introduced the item. Parks Project Manager Nick Wentworth gave background and presented the Mills Park Master Plan proposed draft which is incorporated into the record. He also responded to clarifying questions. The Board congratulated Staff for a well-done Master plan but cautioned against making the park “a pass-through” from Saliman Road. Mayor Bagwell entertained Public comments.

(9:37:23) – Mr. French believed the wide maintenance roads would allow for more traffic and did not believe that the public had asked for wide roads, even though he understood they were for safety and emergency vehicles. Dave Whitefield introduced himself as a Parks and Recreation Commissioner; however, he noted that his comments would be personal and not representative of the Commission. Mr. Whitefield read into the record a prepared statement in favor of the plan and praised Staff for their hard work. He also believed that the proposed connector road was important for the park visitors to move around the park without getting on William Street. Ms. Nietz inquired about the interference of the trees in holding single-activity events such as Civil War reenactments. Mr. Wentworth explained that the trees would be used to provide shade for food trucks and other event vendors. Ms. Nietz received confirmation that the picnic tables were movable. Ms. Masielo objected to having roads in a park where kids played. She recounted a personal experience in another state and recommended a remote access entry for emergency vehicles. Ms. Masielo suggested setting aside funds for maintenance. Kurt Meyer, another Parks and Recreation Commissioner, called the plan “wonderful” and recommended a professional traffic analysis. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

(9:49:05) – Supervisor Giomi moved to approve the Mills Park Master Plan as presented. Supervisor White seconded the motion.

(9:49:25) – Supervisor Schuette explained that she would vote for the motion; however, she urged Staff to have “a robust conversation” to ensure the road represented “a road within a park and not reflect a road.”

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

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15.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENTS TO THE DOG RULES AND REGULATIONS POLICY NO. 2023-1 AND A PROPOSED RESOLUTION TO SUPERSEDE RESOLUTION NO. 2023-R-1, EXEMPTING CERTAIN PARKS, TRAILS, AND OPEN SPACE AREAS FROM CARSON CITY MUNICIPAL CODE (“CCMC”) 13.02.090, TO ALLOW FOR DOG USE WITHIN MILLS PARK.

(9:50:16) – Mayor Bagwell introduced the item. Parks, Recreation, and Open Space Director Jennifer Budge gave background and recommended a proposed resolution to have a fenced off-leash dog area and leash requirements throughout Mills Park. Supervisor White believed that there are many issues with dogs in city parks, noting that it was not sanitary to have dog waste near picnicking families, and he stated he would vote against the item. Mayor Bagwell stated that she had received requests to allow off-leash dogs at Steinheimer Park. Supervisor Schuette explained that she had received a similar request for Mayor’s Park, but she wished to wait and evaluate the request in a year. Supervisor Giomi stated that he also had received similar requests for Steinheimer Park. Ms. Budge explained that Staff had built several requests into the budget such as fencing Long Ranch Park. Supervisor Giomi and Mayor Bagwell explained that both Steinheimer and Mayor’s Parks had no amenities and fencing requirements. Mayor Bagwell entertained public comments.

(9:55:43) – Mr. French recommended discussing other parks on a separate agenda item. He also believed that the dog park in Mills Park should be located away from the water and opposed allowing dogs throughout the park, even on a leash. Paul Martinovich, representing Carson City Railroad Association, was pleased that dogs would not be allowed in their building and considered them “a real problem and impossible to enforce.” Mr. Thomas also objected to the dogs in Mills parks, on or off leash, adding that many people do not pick up after their pets. He was, however, in favor of a fenced dog park. Mayor Bagwell clarified for Mr. French that the agenda title is about dog rules in parks in general; therefore, other parks could be discussed.

(10:05:02) – Supervisor White expressed concern that the policy was not simple and easy to follow, especially when adjustments were being requested to a policy that is less than three months old. Supervisor Schuette believed that adjustments to the policy are appropriate, to understand what is working and what is not. She also acknowledged Supervisor White’s comments regarding picnicking around dogs and recommended an area near the dog park for picnickers with leashed dogs and keeping the rest of the park dog free. Ms. Budge believed that would be difficult to enforce. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

(10:10:13) – Supervisor Giomi moved to approve the amendments to the Dog Rules and Regulations Policy and to adopt Resolution No. 2023-R-3, and furthermore, to authorize the District Attorney’s Office to make conforming changes to change Steinheimer Park to an off-leash park. He also moved to authorize Staff to update the park system map as new fenced dog parks are added in the future. Supervisor Schuette seconded the motion.

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

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(10:11:03) – Mayor Bagwell recessed the meeting.

(10:20:19) – Mayor Bagwell reconvened the meeting. A quorum was still present.

16. PUBLIC WORKS

16.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE 60% DESIGN CONCEPTS FOR THE EAST WILLIAM STREET COMPLETE STREETS PROJECT (“PROJECT”) AND AUTHORITY TO ADVANCE THE PROJECT TO THE 90% DESIGN STAGE.

(10:20:38) – Mayor Bagwell introduced the item. City Engineer Randall Rice gave background and Consultant Angie Hueftle, Principal at NCE, presented the East William Complete Streets Project 60 Percent Update, incorporated into the record. Project Manager Darren Anderson reviewed the rest of the presentation including a summary of the public meetings, the pedestrian crossing options, and a Project timeline update. The presenters also responded to clarifying questions. Supervisor Giomi was concerned about the flashing pedestrian crossing beacon causing traffic backups during major events at Mills Park and recommended “a lockout mechanism” akin to a traffic signal. He pointed out a similar system in Las Vegas and recommended emulating that. Supervisor Giomi also praised Staff for their professionalism during the public meetings. Supervisor White did not see a need for the flashing beacon due to the presence of the median. He also was in favor of pedestrian crossing Option 1 and preferred to see the Saliman Road “storage lanes” get longer and was concerned about a left turn near the U-Haul building, west of Saliman Road. Mr. Rice explained that Staff would take his comments into consideration; however, a turn might be needed to accommodate large vehicles.

(10:47:37) – Supervisor Schuette was informed by Mr. Rice that Option 1 was not preferable because wheelchairs might have difficulty navigating an unsafe parking lot with moving vehicles and vegetation. Mr. Rice also addressed traffic calming medians and believed that vegetation in medians was expensive to maintain; however, the medians were helpful to wheelchair-bound persons who would be able to “catch their breath.” There were no additional Board comments and Mayor Bagwell entertained public comments.

(10:54:58) – Mr. Thomas believed that Option 1 was a safer option and recommended using standard traffic light crosswalk signage for pedestrians to use. He also recommended zero-maintenance landscaping. Ms. Nietz believed the changes were “alarming” and would adversely impact traffic flow along the Hwy 50 East corridor. She believed bicycle lanes would not be used and did not believe medians are “traffic calming.” She also objected to narrower lanes because they would cause accidents. Mayor Bagwell explained that she had mentioned during the previous Regional Transportation Commission meeting that she had not been in favor of medians because she believed they would not work and would impact snow removal. She also expressed concern that eliminating many of the left turns would disrupt traffic flow. Mr. Rice believed that they could build a “glue down median” which is easier to remove. He also noted that with new developments, median removal could be a condition of approval if needed. Discussion ensued regarding wheelchair usage and Mayor Bagwell and Supervisor Schuette noted that Option 2 was safer for wheelchair use, even though the distance was better suited to Option 1. There were no additional comments and Mayor Bagwell entertained a motion.

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(11:08:43) – Supervisor Schuette moved to approve the 60% design of the East William Street Complete Streets Project and authorize staff to advance the Project to the 90% design stage with Option 2 as the preferred location of the crosswalk. Supervisor White seconded the motion.

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

16.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION (1) WAIVING RESIDENTIAL SEWER CONNECTION FEES AND RELATED PERMIT AND INSPECTION FEES FOR ALL PROPERTIES THAT CONNECT TO NEWLY EXTENDED SEWER MAIN LINES WITHIN A SPECIFIED PERIOD OF TIME IN A DESIGNATED AREA OF SOUTHEAST CARSON CITY (“AREA”); (2) REQUIRING RECORDED NOTICE THAT MUNICIPAL SEWER CONNECTION IS AVAILABLE FOR AREA PROPERTIES; AND (3) ESTABLISHING A MAXIMUM PERIOD OF TIME FOR AREA PROPERTIES TO CONNECT TO MUNICIPAL SEWER.

(11:09:32) – Mayor Bagwell introduced the item. Mr. Rice gave background and reviewed the Staff Report which is incorporated into the record. He also proposed replacing part of Section 6 of the proposed resolution which states:

Upon request from parcel owners that have either (a) properly abandoned their septic system and connected to the municipal sewer system, or (b) secured an exception under CCMC 12.05.020(2)(a), the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been made or excused for the time being under CCMC 12.05.020(2)(a) as applicable.

With the following:

Upon proper abandonment of a septic system and connection to the municipal sewer system, the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been made. Additionally, upon request from parcel owners that have secured an exception under CCMC 12.05.020(2)(a), the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been excused for the time being under CCMC 12.05.020(2)(a).

(11:12:22) – Mr. Rice addressed the concerns of the citizens regarding the validity of the data and the engineering reports and noted that all the data and reports are valid and were done in the best interests of the City’s residents. Mayor Bagwell inquired about the proposed addition to Section 6 and wondered why the lien relief was “upon request of property owners.” She believed it should be done automatically and not penalize those who followed the law but forgot to request a lien relief. Mr. Rice informed Mayor Bagwell that the timelines for the prior nine

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projects “were 24 months for the incentive period and 36 months for the mandatory connection period.” Mayor Bagwell believed that these properties had a different topography and would cost more to implement. She recommended providing 36 months for the incentive period and 48 months for the connection period. Supervisor Giomi was in favor of extending the incentive period to 48 months as well. He was also informed by Mr. Rice that all septic permits are temporary because changes could be made by the State anytime. Mr. Rice also clarified that the impetus of the project was the presence of nitrates that exceeded the acceptable amount per liter of well water. Mayor Bagwell entertained public comments.

(12:27:10) – Mr. Cisco called his interaction with the Public Works Department “fantastic this time around” as he previously had not had positive interactions. He wished to see a five-year incentive period and recommended a monthly credit on the affected homeowners’ sewer bill. Mr. Thomas believed his project would be less expensive and recommended free hookups to the homeowners with easements. Sue McCune introduced herself as a resident in the proposed project area and thanked the Board and Staff for the extension periods for the fees. She also inquired about the cost and requirements of securing the abandoned septic tanks and possible low-income grants for a neighbor who is on a fixed income. Nancy Scott wished to understand why the sewer line did not go near an easement near her house and Mayor Bagwell instructed Staff to speak to Ms. Scott regarding her specific issue. Colin Schiffrin noted that he was working with Mr. Anderson regarding his property and noted that he would be exempted from the project. He requested applying “the incentive in some form” in the future for people who may be required to connect because of State regulations and cited the example of his neighbor. Ray Zaro understood the issue; however, he was unhappy about having the pipes 20 feet away from his house for servicing instead of the current five-foot distance, thus preventing him from having a full-acre property. Mr. Zaro also noted that the costs would now be higher as well. Tom Glab introduced himself as a Gentry Lane resident and cited a report by Farr West Engineering and believed that the elevated nitrate reports had shown “spikes” in 2017-2022 which he believed was not “a consistent flow from septic tanks.” There were no additional public comments.

(11:39:51) – Mayor Bagwell noted her agreement to Supervisor Giomi’s suggestion to match the incentive and construction period (48 months) fee waivers; however, she noted that the previously-requested five-year period would be too long because of the groundwater contamination. She was also in favor of granting a waiver to residents that could be subject to intervening State regulation changes; however, with a time limit (possibly 24 months). Mr. Rice clarified for Supervisor Giomi that after the conversion, the septic tank lid must be demolished, the tank rinsed, filled with sand, and buried. Supervisor Giomi was informed of the availability of grants for low-income/fixed-income residents; however, according to Mr. Rice, that area did not qualify as low-income. Ms. Paulson offered to look into the availability of American Rescue Plan Act (ARPA) funds for residents on fixed incomes. Supervisor White cited the CCMC 12.05.015 - *Individual sewage disposal system—Single-family residential installation permits, design, and inspections* and inquired whether the current septic systems in the area meet the criteria noted in the code. Mr. Rice believed that Staff would have adhered to any codes that existed at the time of their construction. Supervisor White also wished to see the City fund the conversions and objected to having liens and the property. At Supervisor Schuette’s request, Mr. Rice explained that the City tests all effluent water and that it has low nitrate levels, adding that nitrates higher than one to three milligrams per liter are man-made and not the result of agricultural events. Mr. Rice believed that the City had the difficult task of finding a solution, hence the waivers. Mayor Bagwell received confirmation from the Board that they agreed with the matching 48-month incentive and construction period waivers but not with discounted sewer fees, etc. Additionally, the Board was in favor of granting a 24-month waiver to residents that could be subject to

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intervening State regulation changes. Supervisor Giomi reiterated his request to look into low-income assistance grants.

(12:01:50) – Mayor Bagwell moved to adopt Resolution No. 2023-R-4, with an Incentive Period of 48 months and requiring connection to be made no later than 48 months after Notice of Availability, to accept the amendment presented by Staff to replace the portion of section 6 stating: “Upon request from parcel owners that have either (a) properly abandoned their septic system and connected to the municipal sewer system, or (b) secured an exception under CCMC 12.05.020(2)(a), the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been made or excused for the time being under CCMC 12.05.020(2)(a) as applicable,” with “Upon proper abandonment of a septic system and connection to the municipal sewer system, the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been made. Additionally, upon request from parcel owners that have secured an exception under CCMC 12.05.020(2)(a), the City’s Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been excused for the time being under CCMC 12.05.020(2)(a)”; and to allow the District Attorney’s Office to make conforming changes to the Resolution, adding language providing that, for property owners who secure a waiver under CCMC 12.05.020(2)(a) that is subsequently invalidated for any reason, a 24-month incentive and mandatory connection period applies. The motion was seconded by Supervisor Giomi.

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

(12:03:06) – Mayor Bagwell thanked Staff and members of the community for working together and noted that the City would “search for dollars to help.” She also recessed the meeting.

(12:12:54) – Mayor Bagwell reconvened the meeting. A quorum was still present.

16.C FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION REGARDING A PROPOSED POLICY (“POLICY”) FOR THE IMPLEMENTATION OF GUIDELINES AND PROCEDURES FOR THE INITIATION, INSTALLATION, MAINTENANCE AND FEE COLLECTION OF ELECTRIC VEHICLE CHARGING STATIONS AVAILABLE FOR PUBLIC USE ON CARSON CITY-OWNED PROPERTY AND RIGHTS-OF-WAY (“CITY PROPERTY”).

(12:13:00) – Mayor Bagwell introduced the item. Deputy Public Works Director Dan Stucky gave background and noted that Staff were looking into having charging stations become owned and maintained by a public utility or private vendor on City Property. Mayor Bagwell wished to explore a way to use the fees collected from charging stations to be used for road maintenance since electric vehicles do not contribute to the gas tax. Transportation Manager Chris Martinovich explained that the proposed rates were based on historic data (usage

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and rates) obtained from the vendor who had supplied the current charging station and reconciled with the City's utility bills. He also responded to clarifying questions. Supervisor Giomi noted that the fees received from the chargers would not be enough to fund road maintenance at this time. Supervisor Horton received confirmation that all existing chargers could be converted to receive payment. Mayor Bagwell entertained public comments. (11:24:28) – Mr. French inquired about time limits for charging stations and was informed that Staff had proposed loitering fees. This item was not agendized for action.

16.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR CARSON CITY STAFF TO PERFORM DUE DILIGENCE FOR THE CONVEYANCE, WITHOUT CONSIDERATION, OF APPROXIMATELY 3.41 ACRES OF UNDEVELOPED LAND DESIGNATED AS ASSESSOR'S PARCEL NUMBER ("APN") 010-037-06 ("PHASE 2 PROPERTY"), WHICH IS OWNED BY CARSON CITY, TO OIKOS DEVELOPMENT CORPORATION ("OIKOS"), A NONPROFIT ORGANIZATION, UNDER NRS 244.287 FOR THE DEVELOPMENT OF PHASE 2 OF AN AFFORDABLE HOUSING PROJECT ("PHASE 2 PROJECT").

(12:27:05) – Mayor Bagwell introduced the item. Mr. Stucky gave background and reviewed highlights from the Staff Report which is incorporated into the record. He also indicated that there had been no changes since the last project discussion. There were no public comments; therefore, Mayor Bagwell entertained a motion.

(12:29:00) – Supervisor Schuette moved to Authorize Staff to perform the due diligence required to transfer the Phase 2 Property under NRS 244.287. Supervisor Horton seconded the motion.

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

16.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, A PROPOSED ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND PALASEEK LLP, OIKOS DEVELOPMENT CORPORATION AND SIERRA FLATS FAMILY I LP CONCERNING THE CONVEYANCE OF APPROXIMATELY 3.41 ACRES OF CITY-OWNED LAND AND THE DEVELOPMENT OF THE SECOND PHASE OF AN AFFORDABLE HOUSING PROJECT ON THAT LAND, LOCATED AT ASSESSOR'S PARCEL NUMBER ("APN") 010-037-06 ("PHASE 2 PROPERTY").

(12:29:33) – Mayor Bagwell introduced the item. Mr. Stucky gave background and referenced the Staff Report, incorporated into the record, which included the proposed ordinance/development agreement for the second phase of the proposed project. Mayor Bagwell entertained public comments. Mr. French noted his opposition to giving City property away, especially when it could be turned into private property in 50 years. Supervisor Schuette stressed the importance of providing assistance to certain members of the community and alleviating the difficulty

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of providing affordable housing, especially to those who are employed yet cannot afford housing. Mayor Bagwell entertained a motion.

(12:33:10) – Supervisor Schuette moved to introduce, on first reading, Bill No. 107. Mayor Bagwell seconded the motion.

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

17. CITY MANAGER

17.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR THE DISTRICT ATTORNEY’S OFFICE TO PURSUE ALL LEGAL AVENUES AND TO TAKE ALL NECESSARY LEGAL ACTION TO CHALLENGE AN ARBITRATION AWARD ISSUED IN FAVOR OF THE CARSON CITY DEPUTY SHERIFF’S ASSOCIATION (“ASSOCIATION”) CONCERNING A DISPUTE UNDER THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT (“CBA”) BETWEEN THE ASSOCIATION ON BEHALF OF THE DEPUTY SHERIFFS AND THE CITY ON BEHALF OF THE CARSON CITY SHERIFF’S OFFICE (“CCSO”).

(12:33:35) – Mayor Bagwell introduced the item and referenced the Staff Report which is incorporated into the record. She also entertained Board and/or public comments and when none were forthcoming, a motion.

(12:34:26) – Supervisor Giomi moved to authorize the District Attorney’s Office to pursue all legal avenues and to take all necessary legal action to challenge the arbitration award. Supervisor White seconded the motion.

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

17.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING COORDINATION OF LEGISLATIVE ACTIVITY ON PENDING STATE LEGISLATION BEFORE

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THE NEVADA LEGISLATURE AND WHETHER TO ADOPT AN OFFICIAL POLICY POSITION OR DIRECT STAFF TO ADVOCATE FOR OR AGAINST ANY SUCH LEGISLATION, INCLUDING THE SUBMITTAL OF PROPOSED AMENDATORY LANGUAGE.

(12:34:51) – Mayor Bagwell introduced the item. Government Affairs Liaison Stephen Wood introduced AB297 (Revises provisions governing pretrial release hearings) and invited Justice of the Peace/Municipal Court Department II Judge Kristin Luis to discuss the Bill. Judge Luis believed that conducting hearings within 48 hours, including weekends and holidays, would create a staffing burden within many agencies such as the Justice Court, the Public Defender’s Office, and the Information Technology Department. She explained the current process and responded to clarifying questions. Mr. Wood recommended supporting the Bill.

(12:40:22) – Supervisor Giomi moved to support AB297. Supervisor Schuette seconded the motion.

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

(12:40:49) – Mr. Wood introduced SB233 (Revises provisions governing taxes imposed on certain heavy equipment) and noted that the City had placed a fiscal note of \$140,000 for the loss of revenue impacting the technology fund. Carson City Assessor Kimberly Adams read into the record excerpts from NRS 361 (Property Tax) and noted the Bill would undermine this Statute, highlighting “the domino effect” from exempting heavy equipment to other exemptions. Mr. Wood clarified that the bill had failed in previous sessions and is currently sponsored by the Senate Majority Leader.

(12:49:33) – Supervisor White moved to oppose SB233. Supervisor Schuette seconded the motion.

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

(12:50:15) – Mr. Wood introduced AB213 (Revises provisions governing residential zoning) and explained that the City had placed a \$50,000 fiscal note to hire additional staff. Community Development Director Hope Sullivan highlighted the importance of procedural due process by her staff, which includes noticing. She also explained the current application process for residential housing and highlighted the reviews conducted by

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different agencies which she believed would be burdened should the Bill pass. Supervisor Giomi inquired about the end goal of the Bill and the Board members were not in favor of the Bill as written; however, they were open to discussing amendments.

(1:01:06) – Mayor Bagwell moved to oppose AB213 as written subject to amendments per the above discussion. Supervisor Giomi seconded the motion.

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

(1:01:40) – Mr. Wood introduced AB240 (Revises provisions governing the cultivation, growing or production of cannabis by certain persons). He also clarified that the cultivation of cannabis would take place in enclosed facilities.

(1:03:24) – Supervisor Giomi moved to support AB240. Supervisor White seconded the motion.

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

(1:04:45) – Mr. Wood introduced AB235 (Revises provisions governing public works projects) and recommended opposing it, citing the potential of increasing every public works project by five percent and because of the inability to control purchases from other states that are not subject to this Nevada Bill. He also introduced SB226 (Revises provisions governing public works) and recommended opposing it as well. The Board expressed concern that any repairs to the buildings leased by the City to local nonprofits would be considered public works projects and subject to the regulations proposed by the Bill.

(1:08:51) – Supervisor White moved to oppose AB235 and SB226. Supervisor Schuette seconded the motion.

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

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(1:09:18) – Mr. Wood introduced SB11 (Requires the Department of Public Safety to adopt regulations authorizing a public agency to use unmanned aerial vehicles for certain purposes) and noted that an amendment would be presented with the Bill on March 27, 2023, which would require scheduling the inspections, as requested by Supervisor Giomi. Additionally, the amendment would prohibit the photographs/videos to be used for law enforcement, outside the purpose of the inspections. Discussion ensued about whether the information could be subject to public records requests. Mr. Yu clarified that under the Nevada Public Records Act, unless specifically exempted from disclosure and release, the images would not be confidential, adding that “a lot of case law” existed regarding video footage, including bodycam footage. He believed the best way to eliminate guesswork would be to include specific language in the Bill. Mayor Bagwell recommended supporting the Bill with an amendment to indicate that the survey footage was only “for the eyes of the inspector.” Mr. Wood received confirmation that the Board would support an amendment exempting the footage from public records requests or have the inspector watch and document (by taking notes) but not record the footage.

(1:16:50) – Supervisor Giomi moved to support SB11 with an amendment exempting the recorded drone footage from public records requests, or to have the inspector watch and document (by taking notes) but not record the footage. Supervisor White seconded the motion.

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

(1:17:13) – Mr. Wood introduced SB51(Revises provisions relating to the compensation of certain county commissioners). He stated that the initial bill pertained to Nye County only; however, an amendment would open it to all county commissioners, including the Carson City Board of Supervisors, and would increase the annual salary cap to \$54,000. Mayor Bagwell clarified that any Commissioner or Board member may decline a salary increase as she had done for four years.

(1:20:19) – Supervisor Giomi moved to support SB51 with the previously discussed amendment. Mayor Bagwell seconded the motion.

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

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18. 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

(1:21:16) – Mayor Bagwell introduced the item. Ms. Paulson reminded the Board that the budget discussion would be agendized for the April 20, 2023 meeting. Mayor Bagwell and Supervisor Giomi reminded everyone of the upcoming Mark Twain Days event which would take place beginning on April 21-23, 2023. Supervisor Schuette noted that she had met 10-year-old Theresa Babcock who had run the Carson City First Responders Memorial Run for first responders and K-9 units. Supervisor Giomi reported on the Carson Water Subconservancy District (CWSD) Board meeting and informed the Board that the Carson River Water Basin snow water equivalent was 259 percent above normal. He also announced the CWSD will hold its annual Watershed Forum taking place on April 18 -19, 2023, at the Governor's Mansion. Mayor Bagwell welcomed Carson Tahoe Executive, a new vendor at Carson City Airport, with a potential \$100 million investment to construct a bulk fuel facility, prior to which it will distribute fuel via temporary truck-to-truck transfer while permitting and constructing the permanent fuel facility. She noted that the plan had been approved by the Carson City Airport Authority.

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL.

(1:25:44) – Mayor Bagwell announced that this item would take place after adjournment and that Supervisor Horton would not participate.

19. PUBLIC COMMENT

(1:25:55) – Mayor Bagwell entertained final public comments. Mary Eaton introduced herself and noted that she understood why the Board did not conduct evening meetings after attending this lengthy meeting. Ms. Eaton explained that she was a resident of Airport Road and on the snow route and inquired about the enforcement of snow route towing areas. She explained that 26 vehicles park on that route.

20. FOR POSSIBLE ACTION: TO ADJOURN

(1:28:52) – Mayor Bagwell adjourned the Board of Supervisors meeting at 1:28 p.m.

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The Minutes of the March 16, 2023 Carson City Board of Supervisors meeting are so approved on this 20th day of April, 2023.


LORI BAGWELL, Mayor

ATTEST:


SCOTT HOEN, CLERK-RECORDER

Public Comment

03/16/2023

From: tom@tomgrundy.com
To: [Public Comment](#); [Lisa Schuette](#); [Lori Bagwell](#); [Stacey Giomi](#); [Curtis Horton](#); [Maurice White](#)
Cc: [Andy Hummel](#); [Randall Rice](#)
Subject: Southeast Sewer
Date: Friday, March 10, 2023 8:36:22 AM
Attachments: [Southeast Sewer.msg](#)

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

Mayor and Supervisors,

Please accept this email as my comments on Item 16B of the March 16, 2023 Board of Supervisors meeting regarding the Southeast Sewer Project.

I previously submitted comments before the public meeting held in November regarding this project, indicating that I am a strong supporter of the SE Sewer Project. When I purchased my home on Ethel Way, I purchased it hoping that sewer would become available sooner rather than later, so I was excited to see that this project was coming to fruition. I believe it is good for my family as homeowners and I am certain it is good for our community. It is my intention to connect to sewer as soon as reasonable after it is available.

I was dismayed however when I read the letter sent 2/23/23 containing additional information. I am very concerned with several items mentioned in this letter. I responded via email (attached) the same day (2/25/23) I received the letter asking for more information to help me further understand some of my concerns. To date, I have not received a response to that email.

It is disconcerting that these additions are coming many months after the public meeting held regarding the project and were not mentioned during the meeting presumably intended to inform the public as well as gather public comment on this project. I believe these are significant changes which were added at the "eleventh hour" without giving the affected parties the same forum to provide comments as earlier items. I also wonder if they haven't been well thought out considering the serious negative consequences which may result if this resolution is approved as written.

My first concern is that the City proposes to record a document on the title of properties in the area. When I was involved as City staff during earlier phases of this project nearly 20 years ago, I recall discussions at that time regarding recording documents on the titles. As I recollect, it was decided at that time not to "cloud the title" of the property owners since it could have negative impacts on the even the best-intentioned property owners. Title issues could potentially impact property owners' ability to refinance their property which may be necessary for them to obtain the funds necessary to connect to sewer. Delays in financing may also cause property owners to lose their lock on interest rates requiring them to pay increased financing costs. Documents recorded on the title may also have negative impacts long after a property is connected to sewer if it scares away potential buyers or lenders or delays the sales process.

The language of the documents proposed to be recorded on the titles of properties in the affected areas also has not been disclosed making it impossible to have public comment on the proposed language. Further, I believe the 90-day period before filing documents is unrealistically short to prevent negative repercussions for property owners. I believe 90 days is simply not long enough for people to find a contractor, have plans drawn and permitted, make necessary financial arrangements and have the work performed – especially in today's construction climate. I believe people should have the full time allowed to connect before any negative action is taken.

In my 2/25/23 email, I requested information to determine compliance rates for the previous 9 phases and enforcement actions taken for property owners who didn't connect. Without that information, it is difficult to determine if additional measures are even necessary to get properties connected to sewer. If there is indeed a significant portion of properties that did not connect in previous phases, perhaps the City's time would be better spent getting those properties connected while giving properties in this phase reasonable time to connect. It appears to me that CCMC 12.05 includes language allowing the City to require property owners to connect including by legal means noted in 12.05.020(3), but the City must take enforcement action. I don't know if any enforcement action has taken place on previous phases. To hold property owners in this phase to a different standard without good cause seems unfair.

I am also very concerned with the statement in the 2/23/23 letter that the City will render my State permit for my septic system invalid-I wonder if that is even legal. That concern is magnified by the statement in the board packet that "once municipal sewer service is available adjacent to a property, the permit to operate the septic system will no longer be valid." I believe invalidating permits to operate a septic system without giving property owners sufficient time to connect to sewer is beyond unfair-I believe it may make people's homes unlivable and potentially expose them - and potentially the City - to significant liability.

I am also very concerned with the lack of clarity on the resolution. For example, Item 4 of the resolution states, in part "However, property owners may be required to connect to Carson City's municipal sewer system before the end of the Incentive Period." I believe if requirements are going to be placed on property owners, those requirements should be clear. I don't mind meeting reasonable requirements, but I need to know what those requirements are. I believe the resolution should clearly lay out timelines; I believe that was the case with previous phases.

As previously mentioned, I am a strong supporter of this project, and certainly understand the need to eliminate septic systems in this area. I bought my home understanding I would eventually be able to connect to sewer. I did make the assumption that properties in this phase would be treated the same as properties in the previous 9 phases. I am strongly opposed to additional conditions being added to this phase which may result in property owners with even the best of intentions having unclear and unrealistic requirements placed on them as well as expose them to the potential for far reaching negative impacts to their property titles, possibly impact their use of their properties and possibly expose them (and the City) to significant liability. Property owners in this phase should be treated the same as in all other phases unless it is clear that what was done in previous phases was not effective despite the City's best enforcement efforts, and then only reasonable and realistic changes should be made.

Tom and Sherry Grundy
5389 Ethel Way
775.882.2255

To: The members of the Carson City Board of Supervisors

From: Tom Glab

RE: SE Mandatory Sewer Extension Project

Date: 3/13/23

My address is 4511 Gentry Ln. We are located approx 10 houses south of Clearview on the east side of the street.

I understand the objective of this proposed project. I'm just concerned that you've designated the cause of the high nitrates to be from residential septic tanks without considering other possible sources. I don't know what information you've used to make this determination. I've found that the 12/20/93 report by Vector Engineering and Farr West Engineering's 8/11/22 report to be most useful.

Based on my review of these two documents I want to bring the information to your attention.

1. Vector Report Section 1.0. Gentry Ln was not included in Vector's study area. Vector's eastern study boundary was Conte Dr. I find this very curious as Gentry Ln is the next and only street east of Conte. There must have been a deliberate reason for excluding Gentry. I'd like to know why it was excluded.

Also, why is Gentry Ln included in the mandatory sewer connection project since it is outside the study area?

2. Vector Report Section 4.1 states that Eagle Valley is a north trending ground water basin. According to this my house is down gradient of both wells and therefore unable to contaminate them.

3. Vector Report Section 4.1.2 states that domestic wells are commonly 20-40 ft thick and located within 150 ft of land surface, with some as deep as 225 ft. Generally the city's eastern wells are deeper than western wells. Municipal wells are deeper (>400 ft) than domestic wells and are drawing water from a longer screened interval. I believe all homes east of I-580 are on city water, so I doubt domestic well data is available. So, what data do you have for the contamination caused by septic east of I-580?

4. Vector Report Section 4.1.3, paragraph 2 states the direction of ground water flow though the majority of the area of concern in this review is shown to be from southwest to northeast to the north end of Prison Hill. According to this my house is down gradient of both wells and therefore unable to contaminate them.

5. Vector Report Section 4.1.3 also states that in the area described by S Edmonds Dr and Conte Dr, south of Clerview Dr, ground water may ... In this instance it is likely to be east-northeast. Ground water movement in this area is complicated by the presence of a fault to the east of Conte Dr, which may act as a barrier on the flow regime. According to this information my house is down gradient of both wells and therefore unable to contaminate them. What is the impact of the fault?

6. Vector Report Section 4.1.4 also states that the rate of ground water flow may be expected to vary between 35-88 ft/yr. It later says flow velocities are more likely to be reflected by the low end of the range of values. Ground water would have moved approx. 1,050 ft to 2,64 ft in 30 yrs.

7. Vector Report Section 5.3 states that water quality samples from piezometers surrounding the area of land applications of **septage**, south of the prison compound were taken quarterly since January 1991. Elevated nitrate levels for 1993 in Piezometer #2 were reported as 18.6 ppm May, 42.5 ppm Jun and 48.0 ppm Aug. Nitrate dropped to 6.06 ppm in Nov, 93.

Please note: that May, Jun and Aug are summer irrigation months and the concentrations increased with the temperature. Nov is a winter non-irrigation month. No information has been provided for the subsequent 30 yrs.

8. Vector Report Section 5.6 states no feedlots are present in the study area. This section later states:

a. irrigation of pastureland has been minor over time. **Please note:** the prison irrigates with city effluent continuously throughout the growing season.

b. cumulative concentrations of animal wastes likely to be found on pastureland to be minimal. This report only identified 96 horses and 1 llama in the 1.7 sq mi study area. **Please note:** The prison relocated their mustang program to the prison south of Snyder Ave in 2008 with a capacity of 2,000 mustangs in a confined space, very similar to an animal feedlot.

9. Vector Report Section 5.7.2 states that almost 2/3 of the study area is mapped as Surprise soils which are described as deep, well-drained with moderately high permeability and an effective rooting depth of 60 inches. Less permeable soils named Indiano Variant occupy an area described by Valley View (south), Northview (west), Bennett (south) and Gentry Ln (east).

Gentry Ln's geology is different from 2/3 of the study area, more permeable and with a 29" rooting depth vs 60" for 2/3 of the study area. Why are we being included with areas having a different geology?

10. Vector Report Section 5.7.2.A reports the average output per residential septic tank to be 350 gal/day. We are empty nesters with an avg winter water consumption of 85 gpd. Most of our neighborhood are empty nesters.

This infers inaccurate information was used in assessing the influence of residential septic tanks.

11. Vector Report Section 5.7.2.B states that Indiano Variant soils have moderately slow permeability and a depth to bedrock and effective rooting depth of 29 ". Pls refer to item #8 of this document. A failure due to low permeability would result in effluent surfacing and forming a pond, not contamination of ground water. I'm not aware of this happening in our neighborhood.

12. Farr West Engineering Report, 8/11/22 presents two graphs on pg. 4. The top graph shows peaks from 2.8 ppm (1995) to 3.8 ppm (1996) and down to 2.1ppm (1998) and again 3.0 ppm (2010), 5.0 ppm (2012) and down to 3.3 ppm (2013). The graphic slope of the values also increases in 2012.

What caused the two spikes and the change in rate of nitrate increase?

The second graph shows a steady rate of increase, apprx 0.094 ppm/yr (1996-2013), then starting in 2013 there are several spikes. These spikes do not indicate steady and consistent waste loads neither Vector nor I would expect from residential use.

I would think an explanation for these spikes should be provided before you attempt to fix this problem.

Thank you for your time and consideration.

Tom Glab
775-720-4996

**Public Comments by Betsy Strasburg
Board of Supervisors – Dated March 16, 2022**

Does the City have \$15M funds?

The staff memo says:

"SHOULD THE PLAN BE APPROVED, STAFF WILL IMPLEMENT PRIORITIES INTO FUTURE BUDGETS FOR CONSIDERATION, WHILE SEEKING GRANTS, SPONSORSHIPS AND OTHER FUNDING SOURCES"

I welcome this comment as it tells me that the City can find hidden funds when needed. In any effective management of a budget, the first priority for any available funds should go to fund the deficit that exists now. Road maintenance funds should be funded first. I challenge the City staff and Board of Supervisors to find the funds for road maintenance instead of **"nice to have"** project such as Mills Park Renovation versus a **"must have"** roads maintenance which would benefit a greater proportion of City residents.

If given a choice of renovation Mills Park versus road maintenance, what would the residents prefer. I think road maintenance would be the priority which would benefit a higher proportion of residents.

Thank you for your consideration.

Mills Park Renovation Project Request

Description	Estimate
Splash Park and new Parking	3,345,000
Parking Expansion	2,603,400
Restrooms 1, 2, 3 at \$783,360 each	2,350,080
Foley's Forest Lane	2,247,000
Playground	1,572,000
Dog Park	757,200
PickleBall Courts	705,648
Basket Court and New Parking	684,840
Skate Park Expansion	660,720
Maintenance Road	610,800
Promenade	563,520
Maintenance Shop	483,600
Security Cameras	300,000
Fitness Loop	299,400
Wungnema House Improvements	120,000
Veterans Memorial Expansion	75,600
Repurpose Amphitheater	45,360
Total Budget for Project	17,424,168
Foley's Forest Lane not Approved by Commission	2,247,000
Parks & Rec Commission Approved	15,177,168
ARPA Funds (PickleBall and Restrooms)	3,055,728
Unbudgeted Amount	12,121,440
20% Contingency(due to HyperInflation of today)	2,424,288
Without Contingency Minimum Budget	9,697,152



March 15, 2023

Carson City Board of Supervisors
201 N. Carson Street
Carson City, Nevada 89701

RE: March 16, 2023 Board of Supervisors Meeting – Agenda Item 14.A

Dear Honorable Mayor and Supervisors,

The purpose of this letter is to provide input on item 14.A scheduled for Board consideration on March 16, 2023. Specifically, item 14.A proposes to repeal Chapter 17.10 of the Carson City Municipal Code relating to common open space development. As a professional planner with nearly 30 years of experience in northern Nevada, I am writing to express my opposition to this proposal.

The use of common open space is a powerful planning tool when applied under the proper circumstances. At a public workshop held to discuss Chapter 17.10 it was suggested that a Planned Unit Development (PUD) is the appropriate tool for addressing common open space subdivisions. While a PUD can certainly include common open space, the underlying rules and regulations related to PUD's are largely established by Nevada Revised Statutes (NRS), not Carson City. Thus, open space regulations mandated under a PUD are inflexible and limit Carson City's ability to evaluate a project on a case by case basis. PUD regulations also include additional provisions and eligibility requirements that would prevent smaller scale subdivisions from qualifying for a PUD altogether. In fact, the general purpose of a PUD is to accommodate larger scale projects that incorporate more than one use type. This approach is not necessarily appropriate for a smaller scale subdivision.

Rather than completely repeal Chapter 17.10, it would be my recommendation, as a professional planner, that Carson City consider amending the ordinance to better reflect what the City is trying to accomplish with its abolishment. There are a variety of changes that could be made that would directly address the concerns raised by staff, the Planning Commission, and general public. Modifications to the open space standards, required amounts, locational criteria, ownership, maintenance, etc. could all be made. Carson City could also consider an additional layer of required entitlements should a developer choose to utilize Chapter 17.10 with their subdivision (i.e. Special Use Permit in addition to a Tentative Map). This would give Carson City an additional level of discretion to determine if varying lot sizes is appropriate given the context of the proposed subdivision.

When properly applied, common open space subdivisions can serve to provide tremendous public benefit by creating public open space, preserving natural features and site amenities, providing new trails and links to the current network, and more. A simple amendment to the ordinance that better defines open space requirements, including demonstration of a public benefit, would address the majority of concerns raised and would not pigeon-hole the City into a PUD approach for such projects. In fact, loss of Chapter 17.10 could ultimately result in the development of smaller-scale subdivisions in Carson City that do not include amenities and take a more cookie-cutter approach. With proper implementation, common open space subdivisions provide for more amenitized communities, higher property values, and ultimately higher tax revenues for Carson City. Additionally, with the incorporation of covenants, conditions, and restrictions (CC&R's) and homeowners associations and/or landscape maintenance associations providing ongoing maintenance, these amenities can benefit the public with no burden to the municipality or taxpayers.

Rather than taking action on item 14.A, I would suggest that the Board consider tabling the matter and holding a workshop to determine changes that could be made to the ordinance to address community concerns rather than simply repealing the ordinance altogether. With proper changes, I am certain that a reasonable compromise can be made as to how the City considers and implements common open space developments in the future.

Thank you for your consideration of my concerns. If you would like to discuss the matter further or have any questions, I would welcome the opportunity to meet. I can be reached at (775) 250-3455 or mike@christynv.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Railey', with a stylized, cursive script.

Mike Railey
Planning Manager

cc: Hope Sullivan – Carson City Community Development Director
Heather Ferris – Carson City Planning Manager

From: [Mariann Humphrey](#)
To: [Public Comment](#)
Subject: Title 17:10
Date: Wednesday, March 15, 2023 1:26:06 PM

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

After attending the March 3 meeting of BOS/Planning Commission, I hope this is the end of 17:10 so we can stop destroying Carson City, and allow the developers to do whatever without being challenged. Remember, we must be a responsible city, making sure services can accommodate all people. We have a shortage of medical services, doctors, nurses, etc. Teachers, and roads, with extra cars cannot keep accommodating more people. Let's make sure our city stays beautiful and not get over congested, without services.
Mariann Humphrey
707-815-2543

Sent from my iPad

From: [Mariann Humphrey](#)
To: [Public Comment](#)
Subject: Mills Park
Date: Wednesday, March 15, 2023 1:31:42 PM

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

Just a quick question.. Why can't the city use the funds for repaying the necessary streets instead of redoing Mills Park. We cannot afford to have our property taxes increased and added sales tax we are already being squeezed, plus the Democrat Legislature are trying to increase our taxes. We already pay 56% of our income in hidden taxes. This is not including our homes, food, gas, etc. Maybe the city should find ways to cut back like we have to do in our own household budgets. Start making cuts, you might find some hidden revenue.

Thank you
Mariann Humphrey
707-815-2543

Sent from my iPad



March 15, 2023

Carson City Board of Supervisors
201 N. Carson Street
Carson City, Nevada 89701

RE: March 16, 2023 Board of Supervisors Meeting – Agenda Item 14.A (Common Open Space Development)

Dear Honorable Mayor Bagwell and Supervisors,

I am respectfully requesting that the Board of Supervisors defer action on this item and engage the planning, development, and building community in a workshop to discuss the merits of amending Title 17.10 in lieu of repealing the ordinance.

Common Open Space development is a basic planning tool used all of the US and in industry. It has a very different purpose than a PUD. I'm confident if we work together, we will form an ordinance that serves all stakeholders. Frankly, the current Title 17.10 has some deficiencies that need to be addressed.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John F. Krmpotic', written in a cursive style.

John F. Krmpotic, AICP
Principal

From: [Leann Saarem](#)
To: [CCEO](#); [Public Comment](#); [Planning Department](#); [Lisa Schuette](#); [Stacey Giomi](#); [Lori Bagwell](#); [Maurice White](#); [Curtis Horton](#)
Subject: 17.10
Date: Wednesday, March 15, 2023 2:25:19 PM

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Dear Mayor Bagwell and Carson City Board of Supervisors,

I wanted to attend the BoS meeting in March 16, but I am out of town on business. I was very pleased to see 17.10 on the agenda, and appreciate you and city/legal staff's urgent work to get this change finalized.

I am writing to further expressed my support to repeal CCMC 17.10 in its entirety as proposed on the agenda item 14 A. As discussed in many letters from me and other citizens and also at the retreat on March 3, 17.10's true purpose to create neighborhoods with usable open space has not been achieved. Additionally, there are other drawbacks to 17.10's lenient guidelines about lot size reduction and true density which are also troublesome. I urge you to approve to entirely repeal this code.

It was also discussed at the retreat to have a review of 17.09 PUDs. I think it is imperative that we have public workshops during this review and update process to have full collaboration to help prevent further community dissatisfaction with 17.09 such as there has been with 17.10.

I appreciate your thoughtful consideration on these requests.

Thank you,

LeAnn Mankins Saarem

Dave Saarem

Carson City native residents