

CARSON CITY BOARD OF SUPERVISORS

Minutes of the January 15, 2015 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, January 15, 2015 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Mayor Robert Crowell
Supervisor Karen Abowd, Ward 1
Supervisor Brad Bonkowski, Ward 2
Supervisor Lori Bagwell, Ward 3
Supervisor Jim Shirk, Ward 4

STAFF: Nick Marano, City Manager
Susan Merriwether, Clerk - Recorder
Adriana Fralick, Chief Deputy District Attorney
Kathleen King, Chief Deputy Clerk

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

1 - 4. CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE (8:30:05) - Mayor Crowell called the meeting to order at 8:30 a.m. Ms. Merriwether called the roll; a quorum was present. Carson City Sheriff's Office Chaplain Craig LaGier provided the invocation. At Mayor Crowell's request, District Attorney Jason Woodbury led the pledge of allegiance.

5. PUBLIC COMMENT (8:32:29) - Mayor Crowell entertained public comment; however, none was forthcoming.

6. POSSIBLE ACTION ON APPROVAL OF MINUTES - October 16, 2014 (8:32:57) - Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to approve the minutes, as presented. Supervisor Abowd seconded the motion. Motion carried 4-0-1, Supervisor Bagwell abstaining.**

7. POSSIBLE ACTION ON ADOPTION OF AGENDA (8:33:17) - Mayor Crowell introduced this item, and advised of having been requested to pull items 23(D), 28, and 29, and to address item 33(A) prior to item 17. Mayor Crowell entertained additional modifications to the agenda and, when none were forthcoming, deemed the remainder of the agenda adopted, as published. (6:30:59) At Planning Manager Susan Dorr Pansky's request, Mayor Crowell combined items 46(A) and 46(B).

8. SPECIAL PRESENTATIONS:

8(A) PRESENTATION OF APPRECIATION TO FIRE CHIEF STACEY GIOMI FOR HIS YEARS OF SERVICE, NOVEMBER 25, 1983 TO FEBRUARY 2, 2015 (8:35:00) - Mayor Crowell requested the Board members to join him at the podium. Mayor Crowell invited Fire Chief Stacey Giomi to the podium, where he enumerated his contributions to the community over the years and commended his "magnificent job for Carson City." He thanked Chief Giomi for "everything you've done for all of us for all these many years that you've been here." He presented Chief Giomi with a framed and signed photograph of the Carson Basin, and the Board members, City staff, and citizens present applauded. Chief Giomi expressed appreciation for the opportunity to have worked for the City and with the City employees and citizens.

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8(B) PRESENTATION OF LENGTH OF SERVICE AWARDS FOR CITY EMPLOYEES

(8:39:21) - Mayor Crowell invited Treasurer Al Kramer to the podium, and presented him a certificate commemorating 20 years of service to the City. The Board members, City staff, and citizens present applauded. Mr. Kramer expressed appreciation for the opportunity to have worked with City staff. Mayor Crowell invited Senior Water Technician Robert Shine to the podium, and presented him a certificate commemorating 20 years of continuous service to the community. Mr. Shine thanked the Board of Supervisors and the Public Works Department staff who were present in the meeting room.

9. RECESS BOARD OF SUPERVISORS (8:42:13) - Mayor Crowell recessed the Board of Supervisors at 8:42 a.m.

LIQUOR AND ENTERTAINMENT BOARD

10. CALL TO ORDER AND ROLL CALL (8:45:27) - Chairperson Crowell called the Liquor and Entertainment Board to order at 8:45 a.m., noting the presence of a quorum, including Member Ken Furlong.

11. PUBLIC COMMENT (8:46:13) - Chairperson Crowell entertained public comment; however, none was forthcoming.

12. POSSIBLE ACTION ON APPROVAL OF MINUTES - October 2, 2014 (8:46:30) - Member Bonkowski moved to approve the minutes, as presented. Member Abowd seconded the motion. Motion carried 5-0-1, Member Bagwell abstaining.

13. COMMUNITY DEVELOPMENT DEPARTMENT, BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO APPROVE HOWARD JACHEUS AS THE LIQUOR MANAGER FOR TAHOE RIDGE WINERY AND MARKETPLACE, LLC, LIQUOR LICENSE NO. 15-30370, LOCATED AT 1105 SOUTH CARSON STREET (8:47:17) - Chairperson Crowell introduced this item. Senior Permit Technician Lena Reseck reviewed the agenda materials, noting a correction to the spelling of Mr. Jachens' name. (8:47:42) Chairperson Crowell welcomed Mr. Jachens to the podium, and thanked him for doing business in Carson City. At Chairperson Crowell's request, Mr. Jachens described plans for his operation, and advised of the intent to open on February 2nd. In response to a question, he described the methods by which his staff will prevent the sale of alcohol to minors. He advised that his staff has participated in "all the alcohol awareness classes."

Chairperson Crowell entertained questions or comments and, when none were forthcoming, a motion. **Member Abowd moved to approve Howard Jachens as the liquor manager for Tahoe Ridge Winery and Marketplace, LLC, liquor license number 15-30370, located at 1105 South Carson Street. Member Bonkowski seconded the motion.** Chairperson Crowell called for a vote on the pending motion.

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RESULT:	Approved [6 - 0]
MOVER:	Member Karen Abowd
SECOND:	Member Brad Bonkowski
AYES:	Members Abowd, Bonkowski, Bagwell, Furlong, Shirk, and Chair Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

14. PUBLIC COMMENT (8:49:45) - Chairperson Crowell entertained public comment; however, none was forthcoming.

15. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (8:49:58) - Chairperson Crowell adjourned the Liquor and Entertainment Board meeting at 8:49 a.m.

16. RECONVENE BOARD OF SUPERVISORS (8:50:02) - Mayor Crowell reconvened the Board of Supervisors at 8:50 a.m.

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

17. HUMAN RESOURCES DEPARTMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL CONTRACT, BETWEEN THE STATE OF NEVADA, ACTING BY AND THROUGH THE STATE OF NEVADA PUBLIC EMPLOYEES DEFERRED COMPENSATION COMMITTEE AND CARSON CITY, A CONSOLIDATED MUNICIPALITY AND POLITICAL SUBDIVISION OF THE STATE OF NEVADA, TO PARTICIPATE IN THE DEFERRED COMPENSATION PROGRAM, AND OTHER MATTERS PROPERLY RELATED THERETO (8:51:38) - Mayor Crowell introduced this item, and Human Resources Department Director Melanie Bruketta reviewed the agenda materials. Mayor Crowell disclosed that he and his law firm have done work for Voya in the past, advised that he would abstain from voting on this item, and passed the gavel to Mayor *Pro Tem* Abowd. Mayor *Pro Tem* Abowd entertained public and Board member questions or comments. When no questions or comments were forthcoming, she entertained a motion. **Supervisor Bonkowski moved to adopt Resolution No. 2015-R-2, a resolution adopting and approving an Interlocal Contract, between the State of Nevada, acting by and through the State of Nevada Public Employees Deferred Compensation Committee, and Carson City, a consolidated municipality and political subdivision of the State of Nevada, to participate in the deferred compensation program, and other matters properly related thereto. Supervisor Shirk seconded the motion.** Mayor *Pro Tem* Abowd entertained discussion on the motion and, when none was forthcoming, called for a vote.

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

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18. COMMUNITY DEVELOPMENT DEPARTMENT, BUILDING DIVISION - POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.05, BUILDING CODE, SECTION 15.05.020, ADOPTION AND ADMINISTRATION OF BUILDING CODES, SECTION 105, PERMITS, BY AMENDING SECTION 105.5, VALIDITY OF PERMIT, TO ALLOW THE BUILDING OFFICIAL TO APPROVE A SECOND PERMIT EXTENSION, AND TO ALLOW THE BOARD OF SUPERVISORS TO APPROVE SUBSEQUENT EXTENSIONS, AND OTHER MATTERS PROPERLY RELATED THERETO (8:53:48) - Mayor Crowell introduced this item. Mr. Marano provided background information on this item, introduced the new Chief Building Official, Shawn Keating, and provided background information on his experience. (8:54:55) Outgoing Chief Building Official Ray Proffitt provided additional background information on Mr. Keating's experience and qualifications. (8:55:50) Mr. Keating discussed his vision for the Building Division, and provided a brief overview of the agenda materials.

Mr. Proffitt responded to questions of clarification regarding the purpose and mechanism of the proposed ordinance. Mayor Crowell entertained public comment. When no public comment was forthcoming, Supervisor Bonkowski read into the record email correspondence from BAWN CEO Aaron West, expressing support for the proposed ordinance. Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to introduce, on first reading, Bill No. 101, an ordinance amending the Carson City Municipal Code, Title 15, Buildings and Construction, Chapter 15.05, Building Code, Section 15.05.020, Adoption and Administration of Building Codes, Section 105, Permits, by amending Section 105.5 Validity of Permit, to allow the Building Official to approve a second permit extension and to allow the Board of Supervisors to approve subsequent extensions, and other matters properly related thereto. Supervisor Bagwell seconded the motion.** Supervisor Abowd noted a correction to the Bill to replace Alan Glover's name with Ms. Merriwether's name. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Karen Abowd
SECOND:	Supervisor Lori Bagwell
AYES:	Supervisors Abowd, Bagwell, Bonkowski, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

19. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION
19(A) PRESENTATION AND DISCUSSION ONLY ON THE BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLAN (BLM RMP) BY COLLEEN SIEVERS (9:07:47) - Mayor Crowell introduced this item. Open Space Administrator Ann Bollinger reviewed the agenda report and provided background information on this item. Ms. Bollinger introduced BLM Resource Management Plan Project Lead Colleen Sievers. Ms. Sievers introduced BLM Sierra Front Field Manager Leon Thomas, and narrated a PowerPoint presentation of the Resource Management Plan. Ms. Sievers responded to questions of clarification regarding wild horse management and flood plain management.

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Mayor Crowell entertained public comment. (9:22:19) In conjunction with the draft RMP, Maurice White discussed concerns that “this management plan does not appear to be based in science.” He requested the Board to direct Parks and Recreation Department staff “to compile a report of what requests they made of BLM.”

Mayor Crowell entertained additional public comment and, when none were forthcoming, Board member comments. In response to a question, Mayor Crowell expressed the understanding that staff had already agreed to compile the report requested by Mr. White. In response to a further question, Parks and Recreation Department Director Roger Moellendorf advised that the report will be presented to the Board. He responded to questions of clarification regarding the anticipated time frame. Ms. Sievers expressed appreciation for Mr. White's comments, and advised of a public meeting scheduled for Saturday, January 24th from 2:00 p.m. to 6:00 p.m. at the Carson Plaza Hotel. Mayor Crowell thanked Ms. Sievers, and recessed the meeting at 9:30 a.m.

19(B) POSSIBLE ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE FOR THE POSSIBLE ACQUISITION OF 20 ACRES, APN 007-051-81, TRADE OF OTHER CITY-OWNED PARCEL(S), AND THE EXPENDITURE OF UP TO \$30,000 FOR APPRAISALS FROM THE OPEN SPACE BUDGET (9:41:31) - Mayor Crowell reconvened the meeting at 9:41 a.m., and introduced this item. Open Space Administrator Ann Bollinger narrated a PowerPoint presentation, and reviewed the agenda materials. Ms. Bollinger and Parks and Recreation Department Director Roger Moellendorf responded to questions regarding parking and access, and provided additional clarification of the “Explanation of Impact” section of the agenda report. Ms. Bollinger and Mr. Moellendorf responded to additional questions of clarification, and discussion followed.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept the recommendation of the Open Space Advisory Committee for the possible acquisition of 20 acres, APN 007-051-81, in trade of other city-owned parcels and the expenditure of up to \$30,000 for appraisals from the Open Space Program budget, only upon the Board approval of the land trade. Supervisor Bagwell seconded the motion.** Following discussion, Supervisor Abowd withdrew her motion and Supervisor Bagwell withdrew her second. Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to direct staff to compile a list of appropriate trade parcels and continue a conversation with the owner of APN 007-051-81 to see if we can come to a mutual agreement on a trade parcel. Supervisor Shirk seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Jim Shirk
AYES:	Supervisors Bonkowski, Shirk, Abowd, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

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20. PURCHASING AND CONTRACTS - POSSIBLE ACTION TO APPROVE CONTRACT NO. 1415-121, PURSUANT TO NRS 332.115(1)(b), WITH R.O. ANDERSON ENGINEERING, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE CARSON CITY HAZARD MITIGATION PLAN UPDATE, IN AN AMOUNT NOT TO EXCEED \$99,000.00, TO BE FUNDED 75 PERCENT FROM A DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT GRANT, AND 25 PERCENT FROM THE CARSON CITY GENERAL FUND CONTINGENCY ACCOUNT (10:07:56) - Mayor Crowell introduced this item, and Purchasing and Contracts Manager Kim Belt reviewed the agenda materials. Ms. Belt advised of revisions to the contract which had been submitted to the Board members and the Clerk as late material. Fire Chief Stacey Giomi provided background information on the purpose of the subject contract. Ms. Belt responded to questions regarding the revisions. Chief Giomi responded to questions regarding the contract amount and the scope of work.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to approve Contract No. 1415-121, pursuant to NRS 332.115(1)(b), with R.O. Anderson Engineering, Inc., to provide professional services for the Carson City Hazard Mitigation Plan Update, in an amount not to exceed \$99,000, to be funded 75 percent from the Department of Public Safety, Division of Emergency Management Grant, and 25 percent from the Carson City General Fund Contingency Account, with the revisions, as submitted. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Karen Abowd
SECOND:	Supervisor Brad Bonkowski
AYES:	Supervisors Abowd, Bonkowski, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

21. FIRE DEPARTMENT

21(A) STAFF REPORT AND BRIEFING ON THE CITY'S FIRE PROTECTION RATING CLASSIFICATION BY THE INSURANCE SERVICES OFFICE ("ISO") (10:13:43) - Mayor Crowell introduced this item, and Fire Chief Stacey Giomi reviewed the agenda materials. Chief Giomi acknowledged that a City-owned ladder truck has been a designated priority "ever since we haven't had one." In response to a further question, he prioritized purchase of additional ambulances over purchase of a new ladder truck. Supervisor Abowd credited Chief Giomi with the higher fire protection rating. Chief Giomi responded to questions of clarification regarding staffing levels. Mayor Crowell entertained public comment and, when none was forthcoming, thanked Chief Giomi for his report.

21(B) POSSIBLE ACTION TO ADOPT A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS ACCEPTING A FEE SCHEDULE FOR USE IN BILLING FOR FIRE DEPARTMENT SERVICES (10:23:20) - Mayor Crowell introduced this item, and Fire Chief Stacey Giomi reviewed the agenda materials. Mayor Crowell entertained Board member and public comments and, when none were forthcoming, a motion. **Supervisor Abowd moved to adopt Resolution No. 2015-R-3, a Resolution of the Carson City Board of Supervisors accepting a fee schedule for use in billing**

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for Fire Department services. Supervisor Shirk seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Karen Abowd
SECOND:	Supervisor Jim Shirk
AYES:	Supervisors Abowd, Shirk, Bonkowski, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

22. PUBLIC WORKS DEPARTMENT - PRESENTATION AND DISCUSSION ONLY ON THE STATUS OF IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT (10:24:54) - Mayor Crowell introduced this item. Public Works Department Director Darren Schulz introduced Utility Manager David Bruketta, and provided an overview of the presentation. Mr. Bruketta narrated the subject SlideShow presentation which was displayed in the meeting room. Mr. Bruketta responded to questions regarding effluent water disposal; planned upgrades to collection, treatment, and reuse infrastructure; and allocation of bond funding. Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. No public comments were forthcoming.

23. FINANCE DEPARTMENT

23(A) POSSIBLE ACTION TO ADOPT A RESOLUTION CONCERNING THE FINANCING OF SEWER PROJECTS; DIRECTING THE CLERK TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSAL TO ISSUE GENERAL OBLIGATIONS THEREFOR; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF (10:39:33) - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Mayor Crowell entertained public comment and, when none was forthcoming, a motion. Mr. Providenti acknowledged that the subject bonds would have nothing to do with stormwater. He clarified that the statute “allows for us to pledge sewer and stormwater revenues.” **Supervisor Bonkowski moved to adopt Resolution 2015-R-4, a resolution concerning the financing of sewer projects; directing the Clerk to notify the Carson City Debt Management Commission of the City's proposal to issue general obligations therefor; providing certain details in connection therewith; and providing the effective date hereof. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk expressed appreciation for the presentation, and understanding for the resolution. He stated, “In the past, I voted against the sewer fee increases. I think we should have done it years before and not put such a burden on the community or on the citizens themselves. I'm just following along that I voted against it when this came forward and I will continue to as we move forward, although I do understand the predicament that staff is in and bringing this up to a level that is acceptable for the EPA and everyone else.” Mayor Crowell called for a vote on the pending motion.

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RESULT:	Approved [4 - 1]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, and Mayor Crowell
NAYS:	Supervisor Jim Shirk
ABSENT:	None
ABSTAIN:	None

23(B) POSSIBLE ACTION TO CONFIRM THE ENGAGEMENT OF SHERMAN & HOWARD AS BOND COUNSEL TO CARSON CITY, NEVADA IN CONNECTION WITH THE \$18,000,000 CARSON CITY, NEVADA GENERAL OBLIGATION SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2015 (10:42:49) - Mayor Crowell introduced this item, and Finance Department Director Nick Providenti reviewed the agenda materials. Mayor Crowell entertained Board member and public comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to confirm the engagement of Sherman & Howard as bond counsel to Carson City, Nevada in connection with the \$18 million Carson City, Nevada General Obligation Sewer Bonds (additionally secured by pledged revenues) Series 2015. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. Supervisor Shirk stated, "Not to be confusing. I voted no on the first one but it is moving forward and, for that reason, I will be voting in favor of this." Mayor Crowell called for a vote on the pending motion.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

23(C) POSSIBLE ACTION TO ACCEPT THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES, THROUGH JANUARY 6, 2015, PURSUANT TO NRS 251.030 AND NRS 354.290 (10:44:09) - Finance Department Director Nick Providenti introduced this item and responded to questions of clarification. Mayor Crowell entertained additional Board member questions or comments, and public comments. When no further questions or comments were forthcoming, he entertained a motion. **Supervisor Shirk moved to accept the report on the condition of each fund in the treasury, and the statements of receipts and expenditures, through January 6, 2015, pursuant to NRS 251.030 and NRS 354.290. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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RESULT:	Approved [5 - 0]
MOVER:	Supervisor Jim Shirk
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Shirk, Abowd, Bonkowski, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

23(D) POSSIBLE ACTION TO ADOPT A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY FY 2014 - 15 BUDGET IN THE AMOUNT OF \$44,268,696 (10:45:27) - Mayor Crowell noted that this item had been withdrawn.

24. RECESS BOARD OF SUPERVISORS (10:45:31) - Mayor Crowell recessed the Board of Supervisors, and passed the gavel to Redevelopment Authority Chairperson Karen Abowd. Mr. Marano noted that items 28 and 29 had been withdrawn and would be reagendaized at future meetings. He pointed out that calling the Redevelopment Authority to order to approve the minutes would require the recording secretary to create a new set of minutes for that purpose alone. He suggested deferring the entire Redevelopment Authority meeting, and the Board members concurred.

REDEVELOPMENT AUTHORITY

25. CALL TO ORDER AND ROLL CALL

26. PUBLIC COMMENT

27. POSSIBLE ACTION ON APPROVAL OF MINUTES - April 24, 2014; May 1, 2014; May 15, 2014; June 19, 2014

28. FINANCE DEPARTMENT - POSSIBLE ACTION TO ADOPT A RESOLUTION TO AUGMENT AND AMEND THE CARSON CITY REDEVELOPMENT AUTHORITY FY 2014 - 15 BUDGET IN THE AMOUNT OF \$170,631

29. COMMUNITY DEVELOPMENT DEPARTMENT, OFFICE OF BUSINESS DEVELOPMENT - POSSIBLE ACTION TO ACCEPT THE RECOMMENDATIONS FROM THE REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE ("RACC") AND RANK LONG-TERM PRIORITIES FOR THE USE OF UNDESIGNATED INFRASTRUCTURE FUNDS AND OTHER UNCOMMITTED REDEVELOPMENT FUNDS

30. PUBLIC COMMENT

31. ACTION TO ADJOURN REDEVELOPMENT AUTHORITY

32. RECONVENE BOARD OF SUPERVISORS (10:47:19) - Mayor Crowell reconvened the Board of Supervisors.

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33. CITY MANAGER

33(A) POSSIBLE ACTION TO APPOINT THREE MEMBERS TO THE CARSON CITY UTILITY FINANCIAL OVERSIGHT COMMITTEE: ANDE ENGLEMAN, AS SUPERVISOR ABOWD'S REAPPOINTED REPRESENTATIVE; BRUCE SCOTT, AS SUPERVISOR SHIRK'S APPOINTED REPRESENTATIVE; AND MICHAEL SPELL, AS SUPERVISOR BAGWELL'S APPOINTED REPRESENTATIVE (8:50:05) - Mayor Crowell introduced and provided a brief overview of this item. Supervisor Shirk advised that his representative, Bruce Scott, was present in the meeting room and that Mr. Scott's resumé was provided as late material. Supervisor Shirk expressed appreciation for Mr. Scott's willingness to be reappointed. Mayor Crowell entertained a motion. **Supervisor Shirk moved to appoint three members to the Carson City Utility Financial Oversight Committee: Ande Engleman, as Supervisor Abowd's reappointed representative; Bruce Scott, as Supervisor Shirk's appointed representative; and Michael Spell, as Supervisor Bagwell's appointed representative. The motion was seconded.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Jim Shirk
SECOND:	(Inaudible)
AYES:	Supervisors Shirk, Abowd, Bonkowski, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor Crowell thanked Mr. Scott and the Utility Financial Oversight Committee members for their service.

33(B) POSSIBLE ACTION TO RATIFY THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER, FOR THE PERIOD OF DECEMBER 9, 2014 THROUGH JANUARY 5, 2015 (10:47:22) - Mayor Crowell introduced this item, and entertained questions or comments. When no questions or comments were forthcoming, he entertained a motion. **Supervisor Bonkowski moved to ratify the approval of bills and other requests for payments by the City Manager for the period of December 9, 2014 through January 5, 2015. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor Crowell recessed the meeting at 10:48 a.m., and reconvened 11:03 a.m.

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33(C) PRESENTATION AND STATUS UPDATE BY THE CARSON CITY MUNICIPAL GOLF CORPORATION (“CCMGC”) OF ACTIVITIES AT THE EAGLE VALLEY GOLF COURSE (11:04:00) - Mayor Crowell introduced this item. Mr. Marano provided background information, and introduced Eagle Valley Golf Course General Manager Jim Kepler. Mr. Kepler narrated a PowerPoint presentation, copies of which had been distributed to the Board members and the Clerk prior to the start of the meeting. He responded to questions of clarification, and discussion ensued, throughout the presentation.

Mayor Crowell entertained public comment. (11:45:00) Chris Carver, a Silver Oak homeowner, inquired as to the “objective of the municipal golf course.” He objected to the validity of the “sales tax numbers.” He requested Supervisor Bagwell to “do the right thing for our citizens and get to a common base line number ... what is the correct sample for the value there and how much money we're actually not getting paid through the renegotiation of lease.”

(11:47:59) An unidentified speaker provided information on the Eagle Valley Golf Course's tax documents and information. He advised that he owns property in the Silver Oak planned unit development, and expressed the opinion that the Eagle Valley Golf Course “does wonders for the City, for the kids, and the public.”

Mayor Crowell entertained additional public comment; however, none was forthcoming. In response to a question, Mr. Kepler referred to the minutes of the Carson City Municipal Golf Corporation for historic information on fees at the Eagle Valley Golf Course. Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, thanked Mr. Kepler for his presentation.

34. RECESS BOARD OF SUPERVISORS (11:50:44) - Mayor Crowell recessed the meeting at 11:50 a.m. for the lunch break.

BOARD OF HEALTH

35. CALL TO ORDER AND ROLL CALL (2:00:56) - Chairperson Susan Pintar called the Board of Health to order at 2:00 p.m. Ms. Merriwether called the roll; a quorum was present.

36. PUBLIC COMMENT (2:02:01) - Chairperson Pintar entertained public comment; however, none was forthcoming.

37. POSSIBLE ACTION ON APPROVAL OF MINUTES - October 16, 2014 (2:02:15) - Chairperson Pintar entertained a motion. **Member Abowd moved to approve the minutes, as published. The motion was seconded and carried 6-0-1, Member Bagwell abstaining.**

38. HEALTH AND HUMAN SERVICES DEPARTMENT

38(A) REPORT, DISCUSSION, AND POSSIBLE ACTION TO DIRECT STAFF REGARDING THE HEALTH OFFICER'S REPORT CONCERNING ACTIVITIES IN WHICH THE HEALTH OFFICER IS ENGAGED, BOTH INSIDE AND OUTSIDE THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT (2:02:40) - Chairperson Pintar introduced this item, presented her report, and responded to questions of clarification throughout. Chairperson Pintar entertained a motion. **Member Crowell moved to accept and approve the Health Officer's report.**

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Member Bagwell seconded the motion.

RESULT:	Approved [7 - 0]
MOVER:	Member Robert Crowell
SECOND:	Member Lori Bagwell
AYES:	Members Crowell, Bagwell, Abowd, Bonkowski, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

38(B) REPORT, DISCUSSION, AND POSSIBLE DIRECTION TO STAFF REGARDING THE DIRECTOR'S REPORT ON CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT ACTIVITIES (2:06:41) - Chairperson Pintar introduced this item, and Health and Human Services Department Director Nicki Aaker presented the report in conjunction with displayed slides. Ms. Aaker, Dr. Pintar, and appropriate Health and Human Services Department staff responded to questions of clarification. Chairperson Pintar entertained additional questions and, when none were forthcoming, a motion. **Member Crowell moved to accept the Director's report and give direction to staff on Carson City Health and Human Services activities. Member Abowd seconded the motion.**

RESULT:	Approved [7 - 0]
MOVER:	Member Robert Crowell
SECOND:	Member Karen Abowd
AYES:	Members Crowell, Abowd, Bonkowski, Bagwell, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

38(C) POSSIBLE ACTION TO ACCEPT THE UPDATED CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT STRATEGIC PLAN (2:34:53) - Chairperson Pintar introduced and provided background information on this item. Health Program Specialist / Accreditation Coordinator Valerie Cauhape reviewed the draft update which was included in the agenda materials, and responded to corresponding questions of clarification. Health and Human Services Department Director Nicki Aaker advised that the subject strategic plan will be included in the City's overall strategic plan. Chairperson Pintar entertained a motion. **Member Abowd moved to accept the updated Carson City Health and Human Services Strategic Plan. Member Bagwell seconded the motion.** Chairperson Pintar called for a vote on the pending motion.

RESULT:	Approved [7 - 0]
MOVER:	Member Karen Abowd
SECOND:	Member Lori Bagwell
AYES:	Members Abowd, Bagwell, Bonkowski, Crowell, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

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38(D) POSSIBLE ACTION TO ACCEPT THE UPDATED COMMUNITY HEALTH IMPROVEMENT PLAN (“CHIP”) (2:48:20) - Chairperson Pintar introduced this item, and Health Program Specialist / Accreditation Coordinator Valerie Cauhape reviewed the agenda materials. Chairperson Pintar provided clarification of the community issues listed at page 5 of the CHIP, which was included in the agenda materials. Chairperson Pintar and Ms. Cauhape responded to questions of clarification throughout the presentation. Chairperson Pintar thanked Ms. Cauhape, and referred to the Ten Essential Public Health Services “as a useful reminder of what we're supposed to be doing as a Board of Health.” Chairperson Pintar entertained a motion. **Member Abowd moved to accept the updated Community Health Improvement Plan, as published. Member Bagwell seconded the motion.** Chairperson Pintar called for a vote on the pending motion.

RESULT:	Approved [7 - 0]
MOVER:	Member Karen Abowd
SECOND:	Member Lori Bagwell
AYES:	Members Abowd, Bagwell, Bonkowski, Crowell, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

38(E) PRESENTATION AND DISCUSSION ONLY REGARDING CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT WORKFORCE DEVELOPMENT PLAN (3:02:59) - Chairperson Pintar introduced this item, and Health and Human Services Department Director Nicki Aaker provided background information and reviewed the agenda materials. Ms. Aaker and Chairperson Pintar responded to questions of clarification, and discussion ensued, throughout the presentation. Chairperson Pintar entertained additional questions or comments and, when none were forthcoming, expressed appreciation for the hard work of Sandy Wartgow on this project.

38(F) PRESENTATION AND DISCUSSION ONLY REGARDING THE QUALITY IMPROVEMENT PROJECTS CONDUCTED WITHIN THE PUBLIC HEALTH PREPAREDNESS DIVISION TO IMPROVE FORM COMPLETION BY PATIENTS/ CLIENTS FOR BILLING AND CHARTING (3:10:45) - Chairperson Pintar introduced this item, and Sandy Wartgow introduced herself for the record. Ms. Wartgow narrated a PowerPoint presentation, which was displayed in the meeting room and copies of which were included in the agenda materials. She responded to questions of clarification throughout the presentation. Chairperson Pintar thanked Ms. Wartgow for her presentation.

38(G) POSSIBLE ACTION TO SCHEDULE BOARD OF HEALTH MEETINGS FOR 2015 IN CONJUNCTION WITH BOARD OF SUPERVISORS REGULAR MEETING DAYS ON MARCH 19, MAY 21, JULY 16, SEPTEMBER 17, AND NOVEMBER 19 (3:25:38) - Chairperson Pintar introduced this item, and Health and Human Services Department Director Nicki Aaker noted the late material changing the March meeting to April 2nd. Following a brief discussion, Chairperson Pintar entertained a motion. **Member Abowd moved to approve the Board of Health Meetings for 2015, in conjunction with the Board of Supervisors' regular meeting days, on April 2nd, May 21st, July 16th, September 17th, and November 19th. Member Bonkowski seconded the motion.** Chairperson Pintar called for a vote on the pending motion.

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RESULT:	Approved [7 - 0]
MOVER:	Member Karen Abowd
SECOND:	Member Brad Bonkowski
AYES:	Members Abowd, Bonkowski, Crowell, Bagwell, Furlong, Shirk, and Chair Pintar
NAYS:	None
ABSENT:	None
ABSTAIN:	None

39. PUBLIC COMMENT (3:28:01) - Chairperson Pintar entertained public comment; however, none was forthcoming.

40. ACTION TO ADJOURN BOARD OF HEALTH (3:28:08) - Chairperson Pintar adjourned the Board of Health meeting at 3:28 p.m.

41. RECONVENE BOARD OF SUPERVISORS (3:38:06) - Mayor Crowell reconvened the Board of Supervisors at 3:38 p.m.

42. HEALTH AND HUMAN SERVICES DEPARTMENT - POSSIBLE ACTION TO APPROVE A FULL-TIME ADVANCED PRACTICE REGISTERED NURSE (“APRN”) POSITION AT THE COMMUNITY HEALTH CLINIC IN DOUGLAS COUNTY, REPLACING THE EXISTING PART-TIME APRN POSITION; THIS POSITION WILL BE FUNDED BY THE INTERLOCAL AGREEMENT, BETWEEN DOUGLAS COUNTY AND CARSON CITY (3:38:14) - Mayor Crowell introduced and provided background information on this item. Health and Human Services Department Director Nicki Aaker read into the record a January 14, 2015 letter from Douglas County Social Services Manager Karen Goode, a copy of which was provided to the Clerk for the record. Ms. Aaker acknowledged Supervisor Bonkowski's request to update the job announcement prior to posting. She responded to additional questions of clarification regarding plans to announce the position. Following a brief discussion, Mayor Crowell entertained public comment. When no public comment was forthcoming, he entertained a motion. **Supervisor Bonkowski moved to approve a full-time Advanced Practice Registered Nurse position at the Community Health Clinic of Douglas County, replacing the existing part-time APRN position; this position will be funded by the interlocal agreement, between Douglas County and Carson City. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

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43. PUBLIC WORKS DEPARTMENT - PRESENTATION AND DISCUSSION REGARDING THE METHOD BY WHICH TRANSPORTATION FUNDS, INCLUDING THE LOCAL MOTOR FUEL TAXES DEDICATED TO ROADWAY MAINTENANCE AND CAPITAL PROJECTS, ARE EXPENDED (3:43:01) - Mayor Crowell introduced this item, and Transportation Manager Patrick Pittenger acknowledged a similar presentation was recently provided to the Regional Transportation Commission. Mr. Pittenger narrated the PowerPoint presentation, which was displayed in the meeting room and copies of which were included in the agenda materials. He responded to questions of clarification throughout the presentation, and discussion ensued.

Mayor Crowell entertained public comment. (4:11:48) Paul McGrath discussed his understanding of the purpose of the fuel tax, and concerns regarding road maintenance issues in his area of town. He suggested giving consideration to “using that nickel gas tax, not as a general revenue for RTC, but as a gas tax to repair our roads. And you can project it out and, if you notify the people in the community of when their roads are going to be fixed and use that money for that, you're not going to get the complaints you have and I think you're going to get your roads fixed. But when you use that money that's brought in on that special tax, it's used for everything else and nothing else gets done.”

In response to a question, Mr. Pittenger explained how regional transportation revenues are allocated. In response to a further question, he assured the Board that the revenues can only be used for repairing and maintaining roads. In response to a further question, he provided background information on and reviewed the provisions of CCMC Section 11.20.050. He responded to additional questions of clarification, and extensive discussion followed.

Mayor Crowell entertained additional public and Board member questions or comments and, when none were forthcoming, thanked Mr. Pittenger for his presentation.

44. CITY MANAGER - POSSIBLE ACTION TO ACCEPT A LEAN MANAGEMENT TRAINING AND GREEN BELT CERTIFICATION PROGRAM FOR STAFF, AS PRESENTED BY MOSS-ADAMS, LLP (OPTION 2), AND APPROVE FUNDING IN THE AMOUNT OF \$50,000 FOR FY 14 - 15 TO BE FUNDED FROM CONTINGENCY OR, AS AN ALTERNATIVE, VARIOUS ACCOUNTS AS DETERMINED BY THE BOARD (4:31:00) - Mayor Crowell introduced this item. Mr. Marano introduced Moss-Adams, LLP Operational Excellence Consulting Practice Leader Rishi Malhotra, and reviewed the agenda report. Mr. Malhotra narrated the PowerPoint presentation, which was displayed in the meeting room and copies of which were provided to the Board members and the Clerk as late material. Mr. Marano acknowledged a desire to implement the subject program. Mr. Marano and Mr. Malhotra responded to questions of clarification, and discussion ensued.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor Abowd moved to accept the Lean Management Training and Green Belt Certification Program for staff, as presented by Moss-Adams, LLP (Option 2), and approve funding, in the amount of \$50,000, for FY 2014 - 15, to be funded from contingency or, as an alternative, various accounts, as determined by the Board. Supervisor Bonkowski seconded the motion** for discussion purposes. Mayor Crowell entertained discussion on the motion. At Supervisor Bonkowski's suggestion, **Supervisor Abowd amended her motion to indicate that the \$50,000 would be allocated from the contingency fund. Supervisor Bonkowski continued his second.** Mayor Crowell entertained additional discussion on the motion. Supervisor Shirk discussed reluctance to vote in favor of the motion, and reiterated a previous

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suggestion to discuss this matter with the department heads at the February 5th strategic planning session. Mayor Crowell described the subject program as “a management tool that creates a frame of mind,” and expressed the opinion that “we hire a City Manager to make these decisions.” He expressed objection to waiting for the department heads to provide input. He expressed support for the City Manager's position that the program will improve delivery of services and generate a culture of efficiency. Following additional discussion, Supervisor Bagwell suggested providing for a structured payment method “so that if you're unhappy with the service, you don't continue to spend the money.” Mayor Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion.

RESULT:	Approved [4 - 1]
MOVER:	Supervisor Karen Abowd
SECOND:	Supervisor Brad Bonkowski
AYES:	Supervisors Abowd, Bonkowski, Bagwell, and Mayor Crowell
NAYS:	Supervisor Jim Shirk
ABSENT:	None
ABSTAIN:	None

**45. 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 BOARD MEMBERS (5:46:15) - Supervisor Shirk advised of a recent meeting with Mary Walker, of Walker & Associates, and discussed dissatisfaction with her processes. Mr. Marano discussed his intent to forward to the Board of Supervisors only those legislative bills that may require a policy decision from the Board. He provided a status report on the Animal Shelter advisory committee. Supervisor Shirk requested the District Attorney for a legal opinion on Resolution 2015-R-1.

Mayor Crowell advised that SB-113 “would force ward voting on us, contrary to what our Citywide vote was.” He requested Mr. Marano to agendize this bill for discussion by the Board. In response to a question, Mayor Crowell advised that his State of the City Address is scheduled for January 28th.

STAFF COMMENTS AND STATUS REPORT (5:42:59) - In response to a question, Mr. Marano provided a status report on the process for filling the Treasurer position. Supervisor Shirk requested status reports on the oversight committee for the Animal Shelter; the municipal golf course fee structure; and effluent water.

RECESS AND RECONVENE BOARD OF SUPERVISORS (5:53:36; 6:30:11) - Mayor Crowell recessed the meeting at 5:53 p.m., and reconvened at 6:30 p.m.

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46. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

46(A) POSSIBLE ACTION TO APPROVE A MASTER PLAN AMENDMENT APPLICATION TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY / REGIONAL COMMERCIAL (“C/RC”) TO INDUSTRIAL (“I”), ON PROPERTY LOCATED AT 1588 OLD HOT SPRINGS ROAD, APN 008-123-23 (MPA-14-138); 46(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO CHANGE THE ZONING OF PROPERTY LOCATED AT 1588 OLD HOT SPRINGS ROAD, APN 008-123-23, FROM TOURIST COMMERCIAL (“TC”) TO GENERAL INDUSTRIAL (“GI”) (ZMA-14-137) (6:30:28) - Mayor Crowell introduced this item and, at Planning Manager Susan Dorr Pansky's request, combined the subject item with item 46(B). Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. (6:35:30) Richard Langson, representing the Langson Family Trust, expressed support for the requested zoning change and provided background information on his family's history in the area and contributions to the community. He thanked the Board for the opportunity to present testimony.

Mayor Crowell entertained public comment on both items 46(A) and (B). (6:38:58) Rob Joiner, a member of the AICP, advised that he was representing the client “on his real estate deal.” In reference to a recent vacancy study indicating a seven percent vacancy of industrial properties, he pointed out “a lot of higher vacancies in the limited industrial ..., but in general industrial, there's a great need. So this property could be put into a much better use for the neighborhood. It won't be adverse to anybody ...”

Mayor Crowell entertained additional public comment and, when none was forthcoming, a motion. **Supervisor Bonkowski moved to approve a master plan amendment application to change the land use designation, from community regional - commercial to industrial, on property located at 1588 Old Hot Springs Road, APN 008-123-23, based on the findings contained in the staff report. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor Crowell entertained a motion for item 46(B). **Supervisor Bonkowski moved to introduce, on first reading, Bill No. 102, an ordinance to change the zoning of property located at 1588 Old Hot Springs Road, APN 008-123-23, from tourist commercial to general industrial, based on the findings contained in the staff report. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

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RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

46(C) POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE HISTORIC RESOURCES COMMISSION'S DENIAL OF A REQUEST FROM HERMAN BAUER TO AMEND PREVIOUSLY-APPROVED HISTORIC RESOURCES COMMISSION APPLICATIONS, HRC-10-102 AND HRC-10-102(A), TO ALLOW FOR MODIFICATION OF THE BUILDINGS AND SITE TO ACCOMMODATE ADDITIONAL DWELLING UNITS, ON PROPERTY ZONED RESIDENTIAL OFFICE ("RO"), LOCATED AT 812 NORTH DIVISION STREET, APN 001-191-06 (HRC-14-146) (6:42:24) - Mayor Crowell introduced this item, and Planning Manager Susan Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. In response to a question, Mr. Woodbury expressed complete concurrence with staff's analysis and conclusion, as presented in the January 6, 2015 memorandum which was included in the agenda materials. Mayor Crowell advised of having heard concerns expressed that the Historic Resources Commission motion "was not what the HRC said." Ms. Dorr Pansky advised of having been provided the verbatim motion by the recording secretary.

(6:46:29) Attorney James Cavilia provided background information on the appeal. He cited CCMC Section 18.06.070 relative to the appeal, noting that the section "specifically limits the subject of the appeal to the specific aspect of the decision that's being appealed and, in this case, the aspect of the decision that's being appealed is the basis for which the Historic Resources Commission cited for their denial." He expressed the opinion that the hearing should be "limited to the subject of whether or not they have the authority to deny the application on the basis of density and use." Mr. Cavilia expressed agreement with staff's recommendation and opinion, and with staff's conditions of approval. He requested the opportunity to address any new issues or questions raised under public comment.

Mayor Crowell entertained public comment, noting that there should be no new evidence presented. "We try and limit our discussion to what happened at the HRC and go from there and, tonight, the issue of density and zoning, special use permit, whether we like it or we don't, that bridge has been crossed. So, let's talk to the HRC decision ... as to whether it should be upheld or overturned."

(6:50:02) Peter Bader, a resident of 16 Milliman Way, expressed opposition to "everybody try[ing] to help one guy that affects everybody else in the neighborhood with special use permits." He expressed the opinion that the proposed development will "diminish the property value of all the neighbors." Mayor Crowell expressed understanding for Mr. Bader's concerns, but advised that the zoning and the special use permit were not issues to be addressed by the Board under this item. Mr. Bader requested the Board to take into consideration the number of people opposed to the project.

Mayor Crowell explained there are "different legal rights that attach to these things ... than we've had in the past when it came before [the Board of Supervisors] on the special use permit." He cautioned against "treading on either side of that aisle ... because the issue of ... whether or not the HRC can legally make a

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decision on density. We're being told by our legal counsel that's not within their jurisdiction. That's the issue tonight." Mayor Crowell requested the citizens to "speak to ... whether or not the decision should be upheld ... with the understanding that we've been already told that the decision of the Historic Resources Commission, for better or worse, was probably outside their jurisdiction." In response to a question, Mr. Woodbury advised that the grounds stated in the motion are beyond the purview of the Historic Resources Commission.

Mayor Crowell entertained additional public comment. (6:53:44) Peter Smith advised of having served two terms on the Historic Resources Commission and that he is a resident of the Historic District. In reference to the CCMC, he stated that "the HRC shall make its decision on a proposed project based upon the guidelines in the Department of the Interior Guidelines, which are found at 36 CFR 67." Mr. Smith read a portion of 36 CFR 67 into the record, and expressed the opinion that "there's nowhere in the Historic District that there's eight units on a lot that's smaller than a half a City block. There were, historically, ... along Curry Street, ... what you call rooming houses ... But the responsibility of the HRC is to preserve the environment of the Historic District and having an eight-plex on a lot that's smaller than half a City block is just out of character for the City. And there's nothing in the HRC statute and the municipal code that prohibits them from considering the number of units that are in there and, once you get the question of the number of units, then you've got the number of parking spaces, the number of curb cuts, and all of the land use considerations that go with that. So, when the HRC approved the project for four living units, it went through and now they're coming back and they want eight living units which are really different than having four. It's just, the four living units on a half a City block is not inconsistent with other buildings in the Historic District and having eight simply is."

Mayor Crowell suggested that "if you take the position that the HRC decision was legal, within their jurisdiction, ... then that runs smack against what this Board has already determined in a prior vote." In response to a question, Mr. Smith suggested that the Board's "decision to allow eight units on that property was subject to having it be reviewed and approved by the HRC. And it went back to the HRC for their approval and the eight units was just considered to be overwhelming for that block. ... it's a different obligation. The HRC has an obligation to determine and approve or disapprove of the compatibility with the historic nature of the neighborhood. Your job was to say, without considering the Historic District problems, eight units would be okay which might be okay two or three blocks away someplace outside the district. But inside the district, there's nothing that has anything like eight units on a lot that size." Mr. Smith suggested "it's a parallel problem. They're not conflicting. You're talking about the same issues, but the Historic Commission is responsible for preserving historical integrity and the Board of Commissioners [sic] are responsible for deciding that eight units would generally be okay on a lot this size if it wasn't for the Historical Commission and the matters referred to the Historical Commission." Mayor Crowell entertained additional public comment. (6:59:15) Alexander Kirsch distributed a prepared statement to the Board members and the District Attorney, and read the same into the record. He responded to questions of clarification. He requested the Board to "revert back to the revised development of two family dwelling units or duplex units approved on February 9, 2012; and to the October 10, 2013 HRC-approved revised landscape plans. Only this type of development will ensure the integrity of Carson City's nationally-recognized district." In response to a question, Mr. Kirsch discussed concerns relative to "1.5 parking spaces per dwelling unit," and establishing a precedent in the Historic District for the proposed development. He expressed the opinion that the Historic Resources Commission "did right in voting this project down as it was very close by the Board of Supervisors the last time ... on whether or not we should grant a special use permit."

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In response to a question, Mr. Kirsch stated that “the Historic Resources Commission is in charge of scale, massing, sizing, and ... the parking will increase the density and the massing of this project. It is just not suitable for the Historic District.” In response to a comment, Mr. Kirsch expressed the belief that the Board's previous decision “was wrong ... by your own admission. It needed to be brought in front of the HRC prior to being brought in front of the Board of Supervisors.” He suggested there should be “more overlay within these two departments and they have to respect each other's opinion. Especially the Planning Division has to consider the opinions of the Historic Resources Commission. ... It is the responsibility of the HRC to decide on massing and how it fits within the Historic District ...”

Ms. Dorr Pansky acknowledged no change to the Carson City Municipal Code relative to the parking requirement. Mayor Crowell entertained additional public comment.

(7:21:08) Steve Brenneman, owner of the Bliss Mansion, pointed out “that the proper procedures for new construction in the Historic District were not followed in this case.” He read into the record a portion of CCMC 18.06.015, and advised of having researched new construction requirements in other states and of having found the same requirement. He further advised that “when this Board of Supervisors ... denied the previous appeal, you did not have in front of you the complete landscape plan. There was a large amount of discussion at the HRC meeting in December about the landscape plan. The buildings were moved 15 feet closer to the streets in the new plan than they were when you were looking at it. That significantly alters the ... curbside appeal and the ability of this project to fit into an historic district.” Mr. Brenneman strongly recommended the Board's denial of the appeal, “and that you either return this back to the Planning Division and the HRC or you just tell the developer just go ahead and build what we approved two years ago. This has gone on far too long.”

In response to a question, Community Development Director Lee Plemel read from the District Attorney's legal opinion which stated that “the project shall not start.” In response to a question, he advised that the Planning Division did not violate the Code, as alleged, and that the District Attorney could verify that. Mr. Woodbury reminded everyone that “the character of this item is an appeal from the decision of the HRC. That particular issue, if it was an issue, was not addressed in the motion of the HRC; it's really not something that you can consider in this because it's not before the Board. It should have been presented before the HRC.” Mr. Plemel advised that the project has not been started. “If it does not get approved by HRC or on Board appeal, then the project never happens and then it's not started.”

At Supervisor Abowd's request, Ms. Dorr Pansky provided additional clarification of the last paragraph of page 6 of the staff report included in the agenda materials. Ms. Dorr Pansky responded to additional questions of clarification regarding the differences in level of detail for the landscape plan from the Historic Resources Commission presentation and Planning Commission presentation. She emphasized that the “distance from the right-of-way was not changed.”

Mayor Crowell entertained additional public comment. (7:31:53) Brenda Dahlquist provided an overview of the discussion which took place at the Historic Resources Commission meeting regarding the purview of the Historic Resources Commission. She expressed the opinion “we've got a process here that's really messed up and ... this is going to set some precedent for any future construction that goes on there. ... and we need to look at this hard and close and make sure ... what is the real, true meaning and what is the interpretation.”

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(7:34:25) Tom Streckel expressed support for the previous testimony in opposition to the project. He expressed concern over “a real lack of sensitivity on the part of the City to the existence of the Historic District.” He expressed the opinion that “just looking at Code requirements is insufficient to protect what we have, at least what has been nationally recognized. What is the purpose of an historic district if we can nickel and dime, take pieces away, make it smaller, change the character of it?” He suggested that “had there not been a single-unit dwelling on that property when the Historic District was circumscribed that that property would have been included in the Historic District. To include it and ... now nullify its purpose ... is unacceptable.” He further suggested there may be no purpose for an Historic Resources Commission “if the commission can deny a project and that's unacceptable ... It must have a purpose. It can approve and that's acceptable. It can deny, but that is unacceptable?” Mayor Crowell reiterated that the issues of density and use were decided by the Planning Commission and then ratified by the Board of Supervisors. Mr. Streckel suggested that the “scope of jurisdiction of the [Historic] Resources Commission was diminished considerably ... about the expansive review that the Historic Resources Commission could make.” Mayor Crowell advised that, as determined by the District Attorney and Planning Division staff, the “expansive provision that the HRC took was ... outside their jurisdiction in the first place.” He was uncertain as to how the opponents to the project could prevail. Mr. Streckel expressed appreciation for the consideration, and reiterated the request for “the City and Planning staff to ... be more responsive and aware of the integrity of our district.”

(7:40:02) Mayor Crowell responded to questions of clarification by Harvey Edwards, a new historic district property owner.

Supervisor Abowd read Commissioner Mike Drews' comments into the record, from page 12 of the agenda materials, and suggested “that's exactly what the decision should have been.”

(7:44:08) Rob Joiner provided background information on formation of the historic and downtown districts, and the Historic Resources Commission. He expressed opposition to the concept that “zoning and density trumps the design characteristics and the rhythm and scale and the things that make our district what it is. You have to look at each block; block by block; area by area.”

In response to a question, Ms. Dorr Pansky explained the relevance of CCMC Section 18.06.030 to this matter and read a portion of the same into the record. Mr. Woodbury further clarified “it illustrates the scope of their authority.”

Mayor Crowell entertained additional public comment. (7:54:10) Bazel Slaughter pointed out that “in the application for the special use permit, ... there's both historic and planning and zoning issues dealt with ...” He was uncertain as to how “you can separate any of it.” He expressed the opinion that “going forward, ... northern Nevada, Carson City, we have to be mindful and respect the past and how we've gotten here ... today and ... realize the decisions that we make now we're going to have to live with in the future.”

(7:56:45) Peter Bader suggested “throw[ing] the whole thing back to the historical society [sic] and start the process like it's supposed to start from their point. Start from scratch because, obviously, you have a lot of resistance and you know it and you have taken a lot of time listening to the resistance so you're obviously not quite clear.”

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(7:57:46) Steve Brenneman advised of having attended the December 11th Historic Resources Commission meeting, and that the discussion centered around architecture, design, and the proposed setback. He suggested listening to the recording of the meeting. Mayor Crowell pointed out that “whether it's in the notes or not, it's in the motion. And the motion doesn't reflect any of those. And so, from reading the record ... and understanding what all went before them, ... they didn't put that in the motion so my understanding is they signed off on it.” Mr. Brenneman suggested “it's a faulty process, then.” He reiterated the suggestion to review the three-hour meeting video and audio. Mayor Crowell reiterated that the issue before the Board is whether or not the motion and the findings made by the HRC are correct. Mr. Brenneman suggested that the project's compliance with the municipal code should be the issue before the Board “because the project sailed through the Planning Division without meeting the snow storage requirements among other things.” He expressed dismay over “selective enforcement of Carson City Municipal Code and the fact that we did not follow the Carson City Municipal Code in the process.” He agreed with Mr. Bader's suggestion to start the process over.

Mayor Crowell offered Attorney Jim Cavilia the opportunity for rebuttal. (8:00:20) Mr. Cavilia expressed appreciation for the neighbors' concerns, noting that his office is in the historic district two blocks from the subject parcel. He suggested the need to “look at this from a global perspective and the legal argument. This Board, regardless of the language of the ordinance, this Board can't delegate its authority to the Historic Resources Committee [sic]. It can't. This Board has legal authority, under Nevada law, to do planning and zoning. You can get the opinion of the Historic Resources Commission with respect to mass and landscaping and all those things that are very important to us in the Historic District. And that's appropriate. But you can't give that authority away to ... what is a very important advisory board. That's what it is. And, ultimately, the decision with respect to density and zoning and planning is made by the elected body just like its provided for in Chapter 278 of the Nevada Revised Statutes. And that decision's been made. And their decision to deny this review of the plan, based upon density, was inappropriate and that's all we're asking you to reverse today. And we'll go forward with the project and it'll be a great, beautiful project. In the long run, it'll be a benefit to the neighborhood.”

Mayor Crowell entertained Board member discussion. Supervisor Bonkowski agreed that “the HRC is an advisory board. Their decision can't trump our decision. Period. And that's the issue that's here in front of us tonight.” Supervisor Bonkowski expressed the opinion that the issues brought up by the people opposing the project need to be dealt with separately; i.e., “your concerns have to be met through a revision of the municipal code to address the items that you've been discussing. That's not what's in front of us here tonight. So, we're going to make a decision tonight but then, ... you, as a group, need to bring forward or ask that staff bring forward revisions based on your recommendations to the municipal code in Chapter 18.06. That is how you're going to get to where you want to go. It's not through what we're making a decision on tonight.”

Supervisor Shirk expressed the understanding that the HRC is a commission, “not advisory. That's the title they have. It's not an advisory board.” In response to a question, Mr. Plemel advised of having discussed, with the Historic Resources Commission, their lack of purview over zoning issues. In response to a question, Mr. Woodbury referred to Ms. Dorr Pansky's memo included in the agenda materials. “She identifies all of the relevant legal provisions that exist in the code.” Mr. Woodbury concurred with Ms. Dorr Pansky's analysis and conclusion “that those provisions establish the questions of use of a particular piece of property and the question of density of a particular piece of property are not within the jurisdiction of the HRC. There's really no question that those are items, those are subjects which fall within the

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purview of zoning and there's really no question that the zoning power of Carson City resides in two places and that's the Planning Commission and this Board. And because the motion is the voice of the HRC, that's a statement of the decision that they're making and the decision is based only on a conclusion about use and a conclusion about density that that is beyond the jurisdiction of the HRC." Mr. Woodbury advised "that because it's beyond their jurisdiction that it is not a lawful decision that you can uphold." Supervisor Shirk sympathized with the citizens' testimony, but stated "we have no choice but to move forward as [the District Attorney] just described." Supervisor Shirk expressed the opinion that the process "can be improved, ... but we need to make some major improvements on how we get to this point because how we got here, ... it's a struggle ... for everyone who's in this audience or even those who have not attended tonight ..."

Mayor Crowell entertained a motion. **Supervisor Bonkowski moved to reverse the Historic Resources Commission's decision to deny application HRC-14-146, based on the fact that the denial was made citing compatibility of density and uses in the historic district which is a zoning issue and outside the scope of review by the Historic Resources Commission; this decision hereby approves HRC-14-146, a request from property owner Herman Bauer to amend previously-approved Historic Resources Commission applications, HRC-10-102 and HRC-10-102A, to allow for modification of the buildings and site to accommodate additional dwelling units, on property zoned residential office, located at 812 North Division Street, APN 001-191-06, based upon the findings and conditions of approval outlined in the staff report, the standards and guidelines for rehabilitation, the Carson City Historic District Guidelines, and Historic Resources Commission policies. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion. In consideration of a previously-made suggestion to remand the matter back to the Historic Resources Commission, Supervisor Bagwell noted the "three hours at the HRC discussing landscape, setbacks, all the other issues and yet the motion that they made did not include a single issue that pertained to that."

Mayor Crowell recessed the meeting at 8:11 p.m. to quell unsolicited citizen comments. He reconvened the meeting at 8:20 p.m., and entertained additional Board member discussion on the motion. When no further discussion was forthcoming, he called for a vote on the pending motion.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

47. PUBLIC COMMENT () -

48. ACTION TO ADJOURN () - Bonkowski/Abowd

The Minutes of the January 15, 2015 Carson City Board of Supervisors meeting are so approved this _____ day of February, 2015.

ATTEST:

ROBERT L. CROWELL, Mayor

SUSAN MERRIWETHER, Clerk - Recorder