

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 5, 2021 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, August 5, 2021 in the Community Center Robert “Bob” Crowell Boardroom, 851 East William Street, Carson City, Nevada.

PRESENT:

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

STAFF:

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

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

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

(8:32:11) – Mayor Bagwell called the meeting to order at 8:32 a.m. Ms. Rowlatt called roll and noted that a quorum was present. LifePoint Church Student Pastor Fred Kingman provided the invocation. Mayor Bagwell invited a member of the audience to lead the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:33:57) – Mayor Bagwell entertained public comments. Brenda Hunt, participating telephonically, introduced herself as a Carson City resident and spoke in favor of agenda item 12.B, specifically to “improve our City’s ability to participate in healthy outdoor activities.”

(8:35:18) – Will Adler introduced himself as a representative of Silver City Government Relations and spoke on behalf of local cannabis dispensaries Rise and Sierra Well. Mr. Adler gave background on curbside cannabis sales and highlighted the security measures in place in the form of which included parking lot cameras. He also referenced his written recommendation, incorporated into the record, of curbside pickup, and offered to discuss it during agenda item 12.E.

(8:37:27) – Rise representative Kevin Siegel introduced himself and gave background, calling Rise “sustainable, reputable, and a company focused on the highest level of compliance.” He read a prepared statement on their curbside policies and benefits which he believed were “convenient, efficient, and safe for all of our customers.”

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Mr. Siegel also informed Mayor Bagwell that he was in favor of the proposals, incorporated into the record, and submitted by Mr. Adler and Sierra Well.

(8:39:31) – Sierra Well manager Alexis Jensen also spoke in favor of curbside pickup, which she attributed to the growth of their business. She also believed that it was a safer way compared to deliveries, because no minors were allowed in the pickup vehicles, whereas minors may have been present when delivering to homes. Ms. Jensen noted that she also provided educational information to parents and teachers at the schools and responded to clarifying questions.

(8:44:56) – Monda Griffin introduced herself as the delivery call center manager of Sierra Well and spoke of the safety aspects of the curbside pickup, especially for seniors. She also noted that curbside bookings are 15 minutes apart.

(8:48:56) – Nanette Perkins introduced herself and provided information on how she had benefited from the use of CBD from Sierra Well in lieu of pain medication, noting that she was in favor of curbside pickup. Ms. Perkins also cited the benefits of pickleball as a social sport and wished to see more pickleball courts. She referenced her emailed public comment in which she highlighted the speeding drivers on Sneddon Way and requested mitigation, adding that she had been hit by a car there.

(8:54:24) – Jim Shirk introduced himself and expressed concern about the expenditures in the Consent Agenda and recommended that the Board “should openly discuss all agenda items to disclose to the citizens how their tax dollars are being spent.” He also contrasted agenda item 12.D (recommending the prohibiting of cannabis lounges) to promoting alcohol lounges, the consumption of which he believed would lead “to numerous deaths and injuries.” Mr. Shirk also commented on agenda item 16.B and believed that the measurement “should be certified by [an] independent third-party surveyor. He believed that agenda item 17.A should have been placed on the Consent Agenda to “avoid the useless presentation that will take place later today.” Mr. Shirk commented on the Sheriff’s pay increase and reminded the Board of the upcoming 20th anniversary of the 911 tragedy, inviting them to honor those who lost their lives that day. Lastly, he requested a posting of all the votes by the Supervisors from every meeting.

(8:58:11) – Craig Davis introduced himself as a Carson City resident for over 40 years and expressed concern over the availability of affordable water, based on the current drought and the possibility of not being able to purchase water from neighboring counties. He also cautioned that rate increases would hurt the low-income residents more, as landlords would increase rent to offset the water cost and recommended treating water locally or building an aqueduct.

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – JULY 1, 2021

(9:02:57) – Mayor Bagwell introduced the item and noted a correction in the numbering of the last two agenda items. She also entertained a motion.

(9:03:14) – Supervisor Giomi moved to approve the minutes of July 1, 2021 as corrected. The motion was seconded by Supervisor Schuette and carried 5-0-0.

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7. SPECIAL PRESENTATIONS

7.A PRESENTATION OF A PROCLAMATION TO RECOGNIZE AUGUST AS BREASTFEEDING AWARENESS MONTH.

(9:03:32) – Mayor Bagwell introduced the item and read into the record a proclamation, incorporated into the record, recognizing August as Breastfeeding Awareness Month. Human Services Manager Mary Jane Ostrander introduced staff members Holland Chambers, Heather Kahabka, Hazel Ruiz and responded to clarifying questions. The team joined Mayor Bagwell and the Board of Supervisors for a commemorative photograph.

CONSENT AGENDA

(9:08:33) – Mayor Bagwell introduced the item and noted that item 10.F would be pulled for discussion. She also entertained additional items to be pulled and when none were forthcoming, a motion.

(9:09:25) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 8.B, 9.A, 10.A, 10.B, 10.C; 10.D, 10.E, and 10.G as presented. Supervisor White seconded the motion.

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

(9:10:07) – Supervisor Schuette clarified that should an item on the Consent Agenda need further discussion due to questions or concerns, the Board, as exhibited by the previous action, will pull and discuss it. She also noted that she has asked questions to Staff to clarify items prior to the meeting.

8. FINANCE

8.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH JULY 23, 2021, PER NRS 251.030 AND NRS 354.290.

8.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION TO REMOVE \$406,274.04 IN UNCOLLECTIBLE ACCOUNTS RECEIVABLE FROM THE RECORDS OF THE AMBULANCE FUND.

9. HEALTH AND HUMAN SERVICES

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9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO RECLASSIFY ONE OF THE TWO PUBLIC HEALTH COMMUNICATION SPECIALIST POSITIONS (CCEA A4) TO A PUBLIC HEALTH PROGRAM SPECIALIST POSITION (CCEA T2) IN THE PUBLIC HEALTH PREPAREDNESS DIVISION ("PHP DIVISION") OF THE CARSON CITY HEALTH AND HUMAN SERVICES DEPARTMENT.

10. PURCHASING AND CONTRACTS

10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT CONTRACT NO. 21300100 FOR PROFESSIONAL SERVICES IS NOT SUITABLE FOR PUBLIC BIDDING UNDER NRS 332.115, AND WHETHER TO AWARD CONTRACT 21300100 FOR CLINICAL TREATMENT AND COUNSELING SERVICES FOR MENTAL HEALTH COURT TO MARY BRYAN, A LICENSED CLINICIAN, FOR AN AMOUNT NOT TO EXCEED \$54,000, TO BE EFFECTIVE (RETROACTIVELY) JULY 1, 2021 THROUGH JUNE 30, 2022.

10.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED PURCHASE FOR THE CARSON CITY FIRE DEPARTMENT OF TWO UNITS THAT MONITOR AND DEFIBRILLATE PATIENTS FROM ZOLL MEDICAL CORPORATION ("ZOLL") FOR AN AMOUNT NOT TO EXCEED \$66,247.40.

10.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A FORENSIC SUPPORT SERVICES AGREEMENT BETWEEN WASHOE COUNTY ON BEHALF OF THE WASHOE COUNTY SHERIFF'S OFFICE AND CARSON CITY ON BEHALF OF THE CARSON CITY SHERIFF'S OFFICE, FOR A FEE NOT TO EXCEED \$136,527 THROUGH JUNE 30, 2022, AND AUTHORIZATION FOR THE SHERIFF TO EXECUTE THE CONTRACT.

10.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE VALVES AND RELATED APPURTENANCES FOR THE BRUNSWICK CANYON RECLAIMED WATER MAIN FROM WESTERN NEVADA SUPPLY, CO. ("WNS"), FOR A TOTAL NOT TO EXCEED AMOUNT OF \$57,738.39.

10.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED PURCHASE THROUGH RDO INTEGRATED CONTROLS ("RDO") FOR AN AMOUNT NOT TO EXCEED \$99,288 TO PROCURE CARLSON LANDFILL GPS SOFTWARE AND EQUIPMENT ("CARLSON SYSTEM") WHICH WILL ALLOW REAL-TIME MONITORING OF COMPACTION AND GRADING AT THE CARSON CITY LANDFILL ("LANDFILL").

10.F FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT 21300004, FOR CASHMAN EQUIPMENT COMPANY ("CASHMAN") TO PROVIDE REPAIR AND PREVENTATIVE MAINTENANCE SERVICES, AS NEEDED, FOR THE HEAVY EQUIPMENT AT THE CARSON CITY LANDFILL ("LANDFILL") DURING FISCAL YEAR ("FY") 2022, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$150,000.

(9:11:17) – Mayor Bagwell introduced the item. Supervisor White inquired about the number of equipment pieces listed in the Staff Report and Public Works Operations Manager Rick Cooley explained that the nine pieces were

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equipped with engines and the six pieces were not; therefore, they were “included in the service list where, if timing works out, we have them perform those services also.” He also informed Supervisor White that about two-thirds of the contract amount would be for parts and the balance would be for labor, but that may vary, depending on the issues. Discussion ensued regarding repair services and Mayor Bagwell recommended returning to this agenda item after Mr. Cooley was able to research the answers to the questions.

(9:18:51) – Transportation Manager Lucia Maloney clarified that page 19 of the contract listed all the inclusions in the contract. Mayor Bagwell highlighted Section 2 of the contract titled Scope of Work:

2.1 CONTRACTOR shall provide and perform the following services set forth in Exhibit A, which shall all be attached hereto and incorporated herein by reference for and on behalf of CITY and hereinafter referred to as the “SERVICES”.

She noted that although the title indicated the repair services, she did not see a line authorizing on-call repair services in the contract. Mr. Yu recommended tabling the item until Mr. Cooley returned with a clarification.

(10:48:21) – Mayor Bagwell reopened this agenda item. Mr. Cooley provided additional documentation (incorporated into the record as late material on the last page of Exhibit A) which included the labor rates for repairs done in the field and for repairs done in the shop. The information was acceptable to Supervisor White who also advised looking into whether the expenditure would equate to hiring another employee to have the repairs done in-house. Deputy District Attorney Adam Tully noted that the late material was provided in accordance to the Open Meeting Law. Mayor Bagwell entertained a motion.

(10:52:59) – Supervisor White moved to approve the contract as presented, incorporating the late material. Supervisor Jones seconded the motion.

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

10.G FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT NO. 21300104 WITH KELLER ASSOCIATES, INC. (“KELLER”) FOR ENGINEERING CONSTRUCTION SUPPORT DURING THE WATER RESOURCE RECOVERY FACILITY (“WRRF”) ELECTRICAL IMPROVEMENTS PROJECT, FOR A NOT TO EXCEED AMOUNT OF \$152,325.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

Please see the minutes of item 10.F.

12. CITY MANAGER

12.A FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION BY NEVADA STATE TREASURER ZACH CONINE ON THE STATE'S PLANS FOR A COMMUNITY ENGAGEMENT TOUR FOCUSED ON HOW THE COVID-19 PANDEMIC HAS AFFECTED NEVADANS AND THE WAYS IN WHICH NEVADA CAN SPEND THE STATE'S SHARE OF FEDERAL FUNDING TO MITIGATE THOSE EFFECTS.

(9:21:46) – Mayor Bagwell introduced the item. Nevada State Treasurer Zach Conine reviewed a PowerPoint presentation, incorporated into the record, outlining the process by which the State would spend Nevada’s share of the approximately \$6.7 million of the American Rescue Plan funds. He also responded to clarifying questions. The Board thanked Mr. Conine and Mayor Bagwell recommended including adult basic education in order to provide with citizens higher paying jobs or subsidizing testing fees.

12.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PLAN OF EXPENDITURE FOR \$20,774,006 GRANTED BY THE U.S. DEPARTMENT OF THE TREASURY (“TREASURY”) TO CARSON CITY THROUGH THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND, ESTABLISHED BY THE AMERICAN RESCUE PLAN ("ARP") ACT OF 2021.

(9:50:20) – Mayor Bagwell introduced the item. Ms. Paulson reviewed the Staff Report and the late material provided for this item and responded to clarifying questions. Supervisor Jones recommended having actual numbers instead of estimates. He recommended maintenance dollars for projects such as restroom renovations, supporting non-profit organizations, and specifically addressing homelessness. Supervisor Jones was also in favor of providing broadband capabilities. Supervisor Giomi agreed with Supervisor Jones regarding maintenance dollars and believed that non-profit organizations would be best served by identifying their needs. He believed that the Quill Water Treatment Plant should be a priority and agreed that \$3.7 million should be left alone until hearing from homeless advocates and other non-profits. Supervisor White recommended looking into the Village at Sage Street program in Reno to address homelessness. He also believed that organizations such as Vitality that have received rent could survive on the grants such as the \$6 million one they had received from the federal government. He inquired about the Southeast Mandatory Sewer Extension Project and the broadband coverage issues and preferred to have North Lompa Lane categorized as a Failed Street and addressed.

(10:08:01) – Supervisor Schuette stressed the importance of the Quill Water Treatment Plant and the stormwater mitigation. She was also in favor of increasing the funds to address behavioral health needs and supported employment training and certification programs. Mayor Bagwell believed that the items presented by Ms. Paulson had been discussed with the community and that the items were there to begin conversations. She noted that the service provided by Vitality was a service to the courts; however, it warranted a vetting if they have received additional grants. She suggested leaving the items as placeholders for further discussion, except item No. 1 relating to Health and Human Services and the COVID mitigation line items. Mayor Bagwell was in favor

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of supporting other line items including employment training with nonprofit agencies and government entities, the Quill Water Treatment Plant and the Southeast Mandatory Sewer Extension Project and the Stormwater Capital Plan to reduce the City’s requirement to increase fees, and the body scanner in the Carson City jail to protect the Carson City Sheriff’s Office.

(10:18:21) – Carson City Chief Financial Officer Sheri Russell clarified that the federal government required a proposed roadmap (not set in stone) by August 31, 2021. Mayor Bagwell believed that having a reserve would be important, adding that she had requested a plan regarding the homeless population and acknowledged many of the nonprofit organizations that currently help the homeless in the City. Supervisor Giomi recommended that organizations gather under one banner to present ideas and solutions to address homelessness to the Board. Carson City Health and Human Services Director Nicki Aaker believed that the discussion could take place around January 2022 and Supervisor Schuette recommended being very clear on strengths and detail when presenting proposals and noted her support for all the items on the list. Supervisor White believed in the importance of the work done by Vitality; however, he wished to have the philosophical discussion. Mayor Bagwell entertained a motion

(10:37:01) – Supervisor Schuette moved to approve the Plan of Expenditure as submitted, with late material and in consideration of the Board’s discussion. Supervisor Giomi provided additional detail to the motion. He wished to “ensure that Category 3 is for non-profits and governmental entities; that we increase 2G to \$175,000 and that it also include COVID maintenance at parks; to direct Staff to come back with proposals and recommendations from the Housing Task Force; and for exploring options for [the] reconstruction of critically deteriorated Roadways.” **Supervisor Jones seconded the motion.**

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

(10:39:04) – Mayor Bagwell recessed the meeting.

(10:48:10) – Mayor Bagwell reconvened the meeting. A quorum was still present.

12.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE SUBMISSION OF A NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION ("NTIA") BROADBAND INFRASTRUCTURE GRANT APPLICATION FOR PARTNERSHIP WITH CHARTER SPECTRUM TO EXTEND BROADBAND SERVICE TO THE LAKEVIEW AND TIMBERLINE NEIGHBORHOODS IN CARSON CITY.

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(10:53:29) – Mayor Bagwell introduced the item. Ms. Hicks reviewed the grant details provided in the Staff Report, which is incorporated into the record, and responded to clarifying questions. Mayor Bagwell stated for the record that the grant match was being provided by the vendor at no cost to the City and that it was a grant mandate to be sponsored by a local government even though none of their funds were being used. Ms. Hicks explained that the internet speed was important since many students required it while doing their schoolwork from home. Supervisor White believed that the households in the area had adequate services and inquired why AT&T had abandoned their existing equipment.

(10:00:23) – Supervisor Schuette believed that having a service map would benefit the community and the providers, and that the grant application submission could be broader. Supervisor Giomi cautioned against jeopardizing the grant and Ms. Paulson highlighted the time crunch for the submission. Mayor Bagwell entertained a motion.

(11:03:52) – Supervisor Giomi moved to approve the submission of the grant application as requested. Supervisor Schuette seconded the motion.

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

12.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 111, AN ORDINANCE PROHIBITING THE LICENSING OF A CANNABIS CONSUMPTION LOUNGE AS A BUSINESS AND PROHIBITING THE CONSUMPTION OF CANNABIS AND CANNABIS PRODUCTS IN A PUBLIC PLACE.

(11:04:12) – Mayor Bagwell introduced the item. Ms. Paulson noted that there had been no changes since the first reading of the bill. Supervisor White inquired about discussion and Mayor Bagwell stated that there had been no comments from the cannabis industry. Mr. Adler clarified that there were no comments from his group. Supervisor White restated his position that “until the Cannabis Compliance Board issues [its] regulations, we don’t know what we’re making illegal, and I won’t support this.” Mayor Bagwell entertained a motion.

(11:05:40) – Supervisor Giomi moved to adopt Ordinance No. 2021-11. Supervisor Jones seconded the motion.

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

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12.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION: (1) REGARDING A BUSINESS IMPACT STATEMENT CONCERNING A PROPOSED ORDINANCE PROHIBITING CURBSIDE PICKUP OF CANNABIS; AND (2) TO INTRODUCE, ON FIRST READING, A PROPOSED ORDINANCE PROHIBITING CURBSIDE PICKUP OF CANNABIS.

(11:06:04) – Mayor Bagwell introduced the item and noted that this item had two parts: the action on a Business Impact Statement and the action on the proposed ordinance to prohibit the curbside pickup of cannabis. Ms. Paulson provided background noting that based on Cannabis Compliance Board Regulations, curbside pickup was not allowed prior to the Governor’s Emergency Directive 16 on April 29, 2020 which allowed curbside pickup as of May 1, 2020. Ms. Paulson also stated that SB168, enacted by the 2021 Nevada Legislative Session, which allowed cannabis sales facility to provide curbside pickup “in accordance with the regulations adopted by the Cannabis Compliance Board.” She also reviewed the Business Impact Statement, incorporated into the record, and stated that comments from the affected businesses and from Silver State Government Relations indicated that the proposed ordinance would have a negative economic impact as curbside pickup constituted 30 percent of their sales. Mayor Bagwell entertained industry comments on the Business Impact Statement and when none were forthcoming, a motion.

(11:09:23) – Supervisor Giomi moved to accept the Business Impact Statement as presented. Supervisor Jones seconded the motion.

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

(11:09:45) – Mayor Bagwell stated that she had requested that the District Attorney’s Office prepare the Business Impact Statement. She also referenced District Attorney Jason Woodbury’s letter, incorporated into the record as late material, preferring a blanket ban on curbside pickup and invited Sheriff Ken Furlong to speak later on his preference of banning curbside pickup. Mayor Bagwell invited the Board to consider other mitigating factors if they wished to do so. She noted that the two cannabis retail businesses would be represented by Mr. Adler who had provided public comment earlier, and invited him to the public comment table to provide other considerations.

(11:11:48) – Mr. Adler gave background and noted that they wished to try the best approach to fit curbside service into the community similar to providing cannabis training to store personnel with the help of the Sheriff’s Office. He referenced a counter proposal he had submitted to allow the curbside pickup and address community concerns. Mr. Adler considered the service a “big feature for Carson City” and acknowledged that 30 percent of the sales are picked up curbside. He also provided feedback from the users of the service who had cited safety as their reason for curbside pickup and confirmed for Mayor Bagwell that the industry had complied with the signage restrictions; however, shade tents were used by employees. Mr. Adler explained that their curbside locations must be visible to cameras.

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(11:18:05) – Sheriff Furlong referenced the letter, incorporated into the record, by the District Attorney, and wished to have it paraphrased for the record. Mr. Yu, as Assistant District Attorney, explained that the letter strongly supported a blanket prohibition of curbside pickup, citing public safety and past issues, and expressed concern about someone driving up to the premises and having an employee leave the enclosed building to handle the transaction. Sheriff Furlong clarified that the ordinance applied only to two businesses in Carson City. He believed that the convenience allowed for business to be conducted outside the retail property to allow for a sale in the parking lot. He also believed that the practice may lend itself to other businesses transacting businesses in parking lots. Sheriff Furlong praised Sierra Well and Rise as outstanding business partners to the community, noting that both he and Mayor Bagwell had visited the establishments and reviewed the processes that have been put in place, providing “outstanding controls” to ensure their customers are safe. He questioned whether the Board would set a precedent by allowing the two retailers to conduct business on someone else’s property, even though he recognized the convenience of the curbside pickup which began as a solution to the pandemic. He stated that neither business had the capability to provide a drive-through service. Sheriff Furlong also noted that a supporter of the ordinance, Paul McGrath, had not been able to stay and had asked the Sheriff to convey his support of the ban and the fact that he would share it with each Board member.

(11:27:42) – Mayor Bagwell disclosed that she had visited the retail locations and had observed the indoor and outdoor transactions, calling the business owners responsible and amenable to change a few processes. She compared the cannabis industry transactions to grocery or other retail curbside pickup stating that other store provided the merchandise that had already been paid for prior to the pickup, whereas the cannabis purchases were unique because they were all done with cash, at time of pickup, likening it to a “drug deal in a parking lot,” hoping that someday the cash-only method of payment would be lifted.

(11:29:30) – Mr. Yu clarified that Mr. Woodbury’s position should not be construed as a stance against business, commending both establishments for a job well done; however, he believed that the curbside pickup “cedes total control of that transaction to the consumer” stepping away from the safety of conducting business inside the establishments.

(11:31:23) – Supervisor Giomi stated that his issue was public safety. He believed that businesses downtown had curbside pickup and outdoor seating. He believed that conducting the pickup under the surveillance of cameras was acceptable and he did not believe “prohibition makes sense or is needed.” Supervisor Jones inquired about drive through windows and Mr. Adler explained that it was explicitly banned during the medical marijuana days; however, nowadays they were legal. Supervisor Jones likened the convenience to pick up takeout food. Supervisor Schuette thanked everyone for their input and believed many used cannabis for pain relief, which was “a convenience worth supporting.” She was in favor of stricter guidelines for curbside pickup. Supervisor White was also in favor of the curbside pickup, which he believed was offered by restaurants. However, he noted that the product and the cash were not “in the same place,” therefore, he did not see it as a robbery risk or public endangerment as the consumers did not leave their cars. He believed the ordinance was rushed and stated he could not support the ordinance as written; however, he was in favor of the proposed mitigation. Supervisor Schuette believed some of the concerns brought forward are valid.

(11:42:28) – Mr. Adler noted their “hyper-awareness” of the cash aspect; however, he believed it would be riskier for customers walking into the shop with cash. He also explained that the orders are processed earlier and they are only given to those who preorder and show a valid identification. Mr. Adler stated that no product is sold if

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a minor is present in the vehicle and that no product is given to anyone without receiving payment first. Supervisor White received confirmation that a sale is one per vehicle. Mayor Bagwell received confirmation that the Board was open to mitigation while allowing curbside pickup. The Board was also in favor of directing Staff to return with a new first reading of the ordinance. Supervisor White recommended including purchases at certain intervals to avoid car lines. Supervisor Giomi was informed that a new Business Impact Statement was not required. Mayor Bagwell entertained a motion.

(11:52:13) – Mayor Bagwell moved to direct Staff to bring back a revised proposed ordinance for first reading. Supervisor White seconded the motion.

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

13. COURTS

13.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED REINSTATEMENT OF A FULLTIME BAILIFF POSITION TO BE ASSIGNED TO THE HONORABLE JAMES T. RUSSELL FOR THE FIRST JUDICIAL DISTRICT COURT AND TO ASSIST THE DEPARTMENT OF ALTERNATIVE SENTENCING WHEN COURT IS NOT IN SESSION.

(11:52:30) – Mayor Bagwell introduced the item. She entertained questions or comments from the Board and when none were forthcoming, a motion.

(11:52:45) – Supervisor Giomi moved to approve reinstatement of a fulltime bailiff position as requested. Supervisor White seconded the motion.

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

14. DISTRICT ATTORNEY

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14.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AGREEMENT AMONG THE STATE OF NEVADA AND CERTAIN POLITICAL SUBDIVISIONS OF THE STATE OF NEVADA, INCLUDING CARSON CITY, TO ESTABLISH THE ALLOCATION OF PROCEEDS RECOVERED FROM COMPANIES INVOLVED IN THE MANUFACTURE AND DISTRIBUTION OF OPIOIDS WHEREBY CARSON CITY WOULD RECEIVE 1.806% OF ALL SUCH PROCEEDS RECOVERED BY THE STATE OF NEVADA AFTER DEDUCTION OF (1) "LEAD LITIGATOR COSTS" AND (2) "FEDERAL GOVERNMENT CMS MEDICAID COSTS," AS DEFINED BY THE PROPOSED AGREEMENT.

(11:53:01) – Mayor Bagwell introduced the item and entertained Board comments or questions, and when none were forthcoming, a motion.

(11:53:17) – Supervisor Jones moved to approve, and authorize the Mayor to sign, the Agreement as presented. The motion was seconded by Supervisor White.

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

15. PURCHASING AND CONTRACTS

15.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASES OF EQUIPMENT FOR THE CARSON CITY DEPARTMENT OF PARKS, RECREATION AND OPEN SPACE (“PARKS DEPARTMENT”), UTILIZING COOPERATIVE PURCHASING AGREEMENTS AVAILABLE THROUGH OMNIA PARTNERS PUBLIC SECTOR (“OMNIA”), SOURCEWELL AND NATIONAL COOPERATIVE PURCHASING ALLIANCE (“NCPA”), FOR A TOTAL NOT TO EXCEED AMOUNT OF \$387,607.26.

(11:53:35) – Mayor Bagwell introduced the item. She entertained Board comments or questions and when none were forthcoming, a motion.

(11:53:55) – Supervisor Schuette moved to approve the purchases as presented. The motion was seconded by Supervisor Giomi.

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

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16. COMMUNITY DEVELOPMENT - PLANNING

16.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF ONE OR MORE HEARING OFFICERS FOR ADMINISTRATIVE PROCEEDINGS RELATING TO NUISANCES AND THE CORRESPONDING COMPENSATION PURSUANT TO CARSON CITY MUNICIPAL CODE ("CCMC") 8.09.350, INCLUDING WHETHER TO DELEGATE APPOINTMENT AUTHORITY TO THE CITY MANAGER.

(11:54:12) – Mayor Bagwell introduced the item. Community Development Director Hope Sullivan presented the Staff Report, incorporated into the record, and responded to clarifying questions. She also explained the hearing process and recommended the flat fee payment of \$100 instead of an hourly rate. Ms. Paulson clarified that the compensation will be handled through an invoice provided by the hearing officer(s) who will be hired on a contract basis. Ms. Sullivan recommended having multiple hearing officers in case of availability issues or to avoid disqualifying conflicts of interest. Supervisor Jones clarified that he had served as a hearing officer for four years and had heard no more than five cases. He also explained that he had declined compensation for his work. Mayor Bagwell entertained a motion.

(11:58:38) – Supervisor Giomi moved to direct the City Manager to appoint, in consultation with the Human Resources Director, an appropriate number of Hearing Officers to provide sufficient coverage for administrative proceedings and to avoid any conflicts of interest that may arise, and also moved to fix the compensation of each Hearing Officer at the rate of \$100 per case heard. The motion was seconded by Supervisor White.

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

16.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AN APPEAL AND UPHOLD STAFF'S DECISION TO APPROVE TENTATIVE PARCEL MAP PM-2021-0030 SUBJECT TO CONDITIONS OF APPROVAL OUTLINED IN THE APRIL 30, 2021 NOTICE OF DECISION, INCLUDING THE REQUIREMENT IN CONDITION NUMBER 8 TO EXTEND A WATER MAIN, ON PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 3042 COMBS CANYON ROAD.

(11:59:12) – Mayor Bagwell introduced the item and invited Deputy District Attorney Todd Reese to provide an overview of the appeal process. Mr. Reese also clarified that the appeal would either uphold or reverse the decision made by the Planning Commission.

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(12:04:57) – Jim Cavilia, appellant Corey Hornemann’s attorney, questioned “was the law applied appropriately and was your City ordinance followed?” He referenced his letter, incorporated into the record, and noted that the Carson City Development Standard (CCDS) Division 15.1.1.a does not apply in this case, as the subject property is 400 feet 2 inches from the existing water main. Mr. Cavilia noted that the property is actually 404 feet away based on the survey conducted on his client’s behalf and he believed that Condition No. 8, incorporated into the record, could not be applied to this parcel.

(12:17:57) – Mayor Bagwell stated that “the first map that split the parcels is stamped that it will hook up to water” had been approved, accepted, stamped, and recorded. Mr. Reese cited the Carson City Municipal Code (CCMC) Section 12.01.210’s following subsection:

5. Participation. The applicant shall be responsible for the construction of the waterline system (or the waterline system costs) along any of the property sides or frontage of the property along which a waterline is needed for the overall completeness and continuity of the city's water main system. The applicant shall also be responsible for the necessary and required system of waterlines within the interior of the tract of land.

(12:20:09) – Mr. Reese noted that a parcel across the street from the subject property was required to hook up to the water main line. He also referenced the Staff Reports by the Planning Manager and by the Public Works Department, concluding that the City’s decision had not been made solely on the 400-foot distance from the water main.

(12:25:30) – City Engineer Randy Rice concurred with Mr. Reese’s explanation and reaffirmed that the decision to deny the appeal was not solely based on the 400-foot distance. He also acknowledged that at times Staff have made errors in the past and in that case they would be open to negotiation.

(12:27:45) – Mr. Cavilia believed that in CCMC 12.01.210, sections 1 and 5 could not be separated. He also believed Nevada Revised Statute (NRS) 278.462, subsection 2 is an enabling statute that reads:

2. If it anticipates, based upon duly adopted ordinances and plans, that the parcels will be used for residential, commercial or industrial purposes, may require off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions only as necessary and consistent with the existing use of any land zoned for similar use which is within 660 feet of the proposed parcel. If the proposed parcels are less than 1 acre, the governing body or, if authorized by the governing body, the planning commission or other authorized person may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.

(12:29:00) – Mr. Cavilia wished to “rely on the ordinances as they exist.” Mr. Rice responded to clarifying questions by the board and noted that the original parcel was created in 1987 which had stated the appellant “shall not connect to the 12-inch transmission main on the parcel map,” which was included to ensure subsequent parcels created from that map should be subject to the aforementioned policy. He also stressed that the recorded parcel map was the key in this case. Mayor Bagwell clarified for the record that today’s action was to review “whether or not the Planning Commission considered the items and had enough evidence to support their decision.” Supervisor Schuette noted that it was appropriate to deny the appeal and affirm the decision by the Planning Commission based on the signed parcel map that stated “all parcels must connect to the City water system.” Mr.

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Cavilia restated that the law said “if you are within 400 feet you’ve got to hook up.” Mr. Reese addressed CCMC 12.01.210 - Main extensions, and highlighted subsections 4 and 5, which discussed “the overall completeness and continuity of the City’s water main system so that Staff can effectively manage the City’s water system.” Mayor Bagwell entertained additional comments and noted her agreement with Supervisor Schuette that the applicant had agreed by signing the parcel map; therefore, the Planning Commission had not erred in their decision and that their “results were not absurd.” She also entertained a motion when no additional comments were forthcoming.

(12:43:56) – Supervisor Schuette moved to deny the appeal and affirm the decision of the Planning Commission. The motion was seconded by Mayor Bagwell.

RESULT:	APPROVED (3-2-0)
MOVER:	Supervisor Schuette
SECONDER:	Mayor Bagwell
AYES:	Supervisors Jones, Schuette, and Mayor Bagwell
NAYS:	Supervisors Giomi and White
ABSTENTIONS:	None
ABSENT:	None

(12:45:07) – Mayor Bagwell recessed the meeting and Supervisor Giomi left the meeting.

(12:48:16) – Mayor Bagwell reconvened the meeting.

17. PUBLIC WORKS

17.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CARSON CITY'S ROADWAY FUNDING NEEDS AND A PRELIMINARY EVALUATION OF POTENTIAL OPTIONS TO FILL THE TRANSPORTATION FUNDING GAP.

(12:48:18) – Mayor Bagwell introduced the item. Ms. Maloney provided a history of transportation in Carson City and gave examples of how transportation dollars have been stretched. She also presented the Staff Report which included a presentation titled *Carson City Roadway Needs and Funding Report* and *Transportation Funding Our Options*, all of which are incorporated into the record. Ms. Maloney and Derek Morse of Morse Associates Consulting also responded to Board questions.

(1:20:01) – Supervisor Jones recommended selecting four or five funding options to narrow the discussion. Mayor Bagwell presented her preferred options, noting she based them on using existing legislation, as follows:

- General Improvement District
- Continued vetting of the Program of Local Improvements
- Transportation Sales Tax (NRS 377A)
- NRS 377B.110 (1/8 cent conversion from V&T – transportation tax)

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(1:22:07) – Supervisor White believed “the community wants streets to be a priority.” He preferred funding streets over “things that require us to go out and do continuous maintenance.” He was also amenable to having Staff pursue the four options discussed above. Supervisor Schuette provided her top three options:

- Program of Local Improvements
- Transportation Sales Tax
- General Improvement District

She also recommended diversifying revenue sources based on different methods of transportation. Supervisors Jones and White were also in favor of having a way to tax all vehicles, not just fuel-based ones. Discussion ensued regarding meeting pavement needs versus beautification of streets that generate tax revenue and Mayor Bagwell wished to further future discussion on neighborhood street versus regional road improvements. Ms. Maloney thanked the Board for their comments and highlighted that this discussion was taking place “all over the country.” Mayor Bagwell recommended engaging the public and providing comment opportunities at night as well.

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

(1:35:11) – Mayor Bagwell introduced the item. Supervisor Schuette informed the Board that she had toured the City’s detention facility and praised several individuals in the Carson City Sheriff’s Office for meeting all the inmate needs including mental health. Supervisor White congratulated local Olympian Krysta Palmer for her bronze medal in diving. He also recommended having public comment on each agenda item moving forward. Supervisor Schuette applauded the Board for the different perspective brought by each member and for the honest and open dialogue.

19. PUBLIC COMMENT

(1:39:03) – Mayor Bagwell entertained final public comments; however, none were forthcoming.

(1:39:20) – Ms. Aaker thanked Supervisor White for mentioning the Village at Sage Street program and suggested taking the virtual tour which includes their two additional locations in Sacramento, California.

20. FOR POSSIBLE ACTION: TO ADJOURN

(1:40:15) – Mayor Bagwell adjourned the meeting at 1:40 p.m.

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The Minutes of the August 5, 2021 Carson City Board of Supervisors meeting are so approved on this 2nd day of September, 2021.

LORI BAGWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk – Recorder