

# CARSON CITY BOARD OF SUPERVISORS

## Minutes of the November 18, 2021 Meeting

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**DRAFT**

A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, November 18, 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  
Todd Reese, Deputy 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 are available for review at: <https://www.carson.org/minutes>.

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

(8:30:44) – Mayor Bagwell called the meeting to order at 8:30 a.m. Ms. Warren called roll and noted the presence of a quorum. Hope Crossing Community Church Pastor Nick Emery provided the invocation. At Mayor Bagwell’s request, Chief of Juvenile Services Ali Banister led the Pledge of Allegiance.

#### **5. PUBLIC COMMENT**

(8:32:35) – Mayor Bagwell entertained public comments. Ms. Rowlatt announced that Carson City had completed its proposed Supervisor Ward Map for the 2020 redistricting cycle which will be available online on the Carson City Clerk-Recorder’s website soon for public review until November 30, 2021. She also noted that those who do not have access to the online information may contact the Clerk-Recorder’s Office or schedule an appointment to review the proposed map. Ms. Rowlatt explained that the increase to the Carson City population had been minimal; therefore, the proposed changes would also be minimal, adding that one map will be brought to the Board for review. Ms. Rowlatt invited the Board to contact her for questions.

(8:34:04) – Kathleen Franco Simmons read into the record a written statement which is incorporated into the record, and noted that she was speaking on behalf of her parents, George and Diane Howard, residents of August Drive, against the proposed slaughterhouse location. The document included a recommendation by Mr. Howard to locate the proposed slaughterhouse on a City-owned property near the Carson City Landfill, and had instructions on how to proceed as a public-private venture.

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(8:37:24) – Matt Peterson distributed documentation, incorporated into the record, and explained that the U-Haul facility approved on State Street by the Planning Commission as a personal storage facility was partly a shipping and distribution facility. Mr. Peterson requested that no 18-wheel trucks be allowed, and that the building height be limited to under 30 feet.

**6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – OCTOBER 21, 2021**

(8:39:02) – Mayor Bagwell introduced the item and entertained corrections/changes to the revised minutes provided as late material, and when none were forthcoming, a motion.

**(8:39:21) – Supervisor Giomi moved to approve the revised minutes, provided as late material, of the October 21, 2021 meeting as presented. The motion was seconded by Supervisor Jones and carried 5-0-0.**

**7. SPECIAL PRESENTATIONS**

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

(8:39:46) – Mayor Bagwell introduced the item and presented Length of Service Certificates to the following Carson City employees:

20 Years:

Ronald Kennison, Deputy Sheriff  
Heather Mandel, Accounting Technician

10 Years:

Jennifer Churchward, Environmental Control Office

5 Years:

Guillermo Munoz, Assistant Project Manager  
Brittany Schreckengost, Sheriff Support Specialist  
Kolby Hicks, Criminalist

Mayor Bagwell and the Board thanked the recipients for their service and joined them for a commemorative photograph.

**7.B PROCLAMATION AND PRESENTATION OF THE EMPLOYEE-OF-THE-QUARTER AWARD TO CHARLENE FOERSCHLER, APRN.**

(8:43:27) – Mayor Bagwell introduced the item and noted that the Employee of the Quarter award was special, as it was a nomination by another employee. She also read into the record a proclamation and congratulated Charlene Foerschler, employee of the quarter. Ms. Banister who had nominated Ms. Foerschler also joined her and the Board for a commemorative photograph.

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**7.C PRESENTATION OF THE 2021 AMERICAN PUBLIC WORKS ASSOCIATION TRANSPORTATION PROJECT OF THE YEAR.**

(8:47:15) – Mayor Bagwell introduced the item. American Public Works Association (APWA) Nevada Chapter President Elect Deanna Gray introduced herself, gave background on the organization, and presented Carson City with the APWA Transportation Project of the Year Award for the South Carson Complete Streets Project. Mayor Bagwell invited the Board and staff members present from the Public Works Department to join her and Ms. Gray for a commemorative photograph.

**7.D PRESENTATION RECOGNIZING JENNIFER DIAMOND, CARSON CITY’S WASTEWATER OPERATIONS SUPERVISOR, WHO RECENTLY EARNED THE CERTIFICATION OF PROFESSIONAL OPERATOR WASTEWATER GRADE 4, BRINGING NATIONAL RECOGNITION AND PRESTIGE TO THE CARSON CITY WASTEWATER PROGRAM.**

(8:49:50) – Mayor Bagwell introduced the item. Public Works Director Darren Schulz read into the record a recognition for Jennifer Diamond who had received the Professional Operator Certification, administered by the Certification Commission for Environmental Professionals. He also noted that only three wastewater operators in the state of Nevada had obtained the Certification and that Ms. Diamond was the first to do so in Northern Nevada. Ms. Diamond noted that the certification was recognized in Canada as well. She joined Mr. Schulz, Mayor Bagwell and the Board for a commemorative photograph.

**CONSENT AGENDA**

(8:54:14) – Mayor Bagwell introduced the item. She also entertained requests to hear any items separately, and when none were forthcoming, a motion.

**(8:54:18) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 9.A, 10.A, 11.A, and 12.A as presented. Supervisor Schuette seconded the motion.**

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

**8. CITY MANAGER**

**8.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION ON RATIFYING THE APPROVAL OF BILLS AND OTHER REQUESTS FOR PAYMENTS BY THE CITY MANAGER FOR THE PERIOD OF OCTOBER 2, 2021 THROUGH NOVEMBER 5, 2021.**

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**9. FINANCE**

**9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH NOVEMBER 5, 2021, PER NRS 251.030 AND NRS 354.290.**

**10. PARKS AND RECREATION**

**10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF A SUBGRANT AWARD FROM THE NEVADA DEPARTMENT OF WILDLIFE ("NDOW") IN THE AMOUNT OF \$137,476.80, WITH A \$15,275.20 CASH MATCH REQUIRED FROM QUALITY-OF-LIFE FUNDS, RETROACTIVE TO JULY 1, 2021, FOR IMPROVEMENTS TO THE CARSON CITY RIFLE AND PISTOL RANGE AND AUTHORIZATION FOR THE DIRECTOR OF THE CARSON CITY PARKS, RECREATION AND OPEN SPACE DEPARTMENT ("DIRECTOR") TO SIGN ALL DOCUMENTS RELATED TO THE GRANT ON BEHALF OF THE CITY.**

**11. PURCHASING AND CONTRACTS**

**11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT ACCO ENGINEERED SYSTEMS, INC. ("ACCO") IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES ("NRS") CHAPTER 338, AND WHETHER TO AWARD CONTRACT NO. 21300211 FOR THE LIBRARY MULTI-ZONE HVAC UNIT REPLACEMENT PROJECT ("PROJECT") TO ACCO FOR A TOTAL AMOUNT NOT TO EXCEED \$223,845.60.**

**12. TREASURER**

**12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE TREASURER'S MONTHLY STATEMENT OF ALL MONEY ON DEPOSIT, OUTSTANDING CHECKS AND CASH ON HAND FOR OCTOBER 2021, SUBMITTED PER NEVADA REVISED STATUTE ("NRS") 354.280.**

**END OF CONSENT AGENDA**

**ORDINANCES, RESOLUTIONS, AND OTHER ITEMS**

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

No items were pulled from the Consent Agenda.

**14. PARKS AND RECREATION**

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**14.A FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION REGARDING THE NEVADA RURAL COUNTIES RSVP PROGRAM, INC.**

(8:54:42) – Mayor Bagwell introduced the item. Nevada Rural Counties RSVP Program CEO Molly Walt introduced Program Director Sandy Severance and reviewed, along with Ms. Severance, a presentation, incorporated into the record as late material. The presentation provided updates to the Board on the RSVP Program activities, the challenges they faced due to the COVID-19 pandemic, and the funding analysis. She also responded to clarifying questions by the Board, noting that most of the provided trips were medical, followed by trips to grocery stores. Supervisor Schuette thanked RSVP for “addressing behind the scene needs.” Supervisor Giomi believed that RSVP ensured “the dignity of our seniors” as they lived independently in their homes, adding that many of the volunteers were seniors themselves. The Board thanked the volunteers and Ms. Severance announced that a volunteer recognition lunch would take place on December 9, 2021 at noon, in the Casino Fandango ballroom. This item was agendized for discussion only.

**15. TREASURER**

**15.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER TO ORDER AND DIRECT THE CARSON CITY TREASURER TO SELL, AFTER GIVING NOTICE OF SALE, FOR A TOTAL AMOUNT NOT LESS THAN THE AMOUNT OF TAXES, COSTS, PENALTIES, AND INTEREST LEGALLY CHARGEABLE AGAINST THE PROPERTIES, THE FOLLOWING PROPERTIES LISTED BY ASSESSOR PARCEL NUMBER (“APN”): APNS 002-662-06; 008-222-16; 008-591-11; 008-874-15; AND 008-241-01.**

(9:22:54) – Mayor Bagwell introduced the item and entertained Board comments or questions and when none were forthcoming, a motion. She also noted the following grammatical correction to the notice:

*This notice and order of sale shall be posted ~~in~~ on our website...*

**(9:23:44) – Supervisor Giomi moved to direct the Carson City Treasurer to sell each property described on the record in accordance with NRS 361.595, with the grammatical correction noted on the record. Supervisor Jones seconded the motion.**

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

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

(9:24:11) – Mayor Bagwell recessed the Board of Supervisors meeting.

**REDEVELOPMENT AUTHORITY**

**17. CALL TO ORDER & ROLL CALL - REDEVELOPMENT AUTHORITY**

(9:24:20) – Chairperson Bagwell called the Redevelopment Authority meeting to order. Ms. Rowlett called roll and determined the presence of a quorum.

**18. PUBLIC COMMENT**

(9:24:36) – Chairperson Bagwell entertained public comments; however, none were forthcoming.

**19. COMMUNITY DEVELOPMENT**

**19.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A RECOMMENDATION TO THE BOARD OF SUPERVISORS FOR THE EXPENDITURE OF A NOT TO EXCEED AMOUNT OF \$30,000 FROM THE FISCAL YEAR (“FY”) 2022 REDEVELOPMENT REVOLVING FUND PARK SIGNS FOR A NEW SIGN AT THE MARV TEIXEIRA PAVILION LOCATED AT MILLS PARK, WITH AN OPTION OF 36-INCH OR 48-INCH LETTER SIZES, AS AN EXPENSE INCIDENTAL TO THE CARRYING OUT OF THE REDEVELOPMENT PLAN.**

(9:24:48) – Chairperson Bagwell introduced the item. Community Development Director Hope Sullivan presented the Staff Report, which is incorporated into the record, and highlighted the outcome of the Redevelopment Authority Citizens Committee (RACC) meeting of October 4, 2021, incorporated into the Staff Report. She also stated that the item had been budgeted and reviewed the 48 and 36-inch font size options. Ms. Sullivan noted that Parks Project Manager Nick Wentworth was also present to answer questions.

(9:27:14) – Mr. Wentworth informed Supervisor Jones that the smaller font lettering might cost less than the larger one. Chairperson Bagwell inquired whether lesser-costing signs were considered, and Mr. Wentworth noted that the sign matched the one at Fuji Park. Discussion ensued regarding the font size and Supervisor Giomi preferred the 48-inch letter size. Chairperson Bagwell was also in favor of the larger font size and was concerned about product availability for alternative signs. Member White expressed concern regarding the high cost of the sign which he believed could be used for “sidewalk needs.” Member Schuette was in favor of the 36-inch lettering, citing the electronic billboard in front of the Community Center, and downtown banners that had smaller letters but could be seen from the street.

(9:38:25) – Ms. Sullivan clarified that the RACC had not wished to delay the sign any longer in order not incur additional costs; therefore, they had left the decision on the font size to the Redevelopment Authority and the Board of Supervisors. She also clarified that the Planning Commission had approved the 48-inch font as part of the Special Use Permit. Chairperson Bagwell entertained a motion.

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**(9:39:25) – Vice Chair Giomi moved to recommend to the Board of Supervisors approval of the Marv Teixeira Pavilion sign with a 48-inch letter size and the allocation of up to the fully budgeted amount. Chairperson Bagwell seconded the motion.**

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| <b>RESULT:</b>      | <b>APPROVED (3-2-0)</b>                           |
| <b>MOVER:</b>       | Vice Chair Giomi                                  |
| <b>SECONDER:</b>    | Chairperson Bagwell                               |
| <b>AYES:</b>        | Member Jones, Vice Chair Giomi, and Chair Bagwell |
| <b>NAYS:</b>        | Members Schuette and White                        |
| <b>ABSTENTIONS:</b> | None  |
| <b>ABSENT:</b>      | None  |

**20. PUBLIC COMMENT**

(9:40:09) – Chairperson Bagwell entertained final public comments; however, none were forthcoming.

**21. FOR POSSIBLE ACTION: TO ADJOURN AS THE REDEVELOPMENT AUTHORITY**

(9:40:20) – Chairperson Bagwell adjourned the Redevelopment Authority meeting.

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

(9:40:26) – Mayor Bagwell reconvened the Board of Supervisors meeting. A quorum was still present.

**23. COMMUNITY DEVELOPMENT**

**23.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION AUTHORIZING THE EXPENDITURE OF A NOT TO EXCEED AMOUNT OF \$30,000 FROM THE FISCAL YEAR (“FY”) 2022 REDEVELOPMENT REVOLVING FUND PARK SIGNS FOR A NEW SIGN AT THE MARV TEIXEIRA PAVILION LOCATED AT MILLS PARK, AS AN EXPENSE INCIDENTAL TO THE CARRYING OUT OF THE REDEVELOPMENT PLAN.**

*PURSUANT TO NRS 279.628, THIS RESOLUTION MUST BE ADOPTED BY A TWO-THIRDS VOTE OF THE BOARD OF SUPERVISORS.*

(9:40:41) – Mayor Bagwell introduced the item and referenced the discussion during item 19.A, noting that all the items on the record from that discussion applied to this item as well. She entertained additional discussion and when none were forthcoming, a motion.

**(9:40:52) – Supervisor Giomi moved to adopt Resolution Number 2021-R-36. The motion was seconded by Mayor Bagwell.**

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| <b>RESULT:</b>      | <b>FAILED (3-2-0)</b> – <i>this motion required 4 aye votes to pass.</i> |
| <b>MOVER:</b>       | Supervisor Giomi   |
| <b>SECONDER:</b>    | Mayor Bagwell  |
| <b>AYES:</b>        | Supervisors Giomi, Jones, and Mayor Bagwell                              |
| <b>NAYS:</b>        | Supervisors Schuette and White   |
| <b>ABSTENTIONS:</b> | None   |
| <b>ABSENT:</b>      | None   |

(9:41:19) – Mayor Bagwell inquired whether Supervisor Schuette and Supervisor White were opposed to the sign or to the font size. Supervisor Schuette clarified that she was in favor of the sign; however, she was “struggling with living with a sign that is out of proportion with the building.” She believed that the smaller lettering would be more appropriate and more balanced. Ms. Sullivan recommended referring the item back to the RACC. Supervisor Giomi believed that the 36-inch sign was disproportional to the building. Supervisor Schuette offered “to change my vote to yes but with prejudice.” Mayor Bagwell thanked Supervisor Schuette and entertained a motion.

**(9:46:24) – Supervisor Giomi moved to adopt Resolution Number 2021-R-36. Mayor Bagwell seconded the motion.**

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

(9:46:41) – Mayor Bagwell thanked Supervisors Schuette and White, noting that the record would reflect their concerns.

**23.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A TWO-YEAR EXTENSION OF TIME FOR PHASE II OF THE FINAL SUBDIVISION MAP KNOWN AS SIERRA SKYWAYS, INC. ON PROPERTY ZONED PUBLIC REGIONAL (“PR”), LOCATED AT 2600 E. COLLEGE PARKWAY, APN 005-091-30.**

(9:27:23) – Mayor Bagwell introduced the item and entertained questions or comments for Staff or the applicant. None were forthcoming; therefore, she entertained a motion.

**(9:47:51) – Supervisor Jones moved to approve the extension of time. The motion was seconded by Supervisor Schuette.**



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

**24. FINANCE**

**24.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPROPRIATION OF \$209,586 IN GRANT FUNDS FROM THE \$1.3 MILLION APPROVED ON AUGUST 5, 2021 BY THE CARSON CITY BOARD OF SUPERVISORS FOR NON-PROFIT AND GOVERNMENTAL ENTITIES IN CARSON CITY'S PLAN OF EXPENDITURE FOR THE AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") GRANT FUNDS.**

(9:48:19) – Mayor Bagwell introduced the item and entertained disclosures. Supervisor Giomi read into the record a prepared disclosure statement, advised of a disqualifying conflict of interest and stated that he would not participate in discussion and action. Supervisor Schuette also read into the record a prepared disclosure statement, advised of no disqualifying conflict of interest and stated that she would participate in discussion and action.

(9:50:26) – Grants Administrator Mirjana Gavric reviewed the Staff Report, incorporated into the record, and recommended appropriation of grants to five of the 13 total applicants as follows:

- 1) Boys & Girls Club of Western Nevada (Score 87%) - \$48,298;
- 2) Advocates to End Domestic Violence (Score 86%) - \$96,000;
- 3) Nevada Humane Society (Score 84%) - \$7,200;
- 4) Nevada Rural Counties RSVP (Score 79%) - \$35,288;
- 5) St. Vincent de Paul Society (Score 76%) - \$22,800.

(9:52:04) – Supervisor White noted that the nonprofit organizations in the community provided a valuable service to the community; however, he could not support this agenda item and would not participate in programs that furthered Critical Race Theory. He also recommended returning the funds to the federal government.

(9:52:55) – Supervisor Jones was informed by Ms. Gavric that the Nights Off the Streets (N.O.T.S) program has applied for funding through Partnership Carson City. Mayor Bagwell clarified that all housing activity would go through the Housing Taskforce and advised the N.O.T.S. team to do so as well. Carson City Chief Financial Officer Sheri Russell reminded the Board that this funding differed from the Coronavirus Aid, Relief, and Economic Security (CARES) Act and had to adhere to strict federal standards for spending and sub-recipient monitoring. She also encouraged the “many worthwhile applicants” that had not been recommended for funding by the Application Review Work Group at this time to contact the Grants Administrator to see why they had not received funding, and to reapply for grants. Ms. Russell clarified that this funding was round one of the \$1.3

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million total grant fund. Ms. Gavric explained that in the future, non-profits could be invited to present to the Workgroup.

(9:59:28) – Supervisor Jones believed that the N.O.T.S program was “a very viable program” and believed that the City was “making it difficult for them.” Mayor Bagwell clarified that N.O.T.S. had been informed that they should work through the Housing Taskforce to ensure they work through the City’s processes. Supervisor Schuette believed that the sub-recipient monitoring had removed many organizations from being considered, and encouraged reaching out to them to reapply.

**(10:04:52) – Supervisor Schuette moved to approve the appropriation as recommended. The motion was seconded by Supervisor Jones.**

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| <b>RESULT:</b>      | <b>APPROVED (3-1-1)</b>                        |
| <b>MOVER:</b>       | Supervisor Schuette                            |
| <b>SECONDER:</b>    | Supervisor Jones                               |
| <b>AYES:</b>        | Supervisors Jones, Schuette, and Mayor Bagwell |
| <b>NAYS:</b>        | Supervisor White                               |
| <b>ABSTENTIONS:</b> | Supervisor Giomi                               |
| <b>ABSENT:</b>      | None   |

**25. PUBLIC WORKS**

**25.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR CARSON CITY STAFF TO PERFORM DUE DILIGENCE FOR THE CONVEYANCE, WITHOUT CONSIDERATION, OF APPROXIMATELY 2.91 ACRES OF UNDEVELOPED LAND AT THE WESTERN END OF ASSESSOR’S PARCEL NUMBER ("APN") 010-037-04 (“PROPERTY”), MORE COMMONLY KNOWN AS 3410 BUTTI WAY, WHICH IS OWNED BY CARSON CITY, TO OIKOS DEVELOPMENT CORPORATION ("OIKOS"), A NONPROFIT ORGANIZATION, UNDER NRS 244.287 FOR THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT.**

(10:05:28) – Mayor Bagwell introduced the item. Deputy Public Works Director Dan Stucky gave background and reviewed the Staff Report which is incorporated into the record. He also outlined the next step upon receiving the Board’s approval of the Development Agreement, stating that Carson City would convey the Property to Oikos Development Corporation without consideration. He also recommended utilizing Nevada Revised Statute (NRS) 244.287 to formalize the conveyance of the Property to coincide with second reading of the Development Agreement. Mr. Stucky acknowledged the presence of the development team in the Boardroom and responded to clarifying questions. Mayor Bagwell entertained Board comments. Supervisor White objected to “giving away \$750,000 worth of taxpayer property.” Mayor Bagwell entertained a motion.

**(10:09:17) – Supervisor Giomi moved to authorize staff to perform the due diligence required to transfer the Property under NRS 244.287. The motion was seconded by Supervisor Schuette.**

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

(10:09:37) – Mayor Bagwell stated “on the surface of giving away property, I actually agree with Supervisor White. The issue for me on this project, and the reason I’m willing to support it [is] to get to affordable housing. The reality is, it still costs the same to build as any market [value] house.” She believed that the project would benefit the community by providing affordable housing with below market rent.

**25.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, A PROPOSED ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND PALASEEK LLP, OIKOS DEVELOPMENT CORPORATION, AND SIERRA FLATS SENIOR LP CONCERNING THE CONVEYANCE OF APPROXIMATELY 2.91 ACRES OF CITY-OWNED LAND AND THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT ON THAT LAND, LOCATED WITHIN ASSESSOR’S PARCEL NUMBER (“APN”) 010-037-04 (“PROPERTY”).**

(10:11:52) – Mayor Bagwell introduced the item. Mr. Stucky provided background, incorporated into the Staff Report, and highlighted the revised Development Agreement, also incorporated into the record, which encompassed the Board’s comments during the last Board meeting. He also responded to Board questions.

(10:14:07) – Mayor Bagwell requested labeling all the exhibits correctly. Oikos Development Corporation representative Michael Snodgrass introduced himself and requested adding to the Development Agreement language to assist them in obtaining additional financing, possibly in 20 years, for maintenance purposes. Deputy District Attorney Adam Tully recommended working with the developer on an amendment similar to the following:

*The Development Agreement only governs the actual building of the project. Once the project is built out, the additional requirements [such as 51-year affordability and annual reporting terms] will be accomplished solely through the restrictive covenant that will be recorded.*

(10:18:32) – Mr. Tully also responded to clarifying questions. He confirmed for Mayor Bagwell that the approval of the first reading of the Bill could include that the Board will grant the District Attorney’s Office authority to make the necessary conforming changes as requested by the developer. Mr. Snodgrass clarified for Supervisor Giomi that they had requested the added language to ensure they could maintain the property indefinitely and without appearing before a new Board years later. Supervisor Schuette stated her support of the proposed amendment, noting the importance of repairs and maintenance to the property. Mr. Tully also confirmed for Mayor Bagwell that if the Board is uncomfortable with the conforming changes at the second reading of the Bill, it may be returned for another first reading. Mayor Bagwell entertained a motion.

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(10:26:24) – Supervisor Giomi moved to introduce on first reading, Bill No 115, with the caveat that the exhibits are labeled correctly and that other conforming changes are made per the discussion on the record today. The motion was seconded by Supervisor Schuette.

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

(10:27:14) – Mayor Bagwell thanked the development team and Staff, wishing them success. She also announced that a closed session will not take place on this day; however, she wished to proceed to item 27 on the agenda.

(10:34:20) – Mayor Bagwell recessed the meeting after item 27.

(1:30:29) – Mayor Bagwell reconvened the meeting. A quorum was still present.

**TIME SPECIFIC: 1:30 P.M.**

**26. COMMUNITY DEVELOPMENT**

**26.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING TWO APPEALS OF THE GROWTH MANAGEMENT COMMISSION’S DECISION TO ALLOW FOR A DAILY WATER USAGE OF 29,500 GALLONS PER DAY FOR A PROPOSED DRIVE-THROUGH CARWASH ON PROPERTY ZONED RETAIL COMMERCIAL, LOCATED AT 3390 SOUTH CARSON STREET, APN 009-111-28.**

(1:30:32) – Mayor Bagwell introduced the item. Deputy District Attorney Todd Reese provided highlights from his memorandum to the Board, incorporated into the record as late material. He gave background and explained that the first appeal was by the applicant who “had appealed primarily to preserve [their] rights,” adding that they were entitled to speak to the Board as an appellant. Mr. Reese explained that the second appellant was Raceway Carwash Company, located 200 yards away from the subject property, that has alleged that they had suffered water pressure issues and that the increased use of water at the proposed carwash location would potentially cause it to suffer additional low water pressure issues. He also stated that Raceway Carwash has standing to appeal; however, the decision would be the Board’s. Mr. Reese clarified that he had spoken to attorney Jim Cavilia, counsel to Raceway Carwash, who disagreed with the Standard of Review outlined in the previously mentioned memorandum to the Board by Mr. Reese regarding the appeal.

(1:33:27) – Mr. Reese clarified that Standard of Review for the appeal, described in the memorandum, was whether the Growth Management Commission abused its discretion at the time of making their decision.

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However, according to Mr. Reese, Mr. Cavilia wished that the item be reviewed de novo, or “anew,” which would require a new decision by the Board. Mr. Reese also responded to Board questions.

(1:40:00) – Ms. Sullivan introduced the subject property and reviewed the Staff Report, incorporated into the record, including the application timeline. She also highlighted a comment from Growth Management Vice Chair Jay Wiggins who had opined that the lot was large enough to be subdivided into two, and each could use below 15,000 gallons of water per day and not require the approval of the Growth Management Commission. Ms. Sullivan invited Development Engineering Project Manager Stephen Pottéy to address the water pressure issues described by Raceway Carwash.

(1:47:02) – Mr. Pottéy explained that Staff had reviewed the City’s water and sewer systems, including anticipated future developments, and had concluded that there were sufficient water resources and sufficient capacity in the City’s water system. He clarified that the water distribution system (pipes delivering the water) was the potential limiting factor, hence, the specific conditions of delivered gallons of water per minute, adding that the project could potentially access two different water mains as outlined in Condition of Approval No. 2. Mr. Pottéy addressed the loss of water pressure claim by Raceway Carwash, stating that the Public Works Department had installed a pressure gauge on a nearby hydrant which “had shown an acceptable model” and had not experienced a pressure drop to 10 pounds per square inch (PSI). He also responded to clarifying questions.

(1:52:30) – Metro Carwash representative and attorney Michael Cabrera provided background on the Growth Management’s hearing timeline and decision. He also reviewed his firm’s email to the Board, which is incorporated into the record, noting that his client agreed with the Growth Management Commission’s decision; however, they had filed their appeal “to protect our rights.” Mr. Cabrera was in agreement with Mr. Reese that the Standard of Review was whether there had been abuse of discretion by the Growth Management Commission. He provided parcel information, and stated that the parcel could very well support 10 businesses, each with the capability of utilizing 15,000 gallons of water per day. He also reviewed a PowerPoint presentation (<https://www.carson.org/home/showpublisheddocument/77053/637655689892530000>) which included the Metro Carwash history, business model, and corporate information and believed that the community would be better served by a local business owner. Mr. Cabrera responded to clarifying Board questions as well. Metro Carwash founder Ernie Ionno explained to Supervisor Schuette that a “state of the art” carwash would use 35 gallons of fresh water and 35 gallons of reclaimed water per vehicle and would use the most up to date control equipment and technology. City Engineer Randy Rice and Ms. Sullivan also reviewed the annual review by the Growth Management Commission and the Compliance Process.

(2:26:15) – Jim Cavilia, attorney at the Law Offices of Allison MacKenzie (whose letters are incorporated into the record) and the appellant representative, stated that “regardless of the Standard of Review, I don’t have any doubt about your authority and your ability to reverse the decision of the Growth Management Commission.” Mr. Cavilia explained that the “extra allocation” to Metro Carwash would deprive another business from water allocation. He encouraged healthy competition; however, he expressed concern that the new carwash would use more water than an existing carwash and requested that the Growth Management Commission’s decision be reversed. Mr. Cavilia informed Mayor Bagwell that he did not believe a business should be allowed twice as much water, should they have a different business model, and car washing tunnels. Ms. Sullivan clarified for Supervisor White that the 15,000-gallon maximum average daily use, established a threshold for review by the Growth Management Commission. Supervisor White was also concerned that Mr. Cavilia had provided the same

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information he had submitted to the Growth Management Commission, but not any information on how it had erred. Mr. Cavilia clarified that he disagreed with the Standard of Review presented by Mr. Reese. Supervisor Giomi believed that the water allocation and modeling were based on the Master Plan and noted that the 1.5-acre parcel had the potential of using 150,000 gallons of water should the parcel be built out. He did not believe that the Growth Management Commission erred in their decision and that it was an acceptable use. Mayor Bagwell recommended a motion to determine legal standing (whether or not both appellants had standing to bring forth an appeal) first.

**(2:45:28) – Supervisor Giomi moved to recognize that both appellants have standing to appeal [the Growth Management Commission’s] decision to the Board of Supervisors. The motion was seconded by Supervisor Schuette.**

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

(2:46:20) – Mayor Bagwell stated for the record that Metro Carwash had “met the required rules to apply [for the water use], per Carson City Municipal Code (CCMC) 18.12.070” based on the size of the parcel which would satisfy Mr. Cavilia’s request for a de novo review. She also believed that the Growth Management Commission had not erred, which would satisfy Mr. Reese’s Standard of Review. Supervisor Schuette believed that the decision was very difficult and encouraged being “respectful of our water” and conserving more water, adding that it was important for the public to be aware of the high water usage when washing their vehicles at home. Supervisor Jones preferred an allocation of 15,000 gallons of water per day to Metro Carwash for the time being, and to increase it as needed.

(2:50:10) – Mayor Bagwell entertained a second motion and advised that the mover account for both appeals.

**(2:50:48) – Supervisor Giomi moved to uphold the Growth Management Commission’s decision, and to further clarify that it will be in support of the Metro Carwash Appeal and in denial of the Raceway Carwash appeal. The motion was seconded by Supervisor White.**

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

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(5:52:03) – Mayor Bagwell thanked both appellants for their professionalism. Supervisor Schuette invited community members and all businesses such as carwashes to share their best practices in terms of water use and conservation.

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

This item did not take place.

**27. 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**

(10:27:50) – Mayor Bagwell introduced the item. Ms. Hicks announced the launch of the Polar Express by the V&T Railway Commission and informed the Board that it was already sold out. Supervisor Giomi updated the Board on the Carson Water Subconservancy District (CWSD) meeting on November 17, 2021, during which a proposed interim plan by the Environmental Protection Agency (EPA) for the Carson River Mercury Superfund Site was discussed. He explained that CWSD may provide a comment template to receive comments from the governing bodies of the Watershed, clarifying that the boundaries of the Superfund Site would be exempt from obtaining Federal Emergency Management Agency (FEMA) post-disaster mitigation funds. Supervisor Giomi clarified that the comments to the EPA could be discussed during a February 2022 Board Meeting. Mayor Bagwell requested that Ms. Paulson agendaize the item for that time period.

(10:30:38) – Mayor Bagwell thanked the Nevada Rural Counties Retired & Senior Volunteer Program (RSVP) for hosting the Veterans’ Day breakfast and Supervisor Jones for his assistance in cooking breakfast. She also reported on a Veterans’ Day dinner at the Elks Lodge, which she attended as a representative of the Board, and called seeing the veterans serving the community “humbling and rewarding.” Ms. Paulson referenced a press release in *Carson Now* from Senator Catherine Cortez Masto’s office which reported that Carson City had been awarded \$9.3 million in the form of the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant from the US Department of Transportation.

(10:34:20) – Mayor Bagwell recessed the meeting until the 1:30 p.m. time specific agenda item.

**28. PUBLIC COMMENT**

(10:34:20) – Mayor Bagwell entertained final public comments; however, none were forthcoming.

**29. ADJOURN AS THE BOARD OF SUPERVISORS**

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(2:55:38) – Mayor Bagwell adjourned the meeting at 2:55 p.m.

The Minutes of the November 18, 2021 Carson City Board of Supervisors meeting are so approved on this 16<sup>th</sup> day of December, 2021.

\_\_\_\_\_  
LORI BAGWELL, Mayor

ATTEST:

\_\_\_\_\_  
AUBREY ROWLATT, Clerk – Recorder

Attachments: written public comments