

CARSON CITY BOARD OF SUPERVISORS

Minutes of the June 2, 2022 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, June 2, 2022, in the Community Center Robert “Bob” Crowell Boardroom, 851 East William Street, Carson City, Nevada.

PRESENT:

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

STAFF:

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

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

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

(8:33:26) – Mayor Bagwell called the meeting to order at 8:33 a.m. Ms. Warren called roll and noted the presence of a quorum. Nick Emery, Pastor, Hope Crossing Community Church provided the invocation. Court Administrator Max Cortes led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:35:00) – Mayor Bagwell entertained public comments. Carson City Sheriff Ken Furlong explained that he had requested agendizing a school safety discussion at the next Board of Supervisors/Carson City School District joint meeting in response to many inquiries received regarding school safety in Carson City.

(8:36:26) – Deni French introduced himself and referenced a Nevada Appeal column regarding pollination and the bee population in Carson City. He also addressed agenda item 14.A and believed that the property should be available for bidding instead of abandonment or to be used as a habitat for insects.

(8:39:01) – Mayor Bagwell announced that items 10.B and 11.C would be pulled from the agenda altogether. She also noted that item 14 would precede item 13.

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – MAY 5, 2022.

(8:39:40) – Mayor Bagwell introduced the item and entertained comments or corrections and when none were forthcoming a motion.

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(8:39:53) – Supervisor Giomi moved to approve the minutes of the May 5, 2022 Board of Supervisors meeting provided as late material. The motion was seconded by Supervisor Jones and carried 5-0-0.

7. SPECIAL PRESENTATIONS

7.A PRESENTATION OF A PROCLAMATION RECOGNIZING JUNE 2, 2022, AS FRED ROPER DAY.

(8:41:08) – Mayor Bagwell read into the record a proclamation, incorporated into the record, recognizing June 2, 2022, as Fred Roper Day. The Board joined Mr. Roper and his family for a commemorative photograph.

7.B PRESENTATION OF A PROCLAMATION RECOGNIZING JUNE 15, 2022, AS "WORLD ELDER ABUSE AWARENESS DAY."

(8:46:57) – Mayor Bagwell read into the record a proclamation, incorporated into the record, recognizing June 15, 2022, as World Elder Abuse Awareness Day. Molly Walt, Chief Executive Officer of the Nevada Rural Counties RSVP Program, Inc., thanked the Board and the community for their support. She also reminded everyone “not to forget our elders” and encouraged volunteers to join the “Good Neighbor Program.”

7.C PRESENTATION OF A PROCLAMATION RECOGNIZING JUNE 2022 AS NATIONAL POLLINATOR MONTH.

(8:51:00) – Mayor Bagwell read into the record a proclamation, incorporated into the record, recognizing June 2022 as National Pollinator Month. Bee City USA’s Committee Chairperson Kelly Clark thanked Mayor Bagwell and the Supervisors for their support and invited the community to participate in the upcoming pollinator events. Mayor Bagwell invited the Board to join Ms. Clark, Carson City Open Space Manager Lyndsey Boyer, and other team members for a commemorative photograph.

8. CITY MANAGER

8.A FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION REGARDING THE NEVADA ASSOCIATION OF COUNTIES ("NACO") PLAN FOR THE 82ND (2023) SESSION OF THE NEVADA LEGISLATURE.

(8:57:08) – Mayor Bagwell introduced the item. The Nevada Association of Counties (NACO) Executive Director Vinson Guthreau provided background and reviewed a PowerPoint presentation, incorporated into the record, which provided an overview of NACO and its upcoming events. He also introduced NACO’s Government Affairs Manager, Jennifer Berthiaume, who provided a preliminary outlook on the upcoming 2023 legislative session. Mayor Bagwell thanked the presenters. This item was not agendized for action.

CONSENT AGENDA

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(9:21:00) – Mayor Bagwell introduced the item and inquired whether the Board wished to pull items from the Consent Agenda. When none were forthcoming, she entertained a motion, reminding the Board that items 10.B and 11.C would be pulled from consideration.

(9:21:16) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 9.A, 10.A, 10.C, 10.D, 11.A, 11.B, 11.D, 11.E, and 11.F as published. 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. 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 MAY 20, 2022, PER NRS 251.030 AND NRS 354.290.

10. HEALTH AND HUMAN SERVICES

10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE CREATION OF A FULL-TIME GRANT-FUNDED BILINGUAL PUBLIC HEALTH NURSE (“PHN”) POSITION IN THE CARSON CITY DEPARTMENT OF HEALTH AND HUMAN SERVICES (“CCHHS”), WHICH WILL PROVIDE SERVICES TO THE CCHHS DIVISIONS OF CLINICAL SERVICES AND EPIDEMIOLOGY.

10.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF A GRANT FROM THE STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH, FOR THE AMOUNT OF \$103,499 REIMBURSED IN FISCAL YEAR (“FY”) 2023, EFFECTIVE JULY 1, 2022, THROUGH JUNE 30, 2023.

This item was pulled from consideration

10.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ACCEPTANCE OF A GRANT FROM THE STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH, IN THE AMOUNT OF \$70,148 REIMBURSED IN FISCAL YEAR (“FY”) 2022 AND FY 2023, EFFECTIVE APRIL 29, 2022, THROUGH APRIL 28, 2023.

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10.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING (1) A PROPOSED RATIFICATION OF THE ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH, IN THE AMOUNT OF \$276,098, REIMBURSED IN TWO EQUAL AMOUNTS OF \$138,049 IN FISCAL YEAR (“FY”) 2022 AND FY 2023, EFFECTIVE JULY 1, 2021, THROUGH JUNE 30, 2023, AND (2) AMENDMENT NO. 1 TO THE GRANT AWARD, INCREASING THE TOTAL AMOUNT OF THE GRANT TO \$337,521, REIMBURSED IN THE AMOUNT OF \$171,752 IN FY 2022 AND \$165,769 IN FY 2023.

11. PURCHASING AND CONTRACTS

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$45,000 INCREASE IN ANNUAL PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED PURCHASE AUTHORITY IN THE AMOUNT OF \$227,600, TO PURCHASE FOOD FOR CARSON CITY JAIL INMATES FROM VENDORS INCLUDING, BUT NOT LIMITED TO, BAKEMARK, NATIONAL FOOD GROUP, NICHOLAS AND COMPANY AND FRANCO AMERICAN BAKING COMPANY, RESULTING IN A NEW, ANNUAL NOT TO EXCEED AMOUNT OF \$272,600 THROUGH JUNE 30, 2022.

11.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING (1) A PROPOSED \$71,500 INCREASE IN PURCHASE AUTHORITY FOR THE AGREEMENT BETWEEN WASHOE COUNTY AND CARSON CITY FOR THE WASHOE COUNTY REGIONAL MEDICAL EXAMINER’S OFFICE (“WCRMEO”) TO PROVIDE FORENSIC PATHOLOGY SERVICES TO THE CARSON CITY SHERIFF’S OFFICE AND CORONER (“CCSO”), INCREASING THE ANNUAL NOT TO EXCEED AMOUNT FOR FISCAL YEAR (“FY”) 2022 FROM \$148,500 TO \$220,000, AND (2) A PROPOSED \$45,000 INCREASE IN PURCHASE AUTHORITY FOR FY 2023 FROM \$148,500 TO \$193,500, INCREASING THE AGGREGATE NOT TO EXCEED AMOUNT TO \$607,000.

11.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$2,360 INCREASE IN PURCHASE AUTHORITY TO PAC MACHINE CO., INC. (“PAC”), BEYOND THE PREVIOUSLY APPROVED \$67,485 FOR THE SOUTH LIFT PUMP STATION REPLACEMENT PUMP, TO COVER ADDITIONAL FREIGHT COSTS, RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$69,845.

This item was pulled from consideration.

11.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT SIERRA NEVADA CONSTRUCTION, INC. (“SNC”) IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES (“NRS”) CHAPTER 338 AND WHETHER TO AWARD CONTRACT NO. 21300315, WITH UP TO THREE ADDITIVE ALTERNATIVES, TO SNC FOR PAVEMENT PRESERVATION AT SEVERAL CARSON CITY PARKING LOTS (“PROJECT”) FOR A TOTAL AMOUNT NOT TO EXCEED \$272,807.70.

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11.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT A&K EARTH MOVERS, INC. ("A&K") IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES ("NRS") CHAPTER 338 AND WHETHER TO AWARD CONTRACT NO. 21300314 FOR THE MULTIPURPOSE ATHLETIC CENTER ("MAC") WEST PARKING LOT PROJECT ("PROJECT") TO A&K FOR A TOTAL AMOUNT NOT TO EXCEED \$492,800.

11.F FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT NO. 21300331 WITH COURTSMART DIGITAL SYSTEM ("CDS") AS THE SOLE SOURCE VENDOR TO UPGRADE THE EXISTING AUDIO/VIDEO SYSTEM FOR THE FIRST JUDICIAL DISTRICT COURT, JUVENILE COURT AND THE CARSON CITY JUSTICE/MUNICIPAL COURT FOR A NOT TO EXCEED AMOUNT OF \$162,359 TO BE FUNDED FROM THE COURTS RESTRICTED FUNDS.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

No items were pulled from consideration.

13. PURCHASING AND CONTRACTS

13.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONFLICT COUNSEL ATTORNEY SERVICES CONTRACT NO. 20300005-C FOR THE PROVISION OF CONFLICT COUNSEL SERVICES IN THE FIRST JUDICIAL DISTRICT COURT AND THE CARSON CITY JUSTICE/MUNICIPAL COURT FROM JUNE 2, 2022 THROUGH JUNE 30, 2022 IN THE AMOUNT OF \$12,500 AND \$14,583.34 PER MONTH THEREAFTER FOR FISCAL YEAR ("FY") 2023, FOR A TOTAL AMOUNT OF \$187,500.08, TO BE AWARDED TO ONE OF THE FOLLOWING ATTORNEYS: DANIEL J. SPENCE, ANDREW COATES, CHRISTOPHER DAY, RICHARD MOLEZZO, MARIA PENCE OR PAUL YOHEY.

(9:22:03) – Mayor Bagwell introduced the item. Ms. Paulson gave background, incorporated into the Staff Report, and explained that one of the conflict counsel services attorneys, John Malone, had resigned effective May 20, 2022. She also reminded the Board that they must select a replacement conflict counsel, per the Indigent Defense Representation Plan, adding that recruitment efforts were pursued in the Nevada Appeal, the Washoe County Bar Association, and the First Judicial District Bar Association. Ms. Paulson noted that letters of interest and resumes were received from Daniel J. Spence, Andrew Coates, Christopher Day, Richard Molezzo, Maria Pence, and Paul Yohey, adding that the judges of the First Judicial District and the Carson City Justice/Municipal Court had recommended Mr. Spence as their candidate of choice. She also stated that Mr. Spence, who was present in the audience, was being recommended by Staff for his previous experience as conflict counsel for the City from 2019-2021 and had an office in Carson City. Ms. Paulson noted that she had received confirmation

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from former conflict counsel and attorney Kay Ellen Armstrong that she would assist Mr. Spence to fulfil the new Department of Indigent Defense Standards requirements until Mr. Spence had handled a significant portion of three felony jury trials to completion. Mayor Bagwell received confirmation that Mr. Spence was the only candidate present in person or via WebEx, although all applicants had been invited to attend. Mayor Bagwell invited Mr. Spence to the speakers' table.

(9:27:15) – Mr. Spence responded to questions by the Board. He provided information on his law practice and informed Mayor Bagwell that criminal law was of great interest to him, and he wished to help the community. He also believed that his background in family law allowed him to serve his clients better. He also confirmed that the mentorship received from Ms. Armstrong would not be at Carson City's expense. Deputy District Attorney Todd Reese clarified for Supervisor Giomi that under the Department of Indigent Defense Services (DIDS) regulations, Mr. Spence must meet its criteria to be assigned a case, whether it would go to trial or not. Supervisor Jones expressed his displeasure regarding a letter received from DIDS and thanked Mr. Spence for attending the meeting. Mayor Bagwell noted that no other candidates were present and entertained public comments.

(9:35:17) – Mr. French inquired about the weight of input (i.e. the letter from DIDS) to the Board and Mayor Bagwell clarified that the Board reads and considers every submission. She also entertained a motion.

(9:36:43) – Supervisor Giomi moved to award the contract as presented to Daniel J. Spence. 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

14. COMMUNITY DEVELOPMENT - PLANNING

14.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR THE ABANDONMENT OF A PUBLIC RIGHT-OF-WAY (BALSAM STREET) TOTALING APPROXIMATELY 60 FEET, ABUTTING THE PROPERTIES LOCATED AT 5179 SILVER SAGE DRIVE (APN 009-232-03), 5229 SILVER SAGE DRIVE (APN 009-233-01) AND 5290 CENTER DRIVE (APN 009-233-02).

(9:21:45) – Mayor Bagwell introduced the item and entertained Board comments or questions; however, none were forthcoming. She also addressed the earlier public comment on the item by Mr. French, noting that because the property was given to the City, it could not be sold “and the rules require it to be absorbed by whence it came.” Mayor Bagwell entertained a motion.

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(9:22:45) – Supervisor Jones moved to approve the Order of Abandonment. The motion was seconded by Supervisor Schuette.

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

15. BOARD OF SUPERVISORS

NON-ACTION ITEMS:

FUTURE AGENDA ITEMS

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD

STAFF COMMENTS AND STATUS REPORT

(9:37:12) – Mayor Bagwell entertained Board reports. Ms. Paulson announced that according to the Porter Group, Senators Jacky Rosen and Catherine Cortez Masto had included several projects, requested by the Board, in the 2023 appropriations bills.

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL

(9:38:47) – Mayor Bagwell announced that this discussion would take place after adjournment.

16. PUBLIC COMMENT

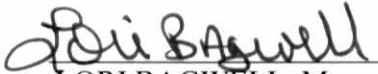
(9:38:57) – Mayor Bagwell entertained final public comments; however, none were forthcoming.

17. FOR POSSIBLE ACTION: TO ADJOURN

(9:39:07) – Mayor Bagwell adjourned the meeting at 9:39 a.m.

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The Minutes of June 2, 2022 Carson City Board of Supervisors meeting are so approved on this 7th day of July, 2022.


LORI BAGWELL, Mayor

ATTEST:


AUBREY ROWLATT, Clerk-Recorder

Attachments: written public comments



**STATE OF NEVADA
DEPARTMENT OF INDIGENT DEFENSE SERVICES**

896 West Nye Lane, Suite 202 | Carson City, NV 89703-1578
Phone: (775) 687-8490 | dids.nv.gov

May 31, 2022

Carson City Board of Supervisors
201 N. Carson Street, Suite 2
Carson City, NV 89701

RE: Conflict Counsel Contract #20300005-B

Dear Carson City Board of Supervisors,

The purpose of this letter is to provide public comment on Item 13, Conflict Counsel Contract #20300005-B.

Carson City's Indigent Defense Services Plan outlines the process for hiring contract indigent defense counsel. The Plan provides:

At a regularly scheduled public meeting, the Carson City Board of Supervisors may enter into a contract for conflict counsel services with none or any or all of the attorneys submitting letters of interest.

The judges of the Courts, DIDS, or any other interested person or entity may submit public comment regarding the selection of conflict counsel.

When selecting conflict counsel, Carson City will consider:

1. the experience and qualifications of an applicant;
2. applicant's past representation of indigent persons;
3. applicant's ability to comply with DIDS regulations;
4. the cost of applicant's proposed services;
5. whether the applicant resides in or has an office in Carson City; and
6. any other criteria that bears upon a conflict counsel contract.

Judicial input should not be the sole basis for the selection of conflict counsel.

Contracted conflict counsel must be a DIDS qualified attorney.

Conflict counsel contracts must comply with all applicable DIDS requirements.

Carson City's Indigent Defense Plan, page 9.

Judicial Input

The District Court and Justice Court judges have made a recommendation for the contract; however, as provided in the Plan, judicial input **should not** be the sole basis for the selection of conflict counsel.

DIDS Qualified Attorney

All applicants have submitted applications to the Department. Their qualification level is discussed below.

Experience and Qualifications of the Applicant

To ensure that the ability, training and experience of an attorney in a criminal matter matches the complexity of a case, attorneys are required to submit an application to the Department of Indigent Defense Services (hereinafter “Department”) to demonstrate compliance with the standards and regulations of the Board on Indigent Defense Services pertaining to training, education and qualifications.

The Board on Indigent Defense Services has adopted regulations which required experience levels to qualify for:

- Misdemeanor;
- Gross Misdemeanor and Category E, D, C, and B (for which the maximum penalty is less than 10 years) felonies;
- Category B (for which the maximum penalty is 10 years or more) and non-capital Category A felonies;
- Direct Appeals – Non-Capital; and
- Juvenile case representation.

See NAC 180, sections 27-36.

Christopher Day, Richard Molezzo, Maria Pence and Paul Yohey have demonstrated the required experience levels to independently handle all the above categories of cases.

Andrew Coates and Daniel Spence do not have sufficient experience levels to handle Category B (for which the maximum penalty is 10 years or more) and non-capital Category A felonies (hereinafter “Category B+/A”).

The required experience to handle Category B+/A felonies is as follows:

- Be licensed to practice law in the State of Nevada;
- Have practiced criminal law for 3 full years, either as a prosecutor, provider of indigent defense services or retained counsel; and
- Have been trial counsel, alone or with other trial counsel, and handled a significant portion of **three felony** jury trials that were tried to completion.

See NAC 180, Section 33.

Andrew Coates:

- licensed to practice law since May 2019;
- has practiced criminal law for 1 year and will require two more years of experience before he is qualified;
- has handled 0 felony jury trials, alone or with other trial counsel; and must complete three felony jury trials before he is qualified.

Daniel Spence:

- licensed to practice law since 2013;
- has practiced criminal law for 8 years;
- has handled 0 felony jury trials, alone or with other trial counsel and must complete three felony jury trials before he is qualified.

Andrew Coates and Daniel Spence do not have sufficient experience levels to handle Category B+/A cases, therefore they will be unable to independently complete the terms of this contract.

The Cost of Applicant's Proposed Services

As discussed above, Christopher Day, Richard Molezzo, Maria Pence and Paul Yohey have demonstrated the required experience levels to handle all the above categories of cases independently.

Daniel Spence and Andrew Coates may seek conditional approval from the Department to be assigned to cases for which they lack the requisite experience levels. In the case at hand, a conditional approval requires a mentor to be present at all critical hearings for every Category B+/A felony to which the attorney is assigned, until the attorney has completed the requisite experience requirements. Critical hearings include, but are not limited to: arraignments, preliminary hearings, motion hearings, entries of plea, trials, and sentencings.

If the contract is assigned to an attorney that has a conditional approval, the Department has concerns that this could impact the Cost of Applicant's Proposed Services as well as the effectiveness of the Plan for Indigent Defense Services.

- The contract rate does not appear to compensate a mentor for this contract position.
- If the mentor is unable to attend a critical hearing on a Category B+/A felony, Mr. Spence and Mr. Coates will be unable to fulfill the contract obligations.
- The mentor is under no contractual obligation to serve as a mentor and may withdraw at any time. If this happens, Mr. Spence and Mr. Coates will be unable to fulfill the contract obligations.

The Department recommends that the contract be awarded to Christopher Day, Richard Molezzo, Maria Pence or Paul Yohey as they are independently qualified to handle all case types. If Carson City intends to offer the contract to Mr. Spence or Mr. Coates, to

alleviate the concerns of the Department, it is recommended that the contract not include representation for Category B+/A felonies or that the City contract with an appropriate mentor, at City expense, to ensure and require the mentor's presence at all critical hearings until the requisite experience to handle such cases independently is obtained.

Ultimately, if the contract is offered to Mr. Spence or Mr. Coates and the mentor is not present at all critical hearing for Category B+/A felonies, Carson City would not be in compliance with its Plan for Indigent Defense Services and may result in corrective action under NRS 180.450.

If you need further information, please do not hesitate to contact us.

Sincerely,


Marcie Ryba
Executive Director


Thomas Qualls
Deputy Director


Peter Handy
Deputy Director

From: [K Franco Simmons](#)
To: [Public Comment](#)
Cc: [Jason Woodbury](#)
Subject: Public Comments for 6/2/2022 Empire Cemetery moratorium
Date: Wednesday, June 1, 2022 2:26:50 PM

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

Honorable Board of Supervisors,

As you know, I have been working toward resolving issues regarding Empire Cemetery over the past few years toward restoring my family's burial rights at Empire Cemetery. I've written to you and stated in public meetings that multiple generations of my family, the Howard family, are buried in Empire Cemetery, and that my father, George Howard, has always intended to be buried in one of the remaining family plots, next to his grandfather, Morris Howard, great-grandfather Frank Howard, and great-great-grandparents Mathew Howard and Charlotte Eden Howard, and others. I've stated that when my uncle, Robert Howard passed away in 2018, city staff did not allow my Aunt Cheryl to bury him in Empire Cemetery with our family as he fully had expected. There are numerous reasons city staff have given for this, and I am trying to work through all of them on behalf of my father, George Howard.

Yesterday, I spoke with Nick Wentworth, Special Projects Manager, Parks and Recreation. Mr. Wentworth informed me that the **Director of Parks and Recreation and the District Attorney are having discussions about placing a moratorium on burials in Empire Cemetery**. He indicated this is to be brought to the Board of Supervisors soon.

I and my family have not even been afforded the courtesy of any communication from any City staff member or the DA on this proposed action.

Please encourage staff to be transparent, open, honest and communicative on their intentions and the intentions of the City with regard to Empire Cemetery, most specifically regarding our family's burial rights.

Please do not take action to adopt an ordinance and or moratorium on burials at Empire Cemetery. Please direct staff to take every available means to restore my father's burial rights at Empire Cemetery, including, but not limited to finding the records of the Howard plots, finding the available plot that belongs to my father, use GPS tagging for that section, use ground-penetrating radar or any other technological means to find the available plot, use other resources such as "Find a Grave" etc. to find burial plots nearby and locate our remaining plot(s). Please, if by no other resolution, *grandfather-in* my father's right to be buried with his father, grandfather and great-grandfather.

Thank you for your consideration.
Kathleen Franco Simmons
2108 Utah Street
Carson City, NV 89701