

CARSON CITY BOARD OF SUPERVISORS
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, September 15, 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
Stephanie Hicks, Deputy City Manager
Todd Reese, Senior Deputy District Attorney
Tamar Warren, Senior Deputy Clerk

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

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

(8:31:07) – Mayor Bagwell called the meeting to order at 8:31 a.m. Ms. Warren called roll and noted the presence of a quorum. Living Stones Church Lead Pastor Gavin Jarvis provided the invocation. At Mayor Bagwell’s request, Government Affairs Liaison Stephen Wood led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:33:28) – Mayor Bagwell entertained public comments. Deni French introduced himself and expressed disappointment that the Board of Supervisors (Board) had in the previous meeting approved two additional marijuana dispensaries even though a ballot measure had been turned down by the voters several years ago. He encouraged the public to come and speak at meetings and “not get discouraged by the process.”

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – AUGUST 18, 2022

(8:36:52) – Mayor Bagwell introduced the item and entertained comments, corrections, or a motion. Supervisor Schuette pointed out a capitalization error which has since been corrected.

(8:37:37) – Supervisor Giomi moved to approve the minutes of the August 18, 2022 Board of Supervisors meeting as corrected. The motion was seconded by Supervisor Schuette and carried 5-0-0.

7. SPECIAL PRESENTATIONS

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

(8:38:20) – Mayor Bagwell introduced the item and invited each Board member to join her in presenting the length of service awards and highlighting each employee's accomplishments. The following employees were recognized and afterward joined the Board for a commemorative photograph.

- Daniel Kastens, Parks Operation Manager – 10 years
- Renay Lapaille, Detention Shift Supervisor – 10 years
- Terrance Swanson, Senior Street Technician – 10 years
- Casey Drews, Fire Prevention Inspector 2 – 5 years

7.B PRESENTATION OF A PROCLAMATION TO RECOGNIZE SEPTEMBER 17, 2022, AS CONSTITUTION DAY.

(8:48:46) – Mayor Bagwell introduced the item and invited members of the local member of the Daughters of the American Revolution (DAR) to join her as she read into the record a proclamation, incorporated into the record, recognizing September 17, 2022 as Constitution Day. She also encouraged everyone to view a related exhibit in the Carson City Library and joined the DAR and Board members for a commemorative photograph.

CONSENT AGENDA

(8:55:57) – Mayor Bagwell introduced the item and noted that item 11.B of the Consent Agenda would be pulled for discussion. She also inquired whether the Board or members of the public wished to pull additional items from the Consent Agenda; however, none were forthcoming. She entertained a motion.

(8:56:27) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 9.A, 10.A, 11.A, 11.C, 11.D, 11.E, 12.A, and 13.A 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

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 AUGUST 5, 2022 THROUGH SEPTEMBER 2, 2022.

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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 SEPTEMBER 2, 2022, PER NRS 251.030 AND NRS 354.290.

10. PARKS AND RECREATION

10.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE DEDICATION OF CARSON CITY ASSESSOR'S PARCEL NUMBERS ("APN") 010-751-17, 010-751-33, 010-751-32, 010-753-18 AND 010-754-01, WHICH WERE OFFERED TO CARSON CITY FOR PUBLIC USE AS COMMON AREAS A, B, C, D AND E ("COMMON AREAS") IN THE FINAL MAP FOR SCHULZ RANCH SUBDIVISION - PHASE 4, RECORDED AS MAP NUMBER 2976 ON OCTOBER 7, 2019 ("FINAL MAP").

11. PURCHASING AND CONTRACTS

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE ONE NEW CHEVROLET TRAVERSE FOR CARSON CITY JUVENILE SERVICES ("JUVENILE SERVICES") FOR A NOT TO EXCEED AMOUNT OF \$34,802.93 UTILIZING JOINDER CONTRACT 99SWC-NV21-8888 BETWEEN THE STATE OF NEVADA AND MICHAEL HOHL MOTOR COMPANY.

11.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE VARIOUS EQUIPMENT FOR THE CARSON CITY PARKS, RECREATION AND OPEN SPACE DEPARTMENT ("PARKS DEPARTMENT"), UTILIZING A COOPERATIVE PURCHASING AGREEMENT AVAILABLE THROUGH SOURCEWELL, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$225,201.09.

(8:56:55) – Mayor Bagwell introduced the item. Parks Operations Superintendent David Navarro introduced himself and Open Space Manager Lyndsey Boyer, noting that some of the requested equipment would be used by Open Space. Mr. Navarro referenced the Staff Report, incorporated into the record, and explained that by purchasing the new equipment, each Parks and Open Space employee would be able to perform many tasks by having the needed equipment at their disposal. Ms. Boyer clarified that they currently contract many services due to a lack of equipment, which she stated was expensive. She also reviewed equipment rental costs based on a previous request by Supervisor Jones and responded to clarifying questions.

(9:06:50) – Discussion ensued regarding lease versus purchase of the equipment and Mr. Navarro clarified that the Parks and Open Space Department had not leased equipment before and cautioned against paying taxes on leased items. Supervisor White believed that a lease would cost much more in the long run. Supervisor Giomi was in favor of purchasing equipment to mitigate staffing shortages. Mayor Bagwell entertained public comments and when none were forthcoming, a motion.

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(9:13:12) – Supervisor Giomi moved to approve the purchase authority as requested. Supervisor Schuette seconded the motion.

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

11.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT (“AMENDMENT”) TO CONTRACT NO. 20300341 (“CONTRACT”) WITH T&T LAWNS PLUS, LLC (“T&T”) TO EXERCISE THE FIRST OF TWO RENEWAL OPTIONS IN THE CONTRACT FOR T&T TO PROVIDE LANDSCAPE MAINTENANCE SERVICES FOR THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT (“SCNID”), FOR A NOT TO EXCEED AMOUNT OF \$110,295 THROUGH FISCAL YEAR (“FY”) 2023, WITH A NEW TOTAL NOT TO EXCEED AMOUNT UNDER THE CONTRACT OF \$220,590.

11.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT (“AMENDMENT”) TO CONTRACT NO. 21300262 (“CONTRACT”) WITH H+K ARCHITECTS FOR ADDITIONAL STRUCTURAL ENGINEERING DESIGN SERVICES FOR THE CARSON CITY SENIOR CENTER (“SENIOR CENTER”) REMODEL PROJECT, FOR AN ADDITIONAL \$22,500, RESULTING IN A NEW TOTAL NOT TO EXCEED AMOUNT UNDER THE CONTRACT OF \$164,500.

11.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$309,000 INCREASE IN FISCAL YEAR (“FY”) 2023 PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED \$160,000, FOR THE PURCHASE OF SODIUM HYPOCHLORITE (“BLEACH”) UTILIZING JOINDER CONTRACT 212528 BETWEEN THE CITY OF TUCSON (“TUCSON”) AND THATCHER COMPANY OF ARIZONA, INC. (“THATCHER”), RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$469,000 FOR FY 2023.

12. SHERIFF

12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN INTERLOCAL AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA DEPARTMENT OF PUBLIC SAFETY (“DPS”), INVESTIGATIONS DIVISION (“DPS-ID”) REGARDING INTERAGENCY USE OF RADIO TALK GROUPS AND FREQUENCIES.

13. TREASURER

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13.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 AUGUST 2022 SUBMITTED PER NEVADA REVISED STATUTES ("NRS") 354.280.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

Please see the minutes of item 11.B.

15. Finance

15.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED NOTICE TO SUBMIT A LETTER OF INTENT FOR THE AMERICAN RESCUE PLAN ACT ("ARPA") FUNDING FOR PROGRAMS OR PROJECTS THAT SUPPORT THE CARSON CITY HOUSING PLAN ("HOUSING PLAN").

(9:13:52) – Mayor Bagwell introduced the item. Carson City Chief Financial Officer Sheri Russell clarified that at its August 18, 2022 meeting, the Board of Supervisors had requested that they review the proposed Notice to Submit a Letter of Intent before its public release to ensure that it contains specific goals in support of the Housing Plan. She also reviewed the current support agencies and their capabilities and the available funding sources, both of which are incorporated into the record as late material. Supervisor Giomi recommended having clear goals for the agencies that would be reported back to the Board. Ms. Russell believed that the goals should be set jointly by the City and the supporting agencies. Supervisor Giomi wanted to be assured that enough safeguards are built to ensure the funds are spent appropriately.

(9:20:02) – Supervisor White referenced the presentation attached to the Staff Report and did not want to see the numbers rounded off, he maintained that they must reflect the Board's vote without any changes. He also was unwilling to spend Indigent Accident Fund dollars on the project. Supervisor Schuette believed that the project should meet the community's needs and should use its resources responsibly, adding that not all needs were the same. Supervisor Jones also questioned the use of the Indigent Accident Fund. Ms. Russell Clarified that the current discussion was about the use of the federal American Rescue Plan Act (ARPA) funding and that “the rest of the funds are for [the] potential ongoing, running this program after ARPA money runs out.” She also explained that the supplemental Indigent Accident Fund “is exactly for this...it's the only thing it can be used for.” Mayor Bagwell was in agreement with Ms. Russel’s statement and did not want to start a program “that we can’t sustain,” adding that the funds had been accumulating for four years. Supervisor Giomi noted that his vote had been for the plan and not for specific numbers and that is why he had requested that Staff return with the specific numbers and the funding sources for a vote by the Board. He also stated that the intended outcome was necessary and believed that the spending should be recommended by the experts in the area that work within the confines of the budget. Mayor Bagwell entertained public comments and when none were forthcoming, a motion.

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(9:35:41) – Mayor Bagwell moved to approve the Letter of Intent as published with the two changes below:

Phase One – Survive

~~Street Outreach, applicants can apply for funding up to \$90,000. Provide outreach services designed to build relationships with individuals who are without shelter, connect individuals with Carson City Health and Human Services (CCHHS) for shelter and services, and implement camp cleanup days.~~

Phase Two – Stabilize

~~Temporary Housing, applicants can apply for funding up to \$600,000. Temporary housing for individuals without shelter.~~

Supervisor Giomi seconded the motion.

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

16. COMMUNITY DEVELOPMENT - PLANNING

16.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 117, AN ORDINANCE RELATING TO MARIJUANA; ESTABLISHING VARIOUS PROVISIONS GOVERNING CURBSIDE PICKUP SERVICE FOR MEDICAL MARIJUANA DISPENSARIES AND RETAIL MARIJUANA STORES; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

(9:36:29) – Mayor Bagwell introduced the item. Planning Manager Heather Ferris explained that no changes had been made to the bill since its first reading. Mayor Bagwell entertained Board and/or public comments.

(9:37:15) – Mr. French had been under the impression that curbside marijuana pickup had been in place during the COVID-19 emergency lockdown and was under the impression that it would not become “a permanent situation.”

(9:37:53) – Will Adler of Silver State Government Relations introduced himself as a representative of GTI. He provided background on curbside pickup and outlined the secure delivery process, adding that it was being used by 20 percent of customers, most of whom were seniors.

(9:40:10) – Guy Farmer introduced himself as a Carson City resident and voter since 1962 and explained that he was speaking for himself and for former Carson City Supervisor Shelly Aldean. He applauded the efforts made by the Mayor, the Board, and civic organizations for addressing the homelessness issue, noting that the Mayor

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had indicated two root causes for homelessness were drugs and alcohol. Mr. Farmer cited the Drug Enforcement Administration (DEA) which had classified marijuana “as a Schedule 1 dangerous drug” as it damaged the developing brains of young people. Mr. Farmer inquired why Mayor Bagwell, Supervisor Jones, and Supervisor White had voted to overrule a decision made by the Planning Commission. There were no additional comments; therefore, Mayor Bagwell entertained additional comments or a motion.

(9:44:25) – Supervisor Jones moved to adopt, on second reading, Bill No. 117, Ordinance No. 2022-18. Supervisor White seconded the motion.

RESULT:	APPROVED (5-0-0)
MOVED:	Supervisor Jones
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 A REQUEST FROM QUALCAN, LLC (“APPLICANT”) TO ADOPT, ON SECOND READING, BILL NO. 118, AN ORDINANCE REVISING PROVISIONS TO INCREASE THE NUMBER OF AUTHORIZED MARIJUANA RETAIL STORES; REVISING PROVISIONS GOVERNING CO-LOCATION REQUIREMENTS FOR MARIJUANA RETAIL STORES AND MEDICAL MARIJUANA DISPENSARIES; REVISING PROVISIONS TO REMOVE PROHIBITIONS AGAINST DRIVE-THROUGH SERVICES FOR MARIJUANA RETAIL STORES AND MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

(9:45:06) – Mayor Bagwell introduced the item. Ms. Ferris confirmed that there had been no changes to the bill since the first reading and clarified that the introduced ordinance would increase the number of authorized retail marijuana stores to four. Mayor Bagwell entertained Board and/or public comments.

(9:45:57) – Mr. French stated that in 2016 Carson City had voted against marijuana dispensaries; however, he called the Board’s later decision to allow the two dispensaries “a very unfortunate step.” He believed that the Board hears the public; however, he also believed that “what happened in that polling box mattered.” He indicated that the people’s decision had to be taken into consideration.

(9:49:47) – Mr. Adler referenced written public comments submitted by GTI (and incorporated into the record) and noted that they held the third license issued by the State and had planned to utilize that. He addressed the zoning decisions for dispensaries, noting that availability was “extremely limited” as most properties for lease were outside the zoning areas. He recommended that Staff look into other zoning areas to house dispensaries.

(9:53:18) – Jeannie White thanked the members of the Board who had met with her regarding the Ordinance; however, she believed that they had disregarded their and the public’s opinions requesting “not to increase the

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presence of marijuana in our community.” She believed that strangers would violate their privacy and safety due to their proximity to the proposed marijuana dispensary.

(9:54:24) – Tasha Cousti introduced herself as a Carson City resident and believed that “Nevada is moving too fast” when making decisions about marijuana dispensaries. She wished to see decisions driven by supporting data as there were unanswered questions about the legalization of marijuana as a contributor to increased drug use in schools and in the homeless population, adding that the THC studies were in their infancy and did not provide appropriate testing by law enforcement. Ms. Cousti was concerned about the use of marijuana in a vehicle, purchased at a drive-through, with the possibility of children being present. She was also opposed to the restaurant co-locating with the dispensary.

(9:57:17) – Sarah Adler introduced herself as a volunteer advocate on behalf of Jeannie White and Bruce Sanders, 30-year residents adjacent to the proposed dispensary location. She also thanked Supervisors Schuette and Giomi for voting against the proposal. Ms. Adler noted that the applicant’s attorney had indicated that “the drive-through language has come out;” however, it was still part of the proposed ordinance, calling it a lack of “confidence in the City’s overall capacity to manage additional marijuana establishments in a safe manner. She cited studies regarding the harmful result on children from in-utero use of marijuana which she believed would occur because of the restaurant’s co-location with the dispensary.

(10:00:38) – Joy Trushenski introduced herself as a Carson City resident and expressed her opposition to marijuana stores in the City. She stated that marijuana was a dangerous drug, and the added dispensaries would lead to more users. Ms. Trushenski believed that the citizens should vote on the item and hoped that the Board would vote against the expansion. She cited past personal knowledge of working with inmates who had used hard drugs after marijuana use.

(10:03:18) – Paul McGrath referenced a pamphlet he had distributed titled “Cannabis in Nevada” which is incorporated into the record. He believed that “some enterprising supervisors” had chosen to bring the marijuana industry to Carson City. Mr. McGrath noted that despite the opposition to the bill during the first reading, the Board was planning to pass it. He believed that the market had been saturated because of the black market, the delivery services, and the upcoming shop with a drive-through window. He suggested that the Board review all the issues created with cannabis.

(10:06:39) – Bepsy Strasbourg recommended changing the term “marijuana establishments” to a “more focused” term such as dispensaries. She also suggested that the Board listen to the public sentiment. She believed that the THC levels in medical marijuana gummies were much lower than the high levels in recreational products. Ms. Strasbourg was also opposed to the drive-through option.

(10:08:34) – Richard Nagel introduced himself and agreed that the term establishment was inappropriate because it may signify other uses in the long run such as “a hookah lounge.” Mr. Nagel believed that by changing the regulations the Board was “endorsing the use of marijuana.” There were no additional public comments. Mayor Bagwell entertained Board comments to the applicant.

(10:09:48) – Supervisor Giomi received confirmation from Ms. Ferris that the way the ordinance was written, the medical dispensaries could be co-located with the recreational shops, providing Carson City with a maximum of

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four dispensaries – not six. He also noted that he still opposed the additional dispensaries, especially with one of them planning to co-locate with a restaurant and urged Staff “to look strongly at Title 18 and the controls we have in place to regulate this.” Supervisor Giomi expressed concern that the proposed dispensary would be located so close to a residence and urged Staff “to consider the rules that were established in 2017 and see if they’re all still applicable.” Supervisor White did not believe that eliminating the drive-through would improve safety, adding that it would not cause shoppers to shop more or less. He was also concerned that there were no reliable field sobriety tests for recreational marijuana. Supervisor White wondered whether it was “appropriate for the government to manipulate the market,” and cited statistics from the Carson City Sheriff’s Office that recreational marijuana had “not caused marked problems in this town.” Supervisor Jones believed that “the kids” were buying their drugs from illegal sources and not dispensaries. He also stated that he had learned from the Sheriff’s Office and the District Attorney’s Office that they had not spent additional time on marijuana issues.

(10:20:52) – Mayor Bagwell noted that she was also worried about the youth; however, she believed that they did not purchase marijuana from dispensaries. She also believed that dispensaries were regulated like alcohol and gaming. Mayor Bagwell referenced an article provided by Mr. McGrath as part of public comment and wished to utilize the opioid settlement dollars to help mitigate youth drug use. She also acknowledged reading all the public comments and hearing from residents who are for or against the proposed ordinance in addition to the 19 public comments heard during this meeting. The Mayor clarified that she, along with former Supervisor John Barrette, had voted against the original proposal and had honored the public vote. She also stated that the co-location with a restaurant was not being discussed at this time. She also entertained a motion.

(10:27:24) – Supervisor Jones moved to adopt, on second reading, Bill No. 118, Ordinance No. 2022-19. Supervisor White seconded the motion.

Supervisor Schuette explained that she would vote against the ordinance as she did not see a compelling need to revise the existing ordinance.

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

(10:28:40) – Mayor Bagwell recessed the meeting.

(10:38:41) – Mayor Bagwell reconvened the meeting. A quorum was still present.

17. PARKS AND RECREATION

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17.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CARSON CITY PUBLIC ART POLICY (“POLICY”) TO ESTABLISH PROCEDURES FOR THE ACQUISITION, MAINTENANCE AND DISPLAY OF PUBLIC ART.

(10:38:45) – Mayor Bagwell introduced the meeting. Ms. Paulson referenced the late material, incorporated into the record, and highlighted the redlined changes some of which were a compilation of the feedback received from the Board. She also responded to clarifying questions. Supervisor White believed that the last paragraph of Section 1.0 *The Carson City Public Art Policy is considered to be a dynamic document that is often modified and adapted in conjunction with Carson City, its policies and its citizens* should be modified to reflect a more static and less dynamic policy. Supervisor Giomi suggested an addition that would require the approval of policy changes by the Board. Supervisor White wished to make the following change: *The CCCC will oversee the work of the Public Art Panels and make recommendations to the City Manager or and the Board of Supervisors regarding acquisition or deaccessioning of artwork.* Supervisor Giomi recommended the following change to Section 6.1.d: *The Board, upon recommendation of the CCCC, shall approve all new public art projects and agreements over \$49,999 \$9,999 with artists and other appropriate contractors in obtaining, commissioning, and maintaining artworks on City property or within City right-of-way at least initially.* Supervisor Schuette recommended that the above change reflect only the artist’s fee.

(10:51:40) – Supervisor White suggested changing *Carson City’s Redevelopment District Arts and Culture Grants* to *Carson City’s Redevelopment Authority Grants*. He also recommended the following change to Section 6.3.a: *Acquisition Criteria – The following criteria shall be used when considering acquisition of artwork by purchase, commission or donation, and additional criteria may be established at the discretion of the Parks, Recreation and Open Space Department City Manager to meet the needs of individual projects.* He also suggested the following change to Section 6.6: *Below is the recommended selection process. At the discretion of the Recreation Supervisor City Manager, aspects of this process may be altered to meet the needs of the project. In the case of public art projects associated with capital projects, it is recommended that the timeline of the selection process be set by the Recreation Supervisor City Manager to best align with the design and construction timeline of the capital project to ensure the overall success of both the public art and capital project.* Discussion ensued regarding Section 6.6.a.iv and the Board agreed to keep the section as is.

(11:01:15) – Based on the changes proposed in Section 6.6, Section 6.7 will now read: *These unique opportunities will follow the above process as much as possible, at the discretion of the Recreation Supervisor City Manager.* Ms. Paulson noted that based on the discussion in Section 6.1.d, the \$49,999 reference throughout the document will be replaced with \$9,999. There were no additional comments from the Board; therefore, Mayor Bagwell entertained public comments; however, none were forthcoming.

(11:04:06) – Supervisor Giomi noted that donations were accepted by the City in general and did not believe that the Board should review them, as outlined in Section 6.2.e. Mayor Bagwell clarified that artworks had “strings attached” and that was the reason for the approval. Supervisor White noted that he would send additional definition comments to Staff for incorporation. Supervisor Giomi suggested adding to the earlier discussion of Section 1.0 that changes of the policy must be approved by the Board at minimum, within two years. Parks, Recreation, and Open Space Director Jennifer Budge likened this policy to the City’s fee policy. It was agreed to have Section 1.0 read as follows: *The Carson City Public Art Policy is considered to be a dynamic document that is often modified and adapted in conjunction with Carson City, its policies and its citizens and is required to*

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be reviewed by the Board of Supervisors at least every two years. Ms. Budge noted that adhering to the Americans with Disabilities Act regulations would also be incorporated in the documents. Supervisor Giomi thanked the Parks, Recreation, and Open Space Staff, the Carson City Culture and Tourism Authority, Arts & Culture Program Manager Debra Soule, and the Cultural Commission for completing this Policy which had been in the works for many years. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

(11:12:26) – Supervisor White moved to approve the Carson City Public Arts Policy with the modifications as discussed in this meeting. 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

17.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED MEMORIALS POLICY (“POLICY”) TO ESTABLISH POLICIES AND GUIDELINES RELATED TO MEMORIALS WITHIN CARSON CITY PARKS, TRAILS, AND OPEN SPACE.

(11:13:06) – Mayor Bagwell introduced the item and 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. Ms. Budge reviewed the revision to the proposed City’s Memorial Policy, which is incorporated into the record, and responded to clarifying questions. Supervisor White recommended the following change to Section 1.1 of the Policy: *This policy is needed to ensure sustainable management of site-appropriate amenities while being respectful of our citizens residents.* Open Space Manager Lyndsey Boyer suggested adding to Section 4.2.4: *will require adherence to Carson City’s Public Art Policy* in case of unique memorials, which would be reflected accordingly in the application form as well. She also recommended the following change to Section 5.1: *Department staff will review and determine the appropriateness of the proposal as measured by the criteria as outlined in this policy unless otherwise exempted. Department staff will notify the donor, in writing, within 30 calendar days of the review decision and identify any final conditions of approval.* Ms. Boyer clarified for Supervisor White that the *storage* noted in Section 4.4.2 referred to the Parks Administration Office. Mayor Bagwell entertained public comments, and when none were forthcoming, a motion.

(11:19:09) – Supervisor Giomi moved to approve the Policy as amended, with the changes read into the record. Supervisor White seconded the motion.

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

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

(11:19:38) – Mayor Bagwell entertained Board and Staff comments. Supervisor Giomi updated the Board on the Culture and Tourism Authority (CTA) meeting noting that an audio link is now available for the Kit Carson Trail on the Visit Carson City website and has received almost 800 virtual visitors since its mid-June launch. He also announced the availability of a unique press kit and a promotional marketing activity at a concert in Lake Tahoe. Supervisor Giomi highlighted the upcoming Drink, Dine, and Dip Triathlon CTA event in early summer. Supervisor Schuette thanked Ms. Soule for providing her the opportunity to briefly tour the art at Burning Man. She also praised the Public Works Staff for all the Carson Area Metropolitan Planning Organization and the Regional Transportation Commission projects they have managed with many grants and for making sure “the money goes as far as possible.” Mayor Bagwell noted that only 17 percent of local funds were used while leveraging grants for the balance.

(11:25:21) – Supervisor Jones announced the hiring of a new director for the Carson City Children’s Museum and noted that much support was needed at this time. He also stated the Mark Twain mural committee of which he is a member had made progress and had secured a wall.

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL

This item did not take place.

19. PUBLIC COMMENT

CARSON CITY BOARD OF SUPERVISORS
Minutes of the September 15, 2022 Meeting
Page 13

(11:25:54) – Mayor Bagwell entertained final public comments. Ms. Trushenski objected to the building of a \$1 million homeless shelter in Carson City. She believed that although the American Rescue Plan Act (ARPA) funds were being used for the project, it would require additional taxpayer dollars for maintenance. Ms. Trushenski thought that Carson City would attract more homeless individuals, likening it to Seattle and San Francisco the problems of which continued to grow. She believed that handouts would encourage addicts to rely on the services which are now provided by many local organizations. Ms. Trushenski wished to put the subject to a vote during an election.

(11:29:01) – Ms. Strasbourg referenced the action taken on item 15.A calling it “an open-ended perpetual obligation funded by the Indigent Accident Fund and the ARPA funds for \$1 million.” She believed that ARPA funds were to be used for a public emergency that had since been lifted by the Governor. She thought the services were pricey, not priceless as indicated in the agenda documents. Ms. Strasbourg believed that many residents in Carson City were earning much less than \$45,000 and “would love to be part of your homeless population so they can get the benefits of [a] homeless shelter as well as the Cadillac care.” She called the project costly and cited the spending by the City of Reno on their homeless population.

(11:32:15) – Mr. Nagel called the Carson City Housing plan (item 15.A) “a big can of worms.” He believed that the program did not require mandatory sobriety which is required by local agencies such as Friends in Service Helping (FISH) which is why they would not “touch it.” Mr. Nagle believed there should be an end to the benefits to make the program “useful” and recommended involving local non-profits.

(11:34:50) – Mr. Adler inquired about the process to make the zoning changes he had recommended earlier in his public comment. He wished to understand whether the Board would request those changes or whether his clients should request them.

(11:36:00) – Mr. French stated that the Board had let him and the community down. He believed his vote did not count in the ballot box. He thought that the effects of marijuana use were still unknown. He also noted that the Board was “here based on a vote.”

(11:39:09) – Heather Coe complimented Douglas and Lyon Counties for caring about their residents and not allowing “a homeless pod shelter project” in their counties. She believed that the \$1.1 million project would be better handled by the local non-profits and thought it would destroy Carson City by bringing in additional crime.

(11:41:50) – Karen Stephens introduced herself as a 28-year Carson City resident and cited her opposition to the “homeless pods.” She also believed that more than 17 people were opposed to the “homeless shelter” at the last meeting, adding that there were 60+ public comments that were submitted. Ms. Stephens stated, “we are not listened to and we’re not going to sit by and let you people ruin our City.”

20. FOR POSSIBLE ACTION: TO ADJOURN

(11:43:50) – Mayor Bagwell adjourned the meeting at 11:43 a.m.

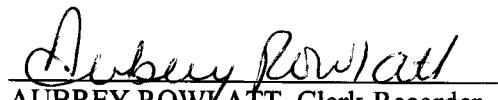
CARSON CITY BOARD OF SUPERVISORS
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The Minutes of September 15, 2022 Carson City Board of Supervisors meeting are so approved on this 20th day of October 2022.



LORI BAGWELL, Mayor

ATTEST:



AUBREY ROWLATT, Clerk-Recorder

Attachments: written public comments
Public Arts Policy 9-14-2022 Redline with Board Edits

Late Material
Public Comment
09-15-2022

From: [Public Comment](#)
To: Alexis Philippi
Subject: FW: Agenda items 15A, 16A, 16B
Date: Wednesday, September 14, 2022 2:07:55 PM

James Salanoa | Community Relations Coordinator
Executive Office | Carson City, A Consolidated Municipality
201 N. Carson Street, Suite 2, Carson City, NV 89701
Direct: 775-515-2161 | Office: 775-887-2100 | Fax: 775-887-2286
<http://www.carson.org>

From: Patty Toone <patty.toone@gmail.com>
Sent: Wednesday, September 14, 2022 12:42 PM
To: Public Comment <PublicComment@carson.org>
Subject: Re: Agenda items 15A, 16A, 16B

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

Please read my comments into the public record.
Thank you,
Patricia Toone

On Wed, Sep 14, 2022, 11:34 AM Patty Toone <patty.toone@gmail.com> wrote:

Dear Board of Supervisors,

The homeless problem gets worse by the day. I don't believe it is a housing problem, but a human problem. The primary causes are drug addiction and mental illness. With that said, the homeless are still able to make rational decisions about where they will live, mostly based on the permissive policies of the community. Culver City and Venice CA are good examples. Venice has tents, Culver City does not.

Is the goal of Carson City to have more homeless housing and medical Marijuana sites with drive through service?

Let's mix compassion with common sense and stop the self destructive behavior. Let's offer hope through mental health treatment, drug rehabilitation and job training.

If you build it, they will come.. is this the direction that the citizens of Carson City want?

Sincerely,

Silver State Government Relations

Principals

Will Adler – will@ssgr.us
Ernie Adler – eealaw@gmail.com

Senior Associate
Alex Tancheck – alex@ssgr.us



September 14, 2022

Board of Supervisors,

On behalf of Green Thumbs Industries (dba Rise Carson City), they would ask the Board to reconsider the zoning barriers put in place during Carson City's zoning of medical marijuana dispensaries back in 2014. As you can see in the maps included with this comment, the zoning of marijuana dispensaries is limited to the dispensary overlay Carson City allows them in. Currently, CCMC 18.04.135 and 18.04.150 restrict all cannabis dispensaries to two strips of land along South Carson Street south of Koontz Lane, and east along Highway 50 from I-580 to Lyon County.

GTI is very fond of Carson City, is proud of the operations they have been able to bring to this town, and wishes to continue to grow and perfect the license that the Board now wishes GTI to open. It is with that in mind that I would refer the Board to GTI's previously stated concerns around the limited number of currently appropriate dispensary locations within Carson City. As of September 14th, 2022, GTI representatives were able to identify 57 leasable retail properties within Carson City (identified as red dots on our supplementary lease map). Of those 57 retail locations, only 6 fell within the current zoning districts that allow for cannabis dispensaries and of those 6 properties, only 1 might meet the minimum requirements for parking spaces or the required distance from a park, school, or residentially zoned parcel.

Again, GTI would like to take this opportunity to thank Carson City for all of the opportunities this community has offered to GTI. The Rise Carson City store was one of the company's first and still one of their fondest dispensary operations. From sponsoring the Boys and Girls Club Luau to charitable drives of all varieties, GTI Rise has been here for Carson City and has supported this community wherever and whenever they were asked to step up. At this time, I would ask Carson City to do the same.

GTI would request that the Board provides direction to Carson City staff to begin the process of amending CCMC 18.04.135 and 18.04.150 to allow for dispensaries to be zoned into additional commercial areas within Carson City. Without these changes, the feasibility of perfecting the fourth license would be in jeopardy and the quality of the operation GTI would be permitted to bring to Carson City would be less than anybody would prefer.

Thank you,

Will Adler
Silver State Government Relations

18.04.135 - General commercial (GC).

The purpose of the GC District is to preserve a commercial district limited primarily to retail and wholesale sales of new and used material, repair and service facilities, and offices. Temporary unscreened outdoor display and sale of merchandise for a period not to exceed 30 days within a calendar year may be authorized by the Director pursuant to subsection 8 of CCMC [18.02.115](#), which establishes provisions relating to outdoor sales and activities.

1. The Primary Permitted Uses in the GC District are retail and wholesale uses, and other uses of a similar nature. Except for any use described in subsection 3 of CCMC [18.04.135](#) that is a general commercial conditional use which requires a Special Use Permit, retail commercial uses as described in CCMC [18.04.130](#) are allowed in addition to the following:

- Animal hospital;
- Appliance repair shop;
- Archery range;
- Assayer;
- Assembly (of product incidental to sales use and limited to thirty percent (30%) of the primary uses floor area);
- Auction sales;
- Automobile repair;
- Ballroom;
- Billiard or pool hall;
- Bookbindery;
- Diaper service;
- Display designer;
- Express office;
- Facial cosmetic shading, permanent;
- Lithographer, screen printer;
- Nightclub;
- Parcel delivery service, branch (off-street loading only);
- Pawn shop;
- Personal storage within an enclosed building (no storage of paints or chemicals);
- Plumbing and heating equipment and supplies;
- Second hand business;
- Sign painting and lettering;
- Sport playing field;
- Sports arena;
- Taxidermist;
- Thrift store;
- Tire sales, repair and mounting;
- Upholstery (wholesale, retail, installation and incidental manufacturing);
- Warehouse.

2. The accessory permitted uses incidental to primary permitted uses in the GC District are:

- Automobile pawn (accessory to automobile sales);
- Home occupation;
- Outside storage (subject to [Division 1](#) and [1.12](#) Outside Storage of the Development Standards);
- Temporary outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities).

3. The Conditional Uses in the GC District which require approval of a Special Use Permit are:

- Ambulance service and garage;
- Armored car service and garage;
- Automobile body repair, painting, towing service and garage (vehicles must be stored within enclosed sight-obscured area). The following conditions shall apply to auto body repair in addition to all other requirements in this chapter.
 - a) Required minimum land area in the GC District for auto body repair shall be twelve thousand (12,000) square feet.
 - b) All outside storage containers or other similar enclosures shall be screened to public rights-of-way by a maintained one hundred percent (100%) sight obscuring fence or wall permanently installed and maintained at a minimum height of six (6) feet.
- Automobile pawn (not accessory to automobile sales);
- Bus line office, service and storage garage;
- Cabinet shop (manufacturing);
- Cemetery, mausoleum, sarcophagus, crypt;
- Child care facility;
- Community/regional commercial or office center;
- Congregate care housing/senior citizen home;
- Crematorium;
- Equipment rental (outside storage);
- Farmers market;
- Flea market (indoor);
- Golf course and driving range;
- Hospital;
- Hotel, residence;
- Medical Marijuana Dispensary or Marijuana Retail Store (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments), limited to those areas zoned General Commercial within Sections 29 through 32 of Township 15 N., Range 20 E., south of Moses Street (South Carson Street vicinity) and within Sections 1, 2, 9, 10, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E., east of the I-580 freeway (Highway 50 East vicinity).
- Mobilehome park;
- Municipal well facility;
- Permanent outdoor sales subject to Title 18.02.115.8 (Outdoor Sales and Activities);
- Recreational vehicle park;
- Recycling collection center;
- Schools, K—12, college or university;

- Single-family two-family and multi-family dwelling;
- Utility substation;
- Welding supplies and gases (retail and wholesale sales) (no filling or repair of cylinders);
- Youth recreation facility.

(Ord. 2007-23 § 1 (part), 2007: Ord. 2006-4 § 10 (part), 2006: Ord. 2001-23 § 2 (part), 2001).
([Ord. No. 2008-33, § V, 9-4-2008](#) ; Ord. No. [2014-10](#) , § II, 7-3-2014; Ord. No. [2017-21](#) , § II, 10-5-2017)

18.04.150 - General industrial (GI).

The GI District is established to preserve an industrial district for uses engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Specific uses set forth in this section are prohibited in the Limited Industrial and Air Industrial Park districts unless specifically identified as a use in those sections.

1. The Primary Permitted Uses in the GI District are the uses as described below and other uses of a similar nature. Any permitted or conditional uses described in any commercial district or limited industrial district which are not identified as GI conditional uses are allowed, but does not include outdoor recreational use or facility nor any residential use except as watchman's quarters in conjunction with those uses permitted exclusively in GI District.

- Automobile pawn shop;
- Automobile storage (no dismantling);
- Blacksmith shop;
- Building material (bulk)/lumber storage yard and sales;
- Butane, propane storage and sales;
- Cannery;
- Cement or direct products sale;
- Cesspool cleaner yard;
- Contractor's large equipment, sales, repair, supplies, or storage;
- Crane storage yard;
- Crating and hauling depot or storage
- Crop dusting equipment yard;
- Die casting;
- Distillation of liquor;
- Dog training school;
- Dry cleaning plant;
- Equipment storage yard;
- Farm products storage;
- Grain elevator;
- House mover;
- Industrial service firms;
- Laboratories (chemist, veterinarian, and research);
- Machine shop;
- Metal working plant, plating, shaping and bending process;
- Paving contractor large equipment, sales, service and storage;
- Planing mill;
- Power plant (electrical or gas);
- Radio studio or TV station with antenna towers;

- Recycle center;
- Road building equipment sales and storage;
- Septic tank service;
- Sheet metal shop;
- Stone grinding;
- Tattoo parlor (body piercing, accessory);
- Termite or pest control;
- Tire rebuilding, retreading;
- Tractor service;
- Tree service;
- Truck depot, parking, repair;
- Welding shop;
- Wood storage yard screened from view from public right-of-way with six-foot sight obscuring fence or wall.

2. The Accessory Permitted Uses, incidental to Primary Permitted Uses, in the GI District are:

- Mechanical equipment building
- Storage containers subject to the Director's approval and [Division 1](#) and [1.10 Personal Storage of the Development Standards](#)

3. The Conditional Uses in the GI District which require approval of a Special Use Permit are:

- Acetylene manufacturing and sale;
- Acid manufacturing and sales (including class H products);
- Adult entertainment facility (no adult entertainment facility shall be located within one thousand (1,000) feet of a park, church, school, residential use district or other adult entertainment facility or in any general industrial district located west of the east boundary of Sections 21, 28 and 33 of T.16 N., R. 20 E., M.D.B.M., Sections 4, 9, 16, 21, 28 and 33 of T. 15 N., R. 20 E., M.D.B.M. and Sections 4 and 9 of T.14 N., R. 20 E.) No outcall performers are permitted outside of this area;
- Ammunition manufacturing;
- Asphalt manufacturing;
- Auto wrecking yards;
- Bulk station (fuel);
- Chemical manufacturing;
- Child care facility (accessory use to a business within the main building or within an accessory building);
- Chromium plating;
- Coal and coke yard;
- Concrete batch plant;
- Contractor's wrecking yard;
- Creosote manufacturing;
- Disinfectant manufacturing;
- Dye manufacturing;
- Dump refuse or disposal yard;

- Electroplating works;
- Explosive manufacturing;
- Flea market;
- Foundry;
- Excavation/mining, gravel pit;
- Hide and tallow processing;
- Incineration of animals and garbage;
- Insecticide manufacturing;
- Junk dealer's yard;
- Leather tanning;
- Loading space(s) within two hundred fifty (250) feet of a residential zoning district or use;
- Lubrication compounds, manufacturing;
- Marijuana Distributor (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments);
- Matches, manufacturing;
- Meat packer;
- Medical Marijuana Cultivation Facility or Marijuana Cultivation Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments)), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;
- Medical Marijuana Dispensary or Marijuana Retail Store (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments)), limited to those areas zoned General Industrial within Sections 1, 2, 11 and 12 of Township 15 N., Range 20 E., and Section 36 of Township 16 N., Range 20 E (Highway 50 East vicinity);
- Medical Marijuana Product Manufacturing Facility or Marijuana Product Manufacturing Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments)), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;
- Medical Marijuana Testing Facility or Marijuana Testing Facility (subject to the provisions of Title 18 Appendix (Carson City Development Standards), [Division 1.20](#) (Medical Marijuana Establishments and Marijuana Establishments)), limited to those areas zoned General Industrial east of the I-580 freeway and north of the north boundary of Sections 13 through 18 of Township 15 N, Range 20 E, except on any

property that shares any portion of a boundary with the Carson City Airport, until such time the use is not prohibited under federal law or regulation;

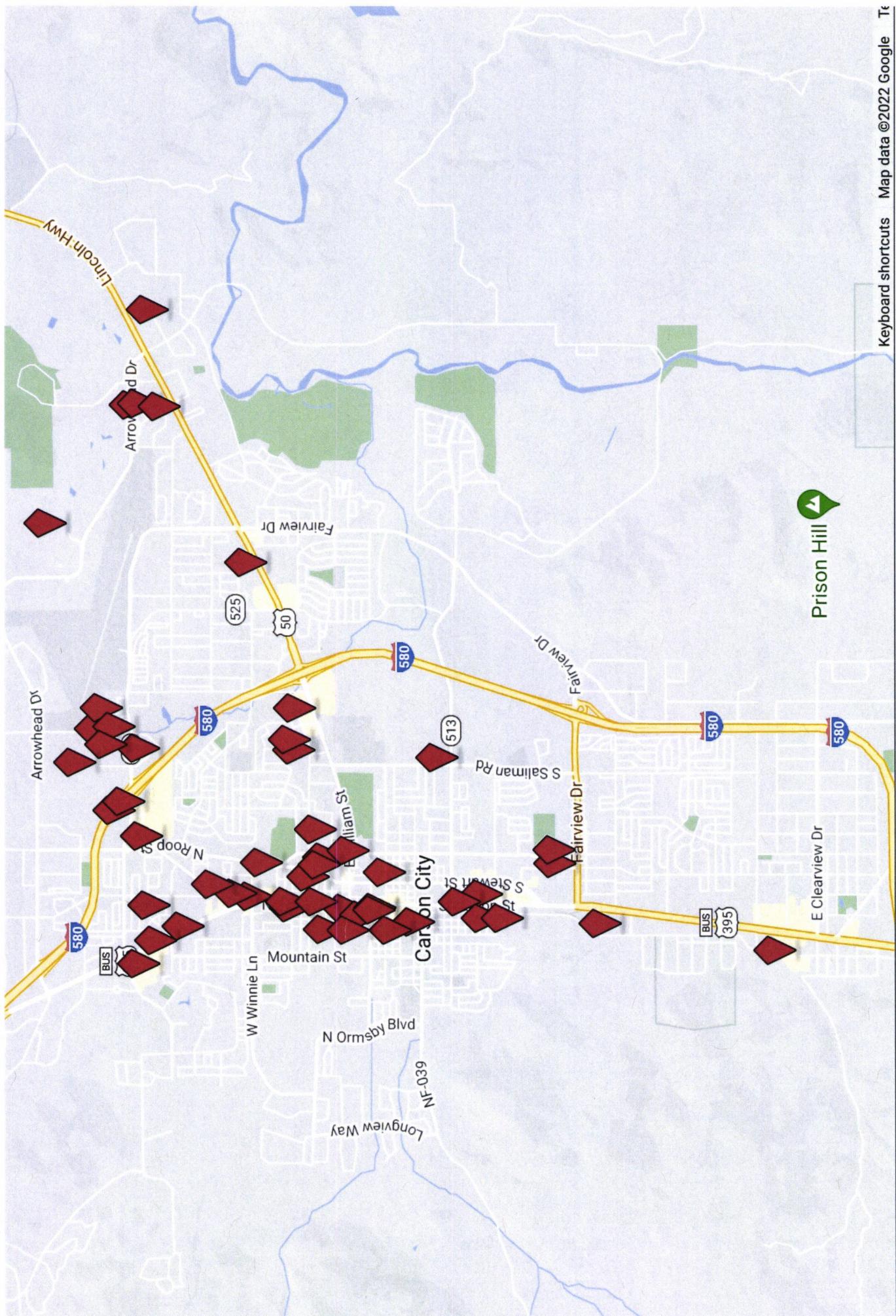
- Metal ore reduction;
- Milling company;
- Motorcycle race track;
- Ore dump;
- Oxygen manufacturing;
- Paint manufacturing;
- Plastic products manufacturing;
- Quarry, stone;
- Rendering works;
- Rock crushing and stripping;
- Scrap metal processing;
- Sewer service equipment yard;
- Slaughterhouse;
- Stockyard;
- Tannery;
- Topsoil stripping;
- Tire manufacturing
- Utility Substation;
- Water, oil, gas or geothermal drilling operations;
- Other conditional uses requiring a special use permit are those which may produce excessive noise, gaseous byproducts, obnoxious odors, by or of an inflammable or explosive nature, cause dust which may be offensive to adjoining property owners, or which the planning commission may consider to be detrimental to the public's health, safety and welfare.

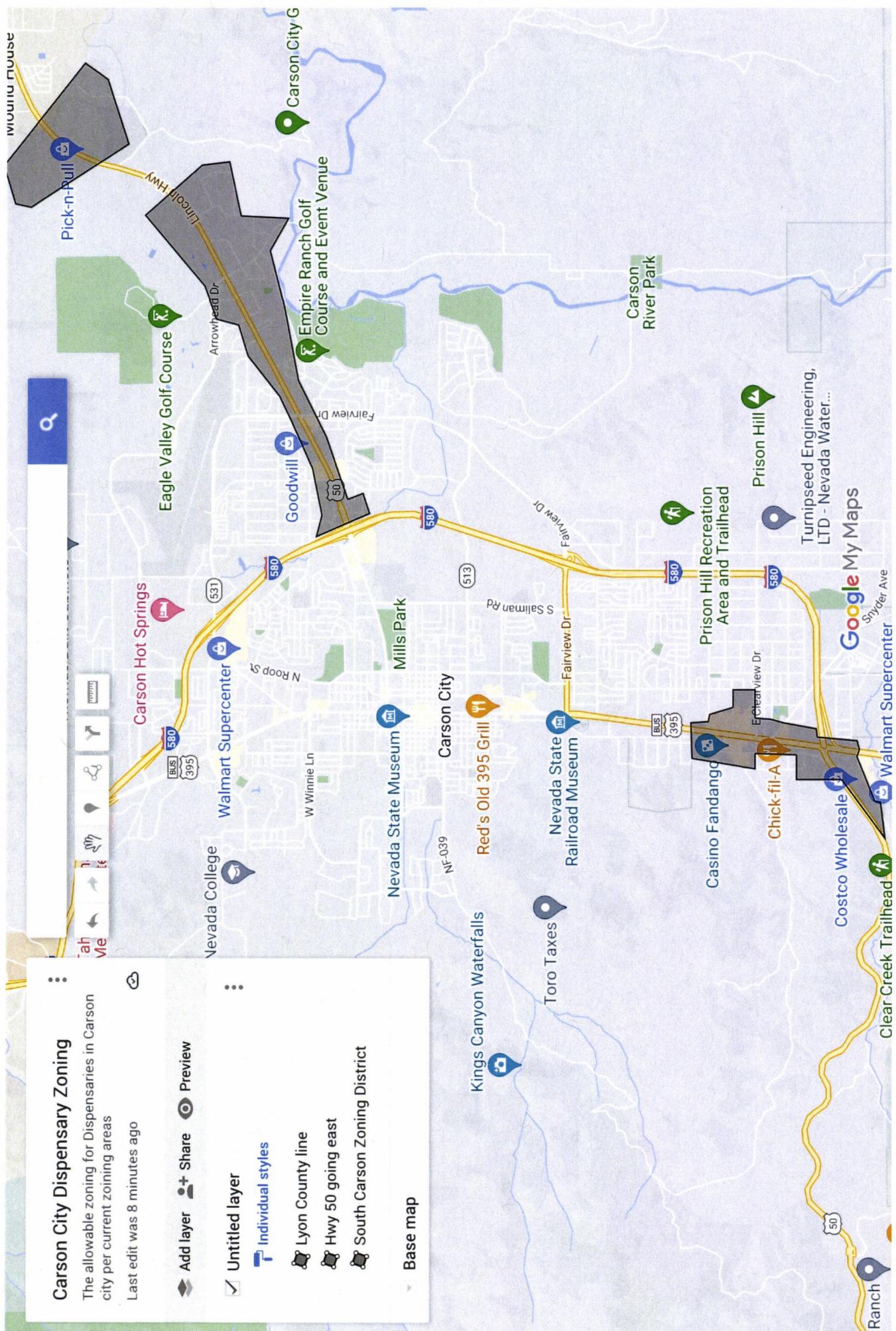
4. The following uses are prohibited within the GI District:

- Churches;
- Institutions;
- Outdoor recreational use or facility;
- Residential uses;
- Schools (other than vocational).

(Ord. 2007-23 § 1 (part), 2007: Ord. 2006-4 § 10 (part), 2006: Ord. 2004-12 § 3, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § VII, 9-4-2008](#); [Ord. No. 2014-10](#), § III, 7-3-2014; [Ord. No. 2017-5](#), § II, 4-6-2017; [Ord. No. 2017-21](#), § IV, 10-5-2017)





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SEP 14 2022

CARSON CITY
PLANNING DIVISION

Nevada Appeal | Saturday, April 30, 2022 | A25

ACLU sues to change Nevada cannabis listing

By Geoff Doman
gdoman@nevadaappeal.com

The American Civil Liberties Union has filed suit in Las Vegas demanding the state remove cannabis from its list of schedule 1 drugs.

Schedule 1 drugs are those deemed to have no medical or beneficial use such as methamphetamine, heroin and cocaine.

The petition filed in Clark County District Court argues that is an unconstitutional violation of what Nevada voters approved when they

legalized pot, directing that it be treated like alcohol and removed from the state's list of controlled substances.

"Police departments and district attorneys in Nevada have wasted an immense amount of taxpayer dollars by seeking criminal convictions and penalties for small time cannabis possession," said ACLU lawyer Sadmira Ramic. "Despite Nevada voters' explicit desire to have cannabis treated like alcohol, it is readily apparent that they are treated very differently."

Ramic charged that cannabis must be removed from the list of schedule 1 drugs, saying failure to do so violates the Nevada Constitution which recognizes the medical value of cannabis.

Nevada voters amended

the state constitution in 2000 to recognize the medical uses of pot. Then, in 2016, voters legalized possession of pot for recreational purposes.

The lawsuit was filed by ACLU on behalf of the Cannabis Equity and Inclusion Community.

Nevada Appeal | Saturday, April 9, 2022 | A9

Nevada to get \$284 million in opioid settlement cash

Nevada Appeal Capitol Bureau

Attorney General Aaron Ford says Nevada will receive \$284 million in opioid settlement cash later this month.

Nevada reached settlements with Johnson & Johnson and with opioid distributors AmerisourceBergen, Cardinal Health and McKesson.

He said the money will go directly to dealing with the harm done to Nevadans by the opioid epidemic. He said it will give

the state, counties and cities the funding and tools needed to help the victims of opioid addiction.

He said Nevada has been uniquely impacted by the opioid crisis and continues to be one of the hardest hit states in the nation.

The settlement follows the \$45 million settlement with opioid consultants McKinsey and Co., that provided the marketing plans used by the largest makers of the drugs to increase sales and use of opioids.

Ford said Nevada will also participate in the \$26 billion opioid settlement with the three largest distributors of the drugs which will net the state some \$231.6 million over the next 18 years.

All the money received from these settlements will be distributed according to the Fund for Resilient Nevada created by Senate Bill 390 in 2021. The state, counties and cities will work together to develop plans designed to maximize the use of the money.

State Supreme Court: Employees can be fired for using marijuana

By Geoff Doman
gdoman@nevadaappeal.com

The Nevada Supreme Court on Thursday rejected the argument that, since using pot is not a criminal offense in Nevada, bosses can't legally fire a worker for marijuana use when not at work. Danny Ceballos filed suit after he was terminated as a dealer at Palace Station.

According to the unairmed opinion, he tested positive for marijuana after arriving for work because he had used the drug at home the night before. He cited state statute creating a "private right of action" for employees who are fired for the lawful use of any product outside the premises of their workplace when off duty. The justices agreed with the district court decision that marijuana use doesn't qualify for that protection because even though adult recreational use is not a crime in Nevada, it remains unlawful because another statute allows employers to prohibit the use of pot by employees and the drug remains illegal at the federal level. Ceballos was tested after he slipped and fell in the employee break room and he was terminated.

The opinion by Justice Kris Pickering also rules that, while recreational marijuana use was decriminalized by the Legislature and government, it remains illegal. Recreational pot was decriminalized by a voter initiative effective Jan. 1, 2017. That initiative stated that adult recreational marijuana use is "exempt from state prosecution."

But justices ruled that doesn't make it lawful. They ruled that state laws cannot completely legalize marijuana use because the drug remains illegal under federal law which must be followed in Nevada. They quoted a similar case in Colorado that stated that nothing in the statute limits the term "lawful" to state law. Therefore, Ceballos' use of marijuana isn't protected by the Nevada statute and Palace Station had the legal power to fire him for violating company policy.

CANNABIS IN NEVADA'S CAPITAL - HOW THIS HAPPENED

Carson City is one of those Nevada jurisdictions where "Big Marijuana" has found a home. Recreational marijuana should not be allowed in Carson City because voters rejected retail sales of recreational marijuana in the 2016 general election.

The Board of Supervisors who had already decided to allow both medical and recreational marijuana to be in our homes and with reduced enforcement on our streets ignored the vote of our citizens. This put our community on a course to become in two short years the number one community in drug related deaths (News 4-Fox11 Digital 8/4/19 study by 24/6 Wall St/USA Today). What a position to be in, out doing both Clark and Washoe counties for the most drug related deaths per capita in Nevada as reflected in the survey. It should be noted that marijuana is a "gateway drug" and classified as a Class I drug under the Federal Controlled Substance Act.

In 2013, a proposal was introduced by a commercial real estate broker and Carson City Board of Supervisors member to allow retail sales of marijuana for medical use. This public official engaged in marketing of the property and business location, then introduced the agenda item, acted in discussion, and voted for approval of the resolution and ordinance. There are Ethics Statutes that govern elected and public officials and prohibit this type of personal involvement. Public records from 2013 to 2017 show board member(s) directed and expanded other cannabis/marijuana businesses in Carson City. Zoning changes in certain locations, marketing certain properties, licensing marijuana type businesses and other actions that involved three of the board members in pursuing marijuana businesses would be part of the economic growth that was projected for the community.

The time has come to reverse the damage the former Board of Supervisors caused this city by their unethical conduct which has brought the city to be #1 in drug deaths. Two board members are needed to introduce a resolution and bill to restrict sales of recreational marijuana. This action would open debate in the community and expose collusion, collaboration and malfeasance by public officials who have violated their oath(s) of office.

Complaints in writing to the Ethics Commission is the normal procedure when naming public officials that use their government position(s) to enhance their own personal interest. Certain officials are excluded from scrutiny. The Ethics Commission takes no responsibility to investigate certain complaints of misconduct by Carson City officials who violate ethic statutes. Other community members have experienced the same rejection by the commission when filling complaints against the same Carson City official(s).

Examples of collusion among elected officials, ethics commission, and city staff include, the former city manager leaving to work in the drug industry, the state tax director who rushed early start marijuana licensing then left his position to associate with the former law firm of the mayor. Another example of an ethic commission member who donated campaign dollars to the supervisor who originated, introduced, and acted upon medical and recreation marijuana sales and markets commercial property for the industry. These are violation of the state's Ethics Statutes and have exasperated the existing opioid crisis in Carson City.

City business records are not available for public review for the cannabis industry. Residents who use marijuana in their homes may influence their young children (students) who could become users and dependent on marijuana as well as experiment with other drugs. Past news articles involving juveniles as young as 13 using a gun to obtain marijuana, selling marijuana at the high school, or packing marijuana on their person to be used at lunch break or other school activities are just a few examples of how far the community is out of control.

The former United States Attorney for Nevada has declared the marijuana industry "to be a public corruption threat" and "Nevada's regulatory structure is at best inept and at worst corrupt."

A DISCUSSION OF PUBLIC CORRUPTION & MALFEASENCE WHILE IN OFFICE SHOULD BE ADDRESSED WITH COMMUNITY INVOLVEMENT INSTEAD OF ADDING "POT SHOPS "



On October 5, 2017 the AB+C Cannabis Squad was established within the Board of Supervisors with the passage of Bill No 124 & 125 (Ordinance #2017-21 & 2017-22). ("A" represents Supervisor Abowd; "B+" represents Supervisor Bonkowski colluding w/Supervisors Bagwell & Barrette; and "C" represents Mayor Crowell) to include recreational marijuana as a lawful Carson City business. The proposed Logo as indicated on the front cover depicts the names of those in their official capacity who override Carson City Voters rejection of recreational marijuana sales in the election of 2016. They violated their Oath of Office, ethical, and other federal and state statutes. This BOS will be known as AB+C Capital City Cannabis Squad (AB+C CCCS) on all future correspondence relating to this matter. Additional information would be forthcoming when a grand jury is impaneled to investigate license

Paul McGrath

4718 Ponderosa Drive
Carson City, NV 89701

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Cell: 775-742-6300
Email: pdmac_2@att.net

