

**CARSON CITY BOARD OF SUPERVISORS  
AND REDEVELOPMENT AUTHORITY  
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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, July 6, 2023, 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 Curtis Horton, Ward 3  
Supervisor Lisa Schuette, Ward 4

**STAFF:**

Nancy Paulson, City Manager  
Scott Hoen, Clerk-Recorder  
Stephanie Hicks, Deputy City Manager  
Adam Tully, 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 - 3. CALL TO ORDER, ROLL CALL, AND INVOCATION**

(8:34:22) – Mayor Bagwell called the meeting to order at 8:34 a.m. Mr. Hoen called roll and noted the presence of a quorum. First Christian Church Pastor Ken Haskins delivered the invocation.

**4. PRESENTATION OF COLORS - CIVIL AIR PATROL**

This item did not take place.

**5. PLEDGE OF ALLEGIANCE**

(8:35:35) – Mayor Bagwell invited 10-year-old Milana Berry to lead the Pledge of Allegiance. She also thanked her family for serving the Board and all meeting attendees their family brand Blind Dog Coffee in the Community Center lobby.

**6. PUBLIC COMMENT**

(8:36:25) – Mayor Bagwell entertained public comments. Kathleen Franco Simmons introduced herself as one of the appellants of item 9.b and requested that the item be pulled from the Consent Agenda. She also urged the Board to appeal the First Judicial District Court’s decision regarding Carson Valley Meats. Deni French requested pulling items 9.b, 13.k, and 13.l from the Consent Agenda. He also provided a public service announcement regarding not leaving dogs and children in hot cars and announced four new red-tailed hawks at Mills Park.

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Carson City Public Defender Charles Odgers thanked the Mayor and the Board for the opportunity to lead the Public Defender's Office, adding that Monday had been their first day. Mr. Odgers explained that the office had been opened in 2 weeks, during which time a law clerk, five attorneys, an office manager, and two criminal investigators had been hired. He also thanked Carson City Human Resources, Facilities Maintenance, Information Technology, and the City Manager's Office for their cooperation in getting them started as soon as possible.

**7. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – JUNE 1, 2023.**

(8:45:13) – Mayor Bagwell introduced the item and entertained comments, corrections, or a motion.

**(8:45:25) – Supervisor Giomi moved to approve the minutes of the June 1, 2023 Board of Supervisors and Board of Health meetings as presented. The motion was seconded by Supervisor Horton and carried 5-0-0.**

**8. SPECIAL PRESENTATIONS**

**8.a PRESENTATION OF A PROCLAMATION TO RECOGNIZE JULY 6, 2023, AS A DAY TO HONOR MARY GRAEHL.**

(8:45:51) – Mayor Bagwell introduced the item and invited the Board members to join her in presenting an award to Mary Graehl who had used her cardiopulmonary resuscitation (CPR) training to save a child's life at PetSmart in Carson City. Carson City Fire Chief Sean Slamon also thanked Ms. Graehl and presented a Carson City Challenge Coin to her. Ms. Graehl, along with her family members and friends, joined the Mayor and the Board for a commemorative photograph.

**8.b. PRESENTATION OF A PROCLAMATION RECOGNIZING JULY 2023 AS PARKS AND RECREATION MONTH**

(8:48:02) – Mayor Bagwell invited the Parks, Recreation, and Open Space Staff to join her and the Board and read into the record a proclamation to recognize July 2023 as Parks and Recreation Month. Parks, Recreation, and Open Space Director Jennifer Budge thanked her staff for their hard work and dedication. Mayor Bagwell invited everyone to Spooner Late on Saturday, July 8, 2023, at 10 a.m. to celebrate the completion of the Capital to Tahoe Trail, connecting Carson City to Lake Tahoe.

**CONSENT AGENDA**

(8:53:57) – Mayor Bagwell introduced the item and noted that item 12.B had been resolved and would not be heard. She also announced that items 9.B. and 12.A would be pulled from the consent agenda. Supervisor White requested pulling items 9.a, 10.a, 13.k, and 13.l. Mayor Bagwell entertained a motion.

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(8:54:46) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 11.A (including Resolution No. 2023-R-21), 11.b, 13.a, 13.b, 13.c, 13.d, 13.e, 13.f, 13.g, 13.h, 13.i, and 13.j as presented. Supervisor Schuette seconded the motion.

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

**9. CITY MANAGER**

**9.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF ONE MEMBER TO THE LIBRARY BOARD OF TRUSTEES TO FILL A FOUR-YEAR TERM THAT WILL EXPIRE IN JUNE 2027.**

(8:55:28) – Mayor Bagwell introduced the item. Supervisor White explained that he had requested pulling this item from the Consent Agenda to highlight the fact that the application was incomplete. He noted that he had informed Staff several times that complete applications must be provided to the Board, and that moving forward, he would not vote for candidates with incomplete applications. There were no additional comments. Mayor Bagwell entertained a motion.

(8:56:23) – Supervisor Schuette moved to reappoint Julie Balderson-Knight to a term that will expire in June 2027. The motion was seconded by Supervisor Giomi.

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

**9.b. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A FIRST JUDICIAL DISTRICT COURT ORDER IN THE MATTER OF CARSON VALLEY MEATS, INC. V. CARSON CITY AND CARSON CITY BOARD OF SUPERVISORS, CASE NO. 22 OC 00036 1B, WHICH (1) REVERSES THE FEBRUARY 3, 2022, DECISION OF THE BOARD OF SUPERVISORS (“BOARD”) TO GRANT ADMINISTRATIVE APPEALS CHALLENGING THE APPROVAL BY THE PLANNING COMMISSION OF A SPECIAL USE PERMIT (“SUP”) FOR A COMMERCIAL MEAT**

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**PROCESSING FACILITY; AND (2) ISSUES THE SUP AS SET FORTH IN THE PLANNING COMMISSION'S NOTICE OF DECISION, DATED DECEMBER 17, 2021, SUP FILE NO. LU-2021-0308.**

(8:56:43) – Mayor Bagwell introduced the item and entertained public comments. Ms. Simmons referenced the written public comments which are incorporated into the record as late material and read into the record one written by Diane and George Howard. She also noted that she was in agreement with the comments written by Dr. Jennifer Verive and Chris Carver. Additionally, Ms. Simmons read an excerpt from her written comments in the form of a suggested motion. Dr. Verive stated that she agreed with the written comments as well and believed that the public had been excluded from the conversation, adding that the District Attorney's Office had not reached out to the citizens prior to preparing for the case. She believed that the issue has united the community and requested that the Board appeal the ruling, calling it inconsistent with a decision made by the Nevada Supreme Court. Mr. French noted his agreement with the previous comments and urged the Board to support their request.

(9:04:28) – Lina Tanner introduced herself as the attorney for Carson Valley Meats and explained that this case was different from that of Douglas County in terms of property, code, standards, and “an entirely different system was proposed in Douglas County that did not hook into the municipal sewer system” which had been a concern of the County's Planning Commission and Board [of Commissioners]. Ms. Tanner clarified that in Douglas County the Planning Commission's decision had been against Carson Valley Meats; however, in Carson City, the Planning Commission had ruled in their favor, but had been voted against by the Board of Supervisors which had resulted in legal action. Ms. Tanner believed that the Court's decision had determined that this Board's initial action had not complied with Carson City Ordinance. Chris Carver called the project “fraught with errors since inception.” He believed that the Planning Commission had failed to listen to the public and to analyze the data, agreed with the Board's initial decision to uphold the appeal, and believed that Judge Russell had “erred in his opinion.” Mr. Carver urged the Board to “do the right thing” and to “represent your constituents.” There were no additional comments and Mayor Bagwell entertained Board discussion.

(9:10:46) – Supervisor Horton noted that he had not been on the Board during its original decision; however, he had since engaged in discussions with community members who had been both for and against the project. He believed that “no matter which way the situation goes today, there will be people very unhappy with all of us...our job today is to make the best decision for the community...not the simplest decision, but you can count on the fact that it will be well informed, as we move forward.” Supervisor Schuette agreed with Supervisor Horton. She explained that she had listened to the Planning Commission meetings, read, and reread the judicial order and believed there was “no right or wrong answer.” She believed “folks will be disappointed, and we strive to make the right decision for our community.”

(9:13:16) – Supervisor White believed that “the community has been heard...on both sides of the issue” during Board and Planning Commission meetings. He noted that he had read everything presented in late material and had discussions with the District Attorney's Office but could not “find a path to victory if we go forward.” There were no additional comments; therefore, Mayor Bagwell entertained a motion.

**(9:14:14) – Supervisor Horton moved to accept the Court's Order in this matter as issued. The motion was seconded by Supervisor Schuette.**

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

**10. COMMUNITY DEVELOPMENT – PLANNING**

**10.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION, SUB-2023-0215, FROM TLC AT BLACKSTONE RANCH, LLC ("APPLICANT") FOR A TWO-YEAR EXTENSION OF TIME FOR THE APPROVED TENTATIVE SUBDIVISION MAP KNOWN AS BLACKSTONE RANCH SOUTH (TSM-19-054) ON PROPERTY WITHIN THE BLACKSTONE RANCH SOUTH SPECIFIC PLAN AREA AND ZONED SINGLE FAMILY 6,000 ("SF6-SPA"), LOCATED APPROXIMATELY 140 FEET TO THE EAST OF THE INTERSECTION OF TROLLEY WAY AND RAILROAD DRIVE, ASSESSOR'S PARCEL NUMBER ("APN") 010-051-44.**

(9:14:44) – Mayor Bagwell introduced the item. Supervisor White indicated that the maps incorporated into the record did not “reflect what Staff had told me that they negotiated with this development.” He stated that the negotiated easement would be mostly on the Nevada Department of Transportation (NDOT) property and partially on the Open Space property. He was in favor of the extension as long as the right-of-way is not on Open Space property, citing Open Space definitions from Question 18. Supervisor Giomi received confirmation from Associate Planner Heather Manzo that this tentative map was approved by the Board. Ms. Manzo clarified that an alignment of the easements had not been done, and once finalized would be approved by the Parks and Recreation Commission, by the State and federal government, or by NDOT. She added that the applicant had requested additional time to conduct their research and would bring forward a final map and demonstrate that they had met the conditions. Mayor Bagwell entertained a motion.

**(9:24:56) – Supervisor Giomi moved to approve the extension of time as requested. The motion was seconded by Supervisor White.**

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

**11. FINANCE**

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**11.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION TO LEVY THE CARSON CITY FISCAL YEAR ("FY") 2023-2024 AD VALOREM TAX RATES AS CERTIFIED BY THE NEVADA TAX COMMISSION.**

Resolution No. 2023-R-21 approved via Consent Agenda.

**11.b. 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 JUNE 23, 2023, PER NRS 251.030 AND NRS 354.290.**

**12. PUBLIC WORKS**

**12.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION (1) CONVEYING 1.133 ACRES OF CARSON CITY ("CITY") LAND KNOWN AS 2621 NORTHGATE LANE, APN 002-062-05 ("PROPERTY"), INCLUDING THE 15,841 SQUARE FOOT OFFICE BUILDING ON THE PROPERTY, TO ADAMS NORTHGATE, INC. ("ADAMS") UNDER NRS 244.284 FOR \$385,000; (2) AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A DEED FOR THE PROPERTY UPON ADAMS' PERFORMANCE OF THE TERMS AND CONDITIONS FOR CONVEYANCE; (3) TERMINATING THE FOUR TENANCIES ON THE PROPERTY; AND (4) TERMINATING A MAINTENANCE AGREEMENT CONCERNING THE PROPERTY.**

(8:25:17) – Mayor Bagwell introduced the item. Supervisor Giomi read into the record a disclosure statement, advised of a disqualifying conflict of interest, and noted that he would abstain from discussion and vote on the item. There were no Board questions and Mayor Bagwell entertained a motion.

**(9:26:11) – Supervisor Horton moved to approve Resolution No. 2023-R-22. The motion was seconded by Supervisor Schuette.**

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

**12.b. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A RETROACTIVE EXTENSION OF DEADLINES TO COMMENCE AND COMPLETE CONSTRUCTION ON AN AFFORDABLE HOUSING PROJECT TO BE BUILT ON 3.41 ACRES OF UNDEVELOPED LAND WITH ASSESSOR'S PARCEL NUMBER 010-037-06 ("PHASE 2 PROPERTY") THROUGH A DEVELOPMENT AGREEMENT ("PHASE 2 AGREEMENT")**

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**BETWEEN CARSON CITY AND PALASEEK LLP, OIKOS DEVELOPMENT CORPORATION, AND SIERRA FLATS FAMILY I LP (COLLECTIVELY, “DEVELOPER”) THAT WAS APPROVED BY THE BOARD OF SUPERVISORS (“BOARD”) ON APRIL 6, 2023.**

This item was resolved and was not heard.

**13. PURCHASING AND CONTRACTS**

**13.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A SECOND REQUEST FOR AN INCREASE IN PURCHASE AUTHORITY IN THE AMOUNT OF \$28,300, BEYOND THE PREVIOUSLY APPROVED \$139,377, RESULTING IN A NEW ANNUAL NOT TO EXCEED AMOUNT OF \$167,677, FOR THE PURCHASE OF MEDICATIONS FOR PERSONS DETAINED IN THE CARSON CITY JAIL UTILIZING JOINDER CONTRACT NO. MMS2200730 BETWEEN THE MINNESOTA MULTISTATE CONTRACT ALLIANCE FOR PHARMACY (“MMCAP”) AND DIAMOND DRUGS, INC. DBA DIAMOND PHARMACY (“DIAMOND PHARMACY”), THROUGH JUNE 30, 2023.**

**13.b. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE MEDICATIONS FOR PERSONS DETAINED IN THE CARSON CITY JAIL, UTILIZING THE MINNESOTA MULTISTATE CONTRACT ALLIANCE FOR PHARMACY (“MMCAP”) JOINDER CONTRACT WITH DIAMOND DRUGS, INC. FOR A NOT TO EXCEED AMOUNT OF \$170,400 THROUGH JUNE 30, 2024.**

**13.c. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE VACCINES UTILIZING THE MINNESOTA MULTISTATE CONTRACT ALLIANCE FOR PHARMACY (“MMCAP”) JOINDER CONTRACT WITH GLAXOSMITHKLINE (“GSK”) FOR A NOT TO EXCEED AMOUNT OF \$81,000 THROUGH JUNE 30, 2024.**

**13.d. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE VACCINES UTILIZING THE MINNESOTA MULTISTATE CONTRACT ALLIANCE FOR PHARMACY (“MMCAP”) JOINDER CONTRACT WITH SANOFI PASTEUR INC. (“SANOFI”) FOR A NOT TO EXCEED AMOUNT OF \$63,000 THROUGH JUNE 30, 2024.**

**13.e. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASE AUTHORITY UNDER JOINDER CONTRACTS FOR A TOTAL AMOUNT NOT TO EXCEED \$977,615 THROUGH JANUARY 31, 2024, TO SECURE: (1) BULK FUEL AND RELATED DELIVERY SERVICES UTILIZING STATE OF NEVADA JOINDER CONTRACT 99SWC-NV20-4287 WITH INTERSTATE OIL COMPANY (“INTERSTATE”), 99SWC-NV20-4867 WITH CARSON VALLEY OIL CO., INC. (“CARSON OIL”) AND 99SWC-NV20-4283 WITH FLYERS ENERGY, LLC (“FLYERS”); AND (2) ADDITIONAL FUEL ACCESS THROUGH A CARD LOCK FUELING**

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**NETWORK USING STATE OF NEVADA JOINDER CONTRACT 99SWC-NV21-7551 WITH PILOT THOMAS LOGISTICS, LLC ("PILOT").**

**13.f. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE RADIO COMMUNICATIONS EQUIPMENT, SOFTWARE AND RELATED SERVICES TO SUPPORT THE CAPITAL AND OPERATIONAL NEEDS OF CARSON CITY'S VARIOUS OFFICES AND DEPARTMENTS DURING FISCAL YEAR ("FY") 2024, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$1,200,000 THROUGH JOINDER CONTRACT P697-16-016 BETWEEN HARRIS CORPORATION AND THE STATE OF NEVADA.**

**13.g. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE SODIUM HYPOCHLORITE ("BLEACH") FOR USE AT THE CARSON CITY WATER RESOURCE RECOVERY FACILITY ("WRRF"), THE QUILL WATER TREATMENT PLANT ("QUILL") AND THE AQUATIC CENTER UTILIZING JOINDER CONTRACT 212528 BETWEEN THE CITY OF TUCSON ("TUCSON") AND THATCHER COMPANY OF ARIZONA, INC. ("THATCHER") FOR A NOT TO EXCEED AMOUNT OF \$614,000 THROUGH JUNE 30, 2024, AND AUTHORIZATION FOR THE PURCHASING AND CONTRACTS ADMINISTRATOR TO EXTEND THE JOINDER CONTRACT WHEN IT IS RENEWED.**

**13.h. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT 24300003 FOR EMPIRE SOUTHWEST LLC ("EMPIRE") TO PROVIDE REPAIR AND PREVENTATIVE MAINTENANCE SERVICES AS NEEDED FOR HEAVY EQUIPMENT AT THE CARSON CITY LANDFILL ("LANDFILL") DURING FISCAL YEAR ("FY") 2024, FOR AN ANNUAL AMOUNT NOT TO EXCEED \$150,000.**

**13.i. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR THE PURCHASE OF BADGER WATER METERS AND RELATED PARTS THROUGH FERGUSON WATERWORKS ("FERGUSON") FOR A NOT TO EXCEED AMOUNT OF \$150,000 THROUGH FISCAL YEAR ("FY") 2024.**

**13.j. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE CELATOM FW12 DIATOMACEOUS EARTH FILTER MEDIA FOR MUNICIPAL WATER TREATMENT FROM EP MINERALS, LLC ("EPM") FOR A NOT TO EXCEED ANNUAL AMOUNT OF \$90,000 THROUGH JUNE 30, 2024.**

**13.k. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT NO. 23300340 ("CONTRACT") FOR LUMOS AND ASSOCIATES, INC. ("LUMOS") TO PROVIDE DESIGN, ENGINEERING AND CONSTRUCTION MANAGEMENT PLANS FOR PHASE III OF THE CARSON RIVER TRAIL SYSTEM, COVERING THE PRISON HILL WEST SEGMENT ("PROJECT"), FOR A TOTAL NOT TO EXCEED AMOUNT OF \$442,120.**

(9:27:12) – Mayor Bagwell introduced the item. Supervisor White indicated that the Staff Report referenced the American Association of State Highway and Transportation Officials (AASHTO) guidelines; however, those



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specifications are not accessible to the public on the AASHTO website. He requested that Staff provide design criteria or other guideline information to the public upon request to remain transparent. Supervisor White also encouraged Staff and the public to become familiar with Waters of the United States (a threshold term in the Clean Water Act, establishing the geographic scope of federal jurisdiction under the Act) a copy of which he had introduced into the record as late material. Mayor Bagwell entertained public comments.

(9:30:55) – Robyn Orloff expressed concern that the item had come before the Board prior to discussion in the Open Space Advisory Committee (OSAC). She believed the project impacts many stakeholders and was concerned as to “how AASHTO quality would be put in an Open Space property.” She hoped to receive public input on the project, especially because the trail felt more like a road. Mr. French also wished to have public input prior to “passing it on to an engineer.”

(9:37:26) – Michelle Gamble of Lumos and Associates, Inc. explained the public input process, noting that they preferred to “get something down on paper then bring to a public open house” after which they would move forward towards the final design. She also explained to Mayor Bagwell that the AASHTO guidelines would typically involve 10-foot trails with shoulders to protect it and the users. Trails Coordinator Gregg Berggren clarified that the OSAC has been aware of the grant application. He also explained that Lumos had been instructed to receive public comment via an open house and a presentation to OSAC. Mr. Berggren clarified for Supervisor Giomi that the previous comments from the Prison Hill Master Plan had been passed on to Ms. Gamble and Lumos. Supervisor Giomi acknowledged that there would most likely be opposing public views and at times “neither party would get what they want.” At Supervisor Schuette’s request, Mr. Berggren clarified that multi-use trails were suited for accessibility and multiple users and purposes of non-motorized use. Supervisor Schuette noted that the entire community would benefit from such trails, including those with disabilities. Supervisor White noted the expenditure involved with the OSAC presentation and the potential of incurring additional expenses when holding an open house. He also reminded the public that this trail has been a concept prior to the land transfer to Carson City. Mayor Bagwell entertained a motion.

**(9:48:30) – Supervisor White moved to approve the contract as presented. The motion was seconded by Supervisor Schuette.**

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

**13.I. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED RATIFICATION OF A CONTRACT WITH FLOCK GROUP, INC. FOR THE FLOCK SAFETY FALCON LICENSE PLATE READER (“LPR”) PLATFORM CAMERA AND SOFTWARE IMPLEMENTATION AND SUBSCRIPTION FOR THE CARSON CITY SHERIFF’S OFFICE**

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**(“CCSO”), FOR A TOTAL AMOUNT NOT TO EXCEED \$148,500 FOR A ONE-YEAR TERM COMMENCING UPON COMPLETION OF IMPLEMENTATION.**

(9:48:51) – Mayor Bagwell introduced the item. Supervisor White explained that he had received responses to his questions from the Carson City Sheriff’s Office (CCSO) and vendor Flock Safety regarding data ownership, worldwide presence, compliance, and data safety. He noted that the responses had made him confident that Flock Safety was in compliance with CCSO policies and that the civil liberties of the community were protected. Mayor Bagwell inquired about the benefit of the annual fees to the community. CCSO Investigations Bureau Sargent Brett Bindley explained that the service agreement was preferred because they were able to receive support such as offline camera detection and repair. He explained that the cameras were integrated with the patrol computers to receive Amber alerts, missing person information, and investigative leads that would be placed in high-traffic and high-crime areas, retail theft investigations, etc., and assured Mayor Bagwell that they were not for writing traffic citations. Mayor Bagwell entertained public comments. Mr. French inquired about the number of units, costs, and locations. He was also concerned about personal liberties and requested applying the federal Plain Writing Act [signed into law in 2020 requiring federal agencies to use clear government communication that the public can understand and use] to all City documents. Mayor Bagwell entertained additional comments and when none were forthcoming, a motion.

**(9:59:44) – Supervisor Schuette moved to ratify the contract with the clarifying term as presented. The motion was seconded by Supervisor White.**

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

**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 for agenda items 9.a, 9.b, 10.A, 12.A, 13.k, and 13.l.

**15. SHERIFF**

**15.a FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION OF A BIENNIAL REPORT ON CARSON CITY JAIL CONDITIONS AND INFORMATION CONCERNING DEATHS OF PRISONERS WITHIN THE JAIL. (Earl A. Mays III, [emays@carson.org](mailto:emays@carson.org)**

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(10:00:08) – Mayor Bagwell introduced the item. CCSO Captain Earl Mays presented the Staff Report and referenced the accompanying documentation, adding that there had been no deaths in the jail in the last six months. Carson City Sheriff Ken Furlong invited the Board to visit the jail facility and encouraged a quarterly visit per supervisor to ensure an annual rotation of Board members. He also praised Captain Mays and his staff for ensuring “the care, health, and welfare” of the inmates. Additionally, he thanked the Carson City Fire Department and the Carson Tahoe Hospital for the care they provide. Sheriff Furlong noted the purchase of a device that alerts staff when an at-risk inmate’s medical situation declines. There were no public comments. This item was not agendized for action.

**15.b. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE ACCEPTANCE OF A DONATION OF 48 AUTOMATED EXTERNAL DEFIBRILLATORS (“AEDS”) FROM THE STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES (THE “STATE”), FUNDED BY THE LEONA M. AND HARRY B. HELMSLEY CHARITABLE TRUST (“CHARITABLE TRUST”), AT NO COST TO THE CITY.**

(10:03:12) – Mayor Bagwell introduced the item and entertained Board and public comments; however, none were forthcoming. Carson City Undersheriff Jerome Tushbant gave background and noted that the 48 automated external defibrillators (AEDs) would be installed in the City’s patrol vehicles. Nevada Health and Human Services Manager of The State’s Emergency Medical Services (EMS) Doug Oxborrow clarified that the 3,000 AEDs donated to the State and placed in first responder vehicles will save numerous lives. EMS Program Manager Bobbie Sullivan explained that Nevada had been the last of the nine states to receive this grant of nearly \$7 million and they were more than half way through deploying the devices. Mayor Bagwell wished to send a thank-you letter to the Leona M. and Harry B. Helmsley Charitable Trust and entertained a motion.

**(10:08:58) – Supervisor Giomi moved to accept the donation on behalf of the Carson City Sheriff’s Office. The motion was seconded by Supervisor White.**

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

**16. City Manager**

**16.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED COLLECTIVE BARGAINING AGREEMENT (“CBA”) BETWEEN CARSON CITY AND THE CARSON CITY FIRE FIGHTERS ASSOCIATION, LOCAL # 2251 OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (“IAFF”) ON BEHALF OF CERTAIN NON-SUPERVISORY**

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**EMPLOYEES OF THE CARSON CITY FIRE DEPARTMENT, TO BE RETROACTIVELY EFFECTIVE BEGINNING JULY 1, 2023, AND EXPIRING JUNE 30, 2028, WITH AN ESTIMATED FISCAL IMPACT OF \$2,941,590 ABOVE THE 5-YEAR PROJECTIONS INCLUDED IN THE FISCAL YEAR ("FY") 2024 CITY BUDGET WHICH WAS PREVIOUSLY APPROVED BY THE BOARD OF SUPERVISORS ("BOARD").**

(10:09:20) – Mayor Bagwell introduced the item. Supervisor Horton read into the record a disclosure statement, advised of a disqualifying conflict of interest, and noted that he would abstain from discussion and vote on the item. Ms. Paulson indicated that the agreement covered almost 79 non-supervisory Fire Department Employees, adding that much of the fiscal impact had already been accounted for in the City’s budget forecast. Mayor Bagwell entertained public comments and when none were forthcoming, a motion.

**(10:11:42) – Supervisor Giomi moved to approve the agreement and to authorize the District Attorney's Office to make any necessary revisions that are clerical and not substantive when finalizing the agreement. The motion was seconded by Supervisor Schuette.**

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

**17. FINANCE**

**17.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE FISCAL YEAR ("FY") 2024 AUDIT WORK PROGRAM AND AUDIT SERVICES RECOMMENDED BY THE AUDIT COMMITTEE TO BE PERFORMED BY THE CITY'S RETAINED INTERNAL AUDITOR, EIDE BAILLY, LLP, FOR AN AMOUNT NOT TO EXCEED \$110,000.**

(10:12:23) – Mayor Bagwell introduced the item and read into the record a disclosure statement, advised of a no disqualifying conflict of interest, and noted that she would participate in discussion and action. Chief Financial Officer Sheri Russell-Benabou presented the Audit Committee’s recommendations, incorporated into the record, and highlighted the recommended Clerk-Recorder's IT Systems audit, including elections. Ms. Russell-Benabou indicated that this would be the first time for the audit and explained that the Audit Committee has found that FY 2024 would be an appropriate time for these procedures because of the upcoming elections and the concerns about improper voting practices raised in the media during the previous national election cycles. Another first, according to Ms. Russell-Benabou would be the auditing of the new Devnet System for the Assessor's Office. Additionally, a Cash Handling review and an Accounts Payable and P-Card Transactions minor review were also recommended. There were no Board and/or public comments. Mayor Bagwell entertained a motion.

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**(10:16:52) – Supervisor Schuette moved to direct Eide Bailly, LLP to proceed with the Fiscal Year 2024 Audit Work Program as discussed. The motion was seconded by Supervisor White.**

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

**18.A. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A FINAL SUBDIVISION MAP FOR THE DEVELOPMENT KNOWN AS SILVERCREST CONDOS RESULTING IN THE CREATION OF 51 CONDOMINIUM LOTS ON A 3-ACRE PROJECT SITE, ZONED MULTI-FAMILY APARTMENT, LOCATED ON THE NORTHEAST CORNER OF EAST ROLAND STREET AND OAK STREET, ASSESSOR’S PARCEL NUMBERS (“APNS”) 009-197-04, 009-197-05 AND 009-197-06 (SUB-2022-0549).**

(10:17:12) – Mayor Bagwell introduced the item. Planning Manager Heather Ferris noted that all the Conditions of Approval had been met. Supervisor White noted the absence of Covenants, conditions, and restrictions (CC&Rs) and other Homeowner documents which he believed should have been included in the agenda materials. Ms. Ferris explained that they were available and offered to provide them. Mayor Bagwell entertained public comments. Mr. French pointed out a layout issue in the documentation, noting that he was unable to print them properly. Mayor Bagwell entertained a motion.

**(10:19:50) – Supervisor White moved to approve the Final Subdivision Map as presented. The motion was seconded by Supervisor Horton.**

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

(10:20:14) – Mayor Bagwell recessed the meeting.

(10:30:51) – Mayor Bagwell reconvened the meeting. A quorum was still present.

**18.B. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION ESTABLISHING THE MAXIMUM NUMBER OF RESIDENTIAL**

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**BUILDING PERMIT ALLOCATIONS UNDER CHAPTER 18.12 (THE “GROWTH MANAGEMENT ORDINANCE”) OF THE CARSON CITY MUNICIPAL CODE (“CCMC”) FOR THE YEARS 2024 AND 2025, ESTIMATING THE MAXIMUM NUMBER OF RESIDENTIAL BUILDING PERMITS FOR THE YEARS 2026 AND 2027, ESTABLISHING THE NUMBER OF BUILDING PERMIT ALLOCATIONS WITHIN THE DEVELOPMENT, GENERAL PROPERTY OWNER AND AFFORDABLE HOUSING CATEGORIES, AND ESTABLISHING A MAXIMUM AVERAGE DAILY WATER USAGE FOR COMMERCIAL AND INDUSTRIAL BUILDING PERMITS AS A THRESHOLD FOR GROWTH MANAGEMENT COMMISSION REVIEW.**

(10:30:59) – Mayor Bagwell introduced the item. Community Development Director Hope Sullivan presented the Staff Report and accompanying documentation. She gave background on the Growth Management Ordinance and Reviewed the Growth Management Residential Allocation History by category, allocation type, population growth expectations, and housing trends and pricing. She also reviewed the commercial and industrial average daily water usage threshold and explained that the Public Works Director and the Growth Management Commission had recommended reducing that daily usage from 15,000 gallons to 10,000 gallons. Additionally, the Growth Management Commission in 2022 had recommended to the Board and received approval to consider the following criteria prior to issuing approvals for water usage above the daily water usage threshold:

*“... the Growth Management Commission must first find that the use utilizes water conservation measures and techniques. If that finding is made, the Growth Management Commission must consider if the use will promote health, welfare, safety or quality of life; or create quality jobs; or promote recreation and tourism. If both such findings are made, an application under subsection 5 can be granted.”*

(10:42:40) – Ms. Sullivan explained that no Growth Management requests have yet been received since the approval of the above criteria. She also presented the following Growth Management Commission’s recommendations for FY 2024:

- Allow the three percent growth to stay with the separation of:
  - 43 percent general property and
  - 57 percent development category
- The three percent growth would be divided into:
  - Two percent maximum growth rate for market-rate residential building permits
  - One-percent growth rate for affordable housing
- Allow a 10,000-gallon per day cap for a maximum average daily water usage for commercial and industrial building permits as a threshold (above which Growth Management Commission approval will be required).

(10:43:20) – Supervisor Giomi appreciated the Growth Management Commission’s thoughts regarding the one percent affordable housing; however, he noted that “the full allocation of the building permits is not being utilized at this time.” Ms. Sullivan clarified that the Commission had initially discussed reducing the three percent growth to two percent which had evolved to recommending one percent of growth for affordable housing. Supervisor Giomi explained that the City’s growth had been “under control for nearly 30 years.” He believed that historically

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entitlements have not translated to building permits; however, he agreed with the reduction of the commercial and industrial maximum average daily water usage to 10,000 gallons.

(10:48:20) – Supervisor Schuette thanked the department heads for responding to her questions. She was appreciative of the Commission’s interest in providing different types of housing including, affordable housing opportunities. She also questioned whether the three percent growth should always be built on the previous year’s numbers and was in favor of “redeveloping” what’s already there after the buildout. Supervisor Schuette was in favor of reducing the daily commercial and industrial water usage threshold to 10,000 gallons.

(10:53:06) – Supervisor White referenced the Carson City Municipal Code (CCMC) 18.2, noting that it did not contain the term “affordable housing” or a definition of it. He explained that it also did not contain “enabling legislation” indicating “if it is not allowed in the code, it cannot be done.” He also referred to the Growth Management Commission’s May 31, 2023 meeting in which Vice Chair Sena Loyd had proposed “the scheme” but had noted she did not have a definition for it. Supervisor White also stated that Commissioner Charles Borders had explained that including affordable housing was not within the Growth Management Commission’s purview and Ms. Sullivan had also reminded the Commission that only the Board of Supervisors had the authority to make affordable housing considerations. Supervisor White believed that the Commission did not have the authority “to manipulate criteria set by the Board of Supervisors through CCMC 18.12. He considered the recommended allocation “an emotional desire” and cited CCMC 18.12.15, “the Board of Supervisors declares the criteria the Growth Management Commission will use to determine its establishment of residential building permit allocation recommendation to the Board of Supervisors.”

(11:01:20) – Supervisor White also believed that per CCMC 18:12:30, the Growth Management Commission had not provided this Board with a detailed report of their considerations and believed that there was no legal standing to consider affordable housing. He explained that per a November 23, 2021 report titled “Carson City Affordable Housing Brief,” the City has a sufficient number (12,834) of affordable housing units and 9,400 households “that fit into the low-income category.” He also referenced Ms. Sullivan’s presentation and pointed out that more single-family homes were being built than multi-family ones.

(11:06:31) – Supervisor Horton quoted the phrase: “If it ain’t broke don’t fix it” and noted nothing was broken and everything was fine. He also expressed frustration regarding the opinion of the City not having water. He stated that the Water Utility Division has indicated they could meet the water demand and that they are improving their production capabilities and called it “wrong.” Supervisor Schuette reiterated her concern that the City was not reaching the proposed Growth Management criteria; therefore, she recommended considering 50 percent general property and 50 percent development categories, adding that she wished to see the three percent growth in 2025 capped at the lower levels. Supervisor Giomi believed that a cap would not make a difference as the City historically has not reached its numbers, calling it “physically impossible,” and believed that in a peak year, “the Board would eventually artificially affect the value of a building permit.”

(11:16:01) – Mayor Bagwell noted her appreciation for what the Growth Management Commission was trying to accomplish; however, this proposed regulation had not met their intent and did not have sufficient detail. She also questioned the need to have specified category percentages but noted that the idea had not been “vetted yet.”

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Supervisor Giomi wished to explore “better ways to allow the inclusion of affordability in developments.” Mayor Bagwell entertained public comments.

(11:19:30) – Mr. French expressed concern that Staff might not be able to handle the number of permits requested in one year and will the City’s infrastructure be able to meet the need. Mark Turner, representing the Nevada Builders Alliance and Silver Oak Development, agreed with Supervisor Horton’s comments and was concerned that the current model prevents the commoditization of building permits. He also noted that with the currently struggling capital markets and the difficulty in financing were causing bigger projects to suffer. Additionally, he believed that very little land was left for large planned unit developments in Carson City, adding that should a building of several hundred apartments become available, a builder would want to receive permits for them all at once. Mr. Turner also highlighted the slow growth of Carson City in relation to surrounding communities and attributed the perception of growth to the fact that development had been halted in the City for a long time. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

**(11:26:23) – Supervisor Giomi moved to adopt Resolution No. 2023-R-23 with the following amendment to Section 1:**

***NOW, THEREFORE, the Carson City Board of Supervisors hereby resolves that: 1. Beginning on the first city working day in January 2024, the Building Division shall make available a total of 765 residential Growth Management allocations for building permits. ~~, of which 510 shall be made available for market-rate housing units and 255 shall be made available for affordable housing units.~~ The 2023 year-end balance of unused allocations shall be voided and returned to the utility manager. The allocations for residential building permits shall be disbursed as follows:***

**and allow the District Attorney’s Office to make other conforming changes necessary to remove references to affordable housing units. Supervisor Schuette seconded the motion.**

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

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

(11:28:09) – Mayor Bagwell recessed the Board of Supervisors meeting.

**REDEVELOPMENT AUTHORITY**



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**20. CALL TO ORDER – REDEVELOPMENT AUTHORITY**

(11:28:14) – Mayor Bagwell called the meeting to order.

**21. ROLL CALL**

(11:28:16) – Mr. Hoen called roll and noted the presence of a quorum comprising Chairperson Bagwell, Vice Chair Giomi, Member Curtis Horton, Member Lisa Schuette, and Member Maurice White.

**22. PUBLIC COMMENT**

(11:28:30) – Chairperson Bagwell entertained public comments; however, none were forthcoming.

**23. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – MAY 18, 2023**

(11:28:38) – Chairperson Bagwell introduced the item and entertained comments/corrections or a motion.

(11:28:43) – Vice Chair Giomi moved to approve the minutes of the May 18, 2023 Redevelopment Authority Meeting as presented. The motion was seconded by Member White and carried 5-0-0.

**24. PARKS, RECREATION AND OPEN SPACE**

**24.A. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION CONCERNING A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE EXPENDITURE OF \$25,000 FROM THE FISCAL YEAR (“FY”) 2024 REDEVELOPMENT REVOLVING FUND TO SUPPORT VARIOUS ARTS AND CULTURE EVENTS AND PROJECTS.**

(11:28:57) – Chairperson Bagwell introduced the item. Recreation Superintendent Dan Earp gave background and presented the Staff Report and supporting documentation, all of which are incorporated into the record. Mr. Earp reviewed the allocation scoring methodology and the FY 2023-2024 Carson City Redevelopment District Arts and Culture Grant Score Sheet. Based on the scoring Methodology, the following art and culture organizations were awarded the redevelopment art and culture allocations:

**ATTACHMENT B**

2023-2024 Carson City Redevelopment District Arts and Culture Grant Rankings

RANKING	APPLICANT	REQUEST	AWARDED	TOTAL SCORE
1	Nevada Dance Company (New Project)	\$ 10,000	\$ 5,000	150/180
2	Carson City Symphony Association	\$ 5,000	\$ 2,500	148/180
2	Latino Arte and Culture	\$ 10,000	\$ 5,000	148/180
4	Mile High Jazz Band	\$ 5,000	\$ 2,500	140/180
4	Nevada Dance Company (Recurring Project)	\$ 5,000	\$ 2,500	140/180
4	Children's Museum of Northern Nevada	\$ 7,000	\$ 3,500	140/180
7	Carson City Historical Society (New Project)	\$ 10,000	\$ 4,000	137/180
7	Carson City Historical Society (Recurring Project)	\$ 2,500		137/180
9	Wild Horse Productions	\$ 5,000		134/180
10	Capital City Arts Initiative	\$ 5,000		131/180
11	The Birdhouse Group LLC/Downtown Vintage Market	\$ 5,000		98/150

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(11:33:20) – Discussion ensued regarding recurring versus new projects and Mayor Bagwell found it surprising that new projects had not received their requested amounts; however, existing projects had. There were no public comments; therefore, Chairperson Bagwell entertained a motion.

**(11:35:46) – Vice Chair Giomi moved to recommend to the Board of Supervisors approval of the expenditures as recommended by the Cultural Commission. The motion was seconded by Member White.**

<b>RESULT:</b>	<b>APPROVED (5-0-0)</b>
<b>MOVER:</b>	Vice Chair Giomi
<b>SECONDER:</b>	Member White
<b>AYES:</b>	Members Horton, Schuette, White, Vice Chair Giomi, and Chair Bagwell
<b>NAYS:</b>	None
<b>ABSTENTIONS:</b>	None
<b>ABSENT:</b>	None

**25. PUBLIC COMMENT**

(11:36:05) – Chairperson Bagwell entertained final public comments; however, none were forthcoming.

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

(11:36:10) – Chairperson Bagwell adjourned the Redevelopment Authority meeting at 11:36 a.m.

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

(10:36:24) – Mayor Bagwell reconvened the Board of Supervisors. A quorum was still present.

**28. PARKS, RECREATION AND OPEN SPACE**

**28.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION AUTHORIZING THE EXPENDITURE OF \$25,000 FROM THE FISCAL YEAR (“FY”) 2024 REDEVELOPMENT REVOLVING FUND TO SUPPORT VARIOUS ARTS AND CULTURE EVENTS AND PROJECTS 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.***

(11:36:28) – Mayor Bagwell introduced the item and entertained questions and/or comments and when none were forthcoming, a motion.

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**(11:36:48) – Supervisor Schuette moved to approve Resolution No. 2023-R-24. Supervisor White seconded the motion.**

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

**29. PUBLIC WORKS**

**29.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A BUSINESS IMPACT STATEMENT CONCERNING A PROPOSED POLICY (“POLICY”) FOR PUBLIC ELECTRIC VEHICLE CHARGING STATIONS ON CARSON CITY-OWNED PROPERTY AND RIGHTS-OF-WAY (“CITY PROPERTY”), INCLUDING FEES TO BE CHARGED FOR THE USE OF THOSE ELECTRIC VEHICLE CHARGING STATIONS.**

(11:37:22) – Mayor Bagwell introduced the item. Transportation Manager Chris Martinovich gave background and reviewed the Business Impact Statement noting that the next step would be the final adoption of the policy “in the next couple of weeks.” Mr. Martinovich also responded to the Supervisors’ questions and offered to look into the possibility of charging by kilowatt per hour. Mayor Bagwell entertained public comments and Mr. French recommended charging by usage and by time. There were no other public comments.

**(11:43:44) – Supervisor Giomi moved to accept the business impact statement as presented. The motion was seconded by Supervisor White.**

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

**29.B. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED REORGANIZATION OF THE CARSON CITY PUBLIC WORKS DEPARTMENT (“DEPARTMENT”).**

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(11:44:00) – Mayor Bagwell introduced the item. Public Works Director Darren Schulz explained that he wished to reorganize the Public Works Department to ensure increased efficiency and improve operational functions within the Department. He proposed the following changes:

- Creating a new Utility Manager position combining the Water and the Wastewater manager positions – funded by Water and Wastewater funds.
- Creating the City Asset Services Manager position to manage the functions of Asset Management, Fleet, Facilities, and Real Property – funded by the Utilities, Fleet, and General funds.
- Creating a new Real Property Analyst position to replace the current Real Property Manager.

Mr. Schulz also reviewed the fiscal impact and noted that the proposed reorganization would not increase headcount and would result in a total reduction in the budget by up to \$26,021. He also responded to clarifying questions. There were no public comments and Mayor Bagwell entertained a motion.

**(11:49:25) – Supervisor Giomi moved to approve the proposed reorganization of the Public Works Department as presented. The motion was seconded by Supervisor White.**

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

**30. CITY MANAGER**

**30.A. FOR DISCUSSION ONLY: DISCUSSION AND PRESENTATION ON A FINAL REPORT CONCERNING THE 82ND (2023) SESSION OF THE NEVADA LEGISLATURE.**

(11:49:46) – Mayor Bagwell introduced the item. Government Affairs Liaison Stephen Wood thanked the Board for their trust in him during this year’s Legislative Session. He also thanked the many Departments that had assisted him. Mr. Wood recapped the session by noting that a total of 1,096 bills had been introduced, 610 of which had passed both houses of the legislature, and 75 had been vetoed by the Governor. He added that 314 bills had been actively monitored by Carson City for their potential impact and read a select number of the bill numbers (signed by the Governor or vetoed by him), incorporated into the record via the Staff Report, and responded to clarifying questions. The Board and Ms. Paulson praised Mr. Wood’s efforts and believed having the function in-house was very beneficial. Mayor Bagwell entertained public comments and Mr. French thanked Mr. Wood as well. This item was not agendaized for action.

**31. BOARD OF SUPERVISORS**

**NON-ACTION ITEMS.**

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**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**

(12:13:39) – Mayor Bagwell introduced the item. There were no Board comments.

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

(12:13:52) – Mayor noted that this item would take place immediately after adjournment.

**32. PUBLIC COMMENT**

(12:13:58) – Mayor Bagwell entertained final public comments; however, none were forthcoming.

**33. FOR POSSIBLE ACTION: TO ADJOURN**

(12:14:09) – Mayor Bagwell adjourned the Board of Supervisors meeting at 12:14 p.m.

The Minutes of the July 6, 2023 Carson City Board of Supervisors meeting are so approved on this 3<sup>rd</sup> day of August, 2023.

  
LORI BAGWELL, Mayor

ATTEST:

  
SCOTT HOEN, Clerk-Recorder

**LATE MATERIAL**  
**ITEM: Public Comment**  
**Meeting Date: 07/06/23**

**From:** [Jennifer Verive](#)  
**To:** [Public Comment](#)  
**Cc:** [Robert Buttner](#)  
**Subject:** Agenda Item 9b -- Urge you to appeal First Judicial Court Order in the matter of CVM  
**Date:** Monday, July 3, 2023 1:36:26 PM

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

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Dear Madam Mayor and Supervisors:

We are writing to request that you reject staff's proposed motion for Item 9b regarding the First Judicial District Court Order in the matter of Carson Valley Meats, Inc. v. Carson City and the Carson City Board of Supervisors, and instead direct staff to aggressively pursue overturning the Judicial Court Order and uphold the Board of Supervisors' decision to uphold the appeals brought forth by the citizens who met the qualifications to have standing to appeal.

Your decision to uphold the appeals to the SUP granted to this facility by the Planning Commission made it clear that the location of this slaughterhouse -- within our City limits, on federally designated wetlands -- will likely prevent the Peaceful Enjoyment of our homes, neighborhoods, and community. This facility continues to be opposed by hundreds of residents across Carson City and the tri-county area.

Further, a slaughterhouse is inconsistent with our master plan and our identity as Nevada's Capital City. And, as the recent USDA violations at UNR's Wolf Pack Meats demonstrated, federal agency oversight cannot ensure our residents protection against the very real adverse impacts of this type of facility.

The decision issued by the First Judicial District Court is in opposition to the decision made by the Supreme Court of Nevada in a similar matter involving a slaughterhouse vehemently opposed by the public. Indeed, the Supreme Court found that citizens who are voicing and effecting their concerns, in regards to health-code and building-code compliances, are from "arbitrary and capricious".

The Nevada Supreme Court was clear in its ruling that citizens are a vital part of a municipality's decision-making. We believe that Judge Russell's ruling will not be supported by a court of appeals.

We urge you to appeal this court order!

Thank you for listening, and for your work on our behalf.

Sincerely,

Dr. Jennifer Verive, [ccpeacefulenjoyment@gmail.com](mailto:ccpeacefulenjoyment@gmail.com)

Bob Buttner, [rrblabor@att.net](mailto:rrblabor@att.net)

Carson City Residents

Also on Behalf of the Coalition of Citizens for Peaceful Enjoyment

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Agenda Item 9b  
**Date:** Wednesday, July 5, 2023 6:13:51 AM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** Julie and Brock Slocum  
**Site Visitor Email:** [oceanfever@charter.net](mailto:oceanfever@charter.net)

This Thursday, 7/6 @ 8:30 AM, the Board of Supervisors will discuss for possible action the recent ruling from Judge Russel in favor of the slaughterhouse. Staff is recommending that the BOS "accept" this ruling rather than appealing it.

We disagree and believe that this ruling should be APPEALLED.

Our Peaceful Enjoyment of our homes and community is being threated once again!

We urge you to appeal this decision!

We are urging the BOS to appeal the First Judicial District Court Order in the matter of Carson Valley Meats, Inc. v. Carson City and Carson City Board of Supervisors to the Court of Appeals (Agenda Item 9b).

The ruling by Judge Russel is in contrast to the decision made by the Supreme Court of Nevada in a similar matter, also involving CMV.

A slaughterhouse is inconsistent with our community and our Master Plan.

A slaughterhouse is an unwelcome venture opposed by hundreds of citizens across our community and tri-county area.



**From:** [Rene Don PIZZO](#)  
**To:** [Public Comment](#)  
**Subject:** appeal First Judicial Court Order in the matter of CVM  
**Date:** Monday, July 3, 2023 12:54:49 PM

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Board of Supervisors:

Please appeal the First Judicial District Court Order in the matter of Carson Valley Meats, Inc. v. Carson City and Carson City Board of Supervisors to the Court of Appeals (Agenda Item 9b). **The ruling by Judge Wilson is in contrast to the decision made by the Supreme Court of Nevada in a similar matter**, also involving CMV.

As some of you know from previous testimony by citizens, a slaughterhouse is inconsistent with our community and our Master Plan. A slaughterhouse is an unwelcome venture opposed by hundreds of citizens across our community and tri-county area.

Please honor your previous decision to not allow the slaughterhouse and appeal the decision that goes against the Supreme Court of Nevada's decision.

Thank you.

Rene Pizzo

**From:** [Merlyn Paine](#)  
**To:** [Public Comment](#)  
**Subject:** Appeal of the ruling by judge Russel re: the Carson Valley Meats slaughterhouse. AGENDA ITEM 9b, July 6.  
**Date:** Tuesday, July 4, 2023 8:08:04 PM

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I sincerely urge the Board of Supervisors to appeal Judge Russel's ruling as the project, as testified in the previous records, contradicts the Master Plan in having harmonious neighborhoods (there are several subdivisions within 900 or more feet of the proposed site), the traffic issue on Deer Run Road, and a venture that is opposed by hundreds of community members as demonstrated by attendance at the Supervisor meetings, the Planning Committee meetings, and via street demonstrations. It is clear that the community as a whole does not want this project within City limits; there are other more appropriate sites in the multi-county agrarian region, especially as the Carson City area has been developed with residential subdivisions and is in direct contact with the EPA Superfund site, the Carson River, and is the direct drainage of Brunswick Canyon which is one of the main sources of toxic mercury from the mines. The natural drainage patterns and the wetlands have to this point buffered the river from surface runoff which protects the quality of the river and the surrounding riverbanks and properties from disruption. Building on this site also continues to undermine the Carson city ordinances which stress protection of flood plains and that natural drainage channels will be preserved.

It has been discussed that in order to extend the sewer system to accommodate the slaughterhouse, a federal grant would be procured to pay for the improvement. Any project with even one dollar of federal money involved must be reviewed under NEPA. If that action is taken and the grant is awarded, that automatically triggers a full review by NEPA, the federal National Environmental Policy Act which includes a full review by all of the agencies including wildlife, watershed, environmental justice, archeological and many other categories that are assessed. It is a lengthy process which also demands extensive public involvement and in this case, might initiate a close review regarding environmental justice laws because of the nearby and long-standing trailer park.

There are serious obstacles in allowing this project to proceed and an appeal by the Supervisors is strongly encouraged to reconsider the Judge's ruling. I am a resident of Carson City, have been here for 30 years, and strongly think that this project is NOT in the best interest of Carson City or its citizens.

Sincerely,  
Merlyn Paine

6025 Pursia Road  
Carson City, NV 89701

**From:** [Jacqueline Carlin](#)  
**To:** [Public Comment](#)  
**Subject:** Appeal the First Judicial District Court Order  
**Date:** Tuesday, July 4, 2023 9:29:18 AM

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Appeal the First Judicial District Court Order for the following reasons:

- Nevada's Supreme Court decision declared the slaughterhouse unfit for the proposed area.
- A slaughterhouse is inconsistent with community and Master Plan.
- A slaughterhouse is an unwelcome venture opposed by hundreds of citizens across our community and try-county area.
- Slaughterhouse traffic intrudes on our neighborhood right of way.
- Slaughterhouse noise and odor is in conflict with our environment.
- Slaughterhouse offal will drain into the Carson River causing pollution.
- Slaughterhouse location too close to surrounding neighborhoods.

Do not approve a business plan that degrades our way of life.

July 5, 2023

Carson City Board of Supervisors  
201 N. Carson Street  
Carson City NV 89701

RE: Carson City Board of Supervisors Meeting of 7/6/2023, Agenda Item 9b

Supervisors,

I request that you reject the recommendation made by staff regarding a First Judicial District Court Order in the matter of Carson Valley Meats, Inc. v. Carson City.

Judge Russell's arguments conflict with the judgment of the Nevada Supreme Court decision regarding Ms. Sinclair's appeal of her application for the same type of facility in Douglas County (Case #82242). In the Supreme Court decision, the court stated "We conclude that substantial evidence supports the BOA's denial of Sinclair's permit application. The burden was initially on Sinclair to prove that she satisfied DCC 20.604.060(H)."

This same burden applies to Sinclair's application under CCMC 18, which specifically requires that the Planning Commission must find that the "Findings from a preponderance of evidence must indicate that the proposed use...[b] Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods..." (CCMC 18.02.080). Substantial evidence was offered by Carson City residents at the Planning Commission hearing which several members chose to ignore. Moreover, it is the duty of the Planning Director to "...investigate each application to assure (sic) that the proposal is consistent with the requirements of this title."

Neither the applicant nor the Director of the Planning Department provided a *preponderance* of evidence that this requirement was met, leading the Planning Commission to make an arbitrary decision. In essence, the testimony and input from many of your constituents was ignored.

Moreover, considerable weight was given to testimony from non-residents, including a student, who attends college in Texas, on the benefits of a slaughter house being built not in their back yard, but ours. On it's face, this is arbitrary and capricious.

The Board of Supervisors correctly determined that Carson City residents overwhelmingly reject this proposal. Judge Russell's order seeks to ignore this requirement as affirmed by the Nevada Supreme Court decision on an almost identical set of facts.

The series of administrative errors which plague this proposal from its inception should highlight the need to adhere to the criteria under CCMC 18. At some point, Carson City residents, taxpayers, and voters must have advocacy from its elected representatives and public servants. This is that time. Please reject the staff recommendation, appeal Judge Russell's order to the next court and direct staff to aggressively investigate and defend the appeal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Carver".

Chris Carver

**From:** [K Franco Simmons](#)  
**To:** [Public Comment](#)  
**Subject:** Carson City Board of Supervisors Meeting 7/6/2023 Agenda Item 9b  
**Date:** Monday, July 3, 2023 3:54:53 PM  
**Attachments:** [ATTACHMENT 1 AppealFilingProcedures.pdf](#)  
[ATTACHMENT 2 Howard Family Appeal of the CCPC decision of 12-15-2021 LU-2021-0308.docx](#)

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July 3, 2023

Carson City Board of Supervisors  
201 N. Carson Street  
Carson City NV 89701

RE: Carson City Board of Supervisors Meeting of 7/6/2023, Agenda Item 9b

Honorable Board of Supervisors,

**Please pull Agenda Item 9b from the Consent Calendar for separate discussion and action.** Item 9b relates to the First Judicial District Court Order in the matter of Cason Vally Meats, Inc. v. Carson City and Carson City Board of Supervisors, Case No. 22 OC 00036 1B, relating to a special use permit ("SUP") for a "commercial meat processing facility, previously referred to as a Slaughterhouse.

I am writing on behalf of my parents, George and Diane Howard, who reside at 4990 August Drive, Carson City, which is 913 feet from the proposed Slaughterhouse. Our family home is within the notification zone for the project. We are appellants in the matter.

**We are requesting the Board of Supervisors to appeal the decision of the First Judicial District Court to the Nevada Court of Appeals and/or the Nevada Supreme Court.** Further, we are requesting the Board of Supervisors to direct staff to aggressively pursue the matter in support of the Board of Supervisors' decision to uphold the Citizens' Appeals.

We find that the First Judicial District Court Order made several erroneous findings as relates to my family's appeal:

- 1- On the matter of appellants' standing;
- 2- On the matter of consideration of evidence presented by appellants that was not presented to the Planning Commission, and not required by any applicable statute or code.

The Court Order states: "The Board failed to make a finding on any the of the appellants' standing, and the Board heard each appeal."

The appeal filed by my family followed every requirement of the Carson City Municipal Code and written procedures provided to us. See the attached City-provided document "PROCEDURES FOR

FILING AN APPEAL” with its referenced and attached “Copy of Carson City Municipal Code (CCMC), Section 18.02.060 Appeal” (Attachment 1) and the Howard Family Letter of Appeal, dated December 23, 2021 (Attachment 2). We followed every aspect of the requirements of the code specifically and in detail. My parents and I attended every meeting of the Planning Commission and Board of Supervisors and submitted relevant written and oral public testimony at every meeting. Our appeal included aspects of the decision of the Planning Commission we were appealing, and necessary facts or other information that supported our contention that the staff or commission erred in its findings AS REQUIRED BY THE MUNICIPAL CODE. Our appeal was fully supportable by the Board as written and presented.

Staff failed to inform or make clear to the Board of Supervisors at the Appeal Hearing of February 3, 2022 that the Board of Supervisors was required to “make a finding on the appellants’ standing”. This gives the appearance that an error or omission of staff can be instrumental in providing fodder for a court review to overturn the Board of Supervisors decision on Appeals filed by impacted citizens.

Further, no member of the public was informed of nor allowed to attend the Court Hearing of June 5, 2023. There is no record of how aggressively or competently Staff presented or pursued the case to ensure the Board of Supervisor’s decision to grant the citizen’s Appeals was upheld. Again, the appearance is that staff error, bias or mediocre presentation resulted in the overturning of the Board of Supervisors Decision in favor of the Citizens’ Appeals.

Finally, the staff report presents the Proposed Motion: “I move to accept the Court’s Order in the matter as issued.” *To allow this Court Order to stand as written presents unmitigated precedents that further erode and remove the public’s right to appeal matters that impact their quality of life and peaceful enjoyment of their property.* This Court Order not only overturns this single matter of utmost importance to those of us deeply impacted but will provide the precedent to overturn all Citizen Appeals in unrelated matters in the future.

**Please make an alternative motion such as:**

**I move to appeal the Court’s Order in this matter to the Nevada Court of Appeals and/or the Nevada Supreme Court, and direct staff to take any other appropriate actions to aggressively support the Board of Supervisors decision to Uphold the Appeals brought by the Citizens.**

Respectfully,  
Kathleen Franco Simmons

Attachment 1: City-provided document titled “PROCEDURES FOR FILING AN APPEAL” and its attached copy of Carson City Municipal Code (CCMC), Section 18.02.060 Appeal  
Attachment 2: Howard Family Letter of Appeal

## CARSON CITY PLANNING DIVISION PROCEDURES FOR FILING AN APPEAL

Attached is a copy of Carson City Municipal Code (CCMC), Section 18.02.060 Appeal.

If you wish to file an appeal, please read the attached material over VERY CAREFULLY and be sure to follow the procedures. Remember:

1. A decision of the Planning Division, the Planning Commission, the Hearing Examiner, or the Historic Resources Commission can be appealed provided the appeal is filed within 10 days of the date of the decision.
2. Only those people who participated in the hearing process are eligible to file an appeal. Participation includes testifying at the original hearing and/or providing written comments regarding the item in question before or during the public hearing.
3. Only issues addressed at the original public hearing can be raised as a basis for an appeal. Comments submitted after the original hearing has concluded will be considered new information and, as such, cannot be considered as a basis for an appeal.
4. An appeal is filed by way of submitting a letter to the Planning Division. The letter must include:
  - a. The appellant's name, mailing address, daytime phone number, and email address;
  - b. A \$250 filing fee plus noticing fee as determined by the Planning Division. The appellant will also be charged \$60 per hour for each hour of staff time over 4 hours if more than four hours is required to process the appeal;
  - c. Written explanation of the project or decision for which the appeal is being requested;
  - d. Written explanation of which aspects of the decision are being appealed. No other aspect of the appealed decision will be considered.
  - e. MOST IMPORTANT: Necessary facts or other information that support the appellant's contention that an error was made by the decision-maker in consideration of findings supporting a decision.
5. Once an appeal has been submitted and determined to be complete, the Planning Division shall request time on the next available Planning Commission agenda (in the event of a staff or Hearing Examiner decision) or the next available Board of Supervisors agenda (in the event of a Planning Commission or Historic Resources Commission decision).
6. Appeals and the accompanying fee should be addressed to:

Planning Division  
108 E. Proctor Street  
Carson City, NV 89701

Should you have any questions, please call the Planning Division at (775) 887-2180 or via email at [planning@carson.org](mailto:planning@carson.org) for additional information.



## **Carson City Municipal Code (CCMC), Section 18.02.060 Appeals**

1. **Appeals of Staff Decisions.** An administrative decision of the Director may be appealed by the applicant or any aggrieved party to the Commission following the procedures in Subsection 4 of this Section within ten days of the date of the decision. The Commission may affirm, modify or reverse the decision
2. **Appeals of Commission, Hearing Examiner or Historic Resources Commission (HRC).** Any decision of the Commission, hearing examiner or the HRC may be appealed to the Board by the applicant, any aggrieved party, or any member of the Board, by following the procedures in Subsection 4 of this Section within ten days of the date of the decision. The Board may affirm, modify or reverse the decision. In reviewing the decision, the Board shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020.
3. **Appeals of Board Decisions.** A decision of the Board is final. Any appeal of its decision shall be in a court of competent jurisdiction within the time frames established by the NRS.
4. **Procedures for Filing an Appeal.**
  - a. **Standing for Filing an Appeal.** Any project applicant or any aggrieved party may file an appeal as specified in this Section provided that the appellant has participated in the administrative process prior to filing the appeal.
  - b. **Issues for an Appeal.** Issues not addressed in the public hearing stage of the administrative process for a project which is being appealed may not be raised as a basis for the appeal unless there is substantial new evidence which has become available accompanied by proof that the evidence was not available at the time of the public hearing. If new information is submitted to the Board, the application shall be referred back to the Commission for further appeal, review and action.
  - c. **Appeal Application.** - All appeal applications shall be filed in writing with a letter of appeal to the Director.
    1. The letter of appeal shall be submitted within ten days of the date of the staff or Commission decision for which an appeal is requested.
    - (2) The appeal letter shall include the appellant's name, mailing address, daytime phone number and shall be accompanied by the appropriate fee.
    - (3) The letter shall specify the project or decision for which the appeal is being requested. The letter shall indicate which aspects of the decision are being appealed. No other aspect of the appealed decision shall be heard.
    - (4) The letter shall provide the necessary facts or other information that support the appellant's contention that the staff or Commission erred in its consideration or findings supporting its decision.
  - b. **Decision.** The Commission or Board, whichever has jurisdiction over the appeal, shall render its decision on the appeal within 60 days of the submittal of a complete appeal application.
  - c. **Notice of Appeals.** Notice of time and place of Appeal hearings shall be published in a newspaper of general circulation in Carson City, not less than ten days prior to the date of such hearing. Upon application for an Appeal, the City shall mail to the applicant, to all property owners of record, as shown on the latest equalized assessment rolls, within 300 feet of the exterior boundaries of the subject property, to all unique property owners of land within such area proposed for rezoning, and to each tenant of a mobilehome park if that park is located within 300 feet of the property in question, written notice of the time, place and date of such hearing and the general location of the property of the addressee with reference to the property proposed for change, not less than ten days prior to the public hearing date. At least 30 unique property owners nearest the subject site must be noticed if there are not 30 unique property owners within 300 feet of the subject site.

December 23, 2021

Mayor, Board of Supervisors, Community Development  
c/o Community Development Director Hope Sullivan  
Carson City Planning Division  
108 E. Proctor Street  
Carson City, NV 89701

Mayor, Board of Supervisors, and Director Sullivan,

I am Kathleen Franco Simmons, and I am writing on behalf of my parents, George and Diane Howard, and our family, to appeal the Planning Commission's decision of December 15, 2021, regarding Item 6.E LU-2021-0308 to approve a special use permit to allow for a slaughterhouse located at Hwy 50 E and Detroit Road.

Please accept the following Appeal Application, pursuant to CCMC Section 18.020.060, Subsection. 4.c.:

- (1) Date letter of appeal submitted: December 23, 2021
- (2) Appellant's name, mailing address, daytime phone number, accompanied by appropriate fee: \$250 check (attached): Kathleen Franco Simmons, 2108 Utah Street, Carson City, NV 89701, (707) 499-7211, and George and Diane Howard and family, 4990 August Drive, Carson City, NV 89706.
- (3) Project appealed; aspects of the decision that are being appealed: LU-2021-0308 to approve a special use permit to allow for a slaughterhouse on property zoned General Industrial ("GI") located on the south side of Hwy 50 E and east of Detroit Road, portions of APNs 008-371-38, 008-371-39, and 008-371-10.

We are appealing the following aspects of the decision of the Planning Commission:

- a. The Planning Commission decision to approve special use permit LU-2021-0308 based on the findings and subject to the conditions of approval contained in the staff report, with three additional conditions added at the time of the 12/15/2021 public hearing.
- b. Finding 1: Will be consistent with the master plan elements.
- c. Finding 2: Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; *[and is compatible with and preserves the character and integrity of adjacent development and neighborhoods]*, and will cause no objectionable noise, vibrations, fumes, odors, dust, glare, or physical activity.
- d. Finding 4: Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.
- e. Finding 6: Will not be detrimental to the public health, safety, convenience, and welfare.
- f. Finding 7: Will not result in material damage or prejudice to other property in the vicinity.

(4) Necessary facts or other information that support the appellant's contention that the staff or Commission erred in its consideration or finding supporting its decision:

- a. The Planning Commission erred in its decision to approve special use permit LU-2021-0308 based on the findings and subject to the conditions of approval contained in the staff report, with three additional conditions added at the time of the 12/15/2021 public hearing. CCMC Title 18.02080, subs. 5.h., states "The applicant for a Special Use Permit shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Special Use Permit." There was a lack of evidence, or meaningful data, reports, or analysis provided by the applicant and staff to support findings and conditions of approval. The Planning Commission was provided with a preponderance of evidence from dozens of neighbors and residents of Carson City to demonstrate why Findings 1, 2, 3, 4, 6, and 7 can not be made. (CCMC Title 18.02.080, subsection 5.h.)
- b. The Planning Commission erred in making Finding 1, that the proposed slaughterhouse will be consistent with the master plan elements. The staff report concluded that "Chapter 3 of the Master Plan calls for achieving a more balanced land use pattern by encouraging infill and redevelopment with the City's urbanized area." More correctly, the Master Plan calls for "Encouraging infill and redevelopment that blends seamlessly with established areas of the City." (Theme 4 – Livable Neighborhoods) and "The City will work to maintain the quality and character of established neighborhoods and ensure that infill and redevelopment is designed in a manner that minimizes impacts on existing neighborhoods, including rural neighborhoods located within the city's urbanizing areas." (Guiding Principle 9: Stable, Cohesive Neighborhoods). My letter of December 7 highlights 14 other Master Plan Themes, Goals, and Guiding Principles in which it could be concluded and found that the proposed slaughterhouse will NOT be consistent with the Master Plan. A public records request for additional Master Plan elements could not be provided by the Planning Division as of this writing.
- c. The Planning Commission erred in making Finding 2, that the proposed slaughterhouse will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood, *[that it is compatible with and preserves the character and integrity of adjacent development and neighborhoods]*, and that it will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity as follows:
  - i. The Planning Commission erred in making the finding that the proposed slaughterhouse will not be detrimental to the **use** of our property. Objectionable noises, vibrations, fumes, odors, dust, glare, and physical activities will be detrimental to the peaceful enjoyment of our home, property and neighborhood, and will disturb or disrupt our long-established uses such as: gardening, walking, resting, enjoying the outdoors, birdwatching, wildlife viewing, and enjoying the beauty, peace and serenity of our yard. (See also ii. through ix. below.)
  - ii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will not be detrimental to the **peaceful enjoyment** of our property. The conditions of approval provide inadequate mitigations, with little or no evidence that the slaughterhouse will not cause objectionable noises, vibrations, fumes, odors, dust, glare, and physical activities. The preponderance of evidence submitted by impacted property-

owners and concerned citizens of Carson City clearly indicates that a slaughterhouse this close to residential properties and neighborhoods WILL cause objectionable noise, fumes, odors, and physical activity. (See i. above, and iii. through ix. below.) We continue to maintain that the slaughterhouse will be detrimental to the peaceful enjoyment of our home and neighborhood, with the result that Finding 2 can not be made.

- iii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will not be detrimental to the **Economic Value** of our property. Neither the applicant nor staff provided any information of substance regarding neighboring property-owners' often-repeated concerns for the potential for loss of property values. The conclusion by staff that the slaughterhouse will not be detrimental to the economic value of our property was not supported by any evidence, reports, data, or analysis. The Planning Commission disregarded testimony from numerous property-owners and residents of surrounding properties and neighborhoods in this regard. Pursuant to CCMC 18.02.080, subsection 5.h.: "The applicant for a Special Use Permit shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Special Use Permit." Pursuant to CCMC 18.02.080, subsection 6.a: "Following the public hearing, the Commission shall determine if there is a preponderance of evidence in the record to support the findings." Both statements are "shall" requirements, which are mandatory. Neither of these requirements were met with regard to the statement that the special use for a slaughterhouse "Will not be detrimental to the economic value, or development of surrounding properties or the general neighborhood."
- iv. Staff and the Planning Commission erred by not addressing a required finding (CCMC 18.02.080, subsection 5.b.) that the proposed slaughterhouse use will be **compatible with and preserves the character and integrity of adjacent neighborhoods**. This requirement in 18.02.080 was not listed as an aspect of Finding 2 in the staff report, nor addressed by the Planning Commission. Our neighborhood is adjacent to the proposed slaughterhouse property. This requirement should have been included in the Finding 2. In any event, the proposed slaughterhouse absolutely will not be compatible with, nor will it preserve the character and integrity of adjacent neighborhoods (See also Finding 1: regarding consistency with the Master Plan).
- v. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **noise**: Deputy District Attorney Todd Reese talked about *quantitative* measurement of noise, and the Planning Commission created a Condition of Approval stating that: "Noise levels at the property line shall not exceed 80 decibels." No discussion was held regarding **qualitative** aspect of noise, specifically the noise of animals being delivered, unloaded, held for 24 hours including overnight without food, hungry and thirsty animal sounds, distressed animal sounds, animals being herded to slaughter, animals being slaughtered, including but not limited to animal noises of crying, whining, whimpering, mooing, squealing, braying, baaing, animals bumping metal fences and gates in pens and chutes, sounds of the piston-hammer or other dispatching mechanisms, metal gates screeching or slamming, trucks, tractors and front-loaders operating on site, bins slamming, etc. The application fails to describe a use that

- will entirely eradicate qualitative aspects of noise. The staff report with additional conditions failed to consider that this noise will be most objectionable to neighbors. The Planning Commission erred in making the finding that this activity will cause NO objectionable noise.
- vi. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **vibrations**. This aspect of Finding 2 was never discussed or addressed by the Planning Commission, nor did the applicant or staff offer a preponderance of evidence, if any, to conclude there will be no objectionable vibrations. (See v. above.)
  - vii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable **fumes**. This aspect of Finding 2 was not addressed by the Planning Commission. The applicant and City staff failed to provide a preponderance of evidence to ensure chemicals sprayed on-site (i.e., denature, etc.) will not cause objectionable, or toxic, hazardous fumes. No reference is made to air quality, air contaminants, air pollution control, or state or local agencies with authority to regulate air quality. No data or analysis was provided discussing wind patterns, wind direction and lack of wind for 24/7, all twelve months of the year.
  - viii. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable odors. A condition of approval was added stating: “No odors related to the processing of animals shall be realized at the property line.” This condition was intended to “put teeth” into the condition, that it might be used in the one-year review of the special use permit. The so-called “teeth” in this condition of approval is nominally punitive and does not make a clear statement of finding that the slaughterhouse will cause NO objectionable odors on days one through 365. No procedure for submitting complaints by neighbors or members of the public is provided. No fines or penalties are referenced. No public notification of the annual review is referenced. This condition of approval is non-responsive to neighbors’ concerns about odors.
  - ix. The Planning Commission erred in making the finding that the proposed slaughterhouse use will cause no objectionable physical activity. Objectionable physical activities of delivery, holding, and slaughtering live animals nearby WILL be detrimental to the peaceful enjoyment of our homes, properties, and neighborhood, and will disturb or disrupt our long-established uses such as: gardening, walking, resting, enjoying the outdoors, birdwatching, wildlife viewing, and enjoying the beauty, peace and serenity of our yard.
- d. The Planning Commission erred in making Finding 4, that the proposed slaughterhouse at this location will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. The preponderance of the evidence was submitted by members of the public between September 17, 2021, and December 15, 2021, stating concerns about City water, water use and water conservation, water pressure, sanitary sewer, sewage lift stations, storm drainage and other public improvements. Little evidence, data, reports or analysis was provided to address these very real concerns. The Planning Commission failed to adequately address these issues prior to making Finding 4.

- e. The Planning Commission erred in making Finding 6, that the proposed slaughterhouse at this location will not be detrimental to the public health, safety, convenience, and welfare. The staff report of December 15 incorporated an additional or expanded requirement (Condition of Approval 19) that the facility shall be certified by the United States Department of Agriculture ("USDA"). Staff also provided a memo dated December 15, 2021, requiring a wetlands delineation report and if appropriate, approval from the EPA. However, there was no information, reports, data, or analysis provided leading to these conditions. A full vetting of the conditions that were added after the original Planning Commission public hearing held September 29, 2021, should have been provided. There was no public consideration by the Planning Commission of the storm drainage issues presented by the public with regard to the drainage trenches and culverts that cross the property in the flood zone. There was no reference to the U.S. Army Corps of Engineers, which may have jurisdiction in this aspect. It is the applicant's responsibility to provide the preponderance of evidence (CCMC 18.02.080, subsection 5.h.). We contend Finding 6 can not be made and was made in error.
- f. The Planning Commission erred in making Finding 7 that the proposed slaughterhouse at this location will not result in material damage or prejudice to other property in the vicinity. As covered in statement **iii.** above, the preponderance of evidence provided by neighboring property-owners clearly indicates a very real concern for the loss of our property values. We contend that Finding 7 can not be made and was made in error.

Please accept this Appeal Application for consideration by the Carson City Board of Supervisors.

Respectfully,

Kathleen Franco Simmons on behalf of my parents, George and Diane Howard, and our family

**From:** [Diane Howard](#)  
**To:** [Public Comment](#)  
**Subject:** Carson City Board of Supervisors meeting July 6, 2023 Item 9b - Request to Appeal  
**Date:** Wednesday, July 5, 2023 11:58:34 AM

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To: Carson City Board of Supervisors

Regarding Agenda Item 9b, we strongly urge you to appeal the First Judicial District Court Order in the matter of Carson Valley Meats, Inc. vs Carson City. We live in the residential area affected by the proposed slaughterhouse. A slaughterhouse is not welcome in our neighborhood. It is inconsistent with our community and with the Master Plan.

Since we were not informed of when the appeal was being held, we were unable to attend. The ruling by Judge Russell is in contrast to the decision made by the Supreme Court of Nevada in a similar matter, also involving CVM. We would like to know that Carson City honors its citizens first, especially when they are so immediately affected by this type of decision, and the ruling makes us question that Carson City made its best case for its citizens.

We urge you to appeal the First Judicial District Court Order in the matter of Carson Valley Meats vs. Carson City.

Thank you.

Diane and George Howard

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Carson City Slaughter house  
**Date:** Monday, July 3, 2023 4:08:03 PM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** Donna Hulett  
**Site Visitor Email:** dlhuey@msn.com

I would very much like to your board to appeal the courts decision to allow the Slaughter house on Hwy 50. There needs to be a feasibility study done to evaluate several matters. First is the location being adjacent to the Carson City Drinking water well on Morgan Mill. We do not know the capture zone around that well. Livestock in the vicinity would not be permitted. Next the sewer capacity for Carson City was not projected for properties of this nature. We already are looking at expanding the sewer plant at tax payers expense. Ingress and egress are a big problem. Hwy 50 traffic does not permit a turn out of the property going west. One must turn east and make a u- turn at the signal at Deer Run. If traffic in and out are to be sent down Morgan Mill and then come in from the rear of the property, Morgan Mill must be improved. How much water will be used to clean the facility after slaughtering the livestock? All these questions need to be studied further. Please listen to your constituents!



**From:** [Marcia](#)  
**To:** [Public Comment](#)  
**Subject:** Carson City Slaughter House  
**Date:** Monday, July 3, 2023 12:54:15 PM

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Really? I want to voice my opposition to this proposed business. If Carson Valley didn't want this slaughter house and through the court system won their appeals of this business, I believe Carson City should follow their example.

I have no objection to a slaughterhouse somewhere in Carson City or other neighboring counties other than the present proposed site. Surely there is land far enough away from populated areas that would be suitable for this endeavor. The current proposed site is within residential areas. Why would anyone agree to put it there? Would you want it in your neighborhood? I sincerely doubt it. But since the neighborhood concerned is in the lower rent district, it's ok? Please vote to appeal Judge Russell's erroneous decision. I'm sure he would "welcome" a slaughterhouse in his upscale neighborhood, right?

Sincerely,  
Marcia Cuccaro

Sent from my iPhone

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Carson Valley Meats - opposition to special use permit  
**Date:** Tuesday, July 4, 2023 11:29:26 AM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** LuAnn James

**Site Visitor Email:** anndomingosnntag@gmail.com

In September 2021, I received a notice from a neighbor that California ranchers had filed a "special use permit" to build a slaughterhouse next to the Villa Sierra Mobile Home Park on Highway 50, often referred to as "Death Road." It is the only access to Carson City from the east. There have been many accidents on this busy street.

Residents of VSMH, the wealthy neighborhood south of them, the neighborhood across the highway protested this permit at the planning commission, as well as many Carson City residents who lived in other areas of the city. It was approved by the commission with many conditions attached.

Nathaniel Killgore was the only commissioner to vote against the permit. Twice. He listened to the environmental and quality of life concerns of the voters.

On February 3, 2022, it was opposed 3 to 2 by the board of supervisors. Mayor Lori Bagwell and Ward 2 supervisor Maurice White voted in favor of the special use permit. A month later, Carson Valley Meats filed a lawsuit against the City.

One June 16, 2023, Carson City Judge Russell voted in favor of Carson Valley Meats. I don't know yet if this will be appealed by the residents to the state supreme court. I am opposed to it for several reasons:

- (1) It's a slaughterhouse. It belongs in a rural area.
- (2) It is taking unfair and racially discriminatory advantage of the nearest neighborhood.
- (3) There are already pumas in the proposed area.
- (4) Carson Valley Meats, by their locations of choice – Minden, Nevada and Carson City seem to be skirting California regulations.
- (5) Early in the nearly two years that special use permit has been protested, CVM was offered land in Smith Valley, a much more suitable location.
- (6) It is likely to adversely affect the value of residential property nearby.
- (7) Isn't Civics 101 about listening to the legitimate concerns of constituents and not out-of-state special interests?

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Carson Valley Meats  
**Date:** Wednesday, July 5, 2023 1:36:21 PM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** LuAnn James  
**Site Visitor Email:** anndomingosonntag@gmail.com

Copied from agenda for July 6, 2023:

"Staff Summary: On December 15, 2021, the Planning Commission approved Carson Valley Meat's SUP application for a commercial meat processing facility."

A "meat processing facility" is different from a "slaughterhouse" which is what CVM is after. For the record, Lori Bagwell and Maurice White lied about living by a "slaughterhouse". The "The Sausage Factory" aka, Flocchini Family since 2015, is not a slaughterhouse as Maurice White stated. It's a meat processing facility.

We do not want live animals killed in our neighborhood. A meat processing facility would have been okay, a slaughterhouse is not.

**From:** [russmilitaria@juno.com](mailto:russmilitaria@juno.com)  
**To:** [Public Comment](#)  
**Subject:** Carson Valley Meats Slaughterhouse  
**Date:** Wednesday, July 5, 2023 2:37:49 PM

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My name is Russ Wilson and I live nearby the proposed Carson Valley Meats location. I am not against Carson Valley Meats having a business within the city limits, but I do question the wisdom of the proposed location:

1. Morgan Mill Road Conditions – it is my understanding that Morgan Mill will be used as the main ingress and egress. At this time Morgan Mill Road is in very poor condition and I doubt that it can handle trucks with high gross vehicle weight loaded with animals. My questions are:

A. Has any Carson City traffic engineer inspected Morgan Mill Road and determined it is in condition to handle the proposed traffic and vehicle weight necessary for Carson Valley Meats to safely operate?

B. If Morgan Mill Road is unable to handle the increased traffic and weight will Carson Valley Meats agree to repair Morgan Mill Road and/or maintain it in the future?

C. If Carson Valley Meats is not willing to repair and maintain Morgan Mill Road, is Carson City able to make the repairs and maintenance necessary? A quick Internet search reveals that the most likely costs will be well over \$1 million based on estimates of 2-lane roadway construction costs in rural areas, and up to \$5 million per mile. Morgan Mill Road floods every year and the road would need to be elevated and proper drainage installed, otherwise Carson Valley Meats will not be able to be accessed via Morgan Mill Road for approximately 1 month every year as it is closed for flooding every year for approximately that timeframe.

D. If Carson City is willing to repair and maintain Morgan Mill Road, is the increased tax revenue from Carson Valley Meats going to be able to cover those costs or will Carson City be saddled with extra costs that it cannot afford? This is a simple math costs vs. benefits evaluation.

2. Possible Well Water Contamination – adjacent to the proposed Carson Valley Meats location is a well cap. The area is in a floodplain and floods annually. Has the below been considered:

A. Has a feasibility study been conducted in regards to any possible contamination of the well when the area floods in consideration to any of the typical waste products to be found in the Carson Valley Meats operations? I am talking about an actual study being conducted and not just a quick verbal comment of that it won't be a problem. This would provide reassurances to the community and assist in determining the liability and possible necessary mitigation efforts and their costs of Carson City and/or Carson Valley Meats in the event any contamination should occur. A study might also reduce the potential liability for Carson City in the event something does goes wrong.

Is the current proposed location ideal for not just Carson Valley Meats, but for the citizens of Carson City? Is the planning commission more concerned about growth, but at the costs to the quality of life for Carson City residents (Carson Valley Meats location is directly adjacent to a pre-existing residential neighborhood)? Is Carson Valley Meats and/or Carson City willing to incur the expenses of improving and maintaining infrastructure such as Morgan Mill Road? Is Carson City prepared to accommodate a business that has proven themselves to be litigious? And lastly, has actual studies been conducted of the area for the typical conditions (flooding, traffic, other hazards, etc.) where Carson Valley Meats want to operate so that those possible hazards can be mitigated and does Carson City and/or Carson Valley Meats able or willing to pay for any mitigation?

If the answers are “no” to any of the above, then why allow Carson Valley Meats to operate at the proposed location instead of finding somewhere more suitable for Carson City, their residents and Carson Valley Meats?

Thank you for your time and consideration.

Sincerely,

Russ Wilson, Divot Road Resident

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Carson Valley Meats  
**Date:** Tuesday, July 4, 2023 11:09:28 AM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** Frank Csigá  
**Site Visitor Email:** csigaman@gmail.com

I feel the proposed location of the Carson Valley Meats Slaughterhouse is inappropriate. Although not immediately adjacent to a residential neighborhood, it is quite close to the Villa Sierra Mobile home park. It is very close to recreational facilities such as the Carson River, Empire Ranch Golf Course, Morgan Mill Boat Launch, Empire Ranch trail system and the Silver State Volleyball Club. A more appropriate location such as the agricultural areas in Douglas County, or even near the Carson City Landfill.

The proposed site is just not suitable for the residents of Carson City.

**From:** [Carson City](#)  
**To:** [CCEO](#)  
**Subject:** Email contact from Carson City  
**Date:** Wednesday, July 5, 2023 2:45:28 PM

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Message submitted from the <Carson City> website.

**Site Visitor Name:** Russ Wilson  
**Site Visitor Email:** russmilitaria@juno.com

**CARSON VALLEY MEATS:**

Possible Well Water Contamination – adjacent to the proposed Carson Valley Meats location is a well cap. The area is in a floodplain and floods annually. Has the below been considered:  
A. Has a feasibility study been conducted in regards to any possible contamination of the well when the area floods in consideration to any of the typical waste products to be found in the Carson Valley Meats operations? I am talking about an actual study being conducted and not just a quick verbal comment of that it won't be a problem. This would provide reassurances to the community and assist in determining the liability and possible necessary mitigation efforts and their costs of Carson City and/or Carson Valley Meats in the event any contamination should occur. A study might also reduce the potential liability for Carson City in the event something does goes wrong.

Is the current proposed location ideal for not just Carson Valley Meats, but for the citizens of Carson City? Is the planning commission more concerned about growth, but at the costs to the quality of life for Carson City residents (Carson Valley Meats location is directly adjacent to a pre-existing residential neighborhood)? Is Carson Valley Meats and/or Carson City willing to incur the expenses of improving and maintaining infrastructure such as Morgan Mill Road? Is Carson City prepared to accommodate a business that has proven themselves to be litigious? And lastly, has actual studies been conducted of the area for the typical conditions (flooding, traffic, other hazards, etc.) where Carson Valley Meats want to operate so that those possible hazards can be mitigated and does Carson City and/or Carson Valley Meats able or willing to pay for any mitigation?

If the answers are “no” to any of the above, then why allow Carson Valley Meats to operate at the proposed location instead of finding somewhere more suitable for Carson City, their residents and Carson Valley Meats?

To: Carson City Board of Supervisors

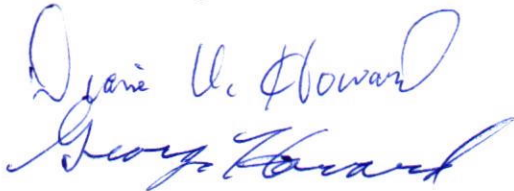
Regarding Agenda Item 9b, we strongly urge you to appeal the First Judicial District Court Order in the matter of Carson Valley Meats, Inc. vs Carson City. We live in the residential area affected by the proposed slaughterhouse. A slaughterhouse is not welcome in our neighborhood. It is inconsistent with our community and with the Master Plan.

Since we were not informed of when the appeal was being held, we were unable to attend. The ruling by Judge Russell is in contrast to the decision made by the Supreme Court of Nevada in a similar matter, also involving CVM. We would like to know that Carson City honors its citizens first, especially when they are so immediately affected by this type of decision, and the ruling makes us question that Carson City made its best case for its citizens.

We urge you to appeal the First Judicial District Court Order in the matter of Carson Valley Meats vs. Carson City.

Thank you.

Diane and George Howard

The block contains two handwritten signatures in blue ink. The first signature is "Diane U. Howard" and the second signature is "George Howard".



**From:** [Donna Hulett](#)  
**To:** [Public Comment](#)  
**Date:** Tuesday, July 4, 2023 11:04:04 AM

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This Slaughterhouse is unwanted by the people living near the property. We have faith in the BOS to represent our wishes. A feasibility study of the area was not done to protect City Water, Sewers, and Traffic control to name a few. The Judge requires new information on this case, and I feel this is new information. Please Supervisors, do not let this issue die. We will be affected by this Business for many years.

**From:** [akaspuds@charter.net](mailto:akaspuds@charter.net)  
**To:** [Public Comment](#)  
**Subject:** slaughterhouse  
**Date:** Tuesday, July 4, 2023 11:18:16 AM

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I would like the BOS to appeal the decision of the court concerning the slaughterhouse. I do not see how the court can overturn the decision of the BOS. In this case it seems like the court decided to ignore the BOS authority over zoning decisions along with the issues presented by Carson City residents. The out of state developer seems to be able to come in and run rough shod over the city and the residents. This is unacceptable to me and it should be to the BOS.

Please file for am appeal on this Judges decision.

Glenn Conant  
Empire Ranch  
775-430-6455

**From:** [Peter Bader](#)  
**To:** [Public Comment](#)  
**Subject:** Slaughterhouse  
**Date:** Wednesday, July 5, 2023 11:49:28 AM

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To whom it may concern,  
please don't uphold judge Russell's ruling on the proposed CVM slaughterhouse. As long as nobody can prove to me that living in the vicinity of a slaughterhouse is no detrimental to the value of my property, I will, backed on existing data, assume it will affect my property negatively.  
Regards, Peter Bader

**From:** [Paula Billman](#)  
**To:** [Public Comment](#)  
**Subject:** Slaughterhouse revisited?  
**Date:** Monday, July 3, 2023 12:14:56 PM

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No slaughterhouse on Rt 50 coming into Carson City from the EAST.

Please hide it away somewhere else,  
and get the driveway off of a major, very busy thoroughfare.

Paula Billman  
5821 Salk Road  
Carson City, NV 89706




**From:** [Wilson, Kendra L](#)  
**To:** [Public Comment](#)  
**Subject:** Slaughterhouse Ruling  
**Date:** Monday, July 3, 2023 2:11:27 PM  
**Attachments:** [image001.png](#)

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Hi Board of Supervisors,

I've been at all the meetings regarding the slaughterhouse on Hwy 50. I'd like to be at the July 6<sup>th</sup> meeting as well, but I'll be out of the country. I would like to urge ya'll to appeal the ruling by Judge Russell. A slaughterhouse does not belong within city limits and would be a detriment to our town, it's inconsistent with our community, and unwelcomed by residents. The Nevada supreme court ruled early last year that it is lawful and reasonable to consider public comment and it upheld a DENIAL of a proposed slaughterhouse in Douglas County. Please show some pride in Carson City and appeal this erred ruling by Judge Russel.

Thank you,

	<p><b><a href="#">Kendra L Wilson, ChFC®</a></b> <b>Financial Advisor</b> ☎: 775-392-4477 FAX: 855-790-1399 <a href="mailto:Kendra.Wilson@EdwardJones.com">Kendra.Wilson@EdwardJones.com</a> <b>Edward Jones</b> MAKING SENSE OF INVESTING CA Agency Number: 0C24309 CA License Number: 0L62023  </p>
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Kendra Wilson  
Financial Advisor  
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[www.edwardjones.com](http://www.edwardjones.com)

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**From:** [Lyn Hudgens](#)  
**To:** [Public Comment](#)  
**Subject:** Slaughterhouse  
**Date:** Monday, July 3, 2023 9:03:54 PM

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I stand firm against the slaughterhouse. Many of us in the neighborhood conducted research of possible impacts between highway 50 & Morgan Mill Road. If there was a release of fluids it could contaminate the well head on Morgan Mill, it would never be useable again. Many years ago a situation happened (I believe it was in Lemmon Valley) that released & contaminated either a well or aquifer. It was permanently capped. Another impact are the neighbors that live in the mobile home park next door to the property. Their ives would be impacted by large trucks coming & going, noise, smell & devaluations of their property. They people living there probably live below the poverty level & cannot afford to move. There must be a better location somewhere in the Carson Valley that wouldn't effect drinking water & a neighborhood next door.

Who & where did Judge Russell come from. I don't recall this Judge being involved the last time this ugly issue came up upsetting & impacting the people living in the Empire Ranch area.

Thank you for reading my concerns,

Lyn Hudgens  
2150 Gregg Street

**From:** [Kathlee Lee](#)  
**To:** [Public Comment](#)  
**Subject:** Subject 9B  
**Date:** Monday, July 3, 2023 4:07:41 PM

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I strongly oppose the slaughterhouse deal. I live in the area. I worry about my underground water supply, the odor, the noise and just all-around unhealthy atmosphere of all the neighboring houses. I do not understand why the residents of this area do not get a voice in this and why we have to just put up with it. I am tired of the good old boy mentality that says well I'm gonna let you do it because of who you know and how the palms are greased, instead of the neighboring homes, and that includes mine that strongly object to this, and we should have a voice, and we should have a say in what goes on in our neighborhood.  
Sent from my iPhone

**From:** [Wade Bradshaw](#)  
**To:** [Public Comment](#)  
**Subject:** Title 17.09 Workshop Request  
**Date:** Wednesday, July 5, 2023 1:57:13 PM

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To: The Board of Supervisors

Please create a workshop so that we can have a public discussion on title 17.09.

Thank you,

Wade Bradshaw  
Wadejbradshaw@gmail.com



**From:** [Ana Winston](#)  
**To:** [Public Comment](#)  
**Subject:** Urge to appeal the matter of Carson Valley Meats, Inc.  
**Date:** Wednesday, July 5, 2023 1:13:36 PM

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Board of Supervisors ,

I urge the Board of Supervisors not to “accept” the ruling that Judge Russel made on June 16, 2023 in favor of the slaughterhouse.

The ruling should be appealed for many reasons.

1. The property is labeled “ industrial “ but a slaughter house should not be surrounded by businesses, trailer park and homes less than one mile away .
2. This is a flood area, water, waste, runs down hill, flooding Morgan Mill Rd., it continues on to the Empire Ranch Golf Course and into the flood plains and Carson River .  
Photos and videos show this. FEMA will be contacted .
3. Judge Russel approved the “ slaughter house, Carson Valley Meats “ on June 16, 2023.

The construction of the building is already in progress . The road from Deer Run to Sheep Drive is already cleared and has been graveled.

How did these building permits get approved so rapidly, in less than two weeks ?  
Something is not right or legal ?

Board of Supervisors, do not to accept the ruling and appeal it ! Do the right thing for the community.

Respectfully,

Ana Winston