

From: [Doreen Mack](#)
To: [Public Comment](#)
Subject: Re: May 19th BOS Meeting/ Aggrieved Party changes
Date: Monday, May 16, 2022 5:49:09 PM

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

Dear Supervisors:

I had a very respectful conversation with our DA Jason Woodbury and Daniel Yu after our last meeting about writing the suggested Aggrieved Party changes in layman terms that were easily understood by all.

The right to "Standing" certainly applies to anyone who has gone through the Appeal Process. In my case I had gone through the process twice due to changes on re-scheduling. To have my "Standing" revoked at the last minute, just prior to the meeting & reinstated by Our Mayor Lori Bagwell at the meeting seemed against all protocol. I still do not have an understanding as to why this occurred?

Anyone who is a concerned citizen should have the right to speak regarding situations that affect them and their community, directly or indirectly. As I said before, "The Board of Supervisors represents our community and you were entrusted by the people who voted for you to represent them.

As a Citizen I have been heavily involved in our Community for over 30 years. It is my right to have a voice.

Thank You for Your Time,
God Bless...
Doreen Mack President/Downtown 2020
Web-Site: Loftyexpressions.com
775-885-2444

From: [K Franco Simmons](#)
To: [Public Comment](#)
Subject: Fwd: Public Comment for Board of Supervisors meeting 5-19-2022, Item 15A
Date: Monday, May 16, 2022 3:51:22 PM

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

May 16, 2022 – For the Board of Supervisors Agenda of May 19, 2022

Subject: Item 15A – First Reading of proposed ordinance establishing various provisions governing administrative appeals related to land use and zoning

Honorable Board of Supervisors,

I am writing to comment on the draft ordinance establishing various provisions governing administrative appeal related to land use and zoning.

My first preference is to NOT adopt a new ordinance governing administrative appeals. I believe there are substantive changes to the Municipal Code that, rather than clarify the policy for filing administrative appeals, will complicate it for residents and the general public. Several new sections are hard to understand for laypeople who are not attorneys. The ten-day time period is already grievously short in which a member of the public has file an appeal without adding numerous additional hurdles.

However, should the Board decide to move the ordinance forward, I would like to submit the following comments:

1 - Thank you for revising the text of the draft ordinance May 5, 2022, Section 12.(b)(2) relating to criteria for standing of an "aggrieved party" to replace it with "residents, property-owners or business owners" or as it was provided in this draft, to include "Resides in Carson City or possesses a right in real property or a lawful business located in Carson City."

Although this language is an improvement on the May 5 text and I would support the revision over the previous text, I would like to add that it might exclude legitimate groups or individuals such as: The Washoe Tribe, Lake Tahoe groups, historical groups, environmental groups, State or neighboring counties' officials who have an interest in land use matters, to name a few.

2 - Section 8. *"If more than one appeal concerning the same decision is filed pursuant to this section, the appeals may be consolidated..."*

The meaning of the term "consolidated" is ambiguous. In a recent appeal, the term "consolidated" had several very different meanings. I adamantly oppose the meaning of "consolidated" should it require multiple appellants to combine their appeals. There is a large financial burden and time constraint for people to appeal. **Every appellant must be given the separate and distinct opportunity to make their own case.**

3 - Section 3(e) *"A complete description of the project that is the subject of the appeal."*

Why must an appellant provide this, and who determines whether it is a complete description of the project? A member of the general public should be able to identify the decision by reference to the agenda item and date of the commission meeting. This requirement places an unnecessary burden on the appellant.

4 - Section 3(f) *"The date on which the written notice of decision which is the basis of the appeal was filed with the Clerk-Recorder."*

As with the previous comment, why is this required? A member of the general public would be required to figure out what this means and research the dates. In my personal experience with filing a recent appeal, during times around holidays, with short-staffing, staff are slow to respond to requests for information. The burden should not be placed on the appellant to research and provide this information. This requirement places an unnecessary burden on the appellant.

5 - Section 3(g) "*A clear and concise statement of the specific issue of fact or law raised on appeal.*"

Who determines the completeness or deficiency of "a clear and concise statement of the specific issue of fact or law raised on appeal"? This requirement provides another ambiguity upon which an appellant can be determined to have forfeited their right to appeal.

6 - Section 4. "*If a form that is submitted pursuant to subsection 3 is deemed incomplete or deficient ...The failure of a person to submit a completed form in the time prescribed shall constitute a forfeiture of any right to appeal...The time to complete or otherwise amend a submitted form.*" [continues with 4(a) and 4(b); see comment 7.]

What if the appellant becomes ill or is away, out of state or out of the country or otherwise unavailable to comply with a potentially ambiguous determination by staff that any of the above are incomplete or deficient? By default, this appellant will be determined to have forfeited their right to appeal.

7 - Section 4(a) "*Tolls any limitation in which a public hearing on the appeal must be heard...*" and Section 4(b) "*Does not toll any limitation in which a completed form must be submitted.*"

What in the world does this mean? "Toll"? I have never seen this word used in phrases like this, so I can only assume its meaning. Please put this into language so that a general member of the public can understand the clear meaning of it.

8 - Section 6 relating to a new issue of fact... Section 6(b) "*Proof that the supporting material was not available...*"

What is the standard of proof? How can this be qualified? Who qualifies it?

9 - Section 10. "*The standard of review ... is an abuse of discretion standard...*" and Sections 10(a) and 10(b).

What do these statements mean? Please put these statements into clear language that a member of the general public can understand.

In conclusion, in this ordinance, there are many substantive additions to the municipal code with innumerable ways for an appeal to be disqualified. The ordinance DOES NOT clarify administrative appeals, but adds confusion and ambiguity. It does not benefit the public. It DOES NOT **foster the public** trust by increasing governmental transparency. It gives many new opportunities to shoot down an appeal before it is even heard by the Board.

Respectfully,

Kathleen Franco Simmons
2108 Utah Street
Carson City, NV 89701

From: [Jennifer Verive](#)
To: [Stacey Giomi](#); [Public Comment](#)
Cc: [Bob Buttner](#); [Kathleen Franco Simmons](#); [Doreen Mack](#)
Subject: public comment on 5/19/22 meeting Agenda item 15A
Date: Monday, May 16, 2022 11:14:30 AM

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

Dear Supervisor Giomi:

My goals are twofold in writing to you this week regarding the proposed ordinance "establishing various provisions governing administrative appeals related to land use and zoning".

First, I want to express my appreciation for the work that you and the BOS did at the 5/5/22 meeting to more clearly and expansively define "aggrieved party". This broader definition was a welcome relief to those across our City concerned about our ability to actively participate in civic decisions. Thank you.

Second, I want to urge you to request that our DA more clearly define the intent and process regarding "consolidation" of appeals, as mentioned in Section II, subsection 8 of the proposed ordinance. There seems to already be a great deal of confusion about it, and I -- and many others -- are feeling concerned.

I missed this language the first time I read the the draft of the ordinance. The language around "consolidation" of appeals is brief and, honestly, was overshadowed by my great concern over the definition of "aggrieved party".

When I read the draft, I (and many others) take "consolidation" to mean the everyday use of the term. For example, when Bob Buttner and I, and the other appellants, filed our appeals to the proposed slaughterhouse decision last Fall, Community Development Director Hope Sullivan cautioned us to be prepared to "work together" because the appeals might be "consolidated". When we asked for clarification, Director Sullivan said she couldn't provide any details because this was the "first time" multiple appeals had been filed and that the appeals process was at the discretion of the Mayor.

Our understanding, at that time, was that "consolidation" meant that we'd have to share presentation time in front of the BOS. We were not OK with this. In our perspective, although the intent of that sort of "consolidation" may be to streamline the appeals process for the administrators, the outcome would be to diminish the voice of the public. We believed that, at least in our matter, each appellant had a different point of view and each needed to be heard. We felt that requiring us to "work together" would have harmed our ability to fully present our 'case'.

We ended up exchanging several emails with Deputy District Attorney Yu, who provided as much clarification as he could, given the expansive latitude over the appeals process afforded the Mayor. As you know, we ended up with all the appeals at one meeting, but each of us getting to make our own 'case'. We took that to mean that our appeals had **not** been

"consolidated" after all.

Now, however, there is confusion because of a response that Mayor Bagwell provided to our neighbor, Glenn Connant. Mr. Connant had expressed his concerns about "consolidation" to her via email. Her response suggested she was applying a legal definition of consolidation to the term.

The Mayor responded to Mr. Connant's email on 5/14 writing:

"Glenn, Thanks for your comments. I think you are misunderstanding the purpose of consolidation. We want to hear the appeals on the same subject at the same time. Each person who is an appellant speaks to the merit of their appeal. This is what was done on the Slaughterhouse. The applicant only spoke once, but the three appealers each spoke. So if one files on day 3 and another on day 4 and the last on day 10 they can be consolidated for one hearing within 60 days of the day 3 appeal. "

So, does the proposed ordinance mean "consolidation" in the legal sense, as prevailed previously, or in the everyday sense?

Clearly, the intent and procedures of these different definitions are substantial. And, open to interpretation because the term "consolidation" is **not** defined in the proposed ordinance.

Given that there is already confusion, and that there appears to be two different messages from City personnel regarding what is meant by the term, I respectfully request that you ask our District Attorney to revise and clarify the intent and procedures related to "consolidation" of appeals before accepting the first reading of this ordinance. Doing so would benefit all parties involved in the appeals process.

Thank you once again for listening. And thank you for all that you do for our community.

Sincerely,

Dr. Jennifer Verive
Carson City Resident
(Email from Glenn Connant shared with permission.)

From: [Paula Peters](#)
To: [Public Comment](#)
Subject: For the Board of Supervisors Agenda of May 19, 2022 - Subject: Item 15A
Date: Monday, May 16, 2022 6:38:52 AM

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

Subject: Item 15A - For Possible Action: Discussion and possible action to introduce, on first reading, a proposed ordinance establishing various provisions governing administrative appeals related to land use and zoning.

Dear Mayor Bagwell and Supervisors,

Based on my attendance of the May 5, 2022 BOS meeting, it was my understanding that the proposed change to the text in Section 12(b)(2) would have required that a person who wants to appeal a planning commission decision would need to have "a real or personal property right that has been adversely affected". At the meeting this was discussed and the general consensus was that this would have prevented many people from filing an appeal. The board directed DA Woodbury to replace that criteria with a requirement that the person must be a resident, property owner, or business owner within the city.

I will be absent from the meeting Thursday but as long as this change is made I see no reason, based on the last meeting's discussion, to oppose the changes put forth.

Respectfully yours,
Paula L. Peters
Carson City resident

From: [Karen Seaward](#)
To: [Public Comment](#)
Subject: Masonic Lodge Property in Ash Canyon
Date: Monday, May 9, 2022 12:06:03 PM

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

Dear Board of Supervisors:

I am very much in favor of CCPROS seeking an appraisal on, and bidding on, and obtaining the Masonic Lodge Property in Ash Canyon. The current lands and trails in that area are very important to have as public access for recreation, and the addition of this acreage would expand that. Along with numerous friends, I highly value being able to ride my bike or walk to the trails from my home. This is therapeutic in many ways. Stewardship of these types of public areas makes Carson City a great place to live.

Thank you,

Karen Seaward
Carson City

From: [Rev. Brad Jean Hall](#)
To: [Public Comment](#)
Subject: You all are becoming Fascist
Date: Monday, May 9, 2022 11:22:10 AM

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

WARNING**WARNING*****WARNING*****

CARSON CITY CITIZENS YOUR RIGHTS ARE BEING VIOLATED

THIS LETTER IS SUBMITTED BY CHRIS CARVER

This Thursday, our Board of Supervisors will hear the first reading of a municipal ordinance that will drastically change the ability of citizens to voice their opposition to decisions made by the planning commission. Currently, our code allows any "aggrieved party" to appeal decisions made by the Planning Director, the Planning Commission, the Historical Commission, and the Growth Management Commission, to our elected Board of Supervisors. The proposed ordinance requires the "aggrieved party" must have participated in the planning commission process by submitting or making public comment and "possess a real or personal property right that has been adversely affected by the decision..." This definition of "standing" means that citizen groups and community advocates will not have a means to address issues beyond the three-minute public comment period or if the board of supervisors grants them an invitation to speak.

The District Attorney proposal will effectively limit your right: to redress by placing limits on your free speech, and this will give even more power to our city government to squash any opposition. This comes on the heels of the Planning Commission decision to approve a slaughter house on highway 50 despite overwhelming public opposition. Three courageous citizens filed appeals to the Board of Supervisors. At the meeting, the former President of the Planning Commission argued that the Board of Supervisors should reject the community opposition and support the Planning Commission's decision. You read that correctly: our planning commissioner essentially stated "Listen to us, not the community."

Fortunately, three members of our Board did listen to the community and voted to overturn the Planning Commission decision.

The issue for all of us is that in this age of reduced access to government and suppression of the Constitutional rights of redress, our Board of Supervisors has an agenda item that specifically intends to limit citizens' right to have a voice. The DA may be well intentioned, but our Board is not a court of law where the limiting definition of standing applies. Our Board is a deliberative body composed of our elected representatives who first, and foremost, serve the citizens of our community.

The city staff and administrative bodies this ordinance would shield from appeal make decisions that involve: our master plan, the downtown, the historical district, the corridors, housing density, zoning, growth, etc. I suspect the silent majority appreciated the citizens and organizations that stood up for your rights and were at least able to present their argument to the Board of Supervisors, on the slaughter house. This "citizen's right" will soon be dissolved if the DA measure passes.

The DA's proposal "is not" in the best interests of any voter, citizen or resident of our community. It is, quite literally, an effort to deprive our community of its voice. Please submit a public comment to publiccomment@carson.org and contact your elected Supervisor before Thursday to let them know you oppose this effort.

Bagwell, Lori Mayor, (775) 283-7144

Giomi, Stacey Supervisor Ward 1, (775) 283-7582

White, Maurice Supervisor, Ward 2 (775) 283-7934

Jones, Stan Supervisor, Ward 3 (775) 283-7932

Schuetz, Lisa Supervisor, Ward 4 (775) 283-7933

Comment by Jim Shirk

The District Attorney's Office has been directed to prepare an amendment to CCMC

18.02.060. The DA must submit who directed him to prepare this amendment , NOT revealing this source is dishonest.

"Because Jesus Helps" us all.

[1 Cor 1:18 - A Port of Entry](#)

Rev. Brad Jean Hall, PhD.

Stand up for Christ with a loud voice, it's a wondrous thing to share and defend!

From: [mlpaine](#)
To: [Public Comment](#)
Subject: Public comment on public involvement draft ordinance
Date: Wednesday, May 18, 2022 12:24:15 PM

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

This is in regard to item 15a Supervisors meeting, 5/19/22

After forty years in public service on federal, state and local levels, I see that CC is going in the opposite direction of representing the voters on Carson City. Setting up inconveniences and further limitations on public input to both governance and projects, the City may be making their life easier by obstructing public input but are not representing their tax paying and voting residents. The thrust of these efforts is plainly to discourage rather to encouraging public involvement. It is generally the policy and the law in this country to require easy access public involvement.

The City's active orders to the city attorney to generate ordinances to restrict, to impose added requirements on the residents trying to voice their opinion, and to preclude eligibility to voice an opinion is outrageous and certainly undemocratic. The city's assertion that such changes will make the CC government function more efficiently and pass protects more easily is only advantageous to city employees and leaders who want to keep their duties simple and quick. Or, in turn, quietly serve special interests. This approach does not serve their constituents who live in this community.

It is true that public involvement is complicated and messy because everyone has an opinion if they care to voice it (which is not usual in this community). Government is hard work...it, of course, consists of much more than sitting behind a desk and ruling from a distance on the future and lifestyle of their constituents.

A federal act was passed to address the foundation of project approvals -- it is called the National Environmental Policy Act -- the main focus of this law is to encourage and insure extensive public input. This is only one example.

I have never before lived in a community or worked a professional planning or infrastructure development position that has tried to restrict easy public access as Carson City is doing.

The thrust of these efforts, writing of new ordinances, etc. portrays a government of a community where many people would not want to live. The well-being of the community as a whole is being trampled by these shortsighted and self-serving actions. We do not need a tweaking of existing ordinances or new ordinances regarding public involvement imposed for the City's convenience.

Further, I support completely All the comments made by Kathleen Simmons in her letter to you.

Sent from my Verizon LG Smartphone

From: [Donna M. Gray](#)
To: [Public Comment](#)
Subject: Proposed ordinance governing administrative appeals related to land use and zoning
Date: Wednesday, May 18, 2022 9:39:44 AM

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

I object to many of the proposed changes to the existing Carson City administrative appeals ordinance. They seem arbitrary and purposely designed to limit the appeals process. Most citizens are not attorneys and should not be required to employ an attorney in order to understand the requirements to file an appeal. Therefore, if a new ordinance is adopted the provisions should be simple to understand and result in the appeal process being more accessible to the average person. Thank you.

Donna Gray
6061 Rio Vista Ln
Carson City, NV 89701

May 18, 2022

Carson City Board of Supervisors

Subject: Public Comment Agenda 5/19/22; Item 15 Ordinance governing administrative appeals

Again I request that you reject this proposed ordinance. While the modifications to the original text are steps in the right direction, I must agree with fellow resident Kathleen Franco Simmons who questions why this ordinance necessary. In none of the initial arguments or the staff action supporting the ordinance is the case made for the necessity of this law. What dire problem exists that this hastily compiled ordinance, with its ambiguous language and shrouded legalese, fix? What public crisis does this address? What member of our community will be harmed if this new law is not created?

In the last two weeks, even our mayor has found it necessary to clarify the intent of the language in the text to members of the public and to you. If this ordinance is to apply to the lay person, can we make it understandable? In good conscience, you know this proposal does not serve the public good and in many respects, does the exact opposite by constraining the existing public process for redress and accountability.

Use this opportunity to require clarity and simplicity in making new law. Moreover, continue to make yourselves and our city government accountable to those who elected you. This proposed ordinance does neither.

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

Chris Carver

From: [Paula Peters](#)
To: [Public Comment](#)
Subject: For the Board of Supervisors Agenda of May 19, 2022 - Subject: Item 15A
Date: Tuesday, May 17, 2022 10:35:37 PM

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

Subject: Item 15A - For Possible Action: Discussion and possible action to introduce, on first reading, a proposed ordinance establishing various provisions governing administrative appeals related to land use and zoning.

Dear Mayor Bagwell and Supervisors,

After I sent my May 16th email I read the letter that Kathleen Franco Simmons submitted that same day. She made some very valid points. I think the matter deserves more discussion and clarification before any action is taken. I now agree with Kathleen's conclusion.

"In conclusion, in this ordinance, there are many substantive additions to the municipal code with innumerable ways for an appeal to be disqualified. The ordinance DOES NOT clarify administrative appeals, but adds confusion and ambiguity. It does not benefit the public. It DOES NOT foster the public trust by increasing governmental transparency. It gives many new opportunities to shoot down an appeal before it is even heard by the Board."

Respectfully yours,
Paula L. Peters
Carson City resident

From: Paula Peters <ppeterscpa@hotmail.com>
Sent: Monday, 16 May 2022 6:38 AM
To: Public Comment <PublicComment@carson.org>
Subject: For the Board of Supervisors Agenda of May 19, 2022 - Subject: Item 15A

Subject: Item 15A - For Possible Action: Discussion and possible action to introduce, on first reading, a proposed ordinance establishing various provisions governing administrative appeals related to land use and zoning.

Dear Mayor Bagwell and Supervisors,

Based on my attendance of the May 5, 2022 BOS meeting, it was my understanding that the proposed change to the text in Section 12(b)(2) would have required that a person who wants to

appeal a planning commission decision would need to have "a real or personal property right that has been adversely affected". At the meeting this was discussed and the general consensus was that this would have prevented many people from filing an appeal. The board directed DA Woodbury to replace that criteria with a requirement that the person must be a resident, property owner, or business owner within the city.

I will be absent from the meeting Thursday but as long as this change is made I see no reason, based on the last meeting's discussion, to oppose the changes put forth.

Respectfully yours,
Paula L. Peters
Carson City resident

From: scott.scotthoen.com
To: [Lori Bagwell](#); [Public Comment](#); [Sheri Russell](#)
Cc: [Maurice White](#)
Subject: Public Comment for May 19th Meeting - Agenda Item No 17-A
Date: Tuesday, May 17, 2022 2:09:34 PM

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

Good afternoon —

I will not be able to attend your May 19th Board of Supervisors meeting but would like you to consider one question when it comes to the FY 2023 Budget.

My comments relate to your possible action - discussion and possible action regarding the Carson City Final Budget for Fiscal Year (FY) 2023

On page 26 of the packet - page 12, Schedule B-10 regarding the budgeted expenditures for the Recorder, Elections and Public Administrator.

I am running for Carson City Clerk Recorder and would have to inherit the 2023 budget if successful with my campaign - regardless of who wins - Elections shows a estimated current year ending 6/30/2022 of \$624,987. Almost \$200k more than the previous year but with the mail in ballot costs and I am sure equipment / software costs this is understandable.

What you have tentatively approved for 2023 is \$491344 and I would recommend another look. In 2024 you will have three elections with the Presidential, Primary and General with even higher costs. You have a pending move and all of this has to be done with the utmost care when it comes to the election history and equipment.

With the 2/2024 Presidential election - you will be spending more resources in 2023 getting ready for that early in the year election - recruiting volunteers during the holidays will be difficult and of course, you will have the costs of mailing out the ballots, unless something changes with the NV Legislature.

Maybe just one more look at the resources dedicated to one of the most important functions in our democracy — Voting.

Thank you for your consideration

Scott Hoen
Scott@ScottHoen.com
2689 Danielle Drive
Carson City, NV 89706
(714) 270-9607