

CARSON CITY BOARD OF SUPERVISORS

Minutes of the May 4, 2023 Meeting

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A regular meeting of the Carson City Board of Supervisors and Board of Health was scheduled for 8:30 a.m. on Thursday, May 4, 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
Dan Yu, Assistant District Attorney
Stephanie Hicks, Deputy District Attorney
Tamar Warren, Senior Deputy Clerk

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

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

(8:30:37) – Mayor Bagwell called the meeting to order at 8:30 a.m. Mr. Hoen called roll and noted the presence of a quorum. First Christian Church Head Pastor Ken Haskins provided the invocation. At Mayor Bagwell’s request, audience member Sue Masiello led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:32:28) – Mayor Bagwell entertained public comments. Ms. Masiello Thanked the Parks and Recreation Department for the maintenance work at Longview Park. She also thanked the Board for eliminating Title 17.10; however, she did not see the rationale for the use of Title 17.10 with the Anderson West development. Ms. Masiello recommended adhering to the Master Plan and invited the Board to visit the project and envision the two-story homes to be built there. Deni French complimented the City on a well-thought-out [Prison Hill] Master Plan which balanced growth and conservation needs, urging everyone to visit the area. However, he was concerned about the West Basin. Mr. French also wished to see that any member of the public had the ability to pull items from the Consent Agenda. Ron Mo introduced himself as a frequent visitor to the Prison Hill area and was concerned about the heavy use of the OHV area and the erosion caused by its use. Dave Bentel referenced his written comments, incorporated into the record, and believed that the City had shirked its responsibility of cleaning up the sediment generated in the OHV area. He was also concerned about “the culvert and the drainage plan.” Mr. Bentel noted that he had already filed a compliance complaint also incorporated into the record. Robyn Orloff called the Prison Hill Master Plan well-written; however, she was concerned about the OHV area,

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especially the West Basin. She wished to explore the root causes of the erosion, believing that the soil was being disrupted by the OHV area use. She offered to accompany City Officials to the area as well. Chris McClellan noted that he utilized Prison Hill for hiking, off-roading, and rock crawling. He called the erosion caused by OHVs false and believed closing the extreme off-road use would displace all users. He urged to keep the trails open and cited the cleanup efforts by the off-roading community.

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – APRIL 6 AND MARCH 3, 2023.

(8:52:30) – Mayor Bagwell introduced the item and entertained comments, corrections, or a motion.

(8:52:49) – Supervisor Giomi noted a typographic error which has since been corrected and moved to approve the minutes of the March 3, 2023 joint meeting with the Planning Commission as presented and the minutes of the April 6, 2023 Board of Supervisors meeting as amended. The motion was seconded by Supervisor Horton and carried 5-0-0.

7. SPECIAL PRESENTATIONS

7.A PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 2023 AS BIKE MONTH.

(8:53:24) – Mayor Bagwell invited Muscle Powered Board President Chelsea Kincheloe and other members to join her and the Board as she read into the record a proclamation, incorporated into the record, recognizing May 2023 as Bike Month. Ms. Kincheloe encouraged everyone to visit their website to view events to participate in. Carson City Safe Routes to School Coordinator Scott Bohemier encouraged students to take part in the May 11, 2023 Bike to School Day. Mayor Bagwell invited everyone to join her and the Board for a commemorative photograph.

7.B PRESENTATION OF A PROCLAMATION TO RECOGNIZE THE MONTH OF MAY AS HISTORIC PRESERVATION AND ARCHAEOLOGICAL AWARENESS MONTH, AND PRESENTATION OF THE 2023 HISTORIC PRESERVATION AWARD.

(8:58:12) – Mayor Bagwell and the Board were joined by Historic Resources Commission (HRC) Chair Mike Drews as the Mayor read into the record a proclamation, incorporated into the record, recognizing May as Historic Preservation and Archaeological Awareness Month. Mr. Drews also announced the 2023 Scavenger Hunt, themed Architectural Elements from 1900-1975, and presented the Annual Historic Preservation Award posthumously to Dr. Greg Hayes, who had served on the HRC for over 15 years. Mr. Drews praised Dr. Hayes' efforts on the HRC and for his dedication to the Scavenger Hunt. Joan Wright, the wife of Dr. Hayes, accepted the award on his behalf and joined the Mayor, the Board, and Mr. Drews for a commemorative photograph.

7.C PRESENTATION OF A PROCLAMATION RECOGNIZING MAY - OCTOBER 2023 FOR NEVADA WILDFIRE AWARENESS.

(9:03:11) – Mayor Bagwell invited representatives of the Carson City Fire Department to join the Board as she read into the record recognizing May-October 2023 as the Nevada Wildfire Awareness Campaign. Supervisor

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Giomi congratulated and introduced the City’s newest Battalion Chief Kevin Nyberg who recognized the NV Energy Wildland [Fire] Response Crew for their Fuels Reduction Program. Jamie Roice-Gomes, University of Nevada, Reno Extension Living With Fire Program Manager, stressed the importance of fire prevention and highlighted the prevention and education programs available to the public at 2621 Northgate Lane in Carson City. The team also joined the Board for a commemorative photograph.

CONSENT AGENDA

(9:09:47) – Mayor Bagwell introduced the item and inquired whether the Board or the public wished to pull additional items from the Consent Agenda; however, none were forthcoming. She also entertained a motion.

(9:09:58) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.A, 9.A, 9.B, 9.C, 9.D, 9.E, 9.F, 9.G, 9.H, and 9.I, as presented. Supervisor White seconded the motion.

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

8. FINANCE

8.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE REPORT ON THE CONDITION OF EACH FUND IN THE TREASURY AND THE STATEMENTS OF RECEIPTS AND EXPENDITURES THROUGH APRIL 21, 2023, PER NRS 251.030 AND NRS 354.290.

9. PURCHASING AND CONTRACTS

9.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$36,650 INCREASE IN PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED \$80,000, FOR THE PURCHASE OF EMERGENCY MEDICAL SERVICES (“EMS”) EQUIPMENT AND SUPPLIES UTILIZING JOINDER CONTRACT PS20180 (“JOINDER CONTRACT”) BETWEEN THE LEAGUE OF OREGON CITIES AND LIFE-ASSIST, INC., RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$116,650, THROUGH JUNE 30, 2023.

9.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE TWO CXT PRECAST CONCRETE BUILDINGS FOR THE CARSON CITY DEPARTMENT OF PARKS, RECREATION AND OPEN SPACE (“PARKS DEPARTMENT”), UTILIZING A COOPERATIVE PURCHASING AGREEMENT AVAILABLE THROUGH SOURCEWELL, CONTRACT # 081721-CXT, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$268,968.09.

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9.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT FOUR POINT ENGINEERING, INC. ("FPE") IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES ("NRS") CHAPTER 338 AND WHETHER TO AWARD CONTRACT NO. 23300306 FOR THE BLACKWELLS PARK PLAYGROUND REPLACEMENT PROJECT ("PROJECT") TO FPE FOR A TOTAL AMOUNT NOT TO EXCEED \$713,573.30.

9.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED \$145,000 INCREASE IN THE FISCAL YEAR ("FY") 2023 PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED \$469,000, FOR THE PURCHASE OF SODIUM HYPOCHLORITE ("BLEACH") UTILIZING JOINDER CONTRACT 212528 ("JOINDER CONTRACT") BETWEEN THE CITY OF TUCSON ("TUCSON") AND THATCHER COMPANY OF ARIZONA, INC. ("THATCHER"), RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$614,000 THROUGH JUNE 30, 2023.

9.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT ASPEN DEVELOPERS CORP. ("ASPEN") IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES ("NRS") CHAPTER 338 AND WHETHER TO AWARD CONTRACT NO. 23300322 TO ASPEN TO PERFORM THE SOUTH NEVADA STREET REPLACEMENT PROJECT ("PROJECT") FOR A TOTAL AMOUNT NOT TO EXCEED \$166,100.

9.F FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO ADD AN ADDITIONAL AMOUNT OF \$44,536.60 IN CONTINGENCY FUNDS TO CONTRACT NO. 23300245 ("CONTRACT") WITH SHAHEEN BEAUCHAMP BUILDERS, LLC ("SBB") TO COVER THE COSTS OF CHANGE ORDERS FOR THE SENIOR CENTER REMODEL PROJECT ("PROJECT"), RESULTING IN A NEW TOTAL NOT TO EXCEED AMOUNT OF \$693,924.90 FOR THE CONTRACT. (

9.G FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT, EFFECTIVE APRIL 15, 2023, TO CONFLICT COUNSEL ATTORNEY SERVICES CONTRACT NO. 20300003-B, WITH MARIA E. PENCE, FOR CONFLICT COUNSEL SERVICES EFFECTIVE NOVEMBER 1, 2022 THROUGH JUNE 30, 2023, INCREASING THE AMOUNT OF THE CONTRACT BY \$2,500 FOR APRIL 2023 AND \$5,000 PER MONTH FOR MAY 1, 2023 THROUGH JUNE 30, 2023 TO ACCEPT INDIGENT DEFENSE CASES NORMALLY HANDLED BY THE NEVADA STATE PUBLIC DEFENDER'S OFFICE ("PD"), FOR A NEW TOTAL CONTRACT AMOUNT NOT TO EXCEED \$142,516.72.

9.H FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT, EFFECTIVE APRIL 15, 2023, TO CONFLICT COUNSEL ATTORNEY SERVICES CONTRACT NO. 20300004, WITH NOEL S. WATERS, FOR CONFLICT COUNSEL SERVICES EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2023, INCREASING THE AMOUNT OF THE CONTRACT BY \$2,500 FOR APRIL 2023 AND \$5,000 PER MONTH FOR MAY 1, 2023

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THROUGH JUNE 30, 2023 TO ACCEPT INDIGENT DEFENSE CASES NORMALLY HANDLED BY THE NEVADA STATE PUBLIC DEFENDER'S OFFICE ("PD"), FOR A NEW TOTAL CONTRACT AMOUNT NOT TO EXCEED \$458,268.

9.I FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT, EFFECTIVE APRIL 15, 2023, TO CONFLICT COUNSEL ATTORNEY SERVICES CONTRACT NO. 20300005-C, WITH DANIEL J. SPENCE, FOR CONFLICT COUNSEL SERVICES EFFECTIVE JUNE 2, 2022 THROUGH JUNE 30, 2023, INCREASING THE AMOUNT OF THE CONTRACT BY \$2,500 FOR APRIL 2023 AND \$5,000 PER MONTH FOR MAY 1, 2023 THROUGH JUNE 30, 2023 TO ACCEPT INDIGENT DEFENSE CASES NORMALLY HANDLED BY THE NEVADA STATE PUBLIC DEFENDER'S OFFICE ("PD"), FOR A NEW TOTAL CONTRACT AMOUNT NOT TO EXCEED \$200,000.08.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

No items were pulled from the Consent Agenda.

11. CITY MANAGER

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF TWO MEMBERS TO THE AUDIT COMMITTEE, EACH FOR A PARTIAL TERM ENDING IN DECEMBER 2024.

(9:10:24) – Mayor Bagwell introduced the item and read into the record a prepared disclosure statement, advised of no disqualifying conflict of interest, and stated that she would participate in discussion and action. As only one candidate was available for an interview, Mayor Bagwell noted that David Lambin would be interviewed by the Board at this time, and applicant Joseph Scalia would be interviewed at the next meeting. Mr. Lambin responded to the Board’s questions and Mayor Bagwell entertained a motion.

(9:15:24) – Supervisor Giomi moved to appoint David Lambin to fill a partial term on the Audit Committee, expiring in December 2024. Supervisor Schuette seconded the motion.

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

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11.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED SETTLEMENT CONCERNING AN ARBITRATION AWARD ISSUED IN FAVOR OF THE CARSON CITY DEPUTY SHERIFF'S ASSOCIATION ("ASSOCIATION") ARISING OUT OF A DISPUTE UNDER THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT ("CBA") BETWEEN THE ASSOCIATION ON BEHALF OF THE DEPUTY SHERIFFS AND THE CITY ON BEHALF OF THE CARSON CITY SHERIFF'S OFFICE ("CCSO"), PURSUANT TO WHICH A DEPUTY SHERIFF WILL BE PROMOTED TO THE RANK OF SERGEANT WITHOUT A PROBATIONARY PERIOD BUT THE AWARD WILL NOT BE INTERPRETED BY THE PARTIES AS REQUIRING THE CITY TO WAIVE ANY SUCH PROBATIONARY PERIOD FOR ANY OTHER EMPLOYEE IN FUTURE DISPUTES.

(9:17:07) – Mayor Bagwell introduced the item. Supervisor Giomi received confirmation that as a result of the arbitration award, the grievant will be promoted without a probationary period. Supervisor Schuette explained that she was struggling with the point that a supervisory role required a different skill set which was the purpose behind the probationary period. She also clarified that “the person being promoted is mindful of the job.” Mayor Bagwell entertained public comments. Mr. French believed that probationary periods allowed everyone to adapt to certain situations. Mayor Bagwell entertained a motion.

(9:21:46) – Supervisor Horton moved to approve the settlement as discussed and authorize the District Attorney's Office to take all necessary steps to effectuate the settlement. Mayor Bagwell seconded the motion.

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

(9:22:45) – Mayor Bagwell disclosed for the record that her yes vote was “to close the matter.” She also noted the importance of a probationary period. Supervisor White believed that the job was stressful and that is why it had a probationary period.

11.C FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING COORDINATION OF LEGISLATIVE ACTIVITY ON PENDING STATE LEGISLATION BEFORE THE NEVADA LEGISLATURE AND WHETHER TO ADOPT AN OFFICIAL POLICY POSITION OR DIRECT STAFF TO ADVOCATE FOR OR AGAINST ANY SUCH LEGISLATION, INCLUDING THE SUBMITTAL OF PROPOSED AMENDATORY LANGUAGE.

(9:24:50) – Mayor Bagwell introduced the item. Ms. Paulson reported on the following legislative activities concerning the Board:

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- SB235: The proposed amendment by local governments was rejected by the Senate Judiciary Committee (sponsor); however, appropriations are being sought from the State's General Fund to help defray the cost of the 48-hour requirement.
- SB272: Heard by the Assembly Committee on Government Affairs and is expected to be voted out of Committee.

(9:27:03) – Supervisor Giomi reported on the Bills that were sponsored by the Nevada Association of Counties (NACO). He explained that the pay increase Bill for county elected officials had failed. He expressed concern that “we’re not going to attract quality individuals.” Mayor Bagwell entertained public comments.

(9:0:40) – Mr. French requested an explanation regarding the process of developing a list to track and support certain bills by the City.

12. PARKS, RECREATION & OPEN SPACE

12.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION FROM THE CARSON CITY OPEN SPACE ADVISORY COMMITTEE (“OSAC”) FOR THE NAMING OF SEVEN OPEN SPACE PROPERTIES LOCATED THROUGHOUT CARSON CITY.

(9:31:15) – Mayor Bagwell introduced the item. Open Space Manager Lyndsey Boyer presented the Staff Report which is incorporated into the record and referenced the attached resolution that outlined the process of naming Open Space Properties, including the public survey results. She also reviewed the recommended Open Space property names by the Open Space Advisory Committee. Supervisor Schuette was informed that the North Kings Canyon Open Space was suggested for Property No. 3 because it followed North Kings Canyon Road. Supervisor White noted that the term “open space” created confusion because of the many definitions. He also recommended Changing Property No. 5 to Ash Canyon Open Space and not Gateway. Mayor Bagwell believed that Property No. 6 should be called C-Hill Open Space in lieu of Gateway, which showed a designated City department (Parks, Recreation, and Open Space) as the one responsible. Ms. Boyer clarified that the term Gateway signified the beginning of Ash Canyon. She suggested keeping the term Gateway followed by Open Space. Mayor Bagwell entertained public comments; however, none were forthcoming.

(9:42:00) – Mayor Bagwell moved to name the seven Open Space properties as follows:

- **Property No. 1: Ash Canyon Viewcrest Open Space**
- **Property No. 2: Eagle View Open Space**
- **Property No. 3: North Kings Canyon Open Space**
- **Property No. 4: Timberline Open Space**
- **Property No. 5: Ash Canyon Gateway Open Space**
- **Property No. 6: C-Hill Open Space**
- **Property No. 7: Buzzy's Ranch Open Space**

The motion was seconded by Supervisor Schuette.

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

12.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED DRAFT OF THE PRISON HILL MASTER PLAN FOR THE PRESERVATION, DESIGN AND DEVELOPMENT OF PRISON HILL IN CARSON CITY.

(9:42:19) – Mayor Bagwell introduced the item. Trails Coordinator Gregg Berggren gave background and reviewed the Staff Report and the accompanying Prison Hill Master Plan PowerPoint presentation and plan, all of which are incorporated into the record. Mr. Berggren, Open Space Manager Lindsey Boyer, and Parks, Recreation, and Open Space Director Jennifer Budge also responded to clarifying questions. Discussion ensued regarding the park rangers’ ability to write citations and Supervisor Giomi recommended making it part of the Carson City Municipal Code (CCMC). Mayor Bagwell inquired about the designated OHV areas and noted the public comments received regarding making them more restrictive. Mr. Berggren acknowledged the impact of OHVs and noted that Prison Hill had been an unrestrictive open ride area in the 1970s, which had since been reduced to 47 acres. He highlighted many rehabilitation projects and closures of OHV areas and Ms. Boyer noted that consultant-led objective analysis had already been provided. Mayor Bagwell hoped that the users of the OHV area become its stewards and educate other users and praised Staff for ensuring a proper balance. Supervisor White believed that confusion/misunderstanding existed between policy and apparent practice. He pointed out that in the Prison Hill OHV Management Plan Appendix “definitions,” Open Area is defined as “Cross country travel is permitted and OHVs are not restricted to designated routes.” He also recommended signage and better education.

(10:11:52) – Supervisor Giomi inquired about sediment and runoff on Golden Eagle Lane and the outcome of discussions with the State. Ms. Boyer explained that Staff had been responsive and had repaired and rehabilitated the City-owned portions and that discussions were underway with the State. Mayor Bagwell noted that she had been in conversations with the State, requesting the right of entry to address the issues and that a revised agreement would be provided to the City. Ms. Budge clarified for Mayor Bagwell that all revenues (including event fees) generated from open space properties are returned to the Open Space Fund to improve the Open Space Program. Ms. Boyer explained the process of booking events in the Open Space areas and clarified that an event had crossed boundaries which had been brought to Staff’s attention, adding that each event would be evaluated based on its own merits. Mr. Berggren noted the correction of several errors:

- An error in Appendix M which has since been corrected.
- Section 6.1 (Fuel Management): *Additionally, the 2008 Carson City Community Wildfire Protection Plan recommended adding a new fuel break on the west east side of Prison Hill (Figure 8-1, Section 8.0), along Carson River Road from 5th Street to Silver Saddle Ranch.*

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- In the Recommended Actions Section, the following correction would be made:
 - Continue partnerships with user groups for:
 - Volunteer events like clean-ups and small projects.
 - ~~Elieit~~ feedback and input for management and planning.
 - Help with monitoring and reporting of illegal activities.

(10:23:45) – Mayor Bagwell recommended incorporating and relabeling definitions and elements from this Plan into the Parks, Recreation, and Open Space Master Plan for consistency. Supervisor Giomi recommended removing Land Use Plan references as they were the responsibility of the County Government. He also applauded Staff’s efforts in completing several Master Plans which would help secure grant funds. Mayor Bagwell entertained public comments.

(10:28:12) – Open Space Advisory Committee (OSAC) Chair Mark Kimbrough noted that he was not speaking on behalf of OSAC. He gave background on the Open Space Program and the soil types that “liquify” after each storm, adding that the problems had existed prior to OHV use in the area. He praised Staff, especially Mr. Berggren, for receiving international recognition for their efforts and plans regarding trails. Mr. Mo agreed with Mr. Kimbrough’s information on soil liquefaction and believed that vegetation is what holds it together. He stated that many riders veer off-trail and destroy vegetation, which is in need of enforcement. Ms. Orloff believed that an on-site conversation should take place and wanted OSAC members to visit the site prior to making decisions. She was in favor of the “trials” event and thought that the reason they had been out-of-bounds was because the boundaries were not clearly marked. Mayor Bagwell entertained a motion.

(10:38:51) – Supervisor Giomi moved to approve the Prison Hill Master Plan as presented, with the discussion from the Board members and Staff, placed on the record today. Supervisor Schuette seconded the motion.

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

13. BOARD OF SUPERVISORS

NON-ACTION ITEMS.

FUTURE AGENDA ITEMS

STATUS REVIEW OF PROJECTS

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS

CORRESPONDENCE TO THE BOARD OF SUPERVISORS

STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE BOARD

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STAFF COMMENTS AND STATUS REPORT

(10:39:34) – Mayor Bagwell introduced the item. Ms. Paulson announced that the Final Budget would be presented at the May 18, 2023 Board meeting, along with Community Development Block Grant (CDBG) and Community Support Services Grant (CSSG) funding items. Mayor Bagwell noted her appreciation of the City’s small businesses on Small Business Week recognition week. Supervisor Schuette noted that small businesses had a more financial and employment impact per square footage.

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

(10:41:28) – Mayor Bagwell announced that this item would take place after adjournment.

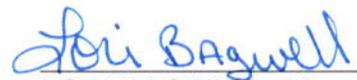
14. PUBLIC COMMENT

(10:41:36) – Mayor Bagwell entertained final public comments; however, none were forthcoming.

15. FOR POSSIBLE ACTION: TO ADJOURN

(10:41:46) – Mayor Bagwell adjourned the Board of Supervisors meeting at 10:41 a.m.

The Minutes of the May 4, 2023 Carson City Board of Supervisors meeting are so approved on this 1st day of June, 2023.


LORI BAGWELL, Mayor

ATTEST:


SCOTT HOEN, Clerk-Recorder

LATE MATERIAL
Item #: Public Comment
Meeting Date: 05/04/23

From: [Jeff Potter](#)
To: [Public Comment](#)
Subject: Agenda Item 12.B For Possible Action: Discussion and possible action regarding a proposed draft of the Prison Hill Master Plan for the preservation, design and development of Prison Hill in Carson City.
Date: Wednesday, May 3, 2023 7:38:19 AM

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

Dear Mayor Bagwell and Board of Supervisors,

Regarding Agenda Item 12.B

After completing the Ash to Kings Trail it was my pleasure to work with CCPR&OS and Muscle Powered/TRTA Crew Leader Paul Sinnott to perform trail surveys on Prison Hill, for sustainability of existing trails and to develop new trails for connectivity. Our goal was to implement the findings outlined in the EVTC Community Trail Inventory, Review, Evaluation and User Needs Assessment Report (Feb 2017) which included public input through workshops and online surveys. I'm very proud of the work our team performed in turning the community's desires into a reality. This letter is in support of the Prison Hill Master Plan.

Thank you for supporting trails that enhance our quality of life!

Sincerely,
Jeff Potter



1 May 2023

Carson City Board of Supervisors
City Hall
201 N. Carson Street, Suite 2
Carson City, NV 89701
Attn: Mayor Bagwell

The Nevada Offroad Association (NVORA) has reviewed the draft Prison Hill Masterplan and supports the plan's current form in concurrence with the votes twice held by your Open Space Advisory Committee.

It is not uncommon during these processes to assume the loudest voices have some empirical insight to the needs of the recreational community and its relationship to the topic at hand. This is not always the case.

Allowing for a safe, clean, well-managed space for visitors to Carson City allows for a unique and inclusive experience. The opportunity for Carson City to leverage subject matter experts through partnerships with groups like American Trails, the National Recreation and Park Association, and those from the motorized community including the Pine Nut Mountains Trails Association, Tread Lightly and us at the Nevada Offroad Association can increase the enjoyment of the open space experience to your residents and visitors alike. All of these groups focus on promoting safe, sustainable, responsible outdoor recreation.

The motorized offroad recreation community adds more than \$120 million to the Nevada economy annually. It is our opinion having the Prison Hill Master Plan adopted will solidify Carson City's position in that economic engine.

Respectfully,


Mathew Giltner
Executive Director
Nevada Offroad Association

Nevada Offroad Association
PO Box 1111 • Carson City NV 89702
Nevadaoffroad.us • Info@nevadaoffroad.us • 775.430.0000

Date: May 1, 2023

To: publiccomment@carson.org

Subject: Comment on final draft of Prison Hill Master Plan

Dear Honorable Mayor Bagwell & the Board of Supervisors,

I want to give enthusiastic support to the final draft of the Prison Hill Master Plan considered at your May 04, 2023 meeting. As the Plan and presentation show, the broad vision for Prison Hill trails and recreational infrastructure has been in the making for years including meaningful and significant public participation and support. This dates back to the Eagle Valley Trails Committee Report of 2017 through public review and comment in the Prison Hill Recreation Area Open House of 2020. I think the Plan addresses many valid needs and a growing diversity of users.

My perspective is the biased view of a devoted trail user (hiker/biker), builder and maintainer. As a retired Nevada citizen and Muscle Powered volunteer, like many before me, I experience Prison Hill as a magnet for strenuous recreation and exercise, wildlife study and experiences, natural history, grand vistas of surrounding terrain like the Carson and Pine Nut Mountain Ranges, overlooks of Silver Saddle Ranch and Carson River, and on and on. These experiences belong to everyone as a balm for the soul while teaching about shared-use conservation. Well-chosen trail alignments within a larger view keep people off sensitive terrain and on sustainable trails close to nature.

With dedication of Crew Lead Paul Sinnott backed by many Muscle Powered volunteers and the City's Open Space program, Prison Hill trails have grown. Starting from well-intended social trails, Prison Hill has grown into a large network of interconnected — and increasingly sustainable — trails and loops all over the Hill with many access points and major human investment in natural-surface, multi-user trails that can last. In my opinion, we need to build on that and continue tying designed dirt trails for hikers, bikers, runners and equestrians into the vision of a highly accessible, multi-use, full-loop pathway circumscribing Prison Hill. Many pieces are in place. Let's finish.

The Prison Hill Master Plan is a cohesive development model including trails that serve many with the needed infrastructure. It also includes guard rail aspects (signage, fencing or other barriers to restrict motorized use beyond trailheads and trailhead access roads) to discourage abuse of surrounding terrain by those who don't respect it. It responds to user demand pressures by bringing discipline, durability, and security to road and foot accesses including parking areas serving trailheads around Prison Hill. This plan is thorough and inclusive for many user populations it will serve. It attracts users from families to aMTB to power bikers. It recognizes the value of trail-free areas that nurture wildlife habitat and the experience of nature as it is. It gets steady attention from Muscle Powered and City crews who care — it's not just a job. What better investment base to build on than this.

Prison Hill's long history obviously includes much suburban home development around its base. These people deserve respect and must tolerate the comings and goings of trail users over nearby public access corridors. Some residents may feel the proximity of public recreation is an intrusion on their lives or doesn't properly balance the interests of all stakeholders. I don't live there, so I can only observe from my perspective. I live on Carson's west side under the CHS "C" hillside. I see the Ormsby Fire Road and ridge trails not far from my place. My reaction to trail-using strangers nearby is gratitude that they take the time to bring themselves and friends/family out into nature like that, to take care of themselves in this way, and to spread the word about the joys of being out there.

Thank you,

Pete Doenges
Crew Lead
Trails Coordinator
Muscle Powered



From: [Dave Bentel](#)
To: [Public Comment](#)
Cc: [Lisa Schuette](#); [Maurice White](#); [Curtis Horton](#); [Stacey Giomi](#); [Lori Bagwell](#)
Subject: D Bentel's Public Comments for Agenda Item 12b: Draft Master Plan for Prison Hill, for BOS Meeting to be held on Thursday May 4, 2023
Date: Wednesday, May 3, 2023 2:11:44 PM
Attachments: [Discharge of Prison Hill Sediment into Carson River.msg](#)

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

Please include my Public Comments in the Minutes of the BOS Meeting held on May 4, 2023

Background

The City is the "Permittee".

§ 12.18.070. Responsibility of permittee

2. Preventing damage to adjacent property (No person shall disturb earth on land so close to the property line as to endanger any adjoining public street, sidewalk, alley, or any public or private property without supporting and protecting such property from settling, cracking, or other damage which might result).

4. Promptly removing all soil, miscellaneous debris, materials applied, dumped, or otherwise deposited on public streets, highways, sidewalks, or other public thoroughfares or any other non-authorized offsite location, during transit to and from the construction site, or otherwise, where such spillage constitutes a public nuisance, trespass or hazard in the determination of the city engineer or a court of competent jurisdiction.

§ 12.18.080. General requirements.

2. All earth disturbances shall be conducted in such a manner so as to effectively reduce accelerated soil erosion and resulting sedimentation and should not exceed the erosion expected to occur for the site in its totally undeveloped state.

Discussion

Section 12.18.040.2 Permit Application. "Permit application shall be consistent with those required submittals for an engineering permit, along with plans, specifications, and project schedules for all construction operations for earth disturbances of more than 1 acre in size or areas greater than 10,000 square feet of new impervious surface or of more than 50 cubic yards of grading."

In my opinion, the constant use of prison hill as an OHV area is clearly an on-going earth disturbance and causes heavy erosion and sediment transport to occur after rain. The construction of sediment detention basins downstream of all major drainages on the on the west side of the hill (i.e., prior to discharging water towards Golden Eagle Lane), is crucial to stop sediment from reaching the road. This is clearly an oversight in the current engineering design, with constructed "check dams" for sediment collection all filled to capacity, and unmaintained.

In the latest round of storm precipitation in Carson City, eroded sediment from Prison Hill was observed in the Carson River (refer attached email from D. Bentel to Randall Rice,

Nancy Paulson, Benjamin Johnson and Jennifer Budge).

The State culvert under Golden Eagle Lane has been blocked for over 7 years and the City and State go back and forth blaming the delay for cleaning or replacing on each other. In addition, there is a "hidden" culvert immediately north of the access ramp that appears to have been "forgotten" by the city with regards to drainage control measures supposedly designed for the ramp in 2019. This issue is therefore subject of a potential Code Enforcement Complaint because of the quantities of fill required to construct the ramp (see above "Section 12.18.040.2 Permit Application).

Plans for a new road around the western portion of the motorized section of Prison Hill must therefore include:

1. Construction of sediment detention basins downstream of all major drainages on the west side of Prison Hill motorized section (i.e., prior to discharging water towards Golden Eagle Lane)
2. Replacement of the Off-the Trailer Wash culvert with a culvert big enough to take high intensity storm precipitation, and
3. Removal of post-storm eroded sediment from Prison Hill motorized section from the stormwater ditches on the east side of Golden Eagle Lane, and placement back on a suitable location on Prison Hill.

These issues were the subject of two previous Code Enforcement Complaints by D. Bentel, and the City continues to ignore them to this day. Time to admit responsibility Carson City!

From: [Dave Bentel](#)
To: [Randall Rice](#); [Nancy Paulson](#); [Benjamin Johnson](#); [Jennifer Budge](#)
Cc: [Andrew Dixon](#)
Subject: Discharge of Prison Hill Sediment into Carson River

On January 12, 2023, evidence of illegal discharge of sediment-laden waters from Prison Hill OHV area directly into the Carson River (WOTUS) was observed by me, as shown in the attached photographs. This discharge should have been reported to the State of Nevada (at a minimum) in compliance with the SWPPP for Prison Hill, and potentially the USACE and the EPA. I have predicted this potential occurrence on numerous occasions in written correspondence to the City and State of Nevada, but these communications have been ignored by both the City and the State. Therefore, I will notify both the USACE and the EPA of this occurrence, and will do this before the end of this week, or early next week. I am available to show the City/State exactly where this occurred.

*Yours sincerely,
Dave Bentel*

From: [Allen, Jonathan](#)
To: [Public Comment](#)
Cc: [Gregg Berggren](#)
Subject: PNMTA Prison Hill Support Letter
Date: Tuesday, May 2, 2023 6:34:39 AM

Mayor Bagwell,

The Pine Nut Mountains Trail Association (PNMTA), a Douglas County based Nevada non-profit, supports the adoption of the Prison Hill open space masterplan.

PNMTA is club that focuses on protecting public access to public land for all users from hikers to equestrians to motorized recreationalists. This master plan meets our mission goals.

Carson City has taken the extremely well thought out plan to accommodate all forms of outdoor recreation. As you may recall, PNMTA actively participated in rubbish removal, clean up and removal of some abandoned vehicles from Prison Hill. Those events were funded by our members and others in the OHV community who register their OHVs. PNMTA always welcomes that funding being spent in our "Home Dirt" and we consider your Prison Hill OHV area part of our "Home Dirt". This is the same funding source Carson City used to improve the neglected and overused south end of Prison Hill to bring it into a long term sustainable and usable facility.

Thank you,

Jon Allen
President - Pine Nut Mountains Trail Association
PNMTA.ORG

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From: [Matthew S.](#)
To: [Public Comment](#); [Gregg Berggren](#)
Subject: Prison Hill
Date: Monday, May 1, 2023 3:16:03 PM

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

Mayor Bagwell,

Sacramento Pacific International Trials Society recently held our second event at Prison hill and not only was the weather ideal our members very much enjoyed the hospitality of your team in Carson City. (you can see the event announcement here https://www.sactopits.org/_files/ugd/a6dc33_1601b9d70d3f4a91a86f17935cd06dc9.pdf) Observed Trials competition is a family friendly competition that allows participants to show their mastery of riding motorcycles, at low speed, over obstacles like rocks, gravel, sand, or trees in their natural environment. Prison Hill is an ideal location for this type of event. We are grateful that your Parks and Recreation team has allowed us to hold the event and we hope to continue to do so for years to come. I would also invite you to come out and try it for yourself. It can be quite addicting!

Additionally I would like to offer our support to adopt the draft management plan for Prison Hill.

Thank you.

Matthew Schnurbusch,
Carson City NV



James Settelmeyer, *Director*
Dominique Etchegoyhen, *Deputy Director*
Chad Stephens, *Deputy Director*

Joe Lombardo
Governor

State of Nevada
Off-Highway Vehicles Program
901 South Stewart Street, Suite 1003
Carson City, Nevada 89701
Telephone (775) 684-2794
ohv.nv.gov



Nevada Commission on Off-Highway Vehicles
Maurice White, *Chair*
Mike Cullen, *Vice Chair*

Carson City Board of Supervisors
201 N. Carson Street, Suite 2
Carson City, NV 89701
Attn: Mayor Bagwell

May 3, 2023

Nevada Off-Highway Vehicles Program strongly supports the proposed motion to approve the Prison Hill Master Plan during the May 4, 2023 meeting of Carson City Board of Supervisors.

Grants from the Off-Highway Vehicles Program have supported the efforts of Carson City Open Space and Parks in three phases since 2018:

Phase 1: Public Scoping and production of draft management plan: \$ 33,042.76

Phase 2: Trail design with additional public scoping, removal of fall line routes: \$ 96,908.12

Phase 3: Sustainable trail construction, improved signage, facilities and beginner area construction: \$ 150,000

Approximately 900 acres designated for OHV recreation is a unique asset managed by Carson City. Riding opportunities are abundant with specific areas for Rock Crawling, beginners, trials, single and double track trails. In addition to common day use, the site has been showcased at multiple events, most recently at the International Trails Summit OHV Ride.

Purpose built features and designated riding areas draw visitors back to the site minimizing OHV impacts elsewhere on the landscape. The resource at Prison Hill focuses visitor use of multiple types of OHV recreation in a well-managed area setting an example for communities statewide.

We commend Carson City Open Space Staff efforts to actively manage the area for responsible and safe offroad recreation, and welcome Carson City to apply for grants through the Nevada OHV Program for future projects!

Regards,

Nikhil Narkhede

Nikhil Narkhede
Program Manager, Nevada Off-Highway Vehicles Program
775.684.2794 NNarkhede@ohv.nv.gov

From: [Kristi Gordon](#)
To: [Public Comment](#)
Subject: prison hill
Date: Monday, May 1, 2023 3:50:15 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,

My name is Kristi Gordon and I would like to comment on the prison hill OHV area. First, let me start by letting you know Carson City has been my hometown for 43 years and I love it here. Prison Hill OHV has been a part of my family's outdoor activities for decades. My husband practices for competitions, test runs after a big engine build, and goes out there for fun. I very much enjoy the hiking area of prison hill. I'm a big avid hiker and completed major hike's in the surrounding area like the Tahoe Rim Trail and portions of the Pacific Crest Trail. Prison Hill has been wonderful for training in that aspect of my life as well, as well as supporting my mental health by enjoying the beautiful outdoor recreation areas so close to our community. Our son has been a part of rock crawling from day one in a car seat and out rock crawling with us, now he builds his own and has also competed. It saddens me to hear the folks who are very much against rock crawlers. But, I believe that is due to a lack of understanding and knowledge of the importance it may be to others. We all have our passion and there is always the small majority that are disrespectful and ruin it for others. To completely get rid of the OHV area or make it even smaller may not be in the best interest of everyone. It will force those who are not rule followers to go to other unauthorized places which could cause more damage to sensitive environmental areas. This brings me to the Rock Crawling community's positive contribution of holding events that require trash clean-ups, where we remove mattresses, couches, and vehicles. I have heard in prior meetings public comment that "rock crawlers tear up the sagebrush". If we have a dedicated location and course this is not an issue. I feel the city is doing a great job at trying to accommodate all different types of activities and make sure the homes on the outskirts are safe from water damage. This winter was unprecedented and impacted all of us regardless of where we live and cannot be used as a gauge to assess or make decisions. What I don't want is for prison hill to be shut down completely. I would like to suggest in place of altering the use of Prison Hill, consider enforcement, volunteer organization to help with clean-up, etc., I truly appreciate all of the hard work that has been put into prison hill to keep it an open area for all to enjoy safely with clear designated areas, as it is now. It would be wonderful if all of us could support each other in our different hobbies and be respectful of the beautiful nature we get to play on and call home. Thank you for the opportunity to send in my comment as I am unable to attend in person.

Kristi Gordon
5-1-23

From: [Bryan K.](#)
To: [Public Comment](#)
Subject: Public comment Board of Supervisors May,4 2023
Date: Wednesday, May 3, 2023 8:17:19 AM

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

Good Morning,

My name is Bryan Kaplan, I have been a resident of Carson City my entire life and I have been recreating at Prison Hill since 2003. Prison Hill is where I was introduced to rock crawling by a longtime friend and is where my love for rock crawling and the Prison Hill area began. I have been building, modifying and testing Jeeps and off-road vehicles at Prison Hill ever since. I unfortunately could not make this meeting due to work but want you all to know how much Prison Hill means to my family and I.

One of my favorite things about Prison Hill is that such a wide variety of people have the ability to enjoy the area. From non-motorized to motorized everyone can have a great time. I recreate with both groups and believe I can see both sides. We all need to work together to make sure this does not change and we can all continue to enjoy the area.

Ever since I heard about Carson City taking over ownership from the BLM, I have been doing my best to stay involved with the parks department, Rec-Connect and NOHVCC. I attend as many meetings as I can but being part of young family with 2 young children ages 8 and 5 and working full time I unfortunately cannot make a lot of them.

I have watched prior meetings public comments and have felt that rock crawlers get a bad image. We as a group are blamed for causing damage to the washes and sagebrush and causing sand to wash out onto the paved road. As we all know this past winter was one for the record books. Damage caused by this record breaking winter is not a reason to shut down anymore areas I.E. The west basin due to sand washing across the road. It is not fair to place this blame on rock crawlers. Crawlers in general always do their best to not "Crush the Brush" and stay in the approved areas. We have already lost a lot of area that, Historically, we were able to crawl in.

I also run a group called Friends of Prison Hill (@friendsofprisonhill) on Instagram and have personally organized 2 OHV area cleanups at Prison Hill with a third being planned for this summer. We have tons of support from the parks department and from many local rock crawlers with decent turnouts at both prior events. We Look forward to continuing to work with the parks department to keep the OHV area as accessible and open as possible.

Thanks for your time,

Bryan Kaplan

From: [Robyn Orloff](#)
To: [Public Comment](#)
Cc: [Lori Bagwell](#); [Lisa Schuette](#); [Stacey Giomi](#); [Curtis Horton](#); [Maurice White](#)
Subject: Public Comment for BOS meeting 5/4/23
Date: Wednesday, May 3, 2023 12:08:55 PM
Attachments: [PastedGraphic-1.tiff](#)
[PastedGraphic-2.tiff](#)

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

Please admit this email (previously sent) for Public Comment for Item 12b. And include in the minutes. Please check my address for Mr. Horton and correct and send on, if not correct.

All documentation of damage is in the **designated** OHV riding areas, washes, and trails — and can be ridden. Tracks are the evidence.

Sent this email prior to the Trials Event scheduled April 29 and 30 — with hopes staff would address the Trials Route outside of authorized riding area, and in environs of the Monkey Flowers (with free style cross country riding permitted in the area). There was no response from anyone. The event went on, with these resources at risk, not addressed — and ultimately intact soil/flowers/vegetation was ridden over. Shame on us, for not conscientiously taking care of our property.

This is consistent with the vision statement for the Master Plan:

"1.3 Vision

The goal of the Prison Hill Master Plan is to protect and preserve the natural resources, cultural resources, scenic beauty, and conservation values of the property, while balancing the needs of a growing and changing population by providing high quality recreational opportunities for a variety of users."

Begin forwarded message:

From: Robyn Orloff <robyn.orloff@icloud.com>
Subject: Authorized riding - designated trails and open areas over monkey flowers and in ephemeral stream washes
Date: April 28, 2023 at 9:00:42 PM PDT
To: Jennifer Budge <jbudge@carson.org>, Lyndsey Boyer <LBoyer@carson.org>, gberggren@carson.org, John Costello <JCostello@carson.org>
Cc: Lisa Schuette- BOS <LSchuette@carson.org>, Nikhil Narkhede <nnarkhede@ohv.nv.gov>, mweintraub@ndor.nv.gov

Fall line riding within open area in out of ephemeral stream wash route



Seeps still in the designated riding washes - weeks after rain -



Designated crawler route - open for all OHVs - no filter in this wash





SEep flow over rock pour off - part of authorized all OHV route - narrower Wash than crawlers invited up it



Wash designated for all OHVs - narrower than crawlers and wheelers







Designated Open area - intact soil and flora being destroyed





Trials course for this weekend - on other side of open area boundary sign is not designated for riding!!!! Designated riding is on other side off sign. Confusion? Oversight/ education by our staff?????? Re use Avenza and map to avoid these errors.







Deep ephemeral stream flow - designated open area and crawlers allowed to ride up it and in the crevice. Which they did April 8 in a caravan per my photos and videos sent to open space that weekend.....



Crawlers riding up the above water feature, in the **designated** Headlight Cross Country Free Style Riding Area (this use allowed)



Monkey flowers in open area



Being ridden over - permitted in open areas







NOTE: Below images were not part of the original post (but were sent in separate posts, showing the Crawling up an ephemeral stream drainage.

Water contaminated/churned up, banks/slopes of wash — soil and vegetation destroyed, riding up/down fall lines in and out of the wash.

All invited/allowed/designated use. The riders are not in any violation.



