

CARSON CITY BOARD OF SUPERVISORS

Minutes of the August 3, 2023 Meeting

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A regular meeting of the Carson City Board of Supervisors was scheduled for 8:30 a.m. on Thursday, August 3, 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 City Manager
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

(8:30:12) – Mayor Bagwell called the meeting to order at 8:30 a.m. Mr. Hoen called roll and noted the presence of a quorum. Living Stones Church Pastor Gavin Jarvis delivered the invocation. At Mayor Bagwell’s request, Carson City Airport Manager Cory Jenkins led the Pledge of Allegiance.

5. PUBLIC COMMENT

(8:33:48) – Mayor Bagwell entertained public comments. Carson City Sheriff Ken Furlong announced that the Administrative Services of the Sheriff’s Office would be closed on August 9, 2023, due to construction taking place in the lobby. Deni French objected to the wide trails planned for the third phase of the Prison Hill open space area. He also praised Carson City Senior Center Executive Director Courtney Warner for her preparations to have a “soft opening” of the Senior Center after an extensive remodel. Mr. French thanked the Sheriff’s Office for the Sheriff’s Night Out event on August 1, 2023, and opposed the artificial turf at Centennial Park.

6. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – JULY 6, 2023.

(8:37:25) – Mayor Bagwell introduced the item and clarified that on page 2 (item 8.a) of the minutes, the challenge coin given by Fire Chief Sean Slamon should state it was a Carson City challenge coin. She entertained comments, corrections, or a motion.

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(8:37:46) – Supervisor Giomi moved to approve the minutes of the July 6, 2023 meeting of the Carson City Board of Supervisors and the Carson City Redevelopment Authority meeting as corrected. The motion was seconded by Supervisor White and carried 5-0-0.

7. SPECIAL PRESENTATIONS

7.a PRESENTATION OF AWARDS TO RECOGNIZE WILLIAM "BILLY" LAVELLE, OWNER OF CARSON CITY BUS BOY, PASTOR PAT PROPSTER OF CALVARY CHAPEL AND PHIL HYATT, OWNER OF CARSON CITY BBQ, FOR THEIR COMMITMENT TO THE SUPPORT OF SENIOR CITIZENS IN CARSON CITY.

(8:38:08) – Mayor Bagwell invited the Supervisors to join her as she praised the entire community for “stepping up” when needed by the City’s nonprofit organizations. She specifically highlighted the contributions of William “Billy” Lavelle, owner of Carson City Bus Boy, Pastor Pat Propster (and the congregation) of Calvary Chapel, and Phil Hyatt, owner of Carson City BBQ, for their support of Meals on Wheels and the senior citizens in Carson City. Each Supervisor also thanked the award recipients for their contributions and dedication to the community and the Senior Center. Ms. Warner expressed her gratitude to Mr. Lavelle, Pastor Propster, and Mr. Hyatt for their willingness “to step up” and to ensure the kitchen operations would continue and serve the many seniors in need during the Center renovations. She also thanked the Board of Directors and announced that they had done a “soft reopening today” with a ribbon-cutting ceremony and an official “thank you” to come later. The group joined the Mayor and the Board for a commemorative photograph.

7.b PROCLAMATION AND PRESENTATION OF THE EMPLOYEE-OF-THE-QUARTER AWARD TO TYLER KERVER, PARK RANGER.

(8:52:59) – Mayor Bagwell introduced the item, read into the record a Proclamation, incorporated into the record, and presented Park Ranger Tyler Kerver with the Employee-of-the-Quarter award. She also invited the Supervisors, Mr. Kerver’s colleagues, and his family to join her in a commemorative photograph.

CONSENT AGENDA

(8:55:33) – Mayor Bagwell introduced the item and inquired whether the Board or any member of the public wished to pull an item from the consent agenda. When none were forthcoming, she entertained a motion.

(8:55:39) – Supervisor Giomi moved to approve the Consent Agenda consisting of items 8.a, 8.b, 9.a, 9.b, 9.c, 9.d, 9.e, 9.f, 9.g, and 9.h 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

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8. FINANCE

8.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN APPLICATION TO REMOVE \$525,410.50 IN UNCOLLECTIBLE ACCOUNTS RECEIVABLE FROM THE RECORDS OF THE AMBULANCE FUND.

8.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 JULY 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 \$27,000 INCREASE IN FISCAL YEAR ("FY") 2023 PURCHASE AUTHORITY, BEYOND THE PREVIOUSLY APPROVED \$125,000, FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT ("PPE"), INCLUDING TURNOUTS AND OTHER SAFETY EQUIPMENT, AND THERMAL IMAGING CAMERAS UTILIZING JOINDER CONTRACTS PS20060 AND PS20015 ("JOINDERS") BETWEEN THE LEAGUE OF OREGON CITIES AND L.N. CURTIS & SONS, RESULTING IN A NEW NOT TO EXCEED AMOUNT OF \$152,000 FOR FY 2023.

9.b. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED INTERLOCAL AGREEMENT BETWEEN THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION ON BEHALF OF THE UNIVERSITY OF NEVADA, RENO ("UNR") AND CARSON CITY, THROUGH ITS DEPARTMENT OF HEALTH AND HUMAN SERVICES ("CCHHS"), FOR THE USE OF CCHHS FACILITIES AS A TRAINING SITE FOR UNR'S NURSING EDUCATION GRADUATE AND UNDERGRADUATE STUDENTS, THROUGH JUNE 30, 2028.

9.c. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORITY TO PURCHASE FOOD FOR CARSON CITY JAIL INMATES DURING FISCAL YEAR ("FY") 2024 FROM VENDORS INCLUDING, BUT NOT LIMITED TO, BAKEMARK INGREDIENTS LLC, NATIONAL FOOD GROUP, NICHOLAS & CO., INC. AND ROUNDABOUT BREAD LLC DBA FRANCO BREAD (COLLECTIVELY, "VENDORS"), FOR A TOTAL NOT TO EXCEED AMOUNT OF \$275,000.

9.d. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR THE CARSON CITY INFORMATION TECHNOLOGY DEPARTMENT ("CCIT") TO PURCHASE HARDWARE COMPONENTS, 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 \$2,799,000 THROUGH THE FOLLOWING EIGHT JOINDER CONTRACTS: (1) 23-6692-03 BETWEEN INSIGHT PUBLIC SECTOR, INC. AND COBB COUNTY, GA; (2) AR3227 BETWEEN CISCO SYSTEMS, INC. AND THE STATE OF UTAH; (3) MNWNC-108 BETWEEN DELL MARKETING L.P. AND THE STATE OF MINNESOTA; (4) 23-6692-02 BETWEEN

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INTERNATIONAL CORP. AND THE STATE OF ARIZONA; (7) 47QSWA18D0050 BETWEEN GENETEC, INC. AND THE UNITED STATES GENERAL SERVICES ADMINISTRATION; AND (8) AR3232 BETWEEN JUNIPER NETWORKS (US), INC. AND THE STATE OF UTAH.

9.e. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO PURCHASE CONCRETE AND ASPHALT FOR CITYWIDE REPAIRS FROM PYRAMID MATERIALS, INC. DBA AMERICAN READY-MIX AND DBA WESTERN NEVADA MATERIALS (“PYRAMID”), FOR A NOT TO EXCEED AMOUNT OF \$95,000 THROUGH JUNE 30, 2024.

9.f. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A TOTAL EXPENDITURE NOT TO EXCEED \$157,294.62 TO RESURFACE THE CARSON CITY SENIOR CENTER ROOF (“PROJECT”) THROUGH: (1) THE PURCHASE OF ROOFING MATERIALS FOR A TOTAL NOT TO EXCEED AMOUNT OF \$41,096.12 UTILIZING JOINDER CONTRACT NO. PW1925 (“JOINDER”) BETWEEN RACINE COUNTY, WI AND GARLAND/DBS, INC.; AND (2) A DETERMINATION THAT F&F INDUSTRIES, INC. DBA PONDEROSA ROOFING & STEEL WORKS (“PONDEROSA”) IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES (“NRS”) CHAPTER 338, AND WHETHER TO AWARD CONTRACT NO. 24300050 (“CONTRACT”) FOR THE PROJECT TO PONDEROSA FOR A TOTAL AMOUNT NOT TO EXCEED \$116,198.50.

9.g. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A TOTAL EXPENDITURE NOT TO EXCEED \$312,757.45 TO RESURFACE THE CARSON CITY PUBLIC WORKS BUILDING A AND B ROOF (“PROJECT”) THROUGH: (1) THE PURCHASE OF ROOFING MATERIALS FOR A TOTAL NOT TO EXCEED AMOUNT OF \$144,494.60 UTILIZING JOINDER CONTRACT NO. PW1925 (“JOINDER”) BETWEEN RACINE COUNTY, WI AND GARLAND/DBS, INC.; AND (2) A DETERMINATION THAT CTR ROOFING LTD (“CTR”) IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NEVADA REVISED STATUTES (“NRS”) CHAPTER 338, AND WHETHER TO AWARD CONTRACT NO. 24300041 (“CONTRACT”) FOR THE PROJECT TO CTR FOR A TOTAL AMOUNT NOT TO EXCEED \$168,262.85.

9.h. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING TEMPORARY STAFFING SERVICES FOR FISCAL YEAR (“FY”) 2024 UTILIZING STATE OF NEVADA JOINDER CONTRACTS 99 SWC-NV21-7576 WITH MARATHON STAFFING GROUP, INC. (“MARATHON”), 99 SWC-NV21-7577 WITH MANPOWER TEMPORARY SERVICES (“MANPOWER”) AND 99 SWC-NV21-7575 WITH ACRO SERVICE CORPORATION (“ARCO”), FOR A TOTAL NOT TO EXCEED AMOUNT OF \$855,007.

END OF CONSENT AGENDA

ORDINANCES, RESOLUTIONS, AND OTHER ITEMS

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

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No items were pulled from the Consent Agenda.

11. SHERIFF

11.a FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED CONTRACTS WITH LEXISNEXIS COPLOGIC SOLUTIONS INC. (“LEXISNEXIS”) AT NO COST TO THE CITY THROUGH WHICH THE CARSON CITY SHERIFF’S OFFICE (“CCSO”) WILL PROVIDE COLLISION REPORTS TO LEXISNEXIS FOR PURCHASE BY THE PUBLIC THROUGH LEXISNEXIS BUY CRASH AND LEXISNEXIS WILL PROVIDE ANALYTICS, REMIT A PORTION OF THE PROCEEDS TO CARSON CITY AND PROVIDE LICENSES FOR EXPERIAN AUTOCHECK FOR CCSO USE, FOR A TERM THAT MAY BE TERMINATED BY EITHER PARTY WITH WRITTEN NOTICE FOR CAUSE, UPON EXPIRATION OF THE TERM OF AN ORDER AND FOR TERMINATION OF A SERVICE BY LEXISNEXIS.

(8:56:09) – Mayor Bagwell introduced the item and reminded everyone that the discussion would be based on the late material received and incorporated into the record. Carson City Assistant Sheriff Daniel Gonzales gave background and presented the Staff Report and accompanying late material documentation, incorporated into the record. He noted that the proposed online portal would allow the public, including attorneys and insurance companies, to access collision data within the statutory requirement of seven days and at no cost to Carson City. The Assistant Sheriff clarified for Mayor Bagwell that by following the current process, LexisNexis would request the information via the US Postal Service, which could take up to 15 days. He also noted that the public could still request the reports via the Sheriff’s Office counter service for \$5. Senior Deputy District Attorney Todd Reese explained that under the Public Records Act, any member of the public would be able to request a “crash report.” Additionally, he stated that a victim of an accident or any interested party can still request the report from the Sheriff’s Office by paying the \$5 fee. Mayor Bagwell received confirmation that there will not be an additional convenience fee for the general public whether they obtain the report from the Carson City Sheriff’s Office (CCSO) or LexisNexis. The convenience fee (not determined as of yet) is only assessed when the reports are ordered by commercial institutions such as law firms and insurance companies. Assistant Sheriff Gonzales confirmed for Supervisor Giomi that the convenience fee would be assessed by the City and would not go to LexisNexis. Discussion ensued regarding the convenience fees and Mr. Reese clarified that there could be two types of fees: One determined by the CCSO (collected by LexisNexis on their behalf) and another by LexisNexis. Mr. Reese assured the Board that fee changes and public records policy changes would have to be approved by the Board of Supervisors.

(9:15:01) – Mr. Yu clarified for the record that the proposed LexisNexis proposal was a third option for receiving collision reports and did not change any of the existing statutory options (1. public records requests and 2. the receipt of the report in seven days from CCSO [or LexisNexis – if approved] when someone is party to an accident or is claiming damages). He also cited the Nevada Revised Statute (NRS) which allowed CCSO to establish a convenience fee, in addition to those already set by the Board of Supervisors, and without Board approval. Supervisor White was in favor of the speedy delivery of the collision reports; however, he did not believe that public records requests should be subject to fees. He also noted that per the Supreme Court, the reports from CCSO should be assessed “a reasonable fee for reproduction” as actual costs. Supervisor Schuette inquired about the accessibility of the accident data by the Nevada Department of Transportation (NDOT), the Carson Area

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Metropolitan Planning Organization (CAMPO), and the Carson City Regional Transportation Commission (RTC) and Assistant Sheriff Gonzales explained that a Crash Data Analysis Program was built into the system which could be requested by the aforementioned organizations through the CCSO Traffic Unit. Mayor Bagwell noted that there was no mention in NRS about the provider convenience fee; therefore, requesting parties could continue to utilize the existing methods for data requests; however, if they request the information electronically; they would pay the convenience fee for faster access. Mr. Yu clarified for everyone that the purpose of the contract was not to generate additional revenue for the City but to provide yet another way of obtaining information. Mayor Bagwell entertained public comments and when none were forthcoming, a motion.

(9:27:21) – Supervisor Schuette moved to approve, and authorize the Mayor to sign, the contracts as presented. The motion was seconded by Supervisor Horton.

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

12. FINANCE

12.a. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED RESOLUTION CONCERNING THE FINANCING OF CERTAIN RECREATIONAL FACILITIES; DIRECTING THE CARSON CITY CLERK-RECORDER TO NOTIFY THE CARSON CITY DEBT MANAGEMENT COMMISSION OF THE CITY'S PROPOSAL TO ISSUE GENERAL OBLIGATION PARK BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE.

(9:27:55) – Mayor Bagwell introduced the item. Ms. Russell-Benabou noted that the proposed resolution was the first step in issuing bonds to construct recreational facilities and clarified that all the bonds would be spent on John D. Winters Park; however, in case of savings, any leftover funds could be spent on other recreational facilities. Ms. Russell-Benabou referenced the supporting material, incorporated into the record, and stated that the bond would be paid by Carson City Culture and Tourism Authority (CTA) pledged revenue. She also introduced John Peterson, Vice President at JNA Consulting Group, LLC, and Sherman & Howard Public Finance Attorney Ryan Henry who were present in the room to respond to questions. Supervisor White inquired whether any of the funds would be spent on the Eagle Valley Golf Course; however, Ms. Russell-Benabou anticipated that all the funds would be spent on John D. Winters Park improvements, adding that should there be savings, that could be a possibility. Mayor Bagwell noted that the pledge by CTA should be sufficient; however, should the two percent room tax funding be insufficient, the CTA would cover the balance from some of the general operating tax dollars. Mr. Peterson confirmed the Mayor's explanation and clarified that the CTA would pay the debt service on the bond from the two percent generated by the Capital Projects Fund and if the room tax amount

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declines, the funding would come from the CTA's general operating revenues and would not burden Carson City taxpayers. Supervisor Giomi explained that the two percent room tax can only be used for Capital Projects, adding that the funds being collected for six months now (without any bond obligations at this time) would "help backstop the bond" as well. Mayor Bagwell entertained public comments and when none were forthcoming, a motion.

(9:35:48) – Supervisor Giomi moved to adopt Resolution No. 2023-R-25. The motion was seconded by Supervisor Horton.

RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Giomi
SECONDER:	Supervisor Horton
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 CARSON CITY'S PROPOSED 2023-2028 CONSOLIDATED PLAN ("CONSOLIDATED PLAN"), WHICH MUST BE SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") FOR CARSON CITY TO REMAIN ELIGIBLE TO RECEIVE ENTITLEMENT GRANTS DIRECTLY FROM HUD.

(9:36:52) – Mayor Bagwell introduced the item. Ms. Russell-Benabou gave background and reviewed the Staff Report which is incorporated into the record. She highlighted the public comment period which would end on August 7, 2023, after which the Plan would be submitted to the U.S. Department of Housing and Urban Development (HUD). She added that should substantive comments be received, the Board may choose to hold a special meeting to consider revising the Consolidated Plan before the regular August 17, 2023, Board meeting, as the Plan and accompanying assurances must be submitted to HUD by August 16, 2023; otherwise, Carson City would lose the \$374,115 award. She also noted one clarification on page 16 of the Plan.

(9:38:26) – Grants Administrator Rebecca Phipps summarized the results of the 143 survey responses that had been received so far. She noted that over 79.58 percent of respondents approved of the Community Development Block Grant (CDBG) spending on street/sidewalk improvements, the demolition of vacant and blighted buildings, and the construction and rehabilitation of water, sewer, and storm systems. Supervisor White pointed out a potential typographical error which Ms. Russell-Benabou offered to look into. Mayor Bagwell entertained public comments. Mr. French recommended designing sidewalks that are more accessible to disabled individuals, especially during snow season. There were no additional comments; therefore, Mayor Bagwell entertained a motion.

(9:43:27) – Supervisor Schuette moved to approve the 2023-2028 Consolidated Plan as discussed on the record. The motion was seconded by Supervisor White.

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RESULT:	APPROVED (5-0-0)
MOVER:	Supervisor Schuette
SECONDER:	Supervisor White
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

STAFF COMMENTS AND STATUS REPORT

(9:44:05) – Mayor Bagwell introduced the item. Ms. Hicks explained that the Strategic Plan Annual Report was in the process of being finalized and that it would be presented to the Board at one of the two upcoming meetings. Supervisor Giomi thanked the Carson City Sheriff's Office (CCSO), the Carson City Fire Department (CCFD), and all the participating government and nonprofit agencies for a successful Sheriff's Night Out (formerly National Night Out), and Supervisor Schuette concurred.

CLOSED NON-MEETING TO CONFER WITH MANAGEMENT REPRESENTATIVES AND COUNSEL

This item did not take place.

14. PUBLIC COMMENT

(9:45:48) – Mayor Bagwell entertained final public comments. Mr. French reminded the Board that they had approved, as part of two past collective bargaining agreements, “lung and heart testing” for CCSO and CCFD personnel. He recommended similar testing to be offered to the Landfill employees because of their exposure to harsh chemicals.

15. FOR POSSIBLE ACTION: TO ADJOURN

(9:47:13) – Mayor Bagwell adjourned the Board of Supervisors meeting at 9:47 a.m.

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The Minutes of the August 3, 2023, Carson City Board of Supervisors meeting are so approved on this 7th day of September, 2023.

Lori Bagwell
LORI BAGWELL, Mayor

ATTEST:

William Scott Hoen
SCOTT HOEN, Clerk-Recorder

LATE MATERIAL
Item #: Public Comment
Meeting Date: 08/03/23

From: Robyn Orloff
To: Public Comment
Subject: BOS meeting 8/3/2023
Date: Wednesday, August 2, 2023 3:01:30 PM

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

Contamination of water in bowls from leaking from OHVs rubbing underbellies on rock

April 2023.... example of contamination in the ephemeral stream pools... Effect on plants and animals that are sustained by this water?









Sent from my iPhone

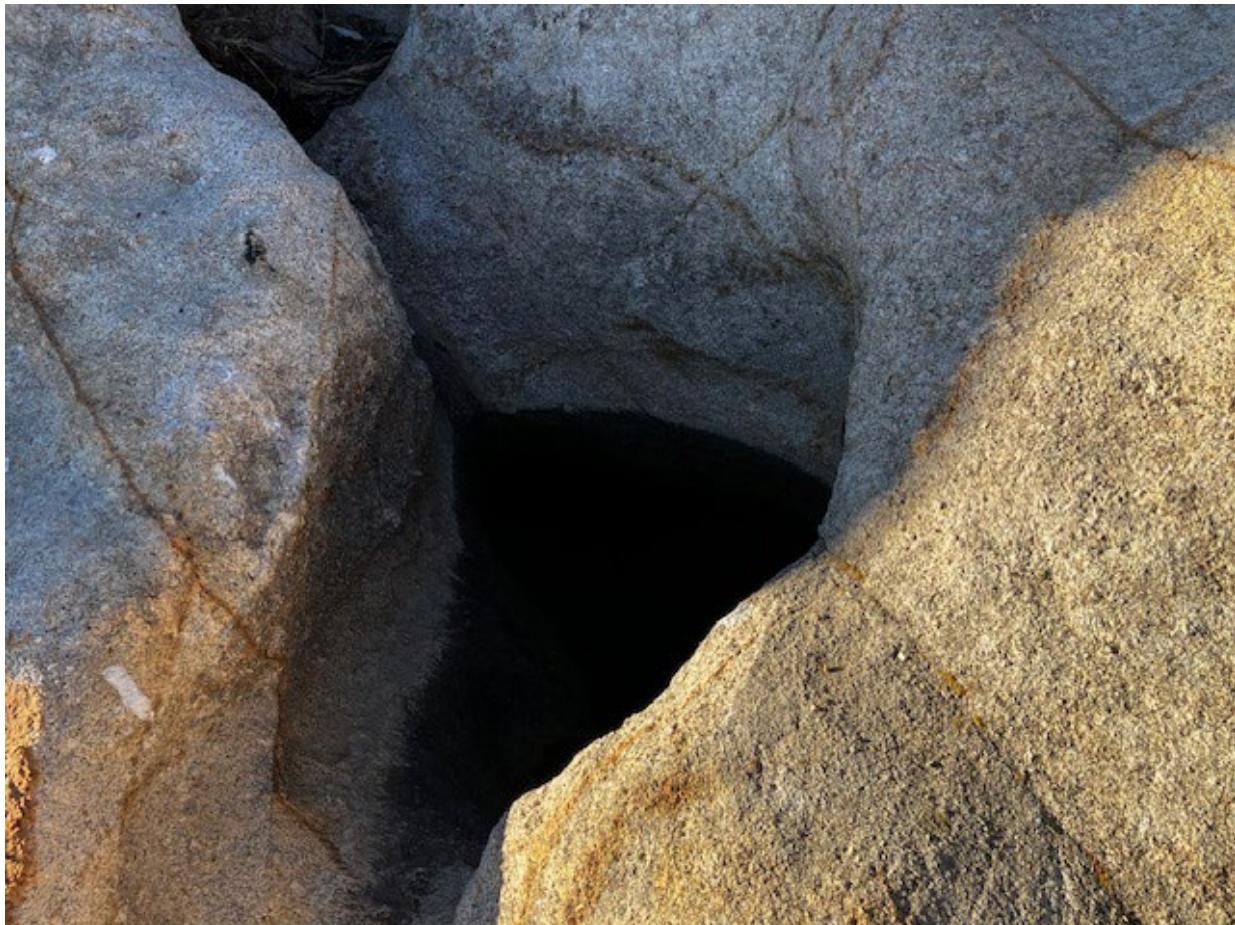
From: [Robyn Orloff](#)
To: [Public Comment](#)
Cc: [Nancy Paulson](#)
Subject: Bos meeting 8/3/2023
Date: Wednesday, August 2, 2023 3:00:31 PM

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

Photos of the water feature discussed in public comment (D) — life sustaining for plants and animals that transit in that wash

And environs: Natural Resource special feature?

L









From: [Robyn Orloff](#)
To: [Public Comment](#)
Cc: [Nancy Paulson](#)
Subject: BOS meeting 8/3/2023
Date: Wednesday, August 2, 2023 2:57:20 PM

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

B). CRT III Prison Hill West Trail discussion/Agenda in depth? My concern is the proposed 10' wide trail with 2' shoulders.

The Grant and Engineering Contract for CRT II was for the same: 10' wide with 2' shoulders!

But yet you know that CRT II

from 5th St TH to SSR is 12-14' wide in places with up to 8' shoulders. How did this happen?

IMHO a blight to the valued

beloved SSR historical property view shed: looking up from it, or down into it. Not well integrated into the ecosystem and environment and historical feel — as all the other Open Space projects are. Does not integrate with the existing historical ranch roads. Somehow this was an error, lack of oversight of the City over Lumos Engineering (who wasn't even aware when I spoke with them, that the property has a Conservation Easement — not that that matters to anyone, as it is 'broadly interpreted').

I have grave concerns about the west slope of Prison Hill being similarly denuded and impacted visually/aesthetically/ecologically.

What about getting input from a Visual Resource Impact Specialist? Recommended to me by a friend in BLM — BLM has this department and carefully evaluates their trails/roads/solar and windmill sites etc. Just as the City so beautifully and tastefully painted the Koontz water tower brown — over the forest green.

The brown is totally integrated into the environment — vs the green which did stick out like a sore thumb. Thank you for that change!

Well done!

Solution: Since the BLM is our partner in the PH projects, in fact the 'holder' of the Conservation Easement, perhaps the City can work cooperatively with them, and have their Visual Resource Impact Specialist be part of the CRT III design — so it is well integrated into the foothills. The City paid BLM \$375,000 per the Omnibus 2009 and Conservation Easement. I was told it was to be used to pay for the annual inspections/reports by BLM on the City Managed/Owner Conservation Easement projects. I don't think there has been any report, since ? 2018 (2017 and 2018). Maybe the money could be used to cover the Visual Resource Impact Specialist. Or maybe the cooperative partnership of the City w/BLM, per the Conservation Easement, does not require an exchange of money — but just an exchange of ideas and resources. Of maybe the Visual Impact Study could be paid for out of the \$375K?

Do we want the west side of Prison Hill to have a road the caliber and impact of the CRT from 5th St to SSR?





From: [Robyn Orloff](#)
To: [Public Comment](#)
Cc: [Nancy Paulson](#)
Subject: BOS meeting 8/3/2023
Date: Wednesday, August 2, 2023 2:58:48 PM

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

C). Re Buzzy Ranch Water rights: will there be analysis of the well water to make sure it is useable, if Carson City ever wants to tap into it for public water? Is that something that the City might want to do. And if there is slaughter of animals out there, is it permitted per the agreements — and is it an issue of public health, surface water, river water contamination issues? Is the water the City wants to get rights of, tested and is it 'clean' and does it matter if just used for irrigation/Ducks Unlimited property etc?

D). Discuss the water feature in the Prison Hill OHV Headlight Open Area. It is persistent weeks after rain. Unusual, no other water on Prison Hill now (only a few lasted days after the last rains). Suggestion: re-visit if this is an important resource, maybe overlooked in past studies, maybe it has changed because of crawler use on/up its rock outcropping. Seeping for what reason? Water source underneath? Important to rejuvenate the aquifer and provide sustenance to the plants and animals that transit in the wash and the area? Water is precious in the desert. Why are we allowing it to be disturbed, wheels grinding in the water bowls, fluids contaminating the water. Might this be an important natural resource to preserve? It is not needed for connectivity or as a unique feature: there are adjacent roads that take riders to other nearby rock outcroppings, and there are many of those in all the Open Areas and the other ephemeral stream Rock Crawling Routes. USFS and BLM might call this a 'take' — sacrifice of a natural resource — but they do this (they tell me) only if there is no other connectivity or if it is a very unique resource. I think NDOW uses the same terminology. Why is Carson City 'taking' this very special gem of a feature — when it is NOT needed for the recreational opportunity? Is its inclusion in a designated Crawler Route consistent with the BLM 9114-1 Manual (which I can't find — but I did find a BLM 9115-1 Manual) that is checked off as a guidebook for the OHV trails and decisions. Or the USFS document? Below is from all the Grant Applications:

14. Standards/Guidelines that will be applied to your project:

Universal Access to Outdoor Recreation- A Design Guide
 X USFS Standard Specifications for Construction & Maintenance of Trails

X BLM Handbook 9114-1 Trails
 X NOHVCC Handbooks

From: [Robyn Orloff](#)
To: [Public Comment](#)
Cc: [Nancy Paulson](#)
Subject: For BOS meeting 8/3/2023
Date: Wednesday, August 2, 2023 3:01:14 PM
Attachments: [WebPage.pdf](#)

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

Please accept this as public comment for the BOS meeting on Thursday August 3, 2023.

And please attach in its entirety, to the minutes. Thank you .

1). Would you consider including the following topics in a BOS Agenda Item in the future?

A). Fire Danger per the CCFD Restrictions issued Friday July 28, 2023.

#3 Prohibited: Operating vehicles or other motorized equipment off of existing paved, gravel, or dirt roads.

Note: As Supervisor White and Supervisor Schuette observed on a site tour with me, there are islands of intact vegetation in Off the Trailer and Headlight Open Areas. Per the Know before you Go Open Space rules, and NOHVCC Management emails, the Open Areas are designated for 'free style cross country open riding'.

<https://www.carson.org/home/showpublisheddocument/76971/637648820849870000>

- At Prison Hill, OHV travel is allowed on designated routes and areas only. There are three **Open Areas** where freestyle x-country travel is allowed:

Off the Trailer, Headlight, & The Ghosts

The boundaries of the Open Areas are signed and they are shown on the Interim Map. The sandy track area at the Staging Area is also open freestyle riding.

- **Outside of the open areas, travel is allowed on designated routes only.**
These routes are in the process of

being signed on the ground and they are shown on the Interim Map. **Until signing is complete, travel is allowed on designated and existing routes only**

The Fire Chief (and Open Manager and Director) might think the OHVs will observe the Fire restrictions, and not ride per their usually allowed 'cross country free style' in the 'cross country free style' Open Areas (that are full of islands of vegetation)— and designated just for that purpose per below:

- And the NOHVCC (Grantee, Consultant for the project, Marc Hildesheim) stated in an email (12/02/2019) that riding in the Open Areas is anywhere on the terrain within the Open Area Boundary Signs.
 - "Open areas are an area where riders are **not confined to a trail corridor, but rather have a set area where they can traverse the terrain as long as they don't go outside the defined boundary**. By marking this boundary we again decide where the riders can access obstacles, and reduce the spread of user created trails and obstacles. **Some OHV users are not looking for a trail experience, and these type of areas meet their needs.** These areas were selected because of their high rock content and durability, as well as where we observed rock crawlers and trials riders utilizing the area.

And the RCI Power Point and Final Report (2021-2022) state quite clearly that at least 6 acres in the 3 Main Open Areas IS intact soil and vegetation.

Maurice acknowledged seeing these islands of vegetation on their site tour with me — as did Lisa Schuette. We walked through them. Apparently neither made any headway discussing how to integrate it into the language of the Grants and documents and Open Space rules, that promote protection of natural resources and erosion mitigation and sustainability (and fire prevention). Protection even when there is no fire danger — but certainly when there IS. What about using a rule like the Tonopah Sand Dunes (Crescent Dunes) use, well said / CLEAR and appropriate to the PH Open Areas:

"Open OHV use on un-vegetated sand areas is allowed. OHV travel is limited to existing roads and trails in vegetated areas."

<https://ohv.nv.gov/trails/crescent-dunes>

So the responsibility is now to be put on the riders —to give up this privilege during Fire Restrictions — but we all know that E=Education and E=Enforcement is limited because of staff constraints patrolling the 8000 Open Space acres.

Knowing that compliance with #3 will be inconsistent — along with the KNOWN unauthorized riding — and knowing that Open Space cannot monitor /enforce — all this being expressed in public record: then ultimately who will be accountable if there is a fire on Prison Hill? Maybe Supervisor Giomi can weigh in, per his Fire Chief years?

And WHY didn't /doesn't Open Space put up very clear notices (on the property at the 2 entrances and at each Open Area, and in NV Appeal/CarsonNow/notices to partners etc etc) immediately following the Fire Restrictions (and knowing ahead of time they were coming) informing riders of the Fire Restrictions? Just as the Open Space Director overnight issued a prohibition of dogs on the Waterfall Trail (and got new signs up and notices in many on line and newspaper etc media)— for Public Safety (water) — why can't she issue a Public Safety proclamation for protection of the OHV Area???? High risk of fire, with motorized vehicles over vegetation — dead or alive. This is a big deal, IMO. Don't we want to do all we can do, to protect Prison Hill property and the adjacent private properties and citizens, from a possible fire?

I am told by Gregg Berggren, that Open Space will not be putting up the closure signs, on Red Flag Days. Despite saying that in their own Know Before you Go rules:

- On **Red Flag** extreme fire danger days, the site will be posted as closed in conformance to the hours listed in the Red Flag Alert.

And that the Fire Chief has given full decision and responsibility to Open Space to manage the area during Fire Season however they choose:

"The Parks and Open Space department makes the decision on closing Prison Hill on Red Flag days, that directive does not come from the fire department but we do support it. We are moving into fire restrictions on Friday (see attached) however, vehicles can still operate on designated trails and

open riding areas.

As far as accountability, It is the responsibility of the vehicle operator to follow all rules and restrictions. If their actions or negligence start a fire they can be held liable."

Our Fire Chief is our expert — why shouldn't he be overseeing ALL things FIRE — and all risks — to protect our Citizens and our private and Public Property. The CCFD are the PROFESSIONALS. Why aren't they more involved in the decision and why would they not recommend pro-active notices and signage, during the Fire Restriction period. BLM is much more proactive — making any exceptions to their restrictions, be noticed publicly, and not absolving any individuals or agencies from liability or responsibility for a fire started.

They also recommend riders carry axe, shovel, one gallon of water, and cell phones.

And they clearly list the enforcements and penalties for violation:

Fines and/or imprisonment, and responsibility for resource damage/suppression costs and any injuries that occur if found liable.

I wonder why Open Space does not list recommendations or penalties, in their notices or website: nor does CCFD list those in their published restrictions.

Why not be proactive? Why not get gates for the two entrances: Snyder/Cable and the Staging Area — and just CLOSE them for public safety: Fire, Flood, Dusk to Dawn?? Easy? As you have gates at Rifle Range, Baileys Pond, SSR, Ash and Kings Canyon etc etc.....

Thank you,

Robyn Orloff

Citizen taxpayer of Carson City

Recreationist in the OHV area on a dirt bike (but not now, because of the fire danger) and non motorized throughout it and all the other Open Space lands, thank you!

The Dirt: Crescent Sand Dunes

Download

- [Crescent Sand Dunes KMZ](#)
- [Crescent Sand Dunes GPX](#)
- [Crescent Sand Dunes PDF](#)
- [Crescent Dunes Trails KMZ](#)
- [Georeferenced Avenza Maps](#)

Discover

The Crescent Sand Dune area, also known as Tonopah Dunes, lie north of Tonopah, adjacent to the Crescent Dunes Solar Energy Project facility. The area is remote, and crowds are rare. The dunes are steep and tall, and paddle tires are recommended for motorcycles.

Staging and dispersed camping area is allowed, with no amenities or services. Use caution when parking and staging – sand can be soft around the edges of the staging area, and vehicles can get stuck easily.

Open OHV use on un-vegetated sand areas is allowed. OHV travel is limited to existing roads and trails in vegetated areas.

Directions

From Tonopah, Nevada:

- Head West on US 6 / US 95 for approximately 4 miles.
- Turn right between mile marker 55 and 54 onto Gabbs - Poleline Road (Route 89) and travel approximately 9 miles.
- Entrance to Crescent Dunes site will be on your right and will consist of

a 2 mile unimproved dirt road to the site. Caution should be used in the area as vehicles can get stuck easily in the sand around the Dunes.

Rules of the Road

Land Manager: Bureau of Land Management

BLM Field Office - Tonopah
1553 South Main Street
Tonopah, NV 89049

Telephone: (775) 482-7800

Email: bmfoweb@blm.gov

Motor vehicles are permitted on designated trails only.

Always plan ahead and prepare for uncertainty. Travel with warm clothing, first aid, food, water and appropriate tools to fix a problem.

Traveling in groups is always a good idea, as well as informing someone of where you will be going.

- Register Your Vehicle
- Make sure your vehicle is equipped with a spark arrestor
- Plan Ahead and Prepare
- Travel and Camp on Durable Surfaces
- Dispose of Waste Properly
- Leave What You Find
- Minimize Campfire Impacts
- Respect Wildlife
- Be Considerate of Other Trail Users

OHV travel is limited to existing roads and trails. OHV use on un-vegetative sand areas is allowed.

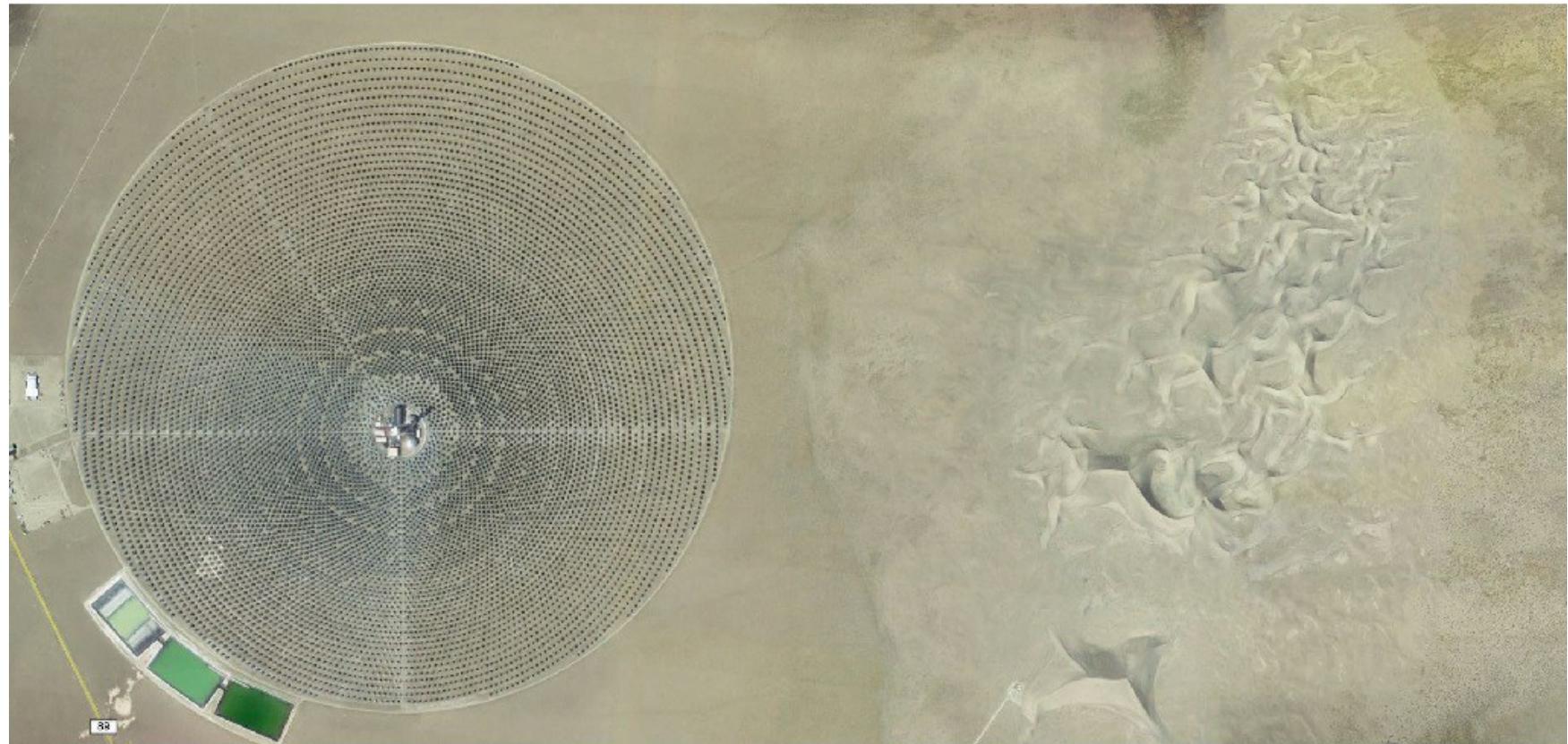
[Leave No Trace](#)

[Tread Lightly](#)

[Historic Preservation](#)

Plan Your Visit

- [TravelNevada.com](#)
- [City of Tonopah](#)
- [BLM Recreation Area](#)
- [Nye County OHV Regulations](#)
- [Nye County website](#)



Rider Education and Safety Training

[NOHVCC Safety Training](#)

[NOHVCC OHV Ethics](#)

[Nevada Outdoor School](#)

[Recreational Off-Highway Vehicle Association E-Course](#)

[Know Before You Go](#)

[Safety Training for Kids](#)

[Abandoned Mines](#)