

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the April 18, 2011 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, April 18, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Dan Jacquet
Vice Chairperson Bruce Scott
Member Terri Green-Preston
Member Tricia Lincoln

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Juan Guzman, Open Space / Property Manager
Ann Bollinger, Natural Resources Specialist
Tina Russom, Deputy District Attorney
Kathleen King, Deputy Clerk / Recording Secretary

NOTE: A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

CALL TO ORDER AND DETERMINATION OF A QUORUM (6:01:54) - Chairperson Jacquet called the meeting to order at 6:01 p.m. A quorum was present. Members Fischer and Riedl were absent.

CITIZEN COMMENTS (6:02:12) - None.

1. ACTION ON APPROVAL OF MINUTES - February 28, 2011 (6:02:25) - Vice Chairperson Scott moved to approve the minutes, as presented. Member Lincoln seconded the motion. Motion carried 4-0.

2. MODIFICATIONS TO THE AGENDA (6:02:55) - None.

3. AGENDA ITEMS:

3-A. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS A JOINT RESOLUTION BETWEEN THE OPEN SPACE ADVISORY COMMITTEE AND THE BOARD OF SUPERVISORS THANKING CHAIRMAN STEVE HARTMAN FOR HIS YEARS OF SERVICE TO CARSON CITY (6:03:09) - Chairperson Jacquet introduced and provided background information on this item. He read the language of the proposed resolution into the record, and entertained a motion. Vice Chairperson Scott commended former Chairperson Hartman on his "outstanding job for Carson City and this committee. Many, many things that we have accomplished were because of Steve's leadership, patience, ..., and his hard work." Vice Chairperson Scott expressed appreciation for all of former Chairperson Hartman's efforts, and **moved to approve this proposed resolution and pass it on to the Board of Supervisors with a favorable recommendation for their approval. Member Lincoln seconded the motion**, and commented on former Chairperson Hartman's graciousness upon her appointment to the committee. Chairperson Jacquet entertained additional committee member comments and a brief discussion took place regarding the language of the resolution. Chairperson Jacquet entertained public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 4-0.** Chairperson Jacquet thanked former Chairperson Hartman.

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3-B. DISCUSSION AND POSSIBLE ACTION REGARDING A MEMORANDUM OF UNDERSTANDING WITH MUSCLE POWERED PROVIDING FOR MUTUAL COOPERATION IN THE CONSTRUCTION AND DEVELOPMENT OF TRAILS (6:11:27) - Chairperson Jacquet introduced this item. Ms. Bollinger reviewed the agenda materials, and inquired as to Muscle Powered's willingness to "extend the responsibility for trails around the Carson City area." (6:12:50) Muscle Powered Board member Jeff Potter introduced fellow board member Donna Inverson. Mr. Potter advised of not having had the opportunity to present the suggestion to the Muscle Powered Board, but expressed the belief the board would be in agreement. Ms. Inverson concurred.

In reference to the recommended action, as outlined in the agenda report, Ms. Bollinger advised of discussions with the District Attorney's staff relative to the form of the agreement. She acknowledged that the purpose, objectives, and benefits of the agreement will remain essentially the same. (6:14:08) Ms. Russom explained the District Attorney's policy relative to cooperative agreements or contracts rather than memoranda of understanding. Vice Chairperson Scott expressed a preference for a cooperative agreement which would be more representative of the committee's relationship with Muscle Powered.

Mr. Guzman responded to questions regarding other cooperative agreements with the City and the workers compensation provision, as outlined in the draft agreement included in the agenda materials. Following discussion, Mr. Moellendorf advised that all of the City's cooperative agreements provide for mutual indemnification. "And we always include waiver of liability statements ..." In response to a question, he advised that there will not always be a City employee present at volunteer work day events. He assured the committee members there has never been a problem. At Chairperson Jacquet's request, Mr. Guzman agreed to return with a final draft agreement prior to the committee taking action. Chairperson Jacquet entertained additional committee member and public comments. When none were forthcoming, he entertained a motion. **Member Lincoln moved to continue this to the next committee meeting for review of the draft cooperative agreement. Member Green-Preston seconded the motion. Motion carried 4-0.**

Mr. Guzman discussed the community support service grant, funded through Question #18, awarded to Muscle Powered by the Board of Supervisors. Vice Chairperson Scott requested staff to ensure that a copy of the cooperative agreement, which is the subject of this agenda item, is provided to Muscle Powered representatives prior to the next committee meeting.

3-C. ACTION TO ACCEPT THE BUDGET TRACKING UPDATE FOR THE PERIOD FROM MARCH 31, 2011 (6:29:13) - Chairperson Jacquet introduced this item, and Mr. Guzman reviewed the agenda materials. Member Green-Preston expressed concern over the amount of funding being allocated to the lobbyist firm, and discussion followed. At Chairperson Jacquet's request, Mr. Guzman agreed to research the method by which the lobbyist fees are billed and to agendaize a corresponding discussion item for a future committee meeting. Vice Chairperson Scott discussed the benefits of having lobbyists already retained, and the importance of thoroughly researching the issues discussed. Additional discussion followed.

At Chairperson Jacquet's request, Mr. Guzman provided background information on a bill introduced by Assemblyman Pete Livermore regarding the internal service charges line item, which was first presented during a Board of Supervisors meeting. In response to a question, he advised that the Board of Supervisors took action to draft a letter to Assemblyman Livermore declining to support the bill and to agendaize further

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discussion regarding the internal service charges. Mr. Moellendorf responded to questions regarding the figures represented in the internal service charges line item. He explained that the internal service charges line item "is just a method of cost allocation. And it works the other way too." He discussed the facilities maintenance charges which are allocated to various City enterprise accounts, as an example. Mr. Guzman advised that the City's lobbyists informed him that Assemblyman Livermore's bill failed to make it out of committee. Member Lincoln recalled a previous discussion regarding internal service charges, with City Manager Larry Werner, and expressed understanding for the charges. She suggested the committee's reluctance over internal service charges will remain, but expressed the opinion that Assemblyman Livermore "was possibly overstepping his bounds with presenting it at the state level as a bill."

Chairperson Jacquet entertained additional comments regarding the budget summary. Vice Chairperson Scott acknowledged the City's economic constraints, and suggested if the committee wanted to make adjustments to the internal service charges line item, "we would need to do a fairly careful and a fairly progressive approach and see if we could convince the Board [of Supervisors] that voter-approved considerations might be handled differently and maybe look at a phasing process or something like that. ... If we were leaning in that direction, I think we might want to talk to Parks and Recreation Commission because they have at least some monies that relate to the same Question #18. You're creating a different animal and there's no question that we have ... good support from the Clerk's Office and the District Attorney's Office and ... we have Finance and all the other things. It's just a question of how you philosophically put the voters ... vote with running a City that has costs that nobody ever thought about when they were putting the question together." Member Lincoln expressed agreement, and suggested that at the time Question #18 was drafted, "there was probably no discussion about 'it's going to cost so much to administer this program' ... and there's going to be valid administrative costs to this program as there is any other program. But we aren't going to go back to the voters every single time and say, 'Oh, so are you going to approve that we pay for the trail ... monitor volunteers at the trail building?' No, ... that's what this board is for and we pay management for to administer that and make those decisions." Mr. Guzman advised that Mayor Crowell had pointed out that "the opposite is not fair either and that is to expect the general fund to subsidize the operation of the program. And we're talking about absolutes ... and probably there is a middle ground as to what is reasonable and what is not. And that is what we're trying to get at."

Mr. Guzman and Mr. Moellendorf responded to additional questions of clarification relative to various budget line items, including insurance benefits and vehicle maintenance. Member Lincoln expressed appreciation for agendaizing the budget review at each committee meeting, and Mr. Guzman committed to continuing the practice. Chairperson Jacquet entertained public comment and, when none was forthcoming, a motion. **Member Lincoln moved to recommend to the Board of Supervisors to accept the budget tracking update for the period from March 31, 2011. Vice Chairperson Scott seconded the motion. Motion carried 4-0.**

3-D. ACTION TO REAFFIRM A PRIOR RECOMMENDATION TO THE BOARD OF SUPERVISORS IN REFERENCE TO THE BENNA-MARSHALL 45-ACRE PROPERTY LOCATED AT THE TOP OF ASH CANYON TRAIL (7:03:39) - Chairperson Jacquet introduced and provided background information on this item. In response to a question, Mr. Guzman provided background information on the U.S. Forest Service Legacy Program grant funding proposed for this project. He responded to questions of clarification regarding the purpose of this item and provided additional background information. In response to a further question, he clarified that "it's understood that if you say

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yes to the grant, you have an interest in buying the property. ... But, the specific deal is not in front of you and it will not be in front of you until 2013.”

Vice Chairperson Scott expressed no objection to submitting the grant application “as long as the situation is clear. I’m not sure that I would support acquisition but I’m perfectly willing to see if we can get the grant to revisit that. I am intrigued by the fact that it’s the upper end of the Ash Canyon watershed.” Mr. Guzman acknowledged that the property owners are now considered willing sellers. In response to a further question, he advised that the price is now estimated at \$365,000 “out of which Legacy will pay 75 percent. The grant has to compete nationwide ... so this is a long shot, but if we don’t try we don’t even get in there.” In response to a further question, Mr. Guzman referred to the map included in the agenda materials, and Ms. Bollinger described the location of the property, as follows: “The Benna-Marshall property is surrounded on the north and the west by Nevada State Parks, the Tahoe back country; on the south by Carson City, the Wilson property ...; currently on the east side, it’s bordered by Carson City but that’s the land that would be exchanged to the Forest Service.” Mr. Guzman reminded the committee that Carson City is required to retain the Wilson property, by deed restriction, in perpetuity. He responded to additional questions of clarification, and discussion followed.

Chairperson Jacquet entertained additional committee member and public comments and, when none were forthcoming, a motion. **Vice Chairperson Scott moved to affirm the committee’s prior expression of interest and authorize staff to proceed with a grant application, with the understanding that it is not a commitment to purchase but simply an application in the hopes that, with grant approval, we can re-evaluate the purchase at that time. Member Lincoln seconded the motion. Motion carried 4-0.**

3-E. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS A REPORT REGARDING THE ACCOMPLISHMENTS OF THE OPEN SPACE PROGRAM FOR 2010 (7:14:27) - Chairperson Jacquet introduced this item. Mr. Guzman reviewed the agenda materials, and solicited feedback from the committee members. Chairperson Jacquet suggested including a section relative to the trend toward management, and how funding would be spent accordingly. Member Green-Preston suggested including information relative to the Lakeview wetlands and the fuels reduction projects. Vice Chairperson Scott commended the report as a good opportunity to summarize the activities and accomplishments of the Open Space Program. He agreed with Chairperson Jacquet’s suggestion to include a section relative to the trend toward management. Discussion took place regarding the fuels management project, using sheep. Chairperson Jacquet advised of having spoken with Mr. Guzman earlier in the day, and of the intent to present the annual report to the Board of Supervisors. Mr. Guzman invited the committee members to contact him with additional input.

Chairperson Jacquet entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Scott moved to recommend completion of the accomplishments for 2010, with the information provided and edits given to staff, and to move forward to present the report to the Board of Supervisors through the chairman. Member Lincoln seconded the motion. Motion carried 4-0.**

3-F. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS A WORK PROGRAM FOR 2011 (7:22:52) - Chairperson Jacquet introduced this item, and Mr. Guzman reviewed the agenda materials. He clarified that the work program would be more appropriately termed “work outline.” He acknowledged that the work outline will be presented to the Board of Supervisors in the near future. Chairperson Jacquet noted the presentation as another opportunity to discuss with the Board of

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Supervisors the trend from acquisition to management. Member Green-Preston requested staff to work on the Lompa Lane property donation. Vice Chairperson Scott requested staff to look again into the possible acquisition of the property at the end of Fifth Street. He requested staff to work on the “eyesore” along River Road at the Jarrard property. Discussion followed and, in response to further questions, Mr. Guzman discussed the status of the Bently property and the Waterfall Trail. Chairperson Jacquet suggested that the V&T Trail right-of-way would be more appropriately listed under “Land Transactions in Progress” section. In response to a question, Mr. Guzman provided a status report on the project.

Chairperson Jacquet entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Scott moved to recommend to the Board of Supervisors the work outline for 2011. Member Green-Preston seconded the motion. Motion carried 4-0.**

3-G. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS ACCEPTANCE OF THE MONITORING REPORT FOR THE HORSE CREEK RANCH CONSERVATION EASEMENT (7:36:45) - Chairperson Jacquet introduced this item, and Ms. Bollinger reviewed the agenda materials. She designated the report included in the agenda materials as a draft due to staff’s upcoming meeting with Mr. Fagen, who has suggested additions to the draft. Ms. Bollinger recommended continuing action on this item to the June committee meeting. In response to a question, she described the damage caused by vehicle trespass, as depicted in the photographs included in the agenda materials. Vice Chairperson Scott suggested placing appropriate signage “to help ... get them to think of the positive benefits of open space rather than the violation of it.” In response to a further question, Ms. Bollinger discussed the importance of stabilizing the erosion areas. Discussion followed and, in response to a further question, Mr. Guzman discussed park ranger patrol and open space volunteer monitoring of the area. Ms. Bollinger acknowledged the request to continue action on this item to a future meeting.

3-H. DISCUSSION ONLY REGARDING THE DEVELOPMENT OF A MANAGEMENT PLAN FOR THE PRISON HILL, SILVER SADDLE RANCH, AND SURROUNDING CARSON RIVER LANDS (7:44:53) - Chairperson Jacquet introduced this item. Mr. Guzman reviewed the agenda materials and discussed various management issues associated with the properties. Member Green-Preston discussed concerns relative to the parking area at “mile zero” of the aquatic trail. Discussion followed, and Chairperson Jacquet requested the committee’s review of the final draft management plan. In consideration of management practices, Ms. Bollinger suggested that the committee members take the opportunity to visit the Silver Saddle Ranch on Saturday, April 30th as two large events are scheduled for that day. Mr. Moellendorf provided an overview of discussions among staff and the consultant relative to the management plan provisions. Chairperson Jacquet thanked Mr. Guzman and Ms. Bollinger for their presentation.

3-I. DISCUSSION ONLY REGARDING THE STATUS OF THE FUELS REDUCTION PROGRAM USING SHEEP (7:58:09) - Chairperson Jacquet introduced this item, and Ms. Bollinger reviewed the agenda materials. In response to a question, she advised that U.S. Forest Service representatives have requested more utilization on some of the higher elevations around C-Hill. “... we’ll ... take each day to see how it progresses and, from that, we’ll see how we move the sheep into Ash Canyon, Timberline, and Lakeview.”

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4. NON-ACTION ITEMS:

STATUS REPORT AND ANNOUNCEMENTS FROM STAFF (7:59:02) - None.

MEMBERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION (7:59:10) -

Discussion took place regarding the method by which agenda materials are provided to the committee members.

5. FUTURE AGENDA ITEMS (7:59:05) - Previously covered.

6. ACTION ON ADJOURNMENT (8:02:17) - Vice Chairperson Scott moved to adjourn the meeting at 8:02 p.m. Member Lincoln seconded the motion. Motion carried 4-0.

The Minutes of the April 18, 2011 Carson City Open Space Advisory Committee meeting are so approved this 20th day of June, 2011.

DANIEL JACQUET, Chair