

**City of Carson City
Agenda Report**

Date Submitted: August 7, 2012

Agenda Date Requested: August 16, 2012
Time Requested: 20 Minutes

To: Mayor and Supervisors

From: Parks and Recreation Department - Open Space Division

Subject Title: For possible action to adopt a resolution directing staff and the Open Space Advisory Committee to suspend efforts to acquire property for a period of two years and to emphasize the active management of existing properties in the Open Space Program. (Juan F. Guzman)

Staff Summary: Through this resolution the Board of Supervisors provides direction for the Open Space Program to reduce efforts devoted to the acquisition of properties and concentrate efforts toward activities related to the management of lands that are under present ownership.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to adopt a resolution directing staff and the Open Space Advisory Committee to suspend efforts to acquire property for a period of two years and to emphasize the active management of existing properties in the Open Space Program.

Explanation for Recommended Board Action: The Board of Supervisors wishes to publicly express and provide direction to the Open Space Advisory Committee and staff for the program direction to be directed towards the management of lands and to limit acquisitions for a period of two years. See attached memorandum regarding the properties that have been considered as opportunities in the past by the Open Space Program.

Applicable Statue, Code, Policy, Rule or Regulation:

Carson City Municipal Code - Chapter 8
Carson City Municipal Code - Chapter 13.06

Fiscal Impact: The Acquisition budget line item will be reduced. The budget line items that relate to maintenance and management will be increased.

Explanation of Impact: The budget process will reflect an increase in the management related accounts and a decrease in the acquisition account.

Funding Source: Open Space accounts

Alternatives:

- 1) Instruct staff to change the resolution
- 2) Not to adopt the resolution

Supporting Material:

Draft resolution

Memorandum from Open Space Manager dated August 16, 2012

Prepared By:  Date: 8/2/12
Juan F. Guzman, Open Space Manager

Reviewed By:  Date: 8/7/12
Roger Moellendorf, Parks & Recreation Director

 Date: 8/7/12
Lawrence A. Werner, City Manager

 Date: 8/7/12
District Attorney's Office

 Date: 8/7/12
Finance Department

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay
2: _____

(Vote Recorded By)

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS DIRECTING STAFF AND THE OPEN SPACE ADVISORY COMMITTEE TO SUSPEND EFFORTS TO ACQUIRE PROPERTY FOR A PERIOD OF TWO YEARS AND TO EMPHASIZE THE ACTIVE MANAGEMENT OF EXISTING PROPERTIES IN THE OPEN SPACE PROGRAM.

WHEREAS, Section 8A of the Carson City Charter provides for the imposition of a sales tax and the use of proceeds for the purchase and management of open space lands; and

WHEREAS, Section 13.06.010 of the Carson City Municipal Code provides that, among other matters, it is the objective of the Open Space Program to promote quality of life for the citizens of Carson City through the preservation and protection of the quality of the natural environment, which has given Carson City much of its character, and for the enjoyment of this and future generations by the judicious use of funding for open space; and

WHEREAS, Chapter 13.06.010 of the Carson City Municipal Code also provides that Carson City encourages residents of this community and other concerned persons or parties to donate certain lands or funds for use in the Open Space Program and that the Board of Supervisors may by resolution accept properties not acquired with Open Space funds into the Open Space Program after a recommendation from the Open Space Advisory Committee; and

WHEREAS, Chapter 13.06.010 of the Carson City Municipal Code also provides that the Open Space Advisory Committee shall provide for the oversight of the administration and expenditure of funds from the Open Space Division of the Quality of Life Special Revenue Fund established by the Carson City Municipal Code, Chapter 21.07 and that the funding for open space, including interest and other income, may be used for the acquisition and management of real property for open spaces acquired through the fund and administrative costs approved by the committee; and

WHEREAS, Section 13.06.060 of the Carson City Municipal Code provides that, among other things, the Committee shall identify and prioritize for the City potential open space acquisitions and make appropriate recommendations and further that the Committee shall also perform other duties as may be specifically assigned to it by the Board of Supervisors; and

WHEREAS, the Board of Supervisors compliments the Open Space Advisory Committee for the appropriateness of the acquisitions performed since the inception of the program that have resulted in making lands available to enhance the quality of life and enjoyment of natural resources for Carson City's residents and visitors alike; and

WHEREAS, the Carson City Board of Supervisors recognizes that the past judicious acquisition of properties in combination with a weak economy have resulted in a limitation in the overall funding available to carry out the functions of the Open Space Program; and

WHEREAS, Section 13.06.100 of the Carson City Municipal Code provides that lands acquired for open space shall be preserved and managed in a natural condition; and

WHEREAS, Section 13.06.140 of the Carson City Municipal Code provides that, among other matters, the maintenance and operation funds for Open Space acquired lands may be made available from the Quality of Life Special Revenue Fund;

NOW THEREFORE, the Board of Supervisors resolves to direct Carson City staff and the Open Space Advisory Committee to suspend efforts to acquire property for a two year period after the adoption of this resolution and to emphasize the active management of existing lands. The Board of Supervisors may consider on a case-by-case basis donation of lands to Carson City for open space and/or any other extraordinary circumstances that merit a deviation from this resolution.

Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted this _____ day of _____, 2012, by the following vote:

AYES: Supervisors

NAYES: Supervisors

ABSENT: Supervisors

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

MEMORANDUM

TO: Larry Werner, City Manager
Board of Supervisors

FROM: Juan F. Guzman, Open Space Manager

SUBJECT: Properties of interest to the Open Space Program

DATE: August 3, 2012

On August 16, 2012, the Board of Supervisors will consider the adoption of a resolution providing direction to staff and the Open Space Advisory Committee to suspend considering land acquisitions for a period of two years and concentrate instead on the management of the lands already within the program. Staff wishes to brief the Board as to some properties that have been under consideration by the Open Space Advisory Committee but, for diverse reasons, have not reached the level of review by the Board of Supervisors.

1) Potter Property

The Potter property, consisting of approximately 21 acres, is located at the southwest corner of the intersection of Ormsby Boulevard and Kings Canyon Road and includes APN's 3-151-25 and 9-014-05, approximating 21 acres. The subject property is adjacent to other City ownership and contains trails used by the public at large, as well as the Pioneer Cemetery. Mr. Potter, staff, and the Open Space Advisory Committee have had numerous discussions regarding the potential acquisition of this property through the Open Space Program. As of more recently, the Committee agreed that staff and Mr. Potter will work towards a potential transfer of City property of equal value to Mr. Potter's property instead of an outright purchase of lands. If the Board desires to pursue this property, the next action would be to obtain an appraisal of the Potter property.

2) Lompa Lane Wetlands

The Lompa Lane wetlands property (approximating 31 acres) is located west of Saint Theresa's Catholic Church and is under the ownership of Jim Bawden and Dwight Millard and is to be transferred to Carson City. As part of the development of the Mountain Park and Northridge Subdivisions, a condition of approval called for these lands to be transferred to Carson City as open space. The owners are willing to transfer the land to Carson City, and under discussion with the Open Space Advisory Committee it was agreed that staff will prepare an agreement permitting the use of this land for wetland banking enhancements. Then the economy went bad and the need for this project to proceed has slowed down considerably.

3) Woods Ranch

The Woods Ranch (approximately 137 acres) is under the ownership of the Schulz family and located at Kings Canyon. The Schulz family is interested in pursuing a conservation easement on the portion of their ranch immediately south and adjacent to the Horse Creek Ranch Conservation Easement. Staff and the Schulz family have worked towards finding a grant program that will facilitate the purchase of a conservation easement.

4) The Andersen Ranch at Kings Canyon

Staff met multiple times with the Collard family in order to discuss potential conservation alternatives and open space designations with the subdivision of lands within their ownership. The Collard family owns approximately 128 acres with frontage at Kings Canyon across Ormsby Boulevard, and Mountain Street across from the old hospital. Due to the slow down in the economy, the project has been placed on hold by the Collard family.

5) Long, Darling and Schulz Properties

The Long property (2,000) acres, Darling property (35 acres) and Schulz property (13 acres) are located between Kings and Ash canyons and are accessed through Waterfall Road. After the U.S. Forest Service - Federal Lands Bill transfers, these properties became surrounded by Forest Service ownership. For this reason the emphasis has shifted from Carson City pursuing ownership to that of facilitating acquisition by the U.S. Forest. The Long and Darling properties have received funding approval; however, the funding was directed to other programs and the process of acquisition by the U.S. Forest Service is on hold. The Schulz family received an offer from the U.S. Forest Service for their consideration. These three properties are therefore not being considered for acquisition through the Open Space Program.

6) Benna Marshall Property

The Benna Marshall property (45.5 acres) is located at the top of Ash Canyon. The Board authorized staff to pursue a Legacy Grant with the U.S. Forest Service towards the potential acquisition of this property. The grant efforts were not successful. The property is adjacent to the Wilson open space property and is a gateway into State Parks property. Staff referred the owner's representative, Mr. Tom Marshall, to State Parks. However, State Parks was not able to come up with a potential source of match funding for acquisition. Since that time, staff has discussed this property with the Forest Service for the potential acquisition, and the owner is looking into that possibility with the assistance of the Nevada Land Conservancy.

The following properties have been the subject of preliminary conversation between property owners and their representatives, and City staff but have not been the subject of consideration by the Open Space Advisory Committee or the Board of Supervisors.

7) Erickson Property

The Erickson ownership is located between the Lyon county line and the former Bently property. This acquisition will facilitate legal access from Lyon County into the Bently property, particularly motorized access. One of the concerns was that the property came

onto the market a couple years ago but the owner was interested in selling his entire ownership in Lyon County as well as Carson City. This project may be of interest to the Bureau of Land Management.

8) Ham Property

The Ham property, consisting of 186 acres, is located between Timberline and the State of Nevada ownership. This property encompasses Vicee Canyon. The site is used by recreationists consistently. The creek as a resource is important to several of the functions performed by Carson City for our residents including watershed protection, habitat conservation, and maintenance of the aquifer. The Hams contacted staff through the Nevada Land Conservancy. Staff met with a broker representing the owner and conveyed that at the present time there were no funds available within the program to consider the advancement of this acquisition.

- 9) The Lompa property is located between the Carson City Freeway and Saliman Road. Various members of the family have discussed the possibility and have approached staff for a potential acquisition of a portion of the land. Areas of this property may have development potential.

It is important for the Board of Supervisors to have as complete a picture as possible of the efforts of the Open Space Program and potential future acquisitions. This memorandum is intended to provide that information.