

# CARSON CITY OPEN SPACE ADVISORY COMMITTEE

## Minutes of the March 26, 2001 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, March 26, 2001 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

**PRESENT:** Chairperson Steve Hartman  
Vice Chairperson Dan Jacquet  
Laura Bird  
Michael Fischer  
Margaret Robinson  
Bruce Scott

**STAFF:** Juan Guzman, Open Space Manager  
Walter Sullivan, Planning and Community Development Director  
Kathleen King, Recording Secretary  
(OSAC 03/26/01)

**NOTE:** Unless indicated otherwise, each item was introduced by Chairperson Hartman. A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

**A. ROLL CALL AND DETERMINATION OF A QUORUM (1-0001)** - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Member Pacheco was absent.

**B. APPROVAL OF MINUTES - FEBRUARY 26, 2001 (1-0033)** - In response to a question, Mr. Guzman acknowledged that the Northridge parcel is separate from, and was not included in the motion to accept, The Nature Conservancy gift parcel. **Member Robinson moved to approve the minutes as submitted. Member Bird seconded the motion. Motion carried 6-0-1-0.**

**C. PUBLIC COMMENT (1-0007; 1-1306)** - James Parker, a resident of Flint Drive and Highway 50, inquired as to the parcels being considered for the future location of Fuji Park. Mr. Guzman pointed out the proposed parcels and, following a brief discussion, advised Mr. Parker that this is the "realm of the Parks and Recreation Commission." Mr. Guzman acknowledged that Mr. Parker would be provided notice of the next meeting.

**D. MODIFICATION OF AGENDA (1-0014)** - Mr. Guzman requested that item F-4 be moved to the beginning of the agenda to accommodate Mr. Sullivan's schedule.

**E. DISCLOSURES (1-0026)** - Member Scott welcomed Member Bird to the Committee.

**F. PUBLIC MEETING**

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**F-1. DISCUSSION, ACTION, AND STATUS REPORT REGARDING THE CONSIDERATION OF THE NATURE CONSERVANCY OFFER TO TRANSFER OWNERSHIP OF A WETLAND LOCATED WEST OF NORTH LOMPA LANE AND NORTH OF NORTHRIDGE DRIVE, APPROXIMATELY 17.6 ACRES, APN 2-571-25 (1-0503)** - Mr. Guzman referred to the staff report included in the agenda materials, and reviewed the same. He advised of negotiations with four separate firms regarding the phase I analysis, and that the contract was awarded to the same firm which conducted the analysis of the Moffat property.

Mr. Guzman advised that the next steps are for The Nature Conservancy to prepare the gift deed and for the results of the phase I analysis to be submitted to City staff. The Committee's recommendation will then be presented to the Board of Supervisors. Mr. Guzman advised that he is continuing to research information through the Army Corps of Engineers regarding encumbrances. He anticipates that all the necessary information will have been compiled within the next month. He advised that a little less than \$5,000 will have been spent in receiving this gift parcel. Mr. Guzman acknowledged that the phase I analysis will be submitted to the Committee once it is completed.

In response to a question, Mr. Guzman advised that safety will be addressed as part of the management plan. In the meantime, the City park ranger will be assigned patrol of the area. Mr. Guzman pointed out that there has never been any known incident of injury in the area, and expressed the hope that the area will not need to be fenced. Chairperson Hartman explained the limits of governmental immunity, and advised that a legislative bill has been introduced to increase the amount from \$50,000 to \$75,000. He suggested that the City's Risk Management Department should be notified of the gift parcel. In response to a question, he indicated that open space funds would probably be impacted from a maintenance standpoint but not from a liability standpoint. He advised that the biggest issues will be how the property is marked, and public access. No formal action was taken.

**F-2. DISCUSSION, ACTION, AND STATUS REPORT REGARDING A TRADE/PURCHASE PROPOSAL FOR PROPERTY LOCATED AT KINGS CANYON ROAD UNDER THE OWNERSHIP OF ED SWAFFORD (FORMERLY AL RUSHING PROPERTY), APNs 7-061-34, 35, 36, 37, 38, 39, 40 AND 41, CONSISTING OF A TOTAL OF APPROXIMATELY 320 ACRES (1-0640)** - Mr. Guzman reviewed the staff report, and expressed the opinion that the most positive aspect of this property is that there is presently only one owner. He advised that the City Utilities Department is not interested in the property because it is too steep to serve as a water retention area. He suggested that the Committee could purchase the property with the idea of holding it for several years until the U.S. Forest Service ("USFS") is in a different position. He referred to a map depicting City-owned properties, and indicated the locations of USFS land and the subject property. He expressed the opinion that several years from now, there will be interest in eliminating the existing "checker board pattern" in order to more efficiently manage the properties. He commented on the likelihood that the USFS will be interested in discussing the property again at some time in the future. Mr. Guzman indicated that, from a pragmatic point of view, the property is too steep to accommodate development. He commented on the additional possibility of a community-oriented organization using the existing cabin. He advised that the property owner has been made aware of the existing concerns.

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In response to a question, Mr. Guzman advised that the preliminary estimate of value is \$500 per acre. In response to a further question, he advised that the owner paid \$100,000 for 280 acres and \$115,000 for the 40 acres with the cabin, for a total of \$215,000 over two years ago. He advised that the entire property is zoned conservation reserve. He acknowledged that the seven unimproved parcels could be purchased separate from the improved parcel.

Chairperson Hartman commented that, from a watershed standpoint, the soils are good for percolating water. The property is mainly covered with manzanita and other low brush which seem to hold soil fairly well. Member Scott concurred, and suggested discussing a general policy regarding very steep, privately-owned properties. In response to a question, Mr. Guzman advised that the former Borda property is now USFS property. Chairperson Hartman inquired as to the possibility of an exchange with the USFS for property in the meadow for development of a trail head, or for presentation of a more attractive property to the Utilities Department. Mr. Guzman provided information regarding the goals of the local ranger district. Discussion took place regarding the cost of the property, exchange proposals, management costs and possibilities, and tax benefits. No formal action was taken.

**F-3. DISCUSSION, ACTION AND STATUS REPORT REGARDING THE CONSIDERATION OF PROPERTIES OWNED BY ALEXANDER BERNHARD, APPROXIMATELY 6.5 ACRES, APNs 10-072-08 AND 10-072-09, LOCATED ON THE WEST SIDE OF THE CARSON RIVER, NORTH OF SILVER SADDLE RANCH (1-0940)** - Mr. Guzman reviewed the staff report. He advised that the land is being considered as a subdivision for all practical purposes, and that an engineering firm has been retained to assist the appraiser with the analysis. Once the appraisal is complete, earnest discussions regarding a deal with Mr. Bernhard will begin. Mr. Guzman commented that Mr. Bernhard has been very cooperative. He advised of a meeting with the federal chief appraiser, who was kind enough to provide unofficial direction to the City's appraiser.

Mr. Guzman advised that potential problems include the water tank requirement and selling the property back to Bureau of Land Management. In response to a question, Mr. Guzman advised that the water tank was not included before this point because it is a phase four requirement. Mr. Guzman acknowledged that alternatives have been considered for location of the water tank, including BLM property to the north. He commented that the most difficult aspect is including the requirement in the deal so that the Utilities Department gets the water tank without an appearance that open space funds have been used to purchase it. Chairperson Hartman explained that four phases were included in the development, and that the water tank requirement may have been triggered by the last phase. It is clear that the City wants the water tank to service a much wider area, and there would have been a cost sharing aspect if the development had gone forward. Mr. Guzman will determine the "break point," and the answer to the question will be forthcoming. Mr. Guzman acknowledged that Mr. Bernhard has ceased with the development.

Discussion took place regarding the cost of the water tank, the proposed and less visible alternative locations, the open bid process, fiscal issues because of a revenue stream which would otherwise have come to the community, and concerns expressed by the Board of Supervisors. Mr. Guzman acknowledged that the open space behind the subdivision would be included as part of the purchase. Chairperson Hartman suggested meeting with Finance Department staff to discuss an additional category which would include

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ad valorem and sales tax revenues. Member Jacquet suggested that the BLM may be able to assist with the non-market value aspect of the deal. Member Fischer commented that the question of revenue loss due to creation of open space was a part of every neighborhood meeting in which he participated. Member Jacquet commented that the Board of Supervisors considered the same issue on a conceptual basis at the time the open space master plan element was approved. Chairperson Hartman pointed out the issue of the value placed upon the quality of life. In response to a question, Mr. Guzman advised that Lumos & Associates is working on the engineering aspects of the proposal. No formal action was taken.

**F-4. DISCUSSION ONLY REGARDING THE LAND DEVELOPMENT AND SUBDIVISION PROCESS (CARSON CITY MUNICIPAL CODE CHAPTERS 17 AND 18) IN CARSON CITY, NEVADA (1-0058)** - Mr. Guzman introduced Mr. Sullivan and provided background information on this agenda item. Mr. Sullivan referred to the Land Subdivision Process included in the agenda materials and reviewed the same. He advised that Mr. Guzman will be notified prior to each subdivision pre-conference in order that the Committee can be involved. He acknowledged that subdivisions are developed by both private land owners and corporations. In response to a question, he explained the canine enhancements referenced under item C(4), Departmental Review.

Chairperson Hartman discussed the importance of the Committee's early involvement, feedback received during the neighborhood meetings conducted in 1999, and input provided by the Committee for a proposed development in the Clear Creek area. Discussion took place regarding the process for contacting potential willing sellers; notification and opportunity for input provided to City staff, related commissions/committees, and the Board of Supervisors; and the Bernhard property discussed at the last meeting. Chairperson Hartman and Member Scott thanked Mr. Guzman and Mr. Sullivan for the written process. Mr. Sullivan advised that Mr. Guzman had developed the written process for presentation to the Board of Supervisors.

Mr. Sullivan provided information gathered from the American Institute of Planning from which he just returned. Chairperson Hartman thanked Mr. Sullivan for his presentation.

**G. FUTURE AGENDA ITEMS AND COMMITTEE MEMBER STATUS REPORTS (1-1225)** - Mr. Guzman acknowledged that the same items will be agendized for the next meeting. He further acknowledged that the open space budget has been approved. He related a portion of the conversation regarding funds available for land purchase which took place at the budget hearing. In response to a question, Mr. Guzman advised that information regarding Rattlesnake Hill will be agendized for the next meeting. He acknowledged that Deputy District Attorney Neil Rombardo would be invited to the meeting to discuss the memorandum of understanding between the City and the BLM with regard to item F-1.

Member Robinson suggested agendizing a presentation regarding Fuji Park, and discussion took place with regard to the same. (1-1402) Member Scott requested that Mr. Guzman review the parcel located at the intersection of Fifth and Terrace Streets. He advised of a conversation with an adjacent property owner who volunteered to assist in developing and maintaining a trail head at the location. Member Scott further advised of his attendance at the open house, hosted by the Nevada Department of Transportation, regarding the south leg of the freeway. He referred to the action taken by the Committee at the last meeting and

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expressed an ongoing concern regarding pedestrian linkages. In response to a question, Chairperson Hartman expressed the opinion that it would be appropriate for Member Scott to express his concerns individually. Vice Chairperson Jacquet requested an update on the Carson River parcels. Mr. Guzman acknowledged that he would respond to the letter regarding the Koontz Lane property.

**H. STATUS REPORTS FROM STAFF (1-1210)** - In response to a question, Committee consensus was that the amount of information being provided by staff is satisfactory. (1-1525) Mr. Guzman referred to the Pacific Land Trust Conference material included in the agenda packets, and inquired as to the Committee members' interest in attending. He responded to questions regarding the travel budget. Chairperson Hartman reviewed the conference agenda, and expressed a desire for Assessor Kit Weaver to attend the workshop on Appraisal Standards and Guidelines for Conservation Easements and Fee Acquisitions. Mr. Guzman will speak to Mr. Weaver regarding the same. Chairperson Hartman suggested that Mr. Guzman speak to a local appraiser about attending as well.

**I. ADJOURNMENT (1-1617)** - Member Fischer moved to adjourn the meeting at 7:25 p.m. Member Scott seconded the motion. Motion carried 6-0.

The Minutes of the March 26, 2001 meeting of the Carson City Open Space Advisory Committee are so approved this \_\_\_\_\_ day of April, 2001.

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STEVE HARTMAN, Chairperson