

**City of Carson City
Agenda Report**

Date Submitted: August 25, 2015

Agenda Date Requested: September 3, 2015

Time Requested: 20 minutes

To: Mayor and Board of Supervisors

From: Parks and Recreation Department – Open Space Division

Subject Title: For Possible Action: To accept the recommendation from the Open Space Advisory Committee and approve a new full-time Park Ranger position dedicated to the Open Space Division. (Ann Bollinger, abollinger@carson.org)

Staff Summary: On February 19, 2015, the Board approved the work program outline calling for the administration of the Open Space portion of the Quality of Life Tax for management activities, capital improvement projects, planning activities, and land acquisitions for calendar year 2015. One item specifically identified and discussed was the need for a dedicated Park Ranger for the Open Space Division.

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 accept the recommendation from the Open Space Advisory Committee and approve a new full-time Park Ranger position dedicated to the Open Space Division.

Explanation for Recommended Board Action:

Throughout recent years, the Open Space Advisory Committee has expressed concern regarding day-to-day enforcement and maintenance needs on open space properties and has expressed the need for a dedicated Park Ranger for the Open Space Division. The recent land conveyance from the BLM increased the total acreage of open space from 3,500 acres to 7,000 acres. Building maintenance and events at Silver Saddle Ranch further substantiate the need for a dedicated Park Ranger. Currently, there are only two other full-time staff in the Open Space Division.

The Board of Supervisors have previously heard about the proposal for a dedicated Park Ranger for the Open Space Division – in November 2014 during review of the Draft Management Plan for Parks and Open Space and in February 2015 during review of the annual work plan. While not reflected in the meeting minutes, the Board can review the video from February 19, 2015 beginning at 1:01:15 for discussion on the Park Ranger position. On April 27, 2015, the Open Space Advisory Committee approved a recommendation to the Board of Supervisors for the new position.

Applicable Statute, Code, Policy, Rule or Regulation:

- Carson City Charter, Article 8A – Local Sales and Use Tax for Open Spaces, Trails, and Recreational Facilities
- Carson City Municipal Code, Chapter 13.06 – Open Space

- Carson City Municipal Code, Chapter 21.07 – Quality of Life (Sales and Use) Tax

Fiscal Impact: Salary: \$36,266 – base / \$45,333 – mid / \$54,399 – high; plus benefits

Explanation of Impact: The position is needed to patrol and maintain open space properties. If the position is not approved, safety, cleanliness, facility maintenance, trail and vegetation management, and special events would be extremely minimal.

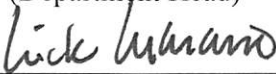
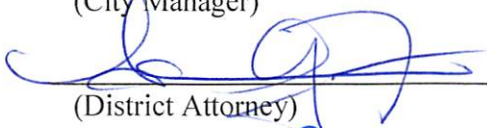
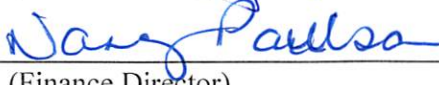
Funding Source: Quality of Life (Sales and Use) Tax – Open Space. Currently, and as approved by the Open Space Advisory Committee, the position has been budgeted in the “undesigned” line item, with a current balance of \$151,305. If approved by the Board of Supervisors, funds would be transferred to the salary line item.

Alternatives: Not to approve

Supporting Material:

- Open Space Advisory Committee on April 27, 2015 – staff report and minutes
- Board of Supervisors on February 19, 2015 – staff report and minutes
- Carson City Charter, Article 8A – Local Sales and Use Tax for Open Spaces, Trails, and Recreational Facilities
- Carson City Municipal Code, Chapter 13.06 – Open Space
- Carson City Municipal Code, Chapter 21.07 – Quality of Life (Sales and Use) Tax

Prepared By: Ann Bollinger, Open Space Administrator

Reviewed By:  Date: 8/25/15
 (Department Head)
 Date: 8/25/15
 (City Manager)
 Date: 8/25/2015
 (District Attorney)
 Date: 8/25/15
 (Finance Director)

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

 (Vote Recorded By)

**OPEN SPACE ADVISORY COMMITTEE
STAFF REPORT**

MEETING DATE: April 27, 2015

AGENDA ITEM NUMBER: 3C

STAFF: Ann Bollinger, Open Space Administrator

REQUEST: **For Possible Action:** To recommend to the Board of Supervisors the establishment of a full-time Park Ranger position dedicated to the Open Space Program and paid with Open Space Program funds.

GENERAL DISCUSSION:

Throughout recent years and the growth of the Open Space Program (soon to consist of 7,000 acres), the Committee has discussed the need for a dedicated Park Ranger for open space properties. This desire was reiterated in the July 2014 Draft Management Plan for the Carson City Open Space and Parks in the Carson River Area. The plan included a draft job description and pay range (see exhibit). Staff would like to recommend consideration towards a larger salary range, in order to offer a competitive salary compared with neighboring agencies.

As drafted, the Park Ranger would be non-commissioned, assist in patrol and enforcement activities, as well as manage daily operations, maintenance, resource protection projects and interpretation programs. The position would be paid 100% by the Quality of Life – Open Space budget. After the most recent budget review process, more than \$100,000 remained in the undesignated account – with a general proposal to fund this new position.

The Carson City Sheriff's Office has asked staff to consider a full-time deputy position. They provided this recommendation due to the occurrence of certain activities in more remote locations. After review of the various needs and the limited budget, staff does not believe a full-time deputy position is needed. Additionally, the salary for a deputy position would cost approximately twice as much as a park ranger; thereby depleting any extra funds. There would not be sufficient budget to hire an additional park maintenance worker or fund other projects.

If approved, the next steps include approval of the new position by the Board of Supervisors and approval to fill the position by the Carson City Internal Finance Committee.

RECOMMENDED ACTION: I move to recommend to the Board of Supervisors the establishment of a full-time Park Ranger position dedicated to the Open Space Program and paid with Open Space Program funds.

PUBLIC COMMENTS

(6:34:15) – Mike Turner, President of the Board of Directors, Mexican Dam Property Owners Association, spoke in support of the project and distributed a copy of the letter of support, incorporated into the record, sent to Patrick Pittenger, Transportation Manager, for inclusion in the application, and to the Regional Transportation Commission. Mark Kimbrough, Carson City resident, gave background on the area and suggested having barriers that prevent dirt bikes from getting through. Greg Regan, a resident of Sierra Vista Lane, inquired about the project timeline and was informed that if the project were selected, it may begin in 2016 or 2017. Dan Greytak, who introduced himself as a resident of Pinion Hills and a “Friend of Silver Saddle”, suggested having stronger barriers than split-rail fences.

(6:39:26) – **MOTION: I move to authorize the chairman’s signature on a letter of support for a Federal Lands Access Program (Flap) grant submitted By Carson City Public Works for various improvements along Sierra Vista Lane.**

RESULT:	APPROVED (7-0-0)
MOVER:	Welborn
SECONDER:	Inversin
AYES:	Scott, Riedl, Evans, Fitzsimmons, Inversin, Welborn, Welch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

C. FOR POSSIBLE ACTION: TO RECOMMEND TO THE BOARD OF SUPERVISORS THE ESTABLISHMENT OF A FULL-TIME PARK RANGER POSITION DEDICATED TO THE OPEN SPACE PROGRAM AND PAID WITH OPEN SPACE PROGRAM FUNDS.

(6:40:11) – Chairperson Scott introduced the item. Ms. Bollinger presented the agenda materials which are incorporated into the record.

(6:43:52) – Member Inversin received confirmation that the Park Ranger position would be full time, all year round, and able to issue citations. Chairperson Scott noted that he had included the added position in his report to the Board of Supervisors as an upcoming budget item, and highlighted the non-enforcement type duties as well. Member Welch was informed that the regulations and ordinances are being pursued in parallel to the hiring of the Park Ranger. Member Evans inquired about the hiring timeframe and Ms. Bollinger explained that it could happen within six months. Vice Chairperson Riedl noted his approval of the position, adding that the duties described in the Staff Report were more applicable to a Park Ranger’s position rather than a Sherriff’s Deputy’s. Ms. Bollinger clarified for Member Evans that the Open Space Program now paid a percentage of the current Ranger’s salary. Member Fitzsimmons confirmed her support to this position; however, she noted a disconnect between Staff and the Committee regarding the ordinances.

PUBLIC COMMENTS

(6:51:20) – Mr. Kimbrough expressed “heartburn” over having a Sherriff’s Deputy instead of a Park Ranger, and gave examples of how passive and dispersed recreation sites required education more than law enforcement. He also recommended appropriate park design to help with enforcement.

(7:05:47) – MOTION: I move to recommend to the Board of Supervisors the establishment of a full-time Park Ranger position dedicated to the Open Space Program and paid with Open Space Program funds.

RESULT:	APPROVED (7-0-0)
MOVER:	Inversin
SECONDER:	Evans
AYES:	Scott, Riedl, Evans, Fitzsimmons, Inversin, Welborn, Welch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

D. FOR POSSIBLE ACTION: TO AUTHORIZE THE OPEN SPACE ADMINISTRATOR TO ENTER INTO DISCUSSIONS AND DETERMINE THE FEASIBILITY OF A LAND TRANSACTION FOR THE OLD WOODS RANCH LLC, APNS 007-051-79 AND 007-051-12, AND ADJACENT PARCELS OWNED BY SCHULZ INVESTMENTS, APNS 007-051-09 AND 007-051-70, ALL LOCATED ALONG THE NORTH SIDE OF U.S. HIGHWAY 50.

(7:06:30) – Chairperson Scott introduced the item. Ms. Bollinger requested the removal of APN 007-051-09 from the discussion as it was not under consideration at this time. She also noted that APN 007-51-70 would be divided by the family, 55 acres of which would be a part of the Woods Ranch transaction, while the remainder would be sold separately. Ms. Bollinger then presented the Staff Report, incorporated into the record.

(7:14:19) – Vice Chairperson Riedl explained that although the lack of funding sources to purchase open space existed, this would be “up front work to create the possibility of having other grants or opportunities” should that opportunity arise. Chairperson Scott invited Schulz family representatives to comment.

(7:16:40) – Charlie Gifford introduced himself and Helen Scott, his cousin, as members of the Schulz family and explained that he had been working with the Carson City Fire Department to address a mistletoe problem as a result of overgrown trees and shrubs. Mr. Gifford expressed interest in a conservation easement and a future grant to deal with the “timber problem”.

(7:20:48) – In response to an inquiry by Member Evans, Ms. Bollinger explained that the role of Nevada Land Trust would be to evaluate the property, identify grant funding sources, and apply for grants. She also noted that the conservation easement would be very similar to the one negotiated with Michael Fagen.

There were no public comments.

(7:22:02) – MOTION: I move to authorize the Open Space Administrator to enter into discussions and determine the feasibility of a land transaction for the Old Woods Ranch LLC, APNs 007-051-79 and 007-051-12, and adjacent parcels owned by Schulz Investments, APN 007-051-70, all located along the north side of U.S. Highway 50.

RESULT:	APPROVED (7-0-0)
MOVER:	Evans
SECONDER:	Inversin
AYES:	Scott, Riedl, Evans, Fitzsimmons, Inversin, Welborn, Welch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

**City of Carson City
Agenda Report**

Date Submitted: February 10, 2015

Agenda Date Requested: February 19, 2015
Time Requested: 15 minutes

To: Mayor and Board of Supervisors

From: Parks and Recreation Department – Open Space Division

Subject Title: For Possible Action: To accept the recommendation of the Open Space Advisory Committee to approve the work program outline calling for the administration of the Open Space portion of the Quality of Life fund for management activities, capital improvement projects, planning activities, and land acquisitions for calendar year 2015. (Ann Bollinger, Roger Moellendorf, and Bruce Scott)

Staff Summary: As identified in Carson City Municipal Code 13.06 and in anticipation of the budget process, the attached report contains information regarding various activities conducted by the Open Space Program. The work program outline is used to develop the budget and present an opportunity to provide direction by the Open Space Advisory Committee and the Board of Supervisors. The work program outline is fairly lengthy and comprehensive. Currently, projects with grant funding, timelines, and deadlines are considered a high priority.

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 accept the recommendation of the Open Space Advisory Committee to approve the work program outline calling for the administration of the Open Space portion of the Quality of Life fund for management activities, capital improvement projects, planning activities, and land acquisitions for calendar year 2015.

Explanation for Recommended Board Action: Staff uses this opportunity to discuss with the Board of Supervisors the Open Space Advisory Committee's projects and activities that are to be given priority in 2015.

Applicable Statute, Code, Policy, Rule or Regulation:
Carson City Municipal Code 13.06 – Open Space

Fiscal Impact: Project dependent.

Explanation of Impact: The activities to be carried out will be based on the adopted and future Quality of Life – Open Space budget as approved by the Board of Supervisors. Contractual expenditures over \$50,000 must be approved by the Board of Supervisors.

Funding Source:

- 1) Quality of Life – Open Space is the primary funding source
- 2) Grants provide additional funding for project planning and/or project implementation

Alternatives:

- Not to adopt a work program outline
- Instruct staff to amend the work program outline

Supporting Material:

- December 15, 2014, staff report to Open Space Advisory Committee regarding the work program outline and recommendation to the Board of Supervisors
- Map of the West Side Open Space Opportunities

Prepared By: Ann Bollinger, Open Space Administrator

Reviewed By: [Signature] (Fed R.M.) Date: 2-9-15
(Department Head)

[Signature] Date: 2/10/15
(City Manager)

[Signature] Date: 2/10/15
(District Attorney)

[Signature] Date: 2/10/15
(Finance Director)

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

2: _____

(Vote Recorded By)

**OPEN SPACE ADVISORY COMMITTEE
STAFF REPORT**

MEETING DATE: December 15, 2014

AGENDA ITEM NUMBER: 3F

STAFF: Roger Moellendorf, Director
Ann Bollinger, Open Space Administrator

REQUEST: **Discussion and Possible Action:** To recommend to the Board of Supervisors a work program outline for the year 2015.

GENERAL DISCUSSION:

The information below summarizes and organizes projects and other tasks being conducted in order to carry out the functions and responsibilities of the Open Space Program, as outlined by the provision of Chapter 13.06 of the Carson City Municipal Code. The information is organized into four main categories:

1. Management activities
2. Capital improvement projects
3. Planning activities
4. Land transaction activities

This work program outline will be used by staff as a reference in preparation of the budget and to provide an opportunity for the committee and the Board of Supervisors to discuss and request information and provide direction on the wide range of projects staff may work on in the future.

The Committee should also note the work program outline is fairly lengthy and comprehensive. With new staff (and new roles), some items may be considered a lower priority. Currently, projects with grant funding, timelines, and deadlines are considered a high priority.

Attached to this report is the list of properties acquired through the Open Space Program and a map of the West Side Open Space Opportunities.

1. MANAGEMENT ACTIVITIES

Staff	New Natural Resource Specialist: In early 2015, it is anticipated that a new Natural Resource Specialist will begin work with the Open Space Program. There will be a fair amount of time dedicated by the Open Space Administrator for training.
-------	---

<p>Staff (continued)</p>	<p>Open Space / Park Ranger: The Draft Management Plan for the Carson River Area identifies the need for a dedicated open space / park ranger, who would patrol all of the open space properties. Staff will return to the Committee for more discussion on this item.</p> <p>Carson City Weed Coalition and Weed Coordinator: The Weed Coordinator position was previously accommodated through the University of Nevada Cooperative Extension (UNCE). UNCE provided office space, supervision, and supplemental funding (in addition to the \$15,000 from the Carson Water Subconservancy District for weed control efforts). Unfortunately, UNCE funding was recently eliminated. Several Carson City departments and divisions are members of the Weed Coalition and have discussed various options to accommodate the position. At the present time, there is consensus that the Open Space Program will provide office space and supervision. The supplemental funding will be shared among the departments and divisions.</p>
<p>Ash Canyon Road</p>	<p>Continue maintenance of the road from the water tanks to the west and utilize best management practices to alleviate erosion. NDEP Nonpoint Pollution grants will assist with funding.</p>
<p>Education (Schools)</p>	<p>Continue partnerships and participation on environmental education activities with River Wranglers, Carson High School, Silver State Charter School, Sierra Nevada College, and the University of Nevada – Reno.</p>
<p>Fuels Reduction Projects</p>	<p>Continue fuels reduction projects on the west side with grant funding from the Southern Nevada Public Land Management Act (SNPLMA). The grant deadline is March 31, 2015. The projects include sheep grazing on annual grasses, hand and mechanical treatments, chemical application, and reseeding efforts. Staff will collaborate with the Fire Department's efforts to manage fuels at the wildland-urban interface around town. The City has executed a cooperative agreement with NDF for fire suppression assistance and land rehabilitation.</p>
<p>Volunteer Opportunities / Activities</p>	<p>There are three broad categories of volunteers with the Open Space Program: individuals, organizations, and community groups.</p> <p>Currently, there are three active individuals (two who primarily patrol the west side and one who primarily assists in the Prison Hill Recreation Area with trash clean-up and trail repair), one official agreement with an organization (Muscle-Powered who assists with trail planning, construction, and trail maintenance), and several activities with community groups (Kiwanis, Scouts, etc.). When opportunities are available, the Great Basin Institute conducts field training on trail construction techniques in Carson City.</p>

<p>Volunteer Opportunities / Activities</p> <p>(continued)</p>	<p>In 2015, staff anticipates a follow-up with two individuals who have inquired about volunteer opportunities, official agreements with The Friends of Silver Saddle Ranch and the Pine Nut Mountains Trail Association (and/or Sierra Stompers Jeep Club), and continued partnerships with other community groups.</p> <p>Additionally, Carson City has completed two resources for volunteer/intern programs (a manual and best practices guide). One new requirement is the development and written submittal of job duties and skills.</p>
<p>Weed Control</p>	<p>Continue collaboration with the Carson City Weed Coalition, City staff, and private contractor(s) towards the implementation of necessary treatments.</p>

2. CAPITAL IMPROVEMENT PROJECTS

<p>Eagle Valley Creek Crossing and Trail Extension</p>	<p>Construction is anticipated in 2015. The project is funded by a SNPLMA-Parks, Trails, and Natural Areas Grant for \$252,700.</p>
<p>Stone Shed at the Old Buzzy's Ranch Property</p>	<p>Staff researched the options and costs for roof repair and rehabilitation. Due to the rodent activity and associated health risks, a site clean-up would be required prior to any further planning and designs efforts. One quote estimated the minimum cost of \$17,000 plus project and construction management time. Demolition performed by the Public Works Department is estimated at \$2,000. Staff will return to the Committee for more discussion on this item.</p>
<p>V&T Trail, North of Combs Canyon Road</p>	<p>The project is in progress. Along the State Lands segment, the next action is to submit a letter and documentation regarding concerns associated with the historic railroad grade. Staff anticipates a executed trail easement soon after. In addition, the Open Space Program must obtain easements from private owners along the route. Staff has received an agreement from NDOT to extend a single track, non-motorized trail to the Lakeview Subdivision. The Eagle Valley Children Home anticipates honoring Art Hannifin on a portion of the trail. A trail loop is also being considered within the Cancer Treatment Center lands.</p> <p>The actual trail improvements will be minimal, keeping a native and/or gravel surface.</p>
<p>Waterfall Trail</p>	<p>The upper trail loop is completed; however, it will need some re-finishing.</p>

3. PLANNING ACTIVITIES / REPORTS

Annual Reports to the Board of Supervisors	To be completed upon OSAC review and approval.
Charges and Fees	Adopt a fee schedule for activities and events, particularly for Silver Saddle Ranch. The Draft Management Plan for the Carson River Area suggests that “current fees implemented by BLM will remain in effect for one year following the land transfer.”
Conservation Easement Monitoring	Conduct annual monitoring and reporting for Horsecreek Ranch. Conduct self-monitoring on the Ambrose Carson River Natural Area, Prison Hill, and Silver Saddle Ranch for assurance and compliance with the BLM Conservation Easement.
Education and Information	Continue official naming of open space properties, develop maps and information.
Federal Agency Plans and Project Reviews	BLM Resource Management Plan: Staff has participated as a cooperating agency on the update of the BLM Resource Management Plan and will work various Committees and the Board of Supervisors to provide comments by the deadline of March 27, 2015.
Land Exchange with BLM	Continue communication with the BLM regarding the lands exchange. Staff has not yet heard a timeline for exchange; however, staff would like to start the conversation with the OSAC regarding a celebration.
Management Plan for the Carson River Area	Complete the revisions by summer 2015 and start identifying project priorities.
Nevada Stateline-to-Stateline Bikeway Project	The Tahoe Transportation District received a \$12 million grant from the Federal Lands Access Program towards improvements along State Route 28. In addition to existing funds, the grant will fund construction of a three-mile section of pathway from Incline Village to Sand Harbor (also known as the North Demonstration Project) and improvements to eight parking areas. The project construction will begin summer of 2015 for the Washoe County segment. The design of the parking lots will also begin in 2015, and construction of the parking lots is anticipated in 2017-2018. In Carson City’s political jurisdiction, the segment from Sand Harbor State Park to Spooner Summit is under consideration by the Incline Village General Improvement District and coordination with their new effluent pipeline project. Staff will continue to attend stakeholder meetings.

Ordinances	Identify rules and regulations appropriate on open space properties, and develop ordinances for awareness and enforcement.
Programmatic Agreement for Cultural Resources	<p>A Programmatic Agreement has been executed among Carson City, the BLM and the State Historic Preservation Office (SHPO) for the protection of cultural resources on all BLM properties being exchanged to Carson City per the Omnibus Public Lands Management Act and the Bently acquisition. The SHPO would like to meet and discuss implementation of the agreement.</p> <p>Additionally, the SHPO has a program to train volunteers for the stewardship of cultural resources, which would be beneficial to the Open Space Program and particularly for Silver Saddle Ranch.</p>
Signage	<p>As identified in the Draft Management Plan for the Carson River Area, but relevant for all open space properties:</p> <ul style="list-style-type: none"> ◦ Develop sign standards. The standards should include size, color, font, city, and/or department logo, etc. ◦ Consider developing a sign plan prior to installing signs. The plan would include objectives, sign locations, content, layout, cost estimate, and a maintenance plan. ◦ Install monument / entrance signs at each named property.
Silver Saddle Ranch	Assess and evaluate the structures, including the water and electric system, for compliance with the Carson City Code and for public use.
Trails	Continue working with Muscle-Powered on future routes and linkages to the Tahoe Rim Trail and to Douglas County.
Vehicle Access and/or Recreation	Based on the Unified Pathways Master Plan (UPMP), identify roads / trails on city lands where off-road is permitted. Work with the federal agencies towards improved signage and information for the public. Provide for signage, fencing, and improvements to the Prison Hill motorized use area. After the BLM transfers are completed, identify and improve parking areas at the north end of Prison Hill and East Silver Saddle Ranch. Rehabilitation of areas as feasible.
Wetlands Enhancements at the Old Buzzy's Ranch Property	Ducks Unlimited was awarded a grant from the North American Wetlands Conservation Act for several projects throughout the Carson River watershed, including wetlands enhancements at the old Buzzy's Ranch property. In 2015, staff anticipates planning efforts towards the wetlands enhancements.

4. LAND TRANSACTIONS

<p>Benna-Marshall (Upper Ash Canyon)</p>	<p>The Nevada Land Trust has been awarded a grant for acquisition of the Benna-Marshall property consisting of 45.5 acres in the Carson Range. The property is adjacent to the Open Space / Forest Legacy Acquisition and the Lake Tahoe Backcountry / Nevada State Park. At the present time, Nevada Land Trust is working with Nevada State Parks to become the eventual land owner.</p>
<p>Clear Creek / Nevada State Lands</p>	<p>The Clear Creek Trail has been an ongoing collaborative trail project with many different public, private, corporate and non-profit partners since 2008. Currently, 8.5 miles of the Clear Creek Trail are complete, ending at the west property line of Nevada State Lands. In an effort to acquire an easement or land for the trail and trailhead, Carson City, per the desire by Nevada State Lands to maximize the value of their property, requested a Master Plan and Zoning Map Amendment. On December 4, 2014, the Board of Supervisors denied the request. Staff wishes to continue collaboration towards this regional trail.</p>
<p>Collard Conservation Easement (Kings Canyon Road)</p>	<p>On hold by proponents due to depressed economy.</p>
<p>Freeway Multi-Use Path</p>	<p>Similar to the recent property acquisition from the Arraiz Family, staff wishes to acquire small, select areas of land for the south extension of the Freeway Multi-Use Path.</p>
<p>Schulz Investments</p>	<p>These parcels, located along U.S. Highway 50 west and near the Hutchinson acquisition and Horsecreek Ranch, have been identified on the open space opportunities map, but there have not been active discussions. In November 2014, the land owner called staff to inquire about interest and possible sale to the Open Space Program. The item is identified here for further discussion.</p>
<p>Lompa Lane Wetlands / Steinheimer Wetlands</p>	<p>The Lompa Lane wetlands / Steinheimer wetlands consists of 31 acres and is under the present ownership of Dwight Millard and Jim Bawden. Staff will develop agreements to facilitate the donation. Staff did not work on this item during 2014. Due to more urgent priorities, work on this item may be postponed.</p>
<p>Water / Water Rights</p>	<p>When agricultural lands were purchased, particularly the old Buzzy's Ranch property, the Committee and the Board of Supervisors emphasized the desire to keep the pastures green. Currently, there is not a proposal. Rather, the item is identified here for further discussion.</p>

The Old Woods Ranch LLC	This parcel is located just south of the Horsecreek Ranch Conservation Easement and includes the southern part of the irrigated pasture. The parcel was evaluated in 2007-2008 and an application was submitted to the FY 2010 Farm and Ranch Lands Protection Program for acquisition of a conservation easement on 130 acres. The NRCS grant funding was not approved. In late 2014, one of the land owners called staff to inquire about interest and possible sale to the Open Space Program. The item is identified here for further discussion.
--------------------------------	---

RECOMMENDED ACTION: I move to recommend to the Board of Supervisors a work program outline for the year 2015.

Carson City Parks and Recreation Department - Open Space acquisitions

Updated: January 28, 2015

Carson City Ownership / Property Name	Acres	Date Acquired	Carson City Question 18	Grants / Supplemental Funding	Grant Funding Source	Purchase Price	Cost Per Acre
West of Hwy 395 / Carson Street							
Horsecreek acquisition	374.91	May 2005	\$ 1,300,000	\$ 1,000,000	State of Nevada Question 1	\$ 2,300,000	\$ 6,135
Horsecreek conservation easement	175.33	Mar 2009	\$ 503,653	\$ 596,347	State of Nevada Question 1	\$ 1,100,000	\$ 6,274
Hutchinson acquisition	40.00	Dec 2006	\$ 100,000	\$ 300,000	State of Nevada Question 1	\$ 400,000	\$ 10,000
Joost acquisition	20.25	Nov 2012	\$ 390,000	--	--	\$ 390,000	\$ 19,259
PH Casey Preserve	77.01	Mar 2008	donation	--	--	\$ -	\$ -
Potter acquisition	20.83	Oct 2013	\$ 225,000	--	--	\$ 225,000	\$ 10,802
Wilson acquisition	111.28	Jan 2009	\$ 146,480	\$ 439,440	Forest Legacy	\$ 585,920	\$ 5,265
Open Space Acquisitions	819.61		\$ 2,665,133	\$ 2,335,787		\$ 5,000,920	\$ 6,102
+ Lands Bill (USFS Exchange) - approx.	962.44	Sep 2011			Transfer		
= Sub-Total	1,782.05						

East of Hwy 395 / Carson Street							
Andersen acquisition	86.00	Aug 2007	\$ 1,750,000	\$ 1,750,000	State of Nevada Question 1	\$ 3,500,000	\$ 40,698
Carson River Canyon Open Space							
Bently	497.70	Jan 2012	\$ 876,796	\$ 513,900	SNPLMA	\$ 1,390,696	\$ 2,794
Serpa	373.57	Jan 2011	\$ 2,065,775	\$ 1,075,000	State of Nevada Question 1	\$ 3,140,775	\$ 8,407
Fulstone wetlands	8.62	Aug 2001	donation	--	--	\$ -	\$ -
Golden Eagle Open Space	19.28	Feb 2007	\$ 170,930	\$ 129,070	State of Nevada Question 1	\$ 300,000	\$ 15,560
Goni Canyon - open space protection agreement until Dec 16, 2034	40.00		donation	--	--	\$ -	\$ -
Freeway Multi-Use Path - Arraiz acquisition	0.65	Jan 2015	\$ 25,530	\$ 10,000	Carson City Regional Transportation Commission	\$ 35,530	\$ 54,662
Jarrard acquisition	368.78	May 2010	\$ 931,048	\$ 2,793,000	State of Nevada Question 1	\$ 3,724,048	\$ 10,098
Lompa wetlands	17.62	Aug 2001	donation	--	--	\$ -	\$ -
Mexican Dam Open Space	64.31	Mar 2008	\$ 1,650,000	--	--	\$ 1,650,000	\$ 25,657
Moffat Open Space	17.80	Nov 2000	\$ 327,600	--	--	\$ 327,600	\$ 18,404
Morgan Mill Preserve Open Space	32.00						
Vidler / Hells Bells acquisition	39.02	Nov 2010	donation	--	--	\$ -	#REF!
Open Space Acquisitions	1,565.35		\$ 7,797,679	\$ 6,270,970		\$ 14,068,649	\$ 8,988
+ Lands Bill (BLM Exchange) - approx.	3,589.05	Pending			Transfer		
= Sub-Total	5,154.40						

Grand Totals							
Open Space Acquisitions	2,384.96		\$ 10,462,812	\$ 8,606,757		\$ 19,069,569	\$ 7,996
Lands Bill	4,551.49						
Total Acres	6,936.45						

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 19, 2015 Meeting
Page 15

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

24. PARKS AND RECREATION DEPARTMENT, OPEN SPACE DIVISION

24(A) POSSIBLE ACTION TO ACCEPT THE RECOMMENDATION OF THE OPEN SPACE ADVISORY COMMITTEE AND TO APPROVE THE WORK PROGRAM OUTLINE CALLING FOR THE ADMINISTRATION OF THE OPEN SPACE PORTION OF THE QUALITY OF LIFE FUND FOR MANAGEMENT ACTIVITIES, CAPITAL IMPROVEMENT PROJECTS, PLANNING ACTIVITIES, AND LAND ACQUISITIONS FOR CALENDAR YEAR 2015 (2:29:50) - Mayor Crowell introduced this item. Open Space Administrator Ann Bollinger introduced Open Space Advisory Committee Chairman Bruce Scott, and provided an overview of the agenda materials. (2:30:43) Mr. Scott reviewed the agenda materials. Mayor Crowell entertained Board member questions or comments and public comments and, when none were forthcoming, thanked the Open Space Advisory Committee for their efforts. Mr. Scott commended the committee members, and looked forward to acquiring the Silver Saddle Ranch and getting it into an "operations and management mode."

Open Space Administrator Ann Bollinger introduced Open Space Advisory Committee Chairman Bruce Scott, and provided an overview of the agenda materials. (2:30:43) Mr. Scott reviewed the agenda materials. Mayor Crowell entertained Board member questions or comments and public comments and, when none were forthcoming, thanked the Open Space Advisory Committee for their efforts. Mr. Scott commended the committee members, and looked forward to acquiring the Silver Saddle Ranch and getting it into an "operations and management mode."

Mayor Crowell entertained a motion. **Supervisor Abowd moved to accept the recommendation of the Open Space Advisory Committee to approve the work program outline calling for the administration of the open space portion of the Quality of Life fund for management activities, capital improvement projects, planning activities, and land acquisitions for calendar year 2015. Supervisor Bonkowski seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Karen Abowd
SECOND:	Supervisor Brad Bonkowski
AYES:	Supervisors Abowd, Bonkowski, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

24(B) POSSIBLE ACTION TO APPROVE THE OPEN SPACE ADVISORY COMMITTEE'S ANNUAL REPORT FOR 2014 (2:43:52) - Mayor Crowell introduced this item, and Open Space Administrator Ann Bollinger provided an overview of the agenda materials. Open Space Advisory Committee Chairman Bruce Scott presented the annual report, which was included in the agenda materials. He responded to questions regarding the anticipated timing of Southern Nevada Public Lands Management Act funding availability.

Mayor Crowell entertained additional questions or comments and, when none were forthcoming, a motion. **Supervisor Bonkowski moved to approve the Open Space Advisory Committee's Annual Report for**

CARSON CITY BOARD OF SUPERVISORS
Minutes of the February 19, 2015 Meeting
Page 16

2014. Supervisor Abowd seconded the motion. Mayor Crowell entertained discussion on the motion and, when none was forthcoming, entertained public comment. When no public comment was forthcoming, he called for a vote on the pending motion.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Brad Bonkowski
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Bonkowski, Abowd, Bagwell, Shirk, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Mayor Crowell thanked Mr. Scott and requested him to convey the Board's appreciation to the Open Space Advisory Committee. Mayor Crowell recessed the meeting at 2:48 p.m., and reconvened at 2:59 p.m.

25. COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

25(A) POSSIBLE ACTION TO ACCEPT THE CARSON CITY MASTER PLAN ANNUAL REPORT (2:59:25) - Mayor Crowell introduced this item, and Community Development Director Lee Plemel reviewed the agenda materials in conjunction with displayed slides. Mr. Plemel responded to questions of clarification throughout the presentation. Mayor Crowell entertained additional Board member questions or comments and, when none were forthcoming, public comments. When no public comments were forthcoming, he entertained a motion. **Supervisor Shirk moved to accept the Carson City Master Plan Annual Report from the Planning Commission. Supervisor Abowd seconded the motion.** Mayor Crowell entertained discussion on the motion and, when none was forthcoming, called for a vote.

RESULT:	Approved [5 - 0]
MOVER:	Supervisor Jim Shirk
SECOND:	Supervisor Karen Abowd
AYES:	Supervisors Shirk, Abowd, Bonkowski, Bagwell, and Mayor Crowell
NAYS:	None
ABSENT:	None
ABSTAIN:	None

25(B) POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, AN ORDINANCE TO CHANGE THE ZONING OF PROPERTY LOCATED AT 1001 MOUNTAIN STREET AND 608 AND 610 WEST WASHINGTON STREET, APNs 001-201-15, -16, -26, AND -27, FROM PUBLIC COMMUNITY ("PC") TO MULTI-FAMILY APARTMENT ("MFA") (ZMA-14-161) (3:13:25) - Mayor Crowell introduced this item, and entertained disclosures. Supervisor Bonkowski read into the record a prepared disclosure statement, and advised that he would abstain from discussion and action due to a "disqualifying conflict of interest." Mayor Crowell entertained additional disclosures; however, none were forthcoming.

Planning Manager Susan Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She reviewed comments in opposition to the proposed zoning map amendment. Ms. Dorr Pansky and Chris Baker, of Manhard Consulting, responded to questions of clarification.

Mayor Crowell entertained public comment and, when none was forthcoming, a motion. **Supervisor**

ARTICLE 3 - Revenue

Sec. 8.010 Municipal taxes.

1. The Board shall annually, at the time prescribed by law for levying taxes for State and County purposes, levy taxes at the appropriate rates upon the assessed value of all real and personal property within Carson City. The taxes so levied must be collected at the same time and in the same manner and by the same officers, exercising the same functions, as prescribed and provided in the revenue laws of the State for the collection of State and County taxes. The revenue laws of the State are, in every respect not inconsistent with the provisions of this Charter, applicable to the levying, assessing and collecting of the municipal taxes.

2. For the purposes of the equalization of assessments, the rights of Carson City and the inhabitants thereof must be protected in the same manner and to the same extent by the action of the Board of Equalization as are the State and the several counties.

3. Whenever or wherever practicable and expedient, all forms and blanks used in levying, assessing and collecting the revenues of the State and the several counties must, with such alterations or additions as may be necessary, be used in levying, assessing and collecting the revenues of Carson City. The Board shall enact all such ordinances as it may deem necessary and not inconsistent with this Charter and the laws of the State for the prompt, convenient and economical collecting of the revenue.

(Ch. 213, Stats. 1969 p. 309; A—Ch. 690, [Stats. 1979 p. 1866](#); Ch. 425, [Stats. 1983 p. 1061](#))

Sec. 8.020 Revenue ordinances. The Board shall have full power to pass and enact all ordinances necessary to carry into effect the revenue laws in Carson City and to enlarge, fix and determine the powers and duties of all officers in relation thereto.

(Ch. 213, Stats. 1969 p. 309)

ARTICLE 3A - Local Sales and Use Tax for Open Spaces, Parks, Trails and Recreational Facilities

Sec. 3A.010 Definitions. Except as otherwise provided in this article or where the context otherwise requires, terms used or referred to in this article have the meanings ascribed to them in [chapter 374](#) of NRS, as from time to time amended; but the definitions in sections 3A.020 to 3A.060, inclusive, except where the context otherwise requires, govern the construction of this article.

(Added—Ch. 16, [Stats. 1997 p. 42](#); A—Ch. 37, [Stats. 1999 p. 86](#))

Sec. 3A.020 “Department” defined. “Department” means the Department of Taxation.

(Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 3A.030 “Open space” defined. “Open space” means real property that is undeveloped or partially developed natural landscape, including, but not limited to, ridges, stream corridors, natural shoreline, scenic areas, watershed areas, viewsheds, agricultural or other land devoted exclusively to open-space use, conservation easements and easements devoted or connecting to open-space use. (Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 3A.040 “Park” defined. “Park” means real property designed to serve the recreational and outdoor needs of natural persons.

(Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 3A.050 “Recreational facility” defined. “Recreational facility” means personal property and improvements to real property for athletic and leisure activities and all appurtenant or customary facilities and uses associated therewith.

(Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 3A.060 “Trail” defined. “Trail” means a path for recreational or leisure activities through or connecting open space, parks or recreational facilities for use by nonmotorized traffic. The term includes a path or additional lane for bicycles.

(Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 3A.070 Imposition of tax; use of proceeds.

1. The Board may enact an ordinance imposing a local sales and use tax for the acquisition, development, construction, equipping, operation, maintenance, improvement and management of open spaces, parks, trails and recreational facilities located within Carson City.

2. The proceeds from the tax imposed pursuant to this article and the interest and other income earned on the proceeds of the tax must be used as follows:

(a) Forty percent of the proceeds of the tax, including interest and other income, may be used for the acquisition, development, construction, equipping, improvement, maintenance and management of real property for open spaces.

(b) Except as otherwise provided in paragraph (e), 40 percent of the proceeds of the tax, including interest and other income, may be used for the acquisition, development, construction, equipping and improvement of parks, trails and recreational facilities.

(c) Twenty percent of the proceeds of the tax, including interest and other income, may be used for the operation, maintenance and management of parks, trails and recreational facilities.

(d) Except as otherwise provided in paragraph (e), the Board may authorize expenditures in an amount that varies from the percentage stated in paragraphs (a), (b) and (c) by not more than 2 percent for each use.

(e) If operation, maintenance and management expenses for parks, trails and recreational facilities do not equal or exceed 20 percent of the proceeds of the tax, including interest and other income, the balance of the proceeds of the tax, including interest and other income, authorized in paragraph (c) may be used for the acquisition, development, construction, equipping and improvement of parks, trails and recreational facilities in addition to the amount authorized in paragraph (b).

(f) At the end of a fiscal year, the proceeds of the tax, including interest and other income, not expended or otherwise obligated for the purposes set forth in this section must be carried forward and become part of the total proceeds of the tax, including interest and other income, available in the next fiscal year.

3. The Board shall submit to the voters any proposal to change the previously approved uses for the proceeds of the tax, including interest and other income.

(Added—Ch. 16, [Stats. 1997 p. 42](#))

Sec. 8A.080 Required provisions of ordinance. An ordinance enacted pursuant to this article, except an ordinance authorizing the issuance of bonds or other securities, must include provisions in substance as follows:

1. A provision imposing a tax of not more than one-quarter of 1 percent of the gross receipts of any retailer from the sale of all personal property sold at retail, or stored, used or otherwise consumed in Carson City.

2. Provisions substantially identical to those contained in [chapter 374](#) of NRS, insofar as applicable.

3. A provision that an amendment to [chapter 374](#) of NRS after the date of enactment of the ordinance, not inconsistent with this article, automatically becomes a part of the ordinance imposing the tax.

4. A provision that the Board shall contract before the effective date of the ordinance with the Department to perform all the functions incident to the administration or operation of the tax in Carson City.

5. A provision that a purchaser is entitled to a refund, in accordance with the provisions of [NRS 374.635](#) to [374.720](#), inclusive, of the amount of the tax required to be paid that is attributable to the tax imposed upon the sale of tangible personal property used for the performance of a written contract for the construction of an improvement to real property:

(a) That was entered into on or before the effective date of the tax; or

(b) For which a binding bid was submitted before that date if the bid was afterward accepted,

and pursuant to the terms of the contract or bid, the contract price or bid amount may not be adjusted to reflect the imposition of the tax.

6. A provision that specifies the date on which the tax is first imposed or on which any changes in the rate of the tax becomes effective, which must be the first day of the first calendar quarter that begins at least 120 days after the effective date of the ordinance.

(Added—Ch. 16, [Stats. 1997 p. 43](#); A—Ch. 400, [Stats. 2003 p. 2391](#); Ch. 421, [Stats. 2005 p. 1778](#))

Sec. 8A.090 Amendatory ordinances. An ordinance amending an ordinance enacted pursuant to this article, except an ordinance authorizing the issuance of bonds or other securities, must include a provision in substance that Carson City shall amend a contract made pursuant to subsection 4 of section 8A.080 by a contract made between the Board and the Department before the effective date of the amendatory ordinance, unless the Board determines with the written concurrence of the Department that no such amendment of the contract is needed.

(Added—Ch. 16, [Stats. 1997 p. 44](#))

Sec. 8A.100 Payment of proceeds of tax to Department; distribution of proceeds.

1. All fees, taxes, interest and penalties imposed and all amounts of a tax required to be paid to Carson City pursuant to this article must be paid to the Department in the form of remittances payable to the Department.

2. The Department shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

3. The State Controller, acting upon the collection data furnished by the Department, shall monthly:

(a) Transfer from the Sales and Use Tax Account to the appropriate account in the State General Fund 1.75 percent of all fees, taxes, interest and penalties collected pursuant to this article during the preceding month as compensation to the State for the cost of collecting the tax.

(b) Determine the amount equal to all fees, taxes, interest and penalties collected in or for Carson City pursuant to this article during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a).

(c) Transfer the amount determined pursuant to paragraph (b) to the Intergovernmental Fund and remit the money to the Treasurer for Carson City.

(Added—Ch. 16, [Stats. 1997 p. 44](#); A—Ch. 387, [Stats. 2009 p. 2097](#))

Sec. 8A.110 Redistribution of proceeds of tax by Department. The Department may redistribute any tax proceeds, interest or penalty collected pursuant to this article which is determined to be improperly distributed, but no such redistribution may be made as to amounts originally distributed more than 6 months before the date on which the Department obtains knowledge of the improper distribution.

(Added—Ch. 16, [Stats. 1997 p. 44](#))

Sec. 8A.120 Creation of fund for use of proceeds from tax.

1. The Treasurer for Carson City shall deposit money received from the State Controller pursuant to paragraph (c) of section 8A.100 into the Treasury of Carson City for credit to the fund created for the use of the proceeds from the tax authorized by this article.

2. The fund of Carson City created for the use of the proceeds from the tax authorized by this article must be accounted for as a separate fund and not as a part of any other fund.

(Added—Ch. 16, Stats. 1997 p. 44)

Sec. 8A.130 Use of proceeds of tax; issuance of bonds and other securities.

1. Money for the acquisition, development, construction, equipping, operation, maintenance, improvement and management of open spaces, parks, trails and recreational facilities located within Carson City may be obtained:

(a) By the issuance of bonds and other securities as provided in subsection 2, subject to any pledges, liens and other contractual limitations made pursuant to this article;

(b) By direct distribution from the fund created pursuant to section 8A.120; or

(c) By both the issuance of such securities and by direct distribution, as the Board may determine appropriate.

2. The Board may, after the enactment of the ordinance imposing the tax, from time to time issue bonds and other securities, which are general or special obligations of Carson City and that may be secured as to principal and interest by a pledge of the proceeds from the tax authorized by this article.

3. An ordinance authorizing the issuance of such a bond or other security must describe the purpose for which the bond or other security is issued.

(Added—Ch. 16, Stats. 1997 p. 45)

Sec. 8A.140 Types of securities; pledged revenue.

1. For the acquisition, development, construction, equipping, operation, maintenance, improvement and management of open spaces, parks, trails and recreational facilities authorized by this article, the Board may issue:

(a) General obligation bonds;

(b) General obligation bonds for which payment is additionally secured by a pledge of the proceeds of the tax imposed pursuant to this article, and if so determined by the Board, further secured by a pledge of the gross or net revenues derived from the operation of the recreational facilities, and any other project of the City which produces income, or from any license fees or other excise taxes imposed for revenue by the City, or otherwise, as may be legally made available for payment of the bonds;

(c) Revenue bonds for which payment is solely secured by a pledge of the proceeds of the tax imposed pursuant to this article, and if so determined by the Board, further secured by a pledge of the gross or net revenues derived from the operation of the recreational facilities, and any other project of the City which produces income, or from any license fees or other excise taxes imposed for revenue by the City, or otherwise, as may be legally made available for payment of the bonds; and

(d) Medium-term obligations pursuant to NRS 350.087 to 350.095, inclusive.

2. Money pledged to the payment of bonds or other securities pursuant to subsection 1 may be treated for the purposes of subsection 3 of NRS 350.020 as pledged revenue for the uses authorized by this article.

(Added—Ch. 16, Stats. 1997 p. 45; A—Ch. 456, Stats. 2001 p. 2337)

Sec. 8A.150 Impairment of obligations prohibited. The Board shall not repeal or amend or otherwise directly or indirectly modify the ordinance imposing the tax authorized by this article in such a manner as to impair an outstanding bond issued pursuant to this article, or other obligations incurred pursuant to this article, until all obligations for which revenue from an ordinance have been pledged or otherwise made payable from such revenue pursuant to this article have been discharged in full or provision for full payment and redemption has been made.

(Added—Ch. 16, Stats. 1997 p. 46)

Sec. 8A.160 Department may act for Carson City in certain actions. In a proceeding arising from an ordinance imposing a tax pursuant to this article, the Department may act for and on behalf of Carson City.

(Added—Ch. 16, Stats. 1997 p. 46)

Sec. 8A.170 Construction of article.

1. The powers conferred by this article are in addition and supplemental to, and not in substitution for, the powers conferred by any other law and the limitations imposed by this article do not affect the powers conferred by any other law.

2. This article must not be construed to prevent the exercise of any power granted by any other law to Carson City or any officer, agent or employee of the City.

3. This article must not be construed to repeal or otherwise affect any other law or part thereof.

4. This article is intended to provide a separate method of accomplishing the objectives of the article but not an exclusive method.

(Added—Ch. 16, Stats. 1997 p. 46)

Chapter 13.06 - OPEN SPACE



Sections:

13.06.010 - Purpose.



In the broadest sense, the objective of the open space program is to promote quality of life for 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. This natural environment includes many spectacular views of the mountains, Carson River, and Eagle Valley. The natural streams, wetlands and open lands, with their water and related plant and animal life complement the scenic vistas and remind us of the area's early history. These natural areas, water bodies, vistas and panoramas, natural landmarks, and native flora and fauna are intended to be preserved and protected for the enjoyment of this and future generations by the judicious use of funding for open space.

As Carson City continues to grow, open spaces should be provided and woven into the fabric of the city. These open spaces may define developed areas within the community, and in certain areas may define the boundary of the city. They are intended to obtain a balance and harmony between physical development and open space for the benefit of Carson City citizens. Preservation of open space in all parts of the city will foster appreciation of the natural environment, provide increased opportunities for passive recreation, preserve agricultural uses, allow connecting open space corridors, and improve the quality of life.

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. 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.

The open space advisory committee shall provide the oversight over the administration and expenditure of funds from the open space division of the quality of life special revenue fund established by Carson City Municipal Code 21.07. The funding for open space including interest and other income, may be used for the acquisition, restoration of natural resources, development and construction which afford for public access, health and safety, equipping, improvement, maintenance, conservation planning and management of real property for open spaces acquired through the fund; and administrative costs approved by the committee.

(Ord. 1997-30 § 1 (part), 2, 1997).

13.06.020 - Creation of an open space advisory committee.



There is hereby created an open space advisory committee, hereinafter referred to as the committee, consisting of seven (7) members appointed by the board of supervisors.

(Ord. 1997-30 § 1 (part), 3, 1997).

13.06.030 - Committee membership.



1. The members of the committee shall be residents of Carson City, and qualified electors. The members shall be selected on the basis of expertise in the areas of natural resources, real estate, community planning, community development, outdoor recreation/education or knowledge of the community.

(Ord. 1997-30 § 1 (part), 4, 1997).

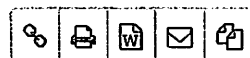
13.06.040 - Term of office and vacancies.



Members of the committee shall serve for varying term lengths not to exceed four (4) years, provided that the first seven (7) members appointed to the committee shall be appointed two (2) for a two (2) year term, two (2) for a three (3) year term and three (3) for a four (4) year term so that thereafter members shall serve for staggered terms of like duration. (Vacancies shall be filled by board of supervisors from appointed alternates. If an alternate is not available, the vacancy shall be filled for the remainder of the term in the same manner that original appointments are made).

(Ord. 2001-1 § 1, 2001; Ord. 1997-30 § 1 (part), 5, 1997).

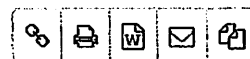
13.06.050 - Removal from committee.



1. The board of supervisors may remove a committee member for cause.

(Ord. 1997-30 § 1 (part), 6, 1997).

13.06.060 - Powers and duties of open space advisory committee.

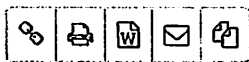


1. The committee shall develop an open space element to the Carson City master plan for adoption by the regional planning commission. The committee shall identify and prioritize for the city potential open space acquisitions and make appropriate recommendations. The committee shall obtain and consider public input before making recommendations to the board of supervisors on prospective open space acquisitions, disposal, and management. The committee shall review and provide input and comment to the city manager's proposed budget as it relates to open space matters. The committee shall

- solicit comments of other affected advisory committees and commissions of Carson City. The committee shall also perform other duties as may be specifically assigned to it by the board of supervisors.
2. The committee in developing the open space element to the Carson City master plan, and in selecting open space lands for possible acquisition and preservation, shall be consistent with the intent of the 1996 ballot explanation, which was: The committee will work to sustain natural and scenic resources and the long-term quality of life in Carson City. And, acquisition of open space land will help preserve mountains, hills and scenic resources, conserve wildlife habitat, protect our drinking water sources and allow outdoor enjoyment of natural areas. Open space, which is defined as undeveloped land with valued natural resources, will be acquired from willing sellers, or by other mutually agreeable methods.
 3. Open space will be acquired and maintained as conservancy areas to be used for the following purposes:
 - a. To provide off-street bicycle, hiking and equestrian trails, and trailhead facilities that connect parks, schools and the valley with the mountains.
 - b. To safeguard water resources: watershed areas, water-well sites and designated groundwater recharge areas.
 - c. To safeguard waterway corridors, floodplains, wetlands, streams and the Carson River.
 - d. To develop regional detention areas and protect floodplains.
 - e. To safeguard scenic vistas and enhance the gateways to our city.
 - f. Utilization of land for shaping the development of the city and defining growth by establishing an urban boundary.
 - g. Strategic acquisitions of land to allow for outdoor relaxation, education and future park settings.
 - h. Preservation or enhancement of significant natural areas, wildlife and culturally important lands.
 - i. Connecting open space corridors.

(Ord. 1997-30 § 1 (part), 7, 1997).

13.06.070 - Organization and procedure of the open space advisory committee.



1. The committee shall elect a chair and a vice-chair. The committee shall keep minutes and records of its meetings and transactions.
2. The committee shall have regular meetings not less than once a month, unless otherwise determined by the committee.
3. Four (4) members of the committee shall constitute a quorum. An affirmative vote of a majority of the members present shall be necessary to authorize any action by the committee, except as otherwise expressly provided herein.

(Ord. 1997-30 § 1 (part), 8, 1997).

13.06.080 - Prohibited interest/confidentiality.



Any member appointed to the committee shall, upon the acceptance of such appointment, be deemed as having agreed to not disclose any data, the contents of any report or appraisal, or any information of whatsoever nature concerning any specific, prospective open space acquisition, to any person or entity except to other committee members, to members of the board of supervisors, to city staff members whose specific duties include the administration of the city's open space program, or as such disclosure may be required pursuant to court order. Any member who violates the conduct of confidentiality requirements shall be subject to being summarily suspended from the committee and such a violation may be deemed cause for removal.

(Ord. 1997-30 § 1 (part), 9, 1997).

13.06.090 - Annual report.



The committee shall provide an annual report of its activities to the board of supervisors.

(Ord. 1997-30 § 1 (part), 10, 1997).

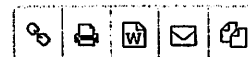
13.06.100 - Preservation of land.



Generally, lands acquired with open space funds shall be preserved and managed in a near natural condition. Such lands might include scenic vistas, wetlands, streams, floodplains, trail corridors, agricultural lands, highly visible natural areas along major streets and open space buffers. Open space land will generally be open for passive recreation improvements developed where appropriate and environmentally compatible. Examples of compatible passive recreation include hiking, bicycling, equestrian trail uses, nature study, interpretive facilities, wildlife habitat, fishing and photography, or similar compatible uses. Development of traditional, active recreational facilities, such as athletic fields, swimming pools, and tennis courts are precluded. Shared participation in multi-use lands is possible. The open space element of the Carson City master plan, public hearing process and criteria developed by this committee shall provide direction for the acquisition of open space.

(Ord. 1997-30 § 1 (part), 11, 1997).

13.06.110 - Leasing open space lands.



Certain open space properties may be leased for continued open space agricultural uses such as farming or grazing. This approach can provide a link to Carson City's past, protect the land from development and can shift some maintenance costs to the leasee. Generally, the leased properties will continue to afford access for passive enjoyment, to the extent feasible.

(Ord. 1997-30 § 1 (part), 12, 1997).

13.06.120 - Disposal of open space lands and grants of exclusive licenses/permits.



In certain cases, it may be necessary to acquire a larger property in order to preserve a portion of the property as open space. In such cases, the city may dispose of the remainder. No open space lands may be sold, leased (does not include agricultural lease), traded, or otherwise conveyed, nor may any exclusive license or permit on such open space land be given until approval of such disposal or license or permit by the board of supervisors. The committee must hold a public hearing on a proposed disposal or license or permit. The city may not dispose of such lands or give any exclusive license or permit without a recommendation from the committee. The quality of life open space division shall be reimbursed the current market value of the disposed land at the time of its sale, or the cost of that land at the time of its original acquisition, whichever is higher.

(Ord. 1997-30 § 1 (part), 13, 1997).

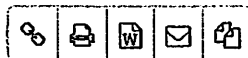
13.06.130 - Statement of deed.



Any deed conveying to the city open space property that was purchased using open space funds shall contain the notation "This land was purchased with Quality Of Life Sales And Use Tax Funds, and is subject to provisions of the Carson City Municipal Code 13.06."

(Ord. 1997-30 § 1 (part), 14, 1997).

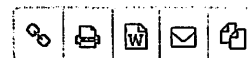
13.06.140 - Maintenance and management.



Except as otherwise provided in this chapter, open space land may not be improved after acquisition unless such improvements are necessary to protect or maintain the land or provide for passive recreation uses such as hiking, bicycling, equestrian and trailhead facilities, nature study, interpretative facilities, wildlife habitat, fishing and photography or similar compatible uses. It may be necessary to close an open space property temporarily, or seasonally, to protect a natural resource, or to make the property safe for public enjoyment. Maintenance and operation funds for open space acquired lands may be made available from the quality of life special revenue fund. The open space element of the Carson City master plan shall provide direction for the maintenance and management of open space lands pursuant to this chapter.

(Ord. 1997-30 § 1 (part), 15, 1997).

13.06.150 - Other public lands.



Funding for open space may be used for passive recreation improvements on other public lands, including federal, state and city-owned lands, maintained in a predominately undeveloped state within Carson City. Examples of compatible passive recreation improvements include trails, bicycling, equestrian and trailhead facilities, nature study, interpretative facilities, wildlife habitat, fishing and photography, or similar compatible uses.

(Ord. 1997-30 § 1 (part), 16, 1997).

Chapter 21.07 - QUALITY OF LIFE (SALES AND USE) TAX



Sections:

21.07.010 - Definitions.

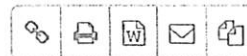


As used in this chapter, unless context otherwise requires:

1. "Department" means the Nevada Department of Taxation.
2. "Open space" means real property that is undeveloped or partially developed natural landscape, including, but not limited to, ridges, stream corridors, natural shoreline, scenic areas, watershed areas, viewsheds, agricultural or other land devoted exclusively to or connecting to open space use.
3. "Park" means real property designed to serve the recreational needs of natural persons.
4. "Proceeds of the tax" means the proceeds of the tax imposed pursuant to this chapter including interest and other income earned on the proceeds of the tax.
5. "Recreational facility" means personal property and improvements to real property for athletic and leisure activities and all appurtenant or customary facilities and uses associated therewith.
6. "Tax" means the tax imposed pursuant to this chapter of the CCMC and authorized by [Article 8A](#) of the Carson City Charter.
7. "Trail" means a path for recreational or leisure activities through or connecting open space, parks or recreational facilities for use by nonmotorized traffic. The term includes a path or additional lane for bicycle.

(Ord. 1997-31 § 2 (part), 3, 1997).

21.07.020 - Imposition of tax—Rate of tax—Exemptions.



1. There is hereby imposed a tax of one-quarter of one percent (0.25%) of the gross receipts of any retailer from the sale of all personal property sold at retail, or stored, used or otherwise consumed in Carson City. This tax is imposed under authority of [Article 8A](#) of the Carson City Charter and was a tax approved by a majority of voters in the 1996 Carson City general election.
2. There is hereby exempted from the tax the gross receipts from the sale of tangible personal property used for the performance of a written contract for the construction of an improvement to real property:
 - a. That was entered into on or before the effective date of the tax; or

- b. For which a binding bid was submitted before the effective date if the bid was afterward accepted, and pursuant to the terms of the contract or bid, the contract price or bid amount may not be adjusted to reflect the imposition of the tax.
(Ord. 1997-31 § 2 (part), 4, 1997).

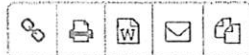
21.07.030 - Creation of fund.



The controller shall create a fund to be known as the quality of life special revenue fund into which all the proceeds of the tax shall be deposited and from which all the proceeds of the tax shall be allocated in the manner provided for by this chapter. The money in the quality of life special revenue fund shall be kept separate from all other Carson City funds and must not be a part of any other fund. The controller may divide the quality of life special revenue fund into divisions to aid the administration of the funds in the manner required by this chapter and the charter.

(Ord. 1997-31 § 2 (part), 5, 1997).

21.07.040 - Use of proceeds of tax.



1. Of the proceeds of the tax imposed pursuant to this chapter:
 - a. Forty percent (40%) may be used for the acquiring, conserving, developing, constructing, equipping, improving, maintaining and managing real property for open spaces,
 - b. Except as otherwise provided in paragraph 3, forty percent (40%) may be used for acquiring, developing, constructing, equipping, improving, maintaining and managing parks, trails and recreation facilities, and
 - c. Twenty percent (20%) may be used for the operating, maintaining and managing parks, trails and recreation facilities which were acquired, developed or improved with the proceeds of the tax imposed pursuant to this chapter.
2. The board may authorize expenditures in an amount that varies from the percentage stated in subparagraphs a, b and c of paragraph 1 by not more than two percent (2%) for each use.
3. If operation, maintenance and management expenses for parks, trails and recreation facilities do not equal or exceed twenty percent (20%) of the proceeds of the tax, the balance of the proceeds of the tax may be used for acquiring, developing, constructing, equipping, improving, maintaining and managing parks, trails and recreation facilities in addition to the amounts authorized in subparagraph b of paragraph 1 of this section.
4. At the end of a fiscal year, the proceeds of the tax not expended or otherwise obligated for the purposes set forth in this section must be carried forward and become part of the proceeds of the tax available in the next fiscal year.
5. The board shall submit for approval of the voters any proposed changes in the approved uses of the proceeds of the tax.

(Ord. 1997-31 § 2 (part), 6, 1997).

21.07.050 - Payment of proceeds to state department of taxation and distribution.



1. All fees, taxes, interest and penalties imposed and all amounts of a tax required to be paid to Carson City pursuant to this chapter must be paid to the department in the form of remittances payable to the department.
2. The city shall permit the state to transfer from the state sales and use tax account to the appropriate account in the state general fund a percentage of all fees, taxes, interest and penalties collected pursuant to this chapter during the preceding month as compensation to the state for the cost of collecting the tax. The percentage to be transferred pursuant to this paragraph must be the same percentage as the percentage of proceeds transferred pursuant to paragraph (a) of subsection 3 of NRS 374.785, but the percentage must be applied to the proceeds collected pursuant to this chapter only.
3. Before the effective date of the tax imposed pursuant to this chapter, the city shall contract with the department for the performance of all the functions incident to the administration or operation of the tax. Any ordinance amending this chapter must include a provision in substance that the city shall amend its contract with the department before the effective date of the amendatory ordinance, unless the board determines with the written concurrence of the department that no such amendment of the contract is needed.

(Ord. 1997-31 § 2 (part), 7, 1997).

21.07.060 - Issuance of bonds and other securities.



Money for the acquisition, development, construction, equipping, improvement and management of open spaces, parks, trails and recreational facilities located within Carson City may be obtained as authorized by Article 8 of the Charter through issuance of bonds and other securities as the board may determine appropriate. The bonds may be general or special obligations of Carson City and may be secured as to principal and interest by a pledge of the proceeds from the tax authorized by this charter. Any ordinance authorizing the issuance of such a bond or other security must describe the purpose for which the bond or other security is issued. The board hereby declares its intent that the proceeds of securities issued under authority of this chapter and Article 8A of the Charter not be used for operations and maintenance of any property or facility.

(Ord. 1997-31 § 2 (part), 8, 1997).

21.07.070 - Impairment of obligations prohibited.



The board shall not repeal or amend or otherwise directly or indirectly modify the ordinance imposing the tax authorized by this chapter in such a manner as to impair an outstanding bond issued pursuant to this chapter, or other obligations incurred pursuant to

this chapter, until all obligations for which revenue from an ordinance have been pledged or otherwise made payable from such revenue pursuant to this chapter have been discharged in full or provision for full payment and redemption has been made.

(Ord. 1997-31 § 2 (part), 9, 1997).

21.07.080 - Incorporation of provisions of Chapter 374 of the NRS.



Any provisions of Chapter 374 of NRS insofar as applicable are hereby incorporated into this chapter as if fully set forth herein. Any amendment of Chapter 374 of NRS after the effective date of the ordinance codified in this chapter, not inconsistent with Article 8A of the Charter, automatically becomes part of this chapter and any ordinance amending it.

(Ord. 1997-31 § 2 (part), 10, 1997).