City of Carson City Agenda Report

Hem# 139

Date Submitted: November 6, 2007 Agenda Date Requested: November 16, 2007

Time Requested: 5 Minutes

To: Mayor and Supervisors

From: Parks and Recreation Department - Open Space Division

Subject Title: Action to determine the position of Open Space Assistant to be critical to City operations and to authorize the position to be filled as soon as practical.

Staff Summary: On October 8, 2007, the Board of Supervisors approved a hiring freeze on all open City positions and asked that no vacant positions, with the exception of Sheriffs Deputies and Firefighters, be filled without specific Board approval. The Parks and Recreation Department is asking that the Board find that the position of Open Space Assistant, to be funded exclusively from the Open Space account, is critical to City operations and authorize the position to be filled. This position principally performs the following duties:

- 1) Assist in developing resources management plans for all designated City owned natural areas; this includes fuels management and reforestation.
- 2) Coordinates the preparation of open space, trails, parks and recreation environmental documents and project planning.
- 3) Coordinates environmental review and permit process functions with external and internal agencies.
- 4) Research, applies, and administers grants for management development of open space, trails, parks, and recreation.
- 5) Conducts field surveys, studies and inspections of soil conditions, and plant ecology in determining suitability and project planning.

Does This Action Require A Business Im	pact Statement:	() Yes	(<u>X</u>) No	
(X) Formal Action/Motion	() Other (Specify)			
Type of Action Requested: (check one) () Resolution	() Ordinance			
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Recommended Board Action: I move to determine the position of Open Space Assistant is critical to City operations and to authorize the position to be filled as soon as practical.

Explanation for Recommended Board Action: This position has been deemed critical to operations for the following reasons:

- 1) To continue with the rehabilitation of the watershed which was burned by the Waterfall Fire.
- 2) To maximize the grants that have been awarded through the Question-1 Program as opposed to having to reject the awards for lack of capacity to implement them.
- 3) To increase the scientific expertise and knowledge in the City and reduce the expenditures of outside consultants.
- 4) In preparation for the management of the 8,000 acres of land that will be transferred to Carson City as part of the Federal Lands Bill.

Applicable Statute, Code, Policy, Rule or Regulation: Carson City Open Space Plan, Recommendation #23 and Management of Open Space.

•	n Costs Budgeted: -0- n Costs Estimated: \$6,000					
Explanation of Impact: Human Resources has determined the salary range to be \$41,434 to \$58,531. Assuming a middle range of \$50,000 plus benefits, a \$72,000 figure is used.						
• To be "transf	e: No General Funds - exclusively Open Space funds ferred" from Contractual Service Account (10%) Services Account (10%) accounts (80%)					
Alternatives:	Not to approve the position.					
· •	Terrial: Critical Position the Open Space Advisory Committee recommending the Tuan F. Guzman, Open Space Manager Roger Moellendorf, Parks & Recreation Director	Date: 11/6/07 Date: 11/6/07				
	Linda Ritter, City Manager	Date. 1110 / 2				
	District Attorney's Office	Date: 11/6/67				
	Finance Department	Date: 11,6,07				
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Board Action Taken:

Motion:	 1:	Aye/Nay
	2:	
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(Vote Recorded By)

Analysis of Critical Positions Position: Open Space Assistant

1. The position performs work that is mandated by federal or state law.

This position does not perform work that is mandated by federal or state law. However, this position is indispensable, vital, and absolutely necessary for the continuation and progressive change in paradigm from the Open Space Program's acquisition phase to an intense management phase. This change to an emphasis on management rather than acquisition has been exacerbated by the need to rehabilitate the drainages and watershed areas affected by the Waterfall Fire. To this effect, the Open Space Program manages a \$100,000 WHIP grant and a \$309,000 NRCS grant aimed at rehabilitation of the approximately 4,000 acres of City-owned lands affected by the fire. In addition, staff coordinates with Fire Chief Giomi, the U.S. Forest Service, the Nevada Division of Forestry and, as of more recently, the activities within the TRPA basin aimed at fire rehabilitation and prevention through management of fire fuels.

The Open Space Advisory Committee has unanimously (one absent) recommended to the Board of Supervisors that this position be authorized. (Please see the attached minutes).

2. The position provides public safety related services.

As previously stated, if the position were not filled, public safety would be at risk. This position will work primarily in the management of lands at the wildlands interface level in order to provide for measures to manage fire fuels, access, recreation, and noxious weeds.

3. If the position were not in place, future costs and/or damages could result.

If the position were not filled, Carson City will face costs related to fire damage; abuse of recreation access and roads; abuse and pressure on fragile resources; and deterioration of the watershed and the water retention areas through abuse of the resources.

4. The work of the position creates revenue - it is self-supporting.

This position will create revenue through grants. Presently, a temporary part-time Open Space Assistant position under contract has obtained \$709,000 in grants. These grants would not have been obtained without the assistance of this position. As a part-time contract position, the cost to the Open Space Program through Resource Concepts, Inc., has been \$40.00 per hour plus additional administrative costs. Resource Concepts has agreed to provide this service to Carson City only on an interim basis until a permanent solution is found.

The funding for this position is independent of the General Fund since the position is to be paid 100% out of the Open Space fund. The Open Space fund generates approximately \$1,000,000 on a low tax year or as much at \$1,300,000 in a good tax year. This position is budget neutral. There are sufficient funds to carry out the functions of the program and pay for this position. Additionally, there are sufficient resources such as administrative staff in order to support this position.

5. The work of the position creates a net saving in operational costs.

Staff conducted a small survey of what this position is likely to cost if its functions were to be carried out through the private sector. Chas Macquarie, an engineer administrator for Lumos and Associates, states they would need to bill \$90 per hour in order to carry out these functions, while John McLain, Principal of Resource Concepts, Inc., estimates a range of \$90 to \$100 per hour. The City's estimated cost per hour is \$35. Without this position, we will experience an operational increase in the form of additional expenditures in the areas of professional services, contracts, and management.

6. The work of the position is needed to achieve goals set by the Board of Supervisors.

The Board of Supervisors adopted the Open Space Master Plan in 2000. Since then, the program has expended approximately \$8.5 million and resulted in the acquisition of 700 acres of property. The time has come for the program to shift emphasis and become more involved in the active management of lands acquired through the program and other lands owned by Carson City with open space character, such as the lands owned by the Utility Department for the protection of the watershed. There will also be an increase in lands actively managed in the wildland interface area as a result of the Federal Lands Bill. This position is necessary for the effective management of all these lands.

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on the west side did not want a bypass in the neighborhood." "Nothing else happened ... the properties weren't transferred ... and it hasn't been an issue until now." The Potters have not been paying taxes but, at the same time, they have not been enjoying the use of the road. The Assessor's map depicts the properties separate from each other. Mr. Guzman advised that the City Manager had accepted the finding of Mr. Johnson's report evidencing no City ownership of the road, and had provided direction to negotiate a purchase price to include the subject and adjacent properties.

Mr. Benton acknowledged having been in contact with Mr. Potter's counsel, and advised that negotiations over the "disputed strip and ... both sides of it" will begin soon. In response to a question, Mr. Benton advised that a quitclaim deed will be necessary from each of the individuals listed on page 4 of Mr. Johnson's May 17, 2007 report. Mr. Potter's counsel has expressed the opinion there should be no difficulty in obtaining the quitclaim deeds.

(6:11:09) Mr. Potter reviewed language in the deed transfer documents, and advised that the property in dispute "isn't Ormsby Boulevard." He expressed the opinion that quitclaim deeds would be unnecessary. Chairperson Hartman noted that a policy would have to be issued from a title company at some point in the future. In response to a comment, Mr. Benton explained the provisions of the Deed of Exclusion, which dedicated the land that became the southern portion of Ormsby Boulevard, and how the title became clouded. There is some question as to the point at which the deed transfer took place and those individuals who had interest in the property at that time. Mr. Benton agreed with the consultant's advice to resolve the title issue as quickly as possible through quitclaim deeds to clear up any question of property interest. Mr. Potter advised that the disputed property is "attached to the property that we're calling the cemetery because 12 zoning is different in that area. And so we feel that because the zoning's different, the appraisal will be favorable to that site." He expressed support for providing the City "the first opportunity to buy this land as open space ..." He reiterated the opinion the quitclaim deeds would be unnecessary. He noted language in Mr. Johnson's report that there is no dedication for the property between the barricade and King Street. He suggested including this piece in the negotiations.

Mr. Guzman discussed the importance of ensuring sufficient information about the cemetery property prior to making an offer. He stated, "I don't want to find us as managers of a cemetery by mistake. If we buy a cemetery, ... we treat it accordingly." He advised that a consultant will be submitting a proposal in the near future. In response to a question, Mr. Potter advised there are several grave sites on the cemetery property. In response to a question, Mr. Guzman advised of no intent to move the grave sites. If the cemetery property is included, it will be left as an historic monument and identified accordingly. Mr. Potter advised of an historic marker identifying the property as "Pioneer Cemetery." He provided historic information on the cemetery and referred Mr. Guzman to documentation available at the Cemetery Office. He provided background information on Patricia Potter's development of "a little cemetery ... off of Potter Drive." As a condition of that "subdivision," a "bubble for a cul-de-sac at the end of Ormsby Boulevard" was dedicated "because the road would never go through and that marked the end of the City's interest." Mr. Potter referred to Mr. Johnson's May 17, 2007 report and advised "the only piece of property that Carson City owns right now is the piece of property representing the bubble that we dedicated ... marking the end of the road." Mr. Guzman acknowledged that he and Mr. Benton would continue negotiating with the Potter family. Chairperson Hartman thanked Mr. Potter for his attendance and participation.

3-B. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS ESTABLISHMENT OF A FULL-TIME OPEN SPACE ASSISTANT POSITION TO BE PAID WITH OPEN SPACE FUNDS (6:19:28) - Mr. Guzman introduced this item, and reviewed the staff report and the attachments. He emphasized that the position will be paid "exclusively with open space funds. It

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.oesn't affect the general fund in terms of revenue." Mr. Moellendorf advised of having worked closely with City Manager Linda Ritter in developing the position. He further advised of Ms. Ritter's full support of the position in that it is critical as the City moves forward in land acquisition and management, and in light of the fact that the position is budget neutral.

In response to a comment, Mr. Guzman advised of Vice Chairperson Jacquet's stated preference that funding for the position should primarily be allocated from the Open Space maintenance account. He acknowledged that the position was reviewed by Human Resources Department personnel who compared the salary and responsibilities with similar positions in adjacent counties. The position will be subject to overtime and other similar contractual requirements.

Member Riedl expressed support for the use of consultants, but noted the importance of staff oversight. In addition, he noted the competitive grant climate and the importance of a qualified individual to seek grant funding opportunities. He expressed support for the new position.

In response to a question, Mr. Moellendorf advised that the position is even more critical in light of the federal lands bill. He discussed the present need for the position as well as the possibility of hiring additional park rangers to increase a law enforcement presence for open space properties. He expressed appreciation for Member Riedl's comments, and noted that hiring consultants will continue to be necessary from time to time. He discussed the importance of hiring an individual with sufficient experience in various areas of open space management to efficiently work with consultants. Mr. Guzman advised that there is sufficient administrative support in the Parks Department to accommodate the new position. Iember Perock noted the importance of good stewardship of open space property, and commended staff on development of the position.

Chairperson Hartman noted that the committee had always envisioned emphasizing open space property management. He agreed with earlier comments that funding for the position should primarily be allocated from the open space maintenance account and that the land acquisition fund should be left undisturbed as possible. He entertained a motion. Member Fischer moved to recommend to the Board of Supervisors the establishment of a full-time Open Space Assistant position to be paid with open space funds. Member Lincoln seconded the motion. Chairperson Hartman noted the discussion with regard to funding for the position, and called for a vote on the pending motion. Motion carried 6-0.

3-C. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS IMPROVEMENTS TO THE LOMPA WETLANDS AND ADJACENT PROPERTY BASED ON THE ENHANCEMENT STUDIES CONDUCTED BY WOOD RODGERS AND ASSOCIATES, APNs 2-101-73, 8-931-01, 8-931-02, AND 8-922-11 (6:34:40) - Mr. Guzman advised there was no action necessary on this item. He referred to the budgets included in the agenda materials. He reviewed details of the project phases in conjunction with a map displayed in the meeting room. He noted the importance of pursuing grant funding for the project. He anticipated having issues associated with the project resolved by next month, at which time this item will be reagendized for action. He reviewed landscape design necessary for the southern portion of the property.

Member Riedl expressed support for elimination of the parking lot as part of phase 2. He advised of having net with Mr. Guzman and Park Planner Vern Krahn. He noted the substantial savings represented by elimination of the parking lot. He requested consideration for linking the north corner of the trail system with the paved multi-use NDOT path. Mr. Guzman advised that Wood Rodgers, Inc. Environmental Program Manager Leslie Burnside had spoken with NDOT representatives, who indicated "it can happen."