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A regular meeting of the Carson City Parks and Recreation Commission was scheduled for 5:30 p.m. on Tuesday, August 4, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Donna Curtis

Vice Chairperson James Smolenski Commissioner Lynette Conrad Commissioner Tom Keeton Commissioner Steve Lasco Commissioner Sean Lehmann Commissioner Pete Livermore

Ex Officio Commissioner Molly Walt Commissioner Todd Westergard

STAFF: Roger Moellendorf, Parks and Recreation Department Director

Scott Fahrenbruch, Parks and Recreation Director of Operations

Vern Krahn, Park Planner

Meagan Soracco, Recreation Program Manager

Thoran Towler, Deputy District Attorney Jano Barnhurst, Recording Secretary

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

CALL TO ORDER, ROLL CALL AND DETERMINATION OF QUORUM (5:34:14) - Vice Chairperson Smolenski called the meeting to order at 5:34 p.m. Roll was called; a quorum was present. Commissioner Adams was absent. Chairperson Curtis and Commissioners Conrad and Westergard arrived after roll call.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (5:35:06) - None.

- 1. ACTION ON APPROVAL OF MINUTES (5:35:20) Commissioner Livermore moved to approve the minutes of the May 5, 2009 meeting as presented. Commissioner Lasco seconded the motion. Motion carried 5-0-3.
- **2. MODIFICATIONS TO THE AGENDA** (5:35:46) Mr. Moellendorf advised that representatives of Parks 4 Paws will be in attendance for Item 4-B and suggested holding that Item until they arrive.
- 3. STAFF UPDATES DISCUSSION ONLY NO DELIBERATION

3-A. TREADWAY PARK REDEDICATION CEREMONY HELD ON SATURDAY JULY

4,2009 (5:36:35) - Mr. Fahrenbruch reported that the celebration was held on July 4 from 10 a.m. to 1 p.m., with Supervisor Livermore welcoming the crowd. Several speakers made historical remarks including Mayor Crowell and Guy Rocha and a few descendants of Aaron Treadway also attended. A food vendor

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served snacks and sodas and there was an unveiling of a granite boulder monument and plaque purchased by the Carson City Historical Society. The park is showing well and getting a lot of use.

- **3-B.** MORGAN MILL ROAD RIVER ACCESS AREA PROJECT (5:39:42) Mr. Krahn advised that the permits are in place, the project is out to bid, and bids will open on August 5. He reported that a lot of small local contractors were able to bid and sixteen contractors attended the pre-bid conference. They are also implementing a big phase of the aquatic trail plan which Commissioner Livermore, PRC, Carson River Advisory Committee (CRAC), and staff have been working on for a couple of years.
- **3-C.** V & T RAILWAY RECONSTRUCTION PROJECT (5:41:38) Mr. Krahn reported that federal stimulus money has become available and the project is currently under construction for Phase 3A. He narrated a map which is incorporated into the record advising that public access from Highlands Drive will be cut off but opportunities remain for public access to Carson River Canyon from the Carson City side which is on private land. As the project moves forward, there will be less access but they have been working with the V&T to provide crossings for four wheel drive access from the model airplane facility and the rifle and pistol range. Access signs will be placed on Deer Run Road. In response to a question, he replied that the private land right-of-way was the responsibility of the Nevada Railroad Commission who has permission and easements to build to a certain point. In response to a comment, he replied that private property owners could decide to not allow public access that currently exists. Commissioner Livermore commented that if there's a legal prescribed use that's been open for years, and the public complained about the loss of access he didn't know who the responsible agency would be for negotiating purposes. He didn't think the PRC should be concerned about access through private lands as they may not have condemnation abilities. He opined that Mr. Guzman would have been better at explaining the negotiations with the private landowners because there are lots of opponents to the V&T watching how the transaction will take place and be funded. Mr. Krahn advised that the next phase is 3B and the issue of how it affects canyon trails goes back to private party ownership. There has been concern that access into the canyon would be curtailed by putting the railroad in the existing railroad bed. Commissioner Walt advised that the ribbon cutting for the V&T is August 14. Tickets are on sale for 11 weeks and the 14th and 15th are sold out.
- 3-D. UPDATE REGARDING THE CLOSURE OF OLD CLEAR CREEK ROAD (5:51:07) -Mr. Krahn reported that it used to be U.S. 50 and was owned and operated by NDOT. It was abandoned about 60 years ago and the property reverted back to the adjacent property owners, including the Washoe Tribe, Nevada State Lands, and the Division of Forestry, and winds back and forth between Douglas County and Carson City. At the request of the homeowners in 2006, the City proposed to take over maintenance and ownership but the cost to bring it to minimum standards was \$2.7 million which the owners rejected. Douglas County and Carson City were trying to resolve maintenance and access issues. Also in 2006, the Unified Pathways Master Plan (UPMP) was in process and it was identified as a proposed facility. Its basis is to provide an opportunity for public access but as a proposed facility, cooperation with private landowners is necessary. Sharon Arnold was clear that it is private property and the issue will be on the Regional Transportation Commission's (RTC) agenda on August 12 at 5:30. In response to a question, Mr. Moellendorf replied that the homeowners are concerned about liability and recreational use of the road. The RTC meeting is a public meeting and believes that representatives for the homeowners would attend. In response to a question, Mr. Towler replied that Nevada has an aggressive recreational use statute which provides complete liability protection for property owners who have land or roads open for recreational access. Commissioner Lehmann opined that the homeowners need to be made aware of that In response to a comment, Commissioner Livermore replied that he has spoken to several

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homeowners there who know nothing about it. Clear Creek Ltd., is building a gated community on the golf course and they check to see whether someone is permitted because it's a private, gated community. It's a very high priced residential neighborhood and they don't want the public's access. Commissioner Lasco read a section of a news article which is incorporated into the record and expressed the understanding that they are also concerned about the safety of rescue vehicles using the road as it's not safe and damage could result to emergency personnel. Commissioner Lehmann opined that if a developer limits access to the trailhead, it's not fair to the people who want access to the land. There has been a strong precedent that people using the land for recreation were emitted from their liabilities. The landowners need to know they are not liable and it would be a travesty to lose that access. Commissioner Conrad suggested that the City offer to build a sign saying the homeowners are not liable for any accidents that may occur. Commissioner Walt reiterated that the public meeting is August 12 at 5:30.

3-E. UPDATE REGARDING THE CARSON CITY FREEWAY PHASE 2 MULTI-USE PATH (6:05:04) - Mr. Krahn gave some background information and narrated a map which is incorporated into the record. The project under construction is Phase 2A which extends from Highway 50 to Fairview Drive and is nearing completion. He explained that a path and pedestrian facility being provided is the connection for the linear park which will connect to the existing path by the wastewater treatment plant and NDOT has built new bike lanes by the Fifth Street grade separation. The UPMP identifies a multi-use path along the freeway corridor to the Edmonds Sports Complex and Carson City and NDOT have an agreement to not construct a multi-use path within the right-of-way as part of Phase 2. After construction begins on Phase 2A and 2B, the City will begin planning and construction of a multi-use path and NDOT will be building bridge structures. The bridges will go over the freeway at Koontz and Clearview and will be constructed in the next phase. They will also be building drainage improvements connecting to the Fairview Drive interchange and have been making sure there is nothing impeding the City from building a multi-use path. Chairperson Curtis attended a Nevada Energy open house discussing a service road from Colorado to Clearview. Jim Gallegos believes that is a possibility but is not recommending it because anything that could be done will most likely be destroyed when the rest of Phase 2 is built. The freeway will cut off about 10 acres on the north side of Edmonds Sports Complex. The Clearview Acres subdivision has provided a 30 foot easement from the edge of the Complex between the freeway right-ofway and their development and the church may provide the same type of easement across their property. In response to a question, Mr. Krahn recalled a proposal based on discussions of a multi-use path from Clearview Drive to the Edmonds Sports Complex but there wasn't money for the planning effort. In response to a comment, he replied that when looking at whether the Lompa property will be developed, everyone will be able to weigh in on the type of development and whether trails will be developed on that property. In response to another comment, he replied that the City may have to consider using part of the on-street system with the off-street system to provide some connectivity until everything is completed. Commissioner Livermore recalled that there is NDOT land by Snap On Tools that the City may want to try to acquire before it's sold in the private market. Chairperson Curtis commented that this may be the time to make sure the City's presence is known and will be in touch with Muscle Powered. Mr.

3-F. INVITATION TO ATTEND THE OPEN SPACE ADVISORY COMMITTEE'S MEETING ON MONDAY, AUGUST 17, 2009, TO HEAR A PRESENTATION FROM BLACK AND VEATCH REGARDING CARSON CITY'S PRESENT WATER DEMANDS AND LONG TERM NEEDS (6:19:35) - Mr. Krahn advised that it would be advantageous for CRAC, Open Space Advisory Committee (OSAC) and PRC to have this presentation as the Parks and Recreation Department

Moellendorf remarked it may be wise to meet with Mr. Gallegos to discuss these concerns.

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(PRD) is the biggest water user in the community because of all the parks and sports complexes. The OSAC would invite the committees to attend on September 14, not August 17. They want to provide the opportunity and it will also be available to watch on public access television.

4. NON-ACTION ITEMS - DISCUSSION AND PRESENTATION ONLY

4-A. DISCUSSION AND PRESENTATION ONLY REGARDING THE PARKS AND RECREATION DEPARTMENT'S SUMMER KAMP PROGRAM (6:22:40) - Mr. Moellendorf introduced Ms. Soracco who manages the latchkey and summer camp programs. Ms. Soracco advised there is one week left ending August 14. After a two year lapse, the kinder summer camp program was brought back for children entering kindergarten which transitions into kinder latchkey. They had 330 registrations although a lot come only one week in the summer while others come all nine weeks. The average daily attendance is about 200 children who are divided between the community center and the Pony Express Pavilion. Last year they had approximately 255 per day and have been able to reduce fees to \$85 per week per child. Out of town field trips are an option for children whose parents can afford the additional cost and there are regular camp activities at Mills Park for children unable to attend. By the end of camp, they will have done 47 local field trips and will have had 1,000 participants going to the aquatics facility. Approximately 45 children have taken swimming lessons through the aquatics facility. UNR Cooperative Extension has come in for different science activities and Kid Bright Fitness for tumbling classes as well as different physical activities. They have also had guest speakers including McKenna Bell, a race car driver; Wild About Smiles dentistry; and Carson City Sheriff Department's drug dogs. In response to a question, Ms. Soracco replied that the scholarship program is available. Funding ran to mid-May and began again in July so some is being utilized for summer camp. Latch key will begin August 24 and will be taking scholarship applications. Commissioner Walt commended Ms. Soracco as the children are kept busy and active, and counselors are responsible and kind. In response to a question, Ms. Soracco replied that the day camps run from 6:30 a.m. to 6:00 p.m. but meals are not provided. They have breaks for lunch and snack periods but don't provide food. In response to another question, she replied that there are a lot of field trips where they generally eat out and is unsure if they would qualify for the Federal Lunch Program but it may be worth researching.

4-B. DISCUSSION ONLY REGARDING THE JOHND WINTERS CENTENNIAL PARK MASTER PLAN (6:31:37) Mr. Moellendorf reviewed the staff report which is incorporated into the record and gave background information on the Master Plan. He advised that the Master Plan was created in 1998 and was part of their Recreation Parks and Public Places lease with BLM. Since then, they have undertaken the Parks and Recreation Master Plan and a public opinion survey and based on such, the current Master Plan doesn't accurately reflect the community's recreational needs and desires.

Mr. Krahn commented that this could be the biggest community park and sports complex in Carson City with room to expand and has more space than the Edmonds Sports Complex. A conceptual site development plan is needed to identify parking needs, trailheads and amenities. Mr. Moellendorf added that the site has untapped potential to provide a lot of the recreational community's needs and that the planning process would consist of public meetings and input. Commissioner Conrad expressed approval that they are focusing on the northeast side as it's a very well loved park in need of expansion and improvements. In response to a question, Mr. Moellendorf replied that the golf courses are city owned but operated by a private vendor. Commissioner Lasco observed that a contiguous sports play area could be achieved by removing the driving range linking the northern four softball fields and the southern two fields.

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Mr. Moellendorf advised that Jim Kepler believes the course can be tightened up. They are reluctant to design the park now because they want to go through the process first, but there is room to accommodate most of the needs they've discussed. Commissioner Lasco commented that a nine hole course on the eastern portion would be an opportunity to make it a low level muni course or a more challenging and different theme freeing up a lot of land. Mr. Krahn advised that the golf course management believe the west and east courses are underrated and are looking at improvements to bring them to PGA levels. Chairperson Curtis opined that before making substantial changes, something more concrete needs to be known as to what they are willing to give up before going forward with the process. It makes sense to have the fields together but PRD needs to make sure they can get some of the golf course property. Vice Chairperson Smolenski advised that the east course is very wide and forgiving and the west course is very challenging and tight. If they are looking to bring it up in caliber, they just have to tighten it up and instead of having a 100 yard fairway, make it a 50 yard fairway which would free up a lot of land. Mr. Moellendorf remarked that they are earmarking the west course for the PGA type course. There are very few golf courses like the east course and most are more of the link style with native vegetation between the fairways. There are opportunities with the golf course and any suggestion is worth considering.

In response to a comment, Mr. Moellendorf said it's good to think beyond the boundaries of the Centennial Park Master Plan. He cautioned that a problem with viewing an aerial photograph is there is no terrain perspective and there is a lot of terrain around the eastern, northern and western tiers of the park. Commissioner Lehmann suggested finding someone to donate another bridge and designing a terminus in the park for train rides. In response to a question, Mr. Krahn said the planning area is everything that can be seen on the map plus what can't be seen around the corner. There are opportunities for trails, a disc golf course, and equestrian trailheads. A developed trail system could be done with a lot of connectivity into the neighborhoods and industrial park. It presents a challenge of developing the facility and addressing the needs of the community and northeast Carson City. In response to a question, Mr. Moellendorf replied that the east golf course is 110 to 120 acres and 1/3 to 1/2 is developed. In response to a comment, Mr. Krahn advised that the City has entered into an agreement with a land development company to provide access across the southwest corner of the park to bring access over to property to the west. An entrance road may be able to connect to the clubhouse as part of the development plan. In response to another comment, he replied that as different companies come to the industrial park, there is an opportunity to work on recreational needs. Mr. Moellendorf commented that Harley Davidson has a pathway around its complex which could be linked to the park and a link to the Washoe Lakes State Park trail could be considered. Commissioner Livermore commented that there are lands that are potentially sold for economic development and it may be interesting for the PRC to see what development could take place from Arrowhead Drive to the county line. In response to a question, Mr. Moellendorf replied that the timeline for accomplishing this would be tied in with funding. Q-18 won't be adequate to fund it and may need to look at other funding means. It doesn't need to all be built at once as amenities can be prioritized and development can be phased in. They don't want to phase in before having a sensible plan because the parks need to be developed in an orderly manner. Commissioner Lasco addressed the loss of competition and need to compete with other facilities regarding artificial turf fields. Carson City has created a national reputation for sports facilities with natural turf fields and is better served to pursue and maintain that excellence than pursue the artificial sports fields. Mr. Moellendorf advised that the Master Plan recommends a cost analysis study of artificial turf vs. natural turf but there isn't a lot of research of the replacement time for artificial turf. A municipality may have to replace artificial fields frequently which can affect maintenance costs. Artificial turf may be more suited in one part of a park and natural turf may be better in another. Chairperson Curtis opined that health and safety should also be part of the turf

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analysis. Commissioner Lehmann commented that a coach attending the British Soccer Camp at Edmonds loved the field and specifically mentioned that it's much better than artificial turf as most of the players prefer natural grass. Mr. Moellendorf agreed that most players prefer well maintained natural turf fields over artificial turf although a lot of agencies can't keep up with maintenance which can be more dangerous than artificial turf. Commissioner Livermore advised that whatever elements are put in the conceptual site development plan, it needs an analysis of what it will reasonably cost to build. Commissioner Lasco expressed the desire to maximize and develop what the City has rather than be upset over what another community has as it needs to be made the best it possibly can to compete with other communities.

(7:21:10) Ilona Strull introduced herself as Chairperson of Parks 4 Paws (P4P) and advised that they would like to see designated dog parks in Carson City with eventually three locations. They have been working with PRD for the last year and have narrowed it down to the area between the tennis courts and the upper ball fields at Centennial Park. When that location was accepted in January, they began fundraising and showing maps around the community. She explained that they had a large fundraiser in March, and in May, PRD advised them they would be looking at a different plan for Centennial Park. They asked for a temporary site at Centennial because it may take a year for the Master Plan to be finished. Mr. Moellendorf advised them they would have to wait so she's asking the PRC to consider it. She advised that Fuji Park is overused and has events scheduled every weekend for much of the year, and there have been issues between dog and horse owners. A temporary dog park at Centennial would take some of the burden off Fuji and as other locations were developed, they would help Fuji. In response to a question, Ms. Strull replied that they want to develop designated dog parks which are totally fenced and double gated with separate areas for small and large dogs. They function only for dog and owner socialization and are not used for any other activities. They would be jointly controlled by P4P and PRD. Open areas where dogs are allowed are considered dog friendly. Chairperson Curtis added that a dog park allows dogs to run off leash and is totally fenced. In response to a question, Ms. Strull replied that they are trying to raise money to pay for needed items, including fencing. PRD has discussed using DG and installing a sprinkler system which won't require maintenance. They are raising money for permanent shade structures, trees outside of the park, and water fountains. They can begin looking for grant money with an actual site but not a temporary one. She has told the community that this is the location but has had to go back and tell them they no longer have it. She would like to keep it as a temporary location until they get a permanent location. In response to a question, Mr. Moellendorf replied that the problem with having a temporary dog park is that temporary facilities very seldom remain temporary and once a facility is used for a specific site it usually stays that way. Logistically, there's isn't any money to build a temporary dog park. The Master Plan will be completed within a year which gives them a chance to do some fundraising. A dog park may be the first part of the project to phase because there is somewhat of an urgency to have a place that's safe and dedicated for dogs. In the Summer or Fall of 2010 the Master Plan will show where the dog park would be located. Even if a park was started today, there would be only a couple months difference between a temporary and a permanent site. Chairperson Curtis disclosed that she's a member of P4P and disagreed with Mr. Moellendorf about a temporary site. They are trying to get the State to give them a site that's being used as a dog park and they are interested in the idea. She doesn't think the temporary dog site is a problem. A site can get the community involved and perhaps someone could donate fencing. Mr. Moellendorf replied that P4P will be successful in getting funding and will be more successful if they waited a year and had a plan for a permanent park. It makes sense from a planning process to wait another year and put all efforts into designing a park and determine a long term dedicated site. A year is not an unreasonable time to wait for a dedicated dog park. In response to a question, Ms. Strull replied that they would like three sites around Carson City, would partner with Douglas County and would need three to four

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acres. Mr. Moellendorf commented that larger is not necessarily better for dog parks as owners can lose control of their dogs if the area is too large. Two and one half to three acres works well. Early in the process a lot of organizations were making substantial mistakes with dog parks. He reiterated that it makes sense to plan a dog park well, make sure it's in the right location, and have two to three dog parks serving the needs of all residents. Commissioner Conrad opined that there's a sense of urgency and believes it's important to have separate designated areas for dogs and owners. Mr. Moellendorf advised that the Master Plan will be taken to the BOS who will want input from the PRC.

4-C. DISCUSSION ONLY REGARDING THE STATUS OF QUALITY OF LIFE **OUESTION INITIATIVE (OUESTION 18) CAPITAL PROJECTS FROM FISCAL YEARS 1996** to 2009 (7:42:21) Mr. Moellendorf reviewed the Q-18 project summary which is incorporated into the record and the staff report which summarizes the work done on the Q-18 projects. In response to a question, he replied that the \$375,000 in FY 09/10 was payment to the Boys and Girls Club (BGC) for the option on their land. In response to a comment, he confirmed that Fuji Park's renovations included renovation of Fuji Park, the new parking lot, and the exhibit hall. Commissioner Livermore commented that it only discusses projects but money has been paid to staff and calculating the cost of staff salaries utilized through Q-18 funding needs to be done. Mr. Moellendorf replied that it could be expanded into a larger explanation of Q-18 funding expenditures which is an issue coming forth with the internal service charges (ISC). It's not just ISC, but internal ISC which have gone to staff salaries within the PRD. The report focuses on projects and the budget may be a better time to go over it in more detail. Mr. Krahn added that even though \$11.6 million was spent, a lot of the projects have been used to leverage grant funds and a significant amount of money has been used for matching funds. Mr. Moellendorf commented that trails is 20 percent City funding and 80 percent outside funding and park construction is normally 50/50. The \$11 million is just expenditures and another \$11 million could probably be added from outside sources. In response to a question, Mr. Moellendorf replied that the \$11.6 million doesn't represent the total Q-18 money that has been spent on parks and recreation. In response to another question, he replied that ISC charges go back to the general fund as support for non-general fund budgets such as Q-18 and other enterprise funds. Q-18 is an outside funding source and is not considered part of the general fund budget. It is divided into open space, parks capital, and parks capital maintenance with a 40/40/20 percent ratio. Non-general fund entities receive support from the general fund in their daily operations and the general fund back charges for those services to the non-general fund entities. PRD is a general fund entity which is not charging the ISC charges to the PRD but to O-18 which is an independent arm of PRD. In response to a comment, Commissioner Livermore replied that the ISC has charged Q-18 for the recording secretary and DA and this meeting has been about a lot of issues that don't include Q-18. He questioned how a funding source can be charged when the spirit was to build projects and not as a supporting element to run the over-government. In response to a comment, Mr. Moellendorf said the original intent of Q-18 would not replace support from the general fund to build all parks and recreation projects. There could be a project that wasn't all funded by Q-18, but also by the capital improvement project budget which is a part of the general fund. It hasn't completely eliminated general fund support but as the general fund becomes more difficult to finance projects, Q-18 funding can pick up the slack, but it does not fund the entire PRD. In response to a question, he replied that an accounting of Q-18 funds can be obtained from the City's budget. Commissioner Westergard commented that priorities were set in the ballot question and expressed concern about accountability and if the City ever tries to pass another PRD bond, they will be answerable to the voters about how the money was spent.

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In response to a series of questions, Mr. Moellendorf replied that most of the anticipated projects mentioned in Exhibit B have had Q-18 funding expended on them. Priorities were set through the budgeting process, recommendations made by the PRC and sent to the Board of Supervisors (BOS) for approval. Some exceptions were made to the list and projects added that received Q-18 funding which were approved by the BOS. He provided a memo from the DA discussing the \$120,000 maintenance issue of the BGC and the definition of 'anticipated'. He explained it isn't a legally binding document because voters didn't vote on the explanation, they voted on the question and it was considered by the DA as a permissible deviation from the list of anticipated priorities. Commissioner Westergard commented that there needs to be a better process and a list of priorities. The PRC can be involved in developing it with the PRD and BOS' approval which addresses the issue of accountability. He said the primary reason he voted for Q-18 was for another gym but thought it reasonable there isn't yet a gym because other things with a bigger priority have been accomplished. In order to be accountable to voters, it has to be explained that the system was in place and followed. It's important to show taxpayers how money is spent, that there were priorities and it is a transparent process. Mr. Moellendorf said the process is transparent as it goes through the budget process, then through the PRC and spending recommendations go to the BOS for approval but over time things change. A dog park wasn't on the Master Plan four years ago but now there's a sense of urgency for it. Chairperson Curtis commented that they used to have priority lists and suggested going back to that and reviewing the Master Plan for implementation strategies. In response to a comment, Mr. Moellendorf replied that funding is available for the design but completing Centennial Park will take a lot of resources and suggested starting early enough in the next budget process to look at prioritizing projects. They used to be prioritized but as money became limited, it didn't make sense to go through the process knowing there were limited funds and not completing initial projects. Commissioner Westergard reiterated that in the best interests of the PRD, it needs to be accountable, clearly explain things to voters and Q-18 should be prioritized. Chairperson Curtis pointed out the Q-18 budget recap in the agenda materials which shows the activity throughout the year and that the PRC can request the BOS to reallocate funds. Commissioner Walt agreed with the need to prioritize and use the PRC as an advisory committee. Mr. Moellendorf reiterated that budget recommendations are taken to the BOS and suggested a meeting prior to the budget to prioritize projects. Commissioner Livermore commented that there's limited staff in the PRD and it takes them a lot of time to manage and accomplish big projects. Without eliminating the ISC, they are only going to grow. In response to a comment, Commissioner Westergard opined that the PRC doesn't want to get into micromanaging the budget but there needs to be awareness of fiscal impact, consequences and costs. Commissioner Livermore interjected saying NRS gives them oversight of the PRD budget. In response to a question, Mr. Moellendorf replied that \$54,000 is budgeted for community center auditorium seating in addition to money budgeted for theater improvements in the capital improvement budget and in the residential construction tax budget. It's a budgeted and a tracking amount and goes back to the question about supplementing the general fund budget; Q-18 doesn't pay all those improvements. Chairperson Curtis added that the money is there and carries over from year to year so the fund can be built or left that way. Mr. Moellendorf added that if it wasn't spent this year, it would carry over to next year or funding could be reallocated from another source. Dave Morgan commented that when transparency is argued, it's always in a healthy state of flux, the BOS is the ultimate arbitrator for these issues and the PRC is the place for the public to articulate what they want to see in the community.

4-D. <u>DISCUSSION ONLY</u> REGARDING ACTION TAKEN BY THE BOARD OF SUPERVISORS DURING THEIR JULY 16, 2009 MEETING ON THE DISPERSAL OF QUALITY OF LIFE INITIATIVE (QUESTION 18) FUNDS TO THE BOYS AND GIRLS CLUB OF WESTERN NEVADA FOR MAINTENANCE OF THEIR NEW FACILITY (8:32:55) - Mr.

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Moellendorf reviewed the staff report and its attachments which are incorporated into the record. He reiterated that the ballot explanation is not a legally binding document. His research showed that the BGC was encouraged to be part of the Q-18 initiative because there was a need for their services and wanted to recruit their support for the ballot initiative. From the outset, it was discussed that there would be an annual payment to the BGC for maintenance of the new facility. Through the course of the meetings, the annual payment changed and different amounts and percentages of the Q-18 revenues were discussed, but it was always clear that the intent was for an annual payment to the BGC.

Commissioner Walt stated that she supports the BGC but in voting as she did, felt the need to protect Q-18 funds. She had a huge concern because this is not Q-18 and the explanation is not legally binding, but by the BOS voting for the \$120,000, they have opened the door for any non-profit recreational entity to ask for money. She read from the explanation, "funds will be separate from the City's general fund and exclusively for the acquisition of open space, bike and hiking trails, new park development and other recreational improvements." The City found a loophole to take from Q-18 because it's not legally binding. The DA said that Carson City's past practices and current policy is that any expenditure of \$25,000 or more must be approved by the BOS. This was important enough to come to the PRC to get the opinions of ten people before it went to the BOS. Because of sales tax revenue decreasing, the BOS will be asked to raise franchise fees. The City and the School District are now sharing resources. She understands the importance of getting something done but having to wait a year is frustrating. She was approached after the Memorial Day performance at the community center because of safety concerns and was told by the City that it would take time to complete them because there is no money. She expressed frustration and concern because there is money for some entities and none for others and doesn't believe in opening the door for non-profit recreational entities to come in and ask for Q-18 monies.

Mr. Moellendorf reiterated that the budget was brought to the PRC who recommended approval to the BOS, who then approved it. The \$120,000 has been budgeted on an annual basis through Q-18 maintenance for several years although it was skipped one year because the BGC wasn't ready to make the request. He expressed concern as to how to close the door but opined that they are hard choices for the BOS to make. There is an annual budgeting process in which non-profit organizations can request funding from the BOS. Commissioner Lehmann commended Supervisor Walt and commented that a precedent has been set by doing this but there are other organizations that are just as deserving and questioned how to say yes to one and no to others. Commissioner Walt advised that May is the time for non-profits to ask the City for grant money.

Commissioner Livermore commented that he was part of the Q-18 steering committee and disagrees with the DA's letter. From the beginning, they tried to convince the community to vote for this question and the BGC funding was always part of it. He believes Q-18 was well sought out and the projects well considered. The City created an opportunity for non-profits to apply for community support and it was determined through the budget how much could be given.

Chairperson Curtis opined that next year the PRC should request a report on how the money was spent and it should be monitored for accountability. Mr. Moellendorf stated that the process was laid out and it was believed that there was a legal obligation to pay the \$120,000, but according to the DA, there isn't a legal obligation. Part of the justification with the BGC is to have an accountability of how they spent the money and it makes sense to review it before their next annual request. The DA's letter doesn't state whether it's appropriate to give the \$120,000 to the BGC, but discusses the process and legality and doesn't take a stand

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on whether it's a good or bad idea. Commissioner Lehmann commented that it illustrates how things change. Things are in a state of flux and what was important 15 years ago have been replaced by other things. In 50 years, things will be different so it's worth prioritizing. Commissioner Livermore said it has always been the intent that the leaders would decide where to spend the monies. It was never intended that this was the only thing that would ever be built. Once that list of projects was finished, a new list was developed. Commissioner Westergard opined that the BOS was boxed in when they voted to grant the \$120,000 to the BGC. It was bound to happen and there were a lot of people whose primary reason for voting was the BGC. It was essential to stay true to the voters. By following through on the non-legal obligation, a message was sent that non-profits are eligible for Q-18 funding. He expressed disappointment that it didn't come to the PRC before going to the BOS, and in anticipation of annual requests from the BGC, asked for discussion on policy recommendations that the PRC may want to explore for advancement to the BOS. The PRC has an obligation to discuss accountability of the BGC grant and defining the word 'about' to allow input of its history before going to the BOS. Chairperson Curtis commented that next year the PRC will have reports to see how the money is being spent. It would be reviewing different areas and perhaps deciding that this need is greater than that need. There will also be more accountability on the ISC. Commissioner Livermore stated that Commissioner Walt is right and when going back to the voters to ask for more money, there needs to be protection of what is put on the ballot question to ensure that staff doesn't put their fingers in the pot. It took months to try to keep staff from using it for other governmental services and they are the biggest enemy, not the non-profits. The BOS always has the power to give public money to non-profits if there's a beneficial use. Dave Morgan commented that at the time of the ballot question, Carson City had its first gang murder and the community saw the BGC as its only defense against the growth of community gangs. The BGC has always held a revered spot for a lot of people which is why it was in the ballot explanation. The City made a commitment to itself and the voters and the commitment needs to be honored. He suggested codifing the \$120,000 or creating a legal amendment. The BGC was a darling child for serious reasons and is in the social and political structure that passed the ballot measure. Commissioner Westergard recognized the importance of the BGC by everyone. He completely trusts the PRD to spend the money as it should but his point goes to showing accountability. Commissioner Lehmann stated that a lot of weight is based on how long someone's lived in town. Things change and need to be reevaluated and next year they have to be willing to change with the times. In response to a question, Mr. Towler replied that there is an established process for providing DA opinions which goes through an NRS process. It's a legal opinion but not an official DA opinion, similar to an attorney general opinion which carries a different amount of weight. Chairperson Curtis concluded the discussion by saying that all can agree that the BGC is viable and important.

- **5. MEMBERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION** (9:11:43) Commissioner Walt announced that the three on three street basketball tournament for 3rd grade and up, is September 3-5 and is being hosted by Smiles for Miles together with the PRD. Adults will be playing in the mall, youth in the plaza, closing 9th and Fall. Contact www.streetheat.org for registration forms.
- **5-A. REPORT FROM SCHOOL BOARD LIAISON** (9:12:46) Commissioner Conrad reported that Mr. Stokes expressed gratitude in the win-win situation between the PRD and the School District and hopes they can continue to be creative in these financial times. Chairperson Curtis requested an update at the next meeting regarding a collaboration between the schools and PRD on Eagle Valley School. Commissioner Lasco reminded everyone that the BGC's grand opening is August 24, 2009.

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- **6. FUTURE AGENDA ITEMS** (9:14:14) Chairperson Curtis referred to the list in the agenda materials and that Commissioner Lasco is working with Mr. Moellendorf on an item.
- **7. ACTION ON ADJOURNMENT** (9:14:35) Commissioner Lehmann moved to adjourn the meeting at 9:14 p.m. The motion was seconded by Commissioner Lasco and carried unanimously.

The Minutes of the August 4, 2009 Carson City Parks and Recreation Commission meeting are so approved this 6th day of October, 2009.

DONNA J. CURTIS, Chair