

OPEN SPACE ADVISORY COMMITTEE
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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, August 16, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Member Michael Fischer
Member Tricia Lincoln
Member Howard Riedl

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Juan Guzman, Open Space / Property Manager
Kristin Luis, Senior Deputy District Attorney
Kathleen King, Recording Secretary

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

CALL TO ORDER AND DETERMINATION OF QUORUM (5:59:26) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Vice Chairperson Jacquet and Members Green-Preston and Scott were absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS - None.

1. ACTION ON APPROVAL OF MINUTES (5:59:57) - None.

2. MODIFICATIONS TO THE AGENDA (6:00:11) - At Mr. Guzman's request, Chairperson Hartman deferred item 3-B to a future meeting.

3. AGENDA ITEMS:

3-A. DISCUSSION ONLY REGARDING THE STATUS AND ANTICIPATED EXPENDITURES OF THE OPEN SPACE PROGRAM ACQUISITION ACCOUNT (6:01:09) - Mr. Guzman introduced this item, and reviewed the agenda materials. Chairperson Hartman entertained comments or questions; however, none were forthcoming.

3-B. ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING A JOINT TRANSACTION WITH THE V&T RECONSTRUCTION COMMISSION TOWARDS THE POTENTIAL PURCHASE OF JOHN SERPA PROPERTIES, INCLUDING APN 008-541-73, 008-541-92, 008-531-05, 008-531-39, 008-531-40, 10-021-55, 10-011-26, AND 10-011-27, APPROXIMATING 405.57 ACRES LOCATED IN THE VICINITY OF THE CARSON RIVER CANYON (6:00:35) - Chairperson Hartman called for public comment; however, none was forthcoming. He advised of having informed counsel for the V&T Reconstruction Commission and Mr. Serpa that the subject item would be continued.

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3-C. ACTION TO APPROVE AN INITIAL BUDGET OF \$10,000 TOWARDS THE PROPOSED KINGS CANYON TO ASH CANYON MULTI-PURPOSE TRAIL, SPONSORED BY MUSCLE POWERED (6:04:33) - Mr. Guzman introduced this item, and reviewed the agenda materials. (6:06:02) Chas Macquarie, representing Muscle Powered, commended Mr. Guzman's presentation and advised of the intent to utilize the \$10,000 for necessary expenditures as the proposed alignment is developed and refined. Mr. Guzman acknowledged that expenditure of the funds would be coordinated between the Parks and Recreation Director, the committee, and Muscle Powered representatives.

Member Fischer expressed concern over the original intent for the open space maintenance fund in consideration of the trail not yet being completed. Chairperson Hartman discussed the "very difficult balance" between active and passive recreation. He noted the committee's previously-expressed support for the project, and the offer of assistance with necessary permits. He discussed the original intent of the Quality of Life Initiative to create connectivity into public lands. "This ... is a furtherance of that concept." Chairperson Hartman noted the reference in the staff report that the Parks and Recreation Commission will also create a budget line item. He suggested that the Convention and Visitors Bureau also consider creating a budget line item, in consideration of the potential for the multi-purpose trail drawing visitors to the community. He acknowledged the importance of always considering the balance between active and passive recreation.

Mr. Guzman responded to questions regarding the maintenance and management line item, as reflected in the Open Space Program budget. In response to a further question, Mr. Guzman advised that funding has been allocated to the maintenance and management line item "in anticipation of the lands bill." He explained that most of the ongoing maintenance is relative to fuels reduction for which grant funding has been allocated. He advised of other grants, from the Natural Resources Conservation Service, which have been used to manage and maintain the Quill Ranch and other west-side properties. In addition, he explained that funding has been carried over from previous fiscal years. In response to a further question, he suggested that Muscle Powered is "helping us to build the trail and we are then contributing toward paying for those expenses." He discussed various services and expertise provided free-of-charge by Muscle Powered members.

Chairperson Hartman entertained public comment and, when none was forthcoming, a motion. **Member Fischer moved to authorize staff to recommend and approve an initial budget of \$10,000 towards the proposed Kings Canyon to Ash Canyon multi-purpose trail sponsored by Muscle Powered. Member Riedl seconded the motion. Motion carried 4-0.** Chairperson Hartman thanked the Muscle Powered members.

3-D. ACTION TO APPROVE A SCOPE OF WORK REGARDING A PROPOSAL BY POGGEMEYER DESIGN GROUP ON A FEASIBILITY STUDY FOR THE CONSIDERATION OF A MULTI-PURPOSE, NON-MOTORIZED BRIDGE OVER THE CARSON FREEWAY IN THE VICINITY OF VALLEY VIEW DRIVE (6:16:14) - Mr. Guzman introduced this item, provided background information, and reviewed the agenda materials. He reviewed written comments from Beth Scott, copies of which were distributed to the committee members. He introduced Transportation Manager Patrick Pittenger.

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Chairperson Hartman recalled previous discussion relative to designating the crossing in the vicinity of Valley View Drive. In response to a question, Mr. Guzman reviewed associated costs and advised of the importance of considering every possibility “that may render itself perhaps not as convenient ... [but] feasible because of the amount of monies involved.” Mr. Pittenger provided background information on Poggemeyer Design Group’s experience with similar facilities in southern Nevada. He acknowledged Mr. Guzman’s comments that “Valley View may very well be the best place, but it is possible that, for example, building a structure in conjunction with the ... structures at either Koontz or Clearview could prove to be a viable alternative that could cost less money.” He noted the “big difference between now and five years ago. Now, we not only have final plans from NDOT, we also have a facility under construction ... so you’ve got a job site that’s disturbed and you also have improvements that will be in place very shortly.” Mr. Pittenger noted that the Koontz Lane bridge is anticipated to be complete in January 2011 and the Clearview Drive bridge “approximately eight months after.” He further noted the “very opportune time to hopefully take advantage of the situation as it is in the field where it’s disturbed but the freeway isn’t ... open to traffic yet.”

Chairperson Hartman expressed understanding for possibilities and probabilities, and concern over lost funding opportunities associated with a delay. He expressed doubt over “much in the possibility range as opposed to the probability range.” He opened this item to public comment.

(6:23:20) In conjunction with her previously-distributed written comments, Beth Scott provided background information on the multi-purpose, non-motorized bridge, including previously considered locations and the reason for designating Valley View Drive as the preferred location.

Mr. Pittenger advised that “NDOT is now off the hook. They have no responsibility in this regard and any discussion of this is not expected to yield any funding ...” He noted there is no pathway along the freeway. “Phase 2A opened; there’s a path that crosses underneath the freeway. There’s not one along it. That was also left to the City to figure out along with this possible equestrian crossing.” Mr. Pittenger advised that the Carson Area Metropolitan Planning Organization (“CAMPO”), in conjunction with Lumos & Associates, has begun a study “of how to get a pathway along the freeway. And we don’t know, at this point, whether that proposed pathway would be on the east or west side, but one way or another it would have an interaction and allow people to access this equestrian crossing.” Chairperson Hartman advised of “lots of rooms and lots of offices full of lots of studies,” and noted that this committee “has always been about ... getting things done.” He recommended getting the crossing done, and advised of having heard nothing compelling as to the reason “we should re-study this.” He suggested the possibility of federal funding for the multi-purpose, non-motorized bridge.

Member Lincoln provided background information on previous presentations by equestrian groups and concerns associated with a crossing at Koontz Lane or some other alternative location. Member Riedl expressed the understanding that NEPA documents are typically updated every five years or sooner in the case of “an event that causes an ... unforeseen situation.” He suggested that Carson City’s adoption of the Unified Pathways Master Plan (“UPMP”) element “and the fact that a freeway is often seen as bisecting communities and limiting non-motorized access from one side of it to the other,” may be considered such a situation. He expressed the hope that NDOT, the Regional Transportation Commission, and / or the CAMPO have looked into that. He inquired as to whether NDOT has prohibited a crossing at Valley View Drive. Mr. Pittenger acknowledged “a sense” that NDOT representatives would allow a pedestrian crossing at Valley View Drive. He advised of discussions with NDOT representatives regarding the subject multi-

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purpose bridge and the multi-use path along the freeway. “They are being cooperative ... and obviously they know they aren’t responsible for implementation.” Member Riedl reiterated that the UPMP element indicates the general location of the pathway and wondered whether the funding to be allocated to the study “would be better used to actually build the pathway as opposed to just studying it again.”

Chairperson Hartman entertained public comment and, when none was forthcoming, a motion. **Member Riedl moved to not proceed with the feasibility study and go back and work with NDOT to form an agreement and / or an occupancy permit for Carson City to construct a multi-use path across the freeway at the existing location that is identified on the trails master plan. Member Fischer seconded the motion.** In response to a question, Chairperson Hartman advised that the committee agreed to “assist on the front end. ... Part of that will have to be putting ... all the funding pieces together.” Discussion took place regarding the intent of the motion, and **Member Riedl amended his motion to indicate that the proposed set aside in the staff report not be allocated to a study but be utilized to do the necessary preliminary engineering to assist in getting that agreement and occupancy permit from NDOT to put the trail across where it’s located on the master plan. Member Fischer continued his second.** Additional discussion took place to clarify the motion. Chairperson Hartman called for a vote on the pending motion; **motion carried 4-0.**

3-E. ACTION TO AUTHORIZE CHAIRMAN HARTMAN TO SIGN A LETTER DIRECTED TO THE REGIONAL TRANSPORTATION COMMISSION AND THE BOARD OF SUPERVISORS, ON BEHALF OF THE OPEN SPACE ADVISORY COMMITTEE, EXPRESSING THE IMPORTANCE OF MAINTAINING ACCESS ON OLD CLEAR CREEK ROAD INTO THE ADJACENT PUBLIC LANDS (6:39:03) - Mr. Guzman introduced this item, and reviewed the agenda materials. Chairperson Hartman inquired as to the statute utilized for the abandonment to revert back to private landowners. He advised of two different statutory provisions relative to federal funding and the abandonment of that right-of-way, “and they make a difference in terms of who gets what and their responsibilities.” He discussed the importance of determining a method by which to ensure the Old Clear Creek Road property owners are not subjected to liability and lawsuits. He noted the “other side” to determine a method by which to ensure access to public lands that doesn’t unduly burden the private property owners. Mr. Guzman advised the citizens present that the committee has no jurisdiction over roads. The subject letter is advisory to the Board of Supervisors expressing the committee’s opinion of the situation. Roads are managed by the Regional Transportation Commission, two members of which are elected members of the Board of Supervisors. Mr. Guzman provided background information on the CAMPO.

Chairperson Hartman entertained public comment. (6:44:35) Michael Arnold, a resident of Clear Creek Canyon, the Clear Creek Fire Safe Council Chapter Leader, and Clear Creek Watershed Council Executive Committee member, expressed the opinion “there ... needs to be some clarification about ... the implication ... that access to public lands would be blocked by some of the things that have been discussed ...” Mr. Arnold advised that the property owners “have a large liability issue that has been pointed out to us by our attorney because of the traffic that’s on the road ...” He explained that Clear Creek Road “is getting worse every year. It’s very narrow, very wind-y.” He referred to the U.S. Forest Service land at the top of Clear Creek Canyon “above where the old Boy Scouts camp was.” He advised that the proposals made by the

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residents “will not do anything to interfere with anybody’s access to that public area.” He described proposed access to the trail head, and advised that the residents have proposed to keep traffic “off the lower section of Clear Creek Road which is where the huge liability issue is. Nothing we have proposed or even have talked about would do anything to prevent anybody access to public lands.”

Member Riedl described the locations of the various “No Trespassing” signs “off Highway 50 onto the new access road, Tahoe Golf Boulevard.” Mr. Arnold advised of being unaware of any signage “from the intersection of the road ... to the west toward the top of the canyon.” Member Riedl advised that there is a sign. Mr. Arnold advised of signs “down below too and we’ve had them there for three, four years and they’re consistently ignored.” He reiterated that the residents have proposed limiting traffic “on primarily the southern section of Clear Creek Road where it is most narrow and most wind-y and very dangerous. Nothing that we’ve proposed doing is going to change any access from what it is right now.” Discussion took place regarding the status of the project to construct an intersection “to go around the north side of the private property to give public access ...” In response to a comment, Mr. Guzman advised that the City is in the process of considering whether or not to accept the road. Chairperson Hartman advised that Douglas County recorded an interlocal agreement “and that’s the maintenance side of the equation.” Mr. Pittenger advised of three agreements; the first between the developer and NDOT for construction of the road and access to U.S. Highway 50, the second between Douglas County and Carson City which indicates that Douglas County is responsible for maintenance even though a portion of the road is within Carson City, and a pending agreement by which the Division of State Lands will grant to Carson City the easement for the portion of the road within Carson City.

Mr. Arnold advised of having discussed, as one proposed location for a gate, to the east of the new intersection of Tahoe Golf Boulevard. He reiterated that no decision has yet been made. He advised of having discussed the proposed location with Washoe Tribe representatives. “If it didn’t go there, it would probably be down somewhere not too far above the climbing rock.” Mr. Arnold noted the hope that “one gate would alleviate the problems that we have of the public using the road in that area down there that’s all on private land.” He discussed the possibility of installing an additional gate “to keep people from coming down the road from the golf course and coming up from dinosaur rock.” Member Lincoln expressed sympathy with the homeowners, but uncertainty that eliminating access from one end will improve the situation. She expressed concern over having heard from “some residents who are not in agreement with your group.” In response to a comment regarding property values, Mr. Arnold expressed the opinion that gated communities “all have increases in property [values].” In consideration of the disagreement of some residents, he advised that 85 to 90 percent of the residents have contributed to purchase of a gate. He further advised that each individual property owner with property which fronts Clear Creek Road has been informed by their attorney that “the liability is huge.” He expressed the opinion, “It’s just a matter of time until we have a huge tragedy up there until we do something about it.”

Mr. Guzman inquired as to the intent of the gate; to eliminate or control all forms of public access. He inquired as to whether the residents are primarily concerned with vehicles or with equestrians, bicyclists, and pedestrians. Mr. Arnold replied, “All of the above.” He advised that the residents maintain the road, and that there are portions less than 30 feet wide. “The lower section especially is very wind-y. It has a number of blind curves and there were and still are speed limit signs of 35 miles an hour but hardly anybody ever pays any attention to them. It’s just ... downright dangerous.”

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In response to a question, Chairperson Hartman advised that relieving the property owners of liability would be very difficult. Mr. Guzman commended Mr. Arnold's presentation of the property owners' point of view. In consideration of bicyclists, Mr. Guzman advised that riding up Highway 50 is a very different experience than going up Old Clear Creek Road. He explained that the curves, the steep grade, and the shade make Old Clear Creek Road "such a good bicycle route." Mr. Arnold expressed understanding for the appeal of the area, and related anecdotal information regarding the inherent danger. Discussion followed regarding requirements of the Manual of Uniform Traffic Control Devices ("MUTCD"), and Member Riedl expressed concern over the amount of public funding being spent in the Clear Creek basin "for not much public good." He discussed the importance of the Clear Creek watershed to the community. Chairperson Hartman thanked Mr. Arnold for his attendance and participation.

In response to an earlier question, Mr. Pittenger advised of having been contacted by Old Clear Creek Road residents who have expressed opposition to installation of a gate. He explained that some property development has been precluded by the inability to prove "two safe access points in the case of emergency." Installation of a gate could affect that, and Mr. Pittenger advised of having been contacted by a property owner who intends to seek a permit to directly access Tahoe Golf Boulevard to circumvent the potential gate.

Chairperson Hartman entertained additional public comment. (7:02:41) Bob Cook, a resident of Old Clear Creek Road, expressed concern over liability. He discussed the residents' maintenance of the road, and advised that NDOT representatives had estimated \$1 million "to get that road up to standards with guard rails, the correct widths, the right drainage ..." He discussed safety concerns for pedestrians and associated liabilities, and related anecdotal information regarding damage to his vehicle due to the inadequate roadway widths. He reiterated concern over property owner liability. He advised that the Washoe Tribe owns property to the west, with corresponding signage. "Some people have put on their fence, "No Trespassing;" but to go up the trailhead, you can do that all day and all night." He discussed issues associated with dumping and graffiti, and reiterated concern over liability. Member Lincoln suggested that the residents organize into a legal entity and obtain liability insurance coverage. Mr. Cook discussed the associated expense.

(7:06:34) Margaret Kehres provided background information on her residence on Old Clear Creek Road and her experience in the area of city planning in the 1950s. She expressed the opinion that "years ago, this should have been included in a master plan with a green belt notion and access provided to the local citizens." She expressed concern over the changing "quality and caliber of the bicyclists. ... We have a more 'this is my right, this is public land, I have a right here,' and one wonders if I have a right to get to a doctor or anything else that I want to do." She related anecdotal information regarding safety concerns, and discussed concerns relative to her private property rights. She provided background information on her home which was designed and built by her husband. She commended the Open Space Program acquisitions, but inquired as to "Where do you draw the line ...? How much more do people need for the purpose of exercise?" She suggested the possibility of "trials; can you ride up a hill and stay on the edge of the road without wobbling? Will you wear a helmet? Some of them don't. Are you going to come down with your arms outstretched and steering with your knees in the middle of the road? ... What are the rules of this? Who gets what and who pays for what?" She expressed a preference to not experience "killing somebody." She inquired as to whether "private property ... is ... private property or is it private property with a scenic value that's open to the general public?"

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In reference to the letter which is the subject of this agenda item, Chairperson Hartman noted that the issue has been placed “squarely in the lap of the Board of Supervisors with the need to balance those interests.” He expressed the opinion that the private property issue is a major issue, and reiterated an interest in reviewing information on the method by which the property was returned to the land owners. He assured the property owners that the committee has no desire to place liability on them. Ms. Kehres reiterated concern over the obnoxious behavior of bicyclists, and Chairperson Hartman thanked her for her attendance and participation.

(7:15:34) Duane Carpenter described the location of his residence “to the west of the intersection ... in Douglas County.” He advised of having recently had a portion of the road added to his deed. He expressed opposition to being liable “for a bunch of people allowed to come up there ...” He noted that Old Clear Creek Road is private, and expressed uncertainty as to the reason public access is an issue. Chairperson Hartman explained that any jurisdiction has authority to regulate land. He clarified the jurisdiction has no authority to restrict a property owner’s activities, but, as a matter of planning and zoning, has the right to regulate the land. He further clarified that no jurisdiction has authority to increase a property owner’s liability, and expressed understanding for the concerns. Mr. Carpenter discussed additional concerns regarding dumping.

(7:17:48) Clear Creek Watershed Council Coordinator Margie Evans conveyed the Watershed Council Leadership Committee’s concerns “that you’re going to be writing a letter to perhaps the wrong people.” She discussed the Leadership Committee’s concern over the environmental health of Clear Creek. She advised that the Watershed Council continues to work on drainage issues and erosion problems. She reiterated the Leadership Committee’s recommendation to address the committee’s letter to all of the property owners, including the Washoe Tribe.

(7:19:08) Paulette Cheryl, a Carson City resident representing a group of hikers, mountain bikers, and snow shoers that use the area; “not the resident area but the area starting at the big pine tree -- the Old Clear Creek, old Highway 50, part of the Lincoln Highway that goes up towards Spooner.” She expressed objection to any kind of impasse “getting people to the public lands to be able to recreate.” She advised of signs “going west from that intersection of Highway 50 that say ‘private property’.” In consideration of Carson City’s quality of life, she discussed the importance of “people having access to hike in an area that’s part of the national forest and part of the history of the community.”

(7:20:16) Chas Macquarie, a resident of Carson City and a member of Muscle Powered, acknowledged the issues expressed and clarified that Old Clear Creek Road has been an historic access to the lands to the west for over 100 years. He acknowledged Old Clear Creek Road is private, but noted a “patchwork ... of parcels ...” with a legal right of public access on the maps that created those parcels. He expressed sympathy with the property owners in terms of liability, and encouraged the City to seek a solution which might alleviate their concerns. He expressed sympathy over the issue of dumping, and the opinion that limiting through-access for vehicles would solve that issue. He advised that using Highway 50 as an alternative access to the public land to the west “works if you drive to the trail head. It does not work at all if you ride a bicycle or walk because the experience is just not the same at all ...” He further advised of a series of meetings coordinated by Mr. Pittenger with property owners, Washoe Tribe representatives, and concerned citizens. He expressed the understanding that the result of the meetings was “there would still be room for non-motorized passage.” On behalf of Muscle Powered, he expressed no objection to closing the road to vehicular traffic, and strong support for access remaining to pedestrians and bicyclists.

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He provided an overview of discussion at the referenced meetings, including that the City would install signage designating the private road and that use by pedestrians or bicyclists would be at their own risk. Mr. Macquarie stated that “bicyclists and pedestrians should absolutely ride and walk responsibly ...” He expressed support for the committee’s letter to the Board of Supervisors and for maintaining access for non-motorized use. He expressed the hope that something can be worked out “to that end.”

Discussion took place regarding the proposal to install signage and the property owners’ potential for liability. (7:26:54) In reference to previous comments, Mr. Arnold referenced a *Nevada Appeal* article and photograph, depicting “four people [riding] abreast in the middle of the road ...” He reiterated concern over safety issues, and related additional anecdotal information with regard to the same. He invited anyone “doubt[ing] the dangers ... to come up to the canyon and take a look at it.”

In reference to the *Nevada Appeal* article published in today’s paper, Member Lincoln expressed concern over the way the committee’s support was conveyed. “It sounded like we’d had a vote on this before and, as you know, we have not. It’s been for discussion only in the past.” She inquired as to the reason for the committee’s involvement, noting the property is not managed by the Open Space Program. Member Riedl advised of having reviewed the draft letter and commended it as “well written ... fair and balanced.” Despite having used Old Clear Creek Road “for the past 18 years ...,” he empathized with the homeowners. He expressed the opinion that the letter is important “because this issue has been passed around to a lot of people and, once they grab it, they just throw it off. It’s Douglas County’s problem. It’s Carson [City’s] problem. It’s the homeowners ...” He expressed the opinion “there’s a better solution than what’s being put together right now, and that’s gating that roadway and restricting valuable public lands, traditional access.” He discussed the importance of sufficiently researching the matter so that “if the property owners have every right to close it down, then they can do so competently,” and the users can “respect that.”

Member Lincoln agreed with the importance of conducting research, but inquired again as to whose responsibility it is. She recalled a “several-year controversy over access to land on the west side of Reno because a lot of it was getting closed off by ... private development.” She inquired as to whether “the appropriate body doesn’t have a precedence already to handle this,” and reiterated uncertainty as to the appropriateness of this committee’s involvement. Chairperson Hartman advised that this committee has previously provided input into planning and zoning issues as well as transportation issues. He noted that Carson City is “engulfed and surrounded by public lands,” and the ability to access them “becomes the issue.” He reiterated the difficulty associated with balancing access and private property rights, and expressed the opinion that the Board of Supervisors is the appropriate entity to address it. He discussed understanding for both the accessibility and the private property owners’ points of view. He reiterated the hope that research will be conducted into the method by which the land reverted from federal ownership to the private property owners. Member Lincoln expressed concern over the letter “land[ing] a little more on the private property owners’ rights issue.” She noted that the City “didn’t want the road. They got it by default.” Chairperson Hartman acknowledged the competing interests which, to some degree, don’t compete in the same places. Discussion followed.

Chairperson Hartman entertained additional public comment. (7:39:24) Beth Scott commended the draft letter, and expressed the opinion that “somebody in the City needs to be ... ringing that bell on behalf of access to public lands.” She acknowledged that private property rights must be considered, as does the public’s right to access public land. She reiterated support for the letter.

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Chairperson Hartman entertained a motion. **Member Riedl moved to authorize Chairman Hartman to sign the letter in the agenda materials, directed at the Regional Transportation Commission and the Board of Supervisors, on behalf of the Open Space Committee, expressing the importance of maintaining access on Old Clear Creek Road into adjacent public lands. Member Fischer seconded the motion.** Member Lincoln reiterated the opinion that private property rights need to be emphasized more, and suggested including the “requirement to work out an equitable solution to protect them.” Discussion followed, and Chairperson Hartman called for a vote on the pending motion. **Motion failed 2-2.** Chairperson Hartman requested staff to reagendaize this item for the October meeting. He thanked the citizens for their attendance and participation. Member Fischer suggested that once Chairperson Hartman has the information relative to the authority by which the land was transferred, “the letter will be more appropriate.”

3-F. ACTION TO AUTHORIZE CHAIRMAN HARTMAN TO SIGN A LETTER EXPRESSING GRATITUDE TO MR. MICHAEL FAGEN FOR THE EXECUTION OF AN AFFIDAVIT OF INTENT CLARIFYING THE WATER RIGHTS SITUATION RELATIVE TO THE HORSE CREEK RANCH CONSERVATION EASEMENT (7:44:09) - Mr. Guzman introduced this item, and reviewed the agenda materials. Chairperson Hartman entertained a motion. **Member Lincoln moved to authorize Chairman Hartman to sign a letter expressing our gratitude to Mr. Michael Fagen for the execution of an Affidavit of Intent clarifying the water rights situation in relation to the Horse Creek Ranch conservation easement. The motion was seconded and carried 4-0.**

4. NON-ACTION ITEMS:

STATUS REPORTS AND ANNOUNCEMENTS FROM STAFF (7:45:43) - Mr. Guzman reviewed the “FYI” items included in the agenda materials, and a brief discussion followed regarding the Bently and Serpa Open Space Program opportunities.

MEMBERS’ ANNOUNCEMENTS AND REQUESTS FOR INFORMATION - None.

5. FUTURE AGENDA ITEMS (7:47:50) - Chairperson Hartman requested Mr. Guzman to agendaize the Vidler dedication deed for the October committee meeting.

6. ACTION ON ADJOURNMENT (7:49:18) - Member Fischer moved to adjourn the meeting at 7:49 p.m. The motion was seconded and carried 4-0.

The Minutes of the August 16, 2010 Carson City Open Space Advisory Committee meeting are so approved this 18th day of October, 2010.

STEPHEN D. HARTMAN, Chair