### CARSON CITY OPEN SPACE ADVISORY COMMITTEE Minutes of the April 7, 1997, Meeting Page 1

A regularly scheduled meeting of the Carson City Open Space Advisory Committee was held on Monday, April 7, 1997, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 6 p.m.

PRESENT: Chairperson Steve Hartman, Vice Chairperson Deborah Uhart,

and Members Michael Fischer, James Henry, Don Quilici, and

Bruce Scott and Alternate Member Dan Jacquet

STAFF PRESENT: Parks and Recreation Director Steve Kastens and

Recording Secretary Katherine McLaughlin (OSAC 4/7/97)

Tape 1-0001.5)

**A. ROLL CALL AND DETERMINATION OF A QUORUM -** Chairperson Hartman convened the session at 6 p.m. Roll call was taken. A quorum was present although Member Williamson was absent.

- **B.** APPROVAL OF MINUTES None.
- C. MODIFICATION TO THE AGENDA None.
- D. PUBLIC COMMENTS (1-0013.5) None.
- E. PUBLIC HEARINGS

DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE ESTABLISHING THE OPEN SPACE ADVISORY COMMITTEE, ITS PURPOSE, DUTIES, FUNCTION, AND OTHER MATTERS AS RELATED TO QUESTION 18 (1-0016.5) - The proposed ordinance was reviewed section by section. Member Quilici requested the typographical changes to Section 13.05.010(1) third paragraph final line and fourth paragraph first line be corrected to "Open Space Advisory Committee". Mr. Chapman corrected "compliment" to be "complement" in the first paragraph of Section 13.05.010(1) at line six. He then expounded on his belief that the last sentence of paragraph four of this section failed to match AB 237 and urged the Committee to include either "preservation or conservation" after maintenance. Chairperson Hartman added "conservation". Discussion ensued on the number of terms and their lengths as contained in Section 13.05.040. Consensus indicated that the Members could serve more than one term and that the limitation was on the initial term only. Member Quilici corrected the typographical error in line one of 13.05.060 to capitalize Committee. Member Uhart recommended that the second line read "The Committee shall identify and prioritize 'for the City' potential..." Mr. Chapman recommended removal of the extra "an" in the title of this section. Discussion ensued on the purposes for which open space will be acquired and maintained as conservancy areas and whether the term "detention areas" should be detention basins. Mr. Aldean indicated that the terms are legally considered to be synonyms. Member Quilici corrected the title to Section 13.05.070 to be "Organization and Procedure of the Open Space Advisory Committee". Member Scott added a comma after "nature study", which is the next to the last line in Section 13.05.100 on page five. Discussion corrected the third line from the bottom to "Examples of compatible, passive recreation include....". Discussion ensued on whether to have the ordinance indicate "bicycling" or "biking" and the definitions for each. Chairperson Hartman indicated that Section 060 was correct as written. The Eagle Valley Trail Plan states "non-motorized bikes". Jay Meierdierck explained his reasons for recommending "biking". Comments expressed the feeling that restrictions should be created in the master plan for a trail/path and that the ordinance should embrace as many different groups and uses as possible. Also, the list of compatible passive recreations included the term "similar compatible uses" which would allow an individual an opportunity to prove that his/her use is compatible. Motorized bikes were felt to be included in this term. Mr. Chapman felt that motorized biking should be allowed on BLM properties. He also supported Larry Taylor's recommendation that biking be changed to bicycling. Member Uhart noted that the use of motorcycles is not considered passive Member Fischer expressed his feeling that bicycling may not be considered passive by some individuals. It is a subjective term based upon personal desires/experiences. Member Quilici explained the Carson River Master Plan Element's restrictions on the use of ATV's to BLM areas. Discussion indicated that ATV's and snow mobiles may be used in the area around Lake Tahoe. Mr. Chapman indicated that passive relates to consideration of the resource and not the activity. A majority of the trails located within the urban area are

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designed for non-motorized use. A majority of the federal and state lands surrounding the valley do not allow motorized used. Motorized trail usage will not dominate the plan element. Member Fischer supported having each trail plan decide the use. A consensus of the Committee supported this statement. Discussion noted the potential need for being able to lease open space for commercial uses as well as agricultural uses. The first line of Section 13.05.110 reads "continued open space and agricultural uses, such as farming and grazing...". This would allow summer grazing and winter cross country skiing. Such leases may be handled under a licensing process. Section 13.05.120 was corrected to capitalize Space in the third from the last line. Section 13.05.140 was corrected to indicate equestrian trailhead facilities rather than equestrian trail uses, Quality of Life Special Revenue Fund rather than Special Fund, and "Funds' And, is..." to "Funds' and, is..." with the quote ending at the end of the first line on the last page. Ms. Timian-Palmer then explained a recommended change to 13.05.010 third to the last line, which the Committee accepted, to read "...public access, health, and safety,..." Mr. Taylor then pointed out that Section 13.03.140 included both biking and bicycling. Ms. Timian-Palmer indicated this would be corrected. Member Fisher moved to approve the ordinance as modified this evening and send it to the Board of Supervisors at its next meeting. Member Quilici seconded the motion. Motion carried 6-0. Chairperson Hartman thanked all of the participants for their efforts and attendance. Ms. Timian-Palmer indicated that it will be agendized for the Board's consideration on April 17. Mr. Berkich indicated it would be timed specific and that the Committee would be contacted.

DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TO IMPOSE THE TAX KNOWN AS THE "QUALITY OF LIFE SPECIAL **REVENUE FUND"** (1-0545.5) - Discussion between Chairperson Hartman and Ms. Timian-Palmer indicated the ordinance tracks the legislation. The District Attorney's office and the Department of Taxation have approved it. The 40/40/20 distribution plan was noted. Time was taken to review the ordinance. Discussion among the Members indicated the changes requested at the last meeting had been included. The annual audit will be conducted as part of the City's annual auditing process. Comments indicated that Section 21.07.010.3.e may occur during the first two years when all of the funds may not be used. Mr. Kastens explained his concerns about potential abuse of funding if the funds are "pulled" and not used. The original intent had been to transfer the maintenance funding for the first two years to capital. Chairperson Hartman responded by reading AB 237 by indicating that the term was "may be used for acquisition". He was also concerned about the potential for the funds to be accumulated. Member Uhart expressed her concern that in future years there may not be adequate funding to maintain the new facilities. Chairperson Hartman felt that that cost should be handled by Parks and Recreation. He recommended having the Parks and Recreation Commission review the proposed ordinance. Member Fischer felt that the feasibility and construction plans for the different projects would include the cost of maintenance. Member Scott pointed out that the legislation allows for acquisition while the ordinance talks about development. Chairperson Hartman indicated that the bill had included the terms "acquisition, development, construction, equipping, and improving of parks, trails, and recreational facilities". He recommended having the same language in the ordinance. Member Scott corrected line two of Subsection 2 to read Open Space and not Opens Space. Discussion indicated the tax was to fund only new park facilities. Clarification indicated that the language "on and after July 1" was required for taxation bills. Member Fischer also pointed out that if the electorate decides to not collect the tax at some future date, they could act upon it. Jay Meierdierck questioned whether 010.3.a should include preservation, etc., as was included in the other ordinance. Chairperson Hartman indicated that this is not required for this bill but is necessary for the first ordinance. Member Quilici corrected the title to include Section 21.07 as it is contained in the ordinance. Mr. Chapman supported Mr. Meierdierck's comments as AB 237 broadly covers both parks and recreational uses and open space and does not apply specifically to anyone item. Chairperson Hartman indicated that the purpose statement had addressed this issue. Member Quilici moved that the Open Space Advisory Committee recommend to the Board of Supervisors for its approval, and the Parks and Recreation Commission for its review, the ordinance amending Title 21 by adding Chapters 21.06 and 21.07. Member Henry seconded the motion. Motion carried 6-0.

- E-2. STATUS REPORT AND DISCUSSION ON QUESTION 18 AND LEGISLATIVE BILL AB 237 (1-0851.5) Chairperson Hartman indicated the bill had been approved by both Houses, was being reprinted, and that the Governor had indicated he would sign it.
  - E-3. DISCUSSION AND POSSIBLE ACTION ON THE OPEN SPACE ADVISORY

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### COMMITTEE'S FISCAL YEAR 97-98 BUDGET (1-0859.5) - None.

- F. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION)
  - F-1. **COMMITTEE MEMBER REPORTS (1-0864.5)** None.
  - **F-2. STAFF REPORTS (1-0866.5)** None.
- FUTURE COMMITTEE ITEMS (1-0868.5) Discussion ensued on the Members who would F-3. attend the Board meeting. Staff was directed to agendize the meeting for a possible quorum. The Committee will consider the RFP packet which Mr. Sullivan has developed for a consultant on the Open Space Element of the Master Plan at the next meeting. Ms. Timian-Palmer had previously agreed to furnish the Committee with a copy of the Water Shed Wellhead Protection Plan. Mr. Kastens was requested to furnish a copy of the trail system plan. Member Uhart suggested the Committee consider the scope of work for the Open Space element. Member Scott encouraged staff to provide this information as early as possible. Discussion pursued the question of the amount of time each item would require for discussion at the meeting as well as having representatives present from other entities including the Parks and Recreation Commission, the Carson River Advisory Committee, BLM, etc., so that an understanding of their activities and plans could be developed. Therefore, Ms. Timian-Palmer was scheduled to make her presentation at the next meeting and Mr. Kastens was to determine when the Parks and Recreation Commission would be available. Mr. Sullivan was also to be agendized for the next meeting to make a presentation on the Master Plan. Member Quilici expressed a desire to meet with the Forest Service and State Parks as well as any other entities which may be involved. Chairperson Hartman suggested that this be done during a workshop and that Wildlife be included on the list. Alternate Member Jacquet pointed out that areas which the public may perceive as being open space may in fact not be. Therefore, it is necessary to discuss these sites with the different entities. He volunteered to have a BLM representative present when this discussion occurs. He also indicated that BLM had just completed a master plan involving a great deal of open space. He offered to present this information. Member Scott requested Messrs. Kastens and Sullivan develop a list of entities who should be approached. The list could be discussed at the next meeting and a letter of invitation developed. This process would be similar to that used by the Carson River Advisory Committee. Member James suggested the Nevada Appeal be used to advertise the intent and a City number be used to allow the public to contact the Committee offering his/her services. Mr. Chapman encouraged the Committee to use the services of the Public Access Television to educate the public. Chairperson Hartman agreed and pointed out the demand for the room would restrict the number of meetings which could be held. This would delay the entire process. Different arrangements will be considered. Member Fischer expressed his desire to have all actions taken in the Sierra Room. Discussions could occur at the Northgate Conference Room. Mr. Chapman felt that the discussion was encouraging impediments rather than attempting to find solutions. He urged the Committee to televise the meetings even though there are obstacles. It will educate the community as the Committee learns.

**G. ADJOURNMENT (1-1091.5)** - Member Fischer moved to adjourn and that the next meeting is scheduled for Monday at 6 p.m. at Northgate. Member Scott seconded the motion. Motion carried 6-0. Chairperson Hartman adjourned the meeting at 7:05 p.m.

A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

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	ARE SO APPROVED ON8/4	_, 1997
	/s/Steve Hartman, Chairperson	