

# CARSON CITY OPEN SPACE ADVISORY COMMITTEE

## Minutes of the October 3, 2005 Meeting

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A meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, October 3, 2005 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Steve Hartman  
Vice Chairperson Dan Jacquet  
Michael Fischer  
Wayne Perock  
Howard Reidl  
Bruce Scott

**STAFF:** Juan Guzman, Open Space Manager  
Vern Krahn, Park Planner  
Kathleen King, Recording Secretary

**NOTE:** A tape recording of these proceedings is on file in the Clerk-Recorder's Office, and is available for review during regular business hours.

**CALL TO ORDER AND ROLL CALL (1-0008)** - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present.

**CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0019)** - None.

**1. ACTION ON APPROVAL OF MINUTES - August 15, 2005 (1-0022)** - Member Riedl moved to accept the minutes. Member Fischer seconded the motion. Discussion took place regarding reference to the transcript of a voice mail message from Member Scott to Mr. Guzman, which was included in the agenda materials. Chairperson Hartman called for a vote on the pending motion; motion carried 6-0.

**2. CHANGES TO THE AGENDA (1-0067)** - None.

**3. AGENDA ITEMS:**

**3-A. PRESENTATION ONLY BY JEFF WINSTON REGARDING THE SUBJECT OF PERPETUITY AND HOW OTHER GOVERNMENT JURISDICTIONS PROTECT OPEN SPACE LANDS FROM FUTURE DEVELOPMENT THREATS (1-0069)** - Mr. Guzman provided background information on this item, and reviewed the pertinent agenda materials. Chairperson Hartman expressed an interest in the method by which other jurisdictions address utility installations on open space land. Member Perock advised that Federal Land and Water Conservation regulations require lands disturbed for the purpose of installing underground utilities to be rehabilitated within one year. He suggested considering similar provisions for the City's open space lands.

Member Fischer expressed concern over purchasing property from private owners with open space or other funding mechanisms and subsequently transferring it to the federal government. Chairperson Hartman agreed, and suggested this would put the committee and the Open Space Program into a brokerage position. He pointed out this was not the original mission or purpose of the committee. He noted that once property is transferred to federal ownership, things change significantly. Federal regulations are often founded on premises different than those with which western states are used to dealing.

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Member Scott expressed an interest in being able to assist the needs of the Parks and Recreation Department regarding portions of open space purchases which might become trails, trail heads, park sites, etc. He suggested this committee is sometimes in a position to act more quickly if there is a need to fill a void. He referred to property adjacent to the Mexican Ditch as an example. He expressed a further interest in being able to assist with development of the V&T Railway, and suggested that flexibility will be necessary to convert open space property to uses which may be outside the purview of the Open Space Program but well within the purview of Question #18.

In response to a question, Mr. Guzman advised that reasonable protections of taxpayer funds are provided in the existing ordinance. Member Riedl suggested reviewing the Parks Department policy on utility easements. He advised there are ways to provide safe public utility easements, to mitigate, or at least preserve open space property in its intended state while allowing access. All too often those easements are granted failing to recoup the full value of the use, however. Member Riedl expressed the hope that easement property would be adequately valued and purchased appropriately. Mr. Guzman discussed an example in which Sierra Pacific Power Company was required to underground utilities across a City park. In the case of the Paiute Pipeline, portions of the scar will remain and be used as a trail; in residential areas, it will be rehabilitated and closed. Chairperson Hartman discussed trails as a solution to land disturbances left by utility easements. Mr. Krahn discussed other examples, including a non-motorized trail created following installation of a gas line just north of Centennial Park, and trails associated with installation of power lines. He advised that the City Utilities Division has used many City parks for well sites, and noted the opportunity for the Utilities Division, the Parks and Recreation Department, and the Open Space Program to work together.

Mr. Guzman reviewed the e-mail from Paul Glasgow, of Winston and Associates, which was included in the agenda materials. He suggested considering the information provided in light of the possibility of a future ordinance requiring donations of open space land in exchange for the right to develop. Chairperson Hartman suggested this committee should be part of the initial determination regarding cluster development. He requested Mr. Guzman to provide additional information regarding the issues discussed.

**3-B. PRESENTATION ONLY BY JEFF WINSTON REGARDING THE RESULTS OF THE PUBLIC OPINION SURVEY CONDUCTED FOR THE PARKS AND RECREATION MASTER PLAN UPDATE PROCESS AND SUMMARY OF THE STATUS OF THE PARKS AND RECREATION MASTER PLAN AND THE UNIFIED TRAILS MAP (1-0726)** - Mr. Krahn provided an overview of this item and background information on the public opinion survey. He reviewed various portions of the public opinion survey results, and discussion took place with regard to the same. Member Scott suggested part of the committee's mandate should be to assist the development community with guidelines and standards in order to "channel development." He discussed the importance of "developing a whole" rather than "pieces which don't necessarily fit together." Vice Chairperson Jacquet referred to the City's north portal as an example of "how to achieve a gateway appearance without necessarily protecting a large amount of private land from development." He noted that Washoe County has the large portion of open space which defines the buffer between the two communities. Carson-Tahoe Regional Medical Center represents high quality architecture that defines the area regionally. Vice Chairperson Jacquet suggested that gateways should be considered as a regional issue. In response to a question, Mr. Krahn advised that there had not yet been any coordination between Carson City and adjacent counties with regard to trails.

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Mr. Krahn provided background information on the draft Parks and Recreation Master Plan, and reviewed the same. Discussion followed. The committee members acknowledged having received the Unified Trails Master Plan map as part of the agenda materials. Mr. Krahn provided background information on the Unified Trails Master Plan, and reviewed the same. In reference to the draft map, Mr. Guzman advised that the trail depicted through Mr. Anderson's property will be indicated as a future desired condition. A disclaimer will be included advising that the trail is not accessible to the public. Mr. Krahn advised that the City will match the Unified Trails Plan, on the west side of town, with the U.S. Forest Service Kings Canyon / Clear Creek Landscape Analysis. He further advised that the USFS has been very supportive of the master plan process. BLM representatives have expressed concern with regard to trails depicted on the draft map. BLM will start amending their Pine Nut Mountains Plan in March 2006. Mr. Guzman and Mr. Krahn discussed various ways to simplify the draft map, and advised that staff is working to do so.

Chairperson Hartman commented that, to the degree the public survey is statistically valid, some of the issues with connectivity are the same as those which were identified several years ago as part of the Open Space Survey. Mr. Guzman requested the committee members to consider whether to become involved in implementation of the trails plan. Chairperson Hartman noted that this committee's charge is reasonably specific, and that very little implementation of the Parks and Recreation Master Plan will be applicable. Member Scott suggested the Parks and Recreation Master Plan and the Unified Trails Plan will provide the opportunity for the committee to be more specific. He suggested the shaded relief made the draft map difficult to read. Chairperson Hartman suggested separating the layers. He thanked Mr. Krahn for his presentation. Mr. Krahn advised of an open house scheduled for Wednesday, October 5<sup>th</sup> to which he invited the committee members.

**3-C. ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE LONG PROPERTY (APN 7-061-02) OR THE WILSON PROPERTY (APN 7-091-26 AND 7-031-04), LOCATED AT THE CARSON RANGE, TO BE NOMINATED FOR FEE ACQUISITION OR CONSERVATION EASEMENT THROUGH THE U.S. FOREST SERVICE AND THE NEVADA DIVISION OF FORESTRY LEGACY PROGRAM (2-0060) -** Mr. Guzman reviewed the staff report. He pointed out the subject properties on a displayed map, and described their characteristics. Member Perock noted one parcel of the Wilson property which abuts Nevada State Parks land, and advised of a recreational element. He strongly recommended pursuing acquisition and **so moved. Vice Chairperson Jacquet seconded the motion.** In response to a question, Mr. Guzman advised that the entire \$500,000 amount would be allocated from the Forest Service Legacy Program to Carson City. In response to a further question, he presumed that Nevada State Parks could qualify for Program funding as well; however, the Nevada Division of Forestry extended the offer to Carson City. In response to a further question, he anticipated that only one of the parcels would move forward. Member Scott expressed concern that applying for two parcels may limit the allocation to \$250,000 for each. Mr. Guzman explained the reason for pursuing the two properties. Discussion followed, and **Member Perock amended his motion to indicate the Wilson property as priority 1 and the Long property as priority 2. Vice Chairperson Jacquet continued his second.** Chairperson Hartman clarified that two parcels comprise the Wilson property and one parcel comprises the Long property. He described their locations and potential.

Member Scott expressed understanding for pursuing the two properties, and concern that significant sums of Open Space funding may be required toward property that may be quite safe without purchase. He expressed a preference to focus on property which has particular value as opposed to general value for the

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watershed, specifically the property which would benefit the potential access of the Hobart area. Mr. Guzman anticipated having three sources of funding toward purchase of the subject properties. The process will most likely take a year to complete, which will provide maximum opportunity to leverage funding.

Chairperson Hartman discussed the unlikely threat of development associated with the Long property and the southern Wilson parcel. He compared the Long property to the Benna-Marshall property. Mr. Guzman responded to questions regarding the Benna-Marshall property. He agreed that one very strong candidate is better than two. At Member Scott's request, Member Perock reiterated his amended motion. He acknowledged the intent that the motion included the two Wilson parcels. In response to a question, Mr. Guzman advised that assigning priorities to the two properties would have the same effect as submitting one application. In response to a further question, he clarified that the first priority would be vigorously pursued. If it failed, the second priority would be pursued. Member Perock withdrew his motion and **moved to pursue the Wilson properties. Member Fischer seconded the motion. Motion carried 6-0.**

**3-D. ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN OFFER BY THE U.S. FOREST SERVICE TO PURCHASE THE GILBERT OPEN SPACE PROPERTIES (APNs 7-061-72 THROUGH 7-061-75), LOCATED AT THE SOUTHEASTERN EDGE OF THE BORDA MEADOW, FOR \$1.12 MILLION (2-0555) -** Mr. Guzman reviewed the staff report. In response to a question, he anticipated an additional four to six months to complete the transaction, based on review of title and documents. The Southern Nevada Public Lands Management Act ("SNPLMA") Executive Committee has the authority to increase the amount by a certain percentage to cover costs. The Secretary of the Interior has approved \$1 million, and Mr. Guzman expects the SNPLMA Executive Committee to approve the difference. In response to a further question, he advised that once the Secretary of the Interior approves the allocation, the funding will be available. He acknowledged that the appraisal expiration date of December 15<sup>th</sup> is a reasonable deadline.

In response to a question, Mr. Guzman explained that at the time the application was reviewed by SNPLMA representatives, the estimated property value was \$800,000. This amount was set aside toward the nomination. The SNPLMA Executive Committee will need to approve the full amount. Mr. Guzman acknowledged that the SNPLMA Executive Committee has the authority to increase the amount by forty percent based on the appraisal process.

Chairperson Hartman expressed concern over "selling one thing to go buy something else." He advised that the Gilbert property is a benefit to the Open Space Program, and that the Swafford property should stand on its own. He expressed serious concerns over putting more property in the hands of the U.S. Forest Service. Member Riedl agreed. He expressed concern over paragraph 4 of the Purchase Option and Contract in that the language seemed inconsistent with the original purpose for purchasing the Gilbert property. He expressed a further concern over giving the federal government a piece of property to manage when "they have not been good stewards of open space near Carson City."

Member Scott suggested the City should "get out of the neighborhood so it's a hundred percent one responsibility." He further suggested that the sale proceeds should be used for other open space priorities, not necessarily purchase of the Swafford property. He expressed concern over the subject property being surrounded on three sides by a hard-to-understand management scheme which affects the City whether or

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not it retains ownership. He reiterated the inclination to sell the property and use the proceeds for other, future open space priorities. In response to a question, Vice Chairperson Jacquet noted that management costs would be associated with retaining the property.

Member Perock discussed the importance of developing partnerships with the Bureau of Land Management, the USFS, and the State. He expressed support for selling the Gilbert property if it achieves getting rid of a “checkerboard-type ownership.” He expressed concern over sending a message that the USFS has not been a good neighbor. Chairperson Hartman discussed repeated efforts to engage the USFS in a cooperative management process which “have met with zero response.” He discussed differences between working with the BLM and working with the USFS. He expressed support for forging partnerships, but advised that excuses over the timber harvest and fuels management have been unacceptable. He reiterated the concern that the USFS managing another piece of property and restricting access doesn’t result in a benefit to the community.

Member Riedl suggested adding language to the Purchase Option and Contract regarding acceptable management practices. Member Fischer expressed concern over the USFS restricting access, and discussion ensued. Chairperson Hartman described access routes, and discussed hazardous fuels in the area. Vice Chairperson Jacquet expressed the opinion that the USFS management plan is not inconsistent with the Open Space Program. He expressed understanding for the frustrations expressed by many of the committee members. He suggested the consideration should be whether to continue having management authority as owners or to become subservient to the USFS and their forest plan.

Chairperson Hartman suggested giving consideration to whether the committee will serve as a land broker or acquire properties which require management. He reiterated concern over the possibility of losing access. Mr. Guzman advised that the Landscape Analysis and the Trails Plan provide for access through the property, to serve as one loop around Kings Canyon Road. In response to a comment, he suggested the Open Space Program has the strategic advantage “to be faster.” Obtaining long-term management because of owning land adjacent to the acquisition makes sense. Mr. Guzman noted that the Open Space Program will have facilitated two brokerage deals, one with the BLM and the other with the USFS. He expressed the opinion that the proposal represents a strategic opportunity, and appreciation that the committee members were giving it due consideration. Chairperson Hartman commented that the committee’s charge is different than that of a brokerage organization. Discussion followed, and Member Riedl suggested there would be more opportunity to retaining ownership. He expressed the opinion that public lands so close to the urban interface should be held by Carson City, especially when those lands are purchased by City tax revenues. Member Fischer commented that the committee’s charge is to follow the expressed wishes of the community. Member Scott noted that the City purchased the property following a court-ordered division into four parcels with an eminent development threat. He expressed ambivalence over selling the property. In considering other parcels which may be prone to development, he expressed the opinion that the Swafford parcel is not a high priority. **Member Riedl moved to recommend to the Board of Supervisors that they not consider the offer by the USFS to purchase the Gilbert open space property. Member Fischer seconded the motion. Motion carried 4-2.**

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Member Scott suggested offering the potential for a joint management approach, as the committee's expression of concern on behalf of the community. Member Perock suggested having USFS representatives attend meetings at which such matters are agendaized. Chairperson Hartman expressed an interest in hearing from USFS representatives with regard to management practices. Member Perock reiterated the suggestion to agendaize a presentation by USFS representatives.

**4. NON-ACTION ITEMS:**

**STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS** - None.

**STATUS REPORTS AND COMMENTS FROM STAFF** - None.

**FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS (2-1688)** - Member Scott expressed concern over assigning such high priorities to potential purchase of some of the isolated parcels to the west of the urban area as opposed to other parcels that may be closer to interface areas or those which would be fragile to development. He suggested scheduling a workshop to re-evaluate established priorities. Chairperson Hartman suggested agendaizing discussion regarding the possibility of publishing another community-wide survey. Member Riedl suggested agendaizing discussion regarding the possibility of updating the Open Space Master Plan element. Chairperson Hartman agreed with an earlier suggestion to agendaize a meeting with USFS representatives. He noted the importance of completing the Horse Creek Ranch conservation easement, and moving forward with the Potter proposal. Vice Chairperson Jacquet expressed an interest in agendaizing discussion on OHV management on public lands and open spaces.

**5. ACTION ON ADJOURNMENT (2-1892)** - Member Fischer moved to adjourn the meeting at 6:26 p.m. Member Scott seconded the motion. Motion carried 6-0.

The Minutes of the October 3, 2005 meeting of the Carson City Open Space Advisory Committee are so approved this 21<sup>st</sup> day of November, 2005.

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STEPHEN D. HARTMAN, Chair