

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the October 14, 2002 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 14, 2002 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Laura Bird
Michael Fischer
Ron Pacheco
Margaret Robinson

STAFF: Juan Guzman, Open Space Manager
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 and inspection during regular business hours.

A. CALL TO ORDER AND DETERMINATION OF A QUORUM (1-0001) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Vice Chairperson Jacquet and Member Scott were absent.

B. PUBLIC COMMENT (1-0004) - None.

C. DISCLOSURES (1-0006) - None.

D. PUBLIC MEETING:

D-1. ACTION REGARDING SUPPORT FOR STATEWIDE BALLOT QUESTION #1, A STATEWIDE PARKS, TRAILS, AND OPEN SPACE BALLOT INITIATIVE, TO BE VOTED ON IN THE GENERAL ELECTION ON NOVEMBER 5, 2002 (1-0008) - Mr. Guzman reviewed the staff report, and introduced Alicia Reban, Executive Director of the Nevada Land Conservancy. He advised that the Carson River Advisory Committee and the Parks and Recreation Commission endorsed the initiative, and discussed the concerns of the Parks and Recreation Commission.

Ms. Reban provided an overview of Question #1 and reviewed the list of funding allocations. She discussed support for the Question and requested the Committee's endorsement. She responded to questions regarding the purpose of the allocations to the Las Vegas Spring Preserve and the Las Vegas Wash projects. In response to a further question, she discussed the Army Corps of Engineers grant for a project on the Carson River which requires a \$1.35 million match and the Farmland Protection Program which also has matching requirements. She advised that Question #1 could be the source for the matching funds. Member Bird read a portion of the Question #1 text, with regard to requirements associated with grants for enhancement and restoration projects along the Carson River corridor, into the record. Mr. Guzman discussed the interest of the Carson River Advisory Committee in utilizing Question #1 funding to complete ongoing projects such as the Carson River Park.

In response to a question, Ms. Reban discussed the competitive grant process applied to the \$10 million allocation for Churchill County, Lyon County, or Carson City to do projects along the Carson River corridor. Member Robinson commented that the River corridor would have been better served if the allocation had

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been specified for Churchill, Lyon *and* Carson City.

Member Bird agreed that there are problems associated with the language, and commented on the relevance of the details of Question #1 which should have been included in the brochure. She read an additional portion of Question #1 into the record, and noted that allocations which are subject to the grant process will be at the discretion of the Division of State Lands Administrator. Chairperson Hartman discussed the typical process for developing such regulations, and advised that they will have to be adopted pursuant to NRS 244. Ms. Reban explained that Division of State Lands staff has been reluctant to spend a great deal of time developing the grant program until the outcome of Question #1 is known. She advised that extensive research is being conducted into processes used by other states with similar programs. In response to a question, she advised there is no organized opposition to Question #1. Discussion took place regarding the potential for additional taxes, and Chairperson Hartman expressed the concern that the Committee will be sending a message to the community without knowing all the relevant details associated with the initiative.

Member Fischer expressed a concern that Carson City citizens will not understand the Committee's reasons for not supporting the Question, and suggested taking no action. Member Bird agreed, and expressed a concern that supporting the measure will send a message that Question #18 is not providing enough revenue. She noted that Carson City taxpayers have generously supported Question #18. She read Section 3, subsection 8 of the Question #1 text into the record which indicates that lands or water acquired by the State may be sold or leased by the Division of State Lands if they are later determined to be unnecessary in carrying out the purposes of Question #1. She questioned whether the elements of subsection 8 meet the criteria of the Open Space Master Plan element which purpose is to set aside land in perpetuity according to the wishes of the community. She expressed a concern regarding a potential conflict over open space lands purchased with Question #1 funding since there is no provision for local government participation in the determination. Chairperson Hartman expressed a concern that Question #18 may hamper Carson City's ability to receive grants for projects. Ms. Reban expressed understanding for the concerns, but pointed out that Carson City has an open space plan in place as well as a source of match funding in Question #18. Discussion took place regarding conservation easements on open space.

Mr. Guzman expressed disagreement with Member Bird's comments and the tone of the conversation. He suggested that Question #1 represents an opportunity to support a very broad program which could benefit most of the State, including Carson City. He advised that Parks staff will ensure participation in the grant administration process, and that the Division of State Lands Director has requested input regarding development of the process. He further advised that the Carson River Advisory Committee was very specific, in their motion to endorse Question #1, that they seek implementation and completion of projects along the Carson River. He stated that the last time a similar measure passed was twelve years ago and many of the State agencies have no additional funding. Chairperson Hartman expressed a concern regarding the grant administration process, in that if Carson City is one of 17 county votes or if the representation is based on population, Carson City won't fare very well. He suggested that sufficient detail upon which to base an objective decision was not provided. He expressed the opinion that the purpose of Question #1 is being misrepresented if it is to fund state agencies because they "haven't had any funding for a while." He pointed out that funding for state agencies should be allocated from the general fund. Mr. Guzman responded to questions regarding the comments of the Carson River Advisory Committee members.

Mr. Guzman discussed the benefits of the Question with regard to another source of funding in light of the recent developments surrounding the Southern Nevada Public Lands Management Act. Chairperson Hartman

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agreed but noted there is no guarantee the Question will benefit Carson City. Mr. Guzman pointed out that if Question #1 does not pass, Carson City will certainly not have the potential funding source. Member Bird reiterated that the open space program is already generously funded by tax monies, and Member Guzman agreed. He advised that the revenue generated by Question #18 is not sufficient to accomplish all the projects Carson City needs. Member Fischer commented that insufficiencies in Question #18 funding were known at the time it was passed; "we know we can only do so much with what we have." In response to a comment regarding the option of bonding, Member Bird noted that bonding would originate in Carson City and the citizens would be assured the money would be spent as intended.

Mr. Guzman discussed the importance of protecting the image and philosophy of open space for the entire region rather than being so locally-minded. Member Bird expressed a concern that Question #1 doesn't support open space philosophies because there are no guarantees regarding lands in perpetuity. She clarified that she philosophically agrees with the goals of Question #1, but commented that the Question is not well timed or well conceived. She questioned the reasoning behind recommending to the voters passage of an initiative "that guarantees them nothing." Mr. Guzman suggested a more optimistic viewpoint in that if neighboring counties have the ability to implement open space programs, Carson City will benefit by a reduction in demand on its resources. He pointed out that the region will benefit by Question #1 as opposed to the potential of not having the funding resource. He acknowledged the problems associated with the initiative, but noted that it was legislated over two years ago and that the City was not involved in the details. He suggested that discarding the initiative would send a worse message than endorsing it and ensuring the City is involved in the decision-making processes.

Member Bird pointed out that the Division of State Lands has been historically unsupportive of Carson City projects. She acknowledged Mr. Guzman's promise to ensure Carson City's participation in the process, but pointed out that "very personal pleas" have been made to the Division of State Lands for easements and trail rights-of-way, etc. which have "fallen on deaf ears." **Member Bird moved that this Committee, while recognizing the value of the statewide conservation efforts, does not take action that recommends the statewide ballot initiative measure, referred to as Question #1. Member Fischer seconded the motion.** Member Robinson inquired as to whether the Committee's concerns should be included in the motion, and discussion took place regarding the same. **Member Bird amended her motion to include the concern that the Committee is not convinced the ballot question supports the goals of the open space program, as expressed in Carson City's Open Space Master Plan element, and the concern regarding the lack of detail as to how the bond will be administered. Member Fischer seconded the amendment.** Member Pacheco expressed support for protecting open space and water quality but noted that the Question, as presented, is very difficult to support. Chairperson Hartman referred to the difficulty experienced by the members of the original Open Space Advisory Committee in dealing with the lack of detail provided in Question #18. He noted that the Committee and the community are supportive of open space and that, in another context, the Question would be more agreeable. Member Fischer pointed out that the motion does not represent the Committee's opposition to the initiative. Chairperson Hartman assured Mr. Guzman that the Committee's motion was not reflective of non-support for his position on the initiative. Member Bird agreed, and commented that the motion also had nothing to do with the mission of Question #1; "it's about the words that are contained in the Question." Chairperson Hartman called for a vote on the pending motion; **motion carried 5-0.**

Member Fischer referred to Chairperson Hartman's earlier comments regarding formulation of Question #18, and advised that it took over a year of weekly meetings to arrive at a final version of the ballot question.

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He pointed out that as Question #1 was being formulated, if the Committee members or Carson City representatives could have been involved, the questions and concerns raised during this meeting would have come up. Chairperson Hartman suggested adopting by reference an administrative formula so everyone knows the "rules of the game" by which to play.

(1-1025) Mr. Guzman advised that he will be presenting the recommendation of the advisory committees to the Board of Supervisors at their October 17th meeting. Ms. Reban indicated that Division of State Lands Director Pam Wilcox is scheduled to be in attendance during the presentation. Chairperson Hartman advised that Carson City has often not been treated favorably by state agencies.

(1-1220) Chairperson Hartman thanked Ms. Reban for her presentation and participation in the meeting. Ms. Reban expressed an interest in presenting information to the Committee regarding Nevada Land Conservancy projects at a future meeting.

E. FUTURE AGENDA ITEMS AND COMMITTEE MEMBER STATUS REPORTS (1-0985) - Mr. Guzman advised of the October 21st meeting and provided a brief overview of the agenda. (1-1191) Mr. Guzman requested the Committee members to review the draft Open Space report included in the agenda materials. He reviewed the revisions to the draft and thanked Member Bird for her participation. Member Bird expressed appreciation for Sharon Wood's participation in revising the draft.

F. STATUS REPORTS FROM STAFF (1-1093) - Mr. Guzman advised of presentations to the Douglas County Commissioners and the Carson City Board of Supervisors regarding regional projects. He discussed a recent tour of the El Dorado Canyon with Bureau of Land Management representatives, Member Bird, and Parks and Recreation Director Steve Kastens. He discussed recent meetings with Planning and Community Development Director Walter Sullivan regarding development standards, and with Professor Mike Osteen of the University of Nevada-Reno regarding mercury contamination on the Carson River. He reported on recent discussions regarding the wetlands report with Ed Skudlarek and Genie Azad, the review of major projects conducted with the Regional Planning Commission and the opinion memos provided Mr. Sullivan, a meeting with John Serpa regarding Timberline and Carson River properties, presentations to the Parks and Recreation Commission and the Carson River Advisory Committee regarding the tri-county plan, a visit to Redding, California to purchase permanent signs for the Moffat property in accordance with the provisions adopted some time ago, and the graffiti clean up at the Moffat property.

G. ADJOURNMENT (1-1245) - Member Fischer moved to adjourn the meeting at 7:05 p.m. Member Bird seconded the motion. Motion carried 5-0.

The Minutes of the October 14, 2002 meeting of the Carson City Open Space Advisory Committee are so approved this ____ day of November, 2002.

STEPHEN D. HARTMAN, Chair