

MINUTES

Washoe County Open Space and Regional Parks Commission May 7, 2013

Commissioner Cliff Young called the meeting to order at 2:30 p.m.

1. Roll Call.

Members present: Bob Jacobson, Anne Buckley, Cliff Young, Bill von Phul, Sarah Chvilicek, Jim Nadeau and Ed Harney. Patty Moen had an excused absence.

Board of County Commission Liaison: Kitty Jung

Staff present: Dave Solaro, Al Rogers, Bill Whitney, Eric Crump, Deputy District Attorney Pete Simeoni, Jennifer Budge, Cheryl Surface, Rosemarie Entsminger and Joanna Schultz

2. Public Comments and Discussion Thereon:

Nathan Daniel, Executive Director of the Truckee Meadows Parks Foundation said the mission of the foundation is to support all the parks in the Truckee Meadows. It was created because through conversations with staff members in Parks Departments and concerned citizens, it became apparent there was a need for a Parks Foundation in our community. The Foundation was incorporated in 2012 and received the 501c3 determination in January of 2013. They support parks through advocacy, public awareness campaigns about the challenges parks face and a charitable endowment that is currently in the process of being put together.

3. Approval of the Agenda for the Open Space and Regional Parks Commission Meeting of May 7, 2013.

Motion by Commissioner Chvilicek to Approve the Agenda for the Open Space and Regional Parks Commission Meeting of May 7, 2013. Seconded by Commissioner von Phul. Motion carried.

4. Recognition of Bill von Phul's National Trail Advocacy Award at the 21st American Trails International Trails Symposium, on April 16, 2013 at Fort McDowell Yavapai Nation, Arizona.

Cheryl Surface, Park Planner presented the State Trail Advocacy Award to Commissioner von Phul. This award is given to an individual who has demonstrated successful efforts to influence public policy relating to trail planning, trail protection, trail development and/or maintenance. Ms. Surface read the nomination.

5. Review and recommendation to the Board of County Commissioners the Commercial Photography Policy and Photography Permit Fees.

Eric Crump, Operations Superintendent explained the 2013 Fee Schedule was brought to this Commission in March where it was recommended that the County Commissioners approve that fee schedule. The fee schedule was presented to the Board of County Commissioners at the March 26th meeting at which time they approved the fee schedule with the exception of the

building/grounds facility use fees and the photography permit fees. Staff was directed to take those two categories back to this Commission for further review and recommendation.

The department has had a Photography Policy since 2008 and has not been updated since then. Staff researched best and common practices of other public agencies and determined having a policy is typically a best practice. Any type of commercial activity on public land is regulated by the agency. Permits are issued with and without fees, depending on disturbance or use of the land.

Mr. Crump said that in reviewing the policy, staff is recommending one change to the policy. The policy states any commercial photography on public land in a public park regardless of group size or class required a permit and subsequent fee. Staff is recommending that we change this to state that one person engaged in commercial photography would not require a permit. This would allow a single commercial photographer to take pictures of trees, flowers etc. without a permit. Anything above this in group size where there is a client, model and money exchanging hands would require a permit.

Staff reviewed fees and is not recommending any changes.

In response to Commissioner Young regarding how much demand is there for Class 1 (less than 25 people), is it a necessary permit and is this a fund raiser for the County, Mr. Crump said if photography is for hire a permit is necessary. If it is a family in the park for the day and taking pictures a permit is not necessary. The fee is not a fund raiser and is more of an administration fee.

In response to Commissioner Buckley regarding penalty if a commercial photographer is taking pictures without a permit, Mr. Crump said staff will approach what looks to be an obvious commercial shoot, talk to the photographer letting them know of the policy, allow that shoot to take place and give them the administration office number telling them that in the future they will need to have a permit for this type of activity.

In response to Commissioner Chvilicek regarding is a permit included with a facility reservation that hires a commercial photographer, Mr. Crump said if commercial photography is tied to a reservation of a park facility by the photographer, there is no need for a commercial photography permit.

Commissioner von Phul said he is satisfied with fee structure.

Mr. Crump added that most of the public lands best practices/policies he researched, there was some type of trigger that required a permit. Some examples were if there was more than one person, props or has an impact on the parks. If the Commission would like to change this policy staff could look into it further.

In response to Commissioner Nadeau can a photographer use any park in the Parks' system if they have an annual permit, Mr. Crump said yes.

Motion by Commissioner von Phul to recommend approval to the Board of County Commissioners the Commercial Photography Policy and Photography Permit Fees. Seconded by Commissioner Nadeau. Motion carried.

6. Discussion and status of the Parks Master Plan Update.

Jennifer Budge, Park Planner gave a brief update on the Washoe County Parks Master Plan, which included consolidating some of the districts.

In response to Commissioner Nadeau regarding if Residential Park Tax is used to construct a facility must it be open and available to the public, Ms. Budge said yes, if they use Residential Construction Tax it has to be open and available to the public.

Commissioner von Phul said he can appreciate that trying to juggle 20+ districts for Residential Construction Taxes is probably onerous at best and said consolidation would give more flexibility. Commissioner von Phul asked what was the rationale of dividing Districts A & B, Ms. Budge said District A has eight sub districts and all geographically very closely related and would still keep the North Valleys whole as far as funding is concerned. 2B did not have a lot of money and has a vast geographic area. Right now East Truckee Canyon and Spanish Springs are one district and are two entirely different communities.

In response to Commissioner von Phul regarding would 2B incorporate Spanish Springs, Pyramid Lake Reservation and those areas, Ms. Budge said yes and would go all the way to the Oregon border. They will be going back to the Board for a recommendation then back to this Commission when there is a draft plan for review and amendments.

In response to Commissioner von Phul regarding under the current system would the Ballardini Trailhead be in District 1B or 1C, Ms. Budge said 1B.

In response to Commissioner Buckley regarding why doesn't District 2A want any parks, Ms. Budge said it's a very rural area. They are very verbal and with close to 70 residents, only two are open to constructing a park. They moved out there for a reason and want their open spaces. The people with children seem to be more than willing to drive to areas with existing parks.

In response to Commissioner Jung regarding Residential Taxes collected for homes built in unincorporated Washoe County, is this where those pots of money come from for projects, Ms. Budge said yes.

In response to Commissioner Jung regarding when law went into effect and was last changed, Ms. Budge said 80s and deferred to Karen Mullen, former Parks Director on amendments. Ms. Mullen said there was an edit to the NRS in early 2000 to increase the fee for mobile homes and to collapse the districts.

In response to Commissioner Jung regarding funds used for maintenance and bringing this to the Shared Services Committee, Ms. Budge said Parks Tax funds can't be used for maintenance but we are currently working with City of Reno and Sparks through agreements on some projects. This hasn't been brought to the Committee but Ms. Budge said she could.

In response to Commissioner Buckley regarding it is her understanding that since the tax was imposed it has never been increased, which is about 30 years. The prices of homes and land have not stayed static and it doesn't seem like an equitable amount. Ms. Budge said fees have not been changed. The development community is very resistant to that as they are the

ones who pay the fee when the permit is pulled. The fees are a percentage or up to \$1,000 but with current home values it is almost always the \$1,000 fee.

7. Acknowledge receipt of the status report of the 2000 Regional Parks, Trails and Open Space bond (WC-1) projects.

Al Rogers, Projects and Programs Division Director reviewed report.

In response to Commissioner Nadeau regarding was WC-1 funds used to purchase Northgate, Rosemarie Entsminger, Fiscal Compliance Officer said yes. \$400,000 was allocated by the Board of County Commissioners to work with the City of Reno toward the purchase of Northgate. We had funding already on an approved project list for Peavine Mountain access and there was an inholding piece of land on Northgate that provided access.

Commissioner von Phul said that was identified as being the Peavine Access Acquisition which is now completed. There is really no Peavine access there and what was discussed but unfunded was the Gold Creek Trailhead which was to be a motorized access to Peavine. Commissioner von Phul does not feel that much has been accomplished in the way of motorized access for that area. Mr. Rogers said he believes at the time it was thought the acquisition and the timing were factors to get Northgate for open space. City of Reno was instrumental and will be going forward with development of that park.

In response to Commissioner von Phul regarding he hopes Ballardini Trailhead would have more loop trails and connectors, Mr. Rogers said not only in the conformance with the open space plan but also with WC-1 parameters that it is of regional significance.

Commissioner von Phul added that there are a lot more projects that could be funded and moved forward. The Incline/Sand Harbor bike path is unfunded but a very important project. Commissioner von Phul is not comfortable with seeing a report that says there is left over WC-1 money and feels it could be used within the Parks system. Mr. Rogers said this item was not only to inform the Commissioners of the status but to also dispel issues regarding the defeasement of funds.

In response to Commissioner Nadeau regarding he doesn't see any allocation on the list of the \$400,000, Mr. Rogers said it is on Attachment B under Open Space category listed as Peavine Access Acquisition.

Mr. Rogers added that the other objective was the issue of the WC-1 Bonds and money left over. Community Services Department was asked to look at all funding within the Parks Capital Construction fund. We identified all projects on the books and after confirming the projects we replied to Finance. WC-1 Bonds will not be defeased by Washoe County.

Commissioner von Phul said that is good to know as they are voter approved funds.

In response to Commissioner Chvilicek regarding what will Parks be doing with the remainder of the funds, Mr. Rogers said a critical piece is to complete the Ballardini Trailhead, then revisit the unfunded list with partner agencies and identify new projects that are not on the list.

Commissioner Chvilicek said it would be nice to align with other agencies and see where the resources can be maximized as a benefit to all.

Sheri Mendez, Washoe County Finance Director said she came to the meeting to answer any questions and let the Commission know that there is no plan to defease the WC-1 bonds

In response to Commissioner Chvilicek regarding Ballardini as the primary focus what is the plan for maintenance, Mr. Rogers said last winter we received a letter from Commissioner von Phul representing the Truckee Meadows Trail Association. They made the offer to maintain that property for at least the next three years. With this offer that was the key piece to moving forward on Ballardini.

Public Comment:

Karen Mullen said staff and this Commission should be proud of the leveraging. She is not aware of any other bonds that get leveraged like park bonds. This takes a lot of time and work to do and staff should be commended. Her whole purpose to get this item on the agenda was to begin the process of talking about how to go through the projects and look at them again. She feels that we should go back and get together with the agencies that helped put this bond together and review the list. We need to find out what projects are viable, which are not, the amount of funding needed and has it changed since the list was created. If there is funding still available or the landscape has changed bring in some of those additional projects and vet those. It takes several times working through that process but that was her purpose for asking that it be put it on the agenda. She would also ask that we don't just look at what is listed as the principal amount of the bond as she believes there would be interest earned.

Jeff Mann, Parks and Recreation for City of Reno thanked County Parks staff for the tremendous amount of projects completed and degree of matching funds that they were able to generate in the last 13 years. This is truly impressive. Mr. Mann agreed with everything Ms. Mullen said and added that City of Reno was and wishes to continue to be a partner in the selection of future projects. City of Reno has one project that they would like considered, renovation and restoration of portions of the Truckee River Trail. There are a number of sections with 20-30 year old asphalt. They are working with several agencies to restore a few of the sections using City of Reno funds and grant funds.

Commission von Phul thanked Mr. Mann for reminding us of the river trail. It is a really important area.

Commissioner Nadeau motioned to acknowledge receipt of the status report of the 2000 Regional Parks, Trails and Open Space bond (WC-1) projects. Commissioner von Phul seconded. Motion carried

8. Discussion and approval of conducting a Commission workshop on Park issues as they relate to the Community Services Department for FY 13-14.

Al Rogers, Projects and Programs Division Director said based on the April 2nd discussion. It was suggested that this and future Commission setup a workshop to discuss moving forward with the Community Services Department and the Parks issues related to this. Staff believes an appropriate time would be in June with the four Commissioners terms expiring in July and the five new Commissioners coming on. Staff would like to include the new Commissioners as the public with their input and involvement as we move forward.

Commissioner von Phul feels it is vitality important that we have the workshop. Hopefully the new members of the Commission will be able to attend. As we stand right now we have a Parks system, but don't have a Parks Department. Commissioner von Phul sees the role of this Commission to change this and taking on a much greater role in championing Parks.

Commissioner Chvilicek agreed with Commissioner von Phul and asked that new Commissioners would need to be appointed prior to July. Mr. Rogers said yes and is our intent. Applicants have been identified and we will take them through the process of being appointed.

In response to Commissioner Buckley would they be identified at the next Board of County Commission meeting, Mr. Rogers said yes it would be June 11th.

Commissioner Buckley suggested June 18th for the workshop.

Commissioner Chvilicek suggested North Valleys as the location especially with splash park opening soon.

Commissioner Nadeau suggested June 26th.

In response to Commissioner Young regarding does a specific date need to be determined now, Mr. Rogers said no.

Commissioner von Phul said he would like to avoid the 18th if possible as he has a personal event.

Mr. Rogers suggested that we check calendars and look at a location. It will be more than 30 days out.

Motion by Commissioner Chvilicek to approve having a joint Park Commission workshop between the current and new Park Commission who will be seated after July 1. Seconded by Commissioner Nadeau. Motion carried

9. Parks Reports

Eric Crump, Operations Superintendent highlighted report.

Commissioner von Phul said he is happy the Verdi Pond is opening. Congratulations, it's been a long and tough fight.

Commissioner von Phul said May 11th is The Great Truckee Meadows Cleanup and they really need 4-wheel drives at the Red Hill location. Not having enough 4-wheel drive trucks last year to transport the trash was a problem. He said if anyone with a 4-wheel drive wants to volunteer, they could really use you.

In response to Commissioner von Phul regarding hours for Bowers Pool, Mr. Crump said 12pm-5pm daily beginning Saturday, June 8th.

10. Commissioner's Comments

Commissioner von Phul said they need to address the election of Chair and Vice Chair and this should be on the next meeting's agenda.

11. Public Comments

No public comments

12. Adjournment

Chairman Young adjourned the meeting at 4:05 p.m.

Respectfully Submitted,
Joanna Schultz