

Draft MINUTES

Washoe County Open Space and Regional Parks Commission
September 7, 2021

The Washoe County Open Space and Regional Parks Commission met in a scheduled session on Tuesday, September 7, 2021, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

The meeting was televised live and replayed on Washoe Channel at: <https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>

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

1. Roll Call

Members Present: Stephanie Chen, Heidi Anderson, Doug Doolittle, Darla Lee, Chris Nenzel, Jennifer Oliver, Greg Shorts

Staff Present: Denise Evans, Jennifer Penland, Colleen Wallace-Barnum, Lindsay Liddell, Sophia Kirschenmann

Absent:

2. Pledge of Allegiance

The pledge was recited

3. Public Comments

No public Comment

4. Approval of the Agenda for the Open Space and Regional Parks Commission Meeting of September 7, 2021.

No public comment

Motion by Commissioner Doolittle to approve the Agenda for the Open Space and Regional Parks Commission Meeting of September 7, 2021. Second by Commissioner Nenzel. Motion carried unanimously.

5. Approval of the Minutes for the Open Space and Regional Parks Commission Meeting of August 3, 2021.

No public comment

Motion by Commissioner Oliver to approve the minutes for the Open Space and Regional Parks Commission Meeting of August 3, 2021. Second by Commissioner Shorts. Motion carried unanimously.

6. Acknowledgement and recognition of Park Operations staff for their outstanding service and contributions to Washoe County

No items

7. Eagle Scout Presentation

No items

8. Presentation, discussion, and possible recommendation to the Board of County Commissioners to acknowledge and agree to the Abandonment and Termination of Right of Reverter by the Grantor, Ridges at Hunter Creek III, which would remove the right of reverter clause from the trailhead easement granted to Washoe County in 2005 and recorded in 2007 as Document #3592575 for the Michael D. Thompson Trailhead. (Commission District 1.) (For Possible Action.)

Sophia Kirschenmann, Park Planner, gave a presentation. Sophia opened for questions and said that a representative from the current property owner, Ridges at Hunter Creek III, LLC was available if there were any questions for them.

In response to Commissioner Nenzel's question, if the Right of Reverter clause is the same thing that Washoe County would agree to with the Forest Service, Sophia said that a Memorandum of Understanding is an agreement between the agencies and that the intention is to maintain the name, but if the name ever were changed, the property would not revert to the grantors.

In response to Commissioner Doolittle's question about the opposition the Thompson Family has to removing the clause, Sophia said she didn't want to speak on behalf of the family but said there are likely concerns about Washoe County changing the name in the future. Commissioner Doolittle asked if there was intent if the Forest Service acquires the land to gate it or limit access to the trail based on the original easement, Sophia said there was not, and that Washoe County would enter into a maintenance agreement to assure Forest Service that Washoe County will continue to maintain the trailhead. In response to Commissioner Doolittle's asking the Forest Service's need to acquire the land, Sophia said that was not necessarily a need, but the current owners are interested in selling and the trail would connect to Forest Service land.

Sophia gave the location of the area that would be sold in response to Commissioner Nenzel's question on the location.

Commissioners Nenzel and Shorts asked if Washoe County would buy the land, and Sophia responded that there were limited funds. Commissioner Nenzel asked if Washoe County intended to allow the Forest Service to acquire the trail head, and Sophia said the County would still hold the easement. Deputy District Attorney, Lindsay Liddell, said that the proposal was not to agree to an abandonment of the easement in its entirety and Washoe County would still be the grantee of the agreement, the proposal was to abandon a clause within the easement.

Commissioner Shorts said this was to protect the name and was wondering the best way around that and why the county is not trying to purchase it.

In response to Commissioner Oliver's question, why the Forest Service won't accept the agreement with the clause, Sophia said representatives of the current owner, Ridges at Hunter Creek, LLC are available to answer that question, but from her understanding, there is a risk that if the name was changed in the future, it would revert to the original grantor and the Forest Service doesn't want to accept that liability.

Chair Chen invited the representative, Rebecca Dixon, Hunter Creek LLC up to answer any questions. Rebecca said that since 2016, Hunter Creek LLC has been involved with the federal government on this parcel and two additional parcels connected to wilderness. This parcel is part of a larger transaction, but the Federal Government will not accept the property with the reverter clause. There is no intent to change the name, and keep all the language in the agreement that says it will

always be the Michael D. Thompson Trail, but the federal government will not accept the idea that it can be taken back.

In response to the commissioner's question asking if they are changing or abandoning the reverter clause, Rebecca said that they only want to take the one line out of the document in the event that Washoe County does not continue to maintain the easement as they have been, they would have the right to take the property back, nothing else would be changed.

In response to Commissioner Shorts question, if there was an option of Washoe County purchasing, Rebecca said that she wasn't aware of any interest in purchasing from the county.

Commissioner Doolittle said his only concern was for the Thompson Family as there is no intent to change the name but there is also no guarantee that it would not change in the future. Rebecca said the Thompsons were concerned that there is no leverage if the name is changed, but there is still language in the agreement that action can be taken against Washoe County if the name were changed.

In response to Commissioner Doolittle asking if there was a possibility for Washoe County to enter into a separate agreement with the Thompsons regarding the maintaining of the naming of the trailhead going into perpetuity, Rebecca said the current agreement already has that in place.

Motion by Commissioner Shorts to recommend to the Board of County Commissioners to acknowledge and agree to the Abandonment and Termination of Right of Reverter by the Grantor, Ridges at Hunter Creek III, which would remove the right of reverter clause from the trailhead easement granted to Washoe County in 2005 and recorded in 2007 as Document #3592575 for the Michael D. Thompson Trailhead. Second by Commissioner Anderson. Motion carried unanimously.

9. Program/Park of the Month – Outdoor Escape Room

Chair Chen said Item 9 was postponed.

10. Parks Reports

Colleen Wallace Barnum, Park Operations Superintendent, said there have been impacts to programs and parks from the Caldor & Dixie fires. Galena Creek's Campfire and the Summer Music Series at Lazy 5 were wrapped up. The Great Reno Balloon Races has begun setup and will move forward with the event as planned.

No commissioner questions.

No public comment.

11. Director's Report to include updates on Board of County Commissioners actions, future meeting locations/Commissioner field trips, community sponsorship requests, department updates and community partnerships.

Dave Solaro, Assistant County Manager gave the report. Dave said there were no actions taken by the Board of County Commissioners last month. On Sept 14th, they will recommend to approve a resolution to declare Washoe County's intent to convey the property to First Tee of Northern Nevada to be utilized for golf purposes in perpetuity with a reverter clause that if First Tee can't continue it will go back to Washoe County for golf or open space.

No public comment.

12. Commissioner's Comments: (This item limited to announcements or topics/issues proposed for future workshops/agendas.)

No comments

13. Public Comments

No comments

14. Adjournment

Meeting adjourned at 3:03p.

Respectfully submitted by Jennifer Penland, Office Assistant III.