

**Carson City
Agenda Report**

Date Submitted: November 21, 2011

Agenda Date Requested: December 1, 2011

To: Redevelopment Authority

Time Requested: 5 min.

From: Office of Business Development

Subject Title: For Possible Action: To approve amendments to the Redevelopment Authority Citizens Committee Bylaws. (Lee Plemel)

Staff Summary: The Redevelopment Authority Citizens Committee Bylaws set forth the general policies, procedures, and duties of the Committee. The RACC Bylaws require approval of amendments by the Redevelopment Authority. The primary purpose of the proposed amendments is to bring them into compliance with the revised RACC membership also being considered by the Redevelopment Authority.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve the proposed amendments to the Redevelopment Authority Citizens Committee Bylaws as recommended by the Redevelopment Authority Citizens Committee.

Prior Redevelopment Authority Citizens Committee Action: RACC recommended approval of amending the RACC Bylaws at its meeting on October 3, 2011, by a vote of 6-0.

Explanation for Recommended Board Action: See Staff Summary.

Applicable State, Code, Policy, Rule or Regulation: NRS 279

Fiscal Impact: N/A

Explanation of Impact: N/A





Funding Source: N/A

Alternatives: Not to amend Resolution at this time

Supporting Material:

- 1) Staff memo
- 2) Draft RACC Bylaws

Prepared By: Eva Chwalisz, Management Assistant

Reviewed By:  Date: 11-21-11
(Department Head)
 Date: 11-21-11
Act (City Manager)
 Date: 11/21/11
(District Attorney)
 Date: 11/21/11
(Finance Director)

Board Action Taken:

Motion: _____

- 1) _____ Aye/Nay
- 2) _____
- _____
- _____
- _____

(Vote Recorded By)



Office of Business Development

108 East Proctor Street
Carson City, Nevada 89701

TO: Redevelopment Authority & Board of Supervisors
Meeting of December 1, 2011

FROM: Lee Plemel, Planning Director

DATE: November 18, 2011

SUBJECT: Amending the Redevelopment Authority Citizens Committee Bylaws

The RACC (Redevelopment Authority Citizens Committee) Bylaws set forth the general policies, procedures, and duties of the Committee. The RACC Bylaws require approval of amendments by the Redevelopment Authority. The primary purpose of the proposed amendments is to bring them into compliance with the revised RACC membership also being considered by the Redevelopment Authority.

The proposed amendments to the RACC bylaws reflect the proposed changes to the RACC membership, which would include the following members:

- A member of the Redevelopment Authority.
- Two members who must be either a business operator or property owner within Redevelopment Area #1.
- Two members who must be either a business operator or property owner within Redevelopment Area #2.
- Two citizens-at-large who may or may not have a property or business interest within the Redevelopment District (Areas 1 or 2).

The Citizens Committee also recommended that they amend their bylaws to exclude the Redevelopment Authority member from serving as the Citizens Committee Chairperson in order to address the concern that a City Supervisor can have too much influence over the Citizens Committee. This change is in Section II(B) of the Bylaws.

Section II(E) is proposed to be amended to establish a quorum of the Committee at four rather than five members. It is unknown to staff why five members was selected as a quorum of this committee, since a majority of four members of a seven-member committee is a typical quorum for other Carson City advisory bodies.

Other technical clarifications are included in the proposed Bylaw amendments.

If you have any questions regarding this item, please contact Lee Plemel at 283-7075 or lplemel@carson.org.

REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE
BYLAWS

I. GENERAL POLICIES AND PROCEDURES

A. Redevelopment Authority Citizens Committee established.

1. Appointment and terms of members.

- a. The Board of Supervisors and Redevelopment Authority shall appoint no more than seven citizens to serve on the Citizens Committee.
- b. The Committee shall be comprised of seven members, including: the Chairman of a member of the Redevelopment Authority as appointed by the Authority; (who serves at the pleasure of the Board of Supervisors and as the Redevelopment Authority Citizen's Committee Chairman); a business operator from the district; a property owner from the district two representatives each from Redevelopment Areas 1 and 2 who are either a business operator or property owner within that area; and two citizens at large; and four members from with specific professional skills with qualifications as may be further detailed in the most current resolution establishing the Committee approved by the Board of Supervisors. The Chamber of Commerce Committee member is appointed by the Chamber of Commerce, and ratified by the Board of Supervisors, per resolution, for a 3-year term.
- c. Members of the Redevelopment Authority Citizens Committee shall be residents and active registered voters of Carson City.
- d. The Board of Supervisors and Redevelopment Authority may appoint individuals from the financial community to be advisors to the Redevelopment Authority Citizen's Committee.
- e. With the exception of the Chairman of the Redevelopment Authority Citizen's Committee (who serves at the pleasure of the Board of Supervisors) and the Carson City Area Chamber of Commerce member (who is appointed by the Carson City Area Chamber of Commerce and ratified by the Board of Supervisors); every-Every member of the Committee shall be appointed for a three-year term which shall expire on January 1st, or until a replacement is named. Appointments to the Committee will be made on a staggered-year basis. Except for the Redevelopment Authority member, Committee members may only serve one full three-year term on the Committee, after which the member may not serve on the Committee for one year before being considered

eligible for reappointment. Notwithstanding these term limits, an incumbent may be reappointed to the Committee if the position remains vacant for more than 60 days after the term expires.

2. Committee authorized as representative of Carson City.

The Redevelopment Authority Citizens Committee shall act for and on behalf of the Carson City Redevelopment Authority for the Redevelopment Incentives Program and other duties as authorized by the Board of Supervisors.

3. Service without compensation, removal, vacancies.

- a. All members of the Redevelopment Authority Citizens Committee shall serve without compensation.
- b. Citizen members may be removed after public hearing, by a majority vote of the Board of Supervisors, for inefficiency, neglect of duty, malfeasance of office or non-attendance at regular meetings. Vacancies that occur other than through the expiration of a term shall be filled for the unexpired term.

B. Ethics of the Committee Members.

1. Conflict of interest.

- a. Members shall comply with State and City regulations related to conflict of interest. However, it is acknowledged any member of the Committee may be indirectly involved with projects under consideration of the Committee.
- b. No member shall participate in, take action, cast a vote or lobby other members in relation to any project or proposal before the Committee that relates to a property, business, or other venture in which the member has a financial or vested interest.
- c. The policy of the Committee is that the appearance of a conflict of interest is as prejudicial in nature for the credibility of the Redevelopment Authority Citizens Committee and the City as an actual conflict of interest. Members, on behalf of the good of the Committee and to maintain its public credibility, shall utilize discretion and judgment and should disclose the appearance of or actual conflict.
- d. In the event of a pending matter for which a member wishes to be disqualified, the policy of the Committee shall be that if it is an actual conflict of interest as described in I. B. 1. b., the member shall leave the dais and the meeting room until the matter has been

decided. If the matter is an appearance of conflict of interest, the member may, using his or her judgment, remain at the dais or step down to the floor, and announce prior to the opening of the public hearing that he or she will be abstaining from this matter.

2. Discretion.

Members shall be discreet in the discussion of pending matters outside of the meeting forum. No commitments or prejudicial comments shall be made prior to a public hearing in advance of any official action.

C. Public meetings and records.

1. Regular meetings of the Committee shall be open to the public and subject to the provisions of the Nevada Open Meeting Law.
2. The City shall provide a Secretary for each and every meeting of the Committee to act as a recorder, vote counter and to take roll.
3. The Committee may cause to be kept tape recordings of the meetings together with or separate from a minute record of the meetings containing each of the items before the Committee and the vote taken on each item.
4. Committee files shall be public documents, and shall be available for review by members or any member of the public within a reasonable period of time following a request to view such a document at the Office of Business Development.

II. MEETINGS OF THE COMMITTEE

A. Regular meetings.

1. Regular meetings shall be held on a monthly basis at a time and date determined by the chair.
2. Special meetings may be called at any time by the Chairman, or by a quorum of the Committee at a properly noticed meeting.
3. The Committee shall make every effort to hold meetings as expediently as possible after submittal of request.

B. Annual meeting for election of officer.

1. At its regular meeting in January of each year, the Committee may elect ~~the~~ a Chairman and Vice-Chairman for the coming calendar year or as a vacancy occurs.

2. The term of the Chairman and Vice-Chairman shall be one year. The officer may be re-elected to additional terms, if so desired by the Committee.
3. The ~~Chairman of the Carson City Redevelopment Authority~~ Redevelopment Authority member shall ~~be not serve as~~ the Chairman or Vice-Chairman of the ~~Redevelopment Authority Citizens~~ Committee.

C. Duties of the Chairman.

1. The Chairman shall be responsible for the conduct of all Committee meetings.
2. The Chairman shall confer with the Director of the Office of Business Development or his/her designee on the matters scheduled for the agenda.
3. The Chairman may request that items be calendared for a Committee meeting. If other Committee members wish to calendar an item, such request shall be made to the Chairman.
4. In the absence of the Chairman, these duties shall be assumed by Vice-Chairman ~~unless the Chairman assigns a designee from the Redevelopment Authority.~~

D. Attendance.

1. Members shall make a diligent effort to attend all meetings, arrive promptly, and be properly prepared to discuss the issues calendared for the meeting.
2. In any calendar year; members shall attend a minimum of eighty percent (80%) of the scheduled Redevelopment Authority Citizens Committee meetings, and shall exercise due diligence in attending special meetings, public hearings, workshops and/or study sessions.
3. Approval for excused absences may be granted to any member by ~~majority vote of the Committee~~ the Chairman or, in his/her absence, the Vice-Chairman. Should an absence be excused ~~by the Committee~~ for reasons of illness, death in the family, an emergency or if other public meetings supersede the Committee's meetings, this will be recorded as an excused absence and will not reflect on the attendance record.
4. Should a member miss a meeting for other reasons, the ~~Committee~~ Chairman or, in his/her absence, the Vice-Chairman may find that this is an excused absence, and it will not reflect on the attendance record. This discretion ~~of the Committee~~ is based on the member's overall attendance record.

E. Quorum.

1. A quorum shall be ~~five~~four members of the Committee.
2. To be considered an approved motion, a vote of a simple majority of the Committee present shall be required.

F. Resignation.

Any member may resign at any time by sending written notice of such resignation to the ~~Economic Development & Redevelopment~~City Manager.

III. DUTIES OF THE COMMITTEE:

A. Responsibilities and authority.

1. The Committee shall have the responsibility and authority to review projects and make recommendations to the Redevelopment Authority and Board of Supervisors granting financial and other incentives, such as those delineated in the Carson City Redevelopment District Incentives Program.
2. The Committee shall grant these incentives based on adherence to the ~~Downtown Design Guidelines~~Carson City Development Standards and other criteria established by the Committee and approved by the Redevelopment Authority and Board of Supervisors.
3. The Committee shall have the authority to approve incentives established by the Redevelopment Authority and Board of Supervisors and delegated to the Committee.
4. The Committee shall work earnestly with the local banking institutions to encourage lending in the Redevelopment District.
5. The Committee may have other duties as authorized by the Board of Supervisors.

IV. AMENDMENT

An amendment to these by-laws ~~introduced at any regular meeting shall be voted on at the next meeting and~~ require an affirmative vote of two-thirds of the total Committee membership (five of seven Committee members) in order to pass. Amendment shall be reviewed and approved or amended by the Redevelopment Authority.

V. REPORTS AND MEETING PACKETS:

A. Staff reports.

1. The Director of the Office of Business Development or his/her designee shall cause to be prepared reports of the Redevelopment Authority Citizens Committee for each item for which a public hearing is scheduled.
2. Each staff report shall be in the form and style as determined by the Director. At a minimum, the report shall recommend to the Committee the necessary findings required to consider an action on a project; recommend language for a motion supporting the proposed action; and recommend conditions to ensure conformance of the proposed project with City policy and regulations.

B. Submittal of materials with applications.

The policy of the Redevelopment Authority Citizens Committee is that staff will not schedule a matter before the Committee for decision until staff determines that all required information is submitted in a form and manner consistent with the policies of the Committee and City.