

**Carson City  
Agenda Report**

**Date Submitted:** December 6, 2011

**Agenda Date Requested:** December 15, 2011

**Time Requested:** 45 minutes

**To:** Mayor and Board of Supervisors

**From:** Larry Werner, City Manager

**Subject Title:** For possible action: To appoint two members to the Carson City Regional Transportation Commission for two-year terms expiring December 31, 2013. *(Larry Werner)*

**Staff Summary:** NRS Chapter 277A.170 and C.C.M.C. 11.20.030 provide for the creation and organization of a five (5) member Regional Street and Highway Commission. Staggered two-year terms are served by two (2) members of the Board of Supervisors and three (3) representatives of the city at large. There are two vacancies to be filled on the Regional Transportation Commission (RTC) due to members' terms expiring. Members of the RTC also serve on the Carson Area Metropolitan Planning Organization (CAMPO). Charles DesJardins has requested reappointment. There are also two applicants: Aaron Sims and James Smolenski.

**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 appoint \_\_\_\_\_ and \_\_\_\_\_  
to the Carson City Regional Transportation Commission for two-year terms expiring  
December 31, 2013.

**Explanation for Recommended Board Action:** See Staff Summary

**Applicable Statute, Code, Policy, Rule or Regulation:** NRS 277A.170, C.C.M.C. 11.20.030

**Fiscal Impact:** None

**Explanation of Impact:** n/a

**Funding Source:** n/a

**Alternatives:** Re-open the position for additional applicants

**Supporting Material:** Recruitment Announcement, Current Roster, Reappointment Request, Applications, NRS Chapter 277A.170, C.C.M.C. 11.20.030

**Prepared By:** Laura A. Banks, Executive Offices

Reviewed By:

  
\_\_\_\_\_  
(City Manager)

Date: 12/6/11

  
\_\_\_\_\_  
(District Attorney)

Date: 12/6/11

  
\_\_\_\_\_  
(Finance Director)

Date: 12/6/11

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

Aye/Nay

2) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



## REGIONAL TRANSPORTATION COMMISSION

The Carson City Board of Supervisors is seeking applications from persons interested in serving on the Regional Transportation Commission. The RTC is the policy making body on transportation issues within Carson City who's purpose is to establish priorities and recommend appropriate funding for transportation improvement projects. The members of the Regional Transportation Committee also serve on the Carson Area Metropolitan Planning Organization Board to discuss and take action on federal monies spent on transportation and transit projects within the Carson Metropolitan Planning Area.

The Commission meets on the second Wednesday of the month at 4:30 p.m. Applicants should be prepared for a minimum commitment of up to ten hours a month. The position shall serve without compensation.

**There are two (2) positions open with terms that expire in December 2013.**

*Applications will be accepted until **December 1, 2011**. Let it be known that all applications submitted to this office for this position will be considered public information.*

Volunteer applications may be obtained from the Carson City Executive Offices or on our website. Thank you for your interest in assisting Carson City.

### CARSON CITY EXECUTIVE OFFICES

201 N. Carson Street #2

Carson City, Nevada 89701

(775) 887-2100 FAX 887-2286

E-Mail: [lbanks@carson.org](mailto:lbanks@carson.org)

Web Page <http://www.carson.org>

(About Carson City; Boards, Committees, Commissions)

AN EQUAL OPPORTUNITY EMPLOYER

**REGIONAL TRANSPORTATION COMMISSION**

<u>MEMBER</u>	<u>APPOINTMENT</u>	<u>TERM EXPIRES</u>
<b><u>BOS</u></b>		
Bob Crowell (Mayor) 201 N Carson St. Carson City, NV 89701 283-7550 (w) 883-1136 (h) 230-1311 (c) <a href="mailto:bcrowell@carson.org">bcrowell@carson.org</a>	Initial Appt. 01/09 Reappt. 12/09	12/2011
Shelly Aldean (Chair) 201 N. Carson St. Carson City, NV 89701 885-8282 (w) 887-1355 (h) 721-0794 (c) <a href="mailto:shelly@tristatecommercial.com">shelly@tristatecommercial.com</a>	Initial Appt. 01/03 Reappt. 12/04; 12/06; 12/08	12/2012
<b><u>Citizens at Large</u></b>		
Jim Mallery 2736 Foxhill Dr. Carson City, NV 89706 883-8655 (h) 722-8655 (c)	Initial Appt. 01/09 Reappt. 12/10	12/2012
Russell Carpenter 901 Sonoma St. Carson City, NV 89701 684-3733 (w) 885-8848 (h) 315-0444 (c) <a href="mailto:russcarpenter@sbcglobal.net">russcarpenter@sbcglobal.net</a>	Initial Appt. 12/06 Reappt. 12/10	12/2011
Charles DesJardins PO Box 2281 Carson City, NV 89702 884-9448 (w) 721-9964 (c)	Initial Appt. 03/03 Reappt. 12/03; 12/05; 12/07; 12/09	12/2011

**AUTHORITY:** CCMC 11.20.010 created the five (5) member Regional Transportation Commission per NRS 277A.170. CCMC 11.20.030 states the commission is composed as follows:

- a. Two (2) members of the Board of Supervisors, one of whom must be designated by the commission to serve as chairman;
- b. Three (3) representatives of the city at large.

CCMC 11.20.030 states that one representative of the commission who is a member of the BOS and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 of an even numbered year. One representative of the commission who is a member of the BOS and two representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year. Members serve a 2-year term (reappointment OK).

*Continued next page...*

**MEETINGS:** On the second Wednesday of each month

**PURPOSE:** (See NRS 277A.210 for exact details) RTC is set up to establish priorities and recommend appropriate funding for transportation improvement projects within Carson City.

**Liaison:** Patrick Pittenger, Transportation Manager 283-7396 [ppittenger@carson.org](mailto:ppittenger@carson.org)

**Attorney Assignment:** Tina Russom 283-7050 [trussom@carson.org](mailto:trussom@carson.org)

**- END DATA -**



C. DesJardins  
**RECEIVED**

NOV 07 2011

**CARSON CITY  
EXECUTIVE OFFICES**

P.O. Box 2281  
CARSON CITY, NV  
89702  
Nov. 4, 2011

Dear Ms. Banks,

Thank you for your letter of November 2 requesting my intentions concerning serving on RTA for another two year term. After consultation with my family, I wish to serve an additional 2 years on the Regional Transportation Commission. I believe my experience and knowledge will be helpful to the citizens of Carson City and surrounding areas.

Sincerely,

Charles DesJardins

RECEIVED

Carson City Application for Appointive/Volunteer Position **NOV 30 2011**

Please print or type

CARSON CITY EXECUTIVE OFFICES

Title of Board or Commission: Regional Transportation Commission

Title of Position: Volunteer

Name: Sims Aaron M.  
Last First Middle Initial

Address: 1930 Carson St. Rm 219 Carson City NV 89706  
Street City State Zip

Occupation/Business: Candidate for Mayor

Telephone: Work-                      Home-                      Cell- 775-721-3017 E-mail- Simsamerica@yahoo.com

How long have you lived in Carson City: 1 1/2 yrs Are you an active Carson City Registered Voter: yes

NOTE: ONLY COMPLETE IF A DEGREE IS REQUIRED FOR THIS POSITION

College, professional, vocational or other schools attended	Major Subject	Degree Conferred
<u>Western Nevada</u>	<u>Criminal Justice</u>	<u>AA</u>

1. Briefly Describe the Qualifications You Possess Which You Feel Would Be An Asset to this Board/Commission/Committee.

I have worked for the Governor dealing with much transportation needs.

2. List the Community Organizations in Which You Have Participated and Describe Participation.

Republican Party - Volunteer  
Kiwanis Club - member

3. List Your Affiliation With Professional or Technical Societies. (if required for the Position)

Kiwanis club member

4. Do You Anticipate Any Potential Conflicts of Interest? NO If Yes Please Explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Business in Carson City Service Area: \_\_\_\_\_

Length of time in Business: \_\_\_\_\_

Personal/Professional References:

Name	Address	Telephone #
<u>Cheryl Van Oker</u>	<u>_____</u>	<u>775-783-3521</u>
<u>Devon Mitchell</u>	<u>Military</u>	<u>775-450-0355</u>

I have sufficient time to devote to this community and plan to attend the required meetings if I am appointed to fill this or a future vacancy. I understand that if I am appointed to a Board/Commission or Committee where a disclosure of Assets Statement is required by State Law or Council Policy I shall do so, and that I may not assume office until 10 days after statement is filed. I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

  
Signature of Applicant

11/21/2011  
Date

**You May Attach More Information**

**All Applications are Public Information**

**Applications not acted upon will expire after two years from date submitted unless renewed by applicant.**

Mail directly to Carson City Executive Offices

Carson City Executive Offices, 201 N. Carson Street #2, Carson City NV 89701  
Phone (775)887-2100 Fax (775) 887-2286



DEC 01 2011

**Carson City Application for Appointive/Volunteer Position**

CARSON CITY  
 EXECUTIVE OFFICES

Please print or type

Title of Board or Commission: Regional Transportation Commission

Title of Position: Commissioner

Name: Smolenski James P  
Last First Middle Initial

Address: 513 W. 4th St. Carson City NV. 89703  
Street City State Zip

Occupation/Business: General Manager- FitzHenry's Funeral Home

Telephone: Work- 775-882-2644 Home- \_\_\_\_\_ Cell- 775-691-1467 E-mail- jsmolenski@att.net

How long have you lived in Carson City: 15years Are you an active Carson City Registered Voter: Yes

NOTE: ONLY COMPLETE IF A DEGREE IS REQUIRED FOR THIS POSITION

College, professional, vocational or other schools attended	Major Subject	Degree Conferred
San Francisco College of Mortuary College	Mortuary Science	AA

1. Briefly Describe the Qualifications You Possess Which You Feel Would Be An Asset to this Board/Commission/Committee.

Over the past 15 years I have been very active within the community.  
I am a manager of a local business that has had a presence in Carson City  
for almost 50 years.

2. List the Community Organizations in Which You Have Participated and Describe Participation.

Have served on the Park and Recreation Commission for the past  
4 years. Served as Chairman of the Board of Directors of the Carson City Area  
Chamber of Commerce. Currently serving as President of The Nevada  
State Elks Association. Also served time on the board of the  
Childrens Museum of Northern Nevada. Very involved in community.

3. List Your Affiliation With Professional or Technical Societies. (if required for the Position)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Do You Anticipate Any Potential Conflicts of Interest? No If Yes Please Explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Business in Carson City Service Area: FitzHenry's Funeral Home 3945 Fairview Dr.

Length of time in Business: Funeral Home in business almost 50 years. I have been here 15 yrs.

Personal/Professional References:

Name	Address	Telephone #
Pamela Graber	312 Tahoe Dr. CC,NV 89703	883-2345
Louie Cote	2029 Emily Ct. CC,NV 89703	882-2915

I have sufficient time to devote to this community and plan to attend the required meetings if I am appointed to fill this or a future vacancy. I understand that if I am appointed to a Board/Commission or Committee where a disclosure of Assets Statement is required by State Law or Council Policy I shall do so, and that I may not assume office until 10 days after statement is filed. I hereby declare that all statements given by me on this form are truthful and complete to the best of my knowledge.

  
\_\_\_\_\_  
Signature of Applicant

12/1/11  
Date

You May Attach More Information

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Phone (775)887-2100 Fax (775) 887-2286

## ESTABLISHMENT

**NRS 277A.170 Creation by ordinance in certain counties.** In any county for all or part of which a streets and highways plan has been adopted as a part of the master plan by the county or regional planning commission pursuant to NRS 278.150, the board may by ordinance create a regional transportation commission.

(Added to NRS by 2009, 839)

**NRS 277A.180 Composition; selection and terms of representatives.**

1. In counties whose population is 100,000 or more, the commission must be composed of representatives selected by the following entities from among their members:

- (a) Two by the board.
- (b) Two by the governing body of the largest city in the county.
- (c) One by the governing body of each additional city in the county.

2. In counties whose population is less than 100,000, the commission must be composed of representatives selected as follows:

- (a) If the county contains three or more cities:
  - (1) Two by the board.
  - (2) One by the governing body of the largest city.
- (b) If the county contains only two cities:
  - (1) Three by the board, at least one of whom is a representative of the public who is a resident of the county.
  - (2) One by the governing body of each city in the county.
- (c) If the county contains only one city:
  - (1) Two by the board.
  - (2) One by the governing body of the city.
- (d) If the county contains no city, the board shall select:
  - (1) Two members of the board; and
  - (2) One representative of the public, who is a resident of the largest town, if any, in the county.

3. In Carson City, the commission must be composed of representatives selected by the Board of Supervisors as follows:

(a) Two members of the Board of Supervisors, one of whom must be designated by the commission to serve as chair of the commission.

(b) Three representatives of the city at large.

4. The first representatives must be selected within 30 days after passage of the ordinance creating the commission, and, except as otherwise provided in subsections 5, 6 and 7, must serve until the next ensuing December 31 of an even-numbered year. The representative of any city incorporated after passage of the ordinance must be selected within 30 days after the first meeting of the governing body, and, except as otherwise provided in subsection 7, must serve until the next ensuing December 31 of an even-numbered year. Their successors must serve for terms of 2 years, and vacancies must be filled for the unexpired term.

5. In Carson City:

(a) One representative of the commission who is a member of the Board of Supervisors and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 of an even-numbered year; and

(b) One representative of the commission who is a member of the Board of Supervisors and two representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year.

6. In counties whose population is 100,000 or more, but less than 400,000:

(a) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an even-numbered year; and

(b) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an odd-numbered year.

7. In counties whose population is 400,000 or more, the first representatives and the representative of any city incorporated after passage of the ordinance must serve until the next ensuing June 30 of an odd-numbered year.

(Added to NRS by 2009, 839)

## POWERS AND DUTIES

**NRS 277A.200 Organization and meetings.** The commission shall provide for its organization and meetings.

(Added to NRS by 2009, 840)

**NRS 277A.210 Capacity to sue and be sued; budgets; bylaws and rules; plans for transportation; insurance against loss.** A commission may:

1. Sue and be sued.
2. Prepare and approve budgets for the regional street and highway fund, the public transit fund and money it receives from any source.
3. Adopt bylaws for the administration of its affairs and rules for the administration and operation of facilities under its control.
4. Conduct studies, develop plans and conduct public hearings to establish and approve short-range and regional plans for transportation.

5. Purchase insurance or establish a reserve or fund for self-insurance, or adopt any combination of these, to insure against loss by reason of:

- (a) Damages resulting from fire, theft, accident or other casualty; or
- (b) The commission's liability for other damages to persons or property which occur in the construction or operation of facilities or equipment under its control or in the conduct of its activities.

(Added to NRS by 2009, 841)

**NRS 277A.220 Designation and duties as metropolitan planning organization.**

1. A commission may be designated as a metropolitan planning organization pursuant to 23 U.S.C. § 134 and 49 U.S.C. § 5303.

2. If a commission is designated as a metropolitan planning organization, the commission shall carry out the duties prescribed by federal law for a metropolitan planning organization in addition to any other duties required by specific statute.

(Added to NRS by 2009, 840)

**NRS 277A.230 Powers regarding federal money and projects and public hearings; compliance with federal law.**

1. In any county in which a commission has been created by ordinance, the commission may:

- (a) Receive and disburse federal funds;
- (b) Submit project applications and programs of projects to federal agencies;
- (c) Enter into formal agreements concerning projects with federal agencies; and
- (d) Conduct public hearings and certify that such hearings were conducted.

2. If a commission receives federal funds for any project, the commission shall comply with any applicable federal law in relation to providing goods or services related to such project.

(Added to NRS by 2009, 840)

↓2009 Statutes of Nevada, Page 870 (Chapter 223, SB 245)↓

Sec. 63. NRS 706.386 is hereby amended to read as follows:

706.386 It is unlawful, except as otherwise provided in NRS ~~373.117,~~ 706.446, 706.453 and 706.745, and section 29 of this act, for any fully regulated common motor carrier to operate as a carrier of intrastate commerce and any operator of a tow car to perform towing services within this State without first obtaining a certificate of public convenience and necessity from the Authority.

Sec. 64. NRS 373.025, 373.026, 373.040, 373.050, 373.055, 373.113, 373.115, 373.116, 373.1161, 373.1163, 373.117, 373.118, 373.1183, 373.1185, 373.130, 373.143 and 373.146 are hereby repealed.

Sec. 65. This act becomes effective on July 1, 2009.



CCMC  
Chap. 11.20**11.20.010 - Authority.**

This chapter is enacted pursuant to the authorization contained in NRS Chapter 373. Carson City is a consolidated municipality of the state of Nevada having a population of less than one hundred thousand (100,000) as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce and has adopted a street and highway plan for Carson City embracing the territory of only one (1) municipal corporation therein.

**11.20.020 - Definitions.**

As used in this chapter:

1. "Commission" means the regional street and highway commission.
2. "Dealer" means and includes every person who:
  - a. Refines, manufactures, compounds, or otherwise produces motor vehicle fuel and sells or distributes the same in Carson City;
  - b. Imports motor fuel into Carson City and sells or distributes the same therein, whether in the original package or container in which it is imported or otherwise, or who uses the motor vehicle fuel in Carson City after having imported the same;
  - c. Having acquired motor vehicle fuel in Carson City in the original package or container, distributes or sells the same in such original package or container, or otherwise, or in any manner uses the same; or
  - d. Otherwise acquires in Carson City for sale, use or distribution in Carson City motor vehicle fuel with respect to which there has been no prior taxable sale use or distribution;
  - e. "Dealer" shall not include any person who shall import into Carson City motor vehicle fuel in quantities of five hundred (500) gallons or less purchased from a supplier who is licensed as a dealer under Chapter 365, Nevada Revised Statutes, and who shall assume liability for the collection and remittance of the applicable excise tax to Carson City.
3. "Department" means the Nevada Department of Motor Vehicles.
4. "Distributes" or "distribution." All motor vehicle fuel, sold, donated, consigned for sale, bartered, used or in any way voluntarily disposed of so as to terminate the ownership and possession thereof by the dealer or any other person who imports such motor vehicle fuel owned by him shall be deemed to be distributed and considered as distribution under this chapter.
5. "Highway" means every way or place of whatever nature open to the use of the public for purpose of surface traffic, including highways under construction.
6. "Motor vehicle" means and includes every self-propelled motor vehicle, including tractors, operated on a surfaced highway.
7. "Motor vehicle fuel" means and includes gasoline, natural gasoline, casinghead gasoline and any other inflammable or combustible liquid, by whatever name such liquid may be known or sold, the chief use of which in this state is for the propulsion of motor vehicles, motorboats or airplanes. Kerosene gas oil, fuel oil, jet aircraft fuel, diesel fuel and liquefied petroleum gas shall not be considered motor vehicle fuel for the purpose of this chapter.
8. "Person" means and includes every natural person, association, firm or partnership, corporation, municipal corporation, quasi-municipal corporation, political subdivision, governmental agency, trustee, receiver and the legal representative or representatives of the estate of any deceased person and their agents.
9. "Retailer" means and includes every person, other than a dealer as defined in subsection 2 engaged in the business of selling motor vehicle fuel.
10. "Tax Commission" means the Nevada Tax Commission and its duly authorized agents.

**11.20.030 - Creation and organization of regional street and highway commission.**

1. The board does hereby create the regional street and highway commission of Carson City, state of Nevada.
2. The commission shall be composed of representatives to be selected as follows by the board:
  - a. Two (2) members of the board of supervisors one of whom must be designated by the commission to serve as chairman of the commission;
  - b. Three representatives of the city at large.

(Ord. 1999-18 § 2, 1999).

**11.20.035 - Terms and regulations of commission.**