

Carson City Agenda Report

Date Submitted: June 12, 2012

Agenda Date Requested: June 21, 2012

Time Requested: 1 hr

To: Mayor and Supervisors

From: City Manager

Subject Title: For possible action. Discussion and possible action to adopt a compliant resolution for the placement of a ballot question, including the explanation of the question, a description of the anticipated financial effect and the arguments for and against the question, on the November 2012 General Election Ballot for financing the design, construction, and maintenance of a new library and public plaza park on property to be donated to the City by the Hop and Mae Adams Foundation through an increase in the sales tax up to 1/4 of 1 percent pursuant to NRS chapter 377A and as possibly augmented by funding through the Carson City Redevelopment Area.

Staff Summary: At the June 7, 2012, the Board of Supervisors requested that the City Manager prepare a resolution as required by law to place a ballot question, explanation of the question, fiscal analysis, and environmental statement of building a new library and public plaza in the downtown on land donated by the Hop and Mae Adams Foundation on the November 2012 ballot. The resolution containing the ballot question, explanation of the question, fiscal analysis, and environmental statement are attached.

Upon approval of this action, the resolution will be provided to the Clerk/Recorder for preparation of the arguments for and against the question to be included on the ballot.

Nevada Revised Statutes Chapter 377A provides, among other things, the ability of a governing body to submit a question to the people to allow the imposition of a 1/4 of 1 percent sales tax rate for a library. Nevada Revised Statutes Chapter 293 specifies the method and details for placing a question before the voters.

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 adopt Resolution 2012 - R- ___ a resolution placing a ballot question, the explanation of the question, a fiscal note, and an environmental note on the November 2012 General Election Ballot for financing the design, construction, and maintenance of a new library and public plaza park on property to be donated by the Hop and Mae Adams Foundation and funded through an increase in the sales tax up to 1/4 of 1 percent pursuant to NRS chapter 377A and as possibly augmented by funding through the Carson City Redevelopment Area.

06/14/2012 – 8:59

Explanation for Recommended Board Action: See staff summary.

Applicable Statute, Code, Policy, Rule or Regulation: NRS Chapter 377A and NRS 293.481

Fiscal Impact: Estimated project cost- \$28,000,000. Annual revenue from 1/4 of 1 percent sales tax rate equals \$1,900,000.

Explanation of Impact: If a ballot question raising the sales tax is approved, the revenue could only be used to fund the project.

Funding Source: Sales tax and redevelopment funds

Alternatives: There may be modifications to the ballot question, explanation of the question, fiscal note and environment note that the Board may wish to include.

Supporting Material: Resolution

Prepared By: Lawrence A. Werner, P.E., P.L.S.

Reviewed By:

(City Manager)

Date:

6/14/12

(District Attorney)

Date:

6/14/12

(Finance Director)

Date:

6/14/12

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

RESOLUTION NO. _____

A RESOLUTION PLACING A BALLOT QUESTION, THE EXPLANATION OF THE QUESTION, A FISCAL NOTE, AND AN ENVIRONMENTAL NOTE ON THE NOVEMBER 2012 GENERAL ELECTION BALLOT FOR FINANCING THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF A NEW LIBRARY AND PUBLIC PLAZA PARK ON PROPERTY TO BE DONATED BY THE HOP AND MAE ADAMS FOUNDATION AND FUNDED THROUGH AN INCREASE IN THE SALES TAX UP TO 1/4 OF 1 PERCENT PURSUANT TO NRS CHAPTER 377A AND AS POSSIBLY AUGMENTED BY FUNDING THROUGH THE CARSON CITY REDEVELOPMENT AREA

WHEREAS, pursuant to an unanimous vote of the Carson City Board of Supervisors at its June 7, 2012 public meeting the Board directed this resolution be brought for consideration and adoption; and

WHEREAS, NRS 377A.020-.030 requires before an ordinance to increase "a tax upon retailers" (sales tax) not exceeding $\frac{1}{4}$ of 1 percent "to acquire, develop, construct, equip, operate, maintain, improve and manage libraries, parks, recreational programs and facilities" pursuant to NRS 377A.030(1)(d) may become effective, "a question concerning the imposition of the tax is approved by a majority of the registered voters of the county voting upon the question which the board may submit to the votes at any general election"; and

WHEREAS, NRS 293.481 requires such ballot question resolution set forth the question, an explanation of the question, the description of the anticipated financial effect on the City, and that in this case the arguments for and against shall be latter included in the ballot question pursuant to the Clerk-Recorder's committee process under NRS 295.121; and

WHEREAS, pursuant to NRS 295.121(1)(a) the Board shall, in consultation and recommendation of the Clerk-Recorder pursuant to NRS 295.121(5), appoint two committees that are exempt from the Open Meeting Law pursuant to NRS 295.121(13), who will develop pursuant to NRS 295.121(7)-(10) the arguments for and against, including without limitation the environmental impact, to be placed in the ballot question at a future date by the Clerk-Recorder; and

NOW, THEREFORE, BE IT RESOLVED, that Carson City shall place a ballot question, including the explanation of the question, a description of the anticipated financial effect and the arguments for and against the question, on the November 2012 General Election Ballot for financing the design, construction, and maintenance of a new library and public plaza park on property to be donated to the City by the Hop and

Mae Adams Foundation through an increase in the sales tax up to 1/4 of 1 percent pursuant to NRS chapter 377A, and as possibly augmented by funding through the Carson City Redevelopment area.

and, BE IT FURTHER RESOLVED, that the ballot question shall read as follows:

CARSON CITY BALLOT QUESTION NO. 1. Shall Carson City, Nevada be authorized to impose an additional sales tax of up to ¼ of 1 percent pursuant to NRS Chapter 377A to finance the design, construction, and maintenance of a library and public plaza park in the downtown on lands donated by the Hop and Mae Adams Foundation?

and, BE IT FURTHER RESOLVED, that the explanation of the ballot question to be included in the sample ballot shall be as follows:

Explanation:

The question seeks approval for the imposition of an additional sales tax of up to ¼ of 1 percent pursuant to NRS Chapter 377A. A "Yes" vote would authorize, but not require, a new sales tax to be collected and used to pay the principal of and interest on general obligation bonds additionally secured by pledged revenues payable from the sales tax increase to be issued by the City to finance the project. The project, the Knowledge and Discovery Center library, would include traditional book access and reading areas for children, youth, teens and adults. Also included in the project are a technology and business support center, computer tools, arts and culture areas, meeting and conference rooms, library associated retail areas, a community auditorium and a public plaza park.

and, BE IT FURTHER RESOLVED, that the description of the anticipated financial effect to be included in the sample ballot question shall be as follows:

Description of Anticipated Financial Effect:

The sales tax increase would last for up to 30 years. The average annual cost of this sales tax increase is expected to be \$25 per household or roughly \$12.50 for a typical payer of sales tax in the State based on estimated \$9,646 of taxable purchases using U.S. Census and IRS data for Carson City. If the tax is levied, Carson City expects to

issue general obligation bonds additionally secured by pledged revenues payable from the sales tax increase and pledging the City's full faith and credit. Following the levy of the tax, additional expenses are expected to be incurred to pay for the maintenance of the City's facilities financed with the additional levy.

Maintenance expenses of the Knowledge and Discovery Center library and public plaza park are currently expected to be paid from the Carson City general fund and may be augmented by the proceeds of this additional sales tax as determined by the Carson City Board of Supervisors.

and, BE IT FURTHER RESOLVED, that the description of anticipated environmental impacts to be included in the sample ballot question shall be as follows:

Description of Anticipated Environmental Impacts:

The Knowledge and Discovery Center library and public plaza park would be constructed on property that is currently paved and used for parking. The environmental impacts created by the project would be those associated with normal construction activities. No impacts to drainage or waterways are expected from the project.

and, BE IT FURTHER RESOLVED, that the pursuant to NRS 293.481(1)(a)(3) the arguments for and against the ballot question shall be crafted and included in the ballot question pursuant to the committee process set forth in NRS 295.121;

Upon motion by Supervisor _____, seconded by
Supervisor _____, the foregoing Resolution was passed and
adopted this _____ day of _____, 2012 by the following vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Robert L. Crowell, Mayor
Carson City, Nevada

ATTEST:

Alan Glover, Clerk
Carson City, Nevada