Carson City
Agenda Report

Date Submitted: December 6, 2013 **Agenda Date Requested:** December 19, 2013
Time Requested: 1 hour

To: Mayor and Supervisors

From: City Manager

Subject Title: For Possible Action: To provide direction to staff as to what projects to include in the proposed "Plan of Expenditure" such as the Animal Services Facility, the Multipurpose Athletic Center, and the Downtown, North Carson Street, South Carson Street, William Street and Hwy 50 East corridor improvement projects as well as timing to provide the two week notice prior to conducting a public hearing (as required by the NRS 377B.100 (6)) for the adoption of the "Plan of Expenditure". (*Larry Werner*).

Staff Summary: On November 21, 2013, the Board of Supervisors voted 3-2 to support proceeding with construction of the Animal Services Facility, the Multipurpose Athletic Center, and the Downtown, North Carson Street, South Carson Street, William Street and Hwy 50 East corridor improvement projects. Because the potential funding for the projects is the Infrastructure Tax under NRS 377B a public hearing must be held prior to adoption of the plan and the imposition of a 1/8th cent sales tax. The purpose of this action is to review and modify as necessary the projects contained in the Plan of Expenditure and to set the date for the public hearing to consider the adoption of the Plan of Expenditure.

Type of Action Requested: (check one)

(____) Resolution (____) Ordinance
(__x__) Formal Action/Motion (____) Other (No Action)

Does This Action Require A Business Impact Statement: (___) Yes (_X__) No

Recommended Board Action: I move to direct staff to publish notice for a public hearing to consider the adoption of the "Plan of Expenditure" for the Animal Services Facility, the Multipurpose Athletic Center, and the Downtown, North Carson Street, South Carson Street, William Street and Hwy 50 East corridor improvement project as well as other projects as determined by the Board, and that such public hearing be held on _________.

Explanation for Recommended Board Action: Staff evaluated the cost of the proposed Animal Services Facility, the Multipurpose Athletic Center and the commercial corridor improvements as well as the potential revenue from the implementation of a 1/8th-cent sales tax. Staff determined that the sales tax is the only viable source of revenue which could fund the costs of these projects.

The Animal Services Facility is proposed to replace the existing facility that was constructed in the early 1960's. The proposed facility contemplates a 10,955 square foot building on a 1.6 acre site located at the City corporate yard on Airport Road. The facility will accommodate up to 134 dogs, 104 cats and 7 exotics. The facility promotes adoption and provides City staff sufficient area to manage and shelter animals. The proposed budget for the project is approximately $4.0 million for building, site improvements, and contingency. Contributions are being received to off-set some of the capital costs. Attached is the Animal Services Facility architectural renderings and proposed budget.

The Multi-Purpose Athletic Center currently has approximately $5.7 million in funds available and current costs for the facility are estimated to be approximately $8.5 million. The project is 60% designed and plans can be completed in approximately four to six months. The MAC is proposed as an approximate 41,500 square foot recreation and tournament facility. The project includes four high school sized basketball courts that can be reconfigured into two collegiate sized basketball courts. This court arrangement will provide for multi-purpose recreational uses that include basketball, volleyball, and futsal as well as other non-sport community uses. In addition to the courts, the facility has locker rooms, restrooms, a lobby, administrative offices, storage room, and an elevated walking/jogging track.

Should the Board of Supervisors direct staff to proceed with the process to implement the sales tax for these projects and then implement the tax, staff would then work closely with the applicable stakeholders to develop detailed plans that can be implemented within budget constraints. Significant design work has already gone into the MAC and the Animal Services Facility, but staff is waiting for a decision on funding to proceed with the detailed corridor design work. Only concepts and ideas have been discussed, to date. City staff would work closely with the property owners and businesses along the commercial corridors to develop final plans.

To use the 1/8th cent sales tax the Board must adopt an ordinance to implement the tax along with a Plan of Expenditure (draft attached). The ordinance adopting the sales tax must specify the date of imposition of the tax, the specific purpose of the tax, and that the tax will remain as necessary so as to not impair any outstanding bond payments or other obligation which is payable from the tax. The tax cannot exceed ¼ cent, has to be in 1/8 cent increments, and since 1/8th cent has already been used to fund a portion of the construction of the V&T, only 1/8th cent remains. The law requires that the governing body must develop a plan of expenditure (attached) and specify the projects within the plan that are proposed to be constructed or purchased or, in the case of flood control and landfills, operated and maintained, within the purposes as defined in NRS 377B.160 (3).

The facilities are to be funded by a 1/8th cent sales tax in accordance with NRS 377B with the improvements to the street corridors falling under NRS 377B (3) (e) (as a street project described in NRS 373.028(2)). The Animal Services Facility is a 'public safety facility' that prevents disease and protects the public as defined in NRS 377B (3) (f). The Multi-Purpose Athletic Center is a 'recreational facility' as defined in NRS 377B (3) (f).

The City can issue bonds or other obligations to fund the capital needs of the projects. The projects can be financed with bonds and/or other obligations that are secured in whole or in part with a pledge of the sales tax revenues. In addition it is anticipated bonds would not be issued immediately upon implementation of the sales tax since initial construction would not begin for approximately a year after implementation. Funds for the first year of about $1,000,000 from the tax would be used for project planning and design costs. It is anticipated that two bond issues could be issued to support the projects. An initial bond of approximately $12.0- $15.0 million would be to support the first round of projects followed a few years later with a bond of approximately $2.0-$3.0 million or greater, depending on available bonding capacity, would support the next round of projects. Funding for the balance of the corridor program could possibly be paid with revenues on a pay as you go basis.

Overall funding through the 1/8th cents sales tax would be approximately $11 million for the corridors and downtown, approximately $4 million for the Animal Services Facility, and approximately $2.8 million for the Multi-Purpose Athletic Center. By timing expenses, utilizing bonds, and using additional available funds from Grants the overall total for the projects are estimated to cost approximately $30-$34 million. The projects will be designed to the available level of funding and will be designed to be added to in the future as funding though additional grants and sources become available. The majority of the anticipated Public Works portion of the funding is contained in current capital programs in stormwater, water, sewer, and streets for replacement and improvements.

The sales tax of 1/8th cent is estimated to cost an average family approximately $12.50 per year. It is estimated that about 40% of the overall tax is paid by nonresidents and 60% by city residents.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 377B

Fiscal Impact: 1/8th cent sales tax increase.

Supporting Material: NRS 377B.100 (6)

Prepared By: Andrew Burnham, Public Works Director

Reviewed By:

____________________ Date: 12-10-13
(Public Works Director)

____________________ Date: 12/10/13
(City Manager)

____________________ Date: 12/10/13
(District Attorney)

____________________ Date: 12/10/13
(Finance Director)

Board Action Taken:

Motion: __________	1) __________	Aye/Nay
	2) __________	______
		______
		______

____
(Vote Recorded By)

CHAPTER 377B - TAX FOR INFRASTRUCTURE

NRS 377B.100 County ordinance imposing tax: Enactment; contents; cessation; periodic review of necessity for continued imposition; public hearing; plan for expenditure of proceeds; impairment of outstanding obligations prohibited.

1. The board of county commissioners of any county may by ordinance, but not as in a case of emergency, impose a tax for infrastructure pursuant to this section and NRS 377B.110.

2. An ordinance enacted pursuant to this chapter may not become effective before a question concerning the imposition of the tax is approved by a two-thirds majority of the members of the board of county commissioners. Any proposal to increase the rate of the tax or change the previously approved uses for the proceeds of the tax must be approved by a two-thirds majority of the members of the board of county commissioners. The board of county commissioners shall not change a previously approved use for the proceeds of the tax to a use that is not authorized for that county pursuant to NRS 377B.160.

3. An ordinance enacted pursuant to this section must:

(a) Specify the date on which the tax must first be imposed or on which an increase in the rate of the tax becomes effective, which must occur on the first day of the first month of the next calendar quarter that is at least 120 days after the date on which a two-thirds majority of the board of county commissioners approved the question.

(b) In a county whose population is 700,000 or more, provide for the cessation of the tax not later than:

(1) The last day of the month in which the Department determines that the total sum collected since the tax was first imposed, exclusive of any penalties and interest, exceeds $2.3 billion; or

(2) June 30, 2025,

➥ whichever occurs earlier.

4. Notwithstanding the provisions of an ordinance described in subsection 3, in a county whose population is 700,000 or more, the tax may continue to be imposed after the date set forth in the ordinance for the cessation of the tax if the board of county commissioners determines by an affirmative vote of at least two-thirds of its members that the cessation of the tax is not advisable.

5. The board of county commissioners in a county whose population is 700,000 or more and in which a water authority exists shall review the necessity for the continued imposition of the tax authorized pursuant to this chapter at least once every 10 years.

6. Before enacting an ordinance pursuant to this chapter, the board of county commissioners shall hold a public hearing regarding the imposition of a tax for infrastructure. In a county whose population is 700,000 or more and in which a water authority exists, the water authority shall also hold a public hearing regarding the tax for infrastructure. Notice of the time and place of each hearing must be:

(a) Published in a newspaper of general circulation in the county at least once a week for the 2 consecutive weeks immediately preceding the date of the hearing. Such notice must be a display advertisement of not less than 3 inches by 5 inches.

(b) Posted at the building in which the meeting is to be held and at not less than three other separate, prominent places within the county at least 2 weeks before the date of the hearing.

7. Before enacting an ordinance pursuant to this chapter, the board of county commissioners of a county whose population is less than 700,000 or a county whose population is 700,000 or more and in which no water authority exists, shall develop a plan for the expenditure of the proceeds of a tax imposed pursuant to this chapter for the purposes set forth in NRS 377B.160. The plan may include a regional project for which two or more such counties have entered into an interlocal agreement to expend jointly all or a portion of the proceeds of a tax imposed in each county pursuant to this chapter. Such a plan must include, without limitation, the date on which the plan expires, a description of each proposed project, the method of financing each project and the costs related to each project. Before adopting a plan pursuant to this subsection, the board of county commissioners of a county in which a

regional planning commission has been established pursuant to NRS 278.0262 shall transmit to the regional planning commission a list of the proposed projects for which a tax for infrastructure may be imposed. The regional planning commission shall hold a public hearing at which it shall rank each project in relative priority. The regional planning commission shall transmit its rankings to the board of county commissioners. The recommendations of the regional planning commission regarding the priority of the proposed projects are not binding on the board of county commissioners. The board of county commissioners shall hold at least one public hearing on the plan. Notice of the time and place of the hearing must be provided in the manner set forth in subsection 6. The plan must be approved by the board of county commissioners at a public hearing. Subject to the provisions of subsection 8, on or before the date on which a plan expires, the board of county commissioners shall determine whether a necessity exists for the continued imposition of the tax. If the board determines that such a necessity does not exist, the board shall repeal the ordinance that enacted the tax. If the board of county commissioners determines that the tax must be continued for a purpose set forth in NRS 377B.160, the board shall adopt, in the manner prescribed in this subsection, a new plan for the expenditure of the proceeds of the tax for such a purpose.

8. No ordinance imposing a tax which is enacted pursuant to this chapter may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair any outstanding bonds or other obligations which are payable from or secured by a pledge of a tax enacted pursuant to this chapter until those bonds or other obligations have been discharged in full.

(Added to NRS by 1997, 2395; A 2003, 2384; 2005, 1778; 2011, 1239, 3323

PLAN OF EXPENDITURE

CARSON CITY

ANIMAL SERVICES FACILITY,

MULTI-PURPOSE ATHLETIC CENTER,

CARSON STREET AND WILLIAM STREET CORRIDORS IMPROVEMENT PROJECTS

(This Plan of Expenditure expires June 30, 2047.)

DESCRIPTION OF PROPOSED PROJECTS

This Plan of Expenditure (this "Plan") was developed by Carson City, Nevada (the "City") pursuant to NRS 377B.100(7). This Plan encompasses several capital projects of the City, including: (i) improvements to the Carson Street and William Street corridors; (ii) the construction, expansion, improvement, and/or equipping of a new animal services facility (the "Animal Services Facility"); and (iii) the construction, expansion, improvement, and/or equipping of a multi-purpose athletic center (the "MAC"). Each of the corridor projects may be constructed in several phases, if necessary, based on the timing of the receipt of available funding (including grants and other agency funding), certain design timeframes, and the relinquishment of right-of-way by the Nevada Department of Transportation. The Animal Services Facility and the MAC will each be constructed in a single phase.

Each of the projects described in this Plan are proposed to be funded, in whole or in part, with the proceeds of a 1/8th cent sales tax (the "Sales Tax") imposed by the City pursuant to chapter 377B of NRS. The Carson Street and William Street corridor improvements are permitted to be funded with the proceeds of the Sales Tax pursuant to NRS 377B.160(3)(e) because such projects constitute a "project" under NRS 373.028(2). The construction, expansion, improvement, and/or equipping of the Animal Services Facility is permitted to be funded with the proceeds of the Sales Tax pursuant to NRS 377B.160(3)(f) because the Animal Services Facility will relate to "public safety" by preventing disease and protecting the public. And finally, the construction, expansion, improvement, and/or equipping of the MAC is permitted to be funded with the proceeds of the Sales Tax pursuant to NRS 377B.160(3)(f) because the MAC is a "recreational" facility.

Animal Services Facility

The Animal Services Facility will replace the existing animal services facility that was constructed in the early 1960's. The Animal Services Facility is contemplated to be a 10,955 square foot building constructed on a 1.6 acre site located at the City corporate yard on Airport Road. The Animal Services Facility will accommodate up to 134 dogs, 104 cats and 7 exotic animals. The Animal Services Facility will promote adoption and provide City staff sufficient area to manage and shelter animals. The proposed budget for the Animal Services Facility is approximately $4.0 million for the building, the site improvements, and a related contingency.

Multi-Purpose Athletic Center

Approximately $5.7 million of available funds exist for the design and construction of the MAC but current costs for the MAC are estimated to be approximately $8.0 - $8.5 million. The MAC is 60% designed and plans can be completed in approximately 4-6 months. The MAC is proposed to be an approximately 41,500 square foot recreation and tournament facility. The MAC would include four (4) high school sized basketball courts (84' x 50') that will provide space for multi-purpose recreational uses, including basketball, volleyball, and futsal. In addition to the courts, the proposed facility would include locker rooms, restrooms, a lobby, administrative offices, a storage room, and a second floor walking track. The MAC envisioned with this Plan would be multi-functional and allow for tournament play to provide enhanced economic vitality for the City by attracting out of area attendance which would increase sales tax by putting heads in beds. The MAC would be designed to accommodate expansion in the future to a full recreation center if funding allows.

Carson Street & William Street Corridor Improvement Projects

The street corridor projects are designed to improve each corridor segment by: (i) enhancing business access; (ii) increasing safety through lighting and roadway improvements; (iii) improving pedestrian access and connectivity; (iv) adding bike lanes; and (v) enhancing aesthetics through parkway landscaping and streetscape improvements. All such improvements would be made in an effort to make the corridors more inviting to the public and thereby increase the attractiveness of the local businesses located along the corridors, which will increase the City's economic vitality. The Carson City "History In Motion" design theme utilized as part of the Carson City Freeway landscape enhancement project may be extended to each of the street corridors to enhance the projects. Overall costs anticipated for all the corridors is approximately $11 - $16 million, which will funded through a combination of sales tax revenues, grants, donations and other agency funding. Water, sewer, and storm drain replacement improvements will be included in the projects but will be funded separately by City utility funds.

Downtown Carson Street

The downtown corridor segment will be developed generally in accordance with the Downtown Envision Plan prepared in 2006 and extended along the corridor from Fifth Street to William Street, which may include reducing Carson Street to one through lane in each direction, adding bikes lanes, and adding a turn lane at intersections. The parallel parking originally proposed will be significantly reduced in scope and generally be limited to handicap parking and loading, which will reduce traffic conflicts and allow for better traffic flow. As a result, wider sidewalks will be constructed allowing business access to the area for outside seating for cafes, displays, and public events. Another component of the downtown project will include improvements to Curry Street from Musser to Washington and include improved parking, improved pedestrian access, street furniture such as benches, themed lighting, and directional signage.

North Carson Street

The northern portion of this project, north of Winnie Lane to the I-580 Freeway, will include street frontage and storm water improvements, street lighting for safety, and landscaping the existing traffic islands. In addition, it is proposed to develop an urban streetscape environment from Winnie Lane to William Street. This phase will include new themed street lighting for safety, improved pedestrian street crossings, and urban site amenities including benches, waste receptacles, business district signage, and a possible landscaped roundabout at Carson Street and William Street. The North Carson Street corridor may be developed in phases depending on funding availability.

William Street

The segment from Carson Street to the Freeway interchange will include street frontage and storm water improvements, new themed street lighting, urban site amenities including benches, waste receptacles, and business district signage; wide concrete sidewalks; and street frontage landscaping. The segment from the Freeway interchange to the College Parkway and Fairview Drive intersection will include street frontage and storm water improvements, wide concrete sidewalks, multi-use path improvements, street lighting for safety, landscape planting beds, and greenbelt landscaping along the existing multi-use path. The William Street corridor may also be developed in phases depending on funding availability.

South Carson Street

The South Carson Street corridor is divided into two segments; Segment - 1- from Fifth Street to Fairview Drive; Segment 2 – from Fairview Drive to the proposed new I-580 freeway. Segment 2 must be delayed to wait for the completion of the Carson City Freeway. The Segment 1 improvements include signage, street lighting, and pedestrian connections, as well as a possible landscaped roundabout at Stewart Street. A significant storm drain project is planned for this segment and this corridor project would be coordinated with the storm drain project to take advantage of the storm drain capital investment planned to allow for better utilization of available funding. Segment 2 of the South Carson Street corridor will be done once the freeway is completed and will include reducing the 6 lane street to 4 lanes with left-turn lanes. Landscaped medians would be added along with parkway improvements, street lighting for safety, pedestrian walkway improvements, bike lanes, frontage business access improvements, signage and other street improvements. The Nevada Department of Transportation is required to make some roadway improvements in the corridor pavement section before relinquishing the right-of-way to the City so an opportunity for jointly pursuing overall corridor improvements with the City will be pursued.

PROJECT COSTS

The overall project costs have been developed through several sources depending on the particular element of the project.

The Animal Services Facility costs were developed based on an architectural study and preliminary concept design of the facility. The proposed budget for the project is $4.0 million for the building and site improvements. Contributions are available for the project which can reduce the funding required from the sales tax. Therefore, funding from the sales tax will be less than $4.0 million.

The MAC costs were also prepared by the architect and contractor engaged by the City for the facility design. Costs are currently projected to be approximately \$8.0 - \$8.5 million for the multi-functional athletic center, with \$5.7 million available from current funds. Therefore, funding from the sales tax will be approximately \$2.3 - \$2.8 million.

Costs for the corridors have been developed with greater specificity for the downtown segment since significant planning has been done for this element. The costs for the other corridors are based on general concept plans/ideas, and square footage allocations for each have been developed. Detailed planning and design will be required for all of the corridor projects. It is anticipated not all the landscaping proposed for the corridors will be able to be included in initial project construction but the underground infrastructure to support future addition of these elements will be included to allow for adding when funds become available. Costs allocated for the downtown and corridors funded by the 1/8th cent sales tax are approximately \$11 million initially, growing over time as additional funds become available.

Also, additional funding for the corridors will be identified as a part of the projects where applicable to replace water, sewer, and storm drain infrastructure funded by City utility funds; to enhance lighting through safety grants; roadway pavements using transportation funding from either the Regional Transportation Commission or Nevada Department of Transportation; and private funding along the corridors.

The projects will be designed to allowed budget limits plus any additional funding including private donations, grants, and other agency funding as may be available. The corridor projects as funded above are a start of a larger effort to enhance the business activity along the corridors. Further future investments are anticipated from various sources including grants, donations, private funding, and other agency funding over the next 10 years. Future funding is also anticipated as growth of the 1/8th cent tax revenue increases over time with an improved economy and this will be invested into continued enhancement of the corridors.

In addition a business vitality district or other funding mechanism will be formed/developed for each corridor to contribute funding annually to the city to provide for routine maintenance required for the corridors such as cleaning sidewalks, maintaining landscaping, servicing trash receptacles, etc.

PROJECT TIMING

The Animal Services Facility will be constructed in one phase. Design could begin as early as 2014 and the facility could be constructed in 2015 or later to allow for additional contributions to off-set the capital costs.

The MAC final design can be completed in 2014 and could begin construction in 2014 or 2015.

The corridor improvement projects are more complex and some segments or phases will be completed over a longer timeframe. Each corridor will require a 4-6 month project planning effort ahead of detailed design. The Downtown Carson Street improvements could be designed beginning in 2014 with construction anticipated during 2015 and the Curry Street improvements would follow as a separate phase. The North Carson Street and East William Street corridors could be designed beginning in late 2014 and constructed in 2015/2016. The South Carson Street corridor segments will need to wait for completion of the Carson Freeway and relinquishment of right-of-way to the City as well as the stormwater capital projects planned as part of the City's capital plans. These segments would likely be designed in approximately 2016 and constructed in 2017/2018 depending on completion of the freeway and securing funding.

In addition, completion of the remaining portions of the landscaping and other components for the corridor projects will be dependent upon identifying additional funding which may include grants, donations, and other agency funding as it becomes available over the next 5-10 years.

FINANCING

The City may issue bonds, notes or other obligations to fund the capital needs of the projects and may pay for certain of the costs of the projects on a pay-as-it-goes basis. The projects can be financed with bonds, notes, and/or other obligations that are payable from the proceeds of the Sales tax or the revenue generated by the projects themselves, or may be secured in whole or in part with a pledge of the proceeds of the Sales Tax or the revenue generated by the projects themselves. In addition, it is anticipated that bonds, notes or other obligations would not be issued immediately upon implementation of the Sales Tax since initial construction would not begin for approximately a year after implementation. Funds for the first year of about $1,000,000 from the Sales Tax would be used for project design costs. It is anticipated that two debt issuances could be issued to support the projects. An initial debt issuance of approximately $12.0 - $14.0 million to support the first round of projects followed two years later with a debt issuance of approximately $2.0 - $4.0 million or greater depending on available bonding capacity. Or the funding for the balance of the corridor program could be paid with current revenues on a pay as you go basis.

December __, 2013

CHAPTER 377B - TAX FOR INFRASTRUCTURE

NRS 377B.100 County ordinance imposing tax: Enactment; contents; cessation; periodic review of necessity for continued imposition; public hearing; plan for expenditure of proceeds; impairment of outstanding obligations prohibited.

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2. An ordinance enacted pursuant to this chapter may not become effective before a question concerning the imposition of the tax is approved by a two-thirds majority of the members of the board of county commissioners. Any proposal to increase the rate of the tax or change the previously approved uses for the proceeds of the tax must be approved by a two-thirds majority of the members of the board of county commissioners. The board of county commissioners shall not change a previously approved use for the proceeds of the tax to a use that is not authorized for that county pursuant to NRS 377B.160.

3. An ordinance enacted pursuant to this section must:

(a) Specify the date on which the tax must first be imposed or on which an increase in the rate of the tax becomes effective, which must occur on the first day of the first month of the next calendar quarter that is at least 120 days after the date on which a two-thirds majority of the board of county commissioners approved the question.

(b) In a county whose population is 700,000 or more, provide for the cessation of the tax not later than:

(1) The last day of the month in which the Department determines that the total sum collected since the tax was first imposed, exclusive of any penalties and interest, exceeds $2.3 billion; or

(2) June 30, 2025,

➥ whichever occurs earlier.

4. Notwithstanding the provisions of an ordinance described in subsection 3, in a county whose population is 700,000 or more, the tax may continue to be imposed after the date set forth in the ordinance for the cessation of the tax if the board of county commissioners determines by an affirmative vote of at least two-thirds of its members that the cessation of the tax is not advisable.

5. The board of county commissioners in a county whose population is 700,000 or more and in which a water authority exists shall review the necessity for the continued imposition of the tax authorized pursuant to this chapter at least once every 10 years.

6. Before enacting an ordinance pursuant to this chapter, the board of county commissioners shall hold a public hearing regarding the imposition of a tax for infrastructure. In a county whose population is 700,000 or more and in which a water authority exists, the water authority shall also hold a public hearing regarding the tax for infrastructure. Notice of the time and place of each hearing must be:

(a) Published in a newspaper of general circulation in the county at least once a week for the 2 consecutive weeks immediately preceding the date of the hearing. Such notice must be a display advertisement of not less than 3 inches by 5 inches.

(b) Posted at the building in which the meeting is to be held and at not less than three other separate, prominent places within the county at least 2 weeks before the date of the hearing.

7. Before enacting an ordinance pursuant to this chapter, the board of county commissioners of a county whose population is less than 700,000 or a county whose population is 700,000 or more and in which no water authority exists, shall develop a plan for the expenditure of the proceeds of a tax imposed pursuant to this chapter for the purposes set forth in NRS 377B.160. The plan may include a regional project for which two or more such counties have entered into an interlocal agreement to expend jointly all or a portion of the proceeds of a tax imposed in each county pursuant to this chapter. Such a plan must include, without limitation, the date on which the plan expires, a description of each proposed project, the method of financing each project and the costs related to each project. Before adopting a plan pursuant to this subsection, the board of county commissioners of a county in which a regional planning commission has been established pursuant to NRS 278.0262 shall transmit to the regional planning commission a list of the proposed projects for which a tax for infrastructure may be imposed. The regional planning commission shall hold a public hearing at which it shall rank each project in relative priority. The regional planning commission shall transmit its rankings to the board of county commissioners. The recommendations of the

regional planning commission regarding the priority of the proposed projects are not binding on the board of county commissioners. The board of county commissioners shall hold at least one public hearing on the plan. Notice of the time and place of the hearing must be provided in the manner set forth in subsection 6. The plan must be approved by the board of county commissioners at a public hearing. Subject to the provisions of subsection 8, on or before the date on which a plan expires, the board of county commissioners shall determine whether a necessity exists for the continued imposition of the tax. If the board determines that such a necessity does not exist, the board shall repeal the ordinance that enacted the tax. If the board of county commissioners determines that the tax must be continued for a purpose set forth in NRS 377B.160, the board shall adopt, in the manner prescribed in this subsection, a new plan for the expenditure of the proceeds of the tax for such a purpose.

8. No ordinance imposing a tax which is enacted pursuant to this chapter may be repealed or amended or otherwise directly or indirectly modified in such a manner as to impair any outstanding bonds or other obligations which are payable from or secured by a pledge of a tax enacted pursuant to this chapter until those bonds or other obligations have been discharged in full.

(Added to NRS by 1997, 2395; A 2003, 2384; 2005, 1778; 2011, 1239, 3323