Carson City Board of Supervisors Agenda Report

Date Submitted: June 5, 2015 Agenda Date Requested: June 18, 2015

Time Requested: 5 Minutes

To: Mayor and Supervisors **From:** Purchasing and Contracts

Subject Title: For Possible Action: To accept Staff's recommendation to approve Amendment No. 1 to Contract No. 1213-061 with the Brewery Arts Center to increase the contract term from June 30, 2015 to June 30, 2016 to continue providing public, education and governmental access programming and services for a not to exceed cost of \$140,000, to be funded from the General Fund Support Services/Public Access accounts as provided in FY 2015/2016 budget. (*Sheri Russell*)

Staff Summary: On July 5, 2012, the Carson City Board of Supervisors approved Contract 1213-061 in the amount of \$140,000 annually, which included an option to renew for an additional three year term. Staff is recommending amending contract 1314-061 through June 30, 2016, to renew for one year.

Type of Action Requested: (check one)	
() Resolution (_X) Formal Action/Motion	() Ordinance () Other (Specify)
Does This Action Require A Business Imp	act Statement: () Yes (_X) No

Recommended Board Action: I move to approve Amendment No. 1 to contract 1213-061 extending the period of service to the agreement between Carson City and Brewery Arts Center to provide public, education and governmental access programing and services from July 1, 2015 through June 30, 2016 with a fiscal impact of \$140,000 to be paid from the General Fund Support Services/Public Access. (Sheri Russell)

Explanation for Recommended Board Action: The Brewery Arts Center currently operates our community access stations. Without this agreement, the City would have to seek out another operator to ensure continuation of service.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 332.115 1(b).

Fiscal Impact: \$140,000.00

Explanation of Impact: If approved General Fund Support Services/Public Access account could be reduced by \$140,000.00 for FY 2015/2016.

Funding Source: General Fund Support Services/Public Access account 101-0615-465.14-42, funding is provided for in FY 2015/2016 budget.

Supporting Material: Amendment No. 1 to Contract 1213-061.

Reviewed By: Sheri Russell Accounting Manager (Finance) (City Manager)	ger	Date: _ Date: _ Date: _	6/9/15-6-9-1	5
Board Action Taken: Motion: (Vote Recorded By)	1)2)		-	Aye/Nay

Contract No. 1213-061
Title: Brewery Arts Center

THIS AMENDMENT is made and entered into this 1st day of July, 2015, by and between the City and County of Carson City, a political subdivision of the State of Nevada, hereinafter referred to as the "CITY", and Brewery Arts Center, hereinafter referred to as the "CONTRACTOR", and is made to amend the existing contract known as CONTRACT # 1213-061.

WITNESSETH:

WHEREAS, during the performance of CONTRACTOR'S duties pursuant to CONTRACT # 1213-061 the CITY determined that additional time is required for CONTRACTOR to perform the original *Scope of Work* of the CONTRACT; and

WHEREAS, said amendment is at the request of both the CITY and CONTRACTOR, and that significant benefit will be derived by the CITY for said amendment.

NOW, THEREFORE, in consideration of the aforesaid mutual promises herein, CITY and CONTRACTOR, by and through their respective authorized representatives hereby agree to:

- 1 Amendment of Term of **CONTRACT # 1213-061** to provide in its entirety as follows:
 - This Contract shall be effective from July 1, 2015, subject to Carson City Board of Supervisors' approval (anticipated to be June 18, 2015) to June 30, 2016, unless sooner terminated by either party as specified in **Section 9 Contract Termination**.
- 2 Amend Paragraph 7(A) of CONTRACT #1213-061 to provide in its entirety as follows:

Performance of programming minimums set forth in this section is predicated on City funding of BAC remaining at its current level, \$140,000, paid in equal installments quarterly, in July, October, January, and March, commencing July 1, 2015.

IT IS ALSO AGREED, that all unaffected conditions, requirements, and restrictions of the Original Contract document remain in full force and effect for the duration of the Contract term.

Page 1 of 4 Revised 6/2/15

Contract No. 1213-061 Title: Brewery Arts Center

ACKNOWLEDGMENT AND EXECUTION:

In witness whereof, the parties hereto have caused this Amendment to be signed and intend to be legally bound thereby.

CARSON CITY

Finance Director

Attn: Sheri Russell, Accounting Manager Purchasing and Contracts Department 201 North Carson Street Suite 3 Carson City, Nevada 89701

Telephone: 775-283-7222

Fax: 775-887-2107 SRussell@carson.org CITY'S LEGAL COUNSEL

Carson City District Attorney

I have reviewed this Contract and approve as to its legal form.

Russell, Accounting Manager

DATED

DATED

CITY'S ORIGINATING DEPARTMENT

BY: Nick Providenti, Director Carson City Finance Department

Carson City, NV 89701 Telephone: 775-283-7143

Fax: 775-887-2107

NProvidenti@carson.org

Contract No. 1213-061
Title: Brewery Arts Center

Tom Krippaehne, deposes and says: That he is the **CONTRACTOR** or authorized agent of the **CONTRACTOR**; that he has read the foregoing Amendment; and that he understands the terms, conditions, and requirements thereof.

CONTRACTOR

BY: J. Kyle Horvath TITLE: President	
FIRM: Brewery Arts Center	
CARSON CITY BUSINESS LICENSE #: 15-8691	
Address: 449 West King Street	
City: Carson City State: NV Zip Code: 89703	
Telephone: 775-883-1976	
E-mail Address: info@breweryarts.org	
(Signature of CONTRACTOR)	
DATED	
STATE OF)	
) ss County of)	
obuilty of	
Signed and sworn (or affirmed) before me on this day of Horvath.	, 2015, by J. Kyle
(Signature of Notary)	
(Notary Stamp)	

Page 3 of 4 Revised 6/2/15

Contract No. 1213-061
Title: Brewery Arts Center

CONTRACT ACCEPTANCE AND EXECUTION:

The Board of Supervisors for Carson City, Nevada at their publicly noticed meeting on June 18, 2015, approved the acceptance of **CONTRACT No. 1213-061**. Further, the Board of Supervisors authorizes the Mayor of Carson City, Nevada to set his hand to this document and record his signature for the execution of this contract in accordance with the action taken.

CARSON CITY, NEVADA

ROBERT L CROWELL, MAYOR

DATED this 18th day of June, 2015.

ATTEST:

SUSAN MERRIWETHER, CLERK-RECORDER

DATED this 18th day of June, 2015.

Performance measures for BAC:

GOAL:

Broadcast public meetings on the government public access channels, streaming services and video on demand.

MEASUREMENT:

- 1. Produce and broadcast, live and video on demand, government meetings in the Sierra Room and off site locations, with 95% of video on demand posted within 5 business days of the meeting. *
- (*1 month grace period at start of amended contract to ensure proper training and conversion of videos)

GOAL:

Ensure that modern recording and production equipment is up to date, properly insured, and correctly inventoried.

MEASUREMENT:

1. Develop an annual Technology Plan provided to the City by the end of first fiscal quarter. [Technology plan will include process for City purchased items to be properly tagged, current inventory of all City and BAC purchased hardware and software, future equipment need projections, and proof of insurance for all equipment.]

GOAL:

Produce and broadcast programming.

MEASUREMENT:

- 1. Produce and broadcast, live and video on demand, government meetings in the Sierra Room and off site locations, with 95% of video on demand posted within 5 business days of the meeting. *
- 2. Coordinate with Carson City Visitors Bureau in producing and broadcasting a pro tourism awareness piece once per quarter.
- 3. Coordinate with Carson City Chamber of Commerce in producing and broadcasting a pro business piece once per quarter.
- 4. Increase public awareness of electronic bulletin board by 10% annually.

GOAL:

Operate a Community Access Center.

MEASURMENT:

- 1. Offer once-a-month video production training available to Adults at no additional cost.
- 2. Offer once-a-month video production training available to Youth at no additional cost.

GOAL:

Maintain sound and transparent operations, including financial documents.

MEASUREMENT:

- 1. BAC produces annual report describing key activities of past and audited financial statements.
- 2. Produce and broadcast annual public service announcement providing an overview of services offered by the BAC, presented to the Board of Supervisors at or near the end of each fiscal year.