

LATE MATERIAL
Item #: 31b
Meeting Date: 04/20/23

South Carson NID FY 2023 Summary

Beginning Fund Balance	\$ 57,052
FY23 Collected Property Owner Assessments	\$ 70,372
FY23 City's Required Contribution	\$ 23,352
FY23 Actual Collected South Carson St. License Fees	\$ 44,510
Expected FY23 Expenditures	\$ 121,434
Expected End of FY23 Balance	\$ 73,852

South Carson NID 5-Year Assessment/Maintenance Projection

Item	5-Year Projection				
	FY2024	FY2025	FY2026	FY2027	FY2028
Beginning Fund Balance	\$ 73,852	\$ 98,152	\$ 106,996	\$ 44,573	\$ 44,654
SCNID Base Assessment	\$ 155,678	\$ 158,068	\$ 160,439	\$ 162,846	\$ 165,288
City's Required Contribution	\$ 24,406	\$ 24,781	\$ 25,153	\$ 25,530	\$ 25,913
Property Owner's Assessment	\$ 131,271	\$ 133,287	\$ 135,286	\$ 137,316	\$ 139,375
Estimated Right-of-Way License Fees	\$ 44,510	\$ 44,510	\$ 44,510	\$ 44,510	\$ 44,510
Final Property Owner's Assessment- Property Owner Share <u>LESS</u> Estimated License Fees	\$ 86,761	\$ 88,777	\$ 90,776	\$ 92,806	\$ 94,865
Estimated Expenses *	\$ 131,378	\$ 149,224	\$ 222,863	\$ 162,764	\$ 157,296
Ending Fund Balance (Roll-Forward)	\$ 98,152	\$ 106,996	\$ 44,573	\$ 44,654	\$ 52,646
Roll-Forward for 5-Year Maintenance Plan Projection	\$ 71,877	\$ 77,151	\$ -	\$ 12,101	\$ 21,187
20% Reserve (Roll-Forward)	\$ 26,276	\$ 29,845	\$ 44,573	\$ 32,553	\$ 31,459
Estimated Increase to Expenses	3.5%	2.5%	2.5%	2.5%	2.5%

* Assumes cost inflation increases in FY2024 through FY2028 for expenses; Maintenance expense projections include typical annual maintenance and periodic maintenance that does not occur annually, such as multi-use path crack sealing (occurs every 2 years- scheduled for FY2023, FY2025 and FY2027) and multi-use path slurry seal treatment (occurs every 5 years- scheduled for FY2026)

RESOLUTION NO. 2023-R-

A RESOLUTION REPORTING THE CITY ENGINEER'S ESTIMATED FISCAL YEAR 2024 ASSESSMENT ROLL FOR THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT; IDENTIFYING THE COST TO BE PAID BY THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE SOUTH CARSON STREET COMPLETE STREETS PROJECT; DIRECTING CITY STAFF TO FILE THE ASSESSMENT ROLL WITH THE CLERK'S OFFICE; FIXING THE TIME AND PLACE TO HEAR COMPLAINTS, PROTESTS AND OBJECTIONS REGARDING THE ASSESSMENT; DIRECTING CITY STAFF TO PROVIDE NOTICE OF THE PUBLIC HEARINGS PURSUANT TO NRS CHAPTER 271; AND ADOPTING A PROVISIONAL ORDER TO DIRECT THE AMENDMENT OF THE ORDINANCE ESTABLISHING THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT;

WHEREAS, the Board of Supervisors adopted Ordinance No. 2021-8 establishing the South Carson Neighborhood Improvement District ("SCNID") on June 17, 2021, to help pay for the ongoing maintenance of the street beautification project known as the South Carson Street Complete Streets Project, and that resolution provides for the baseline property assessment as well as other requirements in accordance with NRS Chapter 271; and

WHEREAS, NRS 271.280 establishes the procedures to amend a Neighborhood Improvement District ordinance by provisional order of the Board of Supervisors and the Board of Supervisors desires to amend the ordinance establishing the SCNID; and

WHEREAS, NRS 271.375 requires the City Engineer to report the SCNID Assessment Roll to the Board of Supervisors prior to adopting the Assessment Roll; and

WHEREAS, NRS 271.325 and 271.375 require the Board of Supervisors to file the City Engineer's Assessment Roll with the Clerk's office; and

WHEREAS, NRS 271.305, 271.310 and 271.380 require the adoption of a resolution to fix the time and place to hear complaints, protests and objections regarding the assessment and order notice of that public hearing.

NOW, THEREFORE, the Board of Supervisors hereby resolves that:

Annual Assessments

1. The base SCNID assessment for Fiscal Year ("FY") 2024 is \$155,678.
2. The estimated assessment to be paid by the SCNID property owners in FY 2024 for the purpose of paying for maintenance of the South Carson Street Complete Streets Project is \$86,761 based on a reduction in the assessment of \$68,916 from the base assessment amount, \$24,406 of

which represents the City's FY 2024 contribution for the maintenance of the South Carson Street corridor and \$44,510 of which is the amount estimated to be contributed to the SCNID from anticipated City right-of-way licensing fees from properties within the SCNID. The corresponding assessments for each property are set forth in the FY 2024 SCNID assessment roll, which is attached as EXHIBIT B.

3. City staff shall file the City Engineer's Assessment Roll with the Clerk's office.

4. A hearing of complaints, protests and objections will be held on May 18, 2023, at the regularly scheduled meeting of the Board of Supervisors beginning at 8:30 a.m., at 851 East William Street, Carson City, Nevada; and

5. City staff shall publish and provide notice of the public hearing in accordance with NRS 271.380 and 271.390, including the provision of notice to each owner of property located within the SCNID.

Amendment of SCNID Ordinance

1. This provisional order directs staff to bring an ordinance amending Ordinance No. 2021-8, the ordinance that established the SCNID, before the Board of Supervisors on May 18, 2023, in accordance with the provisions of NRS Chapter 271 and this resolution. The ordinance provisions must include substantially the following provisions. The boundaries of the SCNID are as described in Exhibit A.

2. The base assessment and the total maintenance costs for the SCNID for FY 2024 are \$155,678. The City's contribution to the SCNID is \$24,406. The amount contributed to the SCNID from anticipated City right-of-way licensing fees from properties within the SCNID is \$44,510. These contributions reduce the estimated assessment to be assessed to property owners within the SCNID in FY 2024 to \$86,761. This amount will be distributed among the properties within the SCNID as follows: 50 percent will be distributed among the properties within the SCNID based on the total square footage of the property relative to the total square footage of properties within the SCNID, and 50 percent will be distributed among the properties within the SCNID based on the properties' lineal frontage length abutting South Carson Street or abutting a City right-of-way property fronting on South Carson Street relative to total property frontage of all properties within the SCNID abutting South Carson Street or abutting a City right-of-way property fronting on South Carson Street.

3. The total annual maintenance cost estimate to be assessed to the property owners shall be reduced each year by the projected amount that will be collected through City right-of-way licensing agreements for City real property, easements, or other interests comprising right-of-way adjacent to properties located within the SCNID for the fiscal year in which the assessment is collected. After this reduction in total assessment is calculated, as described in paragraph 2, the assessment shall be distributed among each property within the SCNID in accordance with formula described in paragraph 2. The SCNID assessment roll, which sets forth the assessment for each property within the SCNID, is attached as Exhibit B.

4. The SCNID expenditures for each year must be equal to the actual projected maintenance cost for the SCNID. Expenditures, including maintenance costs, and revenues must be projected each year for at least five years, and maintenance costs must include projections for any periodic maintenance that does not occur annually. The expenditures must include amounts set aside for any periodic maintenance that occurs once every two years or more to avoid sudden increases in the annual assessment when such maintenance is scheduled to occur. A reserve account must be maintained to provide a buffer against sudden increases in expenditures and annual assessments. In FY 2024, the required reserve amount must be equal to 20 percent of the average annual expenditures over five years. The required reserve amount must increase to 30 percent in FY 2025 and following years. The percentage or amount required to be maintained in a reserve account may be changed by the Board of Supervisors not more than once a year during the process to set the annual assessment. The roll-forward amounts for periodic maintenance may not be designated as part of the reserve account.

5. The assessment must be equal to the expenditures for the SCNID, including the actual projected maintenance cost for the SCNID, plus additional amounts necessary to maintain or establish the roll-forward accounts and reserve accounts and pay any administrative fees and other incurred costs, less the City's contribution to the SCNID and the contribution from the City's collection of right-of-way license fees along South Carson Street. The City's contribution to the SCNID will increase or decrease in the same manner as provided for the annual assessment. Unless otherwise approved by the Board of Supervisors, the City's contribution will not increase if the board of any nonprofit association administering the SCNID or 66 and 2/3 percent or more of the property owners in the SCNID specifically request an increase in the amount of the assessment. Once the required reserve account balance has been reached, the assessment must be adjusted to an amount designed to maintain the required reserve account balance. If the expenditures in any given year exceed the assessed amount plus any available reserve account balance and the City incurs the cost to meet contractual maintenance obligations, the assessment must be increased the following year to reimburse the City for those additional maintenance expenditures and replenish the reserve account. The total expenditures of the SCNID must not in any event increase more than five percent on a year-over-year basis, unless otherwise approved by the Board of Supervisors or requested by the board of any nonprofit association administering the SCNID or 66 and 2/3 percent or more of the property owners in the SCNID.

6. The SCNID assessment must be paid by each property owner in conjunction with the owner's property taxes for the year, divided into quarterly payments. Penalties and interest for delinquent amounts will be calculated in the same manner as for real property taxes. The assessment amount shall constitute a lien upon an assessed property and have the same priority as a lien for property taxes.

7. The City shall prepare the annual assessment estimate to be considered by the Board of Supervisors in conformance with the requirements of NRS Chapter 271. After the assessment is confirmed, the Clerk's Office must submit the list of parcel numbers and the assessed amount for each property to the Carson City Treasurer. The Treasurer is authorized to reduce or waive the amount for good cause pursuant to NRS 361.483 and NRS 361.4835;

8. In conjunction with any nonprofit association administering the SCNID, the City must itemize and document any alleged increased maintenance costs, which may include actual costs of

maintenance or the cost of contracting the maintenance to a private company, as applicable;

9. The City has established a procedure for obtaining a hardship determination based on a property owner's ability to pay the assessment pursuant to NRS 271.357.

10. The Project improvements that are to be maintained through the SCNID assessment are shown in Exhibit C.

11. The Project improvements will be maintained in accordance with the maintenance plans described in Exhibit D.

12. The assessments to be made upon all parcels benefited by the project as described in this resolution are hereby declared to be proportional to the benefits received.

13. A hearing will be held on May 18, 2023, at the regularly scheduled meeting of the Board of Supervisors beginning at 8:30 a.m., at 851 East William Street, Carson City, Nevada. At the hearing, owners of tracts to be assessed, or any other interested persons, may appear before the Board of Supervisors to present any complaints, protests and objections and to be heard as to the propriety and advisability of amending the SCNID ordinance as provisionally ordered.

14. This resolution provisionally amending the SCNID ordinance must be furnished to the Clerk-Recorder and filed, recorded and numbered in the office of the Clerk-Recorder.

15. City staff shall publish and provide notice of the public hearing in accordance with NRS 271.305, 271.380 and 271.390, including the provision of notice to each owner of property located within the SCNID.

16. The officers and employees of Carson City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this provisional order and resolution.

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Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted this 20th day of April 2023 by the following vote:

AYES: _____

NAYES: _____

ABSENT: _____

ABSTAIN: _____

Lori Bagwell, Mayor
Carson City, Nevada

ATTEST:

William Scott Hoen, Clerk-Recorder

RESOLUTION NO. 2023-R-

~~A RESOLUTION ADOPTING A PROVISIONAL ORDER TO AMEND THE ORDINANCE ESTABLISHING THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT;~~A RESOLUTION REPORTING THE CITY ENGINEER'S ESTIMATED FISCAL YEAR 2024 ASSESSMENT ROLL FOR THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT; IDENTIFYING THE COST TO BE PAID BY THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE SOUTH CARSON STREET COMPLETE STREETS PROJECT; DIRECTING CITY STAFF TO FILE THE ASSESSMENT ROLL WITH THE CLERK'S OFFICE; FIXING THE TIME AND PLACE TO HEAR COMPLAINTS, PROTESTS AND OBJECTIONS REGARDING THE ASSESSMENT; ~~AND DIRECTING CITY STAFF TO PROVIDE NOTICE OF THE PUBLIC HEARINGS PURSUANT TO NRS CHAPTER 271;~~ AND ADOPTING A PROVISIONAL ORDER TO DIRECT THE AMENDMENT OF THE ORDINANCE ESTABLISHING THE SOUTH CARSON NEIGHBORHOOD IMPROVEMENT DISTRICT;

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WHEREAS, NRS 271.280 establishes the procedures to amend a Neighborhood Improvement District ordinance by provisional order of the Board of Supervisors and the Board of Supervisors desires to amend the ordinance establishing the ~~D~~SCNID; and

WHEREAS, NRS 271.375 requires the City Engineer to report the SCNID Assessment Roll to the Board of Supervisors prior to adopting the Assessment Roll; and

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14. This ~~provisional order and~~ resolution provisionally amending the SCNID ordinance ~~shall~~must be furnished to the Clerk-Recorder and filed, recorded and numbered in the office of the Clerk-Recorder.

15. City staff shall publish and provide notice of ~~said~~the public hearing in accordance with NRS 271.305, 271.380 and 271.390, including the provision of notice to each owner of property located within the SCNID.

16. The officers and employees of Carson City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this provisional order and resolution.

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Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted this 20th day of April 2023 by the following vote:

AYES: _____

NAYES: _____

ABSENT: _____

ABSTAIN: _____

Lori Bagwell, Mayor
Carson City, Nevada

ATTEST:

William Scott Hoen, Clerk-Recorder