

LATE MATERIAL  
 ITEM #: 31A  
 MEETING DATE: 04/20/23

FY24 BUDGET            DRAFT      4/3/2023

ESTIMATED BEGINNING BALANCE FY 24	\$96,576
ESTIMATE REVENUE FY 24	
Downtown NID Tax Assessment per 5 yr plan	48,604
City Contribution	28,993
Interest	1,000
<b>PROJECTED TOTAL REVENUE</b>	<b>78,597</b>
TOTAL REVENUE PLUS BEGINNING BALANCE	175,173
LESS TOTAL EXPENSE	-105,950
FY 24 YEAR END BALANCE	\$69,223

20% Reserves Target            \$21,190

<b>ESTIMATE EXPENSE FY 24</b>		
Contract *	6,600 monthly	\$79,200
SoS license		50
Legal		4,500
New/Replacement Plants***		3,000
Board Insurance-Directors **		1,000
Greenhouse Flower Contract	****	11,400
Snow Removal      x 10 *		7,500
Sidewalk Washing   x 6 in season		7,200
Reimburse Parks & Rec Splashpad*****		3,500
Less Reimbursement from Greenhouse Proj		-11,400
<b>PROJECTED TOTAL EXPENSE</b>		<b>\$105,950</b>

\*Note 10% increase in contract base- bids are not in yet  
 \*\*Note-does not include premises liability est at \$29k annual  
 \*\*\*Does not include Curry Street  
 \*\*\*\* Reimbursed by Greenhouse Project  
 \*\*\*\*\* based on current year invoice

NID BOARD RECOMMENDATION IS AN ASSESSMENT = TO 5 YEAR BUDGET PLAN

\$48,604

**REASONS FOR RECOMMENDATION**

- 1) Possible Purchase of Equipment for Watering Baskets
- 2) City wants NID to take over lightbulbs and splashpad maintenance
- 3) Additional questions regarding requirement for insurance are unresolved
- 4) Contract going out for bid for FY24, waiting for responses
- 5) FY 24 Revenue Expected is \$27,353 less than estimated expenses for FY24
- 6) NID wants to start budgeting for future projects and/or replacements
- 7) Basic maintenance costs are going up with inflation

RESOLUTION NO. 2023-R-\_\_\_

**A RESOLUTION REPORTING THE CITY ENGINEER'S ESTIMATED FISCAL YEAR 2024 ASSESSMENT ROLL FOR THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT; IDENTIFYING THE COST TO BE PAID BY THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE DOWNTOWN STREETScape ENHANCEMENT 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 DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT.**

*WHEREAS*, the Board of Supervisors adopted Ordinance No. 2016-1 creating the Downtown Neighborhood Improvement District ("DNID") on January 7, 2016, to help pay for the ongoing maintenance of the street beautification project known as the Downtown Streetscape Enhancement Project, and that ordinance 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 DNID; and

*WHEREAS*, NRS 271.375 requires the City Engineer to report the DNID 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 DNID assessment for Fiscal Year ("FY") 2024 is \$77,597.
2. The estimated assessment to be paid by the DNID property owners in FY 2024 for the purpose of paying for maintenance of the Downtown Streetscape Enhancement Project is \$48,604, based on a reduction in the assessment of \$28,993 from the base assessment amount, which

represents the City's FY 2024 contribution for the maintenance of the rights-of-way in the DNID, and estimates the corresponding FY 2024 DNID assessment roll for each property within the DNID to be in those amounts as set forth in EXHIBIT B, attached;

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 DNID.

### **Amendment of DNID Ordinance**

1. This provisional order directs staff to bring an ordinance amending Ordinance No. 2016-1, the ordinance that established the DNID, 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 DNID are as described in Exhibit A.

2. The total maintenance costs for the DNID for FY 2024 are \$77,597. The City's contribution to the DNID is \$28,993. The remaining amount to be assessed to property owners within the DNID in FY 2024 is \$48,604. This amount will be distributed among the properties within the DNID based on the frontage of the properties to the Downtown Streetscape Enhancement Project. Those properties that directly front the Downtown Streetscape Enhancement Project improvements are assessed at a 100 percent assessment rate, and properties that are elsewhere within the DNID, including those properties that are located on a side or adjacent street, are assessed at a 75 percent rate. All properties within the DNID that are zoned exclusively residential, including private homes and all private residences included within a mixed-use property, will be excluded from the DNID and the resulting DNID assessments. The DNID assessment roll, which sets forth the assessment for each property within the DNID, is attached as Exhibit B.

3. The DNID expenditures for each year must be equal to the actual projected maintenance cost for the DNID. 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.

4. The assessment must be equal to the expenditures for the DNID, including the actual projected maintenance cost for the DNID, 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 DNID. The City's contribution to the DNID 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 DNID or 66 and 2/3 percent or more of the property owners in the DNID 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 DNID 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 DNID or 66 and 2/3 percent or more of the property owners in the DNID.

5. The DNID 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.

6. 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;

7. In conjunction with any nonprofit association administering the DNID, the City shall 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.

8. 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.

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

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

11. 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.

12. 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 DNID ordinance.

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

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

15. 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 resolution.

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 DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT;~~ **A RESOLUTION REPORTING THE CITY ENGINEER'S ESTIMATED FISCAL YEAR 2024 ASSESSMENT ROLL FOR THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT; IDENTIFYING THE COST TO BE PAID BY THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE DOWNTOWN STREETScape ENHANCEMENT 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 DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT.**

*WHEREAS*, the ~~Carson City~~ Board of Supervisors adopted Ordinance No. 2016-1 creating the Downtown Neighborhood Improvement District ("DNID") on January 7, 2016, to help pay for the ongoing maintenance of the street beautification project known as the Downtown Streetscape Enhancement Project, and that ordinance 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 DNID; and

*WHEREAS*, NRS 271.375 requires the City Engineer to report the DNID 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 ~~Carson City~~ Board of Supervisors hereby resolves that:

**Annual Assessments**

1. The base DNID assessment for Fiscal Year ("FY") 2024 is \$77,597.
2. The estimated assessment to be paid by the DNID property owners in FY 2024 for the

purpose of paying for maintenance of the Downtown Streetscape Enhancement Project is \$48,604, based on a reduction in the assessment of \$28,993 from the base assessment amount, which represents the City's FY 2024 contribution for the maintenance of the rights-of-way in the DNID, and estimates the corresponding FY 2024 DNID assessment roll for each property within the DNID to be in those amounts as set forth in EXHIBIT B, attached;

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 DNID.

#### Amendment of DNID Ordinance

1. This provisional order hereby provisionally amends directs staff to bring an ordinance amending Ordinance No. 2016-1 establishing the DNID, the ordinance that established the DNID, 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 DNID are as described in Exhibit A.

2. The total maintenance costs for the DNID for FY 2024 are \$77,597. The City's contribution to the DNID is \$28,993. The remaining amount to be assessed to property owners within the DNID in FY 2024 is \$48,604. This amount will be distributed among the properties within the DNID based on the frontage of the properties to the Downtown Streetscape Enhancement Project. Those properties that directly front the Downtown Streetscape Enhancement Project improvements are assessed at a 100 percent assessment rate, and properties that are elsewhere within the NID ~~(i.e., including those properties that~~ are located on a side or adjacent street~~);~~ are assessed at a 75 percent rate. All properties within the NID that are zoned exclusively residential ~~(e.g., including private homes and all private residences included within a mixed-use property);~~ will be excluded from the NID and the resulting NID assessments. The DNID assessment roll, which sets forth the assessment for each property within the DNID, is attached as Exhibit B.

3. The DNID ~~assessment expenditures for~~ each year ~~shall~~ must be equal to the actual projected maintenance cost for the DNID. ~~Maintenance 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 ~~annual assessment 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 ~~the expenditures and annual assessments and increased maintenance costs.~~ In FY 2024, the required reserve amount ~~shall~~ must be equal to 20 percent of the average annual ~~maintenance costs expenditures~~ over five years. The required reserve amount ~~shall~~ 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.

4.4. The assessment must be equal to the expenditures for the DNID, including the actual projected maintenance cost for the DNID, 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 DNID. The City's contribution to the DNID 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 DNID or 66 and 2/3 percent or more of the property owners in the DNID 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 ~~cost of maintenance~~ 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 ~~shall~~ must be increased the following year to reimburse the City for those additional maintenance expenditures and replenish the reserve account. ~~In no~~ The total expenditures of the DNID must not in any event, however, may the assessment 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 DNID or 66 and 2/3 percent or more of the property owners in the DNID.

5. The DNID assessment ~~shall~~ 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.

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7. In conjunction with ~~the~~ any nonprofit association administering the DNID, ~~Carson~~ the City ~~must~~ shall 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.

8. 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.

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

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described in Exhibit D.

11. 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.

12. A hearing ~~shall~~will be held on May 18, 2023, at the regularly scheduled meeting of the ~~Carson City~~ 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 DNID ordinance ~~as provisionally ordered~~.

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

14. 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 DNID.

15. 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