CARSON CITY REDEVELOPMENT AUTHORITY

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A meeting of the Carson City Redevelopment Authority was held during the regularly scheduled meeting of the Carson City Board of Supervisors on Thursday, December 6, 2001, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, which began at 8:30 a.m.

PRESENT: Chairperson Robin Williamson and Members Ray Masayko, Jon Plank, Pete

Livermore, and Richard S. Staub

STAFF PRESENT: City Manager Linda Ritter, Clerk-Recorder Alan Glover, Redevelopment Manager

Rob Joiner, Chief Deputy District Attorney Mark Forsberg, and Recording Secretary

Katherine McLaughlin (B.O.S. 12/6/01 Tape 2-0088)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members making the introduction and any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is available for review and inspection during normal business hours.

Mayor Masayko recessed the Board of Supervisors session and passed the gavel to Redevelopment Authority Chairperson Williamson. Chairperson Williamson convened the meeting by indicating for the record that the entire Authority was present, constituting a quorum. (See Board of Supervisors Minutes for this date for discussion/action on the other Agenda items.)

ACTION ON AMENDMENT TO THE CARSON CITY REDEVELOPMENT PLAN, SPECIFIC-ALLY BY ADDING OWNER PARTICIPATION RULES AS AN ADDENDUM FOR THE CARSON CITY REDEVELOPMENT PROJECT NO. 1 ORIGINALLY ADOPTED FEBRUARY 20, 1986, AND AMENDED ON DECEMBER 16, 1999 (2-0094) - Deputy District Attorney Neil Rombardo, Deni French -Discussion ensued between the Authority and Mr. Joiner regarding the possibility of "freezing" an owner's plans for a property if the Authority determines its plans are better than the owner's and the adequacy of its 45-day timeframe. Clarification indicated that the 45-day timeframe commences upon receipt of the notice. This is the minimum timeframe. The Authority could take a longer period if due diligence on the project is occurring. The proposal must be made in writing. Financing and drawings are not required at this point. The Authority could submit a proposal to the owner who could accept or reject it. The Authority's decision should consider all of the factors and projects before determining what should occur. The Authority has unsuccessfully offered "carrots" and incentives in an effort to make some improvements within the District. If the owner cannot perform, the Authority should be able to pursue its project. Member Staub expressed his belief that the Resolution should allow a property owner to have priority and be allowed to pursue his project over all others. If the property owner fails to submit a proposal within the established timeframe, the Authority should be able to pursue its proposal. His suggestion moved Lines 10-13 to Line 15. He agreed to consider other proposals if the property owner fails to consider any projects. Mr. Joiner felt that the Authority had the discretion to follow his scenario. He agreed to clarify the resolution. Chairperson Williamson explained how the section had been used by other communities to better their districts. Member Staub pointed out that a public use, such as in the examples Chairperson Williamson had provided, are desired, the Authority has other powers it can invoke to obtain the same result. The proposal impacts property owners who are not proactive in development of the parcel and the resolution is providing a mechanism to motivate those individuals. His interpretation of Lines 10-12 means that the property owner's proposal can be rejected by the Authority. He did not want to have a hammer of this type. He supported consideration of the suggested power if the

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property owner fails to respond. The pros and cons of the need for this power were discussed. It was felt that the wording provided discretion for the Authority due to the use of the term "may". The Authority's record of working with private investors and property owners was cited to illustrate the belief that property rights will not be trampled.

Mr. Rombardo explained for the record that the proposal came from a Redevelopment consultant who is an expert in redevelopment laws. It had been used in the Downtown Redevelopment District in Sacramento to make its improvements. He reiterated that the term "may" provides the Authority with discretion. He also pointed out that the property owner's project must be substantially better than that proposed by the Authority in order for the Authority to accept the property owner's proposal. Removal of the language from the resolution eliminates the Authority's enforcement powers. Detailed plans are not required from the property owner. Member Staub reiterated his belief that, if the power is available, at some point in time it will be used. He objected to using such an extreme approach. Discussion pointed out the owner participation agreements which will provide assistance to the property owners. The "hammer" occurs only during the last 45 days when a property owner has not proceeded to improve his/her property. The Redevelopment Authority Citizens Committee is developing a strategic plan. This process includes public meetings and a determination of what is needed in the District to provide economic, physical, and aesthetic revitalization. This will entice property owners to join the program. The Redevelopment incentive funding can be used to further those development plans. The proposal will be used to prod recalcitrant property owners into action. Member Staub suggested that the resolution be returned to staff and revised to provide checks and balances and not freeze out a property owner who is acting in good faith. The language was too vague. The recalcitrant property owners should be defined to indicate who is being frozen out. Mr. Joiner reiterated that the expert in the field had drafted the language and the courts had purportedly upheld the wording. Public comments were solicited.

Mr. French supported Member Staub's concerns. The private property owners should be present and protect their interests. He asked for copies of the resolution and supporting documents. He also felt that the 45-day timeframe was too short. The Authority could be overstepping its bounds based on political whelms. He urged the Authority to return it for additional word smithing.

Member Masayko urged staff to number the criteria. This will make the resolution easier to understand. He also wanted the document to be tighter control over the Authority's powers. He pointed out a spelling error in Line 17 on Page 1 of the Resolution correcting *references* to be *preferences*. His view of redevelopment districts indicates they are economic development districts. The proposed ramifications are exceedingly powerful and may be too powerful for what they are attempting to achieve. He supported caution and control. Chairperson Williamson supported the use of caution and operation under the Open Meeting Law.

Member Staub moved that the Redevelopment Authority refer the Resolution and the Redevelopment Project No. 1 back to staff for revision and clarification with further specifications as to defining owner participation rules as an addendum for the Carson City Redevelopment Project No. 1 originally adopted February 20, 1986, and amended on December 16, 1999. Member Plank seconded the motion. Clarification by Member Staub indicated that the motion included delineation of the seven factors. Member Masayko indicated that he did not care how many other resolutions of this nature the author had written. Whenever he sees a document similar to this and he, as a member of the Board and Redevelopment Authority, is unable to determine where the seven steps are even though the process has been used in several cases, he is certain that a better job can

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be done. The ramifications in the document are significant. He preferred to have them as tight as possible. The motion was voted and carried 4-1 with Chairperson Williamson voting Naye.

Chairperson Williamson recessed the Redevelopment Authority.

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The Minutes of the December 6, 2001, Carson City	y Redevelopment Authority meeting
	ARE SO APPROVED ON May 5, 2005.
	<u>/s/</u>
	Robin Williamson, Chairperson
ATTEST:	
/s/	
Alan Glover, Clerk-Recorder	