

Item # 8A

City of Carson City
Agenda Report

Date Submitted: October 23, 2007

Agenda Date Requested: November 1, 2007
Time Requested: 10 Minutes

To: Mayor and Supervisors

From: Parks and Recreation Department

Subject Title: Action to approve allocation of Residential Construction Tax (RCT) funds for fiscal year 2007/08 for the following projects: Governor's Field parking lot landscaping for \$19,000; Governor's Field landscaping improvements and portable toilet enclosures for \$17,500; Bob Boldrick Theater lighting console for \$60,000; Aquatics Facility new fitness equipment for \$13,500; and the Urban Pond fishing pond for \$40,000.

Staff Summary: Annually in September and October, the Parks and Recreation Commission holds two public meetings in order to consider and make recommendations regarding the allocation of the current year's Residential Construction Tax funds. This year the Commission received nine applications for consideration of the \$150,000 of RCT funds available. The total of all nine requests is \$373,234. The Parks & Recreation Commission during their October 2, 2007 meeting recommended on an unanimous vote of 8-0 that the Board of Supervisors approve the following funding:

Governor's Field parking lot landscaping	\$19,000
Governor's Field landscaping improvements and portable toilet enclosures	\$17,500
Bob Boldrick Theater lighting console	\$60,000
Aquatics Facility new fitness equipment	\$13,500
Urban Fishing Pond	\$40,000

Deputy District Attorney Joel Benton reviewed all nine applications in order to render an opinion whether each application is legally permissible to receive RCT funding. Mr. Benton found that three projects, Long Ranch Open Space sign inventory; Morgan Mill Take Out site design; and the V&T Trail North project engineering study did not qualify for RCT funding.

Type of Action Requested: (check one)

- Resolution
- Ordinance
- Formal Action/Motion
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve allocation of Residential Construction Tax (RCT) funds for fiscal year 2007/08 for the following projects: Governor's Field parking lot landscaping for \$19,000; Governor's Field landscaping improvements and portable toilet enclosures for \$17,500; Bob Boldrick Theater lighting console for \$60,000; Aquatics Facility new fitness equipment for \$13,500; and the Urban Pond fishing pond for \$40,000.

Explanation for Recommended Board Action: Chapter 17.44 of the Carson City Municipal Code requires the Board of Supervisors to authorize Residential Construction expenditures after consideration of a recommendation from the Parks and Recreation Commission.

Applicable Statute, Code, Policy, Rule or Regulation: Nevada Revised Statutes 278 and Carson City Municipal Code, Chapter 17.44

Fiscal Impact: \$150,000

Explanation of Impact:

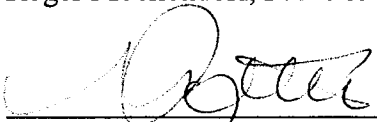
Funding Source: Residential Construction Tax funds

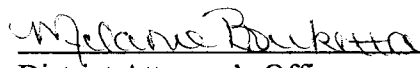
Alternatives: 1) Reject Staff and Parks & Recreation Commission's recommendation.
2) Modify Staff and Parks & Recreation Commission's recommendation.

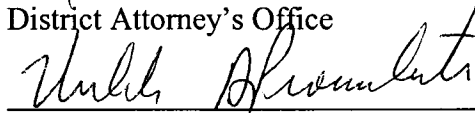
Supporting Material:

Parks & Recreation Commission staff report and minutes from the October 2, 2007, meeting.

Prepared By:  **Date:** 10/23/07
Roger Moellendorf, Parks & Recreation Director

Reviewed By:  **Date:** 10/23/07
Linda Ritter, City Manager

 **Date:** 10/23/07
District Attorney's Office

 **Date:** 10/23/07
Finance Department

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay
2: _____

(Vote Recorded By)

**Parks and Recreation Commission
Staff Report**

Meeting Date: October 2, 2007

Agenda Item Number: 5A

Applicant: Roger Moellendorf, Parks and Recreation Director

Request: Action to recommend to the Board of Supervisors allocation of Residential Construction Tax funds for fiscal year 2007/08.

General Discussion: During the Parks and Recreation Commission meeting of September 4, 2007, applications for Residential Construction Tax (RCT) funding were reviewed and discussed. A total of nine applications were submitted for consideration of the **\$150,000** of RCT funds available. The total of all nine requests is **\$373,234**. Exhibit A is the RCT applications. Staff asked Deputy District Attorney Joel Benton to review the applications and render an opinion from his office whether each application is a legally permissible use. Exhibit B is the letter from the office of the District Attorney. The District Attorney's office found the following projects impermissible for funding through RCT funds:

1. Long Ranch Open Space sign inventory and development of wayfaring map.
2. Morgan Mill Take Out site design.
3. V&T Trail North project engineering study.

Staff is recommending the Commission recommend the Board of Supervisors the following RCT allocations:

Site	Organization	Project	Amount
Governor's Field	CCPR	Landscape Parking lot	\$19,000
Governor's Field	CCPR	Portable toilet enclosures	\$17,500
Bob Boldrick Theater	CCPR	Lighting Console	\$60,000
Aquatics Facility	CCPR	New Fitness Equipment	\$13,500
Urban Fishing Pond	CCPR	Pond, wetland plants & etc.	\$40,000

Total: \$150,000

Staff will forward the Commission's recommendations to the Board of Supervisors.

Recommended Action:

Move to recommend to the Board of Supervisors to approve allocation of Residential Construction Tax funds for fiscal year 2007/08 for the following projects, Governor's Field parking lot landscaping for \$19,000; Governor's Field portable toilet enclosures for \$17,500; Bob Boldrick Theater lighting console for \$60,000; Aquatics Facility new fitness equipment for \$13,500; and the Urban Fishing Pond pond and wetland plants for \$40,000.

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Discover Us publication is made available in many and various locations around town. In response to a further question, he advised that the next edition will be published in April. Discussion took place with regard to ensuring sufficient public notice for spring sports.

4. NON-ACTION ITEMS:

4-A. PRESENTATION AND DISCUSSION ONLY REGARDING THE KIDS BIKE RALLY EVENT AT THE NORTH CARSON CITY FREEWAY TRAIL TO BE HELD ON OCTOBER 13, 2007 (5:59:21) - Chairperson Curtis introduced this item and Muscle Powered President Anne Macquarie, who distributed to the commissioners and staff copies of the Bike Rally flyer. Ms. Macquarie reviewed the event sponsors, and provided information on the Bike Safety Rodeo to be presented by Nevada Department of Transportation ("NDOT") staff. She provided background information on inception of the event by NDOT staff. The Parks and Recreation Department will provide loaner bikes and helmets for the event. Ms. Macquarie invited the commissioners to attend, together with their family members and friends, and noted that the event had been publicized in the most recent *Discover Us* edition. Flyers were also distributed in the Mark Twain Elementary School pechees. Mr. Moellendorf thanked Ms. Macquarie for her presentation, and advised that a City contractor had been cutting weeds and removing litter from along the trail. In response to a comment, he advised that the trail is called the North Carson City Freeway Trail. Chairperson Curtis thanked Ms. Macquarie for her presentation.

5. ACTION ITEMS:

5-A. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS ALLOCATION OF RESIDENTIAL CONSTRUCTION TAX FUNDS FOR FISCAL YEAR 2007-08 (6:06:50) - Chairperson Curtis introduced this item and provided background information on presentation of the residential construction tax ("RCT") applications at the September 4, 2007 commission meeting. She noted staff's recommendations listed in the staff report, and advised that some of the previously-submitted applications had been determined to be ineligible for RCT funding under the provisions of the applicable statute. Mr. Moellendorf reviewed the staff report, including the list of staff recommendations and their associated cost estimates. He discussed the difficulty associated with eliminating the BMX application for \$30,000 toward the track lighting project, in that the project is very worthwhile. He explained the statutory prohibition against "banking" or "phasing in" funding toward a project over a period of years. He suggested the possibility of another source of funding for the project such as capital improvements or private donations. He acknowledged the statute requires spending RCT funding within a three-year period. He further acknowledged past "banking" of RCT funding toward certain projects, and named the Ronald D. Wilson Memorial Park as an example. He reiterated that "banking" RCT funds is technically not permitted, and advised the City cannot proceed to do so.

(6:17:02) Mary Leaming, representing Carson City BMX, introduced herself for the record. Chairperson Curtis inquired as to whether track representatives had ever approached Sierra Pacific Power Company or other private entities for assistance with the track lighting project. Ms. Leaming advised that no specific request had ever been made. She advised that a private electrical contractor has offered to install lights at the track. She explained that BMX doesn't have a lighting standard, but the City does. In response to a question, Mr. Fahrenbruch advised that dark skies rated lighting is required for the site. Ms. Leaming acknowledged that dark skies rated lighting would cost more than the funding BMX has accumulated for

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the project. Mr. Fahrenbruch explained that a soft light or a Musco lighting system would be required in that the BMX track is on the same elevation as adjacent residential developments. He discussed the importance of ensuring a BMX-rated electrical design to address safety issues.

Commissioner Livermore suggested agendaizing review of the Edmonds Sports Complex master plan. He commended Ms. Leaming on her commitment to the BMX program, and on her tenacity in attempting to secure the necessary funding for the lighting project. In response to a question, Mr. Fahrenbruch advised that the transformer equipment, which cost had already been borne, is on site at the BMX track. He offered to research additional cost estimates for the track lighting project in an attempt to "get a better deal." He further offered to look into the possibility of the electrical contractor's offer to install the lighting, and submitting the request as a capital improvements project. In response to a question, Ms. Leaming discussed increased participation in the Carson City BMX Program. She acknowledged that BMX racing is debuting in the 2008 Olympic games, and expressed the hope that this will further increase participation. In response to a comment, Mr. Fahrenbruch discussed match opportunities represented by the transformer unit.

Commissioner Livermore discussed his support of the RCT application for funding the Bob Boldrick Theater lighting console. In response to a question, Mr. Moellendorf provided the acreage for Governor's Field, Mills Park, and the Edmonds Sports Complex. He explained Mr. Benton's interpretation of the statute that the 25-acre limit is applicable to development of new neighborhood parks. Improvements to existing parks and recreation facilities in excess of 25 acres is therefore not prohibited by the statute. Chairperson Curtis advised of having discussed previously-allocated RCT funds with Shade Tree Council Chairperson Carol Roberts. The Shade Tree Council had already decided to allocate the funding toward purchase and planting of trees.

In response to a question, Mr. Moellendorf advised there are presently no portable toilet enclosures at Governor's Field. Chairperson Curtis expressed strong support for shading areas where families gather and children play, and a preference for picnic and seating areas to be shaded prior to parking lots. Mr. Moellendorf explained that the parking lot project is ongoing, and that the Carson City Municipal Code requires parking lot landscape. Funding is not available through any other means than RCT. Mr. Moellendorf discussed the importance of completing the project. He advised of landscape at the Governor's Field T-Ball Complex which also serves as a neighborhood park. He noted that each of the RCT applications represents a worthwhile project in the face of a limited sum of RCT funding. Commissioner Livermore pointed out the location of the portable restroom enclosures at the Governor's Field T-Ball Complex.

In response to a question regarding the new fitness equipment for the Aquatic Facility, Mr. Moellendorf advised that completion of the new recreation facility is not anticipated for another eighteen months to two years. He further advised that the Aquatic Facility gymnasium gets a lot of use. The existing equipment is old and becoming obsolete, as parts are not easily acquired. Mr. Moellendorf advised of a number of requests from Aquatic Facility users to upgrade and modernize the equipment. He anticipates the Aquatic Facility gymnasium will still be extensively used once the recreation center is open. Replacement of the gymnasium equipment is "long overdue."

In response to a question, Mr. Krahn reviewed plans for allocation of RCT funding for the urban fishing pond. Mr. Moellendorf suggested considering the \$40,000 RCT allocation as a match toward a Question #1 grant from the Nevada Department of Wildlife. In response to a comment, he clarified that the inability

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to bank RCT funding doesn't mean projects can't be phased. RCT funding simply must be spent within a period of three years. Conceivably, a very large project could be partially funded by RCT as long as the funding is spent within three years even if the project isn't completed within that three-year time period. In response to a question, Mr. Krahn advised of anticipating in the near future a revised cost estimate for the urban fishing pond from the engineers. He estimated \$300,000 in available funding. The requested \$40,000 "will help" and "specifically if Trout Unlimited comes through ... we'll be ... fairly strong to ... rebid the project." Mr. Moellendorf advised of staff's relative confidence in securing the necessary funding for the urban fishing pond project. The worst case scenario would be to either "rethink the project" or to reallocate the \$40,000 toward another project.

Commissioner Tierney confirmed that the existing Aquatic Facility gymnasium equipment is very antiquated. The equipment being considered will allow for the gymnasium to be used more. In response to a question, Mr. Meyer estimated that 25 to 30 people consistently use the equipment two or three times a week. In response to a question, Mr. Moellendorf reiterated that none of the listed projects is more meritorious than another. The purpose of the agenda item is to determine the projects to which RCT funding can be allocated and spent within the provisions of the applicable statute. In response to a question, Mr. Moellendorf explained that the BMX track lighting application was eliminated from consideration because the total cost is \$186,000. He reiterated that RCT funding cannot be "banked;" it must be spent within three years. He acknowledged the option of holding the current RCT funding and rolling it over to next year. He reiterated that the current funding is required to be spent within three years.

Commissioner McKenna inquired as to staff's reasoning behind the recommended list of applications. Mr. Moellendorf advised of attempting to "stretch the \$150,000 as far as we could." He reiterated the merit of each of the RCT applications. Once the three applications determined to be unqualified were dropped from consideration, only six applications were left. Once the BMX track lighting project was eliminated due to the likelihood the funding would not be spent within the required three-year time period, the five listed applications were left. Mr. Moellendorf reviewed each of the listed applications and reiterated the reasons for staff's recommendation. In response to a question, he advised the original amount requested as part of the application for the theater improvements was \$133,000. In response to a question, he explained the cost estimate for the Governor's Field portable toilet enclosures.

Commissioner Keeton expressed a desire to close out some of the listed projects. In response to a question, Mr. Moellendorf advised that the \$19,000 requested for the Governor's Field parking lot landscape will complete that project. The \$17,500 requested for the t-ball complex portable toilet enclosures "will only fund that part of it." Additional landscape improvements remain to be done for that portion of the park. Mr. Moellendorf acknowledged that the theater lighting console will provide for a much better production. Commissioner Keeton expressed the opinion that the theater lighting console would close out that portion of the project. In response to a question, Mr. Moellendorf advised of the statutory provision to return RCT funding to the entity from which it was paid if not spent within three years. In response to a further question, he advised there are one or two projects that are "getting close." Ronald D. Wilson Memorial Park is currently under contract. Commissioner Keeton encouraged staff to ensure the City doesn't lose previously-allocated RCT funding. He suggested the possibility of reallocating funding, if necessary.

Commissioner McKenna inquired as to whether Chairperson Curtis would entertain a motion. In response to a comment, Mr. Moellendorf advised that any surplus of RCT funding, after purchase of the portable toilet enclosures, would be used toward improvements listed in the RCT application for the Governor's

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Field T-Ball Complex. Chairperson Curtis entertained a motion. **Commissioner McKenna moved to recommend to the Board of Supervisors to approve allocation of residential construction tax funds for fiscal year 2007 / 2008 for the following purposes: Governor's Field parking lot landscape for \$19,000; Governor's Field portable toilet enclosures for \$17,500; Bob Boldrick Theater lighting console for \$60,000; Aquatic Facility new fitness equipment for \$13,500; and the urban fishing pond and wetland plants for \$40,000; a total of \$150,000. Commissioner Keeton seconded the motion.** Chairperson Curtis called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 8-0.**

6. COMMISSIONERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION

(6:51:27) - Commissioner Bauman requested that notification of cancelled commission meetings be provided by e-mail rather than regular mail. Mr. Moellendorf assured the commissioners that notification of any future cancellations will be provided by e-mail with a follow-up telephone call.

7. FUTURE AGENDA ITEMS (6:52:36)

- Commissioner Livermore suggested agendaizing status reports on ongoing projects. Chairperson Curtis referred to the list of future agenda items included in the agenda materials, and suggested scheduling a workshop. Commissioner Livermore suggested scheduling a park tour. Following discussion, Mr. Moellendorf suggested scheduling a park tour / field trip in conjunction with one of the November commission meetings.

8. ACTION ON ADJOURNMENT (6:55:50)

- Commissioner Keeton moved to adjourn the meeting at 6:55 p.m. Commissioner Bauman seconded the motion. Motion carried 8-0.

The Minutes of the October 2, 2007 Carson City Parks and Recreation Commission meeting are so approved this _____ day of November, 2007.

DONNA J. CURTIS, Chair