

**Carson City  
Agenda Report**

**Date Submitted:** May 26, 2015

**Agenda Date Requested:** June 4, 2015

**To:** Redevelopment Authority

**Time Requested:** 5 min.

**From:** Community Development – Redevelopment

**Subject Title:** For Possible Action: To amend the Redevelopment Authority Citizens Committee (RACC) Bylaws to change regular RACC meeting dates from monthly to quarterly. (Lee Plemel)

**Staff Summary:** The RACC approved the proposed amendment to its Bylaws on May 4, 2015, by a vote of 5-0. Regular RACC meetings would be scheduled for the first Monday in February, May, August, and November of each year. The RACC Bylaws require the Redevelopment Authority to approve any amendments.

**Type of Action Requested:**

(check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

**Does This Action Require a Business Impact Statement:**       Yes       No

**Redevelopment Authority Citizens Committee Recommendation:** Recommended approval to change regular RACC meeting dates from monthly to quarterly.

**Recommended Board Action:** I move to amend the Redevelopment Authority Citizens Committee (RACC) Bylaws to change regular RACC meeting dates from monthly to quarterly.

**Explanation for Recommended Board Action:** At the recommendation of RACC members, the recommendation is to conduct regular meetings on a quarterly basis. The recommendation is the result of frequently cancelled monthly meetings due to no business for RACC to conduct during much of the year. Modifying the schedule will bring more certainty for the RACC members as to when meetings will occur. Special meetings can be schedule in between regular meetings dates on an as-needed basis when there are matters for RACC to discuss or upon which RACC's action is necessary. "Special" meetings will be scheduled in 2015 to address the Downtown Carson Street project and possibly other Redevelopment policy priority issues.

**Applicable State, Code, Policy, Rule or Regulation:** NRS 279

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:**

- 1) Do not approve changes

**Supporting Material:**

- 1) Draft Amended RACC Bylaws

**Prepared By:** Eva Chwalisz, Community Development

**Reviewed By:**  Date: 5.26.15  
(Community Development Director)  
 Date: 5/26/15  
(City Manager)  
 Date: 5/26/15  
(District Attorney)  
 Date: 5/26/15  
(Finance Director)

**Board Action Taken:**

**Motion:** \_\_\_\_\_

- 1) \_\_\_\_\_ Aye/Nay
- 2) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE  
BYLAWS

I. GENERAL POLICIES AND PROCEDURES

A. Redevelopment Authority Citizens Committee established.

1. Appointment and terms of members.

- a. The Board of Supervisors and Redevelopment Authority shall appoint no more than seven citizens to serve on the Citizens Committee.
- b. The Committee shall be comprised of seven members, including: a member of the Redevelopment Authority as appointed by the Authority; two representatives each from Redevelopment Areas 1 and 2 who are either a business operator or property owner within that area; and two citizens at large with qualifications as may be further detailed in the most current resolution establishing the Committee approved by the Board of Supervisors.
- c. Members of the Redevelopment Authority Citizens Committee shall be residents and active registered voters of Carson City.
- d. The Board of Supervisors and Redevelopment Authority may appoint individuals from the financial community to be advisors to the Redevelopment Authority Citizens Committee.
- e. Every member of the Committee shall be appointed for a three-year term which shall expire on January 1, or until a replacement is named. Appointments to the Committee will be made on a staggered-year basis. Except for the Redevelopment Authority member, Committee members may only serve four full three-year terms on the Committee

2. Committee authorization.

The Redevelopment Authority Citizens Committee shall advise the Carson City Redevelopment Authority regarding the Redevelopment Incentives Program and other duties as authorized by the Board of Supervisors.

3. Service without compensation, removal, vacancies.

- a. All members of the Redevelopment Authority Citizens Committee shall serve without compensation.

- b. Citizen members may be removed after public hearing, by a majority vote of the Board of Supervisors, for inefficiency, neglect of duty, malfeasance of office or non-attendance at regular meetings. Vacancies that occur other than through the expiration of a term shall be filled for the unexpired term.

4. Board of Supervisors' Policies and Procedures.

The Redevelopment Authority Citizens Committee shall be subject to the Board of Supervisors' Policies and Procedures for Boards, Committees, and Commissions, as may be amended, incorporated into these bylaws by reference.

B. Ethics of the Committee Members.

1. Conflict of interest.

- a. All Members must avoid any conflict of interest. No individual may use an official position to gain personal advantage. If a Member concludes that they have a conflict of interest or an appearance of fairness issue with respect to a matter pending before Committee, they must disqualify themselves from participating in the deliberations and decision-making process for the matter under consideration. A Member so disqualifying himself or herself shall have no personal presence before or direct communication with the other members regarding the matter at issue. Failure of a Member to disclose that he or she has a conflict of interest on a matter under consideration by the Committee may be cause for removal from the Committee.
- b. No member shall participate in, take action, cast a vote or lobby other members in relation to any project or proposal before the Committee that relates to a property, business, or other venture in which the member has a financial or vested interest.
- c. The policy of the Committee is that the appearance of a conflict of interest is as prejudicial in nature for the credibility of the Redevelopment Authority Citizens Committee and the City as an actual conflict of interest. Members, on behalf of the good of the Committee and to maintain its public credibility, shall utilize discretion and judgment and should disclose the appearance of or actual conflict.
- d. In the event of a pending matter for which a member wishes to be disqualified, the policy of the Committee shall be that if it is an actual conflict of interest as described in I. B. 1. b., the member shall leave the dais and the meeting room until the matter has been decided. If the matter is an appearance of conflict of interest, the

member may, using his or her judgment, remain at the dais or step down to the floor, and announce prior to the opening of the public hearing that he or she will be abstaining from this matter.

- e. A member convicted of a felony, domestic violence or gross misdemeanor involving moral turpitude shall resign from the Committee within 30 days of the conviction.

2. Discretion.

Members shall be discreet in the discussion of pending matters outside of the meeting forum. No commitments or prejudicial comments shall be made prior to a public hearing in advance of any official action.

C. Public meetings and records.

- 1. Regular meetings of the Committee shall be open to the public and subject to the provisions of the Nevada Open Meeting Law. In enacting NRS 241, the Nevada Legislature found and declared that all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that public body actions be taken openly and that their deliberations be conducted openly. It is the responsibility of every Member to understand the requirements of the Open Meeting Law and to assure that they individually and the Committee as a whole operates within the letter and spirit of the law. Members are required to attend either the annual training course or the short course provided through the District Attorney's Office within twelve months of appointment.
- 2. The City shall provide a Secretary for each and every meeting of the Committee to act as a recorder, vote counter and to take roll.
- 3. The Committee may cause to be kept recordings of the meetings together with or separate from a minute record of the meetings containing each of the items before the Committee and the vote taken on each item.
- 4. Committee files shall be public documents, and shall be available for review by members or any member of the public within a reasonable period of time following a request to view such a document at the Office of Business Development.

D. Code of conduct.

It is expected that appointees to all City boards, committees and commissions shall conduct themselves in a manner befitting their position. Courtesy, honesty and respect for others are important attributes for all public servants whether appointed, elected or employed. Everyone who serves the City should treat others in a professional manner being mindful

of the fact that they are expected to represent and be accountable to the people they serve.

E. Lobbying.

Unless expressly authorized by the Board of Supervisors, no board, commission, or committee, or any member of a board, commission or committee shall engage in lobbying on legislative or political matters on behalf of the board, commission or committee of Carson City. Nothing in this policy precludes individual appointees from lobbying or providing information as a private citizen provided the appointee specifically clarifies that while he or she holds an appointed position, the appointee is acting in a private capacity and not in his or her capacity as an appointed member of a board, commission, or committee or on behalf of the City. In that regard, individual appointees should refrain from lobbying as a private citizen in a way that implies authority to speak on behalf of the City or the public body to which they are appointed.

II. MEETINGS OF THE COMMITTEE

A. Regular meetings.

1. Regular meetings shall be held on a ~~monthly~~quarterly basis at a time and date determined by the ~~Board of Supervisors through the City Manager~~ the Chairperson or by a quorum of the Committee at a properly noticed meeting.
2. Special meetings may be called at any time by the Chairperson, or by a quorum of the Committee at a properly noticed meeting.
3. The Committee shall make every effort to hold meetings as expediently as possible after submittal of request.

B. Annual meeting for election of officer.

1. At its ~~first regular meeting in January~~ of each year, the Committee ~~may~~ shall elect a Chairperson and Vice-Chairperson for the coming calendar year, or the Committee may elect replacements as a vacancies occurs.
2. The term of the Chairperson and Vice-Chairperson shall be one year. A Chairperson may serve no more than two consecutive years. A Member who serves as Chairperson for two consecutive years will qualify to be re-nominated for Chairperson after two or more years have passed since the Member last served as Chairperson.
3. The Redevelopment Authority member shall not serve as the Chairperson or Vice-Chairperson of the Committee.

C. Duties of the Chairperson.

1. The Chairperson shall be responsible for the conduct of all Committee meetings.
2. The Chairperson shall confer with the Director of the Office of Business Development or his/her designee on the matters scheduled for the agenda.
3. The Chairperson may request that items be calendared for a Committee meeting. If other Committee members wish to calendar an item, such request shall be made to the Chairman.
4. In the absence of the Chairperson, these duties shall be assumed by the Vice-Chairperson.

D. Attendance.

1. Members shall make a diligent effort to attend all meetings, arrive promptly, and be properly prepared to discuss the issues calendared for the meeting.
2. All Members shall attend at least 75 percent of all scheduled meetings in the preceding 12 month period, and shall exercise due diligence in attending special meetings, public hearings, workshops and/or study sessions. No differentiation is made between excused or unexcused absences of members.

E. Quorum.

1. A quorum shall be four members of the Committee.
2. To be considered an approved motion, a vote of a simple majority of the Committee present shall be required.
3. No quorum. If the Chairperson or liaison department staff is aware that a quorum will not be present at any time during the scheduled public meeting, the meeting shall be cancelled. When possible it shall be cancelled by providing email notice to any applicable notification list and posting the cancellation notice at the door of the noticed meeting location.
4. Late quorum. If it is reasonably believed that one or more members will arrive late to complete the quorum, the meeting may begin at its scheduled time, but the Chairperson may call for only non-action informational agenda items and public comment to be heard by the public body until a quorum is present. At any time after call to order and roll call, the Chairperson may call a recess until the quorum is present, or call an adjournment (without a vote) after providing for public comment if the quorum does not timely appear.

5. Loss of quorum. If for any reason during a public meeting that has been convened the Committee loses its quorum, the Chairperson may call for only non-action informational agenda items and public comment to be heard until a quorum is present. At any time after losing a quorum, the chairperson may call a recess until the quorum is present, or call an adjournment (without a vote) after providing for public comment if the quorum does not timely reappear.

F. Communications with the Redevelopment Authority and Board of Supervisors.

Expressions of the Committee's position, recommendation, or request for any action shall be in the form of a resolution, motion, or other written communication setting forth the reasons, facts, policies, and/or findings of the Committee supporting the communication and shall be directed to the Redevelopment Authority and the City Manager. It should be emphasized that when a Committee Member who is present at a Redevelopment Authority or Board of Supervisor's meeting is asked to address the Authority or Board on a matter within the scope of the Committee, the member should take care to represent the viewpoint of the Committee as a whole and to avoid expressing his or her personal opinion unless clearly stated as such.

-G. Resignation.

Any member may resign at any time by sending written notice of such resignation to the City Manager.

III. DUTIES OF THE COMMITTEE:

A. Responsibilities and authority.

1. The Committee shall have the responsibility and authority to review projects and make recommendations to the Redevelopment Authority and Board of Supervisors granting financial and other incentives, such as those delineated in the Carson City Redevelopment District Incentives Program.
2. The Committee shall grant these incentives based on adherence to the Carson City Development Standards and other criteria established by the Committee and approved by the Redevelopment Authority and Board of Supervisors.
3. The Committee shall have the authority to approve incentives established by the Redevelopment Authority and Board of Supervisors and delegated to the Committee.
4. The Committee shall work earnestly with the local banking institutions to encourage lending in the Redevelopment District.



5. The Committee may have other duties as authorized by the Board of Supervisors.

#### IV. AMENDMENT

An amendment to these bylaws requires an affirmative vote of two-thirds of the total Committee membership (five of seven Committee members) in order to pass. Amendments to these bylaws must be approved by the Redevelopment Authority to become effective.

#### V. REPORTS AND MEETING PACKETS:

##### A. Staff reports.

1. The Director of the Office of Business Development or his/her designee shall cause to be prepared reports of the Redevelopment Authority Citizens Committee for each item for which a public hearing is scheduled.
2. Each staff report shall be in the form and style as determined by the Director. At a minimum, the report shall recommend to the Committee the necessary findings required to consider an action on a project; recommend language for a motion supporting the proposed action; and recommend conditions to ensure conformance of the proposed project with City policy and regulations.

##### B. Submittal of materials with applications.

The policy of the Redevelopment Authority Citizens Committee is that staff will not schedule a matter before the Committee for decision until staff determines that all required information is submitted in a form and manner consistent with the policies of the Committee and City.