

**City of Carson City
Agenda Report**

Date Submitted: November 22, 2010

Agenda Date Requested: December 2, 2010
Time Requested: Consent

To: Mayor and Supervisors

From: Larry Werner, City Manager

Subject Title: Action to appoint one member to the Regional Transportation Commission to fill a two year term that will expire on December 31, 2012. *(Larry Werner)*

Staff Summary: NRS Chapter 373.040 and CCMC 11.20.030 provide for the creation and organization of a five member Regional Street and Highway Commission. Staggered two year terms are served by two members of the Board of Supervisors and three representatives of the city at large. There is one vacancy to be filled on the Regional Transportation Commission (RTC) due to a member's term expiring. Members of the RTC also serve on the Carson Area Metropolitan Planning Organization. Jim Mallery has requested reappointment. There are no other applicants.

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 reappoint Jim Mallery to the Regional Transportation Commission for a two year term ending December 31, 2012.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 373.040 and CCMC 11.20.030

Fiscal Impact: None

Explanation of Impact: n/a

Funding Source: n/a

Alternatives: Reopen the position announcement for additional applicants.

Supporting Material: Letter requesting reappointment, roster, recruitment announcement, NRS & CCMC reference.

Prepared By: Heidi Eskew-Herrmann, Grants Coordinator

Reviewed By:

(City Manager)

(District Attorney)

Date:

11/24/10

Date:

11/22/10

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

Heidi Herrmann - Fw: Regional Transportation Commission/CAMPO

From: jim mallery <jmtandem@sbcglobal.net>
To: <hherrmann@carson.org>
Date: 11/15/2010 8:53 AM
Subject: Fw: Regional Transportation Commission/CAMPO

--- On **Mon, 10/18/10**, jim mallery <jmtandem@sbcglobal.net> wrote:

From: jim mallery <jmtandem@sbcglobal.net>
Subject: Regional Transportation Commission/CAMPO
To: rgardner@carson.org
Date: Monday, October 18, 2010, 1:23 PM

Rose,

Consistent with our phone conversation this morning and through this e-mail it is my intent to be considered again for another two year term (expires 2012) to the volunteer position I now occupy on the RTC and CAMPO. Should you need anything more from me please let me know.

By way of information the CAMPO meetings begin at 4:30 p.m. in deference to 5:30 p.m. that is in the notice for seeking applications.

If I can provide anything more, let me know.

Thanks,

Jim Mallery
883- 8655

REGIONAL TRANSPORTATION COMMISSION MEMBERSHIP

<u>MEMBER</u>	<u>APPOINTMENT</u>	<u>TERM EXPIRES</u>
<u>Board of Supervisors</u>		
Robert Crowell, Mayor 201 N. Carson St #2 Carson City, NV 89701	Partial Term 1/09, Reappt. 12/09	12/2011
Shelly Aldean (Chair) 201 N. Carson St. #2 885-8282 (w) 887-1355 (h) Carson City, NV 89701	Initial Term 1/03, 12/04, 12/06, 12/08	12/2010
<u>Citizens at Large</u>		
Jim Mallery 2736 Foxhill Dr. Carson City NV 89706 883-8655(h) 722-8655(cell)	Initial Term 1/2009	12/2010
Russell Carpenter 901 Sonoma St. Carson City NV 89701 684-3733(w) 885-8848(h) 315-0444(c) russcarpenter@sbcglobal.net	Partial Term 12/06 Reappt 12/07, 12/09	12/2011
Charles DesJardins P. O. Box 2281 Carson City, NV 89702 884-9448 (w) 721-9964 (h)	FUT 3/03 Reappt. 12/03, 12/05 12/07, 12/09	12/2011

AUTHORITY: N.R.S. Chapter 373.040 & C.C.M.C. 11.20.030 Provide for creation and organization of a five member Regional Street and Highway Commission. Staggered two-year terms are served by two members of the Board of Supervisors (BOS) (one must serve as chairperson) and three representatives of the city at large. One BOS representative and one at large representative will serve to December 31 of an even-numbered year, and the second BOS representative and two at large representatives will serve to December 31 of an odd-numbered year.

MEETINGS: Monthly meetings on the 2nd Wednesday of the month at 5:30 p.m. in the Sierra Room.

PURPOSE: The Regional Transportation Commission is set up to establish priorities and recommend appropriate funding for transportation improvement projects within Carson City. Projects are evaluated in terms of:

1. The priorities established by the Carson City Transportation Master Plan.
2. The relation of the proposed work to other projects already constructed or authorized.
3. The relative need for the project in comparison with others proposed.
4. The Funds available.

TYPICAL DUTIES

- Review and recommend approval of the annual budget for the Regional Transportation Commission Fund and of individual projects.
- Prioritize transportation improvement projects.
Authorize studies, develop plans and conduct public hearings to establish and approve short- range and regional plans for transportation.

Coordinators: Patrick Pittenger, Transportation Manager
887-2116 x1070

Attorney Assignment: Joel Benton
District Attorney's Office
887-2070 ext. 1550



REGIONAL TRANSPORTATION COMMISSION

The Carson City Board of Supervisors is seeking applications from persons interested in serving on the Regional Transportation Commission (RTC). The RTC is the policy making body on transportation issues within Carson City whose purpose is to establish priorities and recommend appropriate funding for transportation improvement projects. The members of the Regional Transportation Commission also serve on the Carson Area Metropolitan Planning Organization (CAMPO) to discuss and take action on federal monies spent on transportation and transit projects within the Carson Metropolitan Planning Area.

The Commission meets on the second Wednesday of the month immediately after the CAMPO meetings which begin at 5:30 p.m. at the Community Center in the Sierra Room. Applicants should be prepared for a minimum commitment of up to ten hours a month. **There is one vacancy for a two year term that will expire in December 2012.** This position shall serve without compensation.

Volunteer applications may be obtained from and returned to the Carson City Executive Offices by the ***closing date of November 15, 2010.*** Let it be known that all applications submitted to this office will be considered public information. Thank you for your interest in assisting Carson City

CARSON CITY EXECUTIVE OFFICES
201 N. Carson Street #2
Carson City, Nevada 89701
(775) 887-2100 FAX 887-2286
E-Mail hherrmann@carson.org
Web Page <http://www.carson.org>
AN EQUAL OPPORTUNITY EMPLOYER

2. In counties whose population is less than 100,000, the commission must be composed of representatives selected as follows:

- (a) If the county contains three or more cities:
 - (1) Two by the board.
 - (2) One by the governing body of the largest city.
- (b) If the county contains only two cities:
 - (1) Three by the board, at least one of whom is a representative of the public who is a resident of the county.
 - (2) One by the governing body of each city in the county.
- (c) If the county contains only one city:
 - (1) Two by the board.
 - (2) One by the governing body of the city.
- (d) If the county contains no city, the board shall select:
 - (1) Two members of the board; and
 - (2) One representative of the public, who is a resident of the largest town, if any, in the county.

3. In Carson City, the commission must be composed of representatives selected by the board of supervisors as follows:

- (a) Two members of the board of supervisors, one of whom must be designated by the commission to serve as chairman of the commission.
- (b) Three representatives of the city at large.

4. The first representatives must be selected within 30 days after passage of the ordinance creating the commission, and, except as otherwise provided in subsections 5, 6 and 7, must serve until the next ensuing December 31 of an even-numbered year. The representative of any city incorporated after passage of the ordinance must be selected within 30 days after the first meeting of the governing body, and, except as otherwise provided in subsection 7, must serve until the next ensuing December 31 of an even-numbered year. Their successors must serve for terms of 2 years, and vacancies must be filled for the unexpired term.

5. In Carson City:

- (a) One representative of the commission who is a member of the board of supervisors and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 of an even-numbered year; and
- (b) One representative of the commission who is a member of the board of supervisors and two representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year.

6. In counties whose population is 100,000 or more, but less than 400,000:

- (a) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an even-numbered year; and
- (b) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an odd-numbered year.

7. In counties whose population is 400,000 or more, the first representatives and the representative of any city incorporated after passage of the ordinance must serve until the next ensuing June 30 of an odd-numbered year.

(Added to NRS by 1965, 1265; A 1966, 50; 1969, 335, 1541; 1979, 541; 1993, 102, 2268; 1999, 970, 1049; 2001, 69, 1091)

City in the original package or container, distributes or sells the same in such original package or container, or otherwise, or in any manner uses the same; or

d. Otherwise acquires in Carson City for sale, use or distribution in Carson City motor vehicle fuel with respect to which there has been no prior taxable sale use or distribution;

e. "Dealer" shall not include any person who shall import into Carson City motor vehicle fuel in quantities of five hundred gallons or less purchased from a supplier who is licensed as a dealer under Chapter 365, Nevada Revised Statutes, and who shall assume liability for the collection and remittance of the applicable excise tax to Carson City.

3. "Department" means the Nevada Department of Motor Vehicles.

4. "Distributees" or "distribution." All motor vehicle fuel, sold, donated, consigned for sale, bartered, used or in any way voluntarily disposed of so as to terminate the ownership and possession thereof by the dealer or any other person who imports such motor vehicle fuel owned by him shall be deemed to be distributed and considered as distribution under this chapter.

5. "Highway" means every way or place of whatever nature open to the use of the public for purpose of surface traffic, including highways under construction.

6. "Motor vehicle" means and includes every self-propelled motor vehicle, including tractors, operated on a surfaced highway.

7. "Motor vehicle fuel" means and includes gasoline, natural gasoline, casinghead gasoline and any other inflammable or combustible liquid, by whatever name such liquid may be known or sold, the chief use of which in this state is for the propulsion of motor vehicles, motorboats or airplanes. Kerosene gas oil, fuel oil, jet aircraft fuel, diesel fuel and liquefied petroleum gas shall not be considered motor vehicle fuel for the purpose of this chapter.

8. "Person" means and includes every natural person, association, firm or partnership, corporation, municipal corporation, quasi-municipal corporation, political subdivision, governmental agency, trustee, receiver and the legal representative or representatives of the estate of any deceased person and their agents.

9. "Retailer" means and includes every person, other than a dealer as defined in subsection 2 engaged in the business of selling motor vehicle fuel.

10. "Tax Commission" means the Nevada Tax Commission and its duly authorized agents.

11.20.030 Creation and organization of regional street and highway commission. 1. The board does hereby create the regional street and highway commission of Carson City, state of Nevada.

2. The commission shall be composed of representatives to be selected as follows by the board:

a. Two members of the board of supervisors one of whom must be designated by the commission to serve as chairman of the commission;

b. Three representatives of the city at large.
(Ord. 1999-18 §2, 1999).

11.20.035 Terms and regulations of commission. 1.

One representative of the commission who is a member of the board of supervisors and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 or an evennumbered year; and

2. One representative of the commission who is a member of the board of supervisors and two representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year.

3. Commission members shall serve terms of two years and any vacancies shall be filled for the unexpired term.

4. The commission shall adopt such rules and regulations as are not in conflict with this chapter, Chapter 373 of the 1966 Statutes of Nevada, or any other law of the state of Nevada for the organization of the commission and the conduct of its business.

11.20.037 Meetings, notice of meetings, powers and duties of the commission. 1. The commission shall meet at such times and places as the members of the commission may deem necessary and proper, but at least one meeting shall be held in each calendar month.

2. The commission shall exercise or perform those powers and duties specifically granted to them and enumerated in NRS Chapter 373 and shall exercise or perform said powers and duties in the mode and manner set forth in the aforementioned chapter.

3. All decisions, acts and resolutions of the commission shall be by majority vote of its membership. A tie vote shall have the effect of no decision and no action shall be taken.

4. For the purpose of this section a "decision on a road project" is a decision to:

- a. Spend more than ten thousand dollars (\$10,000.00) on the study or design of,
 - b. Purchase property for, or
 - c. Authorize the use of the power of eminent domain to acquire property for, or
 - d. Commence construction of,
- a new road, or an expansion or extension of an existing road to add additional road surface. Notice of the time and place of a meeting of the Regional Transportation Com-