

**City of Carson City
Agenda Report**

Date Submitted: January 21, 2011

Agenda Date Requested: February 3, 2011
Time Requested: Consent

To: Mayor and Supervisors

From: Public Works

Subject Title: Action to adopt Resolution No._____, a resolution approving and authorizing the Mayor to sign an Interlocal Agreement by and between Carson City and the Carson City School District addressing participation and funding for removal of fill material at Carson High School. (Burnham).

Staff Summary: This agreement provides for Carson City to participate with the School District to remove fill material at the rear of the high school for development of a solar project and the regional water line project. Overall costs are estimated to be between \$250,000-\$300,000 with the City's share not to exceed \$150,000.

Type of Action Requested: (check one)
(XXX) Resolution () Ordinance
() Formal Action/Motion () Other

Does This Action Require A Business Impact Statement: () Yes (XXX) No

Recommended Board Action: I move to adopt Resolution No._____ a resolution approving and authorizing the Mayor to sign an Interlocal Agreement by and between Carson City and the Carson City School District addressing participation and funding for removal of fill material at Carson High School.

Explanation for Recommended Board Action: This agreement provides for Carson City and the School District to remove fill material at the rear of the high school for development of a solar project. The fill has been deposited by the City and the School District over the last two decades and is within a flood plain. The district is planning a solar project in the area and the City needs to install part of the regional water line through the area. Overall costs are estimated to be between \$250,000-\$300,000 with the City's share not to exceed \$150,000.

Applicable Statue, Code, Policy, Rule or Regulation: NA

Fiscal Impact: Not to exceed \$150,000.

Explanation of Impact: The project funding is contained in the City water capital budget.

Funding Source: Water Fund

Alternatives: Do not approve and direct staff otherwise.

Supporting Material: Interlocal Agreement between Carson City and the Carson City School District.

Prepared By: Andrew Burnham, Public Works Director

Reviewed By: [Signature]
(Department Head)
[Signature]
(City Manager)
[Signature]
(District Attorney)
[Signature]
(Finance Director)

Date: 1-25-11
Date: 1/25/11
Date: 1/25/11
Date: 1/25/11

Board Action Taken:

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

(Vote Recorded By)

RESOLUTION ADOPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CARSON CITY SCHOOL DISTRICT AND CARSON CITY, A CONSOLIDATED MUNICIPALITY ADDRESSING FUNDING FOR FILL REMOVAL

WHEREAS, any two or more public agencies may enter into cooperative agreements for the performance of any governmental function pursuant to NRS 277.080 to 277.180, inclusive; and

WHEREAS, NRS 277.110 provides that every such agreement must be by formal resolution or ordinance of the governing body of each public agency included and must be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body; and

WHEREAS, the parties to the Interlocal Agreement between the Carson City School District and Carson City, a Consolidated Municipality, Addressing Funding for Fill Removal, desire to adopt and approve such agreement as required by NRS 277.110. A copy of the agreement is attached to this Resolution as Exhibit "B"; and

WHEREAS, both parties to the Interlocal Agreement between the Carson City School District and Carson City, a Consolidated Municipality Addressing Funding for Fill Removal are public agencies as defined by NRS 277.100; and

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the Interlocal Agreement between the Carson City School District and Carson City, a Consolidated Municipality, Addressing Funding for Fill Removal are hereby adopted and approved; and

BE IT FURTHER RESOLVED that the Interlocal Agreement between the Carson City School District and Carson City, a Consolidated Municipality, Addressing Funding for Fill Removal shall be spread at large upon the minutes or attached in full thereto as an exhibit, and that a copy of this Resolution shall be sent to the Carson City School District.

Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted this _____ day of 2010 by the following vote:

AYES: _____ NAYS: _____

ABSENT: _____ ABSTAIN: _____

Resolution No. _____

Robert L. Crowell, Mayor
Carson City, Nevada

ATTEST:

Alan Glover, Clerk
Carson City, Nevada

INTERLOCAL AGREEMENT FOR FILL REMOVAL

This INTERLOCAL AGREEMENT is entered into this ____ day of _____, 2011 ("Effective Date"), by and between Carson City School District, formerly known as Ormsby County School District (hereinafter referred to as the "DISTRICT"), and Carson City, a consolidated municipality and political subdivision of the State of Nevada (hereinafter referred to as "CARSON CITY")."

RECITALS

1. NRS 277.100(1) defines a public agency eligible to enter into an interlocal contract to include counties and consolidated municipalities, districts and CARSON CITY and DISTRICT are public agencies under that definition.

2. NRS 277.180(1) provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the contracting agencies is authorized by law to perform.

3. CARSON CITY and DISTRICT have disposed of fill material at the rear of the Carson City High School over the last two decades for the convenience of both entities which now needs to be removed due to the need to prepare the area for a solar project.

4. CARSON CITY and DISTRICT desire to share in the cost of the removal of the fill material.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. REQUIRED APPROVAL. This AGREEMENT shall not become effective until and unless approved by appropriate official action of the governing body of each party.

2. TERM OF AGREEMENT. The term of this agreement shall be for one (1) year commencing on the effective date.

3. CARSON CITY'S RESPONSIBILITIES

a) CARSON CITY will pay DISTRICT for 50%, but not to exceed \$150,000, of the costs for removal of the fill material and will pay DISTRICT within 30 days of receiving an invoice from DISTRICT.