

**City of Carson City
Agenda Report**

Date Submitted: May 20, 2011

Agenda Date Requested: June 2, 2011
Time Requested: Consent Agenda

To: Mayor and Supervisors

From: Public Works Department

Subject Title: Action to adopt Resolution No. _____ a resolution approving and authorizing the Mayor to sign Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon. (Andy Burnham)

Staff Summary: Adoption of the Resolution approving this amendment will increase annual lease payment for 2.23 acres of State owned property in Vicee Canyon from \$1,115.00 to \$2,485.00. There has not been an increase since the initial contract approval date of April 16, 2004.

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

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

Recommended Board Action: I move to adopt Resolution No. _____ a resolution approving and authorizing the Mayor to sign Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon.

Explanation of Recommended Board Action: As the Board is aware, Carson City Public Works - Water Division operates and maintains water recharge basins and monitoring wells in Vicee Canyon on 2.23 acres of land owned by the State of Nevada, Division of State Lands. This recharge project is an important element of the City's overall water storage and production program. The revised rental rate has been derived from the 2011 Carson City Assessor's Office property values in the vicinity of the leased area, less 10% (see cover letter to Amendment). It is necessary to continue the rental of this property. The current agreement expires June 30, 2014, and will need to be renewed for another 10 year period.

Fiscal Impact: \$2,485.00 per year.

Funding Source: 520-3502


Explanation of Impact: Funding provided for in FY 2010/2011

Alternatives: Do not approve and advise otherwise.

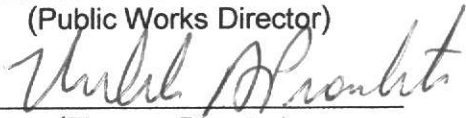
Supporting Material:

1. Resolution (Exhibit A)
2. Amendment and Agreement with State Lands (Exhibit B)

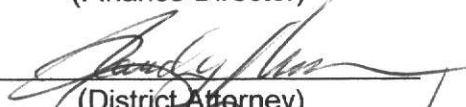
Prepared By: Ken Arnold, Environmental Manager

Reviewed By: 
(Public Works Director)

Date: 5-24-11

Concurrences: 
(Finance Director)

Date: 5/24/11


(District Attorney)

Date: 5/24/11


(City Manager)

Date: 5/24/11

Board Action Taken:

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

(Vote Recorded By)

RESOLUTION NO. _____

RESOLUTION ADOPTING AND APPROVING AMENDMENT #1 TO AN INTERLOCAL AGREEMENT BY AND BETWEEN CARSON CITY AND THE STATE OF NEVADA, DIVISION OF STATE LANDS AND CARSON CITY FOR INDUCED WATER INFILTRATION SYSTEM, ROADWAY AND MONITORING WELLS IN VICEE CANYON

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 Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon, desire to adopt and approve such agreement as required by NRS 277.110. A copy of the amendment and the original agreement are attached to this Resolution as Exhibit "B"; and

WHEREAS, both parties to Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon are public agencies as defined by NRS 277.100; and

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon are hereby adopted and approved; and

BE IT FURTHER RESOLVED that Amendment #1 to an Interlocal Agreement by and between Carson City and the State of Nevada, Division of State Lands and Carson City for Induced Water Infiltration System, Roadway and Monitoring Wells in Vicee Canyon 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 State of Nevada, Division of State Lands.

Vicee Canyon amendment, continued;

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

LEO DROZDOFF
Director

BRIAN SANDOVAL
Governor

State Land Office
State Land Use Planning Agency
Nevada Tahoe Resource Team
Conservation Bond Program-Q1

Department of Conservation
and Natural Resources

JAMES R. LAWRENCE
Administrator



Address Reply to

Division of State Lands
901 S. Stewart St. Suite 5003
Carson City, Nevada 89701
Phone (775) 684-2720
Fax (775) 684-2721
Web www.lands.nv.gov

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

May 9, 2011

CARSON CITY UTILITIES DEPARTMENT
3505 BUTTI WAY
CARSON CITY, NV 89701-3498

Re: Lease Amendment Induced Water Infiltration System and Monitoring Wells

Gentlemen:

A Lease was issued on April 16, 2004 for a water recharge project, access road and six (6) monitoring wells on State property in Vicee Canyon. Per the terms of the lease, the annual rental fee may be re-evaluated every 5 years to reflect any change in market value. Our records indicate that no fee adjustment has been made since 2004.

The State of Nevada is obligated to receive full fair market value for use of all School Grant Lands, which are held in trust for our citizens. A comparison of 2011 Carson City Assessor's Office property values in the vicinity of the leased area indicates an average fair market value of \$12,386.00 per acre. Based on your use of 2.23 total acres for the water infiltration system, road and monitoring wells, a total value estimate of \$27,621.00 was considered. We adjusted the value downward by 10% and used an average rate of return to arrive at a rental rate of \$2,485.00 per year.

We would appreciate your review of this amendment, and if you concur, please sign both copies as Lessee where indicated and return them to our office as soon as you can. A fully executed copy will be returned to you when all signatures have been obtained. If you disagree with the above rental valuation, please provide our office with any supporting information.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Rick Murray".
Rick Murray

Land Agent III
Nevada Division of State Lands
901 S. Stewart St, #5003
Carson City, NV 89701

REM/Enclosures