

**City of Carson City
Agenda Report**

Date Submitted: August 23, 2011

Agenda Date Requested: September 1, 2011
Time Requested: Consent Agenda

To: Mayor and Supervisors

From: Parks and Recreation Department

Subject Title: For possible action on a resolution adopting and approving a time extension from a previous agreement between Carson City and the State of Nevada, Division of State Parks, for the installation of an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex. (Vern L. Krahn, Park Planner)

Staff Summary: On May 15, 2008, the Board of Supervisors approved a project agreement with the State of Nevada, Division of State Parks, for the City to receive a Land and Water Conservation Fund grant for the installation of an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex. City staff is requesting the Board of Supervisors to approve a time extension for City staff to secure additional funds for the project.

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 adopt and approve a resolution for a time extension from a previous agreement between Carson City and the State of Nevada, Division of State Parks, for the installation of an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex.

Explanation for Recommended Board Action: Over the past few years, City staff has been working to develop plans and specifications for an overhead night time lighting system at the BMX Track in the Edmonds Sports Complex. Unfortunately, the recent cost estimates are over the current funding available for the project. This past year our department, working with Parks and Recreation Commissioner Janice Brod, applied for two grants to assist with the project's funding shortfall. Unfortunately, our department did not receive these grants. The project agreement will expire on September 30, 2011, and the State of Nevada, Division of State Parks, has agreed to extend the project agreement's deadline to December 31, 2012. This time extension would allow the Parks and Recreation Department more time to secure additional non-city general fund revenue for the project, explore City and Carson City BMX "in-kind" labor and equipment matches, apply for other grants, and seek private donations. As a result, our department is requesting the Board of Supervisors to approve this time extension to December 31, 2012.

Applicable Statue, Code, Policy, Rule or Regulation: Nevada Revised Statutes 277.180

Fiscal Impact: N/A

Explanation of Impact: N/A

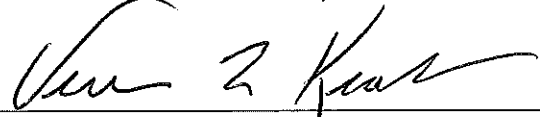
Funding Source: Residential Construction Tax, Quality of Life Initiative (Question 18), and Land & Water Conservation Fund
No City general fund dollars are being used to finance this project

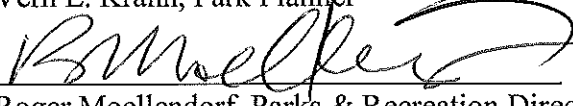
Alternatives:

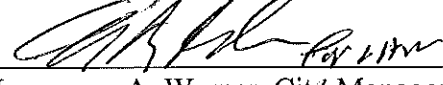
- 1) Not approve the State of Nevada, Division of State Parks, time extension in the attached project agreement.
- 2) Request City staff to ask the State of Nevada, Division of State Parks, to change the project agreement's time extension deadline to another day.

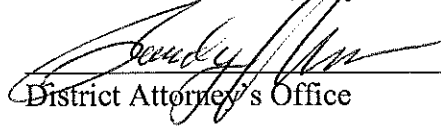
Supporting Material:


Resolution No. _____
 State of Nevada, Division of State Parks project agreement – Exhibit A

Prepared By:  Date: 8/23/11
 Vern L. Krahn, Park Planner

Reviewed By:  Date: 8/23/11
 Roger Moellendorf, Parks & Recreation Director

 Date: 8/23/11
 Lawrence A. Werner, City Manager

 Date: 8/23/11
 District Attorney's Office

 Date: 8/23/11
 Finance Department

Board Action Taken:

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

 (Vote Recorded By)

RESOLUTION NO. _____

A RESOLUTION ADOPTING AND APPROVING A TIME EXTENSION FROM A PREVIOUS AGREEMENT BETWEEN CARSON CITY AND THE STATE OF NEVADA, DIVISION OF STATE PARKS, FOR THE INSTALLATION OF AN OVERHEAD NIGHT TIME LIGHTING SYSTEM AT THE BMX TRACK IN THE EDMONDS SPORTS COMPLEX

WHEREAS, any two public agencies may enter into a contract for the performance of any governmental function pursuant to NRS 277.180; and

WHEREAS, both parties to this agreement are public agencies; and

WHEREAS, on May 15, 2008, the Board of Supervisors approved a resolution between Carson City and the State of Nevada, Division of State Parks, to install an overhead night time lighting system before September 30, 2011; and

WHEREAS, the State of Nevada, Division of State Parks, had previously agreed to provide the City with a grant for the project; and

WHEREAS, the City needs more time to secure additional funding for the project as the estimated construction costs exceeded the original proposed estimate; and

WHEREAS, all parties to the project agreement agree that a time extension for installing an overhead night time lighting system, including wiring and poles, at the BMX Track in the Edmonds Sports Complex would be in the best interest of all parties involved; and

WHEREAS, the parties to the project agreement contract agree to a time extension for installing an overhead night time lighting system, including wiring and poles, at the BMX Track in the Edmonds Sports Complex entered into between Carson City and the State of Nevada, Division of State Parks, desire to adopt and approve such contract as required by NRS 277.180. A copy of the agreement is attached to this Resolution as Exhibit "A;" and

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the project agreement contract agree to a time extension for installing an overhead nighttime lighting system, including wiring and poles, at the BMX Track in the Edmonds Sports Complex entered into between Carson City and the State of Nevada, Division of State Parks, are hereby adopted and approved; and

BE IT FURTHER RESOLVED that the project agreement contract agrees to a time extension for installing an overhead nighttime lighting system, including wiring and poles, at the BMX Track in the Edmonds Sports Complex between Carson City and the State of Nevada, Division of State Parks, 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 Parks.

Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted this _____ day of _____, 2011, by the following vote:

AYES: Supervisors

NAYES: Supervisors

ABSENT: Supervisors

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

Exhibit A

STATE OF NEVADA
Division of State Parks
Land & Water Conservation Fund Project Agreement

Participant Carson City	Project Number 32-00304.1
Project title BMX Track Lighting	
Period Covered by this Agreement From: April 9, 2008 To: December 31, 2012	
Project Scope (Description of Project) Extend end date to Dec, 31, 2012	
Project Cost Total Cost \$ <u>117,000</u> Federal Grant \$ <u>58,500</u> Local Share \$ <u>58,500</u>	The following attachments are hereby incorporated into this agreement: 1. General Provisions 2. Project Proposal

The State of Nevada, represented by the State Liaison Officer, and the Participant named above mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964) and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps and assurances attached hereto and hereby a part hereof.

The State of Nevada hereby promises, in consideration of the promises made by the Participant herein, to take the necessary steps and action and to attempt to enter into an agreement to obtain Federal money for that portion of the project referred to as Federal Grant above, to accept such funds from the United States and to tender to the Participant that portion of the obligation which is required to pay the United States' share.

It is understood by the parties hereto that this agreement shall not obligate State funds for the project cost described herein except those costs necessary for administration of the project.

In the event construction has not commenced on this project within ten and one half (10½) months from the date of official notification of funding from the Division of State Parks (Notice to Proceed), this agreement is null and void. In the event an acquisition does not take place within nine (9) months from the date of official notification of funding from the Division of State Parks (Notice to Proceed), this agreement is null and void.

The Participant hereby promises, in consideration of the promises made by the State of Nevada herein, to execute the project described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

In witness whereof, the parties hereto have entered into this agreement as of the date entered below. The date upon which this agreement becomes effective and is executed will be the date signed by the State Liaison Officer.

STATE OF NEVADA

PARTICIPANT

(Signature)

(Signature)

(Name - State Liaison Officer)

City of Carson City
(Political Subdivision)

(Title)

Robert L. Crowell, Mayor
(Typed Name)

(Date)

(Date)

REV. 12/25/99