

City of Carson City  
Agenda Report

Mem# 4-3A

**Date Submitted:** September 23, 2008

**Agenda Date Requested:** October 2, 2009  
**Time Requested:** Consent

**To:** Mayor and Supervisors

**From:** Parks and Recreation Department

**Subject Title:** Action to approve a funding agreement amendment between Carson City (Grantee) and the State of Nevada, Department of Conservation and Natural Resources, Division of State Lands (Grantor) and authorize the Parks and Recreation Director to sign a time extension from December 31, 2008, to June 30, 2009, on the Mexican Ditch Trail Bridge project.

**Staff Summary:** On October 18, 2007, the Board of Supervisors approved a funding agreement with the State of Nevada, Department of Conservation and Natural Resources, Division of State Lands, Question 1 Conservation and Resource Protection Grant Program for \$85,000 to be used towards the purchase, grading, and construction work of two new prefabricated bridges across the Mexican Ditch. Project construction will begin this fall. However, a time extension is required to allow City staff time to close out the project and complete the necessary grant funding paper work requirements.

**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 approve a funding agreement amendment between Carson City (Grantee) and the State of Nevada, Department of Conservation and Natural Resources, Division of State Lands (Grantor) and authorize the Parks and Recreation Director to sign a time extension from December 31, 2008, to June 30, 2009, on the Mexican Ditch Trail Bridge project.

**Explanation for Recommended Board Action:** The Mexican Ditch Bridge project is progressing and construction should begin in mid-October. Both prefabricated bridges have been ordered and scheduled for delivery, and it is anticipated that the construction contract will be awarded in October 2008. Also, it is anticipated the project will be completed in January or February 2009. In addition, City staff will need time to close out the project, assemble invoices from the contractor, and complete final grant close out document required by the Division of State Lands

**Applicable Statute, Code, Policy, Rule or Regulation:** N/A

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:**

1. Not approve the funding agreement amendment for a time extension with the State of Nevada
2. Request City staff to make changes to the funding agreement amendment for a time extension with the State of Nevada

**Supporting Material**

- State of Nevada, Department of Conservation and Natural Resources, Division of State Lands, funding agreement amendment

**Prepared By:** Ann Bollinger Date: 9/23/08  
Ann Bollinger, Open Space Coordinator

**Reviewed By:** Roger Moellendorf Date: 9/23/08  
Roger Moellendorf, Parks & Recreation Director

Larry Werner Date: 9/23/08  
Larry Werner, City Manager

Melanie Boubetta Date: 9/23/08  
District Attorney's Office

Muhh Akroulent Date: 9/23/08  
Finance Department

**Board Action Taken:**

Motion: \_\_\_\_\_ 1: \_\_\_\_\_ Aye/Nay  
2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**A Funding Agreement Amendment Between the State of Nevada  
Acting By and Through Its Division of State Lands and the  
Conservation and Resource Protection Grant Program  
(Grantor)**

901 S. Stewart St., Suite 5003, Carson City, NV 89701

phone: (775) 684-2720

fax: (775) 684-2721

And

**Carson City  
(Grantee)**

3303 Butti Way, Building #9, Carson City, NV 89701

phone: (775) 887-2115

fax: (775) 887-2145

*FOR THE PURPOSES OF enhancing access to the Carson River Corridor by construction of two trail bridges on the Mexican Ditch Trail;*

WHEREAS, at the general election on November 5, 2002 Nevada's voters approved a conservation initiative generated by Assembly Bill 9, Statutes of Nevada, 17<sup>th</sup> Special Session of the 2001 Nevada State Legislature, Chapter 6, referred to as Question 1, and authorized the issuance of general obligation bonds in the face amount of \$200,000,000 to carry out this program; and  
WHEREAS, the Nevada legislature authorized the State Land Registrar to establish a conservation and resource protection grant program and administer the issuance of general obligation bonds in the face amount of \$65,500,000; and  
WHEREAS, \$7,250,000 of the above \$65,500,000 is allocated to state agencies, counties, municipalities, and nonprofit organizations for the construction of Recreational Trails;  
WHEREAS, the State Land Registrar has determined this project is both necessary and in the best interests of the State of Nevada;

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

**FUNDING AGREEMENT AND MODIFICATION.** The Nevada Division of State Lands (NDSL) Question 1 Funding Agreement, Mexican Ditch Trail Bridges - CA-CR-07068, is hereby amended to include the following revisions to the Funding Agreement Term:

**FUNDING AGREEMENT TERM.** The Funding Agreement Term Ending Date shall be extended from December 31, 2008 to June 30, 2009.

This Funding Agreement Modification constitutes the entire modification and is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the modification hereof. This first modification to the original Funding Agreement shall not be binding upon the parties unless signed by the respective parties hereto.

No amendments or modifications to the Funding Agreement other than those expressed above are intended. All other provisions of the Funding Agreement shall remain binding as originally executed. The total grant award in the amount of \$85,000.00 remains unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Funding Agreement to be signed and intend to be legally bound thereby.

_____	_____	<u>Administrator/State Lands Registrar</u>
James R. Lawrence	Date	Grantor's Title
Grantor Signature		
_____	_____	<u>Parks and Recreation Director</u>
Roger Moellendorf	Date	Grantee's Title
Grantee Signature		