

Item # 9-1A

**City of Carson City  
Agenda Report**

**Date Submitted:** August 11, 2009

**Agenda Date Requested:** August 20, 2009

**Time Requested:** Consent

**To:** Board of Supervisors

**From:** Larry Werner, City Manager

**Subject Title:** Action to authorize Mayor Crowell to sign a Mutual Termination of Lease Agreement with Nevada Hispanic Services of Carson City (NHSCC) for the leasing of a portion of the facility located at 1711 N. Roop Street.

**Staff Summary:** Nevada Hispanic Services entered into a five-year lease with the City on August 2, 2007 to lease 1785 square feet of office space located at 1711 N. Roop Street. This mutual agreement will terminate the lease effective August 20, 2009.

**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 authorize Mayor Crowell to sign a Mutual Termination of Lease Agreement with Nevada Hispanic Services of Carson City (NHSCC) for the leasing of a facility located at 1711 N. Roop Street.

**Explanation for Recommended Board Action:** See staff summary.

**Applicable Statute, Code, Policy, Rule or Regulation:** NRS 244.284

**Fiscal Impact:** The lease rent was established at \$1.00 per year and its proportional share of the cost of utilities.

**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:** Do not approve.

**Supporting Material:** Proposed Mutual Termination of Lease Agreement.

**Prepared By:** Janet Busse, Office Supervisor

Reviewed By: \_\_\_\_\_

(Department Head)



(City Manager)

Date: \_\_\_\_\_

Date: 8/4/09

Melanie Burkett  
(District Attorney)

Date: 8-11-09

Will Almond  
(Finance Director)

Date: 8-11-09

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**MUTUAL TERMINATION OF  
LEASE AGREEMENT**

THIS MUTUAL TERMINATION OF LEASE AGREEMENT is made and entered into on this 20<sup>th</sup> day of August, 2009, by and between CARSON CITY, a consolidated municipality and political subdivision of the State of Nevada (hereinafter referred to as "Carson City") and NEVADA HISPANIC SERVICES CARSON CITY, a non-profit Nevada corporation (hereinafter referred to as "NHSCC").

WHEREAS, on August 2, 2007, Carson City and NHSCC entered into a Lease Agreement to provide for the leasing of a facility located at 1711 N. Roop Street (hereinafter referred to as "Facility") from Carson City to NHSCC for a term of five (5) years terminating at midnight on August 12, 2012 (hereinafter referred to as "Lease Agreement"); and

WHEREAS, subparagraph a. of paragraph 1 of the Lease Agreement provides that the lease may be terminated sooner than midnight on August 12, 2012 by mutual agreement of Carson City and NHSCC; and

WHEREAS, Carson City and NHSCC mutually wish to terminate the Lease Agreement sooner than midnight on August 12, 2012;

NOW THEREFORE, in consideration of the mutual promises of both parties and other good and valuable consideration as hereafter set forth, Carson City and NHSCC hereby agree as follows:

1. Carson City agrees to terminate the Lease Agreement as of August 20, 2009 and to release NHSCC from any and all duties and responsibilities owed to Carson City pursuant to the Lease Agreement after said date except for any duties and responsibilities under the Lease Agreement related to the winding up of the tenancy

including, but not limited to, any and all payments for utility service as set forth in paragraph 23 of the Lease Agreement through the date on which NHSCC vacates the Facility;

2. NHSCC agrees to terminate the Lease Agreement as of August 20, 2009 and to release Carson City from any and all duties and responsibilities owed to NHSCC pursuant to the Lease Agreement after said date;

3. NHSCC further agrees to vacate the Facility as of August 20, 2009 and to leave the Facility in a good and clean condition and state of repair substantially similar to or better than the condition and state of repair of the Facility on the date that NHSCC began occupying the Facility pursuant to the Lease Agreement.

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IN WITNESS WHEREOF, Carson City and NHSCC, by and through their authorized representatives, hereto have inscribed their names, and if corporations have authorized their officer through appropriate action to execute this MUTUAL TERMINATION OF LEASE AGREEMENT, the date and year herein above written.

CARSON CITY:

By: \_\_\_\_\_  
Robert L. Crowell, Mayor

Attest: \_\_\_\_\_  
Clerk-Recorder

Approved as to legality and form:

\_\_\_\_\_  
Neil A. Rombardo, District Attorney  
By: Deputy District Attorney

NEVADA HISPANIC SERVICES CARSON CITY:

By: \_\_\_\_\_  
Executive Director