

City of Carson City
Agenda Report

Item # 9-6c

Date Submitted: July 28, 2009

Agenda Date Requested: August 6, 2009

Time Requested: Consent Agenda

To: Mayor and Supervisors

From: Parks and Recreation Department

Subject Title: Action to accept a \$100,000 grant, including the extension of the project's termination date to December 31, 2011, and adopt by resolution an Intrastate Interlocal Contract Amendment #4 between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada to provide additional funds to construct the Urban Fishing Pond Project located at the Carson City Fairgrounds / Fuji Park. (Roger Moellendorf)

Staff Summary: On January 13, 2009, Carson City received a \$100,000 pledge letter from the Nevada Department of Wildlife (NDOW) for the Urban Fishing Pond Project. In the opinion of NDOW, Carson City has progressed significantly enough on the project to move forward with replacing the pledge letter with a contract funding amendment in the amount of \$100,000.

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 accept a \$100,000 grant, including the extension of the project's termination date to December 31, 2011, and adopt by resolution an Intrastate Interlocal Contract Amendment #4 between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada to provide additional funds to construct the Urban Fishing Pond Project located at the Carson City Fairgrounds / Fuji Park.

Explanation for Recommended Board Action: On June 8, 2004, the Nevada State Board of Examiners executed an Intrastate Interlocal Contract on behalf of the Nevada Department of Wildlife to provide Carson City with a \$250,000 non-matching grant for the Urban Fishing Pond Project. This contract provided funds for the design and construction of this project. A few years later, this contract was amended by the Board of Examiners on November 13, 2006, for an additional \$100,648 to assist with additional project costs for a total grant award amount of \$350,648.

However, NDOW would not provide any additional funds unless Carson City was able to significantly show progress on the project by finding new project partners and other funding sources (Refer to Exhibit B – Pledge Letter and Exhibit C – Cost Summary Sheet). Since 2007, the Parks and Recreation Department has been aggressively seeking a variety of funding and donation opportunities, including grants, to complete the Urban Fishing Pond Project. In addition, since January, 2009, our department has been successful in acquiring \$316,290 in grants. Another successful fund raising avenue has been through the extraordinary efforts of Mr. Kevin Baily. He has secured \$6,050 in private donations between 2007 - 2008 and an incredible \$10,850 in private donations since the first half of this year. Also, along with his fund raising Mr. Baily has been assisting our department in reaching out to community groups for assistance with on-going pond maintenance after it has been constructed.

With these new grant funding sources and private donations in mind, NDOW is now ready to amend the contract for an additional \$100,000 to assist Carson City to complete this project. The Intrastate Interlocal Contract is attached as Exhibit E and is ready for the Mayor's signature.

Applicable Statute, Code, Policy, Rule or Regulation:
Carson City Fairgrounds / Fuji Park Conceptual Site Plan
Carson City Parks and Recreation Master Plan
N.R.S. 244.195 / N.R.S. 277.180

Fiscal Impact: The project's available budget will increase by \$100,000.

Explanation of Impact: There will be a positive impact to the project's construction budget.

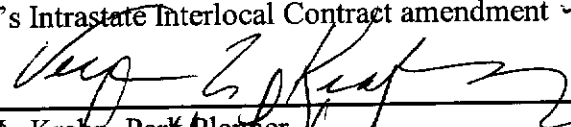
Funding Source: Not applicable at this time.

Alternatives: 1) Reject the Nevada Department of Wildlife's Intrastate Interlocal Contract amendment for additional grant funds.
2) Request modifications to the Nevada Department of Wildlife's Intrastate Interlocal Contract amendment for additional grant funds.

Supporting Material:

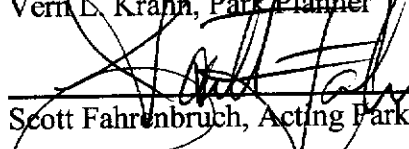
- ✓ 1) Exhibit A - Carson City Fairgrounds / Fuji Park Conceptual Plan ✓
- ✓ 2) Exhibit B - Pledge Letter / January 13, 2009 ✓
- ✓ 3) Exhibit C - Cost Summary Spreadsheet ✓
- ✓ 4) Exhibit D - Resolution ✓
- ✓ 5) Exhibit E - NDOW's Intrastate Interlocal Contract amendment ✓

Prepared By:


Vern L. Krahn, Park Planner

Date: 7/28/09

Reviewed By:


Scott Fahrenbruch, Acting Parks & Recreation Director

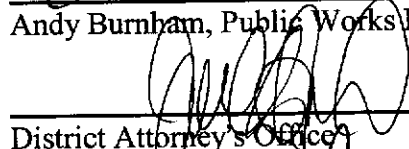
Date: 7/28/09


Larry Werner, City Manager

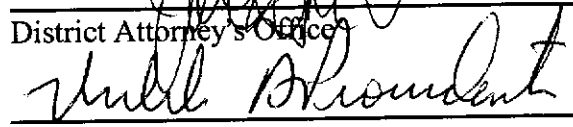
Date: 7/28/09


Andy Burnham, Public Works Director

Date: 7/28/09


District Attorney's Office

Date: 7/28/09


Finance Department

Date: 7/28/09

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

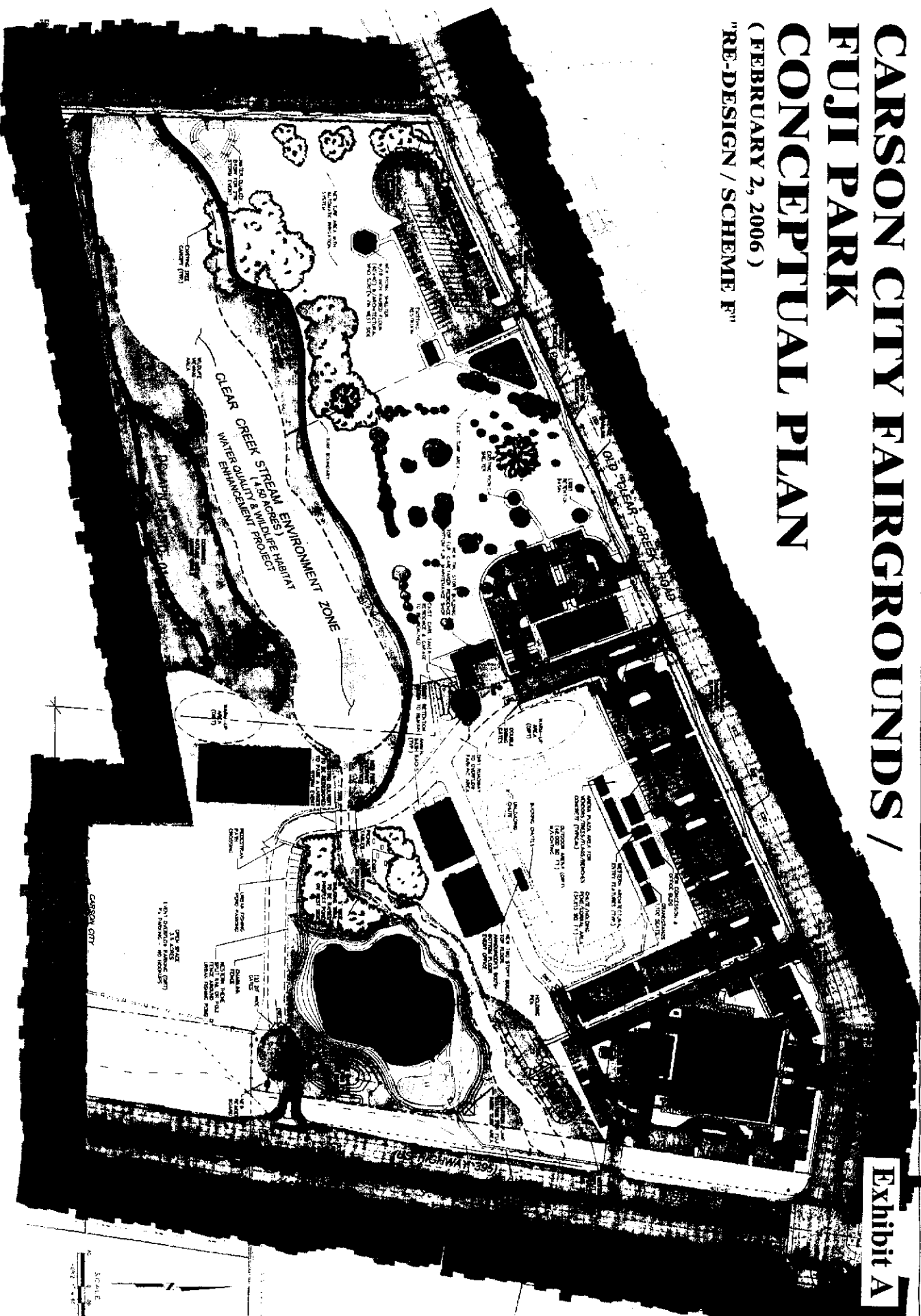
2: _____

(Vote Recorded By)

CARSON CITY FAIRGROUNDS / FUJI PARK CONCEPTUAL PLAN

(FEBRUARY 2, 2006)
"RE-DESIGN / SCHEME F"

Exhibit A



*Carson City Fairgrounds / Fuji Park User Coalition approved Conceptual Plan on February 2, 2006



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
Director

RICHARD L. HASKINS, II
Deputy Director

January 13, 2009

FYI

Vern Krahn
Park Planner
Carson City Parks and Recreation
201 North Carson Street, Suite #2
Carson City, Nevada 89701

Dear Vern,

I was glad to hear that you acquired an extra \$223,000 from an NDEP Section 319 Water Quality grant and from the Land and Water Conservation Fund for the development of Fuji Park Pond. As I understand, there is now about \$580,000 currently available for pond construction and area development.

Contingent upon the outcome of a current cost estimate for assessing the viability of this project, Nevada Department of Wildlife is willing to pledge an additional \$100,000 of Question-1 Bond money for creating the pond. Final approval of Question-1 funding, however, is conditional on the State of Nevada's Board of Examiners review.

If you should have any questions, please do not hesitate to give me a call (688-1535). Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Sollberger".

Patrick Sollberger
Wildlife Staff Specialist

PJS:rh

Exhibit C

Project and Funding Sources	Grant Amount Requested	Balance of Grants	Submitted / Update
Urban Fishing Pond			
Budget Augmentation 1/12/09		\$312,009.87	
NDEP 319		\$92,665.00	
Carson Water Subconservancy District		\$92,665.00	
Land and Water Conservation Fund		\$130,960.00	
Gifts and Donations*		\$10,850.00	
Carson City Residential Construction Tax		\$39,269.00	
Nevada State Parks - Recreational Trails Program	\$100,000.00		July 2009 - Awaiting FHWA budget allocation
NDOW - Jan 2009	\$100,000.00		Jan 2009 - pledge letter received by CC P&R Dept
TOTAL, CASH IN-HAND		\$678,418.87	

RESOLUTION NO. _____

A RESOLUTION ADOPTING AND APPROVING AN
INTRASTATE INTERLOCAL CONTRACT AMENDMENT #4 BETWEEN THE
STATE OF NEVADA ACTING BY AND THROUGH ITS
NEVADA DEPARTMENT OF WILDLIFE (NDOW)
AND
CARSON CITY, NEVADA, FOR
THE URBAN FISHING POND PROJECT LOCATED
AT THE CARSON CITY FAIRGROUNDS / FUJI PARK

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

WHEREAS, NRS 277.180 provides that every such contract must be ratified by formal action of the governing body of each public agency included; and

WHEREAS, the parties contract to construct an urban fishing pond to support the outdoor recreational needs of Nevada and Carson City residents entered into and between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada, with the desire to adopt and approve such contract as required by NRS 277.180. **A copy of the agreement (Intrastate Interlocal Contract Between Public Agencies) is attached to this Resolution; and**

WHEREAS, the parties contract to construct an urban fishing pond to support the outdoor recreational needs of Nevada and Carson City residents entered into and between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada are public agencies of the State of Nevada;

NOW, THEREFORE, BE IT RESOLVED that the terms and conditions of the contract to construct an urban fishing pond between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada, are hereby adopted and approved; and

BE IT FURTHER RESOLVED that the contract to construct an urban fishing pond to support the outdoor recreational needs of Nevada and Carson City residents entered into and between the State of Nevada acting by and through its Nevada Department of Wildlife (NDOW) and Carson City, Nevada, shall be spread at large upon the minutes or attached in full thereto as an exhibit, and a copy of this Resolution shall be sent to the Nevada Department of Wildlife and Carson City, Nevada.

Upon motion by Board of Supervisor member _____,
seconded by Board of Supervisor member _____, the foregoing
Resolution was passed and adopted this _____ day of _____, 2009, by the
following vote:

AYES: _____

NAYES: _____

AYES: _____

NAYES: _____

AYES: _____

NAYES: _____

AYES: _____

AYES: _____

ABSENT: _____

ABSTAIN: _____

ABSENT: _____

ABSTAIN: _____

Robert L. Crowell, Mayor
Carson City, Nevada

ATTEST:

Alan Glover, Clerk/Recorder
Carson City, Nevada

AMENDMENT # 4 TO CONTRACT**04-50**

Between the State of Nevada
Acting By and Through Its
Nevada Department of Wildlife
1100 Valley Road
Reno, Nevada 89512
775-688-1500

And
Carson City
201 North Carson Street, Suite 2
Carson City, Nevada 89701
775-887-2363

1. **AMENDMENTS.** For and in consideration of mutual promises and/or their valuable consideration, all provisions of the original contract dated 6/8/04 attached hereto as Exhibit A, remain in full force and effect with the exception of the following:

- A. Nevada Department of Wildlife is extending the contract period an additional two years and financing another \$100,000. Pond construction was rebid as of July 15, 2009. Excavation costs exceeded the estimates from 2004 and it was discovered that flooding during construction from a high ground water table would hamper pond excavation. Additional money by NDOW will come from the Question-1 Bond program and is to be used for excavation of the pond and dewatering during pond excavation.

Current Contract Language:

Termination date: December 31, 2009
New maximum contract amount: \$350,648

Amended Contract Language:

Termination date: December 31, 2011
Amount of current contract amendment: \$100,000
New maximum contract amount: \$450,648

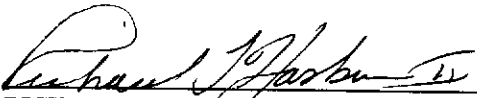
2. **INCORPORATED DOCUMENTS.** Exhibit A (Original Contract and Amendments #1, 2, and 3; and Carson City Project Proposal Schedule and Budget) is attached hereto, incorporated by reference herein and made a part of this amended contract.

3. **REQUIRED APPROVAL.** This amendment to the original contract shall not become effective until and unless approved by the Nevada State Board of Examiners.

IN WITNESS WHEREOF, the parties hereto have caused this amendment to the original contract to be signed and intend to be legally bound thereby.

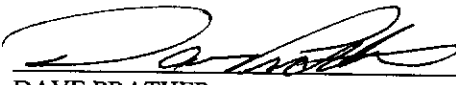
Nevada Department of Wildlife

Public Agency #1

 7/27/09
RICHARD HASKINS II Date

DEPUTY DIRECTOR - NDOW

Title

 7/27/09
DAVE PRATHER Date

CFO - NDOW

Title

Carson City

Public Agency #2

Public Agency #2 Signature - ROBERT L. CROWELL

CARSON CITY MAYOR

Title

Date

Signature - Board of Examiners

APPROVED BY BOARD OF EXAMINERS

Approved as to form by:

On _____
(Date)

Deputy Attorney General for Attorney General

On _____
(Date)