

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS TO LEASE APPROXIMATELY 625 SQUARE FEET OF UNDEVELOPED CITY PROPERTY AT LONE MOUNTAIN, ASSESSOR PARCEL NUMBER 002-101-81, TO CINGULAR WIRELESS, PCS, LLC, FOR THE PURPOSE OF DEVELOPING AN ARRAY OF TELECOMMUNICATION ANTENNAS AND WITHOUT FIRST OFFERING THE REAL PROPERTY TO THE PUBLIC

WHEREAS, Carson City owns the fee title of Assessor Parcel Number 002-101-81 containing approximately 18 acres known as Lone Mountain and located south of Northridge Drive, east of Roop Street, and north Lone Mountain Cemetery in Carson City, Nevada; and

WHEREAS, Lone Mountain was acquired by Carson City to be used as a natural park for passive recreation and scenic enjoyment as part of the development of the Northridge Subdivision; and

WHEREAS, Lone Mountain contains a developed parking area providing access to an unpaved trail and along the south portion of the property there is a topographical ridge already containing easements providing for above-ground power distribution lines; and

WHEREAS, Cingular Wireless, PCS, LLC, a Delaware Limited Liability Company, desires to lease approximately 625 square feet for the purpose of constructing an array of telecommunication antennas; and

WHEREAS, Cingular Wireless, PCS, LLC, obtained a Special Use Permit (SUP-11-029) on May 25, 2011, subject to 18 conditions of approval for the proposed development of the antenna array site; and

WHEREAS, the Nevada Revised Statutes, Section 244.2815, Sale, lease or disposal of real property of county for redevelopment or economic development; requirements, provides that a board of county commissioners may lease real property for the purpose of economic development without first offering the property to the public and for less than fair market value of the real property; and

WHEREAS, the Nevada Revised Statutes, 244.2815, Subsection 2 requires that before a board of county commissioners may lease real property pursuant to this section, the board must: a) Obtain an appraisal of the real property, and b) adopt a resolution finding that it is in the best interest of the public to sell, lease or otherwise dispose of the real property without offering the real property to the public and for less than fair market value of the real property; and

WHEREAS, Nevada Revised Statutes 244.2815, Subsection 4 provides five criteria for the definition of economic development; and

WHEREAS, staff, in consultation with the District Attorney's Office finds that Criteria #2, the support, retention, or expansion of existing commercial enterprises or facilities within the county; and

WHEREAS, Criteria #3, the establishment, retention or expansion of public/quasi-public or other facilities or operations within the county are advanced through this proposal for the lease of county property for the provision of communication facilities that will benefit Carson City residents, businesses, and commerce in Carson City at large;

NOW THEREFORE, the Carson City Board of Supervisors hereby resolves that, in accordance with the provision of the Nevada Revised Statutes, Section 244.2815, it is in the best interest of the public to lease approximately 625 square feet of City property located at Lone Mountain without an offering of the real property to the public and in accordance with the terms as written in the land lease agreement between Carson City and Cingular Wireless and further subject to the conditions of approval of Special Use Permit, SUP-11-029, the Board of Supervisors hereby authorizes the City Manager and/or his designee to execute documents necessary in order to complete this lease transaction.

Upon motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted this _____ day of _____, 201____, by the following vote:

AYES: Supervisors

NAYES: Supervisors

ABSENT: Supervisors

ROBERT L. CROWELL, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder