



Meeting Date: 12/05/2018
Agenda Item: #

Mission Statement

To provide our growing dynamic community excellent municipal services to make Fernley a great place to live, work, and play. Together, we enhance the desirability, safety, friendliness, aesthetics and quality of life in our city.

FERNLEY CITY COUNCIL MEETING - STAFF REPORT

REPORT TO: Mayor & City Council

REPORT FROM: Jennifer Derley, Water Rights/GIS Manager

REPORT THRU: Daphne Hooper, City Manager

REVIEWED BY: Paul Taggart, Special City Water Attorney

REVIEWED BY: Denise Lewis, Finance Director

AGENDA ITEM: Possible Action to approve the cancellation of a Will-Serve commitment for 5 lots in Silverland Estates Phase 2 Subdivision, approve the banking of the water credits with Silverland 2015, LLC and to apply 3 ERC's of water credits for the re-subdividing of the original 5 lots into 3 lots.

ACTION REQUESTED: X Consent __Ordinance __Resolution __Motion __Receive/File

RECOMMENDED ACTION BY CITY COUNCIL

Staff recommends the following action:

“I move to approve the cancellation of a Will-Serve commitment for 5 lots in Silverland Estates Phase 2 Subdivision, approve the banking of the water credits with Silverland 2015, LLC and to apply 3 ERC's of water credits for the re-subdividing of the original 5 lots into 3 lots.”

Key Points:

1. Silverland 2015, LLC has re-subdivided 5 lots into 3 lots in Silverland Estates Phase 2.
2. This agreement cancels the will-serve for the 5 lots and gives banked credit of the water to the lot owner (Silverland 2015, LLC).
3. The agreement also requires Silverland 2015, LLC to apply 3 ERC's of water toward a will-serve for the 3 lots that have been created.

POLICY REFERENCE

Nevada Statutes: NRS 534.350, Order 1184
Fernley Municipal Code: 9.03.15, 9.07.01
Policies & Procedure Manual: N/A
Community Assessment: N/A
Other: Fernley City Ordinance 2008-009, 2008-011, 2004-019; Fernley Town Ordinance 4, City of Fernley Resolution 07-004

SUPPORTING INFORMATION

Silverland 2015, LLC owns the unbuilt lots in the Silverland Subdivision. They are currently building homes here but have re-subdivided 5 lots into 3 lots in the second phase portion of the subdivision to take out a short piece of street that was intended to continue into a third phase. The third phase was never recorded but instead the large parcel was sold to Lyon County School District for a future middle and elementary school. Silverland Middle School was built on the site. The right of way for the beginning piece of the street has been abandoned and now the lots in the area have been reconfigured.

The attached agreement, which was prepared by Taggart and Taggart, cancels the will-serve for the 5 lots and gives banked credit of the water to the lot owner (Silverland 2015, LLC). The agreement also requires Silverland 2015, LLC to apply 3 ERC's of water toward a will-serve for the 3 lots that have been created.

FINANCIAL INFORMATION

FISCAL IMPACT:

- 1. Is There A Fiscal Impact? No
- 2. Is it Currently Budgeted? No
- If Budgeted, Which Line Item/Account?

FISCAL SYNOPSIS:

There is no financial impact.

ATTACHED INFORMATION

Silverland 2015, LLC agreement
Will-Serve