



Meeting Date: 9/06/2017
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 authorize the execution of the Assignment and Assumption of Beneficial Interest in Water Rights from Marc E. Simoncini and Julia R. Simoncini to Trident Plus, LLC in the amount of 12.29 acre feet.

ACTION REQUESTED: X Consent __Ordinance __Resolution __Motion __Receive/File

RECOMMENDED ACTION BY CITY COUNCIL

Staff recommends the following action:

“I move to authorize the execution of the Assignment and Assumption of Beneficial Interest in Water Rights from Marc E. Simoncini and Julia R. Simoncini to Trident Plus, LLC in the amount of 12.29 acre feet.”

Key Points:

1. Fernley’s records currently show the beneficial interest of 3.33 and 8.96 acre feet of water rights banked in the name of Marc E. Simoncini and Julia R. Simoncini.
2. Marc E. Simoncini has requested to assign all 12.29 acre feet of their beneficial interest to Trident Plus, LLC.

POLICY REFERENCE

Nevada Statutes: N/A
Fernley Municipal Code: FMC 9.07
Policies & Procedure Manual: N/A
Community Assessment: N/A
Other: N/A

SUPPORTING INFORMATION

It is policy for the City of Fernley to have City Council approve all assignments of banked water from one party to another before it is considered final.

Fernley’s records currently show the beneficial interest of 3.33 acre feet of water rights are banked in the name of Marc E. Simoncini and Julia R. Simoncini. The water was originally dedicated by Marc E. Simoncini and Julia R. Simoncini via Deed 178441 and then re-recorded to correct the APN number with Deed 179413 recorded on 01/05/1995 and 02/10/1995. The Deed transferred a total of 10.08 acre feet of water rights to the City of Fernley but only 3.33 acre feet of the water rights could be mapped and then approved by the Nevada Division of Water Resources. Marc E. Simoncini has power of attorney from Julia Simoncini to allow only one signature for any transactions owned jointly with her. Marc E. Simoncini would like to assign the entire 3.33 acre feet of that interest to Trident Plus, LLC.

Fernley’s records also currently show the beneficial interest of 8.96 acre feet of water rights are banked in the name of Marc E. Simoncini and Julia R. Simoncini. The water was originally dedicated by Marc E. Simoncini and Julia R. Simoncini via Deed 170640, re-recorded to correct the APN number with Deed 178440 and then re-recorded again to correct the APN number with Deed 179414 recorded on 04/18/1994, 01/05/1995 and 02/10/1995. The Deed transferred a total of 8.96 acre feet of water rights to the City of Fernley. Marc E. Simoncini has power of attorney from Julia Simoncini to allow only one signature for any transactions owned jointly with her. Marc E. Simoncini would like to assign the entire 8.96 acre feet of that interest to Trident Plus, LLC.

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 fiscal impact.

ATTACHED INFORMATION

Assignment and Assumption of beneficial interest in Water Rights