



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: March 18, 2020

REPORT TO:	Mayor and City Council
REPORT FROM:	Daphne Hooper, City Manager
REVIEWED BY:	Brent Kolvet, Deputy City Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	FUND/ACCOUNT:
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ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action):
Adoption of Resolution 20-005 supporting congressional action on the Fernley Lands Conveyance Bill introduced by Congressman Mark Amodei and other matters properly related thereto.

Agenda Item Brief: City Council previously approved language to be submitted to Congressman Amodei for the conveyance of Federal Land specifically for the development of an industrial park in the southwest region of the City. A Resolution supporting congressional action is required for the introduction of the bill by Congressman Amodei.

Recommended Motion:
"I move to adopt Resolution 20-005 supporting congressional action on the Fernley Lands Conveyance Bill introduced by Congressman Mark Amodei and other matters properly related thereto."

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

BACKGROUND:

On January 15, 2020, Fernley City Council approved to submit language to Congressman Amodei for a Lands Bill conveying federal lands for economic development purposes, specifically for the development of an industrial park in the southwest region of the City. A resolution is required to support this action.

On December 19, 2014, the National Defense Authorization Act (Act) was signed into law (Public Law 113-291). Included in this Act is Section 3003(c) titled, "Conveyance to the City of Fernley, Nevada," which is commonly referred to as the "Lands Bill." Under section 3009(c)(2), the Bureau of Land Management (BLM) is required to convey to the City of Fernley approximately 9,779 acres of Public lands.

An MOU has been executed which establishes a relationship between the BLM and the City regarding the respective roles, responsibilities, conditions, and procedures for land conveyance, which includes compliance with the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and other federal law(s) applicable to the project.

The MOU provides guidelines for projects moving forward, particularly economic development projects. This agreement outlines the specific steps needed and will help establish a guideline when coordinating with developers interested in projects within the designated areas.

The City has been approached by a developer regarding the development of an industrial park in the southwest region of the City. This land currently has checkerboard parcels of federal and private land ownership. The City of Fernley's Land Bill does not include these sections, and there is a request to provide language to the Nevada Federal Delegation for the conveyance of the federal property for economic development purposes.

The language provided for the Federal Lands Bill, which was specifically used in the City of Yerington, is as follows:

APPRAISAL TO DETERMINE FAIR MARKET VALUE – The Secretary shall determine the fair market value of the Federal land to be conveyed –

- (i) In accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C 1701 et seq.); and
- (ii) Based on an appraisal that is conducted in accordance with –
 - (I) The Uniform Appraisal Standards for Federal Land Acquisition; and
 - (II) The Uniform Standards of Professional Appraisal Practice.

COSTS. – As a condition of the conveyance of the Federal land under subparagraph (A), the City shall pay –

- (i) An amount equal to the appraised value determined in accordance with subparagraph (B); and
- (ii) All costs related to the conveyance, including all surveys, appraisals, and other administrative costs associated with the conveyance of the Federal land to the City under subparagraph (A).

Should the Council approve the language, it will be forwarded to Congressman Amodei for consideration and inclusion in the Northern Nevada Lands Bill, or where he deems appropriately placed.

Should the City Council authorize staff to move forward with the language, with the intent of utilizing federal land specifically for a proposed industrial park, further action would be required in the future including a Resolution for the conveyance of land for the purpose of economic development and increased employment opportunities for the citizens of Fernley.

Further, a Real Property Conveyance Agreement, incorporating the proposed Resolution, which will establish specific guidelines for the conveyance of land, financial responsibilities, and expectations should the Lands Bill be passed by Congress.