



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: June 17, 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: No:

CURRENTLY BUDGETED:

Yes: No:

FUND/ACCOUNT:

510-810-698

ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action): Possible approval of a contract for Legal Services related to Water Resources to Taggart & Taggart, Ltd. in the amount not to exceed \$160,000.

Agenda Item Brief: The proposed contract for Taggart & Taggart, Ltd. provides for legal services related to water resources and completion of the Water Rights priorities established and approved by the City Council for FY 2020-2021.

Recommended Motion:

“Approve contract for legal services related to water resources to Taggart & Taggart, Ltd. in the amount not to exceed \$160,000 for FY2020-2021.”

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.

ALTERNATIVES:

The Council can may:

- Not approve the contract and direct staff to look for other possible companies for legal services related to water resources.
- Request additional information

BACKGROUND:

Funding for outside legal services relating to water is funded in the Water Enterprise Fund for FY 2020/21 for \$160,000.

The following scope of work for this year’s outside legal, Taggart & Taggart, Ltd. will include the following and will be performed using a maximum budget of \$160,000.

Surface Water Utilization Plan

- Expansion of existing Fernley Surface Water Program
- Agricultural Lease Options with Non-Fernley Lessees
- Canal Diversion
- Mid-term Agreements (TRIC, PLPT, TMWRF, etc.)
- Dedication Matters
- Surface Water Applications

Truckee Canal Advocacy Program

- Negotiations with BOR and other parties
- Litigation regarding canal operations
- Water workshop
- Stakeholder organization
- BOR Truckee Canal XM EIS

Strategic Negotiations Plan

- TCID administrative matters and negotiations
- TROA Administration Cost Sharing
- TROA scheduling and coordination

Water Rights Dedications

- Administrative matters involving prior dedications
- Administrative matters involving maintenance of Fernley’s Water Rights Bank

Administrative matters pertaining to existing groundwater rights

Municipal Code revision/review

Upstream Storage Contract

Long-Term Water Resource Planning

State Legislative and Regulatory Proposals

The total contract amount for FY 2020/21 is \$160,000.

LEGAL IMPLICATIONS:

The contract defines termination, liability, and legal requirements.
NRS 6332.115, NRS 325.050, NRS 625.530

FINANCIAL IMPLICATIONS:

Funds have been budgeted for FY 2020-2021.

ATTACHMENTS:

- Proposed Contract**
- Scope of Work**
- Fee Schedule**