



CITY OF FERNLEY
CITY COUNCIL
AGENDA REPORT

Meeting Date: March 3rd, 2021

REPORT TO:	Mayor and City Council
REPORT THRU:	Derek Starkey, City Engineer
REPORT FROM:	Kari Weitzel, Admin Specialist III
REVIEWED BY:	David Rigdon, Special City Water Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	FUND/ACCOUNT: 510-395-910, 520-395-910
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ACTION REQUESTED: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Receive/File

AGENDA ITEM: Staff Report (For Possible Action): Possible action to authorize the execution of the Water Right Banking and Dedication Agreement with Cottonwood Self Storage, LLC, a Nevada limited liability company, APN 020-383-03, TCID Serial Number 1065-1 in the total amount of 1.0-acre feet.
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Business Impact (per NRS Chapter 237): <input type="checkbox"/> A Business Impact Statement is Attached. <input checked="" type="checkbox"/> 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).

Agenda Item Brief: 1. The dedicator is immediately assigning the beneficial interest in water rights to a Will – Serve.

See attached report for background, analysis, alternatives.

RECOMMENDED MOTION:

“I move to authorize the execution of the Water Right Banking and Dedication Agreement with Cottonwood Self Storage, LLC, a Nevada limited liability company, APN 020-383-03, TCID Serial Number 1065-1 in the total amount of 1.0 acre feet.”

ALTERNATIVES:

N/A

PROJECT SUMMARY:

1. This dedication of Water Rights will assist in Fernley’s quest to protect our most valuable resource and support the City’s economic development goals.
2. The dedicator is dedicating 1 acre feet for future development. The Dedicator will use .86 ERC’s (.9632 AF) for his Cottonwood Self Storage LLC business.

BACKGROUND:

It is policy for the City of Fernley to have City Council approve all water right dedication agreements.

Cottonwood Self Storage LLC is proposing to dedicate 1 acre-feet of water rights appurtenant to Lyon County APN 020-383-03 (TCID Serial Number 1065-1) to the City of Fernley. The deed and dedication package were reviewed and approved by Taggart and Taggart, Ltd. The water will be used to support future development projects.

ANALYSIS:

N/A

FINDINGS:

N/A

LEGAL IMPLICATIONS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

- 1) Water Rights Banking Agreement and Dedication Agreement.
- 2) Water Rights Grant, bargain, and Sale Deed