

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
MARCH 4, 2026**

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Mayor Neal E. McIntyre, Councilwoman Felicity Zoberski, Councilman Albert Torres, Councilman Ryan Hanan, Councilman Joe Mendoza, Councilman Stan Lau. City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Admin Specialist II Rachael Goetz, Deputy City Clerk Sandy Harris, City Treasurer Robert Carson, Building Official Charity Birkel, Senior Planner Treston Rodriguez, Planning Director Michele Rambo, Public Works Director Berry Willaims, Utilities Director Seong Kim, HR Manager Mitiz Carter, Pool Pac Attorney Becky Brew (on Zoom)

1.3. Public Forum

Julie Torres — Expresses her support for Councilman Albert Torres in light of agenda item 7.2

Tammy Dittman — Expressed her frustration towards the Council as a business owner in Fernley.

Sky Long — Request a more private handling of conduct and behavior matters, especially when it comes to competency, character or alleged misconduct.

Don Mcquin — Request more adult swings at the city parks. The CCRC has an open play area, and Boys and Girls approached while he was there and he was told it was "their" park. The next time he visited, it was fenced off. He'd like to clarify if it is a public park or for Boys and Girls?

Sharron Holly — Here in support of Councilman Albert Torres.

Dolores Oberg — Here in support of Councilman Albert Torres.

Kelly Brye — Spoke about the EDON presentation event that occurred at the CCRC. EDON believes Fernley may be the number one growing city in the US. His hope is the council moving forward will agree to disagree but want the same thing for Fernley.

Tom Eheart — wants the council to handle more matters behind closed doors and not in public.

Debie Skinner, a Business Owner in town, has people come from all over the world to her RV Park. She read a blurb out of Wheels Camp Brown Magazine that expressed growth coming to Fernley and referenced that the largest industrial park in the world is 15 minutes away from Fernley.

Bill Snyder, on Zoom, was in support of Councilman Albert Torres.

1.4. (For Possible Action) Approval of Agenda

Removed 7.2 from tonight's agenda

Councilman Hanan questioned if Councilman Torres was able to vote on this item.

Councilman Torres — NRS281A 420, requires me to disclose a conflict of interest. The matter before this body affects my personal character or competence. I conclude that the independence of judgment of a reasonable person in my situation would not be materially affected by this relationship, and because this is not a clear case of a disqualifying conflict of interest, I am going to be voting for it. I am going to be voting on this matter. I already voted, and my vote

stands.

Councilman Hanan — I just want to go on the record and say I believe Councilman Torres needs to refrain from the vote as it pertains directly to his character, competency, and any such vote, in favor of removing it, completely contradicts state ethics. I'm also asking the Council to make a motion of reconsideration, and have another vote to abide by state law.

No motion was made.

Motion: I'D LIKE TO MAKE A MOTION TO APPROVE THE AGENDA WITH THE REMOVAL OF ITEM 7.2 FOR THIS MEETING AND ANY AND ALL FUTURE MEETINGS. **Action:** Approve, **Moved by:** Councilman Joe Mendoza, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 3, No 2 **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Mendoza, **No:** Councilman Lau, Councilman Hanan.

2. CONSENT AGENDA

Motion: I'D LIKE TO MAKE A MOTION TO APPROVE THE CONSENT AGENDA AS IT SHOWS. **Action:** Approve, **Moved by:** Councilman Joe Mendoza, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5 **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilman Hanan, Councilman Mendoza

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Approval) Approval of Business Licenses

Kim Swanson, City Clerk, read the new licenses.

2.4. Possible Action to authorize the execution of the water rights banking and dedication agreement between JOHN FORSTER, Trustee of the FORSTER LIVING TRUST dated July 23, 2005, (the "Dedicator") and the CITY OF FERNLEY, a political subdivision of the State of Nevada (the "City"), APN 020-361-08 TCID serial number 1057-5 in the amount of 18 acre feet annually.

3. REPORTS - this item is for various public entity representatives to provide general information to the Council and public. No action will be taken.

Lyon County Fire Chief Bunn — The helipad we're in negotiations right now to have a public-private agreement to bring a helicopter into Fernley. Through generous donations, we have secured concrete and labor. In 2025, the fire department had over 4000 overlapping calls. A life was lost in a house fire on 3/4/26, and I am asking you to reconsider support with revenues for staffing.

3.1. Reports by City Staff, City Council, and the Mayor, including but not limited to monthly statistical reports by city departments.

Kim Swanson, City Clerk — Candidate filing is currently open for Ward 1, Ward 3 and the Mayor. It closes March 13th.

Lydia Altick, Acting City Manager — Code enforcement workshop on Friday, March 13th at 6:00 PM and Saturday, March 14th, at 9:00 AM. The Fernley 25th Anniversary Advisory Committee meeting will be March 25th from 8:30 am to 10:30 AM. The second annual Business Expo is Saturday, April 18th from 1:00 pm to 4:00 pm.

Councilman Ryan Hanan — Responded to some of the public comments made about him. Councilman Hannon stated he cooperated with the investigation and the findings from the review panel unanimously find and concludes that the facts and evidence do not establish credible evidence that the subject (Councilman Hanan) failed to comply with requirements of NRS 281A421 and do not support the determination that just and insufficient cause exists for this matter to be referred to the Commission to render an opinion. This is Councilman Hanan's second complaint, noting the first one was dismissed with prejudice.

Councilwoman Felicity Zerbuski — nothing at this time

Councilman Stan Lau — Congratulations to the Fernley wrestling team for taking 2nd place in Winnemucca.

Councilman Albert Torres - The Fernley Junior High and High school rodeo is scheduled for March 13th-15. For more information, go to Fernley High School Rodeo Club Facebook page or the City of Fernley website. An FCTA sponsored event is the Inferno Music and Fire Festival, coming to Reno-Fernley Raceway from March 27th-29th. For more information, go to the City of Fernley, or fernleyaces.net. He also attended the mental health symposium held in Dayton that was hosted by Shayla Holmes from Lyon County. It brought people from private, state and local agencies to get better mental health services in the rural areas. Councilman Torres was made aware that the Fire Chief was trying to get a helicopter company out here. They were looking for funding at the Fire District to pour two 40X40X4 inch thick pads. One behind the station on Main Street, one behind the new station. Councilman Torres was able to get materials and labor donated for both pads. The first job site visit will be this month. The first pad is scheduled to be poured in April, with the second one following 12–18 months later. All the materials, time, and labor will be donated at no cost to the Fire District or to the City of Fernley Taxpayers.

Councilman Joe Mendoza, along with other council members and department heads, met with NV Energy regarding the future infrastructure. NV Energy is looking at furthering its infrastructure while keeping the residents here in mind at a lower rate, while making larger corporations come in and pay their fair share to put the demand on the grid.

Mayor Neal E. McIntyre apologized to Albert and Julie Torres. The State of the City was a big success you can watch on YouTube. There were 96 people in attendance. The City met with the Renown group last week to show different properties that the city owns and Renown will let the City know about what property they want.

4. PROCLAMATIONS BY THE MAYOR

None at this time.

5. ORDINANCES

5.1. (Possible Action) Introduction and first reading of Bill #379 associated with CA26001, a request from the Planning Department to amend the City's land use table, Fernley Municipal Code Title 32, Chapter 6, Section 150, Table 2, to allow multifamily and mixed-use developments by right in commercial zones pursuant to State Assembly Bill 241.

Treston Rodriguez, Senior Planner, presented the first reading.

6. STAFF REPORTS

6.1. Possible action to approve additional funding for the Phase 1, parcels 4 & 8 reversionary interest process, and the Phase 2 lands conveyance, totaling \$46,400.

Acting City Manager Lydia Altick gave a presentation about additional funding for the Bureau of Land Management. Phase 1 began in June 2025 when the Bureau of Land Management conveyed 8 parcels to the City of Fernley totaling 2,167 acres. Phase 2 will secure 15 parcels totaling approximately 7,581 acres. Mrs. Altick reported on the costs and activities associated with Phase 1 and Phase 2 of the public land's conveyance project. For Phase 1 (2020–August 2024), the City of Fernley contributed \$36,000 to the Bureau of Land Management (BLM) for coordination of environmental analysis, administration, documentation, surveys, data processing, and the patent issuance process. The City also contracted with Wood Rogers for \$101,827.50 to coordinate with the BLM and the Bureau of Reclamation, complete required baseline studies for National Environmental Policy Act compliance, and prepare conceptual layouts for eight parcels under the Recreation and Public Purposes Act.

For Phase 2, which includes 15 parcels, BLM contributions beginning in September 2024 total \$195,100, including \$11,200 for the reversionary interest process currently under consideration. The City has expended \$365,421.08 to date on Phase 2. These costs include cadastral and non-cadastral surveys, NEPA review, mapping and plotting, final survey reports, patent review, historic preservation planning, title and records updates, and patent issuance. Approximately \$97,749 was spent on cadastral surveys due to irregular parcel configurations.

Mrs. Altick noted that Phase 2 baseline studies were extensive because the parcels are located on the outskirts of town. Work included habitat assessments and rare plant surveys, a fire fuels management assessment, consultation

regarding nearby sage-grouse habitat, and expanded cultural resource fieldwork across approximately 2,363 acres, including a Class III cultural inventory report, National Register eligibility determinations, and project effects analysis. Mineral potential reports were also prepared for each parcel to assess mineral rights, geology, and the potential value of any mineral resources.

On July 2, 2025, the City Council approved a time-and-materials contract with Wood Rogers not to exceed \$183,458 to address five additional parcels added to Phase 2. The contract scope was later reduced to \$428,628 after the BLM determined the project qualified for a categorical exclusion, eliminating the need for a full environmental assessment and reducing the overall scope of work. Mrs. Altick noted that the cultural resources portion of the contract alone totaled approximately \$172,000.

Motion: I move to pay the Bureau of Land Management \$46,400 for work associated with the Fernley Lands Bill Conveyance Phase 1 and 2. **Action:** Approve, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5 **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilman Hanan, Councilman Mendoza

7. RESOLUTIONS

7.1. Councilman Torres' Request: Discussion and Possible action to adopt Resolution number 26-004 and discuss the competency, character, and/or alleged misconduct of Councilman Lau including the results of the independent investigation conducted by Sutton Law and Consulting, with possible action, including but not limited to: censure, removal from boards or committees, adoption of resolution, request for resignation, etc.

Councilman Torres — This issue arises from incidents that happened in April and May 2025. The complaint was originally a hostile work environment due to Councilman Lau's outburst during Public Council meetings. Councilman Torres states for the May 8th meeting, he made a budget suggestion to add to a future agenda. It was clarified by the City Attorney, Aaron Mouritsen, that this would not require an immediate vote. Councilman Torres further states Councilman Lau reacted angrily and threatened physical violence, which Councilman Torres believes is a violation of policy 199300.

Councilman Lau apologized for his outburst during the April 3 and May 8 council meetings. He acknowledged his behavior was unprofessional and said his passion for engineering issues and disagreements with the former city manager contributed to the incidents. He emphasized he takes full responsibility for his actions.

Councilman Lau stated he apologized to Councilman Torres at the May 28 council meeting, where they publicly shook hands. He also said he called Councilman Torres in May to discuss the situation and agree to move forward and focus on city business. He emphasized there have been no further incidents.

Councilman Lau has served on the Fernley City Council for nearly 12 years and highlighted achievements in Ward 3, including the Hardy Lane project, Shadow Lane, and upcoming work on Cedar St. and Miller Lane.

Councilman Lau and his attorney, watching on Zoom, raised concerns about this meeting. Lau alleges improper notice for the hearing, stating he was not served and never received a certified letter. He also said the published agenda did not clearly state the potential for permanent removal. Additionally, he raised concerns about double jeopardy, noting the council addressed the matter in a September 2025 meeting that resulted in sanctions.

Mayor McIntyre called a ten-minute recess.

Becky Brew left the Zoom room at 6:45

The mayor called the meeting to order, allowing Councilman Lau to resume his comments and concerns regarding this discussion. Councilman Lau played a brief video clip from the May 8 meeting that contained the verbal argument of the men. He then reiterated his apology to the City, City Staff and Council for the outburst on both occasions, and he asked Councilman Hanan to speak on his behalf.

Councilman Hanan requested to play a brief video clip of the September 17th meeting. After discussion with City

Attorney Arron Mouritsen, it was left to the mayor's discretion. The Mayor ultimately denied Councilman Hanan's request, stating he did not feel it was relevant to this item.

Councilman Hanan states, what we heard in the May 8th recording was two people breaking the rules of decorum and were speaking over a third person. He remains neutral as to who was right or wrong but feels everyone broke the rules of decorum in that meeting. He states he is embarrassed for the council and that the men involved should also feel embarrassed. He further states this was put on the agenda prematurely as the investigation has been going on for several months and each member was advised to not speak about the investigation or take any action until the investigation has completed. Councilman Hanan furthers he voted 'no' in the September meeting but maintained an open mind and could change his vote if the evidence supports the accusation. He has since reviewed the information and agrees a censure allowed by law would be sufficient in this case.

Councilman Hanan points out this is the first vote of its kind in the history of the State. His understanding of Nevada State law is that the council is duly elected by the representatives in each area and those are the only people who can vote the Council in and who can vote the Council out. He urges the council to follow this law as he sees it as it would set a precedent in the State of Nevada. Councilman Hanan believes Councilman Lau would be able to file a lawsuit against the city and that he believes councilman Lau would remain on the council until the courts decide if this was a legal move.

Councilman Hanan entered into the record the Workplace Investigation Report of Fenley City Council and Councilman Albert Torres's behavior. Councilman Hanan argues that the current proceedings are unfair and inconsistent. He says the council is holding one person to a stricter standard while ignoring another investigation that contradicts what the council is doing. He states he is simply entering a copy of the investigation into the public record. Although he does not agree with Lau's behavior and believes it was inexcusable, Councilman Hanan notes that Lau has already apologized and was previously censured according to policy. Because of that, he argues that bringing the issue up again after the investigation is finished amounts to "double jeopardy."

City Attorney Aaron Mourtionson clarified to the council that a quick summary is done during a legal brief and there would be no disclosure of what occurred in the legal brief or any of the related documents. He further clarified that the service for this meeting was done appropriately under NRS 241.0332A2 and regarding the Open Meeting Law there is a requirement that all items on the agenda explain clearly and concisely, the city has met that requirement.

Councilman Lau was asked to step down and resign from his position. He objected, stating, "as an elected council member, exclusion from council meetings infringes upon the rights of my constituents and raises serious due process and open meeting concerns." He further stated, he will not resign. Councilman Lau says to permanently exclude him would violate open-meeting laws and constitutional due process rights. Expulsion would violate his due process and first amendment rights.

Councilwoman Zoberski states for the record she also attended the briefings with Aaron Mourtionson and Becky Brew.

Motion: I MOVE TO ACCEPT RESOLUTION NUMBER 26-002 AS PRESENTED AND TO HIGHLIGHT SECTION 2, PERMITTED EXPULSION PURSUANT TO NRS 266.240. THAT COUNCILMAN LAU IS HEREBY PERMANENTLY EXPELLED FROM THE CITY COUNCIL, EFFECTIVE IMMEDIATELY. **Action:** Approve, **Moved by:** Councilman Joe Mendoza, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 3, No 2 **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Mendoza, **No:** Councilman Lau, Councilman Hanan

The Mayor called a recess for the expulsion.

7.2. Councilman Hanan's Request: Discussion and Possible Action to adopt Resolution number 26-003 and discuss the competency, character, and/or alleged misconduct of Councilman Torres including the results of the independent investigation conducted by Sutton Law and Consulting with possible action, including but not limited to: censure, removal from boards or committees, adoption of resolution, expulsion and request for resignation, etc

Removed from this agenda.

8. PUBLIC HEARINGS

8.1. (For Possible Action) Discussion and possible action regarding Bill #380 associated with ZMA25001 and TSM25001, concurrent requests from Wood Rodgers, Inc. on behalf of Genica Clover Ranch, LLC, for a zoning map amendment and tentative subdivision map rezoning (6) parcels containing approximately 24.72 acres generally located between Farm District Road to the south, Langdon Street to the north, Winnie Lane to the west, and Nevada Pacific Boulevard to the east from RR½ (Rural Residential, ½-acre minimum) and RR5 (Rural Residential, 5-acre minimum) to SF6 (Single Family, 6000-square foot minimum) and creating a 105-lot single-family residential subdivision (APNs 021-331-15, -19, -20, -22, -29, and -38).

Treston Rodriguez, Senior Planner, presented: The project site is approximately 24.72 acres and is split-zoned with a minimum lot size of 1 half acre and 5 acres. There is a mix of residential lot sizes in the surrounding area. The proposed SF6 zoning district would allow for a minimum lot size of 6,000 square feet, consistent with other residential neighborhoods. The SF6 zoning would allow for approximately 175 units at maximum, the applicant is only proposing 105 lots. The applicant has proposed installing an open-view fence along portions of the subdivision boundary. The three findings needed to amend the zoning map have been found. The project has been designed to comply with applicable environmental and health regulations. Because this project is located within an established portion of the city, police, fire, transportation infrastructure, parks and other public services. Students generated by the project would attend Cottonwood Elementary, Silverland Middle and Fernley High school. The project conforms to the City's Transportation Master Plan and the traffic analysis indicates the development will not create adverse levels of service impacts in future years plus project conditions. Improvement recommendations include an eastbound left-turn lane, a flashing crosswalk at Farm District Road and full improvement along Clover Lane.

Derek Kirkland with Wood Rodgers presented. He states they have been working on this for almost a year and have met with the neighborhood several times. There was an agreement to not pipe the ditch on the western boundary. Clover Lane is an easement and part of the project will be to make this a full right-of-way which will be dedicated to the city. This project will have 105 lots with 3 of them being common open space lots. About 40 lots are between 6,000 and 7,000 square feet; the rest are between 7,000 and 12,000 square feet. In terms of traffic, we are planning to extend Clover Lane down through the site and extend through the city-owned property to connect to Sutter. That will allow traffic to head to US 50, which will relieve a lot of the traffic on Farm Disc Road.

Councilman Mendoza asked about the drainage plan and water flow path. Wood Rodgers showed where there would be a retention basin. They assured Council they would verify and as they enter the final design steps they will provide all the calculations to the City Engineer.

Councilwoman Zoberski had concerns about the traffic and whether the retention areas would be maintained by the city.

Berry Williams, Public Works Director, stated, they could be considered an open space and depending on design, they could be used for a park or other amenities for the public.

Lauren Chilson, with GCW - We recognize the roundabout has issues. We've conducted many traffic studies in the city of Fernley. What we did in the traffic study was to recognize that people are going to go different ways during peak hours. We wanted to assess the worst case in the local neighborhood, and so we assigned, for the purposes of our analysis, most of that traffic to the north towards US 50, so that we made sure we captured any potential impacts in the neighborhood. We didn't find anything significant. If that traffic were routed to Farm District, Cottonwood, around the back, around the west side. Also, those intersections are functioning at levels that would be okay, and so they're within level service policy. We didn't find any significant impact in that direction either. We wanted to look at the worst case, make sure we addressed any impacts in the neighborhoods to the north. We did that, and we're confident that we're not creating any significant impacts.

Becki Howlett opposes this new development, citing traffic and the size of the lots.

Steven Grizzles lives on the east side of this development. He has major concerns and opposes this development.

Michelle Barney is in favor of the new development.

Bill Swagger expressed concerns about flooding in the area.

Motion: CONSIDERING THE INFORMATION CONTAINED IN THE APPLICANT'S SUBMITTAL PACKAGE, AND BASED ON THE ANALYSIS PRESENTED IN THE STAFF REPORT, I MOVE TO APPROVE AND ADOPT BILL 380 AND ZMA25001, REZONING THE SUBJECT PARCELS FROM RR1 HALF AND RR5 TO SF6 AND APPROVED TSM25001, SUBDIVIDING 24.72 ACRES INTO 105 SINGLE-FAMILY RESIDENTIAL LOTS, WITH THE ADDED CONDITION THAT THE DEVELOPER COMMUNICATE WITH THE CITY ENGINEER, THE NEIGHBORS ON IRRIGATION, AND MV ENERGY, TO MAKE SURE IT'S COHESIVE. **Action:** Approve, **Moved by:** Councilwoman Felicity Zoberski, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 3, No 1 **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, **No:** Councilman Mendoza

9. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

9.1. Discussion and Possible Action: The City Council previously approved moving forward with a comprehensive Efficiency Study to evaluate current operations, organizational structure, service delivery, and resource utilization. This direction was provided several months ago with the intent of advancing transparency, accountability, and operational effectiveness. Since that approval, limited formal updates have been provided to the Council regarding progress, development of the Request for Proposals (RFP), or anticipated timelines. As a result, this item is being brought forward to formally reestablish priorities, ensure accountability, and move the project forward in a timely and transparent manner. (Councilman Mendoza)

Councilman Mendoza raised concerns about significant delays and lack of progress on a requested efficiency study, outlining a timeline that began with a formal request on March 19, 2025. Although the request was approved for agenda placement on April 16, 2025, it was not brought forward for consideration until October 1, 2025, when it was ultimately approved by Council. Following that approval, Councilman Mendoza noted that no meaningful updates or tangible progress were communicated for several months. Due to this lack of follow-through, the item was placed back on the agenda on February 4, 2026, and an update was finally provided on February 13, 2026.

The Council Member expressed frustration that nearly a year had passed without substantive movement on the study and criticized the delay as unacceptable and indicative of poor business practices. Councilman Mendoza has concerns that it could take more than a year to get the RFP out.

Mayor McIntyre takes responsibility and states this falls under him and the City Manager.

Lydia Altick, Acting City Manager: When this request was initiated in April 2025, the City Manager left shortly after and the consensus was that there would be a new City Manager and that hasn't happened yet. Acting City Manager Lydia Altick told council the RFP has already gone out, it went out in early March, and they are currently working on it.

Mayor McIntyre is hopeful this will be rectified in the next few months.

10. PUBLIC FORUM

Dolores Oberg wanted to clear up some of her comments in the first public comment of the night, she said she'll address it privily with Councilman Hanan after the meeting.

11. ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:34 PM.

Approved by the Fernley City Council on _____, by a vote of:

AYES 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson

Kimberly Swanson

From: Albert Torres
Sent: Tuesday, March 3, 2026 6:50 PM
To: Kimberly Swanson; Sandy Harris
Subject: Fw: Meeting

Please add to the record for tomorrow's council meeting
Thank you,
Albert

Albert Torres
Ward 4 City Council
City of Fernley
atorres@cityoffernley.org
775 301-0002

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Linda Carr <sandlcarr5662@sbcglobal.net>
Sent: Tuesday, March 3, 2026 6:43:28 PM
To: Albert Torres <atorres@cityoffernley.org>
Subject: Meeting

You don't often get email from sandlcarr5662@sbcglobal.net. [Learn why this is important](#)
Councilmen Torres,

I unfortunately can't attend the meeting tomorrow evening. I would like you to know I support you 100%. You have always had high standards and always very professional. You care about the City. You're not a yes man. You always do your homework. I may not be in your ward but I know you are there for ALL the citizens. It is unfortunate the character of some of our council members. Hold your head high and continue to be the honest, caring and ethical person I know you are.

Respectfully,
Linda Carr
60+ year Fernley Resident

Sent from AT&T Yahoo Mail on Android

Tammy R. Schiller, RDH
502 Hudson Circle
Volga, SD 57071
Tammyschiller1@gmail.com
02/26/25

City of Fernley
City Manager's Office
595 Silver Lace Boulevard
Fernley, NV 89408
mcarter@cityoffernley.org

To Whom It May Concern:

I've known Albert "Bert" Torres for 25 years. I would be considered Albert's stepsister in law. My father was married to his former mother-in-law. I would like to share some outside perspectives for Mr. Torres personal character and actions.

Mr. Torres has always tackled issues at hand with grace, integrity and discernment. I have known Mr. Torres to be an incredibly understanding, patient and kind person. In every challenging situation, be it personal or professional he has never made a decision that I would question even under extreme duress or social pressure. Albert is one of the most authentic, logical and measured people I know. I cannot think of an instance where he has made a rash decision or caused distress to those around him in decision making. I am a cautious person by nature and do not extend trust freely. I know Albert considers things deeply before making decisions and would consider him a wealth of knowledge in all things community and safety. I believe Albert is an asset to any community he is able to serve and provide direction in future decisions.

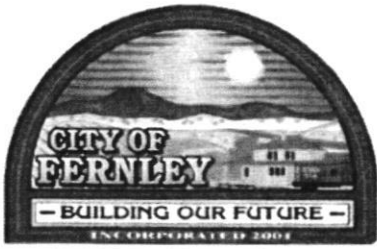
I volunteered to write this letter and was not asked. I am happy to answer any questions or expand on topics discussed. I will make myself available to you.

Sincerely,

Tammy R. Schiller, RDH

Tammy R. Schiller, RDH

FCC 3/4/26



Official Public Meeting Sign-in Sheet for the Record

Name: Please print clearly	Organization & Contact Info
Julie Torres	
Drew Mason	
Sheroa Holley	
Delores O'berry	
Kelly Beyer	
Tom BURMET	
Debbie Skinner	
storen LGA's world	

Submitted

PRIVILEGED AND CONFIDENTIAL/ ATTORNEY CLIENT COMMUNICATION/ ATTORNEY
WORK PRODUCT/ PREPARED AT REQUEST OF COUNSEL

WORKPLACE INVESTIGATION REPORT

FERNLEY CITY COUNCILMAN ALBERT TORRES

February 12, 2026

Prepared by:



Timothy B. Sutton, Esq.

Sutton Law & Consulting Group
2171 S. Hwy. 160
Pahrump, NV 89048
(775) 990-5027
tim@suttonlawgroupllc.com

PRIVILEGED AND CONFIDENTIAL/ ATTORNEY CLIENT COMMUNICATION/ ATTORNEY
WORK PRODUCT/ PREPARED AT REQUEST OF COUNSEL

I. EXECUTIVE SUMMARY

Based on consistent accounts from a majority of witnesses, supported by publicly available meeting recordings and by the governing policy framework, the preponderance of the evidence establishes that Councilman Albert Torres (“Torres”) has engaged, over an extended period, in a pattern of conduct toward City staff in public meetings that is demeaning, confrontational, or intimidating, thereby violating the City’s Employee Bullying policy (§2.3), conflicting with the City’s Prohibition of Workplace Violence policy where it encompasses intimidation/harassment (§2.10), and breaching the City Council’s Rules of Decorum (Resolution 17-010) which require treating staff with dignity, courtesy, and respect.

II. THE INVESTIGATION

A. Scope of Investigation

This investigation was initiated in response to concerns regarding Torres’s conduct toward staff and overall meeting decorum during multiple City Council sessions in 2024–2025, including budget workshops and regular meetings. The inquiry examined whether Torres’s manner of engagement—alleged public criticisms of staff competence or integrity, accusatory insinuations, and the use of meeting mechanics—created a hostile or intimidating environment inconsistent with City policies and the Council’s decorum rules.

B. Policies

The following policies, resolutions, and bylaws were reviewed and considered in this investigation:

Policy/Bylaw	Available at
City of Fernley Personnel Policies and Procedures	City of Fernley Human Resources
City of Fernley Resolution No. 17-010 ¹	City of Fernley Human Resources
City of Fernley Resolution No. 17-011 ²	City of Fernley Human Resources

C. Witnesses Interviewed

Witnesses were interviewed remotely via Microsoft Teams. Eight witnesses were interviewed as follows:

¹ A Resolution of the Fernley City Council, State of Nevada Providing for Rules of Decorum Relating to Public Input and Council Member Conduct. Approved by the City Council on June 7, 2017.

² A Resolution of the Fernley City Council, State of Nevada Providing for Rules of Procedure. Approved by the City Council on June 7, 2017.

PRIVILEGED AND CONFIDENTIAL/ ATTORNEY CLIENT COMMUNICATION/ ATTORNEY
WORK PRODUCT/ PREPARED AT REQUEST OF COUNSEL

Witness	Interview Date	Method
Witness A	7/21/2025	Remote
Witness B	7/10/2025	Remote
Witness C	7/21/2025	Remote
Witness D	8/20/2025	Remote
Witness E	8/21/2025	Remote
Witness F	8/21/2025	Remote
Witness G	9/17/2025	Remote
Witness H	9/19/2025	Remote

Councilman Torres, the subject of this investigation, declined to be interviewed. In his declination email, attached hereto as **Exhibit “A”**, Torres expressed concerns that the present investigation was frivolous and retaliatory and requested the identity of the Complainant and any witnesses. This investigator did not provide the identity of the Complainant or any witnesses.

At the outset of every interview, each witness was advised that the investigator was independent and did not represent the City or any of the other witnesses. Witnesses were also asked if they required any special accommodation as part of the interview process (e.g. interpreter, written materials, assistive listening devices, etc.). Witnesses were admonished to keep all interview discussions confidential until completion of this report. Witnesses were also instructed that retaliation by them, against them, or against anyone else was strictly prohibited and that any instances of retaliation should be reported to this investigator.

D. Physical Evidence

Over the course of this investigation, the following physical evidence (e.g. video, documents, photographs, etc.) was reviewed:

Evidence	Available at
Video of February 5, 2025 Fernley City Council Meeting	https://fernleynv.portal.civicclerk.com/event/399/media
Video of February 19, 2025 Fernley City Council Meeting	https://fernleynv.portal.civicclerk.com/event/411/media
Video of April 2, 2025 Fernley City Council Meeting	https://fernleynv.portal.civicclerk.com/event/401/media
Video of April 3, 2025 Fernley City Council Meeting	https://fernleynv.portal.civicclerk.com/event/449/media
Video of May 8, 2025 Fernley City Council Meeting	https://fernleynv.portal.civicclerk.com/event/451/media

Nevada Acknowledgment of Ethical Standards for Public Officials	City of Fernley Human Resources
City of Fernley Acknowledgement of Rules of Decorum and Rules of Procedure	City of Fernley Human Resources
City of Fernley Acknowledgment and Receipt of Personnel Policies	City of Fernley Human Resources
City of Fernley Acknowledgment of Ethical Standards	City of Fernley Human Resources

E. Evidentiary standard

After conducting the investigation and reviewing the relevant documents, this investigator reached a reasonable conclusion based on the information provided to him in the witness interviews and documents. A “preponderance of the evidence” standard was used to evaluate the claims asserted by the Complainant. A preponderance of the evidence standard means that the evidence on the side showing a claim to be true outweigh the evidence on the other side.

III. WITNESS INTERVIEW SUMMARIES³

A. Witness A

Witness A confirmed his/her role and tenure with the City of Fernley.

Witness confirmed his/her understanding that the inquiry relates to concerns about conduct during council meetings and personnel decisions. Witness recalled that shortly his/her role began, he/she observed an incident where the former City Manager instructed Councilmember Torres to leave a meeting, but Torres refused. Although the City Manager indicated the meeting should end, it continued, and no one left. Soon after, the City Manager was either terminated by the mayor or resigned. Witness noted that Torres later read a statement at a subsequent meeting explaining his reasons for wanting the City Manager removed, which he/she disagreed with. While Witness was aware of minor disagreements between Torres and the City Manager, he/she did not believe they warranted termination.

Witness also described a May budget meeting involving Councilman Stan Lau, during which he/she could not clearly hear Torres’ comments. Witness did not like the motion presented but could not confirm whether Torres’ remarks were inappropriate. Witness further stated that Torres appeared to have influenced the departure of other key personnel, including the former City Attorney, who resigned after receiving a poor evaluation in a public meeting, and later returned. Witness also heard that Torres

³ Witness summaries are provided chronologically by the witness interview date.

pressured the former Public Works Director to quit and expressed dislike for a former HR employee, who eventually resigned. Witness believed these actions contributed to instability and made the city appear poorly managed.

Although Witness acknowledged that Torres generally follows rules of decorum, he/she expressed concerns about his honesty, stating that he sometimes misleads others into thinking matters are resolved, only to surprise them during board meetings. Witness cited an instance where Torres asked the current Public Works Director about morale, and the response was, "What morale?" or "There is no morale." Witness voiced broader concerns about Torres' influence over the council, particularly with the support of Zoberski and Councilman Mendoza, and worried about the city's reputation under his leadership.

Witness did not report any of these incidents, nor does he/she have documentation to support his/her account. Witness has not discussed these matters extensively with others and does not believe there are underlying factors contributing to the situation. Witness noted that the turnover of personnel has made it difficult to find and retain qualified staff, negatively impacting operations and the city's image.

B. Witness B

Witness B confirmed his/her role and tenure with the City of Fernley.

Witness participated in this investigation as the complainant and stated that he/she did not personally file the complaint but believes someone did so on his/her behalf. Witness described a pattern of behavior by Councilman Torres that he/she characterized as bullying during council meetings over the past year. Witness stated that Torres regularly criticized his/her work, accused him/her of incompetence, laziness, and dishonesty, and suggested he/she was taking bribes. According to Witness, Torres implied that if he/she worked from home, he/she must not have sufficient work to do. Witness noted that Torres' behavior was particularly aggressive from April of the previous year through April of this year, though Witness observed some improvement in recent months, which he/she attributes to the ongoing investigation.

Witness expressed that the hostile environment has significantly impacted his/her well-being. Witness stated that he/she now takes medication before council meetings and began therapy in late 2024 due to anxiety. Witness documented his/her experiences in a personal journal, noting panic attacks during meetings, including symptoms such as shaking, sweating, and a racing heart. Witness recalled one instance where he/she informed a colleague that Witness was having a panic attack, and the colleague presented Witness' item on his/her behalf.

Witness further observed that the council's behavior has contributed to high staff turnover, citing the departures of the former planning director, two city managers, and other employees. Witness emphasized that he/she did not initiate the complaint and that his/her participation in this investigation was based on another individual's recommendation.

C. Witness C

Witness C confirmed his/her role and tenure with the City of Fernley. Witness stated that he/she believes the inquiry relates to Councilman Torres' conduct, including alleged violations of the Open Meeting Law (OML) and inappropriate behavior toward staff.

Witness reported that Torres appeared to disregard OML requirements by allegedly lining up votes outside of council meetings. Witness described Torres as partial, self-aggrandizing, and inclined to take credit for others' efforts. Witness recalled that Torres publicly attacked him/her and the HR Director, claiming a compensation study was flawed because it benefited them. The council later voted to hire an outside consultant, whose findings matched the original study.

Witness recounted that during the public hiring process of the most recent city manager, Torres asked an off-script question, prompting the city attorney to admonish him. Witness suspected Torres was upset that the mayor had not appointed Torres' preferred candidate in a prior search. During his/her first six months, Witness scheduled regular meetings with council members; Torres initially did not attend but later contradicted positions outside those meetings.

In September 2024, the mayor conducted Witness' annual evaluation, soliciting council input. Witness stated that Torres submitted a six-page critique labeling him/her insubordinate and ineffective, without examples or improvement suggestions. The mayor excluded Torres' comments from the final evaluation, which angered Torres. Witness reported that Torres distributed his/her critique to the public at a subsequent meeting, and Councilwoman Zoberski did the same at a May meeting.

Witness also alleged that Torres spread rumors about him/her having inappropriate interactions with members of the opposite sex in the organization. Witness learned that Torres cited these rumors during an executive session as a reason for seeking Witness' termination, claiming that another employer felt uncomfortable meeting with him/her alone. Witness questioned why this was never formally investigated.

Witness described a broader pattern of Torres' public criticism and pressure on staff, which he/she believes harmed morale. Witness listed multiple employees who resigned or were targeted, including former planning director Tim Thompson, former

HR Director Jackie, former City Manager Daphne Hooper, and others. Witness noted that Torres was reportedly abusive toward another Witness, who confided that he/she takes medication before council meetings, and that other staff members have left meetings in tears. Witness stated that Torres also sought the termination of the City Clerk and targeted other employees, creating a climate of fear and instability. Witness did not formally report these incidents but discussed concerns with senior staff, the mayor, and the city attorney. Witness attributed Torres' behavior to being "power hungry and vindictive" and observed that the impact included staff anxiety, emotional distress, and resignations. Witness did not provide documentation but referenced conversations and staff meetings where these issues were addressed.

D. Witness D

Witness A confirmed his/her role and tenure with the City of Fernley. Witness stated that his/her perspective is based on observations and, in some cases, hearsay.

Witness described Councilman Torres as rude, blunt, and disrespectful toward staff, characterizing him as a bully who exerts control over the board and targets employees. Witness stated, "You can have a good relationship with him until you tell him something he doesn't like, and then you have a target on your back." According to Witness, Torres frequently pulls items from the agenda as a means of punishment and control, and he/she reported being wrongfully accused by Torres of removing items when, in fact, he had done so. Witness believes Torres is manipulative and summarized his influence by saying, "If Albert's not happy, ain't nobody happy."

Witness asserted that Torres has been responsible for multiple staff departures and terminations. Witness cited the former planning director, who resigned after repeated criticism and interference by Torres, and noted that the city currently lacks a city manager because Torres refused to pass the budget until the city manager resigned or was defunded. Witness suspects Torres may be leaking information to a friend who plans to run for council and expressed concern about hidden agendas and Torres' ego. Witness fears that any future city manager with self-respect will also be driven out.

Witness further stated that Torres was harsh toward another employee, berating that employee for mistakes on agenda items, and that nearly everyone has experienced Torres' rudeness at some point. Witness emphasized that "nobody should have this much power." Witness also mentioned hearing that Torres played a role in the departure of the former city attorney, who later returned as deputy city manager.

Witness did not formally report these incidents but noted that the mayor, HR, and city attorney were copied on related emails. Witness is unaware of any corrective actions taken. Witness identified public meeting videos as the only potential evidence and

stated that concerns are occasionally discussed during employee meetings. Witness reported that Torres' behavior creates fear of retaliation and makes staff feel unsafe, adding that it is frustrating to see council claim financial constraints while approving a \$500,000 payout to the city manager, which he/she attributes to Torres' influence. Witness did not provide additional information beyond these statements.

E. Witness E

Witness A confirmed his/her role and tenure with the City of Fernley. Witness stated his/her involvement relates to his/her experience and observations of bullying behavior by Councilman Torres.

Witness described his/her first interaction with Torres as witnessing him deliver a harsh performance review to then-City Manager Daphne Hooper during a public meeting. While Witness could not recall specific statements, he/she characterized the tone as unprofessional. Witness noted that Torres has generally been respectful toward him/her and other staff at his/her level, but has been abusive toward city managers and other department heads. Witness stated that Torres frequently insults staff during public meetings, manufactures concerns, and reacts aggressively to legitimate issues. According to Witness, Torres often implies that the City Manager's Office and Planning Department are "on the take," feeding into constituent suspicions of corruption.

Witness reported hearing gossip that Torres was upset when a candidate he favored was not considered for the city manager position, despite lacking qualifications. Witness also heard that Torres behaved aggressively during a budget hearing, though he/she did not witness that herself. Witness stated that Torres' approach reflects a belief that he must hold "lazy government employees" accountable, but he/she believes his conduct is inappropriate and outside his role, as concerns should be raised privately with the city manager rather than in public forums.

Witness did not report these incidents, explaining that he/she never felt personally threatened and believed those targeted should file their own complaints. Witness noted that the mayor has acted informally as a buffer between council and staff, improving morale somewhat since taking office. Current HR staff have also been proactive in educating employees about reporting options and training. Witness recalled hearing that Torres was involved in efforts to remove a prior city manager, citing an off-duty bar fight as a pretext, which he/she viewed as disingenuous given the manager's strong performance.

Witness identified city council meeting footage—specifically the 2022 city manager evaluation—as potential evidence. Witness has not discussed these matters extensively beyond casual office conversations. Witness reported that Torres'

behavior, along with similar conduct from other council members, has been demoralizing, contributing to high turnover among city managers and department heads. While some turnover may relate to pay, Witness believes much of it stems from a toxic work environment. Witness expressed relief that the investigation is addressing these concerns.

F. Witness F

Witness A confirmed his/her role and tenure with the City of Fernley. Witness explained that his/her involvement relates to his/her role in presiding over council meetings where many of the reported issues have occurred.

Witness described Councilman Torres as frequently undermining him/her and staff, noting that Torres often steps outside his role. Witness characterized Torres as the leader of a group of council members—Zoberski, Mendoza, and Torres—who appear to coordinate actions outside of public meetings, which Witness believes violates the Open Meeting Law. Witness cited the decision to defund the city manager position as an example, stating that the group's coordinated effort resulted in the city manager resigning so the budget could pass.

Witness stated that Torres is not upfront or honest, seeks praise for his actions, and targets individuals persistently until they leave. Witness reported that several employees, including Brandie Jensen, Ben Marchant, and Whelan, have departed due to Torres' behavior. Witness noted that Torres prepares extensively for meetings but uses that preparation to pursue personal agendas rather than the city's best interests. Witness said he/she spoke with the city attorney about these concerns and identified public meeting videos as potential evidence. Witness also discussed the situation with his/her spouse and other employees. Witness believes Torres' background in law enforcement contributes to his approach, describing Torres as operating under the assumption that "everyone is guilty until proven innocent" and always looking for wrongdoing.

Witness reported that Torres' conduct has been disruptive and harmful to morale, causing fear among staff and discouraging open communication. Witness stated that the environment has led to the loss of good employees and negatively impacted city operations. According to Witness, staff members worry about retaliation or being targeted, and witness believes Torres prioritizes his own interests over those of the city.

G. Witness G

Witness A confirmed his/her role and tenure with the City of Fernley. Witness stated that his/her understanding of the inquiry was to provide his/her perspective regarding Councilman Torres.

Witness reported that he/she has no issues with Councilman Torres and described him as a "straight shooter." Witness acknowledged that Torres' background as a former law enforcement officer might make some individuals feel intimidated, though he/she has not personally observed or been told by others that they feel uncomfortable with him. Witness noted that he/she initially butted heads with Torres but now maintains a good working relationship with him. Witness characterized Torres as a confident male and suggested that his demeanor may contribute to perceptions of intimidation.

Witness stated that he/she is not aware of any specific incidents involving Torres and did not provide additional information beyond these statements.

H. Witness H

Witness A confirmed his/her role and tenure with the City of Fernley. Witness stated that his/her understanding of the inquiry was to provide his/her perspective regarding Councilman Torres.

Witness described an incident where another councilmember acted inappropriately toward Torres during a meeting, prompting the mayor to call a recess. Witness heard there were subsequent discussions in the hallway and bathroom, but did not witness them. Witness stated that he/she observed nothing inappropriate on Torres' part during that event.

Witness reported that Torres challenged the validity of a staff study during a board presentation and requested that an outside company conduct a new study at a substantial cost to the City. Witness stated that Torres treats other employees poorly. Witness described Torres' tone during employee presentations as confrontational and disrespectful, noting that he often lodges personal attacks against staff in public meetings and dismisses others' input. Witness said he/she was told that an employee takes medication before meetings due to Torres' hostility. Witness characterized Torres as using bullying tactics, micromanaging staff, and being inconsistent in his directives—asking staff to complete tasks one way and later criticizing them for doing so, then demanding changes.

Witness identified public meeting videos as potential evidence and confirmed that he/she discussed these concerns with the city attorney, who advised that he represents the city and therefore could not take action. Witness also spoke with other employees and the mayor about the situation. Witness reported that Torres' behavior has caused several staff members to cry or leave and stated that he/she also takes

medication before council meetings, as do others he/she knows. Witness noted that staff have begun to accept this as the norm.

IV. FINDINGS AND ANALYSIS

A. Analysis of Violations of Policy and Law

Every employee of the City of Fernley is required to abide by the City's Personnel Policies and Procedures manual ("PPM")⁴. The PPM, which was most recently revised and adopted by the City Council on May 15, 2024. Torres acknowledged receipt of these policies and agreed to abide by them on August 15, 2019⁵. (**Exhibit "B"**).

Additionally, the City Council approved Resolution No. 17-010 on June 7, 2017. This Resolution sets forth rules of decorum relating to public input and Councilmember conduct during City Council meetings. Torres acknowledged receipt of this Resolution and agreed to abide by it on November 20, 2024. (**Exhibit "C"**).

Lastly, the City Council approved Resolution No. 17-011 on June 7, 2017. This Resolution sets forth rules of procedure and decorum applicable during City Council meetings. Torres acknowledged receipt of this Resolution and agreed to abide by it on November 20, 2024. (**Exhibit "D"**).

Accordingly, Torres' conduct must be analyzed using the City's own policies as a guide, including the PPM and Resolution Nos. 17-010 and 17-011.

1. Violations of City of Fernley Personnel Policies
 - a) Fair Employment Practices (§2.1)

Section 2.1 of the PPM sets forth policies regarding fair employment practices. Section 2.1.2 provides that "The City of Fernley will not tolerate instances of harassment, discrimination, or retaliation, whether or not such behavior meets the threshold of unlawful conduct." The policy prohibits harassment, discrimination, and retaliation, and requires all employees to be treated with professionalism and courtesy. Several employees reported experiencing Torres' conduct in meetings as hostile, personally demeaning, or intimidating, with multiple individuals stating that they take medication before council sessions due to anxiety triggered by Torres's conduct. According to witnesses, Torres engaged in publicly belittling staff, questioning their ethics in front

⁴ Although various sections of the PPM explicitly reference their applicability to elected officials, this investigator is assuming, for the purposes of this investigation, that **all** policies apply to elected officials as well as to employees. A full analysis of whether the PPM applies to elected officials is beyond the scope of this investigation.

⁵ Although Torres' acknowledgement of the policies predates the most currently adopted version of the PPM, the acknowledgment states that the signer is responsible for abiding by any subsequent updates.

of colleagues and the community, and fostering an atmosphere that employees perceive as unsafe or emotionally harmful. Accordingly, Torres's conduct violates Section 2.1.

b) Anti-Harassment (§2.2)

Section 2.2.1 of the PPM states that "City of Fernley promotes a productive work environment and does not tolerate verbal, physical, written, or graphical conduct/behavior(s) that harasses, disrupts, or interferes with another's work performance[.]" The PPM clarifies that prohibited harassment includes offensive verbal and written communication, gestures, and physical conduct.⁶ Multiple witnesses report offensive verbal conduct by Torres (insults, accusations of corruption), public belittling, and disruptive behavior that interfered with staff's ability to present or participate. and therefore, Torres' conduct constitutes harassment as defined in PPM §2.2.

It should be noted that the Policy statement contained in Section 2.2.1 references protected classes, however, the remainder of the harassment policy does not mention protected classes thereafter. Consequently, it is unclear if the harassment policy only prohibits conduct based on a person's protected class. If so, Torres' conduct did not constitute harassment based on a protected class or category. If the policy is not limited to protected classes or categories, then Torres' conduct constitutes harassment pursuant to Section 2.2.1.

c) Employee Bullying (§2.3)

Section 2.3.1 of the PPM defines bullying as repeated mistreatment of one or more persons by one or more perpetrators in the form of verbal abuse or offensive conduct/behaviors (including nonverbal, physical, and cyber-bullying) which are threatening, humiliating, or intimidating. Section 2.3.2 of the PPM affirmatively states that the City "will not tolerate" bullying behavior. The PPM provides a non-exhaustive list of prohibited behavior including, the following:

- *Verbal Bullying* includes slandering, ridiculing or maligning an employee or his/her family; persistent name calling, which is hurtful, insulting, or humiliating; yelling, screaming, and cursing; chronic teasing; belittling opinions or constant criticism.
- *Physical Bullying* including pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to an employee's work area or property.

⁶ For a non-exhaustive list of examples of prohibited conduct, see PPM §2.2.2.

- *Nonverbal Bullying* includes nonverbal threatening gestures or glances which convey threatening messages; threatening actions; socially or physically excluding or disregarding a person in a work-related activity.

Witnesses describe a pattern where Torres called employees incompetent, lazy, dishonest, insinuated bribe-taking, and ridiculed remote work. Witnesses independently depict a recurring public pattern: personal attacks, insinuations that departments are “on the take,” berating staff for agenda issues, and confrontational/disrespectful tone toward department heads and managers. Reports of staff crying, medicating before meetings, and fear of being targeted reinforce the “repeated” and “intimidating” elements. Torres’ actions constitute bullying as defined in §2.3.

d) Prohibition of Workplace Violence (§2.10)

Section 2.10.1 of the PPM states that the City of Fernley is committed to providing for the safety and security of all employees, customers, visitors, and property. Further, Section 2.10.3 provides that the City will not tolerate any form of workplace violence including acts or threats of physical violence, intimidation, harassment, and/or coercion, which involve or affect the City of Fernley, or which occur on property owned or controlled by the City of Fernley, or during the course of the City of Fernley business or which occur at a City of Fernley sponsored social gathering.

The policy mandates a safe and secure workplace and prohibits all forms of threats, intimidation, and violent behavior. The record reflects intimidation by Torres (staff reporting fear, medication before meetings, panic attacks; several witnesses describing hostile, confrontational exchanges that chilled staff contribution). There are no direct threats of physical violence attributed to Torres in these statements, but the intimidation/harassment element suffices under §2.10 and therefore Torres’ conduct violated it this section.

e) Code of Ethical Standards (§2.12)

Section 2.12 of the PPM pertains to elected and appointed officers of the City. This policy recognizes that holding public office is a public trust and in order to preserve that trust, the City demands that the highest code of conduct and ethical standards. Accordingly, this section sets forth a non-exhaustive list of behaviors representing the basic level of conduct expected from elected City employees:

- They will treat everyone, including coworkers, subordinates, supervisors, customers and the public, with the utmost professionalism and courtesy.

- They will comply with all applicable federal, state, and local laws.
- They will comply with any lawful and reasonable direction given by someone in the employee's agency who has authority to give the direction.
- They will maintain appropriate confidentiality.
- They will disclose, and take reasonable steps to avoid, any actual or potential conflict of interest in connection with their employment.
- They will use City of Fernley resources in a proper manner.
- They will not provide false or misleading information in response to a request for information that is made for official purposes in connection with their employment.
- They will, at all times, act in a way that upholds the values and the integrity and good reputation of City of Fernley.
- They will comply with any other conduct requirement that is prescribed by the City of Fernley.

Witnesses recount Torres' personalized disparagement in meetings (e.g., accusing staff/units of being "on the take," public "attack" on studies and staff, repeated belittling of directors). Witnesses also report targeting individuals "until they leave," manipulative conduct, and agenda-pulling perceived as punitive. Witnesses noted that staff embarrassment, turnover, and low morale were directly caused by Torres' actions. Based on the foregoing, Torres' conduct violates section 2.12.

2. Violations of City of Fernley Resolution Nos. 17-010 and 17-011

In addition to violating several provisions of the PPM, Torres' conduct also ran afoul of City of Fernley Resolution Nos. 17-010 and 17-011.

a) Respectful Conduct

Resolution 17-010 states Councilmembers must treat staff and the public with dignity, courtesy, and respect. Multiple witnesses describe confrontational, disrespectful tone toward staff by Torres during presentations, personal attacks, and behavior reasonably experienced as intimidating. That conduct violates the core decorum standard of dignity/courtesy/respect.

b) Prohibited Conduct (Section V.D)

Section V.D of the Resolution 17-011 explicitly prohibits the following:

- Profanity or vulgar language or gestures

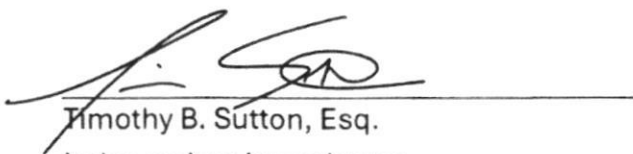
- Language that insults or demeans any person
- Interruptions or disruptive behavior
- Behavior that reasonably intimidates others

Reports of demeaning and accusatory remarks by Torres about staff integrity, interruptive and intimidating exchanges, and use of meeting mechanics perceived as punitive collectively undermine order and decorum. Multiple witnesses describe confrontational, disrespectful tone toward staff during presentations, personal attacks, and behavior reasonably experienced as intimidating.

V. CONCLUSION

Based on the totality of the evidence and applying a preponderance of the evidence standard, the investigation establishes that Councilman Torres engaged in a sustained pattern of conduct that violated multiple provisions of the City of Fernley Personnel Policies and Procedures Manual and the Council's Rules of Decorum and Procedure. Witnesses consistently described repeated verbal mistreatment, confrontational and demeaning public comments, intimidation, and behavior that undermined staff morale and interfered with the effective functioning of the workplace. This conduct constitutes bullying under PPM §2.3, is inconsistent with the professionalism, courtesy, and ethical standards required under PPM §§2.1, 2.2, 2.10, and 2.12, and breaches the expectations of dignity, respect, and orderly participation set forth in Resolutions 17-010 and 17-011. These actions occurred in public meetings, impacted employees' well-being and participation, and diminished confidence in the City's governance processes.

Respectfully submitted,



Timothy B. Sutton, Esq.
Independent Investigator
Sutton Law & Consulting Group

EXHIBIT A

EXHIBIT A

From: Albert Torres <atorres@cityoffernley.org>

Sent: Tuesday, October 21, 2025 9:34 AM

To: Tim Sutton <tim@suttonlawgroupllc.com>

Subject: Investigation

Good morning.

I am informing you that after my consultation, I will not be attending any interview regarding the current investigation being conducted on me by poolpact. This frivolous and retaliatory complaint from a third-party complainant, should have been squashed upon receiving , since according to the [REDACTED], the alleged victims were not aware this complaint had even been made.

I have requested and have been denied, any information regarding the allegations against me, dates of occurrence, times and locations, alleged victims, and specific acts I've allegedly committed.

I will not attend an open-ended interview, especially after the obviously biased and very unprofessional statements by Becki Bruh about myself on an open microphone during a recently recorded City Council meeting that I was present at.

Upon the completion of your investigation please send me a copy of your report so I have it for my records.

I appreciate your time and effort.

Albert

Albert Torres

Ward 4 Councilman

City of Fernley

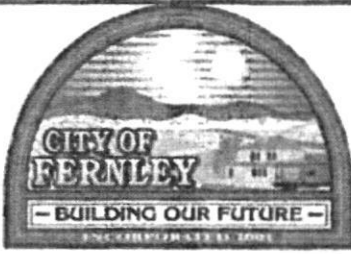
775 301-0002

atorres@cityoffernley.org

Get Outlook for Android

EXHIBIT B

EXHIBIT B



**City of Fernley
CITY MANAGER'S
OFFICE**

Administration
Human Resources
Budgeting
Risk Management
& Contracts

EMPLOYER PERSONNEL POLICIES

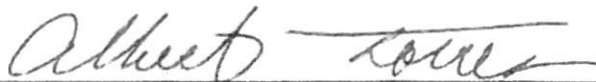
The attached document is a copy of the personnel policies for all employees of **the City of Fernley**. The contents of these policies do not constitute a contract of employment and should not be construed as a guarantee of continued employment with **the City of Fernley**. Any provision of these policies that conflicts with the provisions of a collective bargaining agreement (CBA) is superseded by the provisions of that CBA for employees in the bargaining unit.

ACKNOWLEDGMENT AND RECEIPT

This is to acknowledge that I have received a copy of **the City of Fernley's** personnel policy which was adopted **December 5, 2018**.

I acknowledge that I am expected to read, understand, and adhere to these policies and that I am governed by the contents of these policies unless there is a direct conflict with my collective bargaining unit's agreement, if applicable. I understand that my failure to comply with these policies may result in disciplinary action, up to and including termination. If I have questions concerning these policies, I will bring it to the attention of my supervisor, department head, or **City of Fernley** administration.

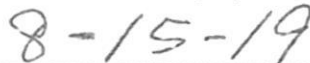
I also understand that **the City of Fernley** may change, rescind, or add to any policies, benefits, or practices described in these policies from time to time and without prior notice, at the sole and absolute discretion of **the City of Fernley**, provided such changes, rescissions and/or additions are not prohibited by law. I will be responsible to maintain these policies, inserting all updates issued. I agree I will return my copy of **the City of Fernley's** personnel policies upon termination of employment with **the City of Fernley**.



Employee's Signature



Employee's Name (Printed)



Date

EXHIBIT C

EXHIBIT C

RESOLUTION NO. 17-010

**A RESOLUTION OF THE FERNLEY CITY COUNCIL, STATE OF NEVADA
PROVIDING FOR RULES OF DECORUM RELATING TO PUBLIC INPUT AND
COUNCIL MEMBER CONDUCT**

WHEREAS, the City Council recognizes the importance of protecting the rights of its citizens to express their opinions on the operation of City government and encourages their participation in the local government process; and

WHEREAS, the City Council also recognizes that there is a significant governmental interest in conducting orderly, efficient meetings of public bodies; and

WHEREAS, it is the duty of the Mayor to ensure that decorum is maintained at the meeting; and

WHEREAS, in order to conduct orderly and efficient meetings of the City Council, order must be preserved, and

WHEREAS, the City Council is composed of individuals with a wide variety of background, personalities, values, opinions and goals; and

WHEREAS, despite the diversity of the City Council, all have chosen to serve in public office in order to improve the quality of life in the City of Fernley; and

WHEREAS, in all cases, the common goal should be acknowledged even as Council Members agree to disagree on contentious issues; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FERNLEY, that the following is hereby adopted by the City Council for the City of Fernley, Nevada:

1. Council members shall:
 - A. Put constituents foremost at all times;
 - B. Treat each other, staff, and members of the public with dignity, courtesy, and respect;
 - C. Encourage and ensure that the public treats the City Council, staff, and members of the public with dignity, courtesy, and respect;
 - D. Maintain confidentiality of all closed session materials and discussion;
 - E. Be attentive to others, limiting interruptions and distractions;

- F. Encourage diverse viewpoints in deliberations while being mindful not to prolong discourse or block consensus;
 - G. Agree to respectfully disagree;
 - H. Keep comments clear, concise and on-topic;
 - I. Start and end meetings on time, work from the agenda;
 - J. Present problems in a way that promotes discussion and resolution.
2. To ensure that decorum is maintained at the meeting, the Mayor shall:
- A. Preserve order and decorum at all regular and special meetings of the City Council, and shall have the authority to regulate irrelevant debate, repetitious discussion and disruptive behavior at a public meeting;
 - B. Decide all questions of order and decorum, subject, however, to an appeal of said decision forthwith by a member of the City Council, in which event a majority vote of the Council Members in attendance shall govern and conclusively determine such question of order or decorum;
 - C. Ensure that staff and members of the public direct their comments to the Mayor;
 - D. If necessary, help keep councilmember questions relevant to the matter being considered by the Council;
 - E. Prevent the use of obscene or profane language, physical violence or the threat thereof, or other loud and boisterous behavior which the Mayor [or a majority of the City Council] shall determine is intended as a disruption of the meeting;
 - F. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted; and

[Remainder of page left intentionally blank.]

EXHIBIT D

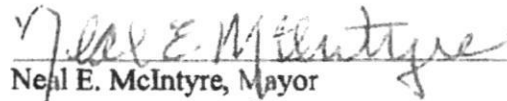
EXHIBIT D

- G. If necessary, and pursuant to Resolution, expel a member of the City Council from the meeting for the duration of the meeting, [subject to an appeal of said decision forthwith by a member of the City Council; in which event a concurrence of two-thirds of the Council Members in attendance shall govern and conclusively determine such question of order or decorum]

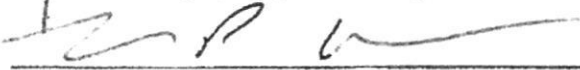
PASSED AND RESOLVED this 7th day of June, 2017, by the City Council of the City of Fernley, Nevada.

ACKNOWLEDGED AND APPROVED:

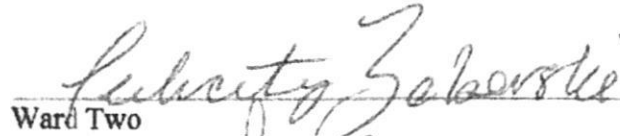
Dated:


Neal E. McIntyre, Mayor

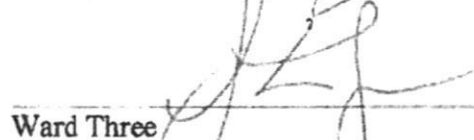
12/4/2024


Ward One

11-20-24


Ward Two

11.20.24


Ward Three

11/20/2024


Ward Four

11-20-24


Ward Five

11/20/24


Kimberly Swanson, City Clerk

11/20/2024

RESOLUTION NO. 17-011

A RESOLUTION OF THE FERNLEY CITY COUNCIL, STATE OF NEVADA PROVIDING FOR RULES OF PROCEDURE

WHEREAS, under the authority of NRS 266.240, the Council has authority to adopt its own Rules of Procedure; and

WHEREAS, the Council recognizes and agrees that Rules of Procedures will assist to the benefit and convenience of the Council and the general public; and

WHEREAS, the Council believes Rules of Procedures will help the Council to conduct its affairs in a timely and efficient manner; and

WHEREAS, the Rules and Procedures do not create substantive rights for third parties or participants in proceedings before the Council; and

WHEREAS, the Council reserves the right to suspend or amend the Rules of Procedure whenever a majority of the Council decides to do so; and

WHEREAS, when the Rules of Procedures do not address a procedural issue, the Council may consider the most recent edition of Robert's Rules of Order for guidance; and

WHEREAS, the failure of the Council to strictly comply with the Rules of Procedures shall not invalidate any action of the Council; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FERNLEY, that the following is hereby adopted by the City Council for the City of Fernley, Nevada:

SECTION I. PURPOSE AND BASIC PRINCIPLES

A. Purpose of Rules of Procedure

1. To enable the City of Fernley to transact business fully, expeditiously, and efficiently while affording every opportunity to citizens to witness the operations of government.
2. To protect the rights of each individual Council member.
3. To preserve the spirit of cooperation among Council members.
4. To determine the will of the Council on any matter.

B. Basic Principles Underlying Rules of Procedure

1. The business of the Council should proceed in the most efficient manner possible.
2. Rules of Procedure must be followed consistently.
3. Council actions should be the result of a decision on the merits and not a manipulation of the procedural rules.
4. Only one subject may claim the attention of the Council at a time.
5. Each item presented for consideration is entitled to full and free discussion.
6. Every member has equal rights to participate and vote on all issues.
7. Every member must have equal opportunity to participate in decision-making.
8. The will of the majority must be carried out pursuant to the City's ordinances and resolutions; and
9. The Council must act as a body.

SECTION II MEETINGS

A. When and Where Regular Meetings Are Held

Council meetings and locations will be held as provided in Fernley Municipal Code Chapter 8, Section 2.08.03.

B. Adjourned or Recessed Meetings

1. A meeting of the Council is adjourned when the Council has finished its business and is bringing the meeting to a close, with the intention of holding another meeting at a later date. Generally, when a meeting of the Council is adjourned, the next meeting of the Council is preceded by opening ceremonies. A meeting of the Council is recessed when the Council takes a break between

sittings and after the recess business is resumed where it left off.

2. A properly called regular or additional scheduled meeting may be recessed or adjourned to a time and place certain by a motion made and adopted by a majority of the Council in an open session during the regular or additional scheduled meeting. The motion shall state the time and place where the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular or additional scheduled meeting other than the requirements of the Nevada Open Meeting Law.

C. Seating Arrangement

The mayor shall occupy the center seat on the dais. The remaining members of the Council shall determine their seating arrangement by ward.

D. Mayor/Presiding Officer

Unless otherwise designated by the Mayor, the Mayor shall be the presiding officer. The presiding officer shall preserve order and decorum among the members and enforce the rules of the Council and determine the order of business. The presiding officer shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject to an appeal of the Council, in which event a majority vote of the Council shall govern conclusively to determine such question of order unless otherwise subject to veto procedures outlined in Chapter 266 of Nevada Revised Statutes.

SECTION III PARLIAMENTARIAN

A. Parliamentarian

The City Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure and the Nevada Revised Statutes, as amended, as may be directed by the presiding officer or as required as a result of a point of order raised by one or more Council members. If the City Attorney is unavailable, his or her designee or the City Manager shall serve as the Parliamentarian.

B. Preservation of Order

1. At meetings of the Council, the presiding officer shall preserve order and decorum. The presiding officer shall have the following

powers:

- a. To rule on motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstruction or dilatory purposes.
 - b. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground.
 - c. To entertain and answer questions of parliamentary law or procedure.
 - d. To call a brief recess at any time.
 - e. To adjourn in an emergency.
2. A decision by the presiding officer under any of the first three powers listed above may be appealed to the Council upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order. There are two exceptions to this right of appeal: The presiding officer may adjourn without the Council's vote or appeal in an emergency; and he or she may also call a brief recess without a vote at any time, when necessary to reduce friction among the members. The presiding officer must continue to address the motion upon return.

SECTION IV AGENDA

A. Preparation

The Clerk shall prepare an agenda for the regularly scheduled meetings pursuant to Resolution #15-012, Agenda Process, incorporated by reference herein.

B. Delivery of Agenda

The Council meeting package, including the agenda and related materials, shall be delivered to each member of the Council and the City Attorney the Thursday prior to the regularly scheduled Council meeting.

SECTION V ORDER OF BUSINESS FOR COUNCIL MEETINGS

A. Order of Business

The Order of Business shall be determined by the Presiding Officer.

B. Consent Agenda

1. Upon request of any Council member, an item shall be removed from the Consent Agenda. The item shall be considered separately after adoption of the Consent Agenda.
2. The consent agenda shall be introduced by a motion "to approve," and shall be considered by the Council as a single item.
3. There may be a short discussion of consent agenda items to answer questions or clarify a matter. There shall be no lengthy debate or discussion of a consent agenda item.

C. Citizen Participation

1. Every petition, communication or address to the Council shall be in respectful language, whether verbal or written
2. Public presentations shall be for the purpose of allowing members of the public to present any matter which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.

D. Prohibited Conduct

1. Persons appearing before the Council will not be allowed to:
 - a. Use profanity or vulgar language or gestures.
 - b. Use language which insults or demeans any person or which, when directed at a public official or employee is not related to his or her official duties; however, citizens have the right to comment on the performance, conduct and qualifications of public figures.
 - c. Make nongermane or frivolous comments.
 - d. Interrupt other speakers or engage in behavior that disrupts the meeting including but not limited to applause, cheers, jeers, etc.
 - e. Engage in behavior that reasonably intimidates others.
2. The presiding officer shall preserve order and decorum at Council meetings as defined by Resolution. If necessary, and as a last resort, and pursuant to Resolution, the presiding officer may expel a member of the City Council from the meeting for the duration of the meeting, for conduct which the presiding officer deems to be exceedingly disruptive or threatening, after the presiding officer has warned the member of the City Council to cease the conduct, and after a recess has been taken

to allow the situation to calm down. Expulsion is subject to an appeal of said decision forthwith by a member of the City Council, in which event a concurrence of two-thirds of the Council Members in attendance shall govern and conclusively determine such question of order or decorum.

E. Public Hearings

1. This section of the agenda shall be for public hearings as required by City, State or Federal law, or as the Council may direct.
2. The presiding officer shall conduct all public hearings.
3. The order of public hearings shall be as follows:
 - a. The presiding officer shall open the public hearing.
 - b. The hearing shall begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee. The presentation shall summarize the facts about the issue and the staff recommendation. Council members may seek clarification during the presentation.
 - c. In land use cases, rezoning or conditional use permits, the City Planner shall determine the presentation's course. The land owner/applicant and/or representative shall have an opportunity to present after staff has made their presentation but prior to public input on the matter. The time limit of the applicant's presentation shall be determined by the Presiding Officer.
 - d. Each speaker must clearly state his or her name. The presiding officer shall set a time limit for each individual speaker. If the speaker represents a group, there shall be a time limit of three minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson.
 - e. After public comments have been received, in a land use case the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a three-minute time limit for rebuttal.
 - f. Upon the conclusion of public comments, or the applicant's rebuttal in a land use case, the presiding officer shall close the public hearing.
4. When a public hearing has been closed by the presiding officer, no further public comment shall be permitted. Council members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, committee, to a speaker, or to a staff member for clarification prior to taking any vote, if a vote

is in order.

5. Following the close of the public hearing, the presiding officer may entertain a motion to dispose of the issue and the Council may debate the merits of the issue.

F. Closed Meetings

1. Closed meetings may only be used as allowed by law, as determined by the City Attorney.
2. No resolution, ordinance, rule, contract, regulation or motion considered in a closed meeting shall become effective until the Council reconvenes in an open meeting and takes a vote of the membership on such action, if any, and which shall have its substance reasonably identified in the open meeting unless allowed by law and approved through the City Attorney.

SECTION VI RULES OF PROCEDURE FOR COUNCIL MEETINGS

A. Quorum

1. As provided by Chapter 11(F)(2), a majority of the members of the Council must be present to conduct business. A quorum is a majority of the entire membership of the Council, including any vacant seats.
2. Quorum refers to the number of members present at a meeting, not the number of members voting on the issue. If no quorum is present or if a quorum is lost, the Council can only (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.
3. If a quorum fails to attend any meeting, those attending may adjourn to such other time prior to the next regular meeting as they may determine, and the Clerk shall enter such adjournment in the minutes of the Council and shall notify absent members thereof in the same manner as required for special meetings.
4. If the Nevada ethics code as delineated in NRS 281A prevents some of the members of the Council from participating in an item of business, a majority of the remaining members of the Council shall constitute a quorum.

B. Priority in Speaking on the Council

When two or more members of the council wish to speak at the same time, the presiding officer shall name the one to speak.

C. Comments, Queries of Council Members

1. Council members are to observe the following rules during the discussion of agenda items:
2. The presiding officer shall keep discussion germane to the subject.

Points of clarification shall be limited to questions only. The presiding officer shall rule other comments out of order.

3. Council members may address questions to the City Manager or staff present at the meeting. Staff members should be at a microphone when answering Council members' questions. All legal questions should be addressed to the City Attorney.

D. Action by the Council

Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

E. Motions

1. Informal discussion of a subject is permitted while no motion is pending.
2. A member may make only one motion at a time.
3. Any Council member may make a motion.
4. Members are required to obtain the floor before making motions or speaking, which they can do while seated.
5. Except for matters recommended by a Council committee, or as otherwise stipulated in these rules of procedure, all motions require a second. A motion dies for lack of a second.

F. Substantive Motions

1. A substantive motion is any motion that deals with the merits of an item of business and is within the Council's legal powers, duties, and responsibilities.
2. A substantive motion is out of order while another substantive motion is pending.

G. Procedural Motions

1. Procedural motions are those motions that the Council may use to "act upon" a substantive motion by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

2. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion requires the floor and a second, is debatable, may be amended, and requires a majority of the votes cast, a quorum being present for adoption. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available.
 - a. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the Council which shall decide the matter by majority decision. Such an appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a second, and the motion, if timely made, may not be ruled out of order.
 - b. Motion to Adjourn. In addition to the presiding officer's authority to call a recess or adjourn without a motion, the Council may also make a motion to adjourn. The motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. The motion is not debatable and cannot be amended.
 - c. Motion To Take a Brief Recess. This motion allows the Council to pause briefly in its proceedings. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending.
 - d. Motion To Suspend the Rules. The Council may suspend the provisions of its rules of procedure. The Council may not, however, suspend any provisions of the rules that state requirements imposed by law on the Council. For adoption, a motion to suspend the rules requires unanimous consent or an affirmative vote of two-thirds of members present.
 - e. Motion To Defer Consideration. The Council may defer action on a substantive motion to a more convenient time. The Council may use the following motions to defer consideration of a substantive motion:
 - i. A motion to "table" is used to temporarily set aside an item of business to deal with a more urgent item. Once an item of business has been presented, a motion to table is needed to bring the item back before the public body for discussion.

- ii. A motion to "postpone" delays debate on an item of business so that it may be considered at a later date. An item of business may be "postponed definitely," when it is continued to a definite time or date or "postponed indefinitely" if no future time or date is specified in the motion. A matter that has been postponed to a certain time or day shall be brought up again automatically when that time arrives. When a matter has been postponed indefinitely it takes an affirmative vote of the majority of the Council to bring the matter back for further discussion.
- iii. A Motion/Item can be postponed if it does not conflict with regulatory and/or statutory deadlines.
- iv. Motion to Call the Question. The presiding officer has authority to call the question. The call of the question is not in order until every member of the Council has had an opportunity to speak.
- v. Motion To Amend. Any substantive motion properly on the floor may be amended. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a substitute motion. Once a motion has been offered to the council, it is necessary for the person making the original motion to approve any proposed amendment to the motion. It is also up to the person seconding the motion to decide whether or not it should be changed by amendment.
- vi. Withdrawal of Motion. A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.
- vii. Motion to Reconsider. The Council may vote to reconsider its action on this matter. The motion to reconsider must be made before adjourning the meeting and can only be made by a member who voted with the prevailing side. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes. A motion to reconsider may not be used in a land use decision involving a rezoning or a conditional use permit. A motion to reconsider may not be used in other land use decisions unless the applicant is still present at the current meeting and the motion is reheard at the current meeting.

H. Debate

1. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:
2. The maker of the motion is entitled to speak first.
3. A member who has not spoken on the issue shall be recognized before someone who has already spoken.
4. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
5. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.
6. Council members shall not engage in nonpublic communications amongst themselves regarding a motion that is on the floor for debate, including but not limited to electronic communications or whispering.

I. Duty to Vote

1. Each member of the Council who is present at a meeting shall be required to vote upon all issues for decision unless prohibited from doing so by Nevada ethics laws.
2. If there is an abstention, it shall be the responsibility of the Clerk to note the abstention and the reason for abstaining for the record.

J. Method of Voting

1. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.
2. All questions submitted to the Council shall be determined by a majority vote of the members voting on any such question, unless required by special or general law.
3. Pursuant to NRS Chapter 266, the mayor is not entitled to vote except in the case of a tie, when the mayor has a casting vote, except as otherwise provided in NRS 266.200.
4. For a motion in a zoning matter to be adopted, it must be approved pursuant to all relevant laws and/or regulations.
5. All questions submitted to the Council for decision shall be decided by a oral vote of "aye" or "nay." Any member may request a roll call vote. In any case, the presiding officer shall announce the results of the vote.

K. Decisions on Points of Order

Any Council member may raise a point of order without being recognized by the presiding officer. The presiding officer shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the presiding officer who shall then make a ruling on the point of order.

SECTION VII STANDING COMMITTEE'S ROLES AND GUIDELINES

A. Standing Committees Roles and Guidelines

The roles and operating guidelines for the various city committees shall be as adopted by a majority vote of the Council, unless otherwise indicated in the municipal code.

SECTION VIII GENERAL OPERATING POLICIES

A. Broadcasting Council Meetings

The Council shall make reasonable efforts at all regular meetings of the Council to broadcast the meetings live on the internet. Copies of the broadcast may be obtained by the public from the City Clerk's office.

B. Numbering and Indexing of Resolutions and Ordinances

It shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Council. The resolutions shall be numbered consecutively and use the last two digits of the calendar year. Example: for the first resolution of 2017, the resolution number would be shown as Resolution #17-001. Ordinances shall also be numbered consecutively. The City Clerk shall keep a binder at the City Clerk's office, as well as an on-line binder accessible by the public, which contains all resolutions in one place, to the extent such resolutions passed prior to June 1, 2017, are reasonably available. The City Clerk shall make his or her best efforts to compile a comprehensive and complete set of said resolutions to be placed in said binder, both hard copy and electronic.

C. Minutes of Council Meetings

The minutes of the Council meetings shall reflect the official acts of the Council. They shall provide a summary of the discussion and record Council votes. Minutes shall be considered for approval within a reasonable time after the meeting they record.

D. Amending the Rules of Procedure

These rules may be amended at any regular meeting or at any properly

called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of the majority of the Council.

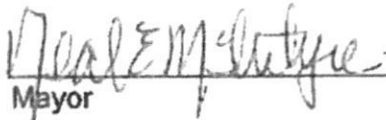
E. Special Rules of Procedure

The Council may adopt its own special rules of procedure to cover any situation that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of the quorum of the Council.

PASSED AND RESOLVED this 7th day of June 2017, by the City Council of the City of Fernley, Nevada.

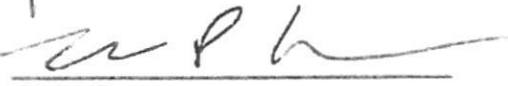
ACKNOWLEDGED AND APPROVED:

Dated:



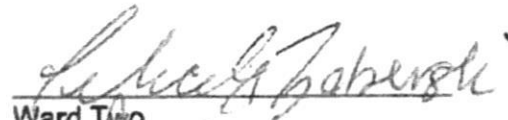
Mayor

12-4-24



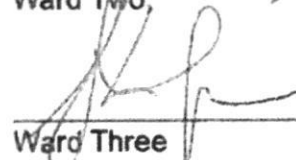
Ward One

11-20-24



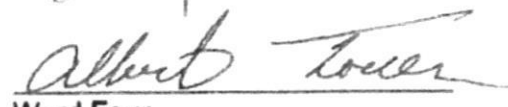
Ward Two

11-20-24



Ward Three

12/3/2024



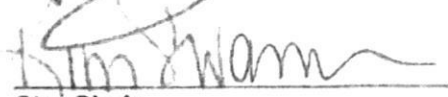
Ward Four

11-20-24



Ward Five

11/20/24



City Clerk

12/4/2024