

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
APRIL 1, 2026**

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Mayor Neal E. McIntyer, Councilwoman Zoberski, Councilman Torres, Councilman Hanan, Councilman Mendoza, City Attorney Aaron Mouritsen, Acting City Manager Lydia Altick, HR Manager Mitzi Carter, City Clerk Kim Swanson, Admin Specialist II Rachael Goetz, City Treasurer Robert Carson, Planning Director Michele Rambo, Senior Planner Treston Rodriguez, Public Works Director Berry Williams, Deputy Public Works Director Olivia John, Utilities Director Seong Kim, City Engineer Salvador Pleitez. Council for Ward 3 was vacant.

1.3. Public Forum

Cody Wagner stated the CRRC building has been a huge benefit to our community. He stated \$4 million of private funding has been acquired to build the Early Learning Center. He shared his frustration that the City of Fernley still does not have a community gym.

Darren Farr stated the City has a responsibility to anticipate future environmental, technological, and socioeconomic changes, and build resilient systems to sustain our future. He said that Victory Logistics development is the partnership the City needs. He believes the project will bring in thousands of jobs. It will provide the roads, water, sewers, communications, and electricity to sustain that growth.

1.4. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE THE AGENDA AS PRESENTED. **Action:** Approve, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, Councilman Mendoza

2. CONSENT AGENDA

Motion: MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 2.13 PULLED FOR INDIVIDUAL DISCUSSION AT THE REQUEST OF COUNCILWOMAN ZOBERSKI
Action: Approve, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman Zoberski, 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

2.4. Discussion and Possible action to approve a contract for professional services with JUB Engineers, Inc. to provide construction management and materials testing services for the Mesa Drive Water Main Extension project in the amount of \$60,354.00.

Bill Denis on zoom

- 2.5. Possible Action to authorize the execution of the water rights banking and dedication agreement between, 301 Flint Street, LLC, a Nevada Limited Liability Company, to the City of Fernley, APN 020-093-15, 020-093-16, 020-093-17, and 020-093-18 TCID Serial Number 1028-1, 1028-1-1, 1028-1-2, and 1028-1-3 in the amount of 3.6, 3.38, 3.6 and 3.6 acre-feet.**
- 2.6. Possible action to approve the revised position descriptions for the Water Treatment Plant Utility Operator, Shift Operator, and Supervisor positions. Revised language was necessary to bring the position descriptions into alignment with NAC 445A.6243**
- 2.7. Discussion and possible action to approve the purchase and installation of Advanced Metering Infrastructure (AMI) receiver equipment and associated services in an amount not to exceed \$322,848.79**
- 2.8. (For Possible Action) Possible approval of the submittal of a grant application to the Nevada Department of Wildlife for the amount of \$100,000 to assist in the funding of the Mayor's pond park design and/or construction.**
- 2.9. Possible Action to Approve the Will-Serve Request from Jenuane Communities Onda Verde, LLC for Village3, Friendly 5 Subdivision for 50.11 ERC's of water and 50.00 ERC's for Sewer for Lyon County Parcel 021-303-67 located at 0 Farm District Road, Fernley, NV 89408.**
- 2.10. Discussion and possible action to approve an Agreement for Professional Services with Shaw Engineering to provide review, design, permitting, bid support, construction management and installation observation and compliance services for the Water Treatment Plant Microfiltration Rack System Electrical Improvements Project, for a total amount of \$37,500.**
- 2.11. Possible Action to Approve the Will-Serve Request from Northern Nevada Veterans Memorial Cemetery for NNVMC - Committal Building for 0.40 ERC's of water for Lyon County Parcel 021-091-08 located at Mission Way, Fernley, NV 89408.**
- 2.12. Discussion and possible action to approve a contract with Sloane Consulting Group for preparation of the City of Fernley Cemetery Master Plan for an amount not to exceed \$120,000.**
- 2.13. Discussion and possible action to approve a contract with TSK for preparation of the City of Fernley Facilities Master Plan for an amount not to exceed \$876,036.**
- 2.14. Discussion and possible action to approve a contract with OpenGov for the implementation and hosting of Enterprise Asset Management Software for an amount not to exceed \$108,998.66 in Term 1, \$46,181.79 in Term 2, and \$48,490.88 in Term 3.**
- 2.15. Discussion and possible action to approve Amendment C of the Lumos & Associates contract for the East Lift Station Improvements Project in the amount of \$12,000.00**
- 2.16. Possible Action to Approve a contract with Eastern Sierra Engineering for Design services for the Good Earth Subdivision Reconstruction Project.**
- 2.17. Possible action to approve a new classification — Community Development Program Manager**

Councilwoman Zoberski had questions regarding funding for planning and asked for clarification.

Barry Williams Public Work Director explained that the project went through a formal RFP Process

with TSK selected as the lowest qualified bidder meeting all requirements. He noted the city chose this approach due to the number and age of the facilities, including City Hall, and the need for a structured plan to maintain, upgrade or replace them. Mr. Williams stated that having a plan is essential for effective budgeting, long-term upkeep and fiscal responsibility. He added TSK will provide updates during the planning process, including a midpoint review and the final version. Both stages will involve City Council input, and the final plan will be refined based on that feedback before completion. He then introduced Bill Denis, from TSK who was on Zoom. Mr. Denis explained a plan is needed to ensure fiscal responsibility. He stated the plan will come back to Council for input, and then we'll come back to you with the actual final version based from the input given to us by Council.

Bill Denis explained that master plans are essential tools for growing cities like Fernley. They help guide development by setting clear priorities for infrastructure, facilities, and services over time. Instead of making scattered, short-term decisions, master plans provide a long-term strategy for spending and growth. These plans support efficient use of resources by "right-sizing" buildings and city assets to match current and future needs, while also improving service coverage and scalability as the city expands. Overall, they help the city manage growth responsibly by balancing economic constraints with increasing demand, ensuring sustainable development without overspending. This is not a lump sum payment, it's phased over the period of performance. Those are benchmarks that we come up with for your project team and public works.

Motion: MOVE TO APPROVE, CONSENT AGENDA 2.13 AS PRESENTED
Action: Approve, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 3, No 1, **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, **No:** Councilman Mendoza

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

Chief Deputy Mitch Brantingham Lyon County Sheriff's Office reported a lot of events happening in April. He stated that April is National Child Abuse Prevention month, Sexual Assault Awareness Month and Donate Life Month. On April 3rd at 3:00 pm the deputies will attend a pinwheel planting at Boys and Girls Club for National Child Abuse Prevention Month. The Sheriff's Office always participates in Donate Life Month and this year you can go to donatelife.net to register. Chief Deputy Brantingham gave a disclaimer that being an organ donor does not make law enforcement, or first responders hesitate or stop life-saving efforts. The Sheriff's Office participated in the Inferno event with no major incidents. It was a good event. There were social media reports of shots fired near Walmart. The department wanted to clarify that they did not have reports of shots fired but did respond to a substantial accident around that time. There were 149 reports since the March 4th meeting. In those reports, 13 of them were DUIs and 16 reports of domestic violence. They are still focused on traffic enforcement and the Sheriff's Office encourage people to reach out to them for specific complaints for traffic enforcement so they can patrol those areas.

Bill Snyder, Battalion Chief, North Lyon Fire, reports the fire department had 331 calls within the last 30 days. Within those calls there were 4 structure fires with one fatality. They had 4 calls within a 20-minute span, and the 4th call was a structure fire with a trapped adult. He reiterated the need to prioritize public safety and would like the City Council to consider staffing the fire department. With the new

growth in Fernley, he is worried about staffing. On behalf of the Fire Chief and the Fire Department, he really needs the Council to have conversations with us about public safety.

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

Lydia Altick, acting City Manager, gave reports about the fourth annual Easter Egg Hunt on Saturday, April 5th, from 1 to 4 pm. The Fernley Senior Citizen Advisory Committee is hosting a Fan Drive, and any new fans can be dropped off at City Hall. The committee is also having a community planting day from 8 to 12 at the Desert Memorial Cemetery on April 18th. The Mayor's Corner is happening April 11th at All Points Grill from 8:30 – 9:30 am. The Business Expo is taking place on April 18th from 1 to 4 pm at City Hall. The next 25th Anniversary Committee Meeting is April 22nd from 8:30–10:30 am. Animal Services microchip clinic from 9 to 2 on Saturday, April 25th. The newsletter is now inserted into the Fernley Reporter.

Barry Williams, Public Works Director, announced May 17th through the 23rd is National Public Works Week and the Public Works Department is planning community events.

Councilman Hanan discussed the 25th Anniversary meetings he's been attending. He encourages the community to go to the City of Fernley website for the 25th Anniversary events and the 4th of July events. He also attended the two Code Enforcement Open House Workshops. He participated in the March Madness at Mark IV, and the City Council candidate night where he meet all the new candidates. On the 28th of April, he went to the Victory Open House.

Councilwoman Zoberski reminded the public that schools will be on Spring break next week and reminded everyone to be safe with the kids outside.

Councilman Torres complemented the Fernley Aces Art and Culture for putting on the Inferno festival. He wanted to thank the Fernley Aces, vendors, volunteers, all the medical, the firefighters, and the Sheriff's office and everyone who helped put this together. He also discussed that as Fernley representatives and a Nevada League of City representative; he and the Mayor went to Washington DC for a week. After the trip, they were contacted by Congressman Amodei's office, where they agreed to help push the new Gustafson Bridge and the water main loop. There will be a follow up meeting with Senator Cortez Masato with hopes Congress will help cover the Ricci Lane Water Tank. He also received information about 7,612 acres that have been conveyed to the City of Fernley. Much of this property is in the Southwest Area, its south of the Canal and west of 95.

Councilman Mendoza was able to attend the Rotary where he was open for some questions and answers. He also attended the Inferno Festival. He thanked the Fernley Aces for hosting this event.

Mayor McIntyre went to the Mark IV open house and is happy to report they will have more of these open houses. He echoed councilman Torres remarks about the trip to Washington DC. The mayor had the honor to throw out the first pitch at the Fernley High School baseball game and the first pitch for High Desert Little League the next week.

4. PROCLAMATIONS BY THE MAYOR

Mayor McIntyre presented the Mayor Spotlight Award. The award went to Fernley Pop Warner Cheer League Teeny Might Sparkle Squad. This talented squad has not only dazzled local audiences, but has also excelled in regional competition, ultimately capturing the national title in Las Vegas.

Mayor McIntyre presented Proclamations for Donate Life Month, National as the Prevention of Cruelty to Animals Month and Animal Care and Control Officer Appreciation Week.

5. ORDINANCES

5.1. (For Possible Action) Introduction and first reading regarding Bill #381 associated with ZMA26001, a request from M4 Victory Power QOZB, LLC for parcel 021-031-13 containing approximately 107.87 acres and generally located east of Interstate 80, west of Fernley Sink Lake, northeast of Duffy Road, and north of the existing Victory Logistics Planned Development rezoning the property from GR20 (General Rural, 20-acre minimum) to I (Industrial).

Treston Rodriguez, Senior Planner, presented the first reading of Bill 381. The purpose of this request is to align the zoning of the property with the surrounding zoning pattern and ensure consistency with the City's master plan. Public notice was provided in accordance with code, and Planning Commission recommended approval to City Council with a 7-0 vote.

5.2. (Possible Action) Introduction and first reading of Bill #377, a request from the Planning Department to amend the adjacency development standards contained in Title 32, Chapter 9, Section 30.

Treston Rodriguez, Senior planner, gave the first reading of Bill number 377. Adjacency standards are intended to ensure compatibility between different types of developments, particularly where higher density and more intense uses are located next to lower density residential areas. The city's current standards have proven to be unclear, difficult to apply and at times have resulted in inconsistent outcomes for both the applicants and neighboring property owners. The amendment is a comprehensive update to that section. It improves clarity, establishes more objective and measurable standards, and introduces additional options, particularly through a defined buffering alternative to achieve compatibility between uses. The goal is to create a predictable and effective framework that results in better project design, smoother review processes, and improved compatibility. The Planning Commission approval to City Council with a 7-0 vote.

5.3. (Discussion and Possible Action) Introduction and first reading of Bill #382 amending Fernley Municipal Code Title 2, Administration, Chapter 8, Mayor and City Council, Section 2.08.01, Salaries and annual increases by adjusting the salary for Mayor and City Council.

Mitzi Carter HR Manager, gave the first reading of Bill 382.

6. RESOLUTIONS

6.1. (For Possible Action) Discussion and possible action on Resolution #26-005, requested by Mark IV Capital, authorizing the formation of a working group to establish the estimated costs for the creation of the Fernley Power District, a municipal utility to serve the Victory Logistics District and directing the preparation of an Ordinance pursuant to NRS 266.290.

Rick Nelson of Mark IV presented the proposal, explaining that the working group would analyze the structure, formation process, and associated costs of establishing the district, as well as how those costs would be funded. He noted that the district is intended to be self-funded, primarily through the communities and users within it, and would include a natural gas-powered generation component. The working group is expected to return with its findings within approximately 30 days. Nelson also introduced Bob Sweeten, energy counsel for the project, who outlined the legal framework under Nevada statutes and described the anticipated timeline, including presentation of findings, ordinance introduction, a required public notice period, and potential adoption by June. Sweeten emphasized the significant economic opportunity the project could provide, particularly through new revenue streams and large-scale industrial development. The proposed working group was initially described as consisting of three members: a representative from Mark IV, a representative from the power company, and a city-appointed representative with relevant energy expertise who is not a member of the City Council. During Council discussion, Councilman Mendoza requested that a representative from the North Lyon Fire District be included due to public safety considerations related to the scale of the infrastructure, and this request was accepted. Councilman Torres suggested that Berry Williams, Public Works Director, serve as the city's representative. Additional discussion addressed the project's infrastructure components, including the use of natural gas supplied through planned pipeline upgrades expected to be operational around 2028, and the design of the system to achieve approximately 99.9% reliability. It was also noted that the system would initially operate independently of NV Energy, with the possibility of future interconnection.

Council members raised several questions and concerns, including the aggressive timeline for the working group, compliance with renewable energy requirements, and whether infrastructure development was moving too quickly relative to other ongoing projects such as the Nevada Pacific Parkway. Representatives from Mark IV responded that the working group's immediate focus would be on financial analysis and feasibility, and that additional technical and regulatory details would be provided in subsequent presentations. They also confirmed that the city attorney has been involved in reviewing the proposal and will continue to be engaged throughout the process. Public safety considerations were further emphasized, with agreement that including the Fire District in the working group would help address potential risks associated with the project.

Motion: I MOVE TO MAKE THE MOTION TO APPROVE 6.1 DISCUSSION AND POSSIBLE ACTION FOR RESOLUTION 26-005, REQUESTED BY MARK IV CAPITAL, AUTHORIZING THE FORMATION OF A WORKING GROUP TO ESTABLISH THE ESTIMATED COST FOR THE CREATION OF THE FERNLEY POWER DISTRICT, A MUNICIPAL UTILITY TO SERVE THE VICTORY LOGISTICS DISTRICT AND DIRECTING THE PREPARATION OF AN ORDINANCE PURSUANT TO NRS 266.290, WITH THE FOLLOWING CORRECTIONS TO THE RESOLUTION 26005, SECTION 2, ADDING THE NORTH LYON FIRE TO THE DESIGNATED REPRESENTATIVES LIST AND NOT TO EXCEED 4 MEMBERS. AND SECTION 4, IN NO CASE SHALL THE CITY OF FERNLEY OR NORTH LYON FIRE BE OBLIGATED TO ANY COST OR EXPENSE RELATED TO THE WORKING GROUP OR ITS FINAL REPORT. **Action:** Approve, **Moved by:** Councilman Joe Mendoza, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, Councilman Mendoza

6.2. Discussion and possible action to approve Resolution No. 26-006, authorizing the submission of an application for funding through the Nevada State Revolving Fund (SRF) Program for the Highway 50 Water Main Extension and Looping Project.

Seong Kim, Utilities Director, presented the City is in the process of applying for the State Revolving Fund for the Highway 50 Water Main and Looping Project. The state requires us to have a series Resolution for publication. In compliance with the States requirements, this is the resolution required by the state.

Motion: I MOVE TO APPROVE THAT THE RESOLUTION NUMBER 26-006 AUTHORIZING SUBMISSION OF AN APPLICATION TO THE NEVADA OFFICE OF FINANCIAL ASSISTANCE FOR FUNDING THROUGH THE STATE REVOLVING FUND, OR SRF, PROGRAM FOR HIGHWAY 50 WATER MAIN EXTENSION AND LOOPING PROJECT. **Action:** Approve, **Moved by:** Councilman Albert Torres, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, Councilman Mendoza

7. PUBLIC HEARINGS

7.1. (For Possible Action) Discussion and possible action regarding CA26001 and Bill #379, 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, stated currently, multifamily developments within commercial zoning districts require a conditional use permit. That requirement also extends to mixed-use development, since they are not separately defined in our use table. Assembly Bill 241 requires that cities allow multifamily and mixed-use developments within a residential component by right in commercial zones. Because of that, the city's existing code conflicts with state law, and this amendment is necessary to bring us into compliance. The proposed changes are limited specifically to the city's use table. What this amendment does is change multifamily and mixed-use developments and commercial zones from requiring a conditional use permit to be allowed by right. Mr. Rodriguez emphasized by right does not mean unregulated or automatic approval. Projects still must comply with all applicable development standards and will undergo administrative review for conformance with those standards. A development code text amendment is legislative action and is subject to the City Council's discretion. In terms of consistency, the amendment supports several goals within the City's Comprehensive Master Plan. These include promoting in-fill development, encouraging higher density housing where appropriate, and promoting development where services can be provided efficiently. Most importantly, the amendment is necessary to comply with state law. AB 241 explicitly requires local jurisdictions to allow these types of developments by rights, and any conflicting local regulations are considered void.

Council requested a disclosure be put into the code, so the public understands the responsibility of having commercial and residential in the same location.

Motion: CONSIDERING THE INFORMATION PROVIDED BY STAFF PRESENTATIONS AND IN THE STAFF REPORT, I MOVE TO APPROVE AND ADOPT BILL 379 ASSOCIATED WITH

CA26001, AMENDING THE CITY'S LAND USE TABLE, FMC 32.06.150, TABLE 2, FOR CONSISTENCY WITH AB241 **ACTION:** APPROVE, **MOVED BY:** COUNCILMAN ALBERT TORRES, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman Zoberski, Councilman Torres, Councilman Hanan, Councilman Mendoza

8. PUBLIC FORUM

Tammi Dittman would like someone to address special events' paperwork at a future meeting. She also requested there be staff reports presented at each meeting, something from each department to keep the public informed.

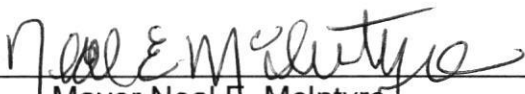
Council agreed that a staff report would be a good addition to the meetings.

9. ADJOURNMENT

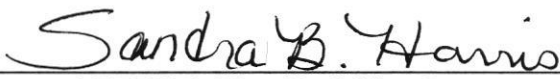
There being no further business to come before it, the Fernley City Council meeting adjourned at 7:14 PM.

Approved by the Fernley City Council on May 6, 2026, by a vote of:

AYES 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson
Deputy City Clerk

Good evening mayor and city council members. My name is Jeff Kling. I have lived in Fernley 32 years. I'am concerned with the direction the city seems to be going.

I attended the open house for code enforcement. They stated at the meeting they want to change codes from misdemeanors to criminal so they have "more tooth to go after violators".

This is what I found on the internet.

Misdemeanor: Violations handled through fines, liens, or lawsuits may affect your credit or property ownership but not your freedom.

But the city is looking to change them to Criminal: Violations will be treated as breaking municipal criminal law. You could be charged with a crime, requiring court appearance and potentially resulting in a criminal record, probation, or jail time. Conviction could show up on background checks, impacting employment or housing.

Imagine my surprise to find out I have committed a crime if this passes because I don't have a concrete or asphalt driveway. When I told them I live on a dirt road, I was told they would not enforce it. So I replied "if you're not going to enforce it then take it off the books". No, I was told they want to keep it, so they may target someone in the future if needed. So they are going to pick and choose. I thought the 14th amendment provided equal protection under the law.

And they asked the question: Proactive or Reactive code enforcement. Really, Proactive, so we want a bunch of officers roaming the city looking for violators. Seems reminiscent of the 1930's Germany. Brown shirts roaming the streets.

Some of the citizens of Fernley have been here a long time. They tend to have larger properties reminiscent of when Fernley was a farming community. They are older., may not have the health and or the funds to address the many codes. So instead of neighbor helping neighbor lets just make them into criminals. So much for Friendly Fernley.

I ask the council to please vote no on this matter. Thank you.