



N E V A D A

AGENDA
Regular Meeting
City Council

Wednesday, December 21, 2022 • 5:00 PM

Mayor
Neal E. McIntyre

City Council
Ward 1 - Ryan Hanan
Ward 2 - Felicity Zoberiski
Ward 3 - Stan Lau
Ward 4 - Albert Torres
Ward 5 - Fran McKay

City Manager
Patrick Marsh

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/82966343247>, or one tap/mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 829 6634 3247

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/>. To obtain further documentation regarding posting, please contact the City Clerk's Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the City Council may submit public comment through the online public comment form found at <https://www.cityoffernley.org/forms>, or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to City Council and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record but may not reach council members before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: City Council and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk's Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk's Office, and on the City's website at www.cityoffernley.org. Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the City Council.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley City Council may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

1.1. Roll Call

1.2. Public Forum

1.3. (For Possible Action) Approval of Agenda

2. CONSENT AGENDA

(PLEASE NOTE: ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE, AND MAY BE ACTED UPON BY THE COUNCIL MEMBERS IN ONE MOTION, AND WITHOUT AN EXTENSIVE HEARING. ANY MEMBER OF THE COUNCIL MAY REQUEST THAT AN ITEM BE TAKEN FROM THE CONSENT AGENDA, DISCUSSED, AND ACTED UPON SEPARATELY DURING THIS MEETING.)

2.1. (Possible Action) Approval of the Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Action) Business Licenses

2.4. Possible Action to Approve Amendment No. 1 to the existing Lumos and Associates, Inc. (Lumos) Contract for Engineering Services, for the US 50A/95A Sewer Improvement and Sage Force Main Valve Installation Project, in an amount not to exceed \$35,010.

2.5. Possible Action to authorize the execution of water right banking agreement with Lisa Bergman and Joseph M. Bergman, APN 021-303-25 TCID serial number 1058-1-B-2 in the amount of 22.50 acre-feet.

2.6. Possible Action to authorize the execution of water right banking and dedication agreement with Angela F. Lewis, APN 020-383-03 TCID serial number 1065-1 in the amount of 2.025 acre feet.

2.7. Possible Action to Approve a will-serve commitment for The Meadows at Inglewood Building H Unit 100 (Hair Salon) of .39 ERC's for Water and 1.38 ERC's for Sewer for Lyon County Parcel 020-341-11 located at 1044 Inglewood Drive Build H Unit 100, Fernley, NV.

2.8. Possible Action to Adopt Resolution 22-021, appointing Albert Torres as Mayor Pro Tem for a one-year term expiring December 2023.

2.9. Possible Action to accept a donation of 1,200 cubic yards of asphalt grinding material from Mr. Russ Ferretto to be used to improve road and walking surfaces at the City of Fernley's Out of Town Park.

2.10. Possible Action to reappoint Mr. Cody Wagner to the Fernley Planning Commission

3. REPORTS THIS ITEM IS FOR VARIOUS PUBLIC ENTITY REPRESENTATIVES TO PROVIDE GENERAL INFORMATION TO THE COUNCIL AND PUBLIC. NO ACTION WILL BE TAKEN.

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

4. PROCLAMATIONS BY THE MAYOR

5. PRESENTATIONS

5.1. Presentation, discussion and possible action to approve the Annual Comprehensive Financial Report for the year ended June 30, 2022. Presentation by Hinton Burdick, CPAs and Advisors.

6. PUBLIC HEARINGS

6.1. (For Possible Action) Public Hearing - T1V22002 Consideration of a type 1 vacation request (T1V22002) by 290 Logan, LLC to abandon the

public street right of way known as “Shinook Court”, located at approximately 290 Logan Lane (APNs: 021-071-37, 021-071-38, 021-071-39, and 021-071-40) to facilitate development of a project with the working title of Logan Lane Commercial.

6.2. (For Possible Action) Public Hearing - DA22002

Consideration and possible action on Bill #323, as an ordinance associated with DA22002, to authorize the City of Fernley to enter into a development agreement with Fernley Sherwood QOZB, LLC regarding the details of 316 multi-family residential units on a site ±26.25-acres in size, known by the project name Sherwood Villages, and generally located north of Fremont Street, south of US Interstate 80, west of Wildwood Drive, and east of Vine Street, Fernley, NV (APNs: 021-092-05, 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, and 021-092-55).

6.3. (For Possible Action) Public Hearing - MPA22003, ZMA22008, and DA22003

Consideration and possible action on a master plan amendment, zoning map amendment, and development agreement for a site ±83.9-acres in size and generally located north of Farm District Road at the intersection of Clearwater Parkway (APN: 020-341-18) by request of Clements Ranching, LLC to facilitate the development of a project known as Clements Ranch.

1. A master plan amendment request (MPA22003) to certify Resolution #22-018 as a resolution to amend the City of Fernley Comprehensive Master Plan land use on a ±15.5-acre portion of the project site from Single Family Residential (SFR) to Mixed Residential (MR).
2. A zoning map amendment request (ZMA22008) to adopt Bill #318 as an ordinance to amend the zoning on a ±68.4-acre portion of the project site from RR1 (Residential - Rural, 1-acre minimum) to SF6 (Residential - Single Family, 6,000 square feet minimum) and to amend the zoning on a ±15.5-acre portion of the project site from RR1 to MDR14 (Medium Density Residential, 14 dwelling units per acre maximum).
3. A development agreement request (DA22003) to adopt Bill #320 as an ordinance authorizing the City of Fernley to enter into a development agreement with Clements Ranching, LLC to guarantee specific development standards for this project.

7. STAFF REPORTS

- 7.1. (Possible Action) to approve a contract with Headway Transportation, LLC for professional transportation engineering services for the Community Response & Resource Center project in the amount not-to-exceed \$22,000.
- 7.2. (Possible Action) Acceptance of City Council budget priorities for FY 2023-2024.
- 7.3. (Possible Action) To consider cancelling the January 4th City Council Meeting.
- 7.4. For Possible Action: Possible action to authorize the Special City Attorney for Water Matters (Taggart & Taggart, Ltd.) to file a writ petition with the Nevada Supreme Court seeking reversal of a December 14, 2022 order issued by the Tenth Judicial District Court of Nevada in Case No. 22-10DC-0860, which denied Fernley’s request to intervene in said case, and to take all actions properly related thereto.

8. RESOLUTIONS

- 8.1. Discussion and possible action to approve resolution 22-020 to accept the public improvements including roadway, water, and storm drain infrastructure for the Nelson Meadows Phase 2 project.

9. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

- 9.1. (Possible action) A request for a future agenda item to adopt a moratorium on water connection fees, sewer connection fees, and water usage fees for years 2023 and 2024, as well as reviewing the Comprehensive Study. (Councilman Hanan)**
- 9.2. (Possible action) A request for a future agenda item to designate streets that off-highway vehicles are permitted to access. (Councilman Hanan)**
- 9.3. (Possible action) A request for a future agenda item to create a Noise Ordinance for the City of Fernley (Councilman Hanan)**

10. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

11. PUBLIC FORUM

12. ADJOURNMENT

Next Meeting: January 4, 2022 @ 5 PM