

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
FEBRUARY 15, 2023**

Mayor McIntyre called the meeting to order at 5:02 PM at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Neal E. McIntyre, Councilman Ryan Hanan, Councilman Stan Lau, Councilwoman Felicity Zoberski, Councilwoman Fran McKay, Councilman Albert Torres, Deputy City Manager Lydia Altick, City Attorney Brandi Jensen, City Treasurer Denise Lewis, City Clerk Kim Swanson, Public Works Director Dave Whalen, City Engineer Derek Starkey, Building Official Charity Birkel, Senior Planner Shay League, Deputy City Attorney Aaron Mouritsen, Assistant to the City Manager Trisha Conner, and Administrative Specialist Bailie Scott.

1.2. Public Forum

City of Fernley resident, Jason Ames reported that he would like a property located near Cottonwood to be placed on the agenda. He stated that he has tried to have this problem addressed for a few years now and nothing is being done.

City of Fernley resident, Tammy Dittman stated that she would like to know what is going on with the hiring of a City Manager? She stated that a fence needs to be placed around the detention pond in the Southwest Meadows subdivision.

1.3. (Possible Action) Approval of Agenda

The Mayor requested items 6.2, 7.4, and 7.5 be pulled from the agenda with items 6.2 and 7.5 being brought back to the 3/1/2023 City Council meeting.

Councilman Torres requested that item 7.1 be removed from the agenda due to the item being vague and not reflecting the Council's goals. He also requested clarification on what the Council would like to do with the organizational chart, why it is changing, how much it will cost, and input from the affected departments.

Motion: MOVE TO APPROVE THE AGENDA WHILE PULLING ITEMS 6.2, 7.1, 7.4, AND 7.5 WITH THE STIPULATIONS THAT ITEMS 6.2, 7.1, AND 7.5 BE BROUGHT BACK TO THE MARCH 1, 2023 MEETING. **Action:** Approve, **Moved by:** Councilman Torres, **Seconded by:** Councilman Lau. **Vote:** Passed, **Summary:** Yes 5 **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of the Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible action to approve a contract with Shaw Engineering for an amount not to exceed \$66,500 for professional engineering services for the design of a new treated water reservoir at the City of Fernley water treatment plant as part of the surface water treatment project.

2.5. Possible Action to Approve the City of Fernley Annual Road and Street Mileage Report to be submitted to the Nevada Department of Transportation (NDOT).

2.6. For Possible Action To approve the award of a contract to Sullivan Structures for the Depot Roofing construction project for an amount of \$331,914 plus a 20% contingency of \$66,382.80 for a total amount of \$398,296.80.

2.7. Possible Action to Approve the Will-Serve Request from Sandbank Properties II LLC for .78 ERC's for Water and 1.96 ERC's for Sewer for 250 Logan lane Commercial Building for Lyon County Parcel 021-071-28 located on Logan Lane Fernley, NV 89408.

2.8. Possible Action to Approve the Will-Serve Request from TD Fernley Properties, LLC for .25 ERC's for Water and no sewer – irrigation only for Dolan Auto Car Sales Lot for Lyon County Parcel 021-232-20 located at 1375 E. Newlands Lane Fernley, NV 89408

2.9. Possible Action to Approve the change of city representative to the NV League of Cities Legislative Committee.

Mayor McIntyre reported that Councilwoman Zoberski would replace Councilwoman McKay as the City's representative for the Nevada League of Cities

Motion: MOVE TO APPROVE THE CONSENT AGENDA AS SUBMITTED. **Action:** Approve, **Moved by:** Councilman Hanan, **Seconded by:** Councilman Lau. **Vote:** Passed, **Summary:** Yes 5 **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

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 Brantingham, Lyon County Sheriffs' Department reported that it has been a very busy 6 weeks with Sheriff Pope taking over. Judy Simmons, an employee at the Fernley substation, retired last Friday. Tiffany Lang has transferred from dispatch and will be working at the Fernley substation. The Fernley substation lost 0 days of substation being open during the change in employees. Chief Deputy Brantingham reported on the saturation patrol that resulted in 134 proactive law enforcement contacts, including traffic stops, subject stops, bicycle stops, which led to 10 arrests and 2 vehicle pursuits.

The Mayor and Councilmembers thanked the Sheriff's department for their services and praised the increased communication with the community.

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

Councilwoman McKay reported that one of the previous City Council members, Rick Jones' wife, passed away.

Councilman Torres reported that the Legislative Committee for the Nevada League of Cities is still expecting a few more bills to come forward. Torres stated that he attended the Northern Nevada Builders Association meeting and all of Northern Nevada is working well together to bring employment to the state. He commented that the city needs to stay on top of infrastructure and housing to meet the demands of the growth that is coming.

Councilwoman Zoberski thanked City Attorney Jensen and the staff for setting up the Pool Pact trainings. She reported that the Rural Cowboy Caucus will be held on 2/17/23 in Carson City from 7-8:15 AM.

Councilman Hanan thanked the Mayor for stepping up as City Manager. He also thanked the City staff for all they are accomplishing.

Mayor McIntyre reported City Hall will be closed on 2/20/23 in observance of President's Day.

3.2. State of Nevada Legislative update.

Nick Vanderpool, Flynn Guidicci Government Affairs, reported they had just wrapped up day 10 of 120 for the legislative session. As of 2/10/23, 972 bill draft requests have been submitted and more than likely will have over 1,000 bill draft requests this session. There are currently 181 assembly bills that are being reviewed and 165 senate bills in the queue for review. Senate Bill 18 is being placed on the agenda without any issues. Nick's goal is to send a report by Thursday for staff to review.

4. PROCLAMATIONS BY THE MAYOR

There were no proclamations.

5. PRESENTATIONS

5.1. State of the City by Mayor Neal E. McIntyre

Mayor McIntyre presented the State of the City.

The Mayor's State of the City can be viewed by watching the 2/15/23 Zoom meeting video.

6. PUBLIC HEARINGS

6.1. For Possible Action – Public Hearing, TSM22005 – Tentative Subdivision Map

Consideration and possible action on a tentative subdivision map application from Phelps Engineering Services to allow for the development of Sherwood Villages, a 316-unit multifamily residential complex on a site ±26.25-acres in size and generally located north of Fremont Street, south of US Interstate 80, west of Wildwood Drive, and east of Vine Street (APNs: 021-092-05, 021-092-23, 021-092-26, 021-092-27, 021-092-46, 021-092-47, 021-092-54, & 021-092-55).

Senior Planner Shay League clarified that the Planning Commission did not approve this project. They asked for a continuance and the project was never brought back to them for review. Senior Planner League provided background information on the project before presenting the findings and the tentative subdivision map.

Garret Gordon, Applicant's Representative, presented an overview of the project. The proposed maps show the properties divided onto 3 separate parcels, which will make it easier for lending purposes. The parcels will be developed in 3 separate phases. CC&R's will have to be recorded with the County.

Motion: I MOVE TO APPROVE THE TENTATIVE SUBDIVISION MAP ASSOCIATED WITH TSM22005 SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 26 AS PRESENTED BY STAFF AND BASED ON FINDINGS TM1 THROUGH TM11 AND THE SUPPORTING DATA AS SET FORTH IN THE STAFF REPORT. **Action:** Approve, **Moved by:** Councilman Lau, **Seconded by:** Councilwoman Zoberski. **Vote:** Passed, **Summary:** Yes 5, **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

6.2. For Possible Action - Public Hearing, ZMA22009 - Zoning Map Amendment

Consideration and possible action on a zoning map amendment application by ERGS, Inc. to change the zoning designation of a ±20.80-acre project site located at approximately 501 River Ranch Road (APNs: 021-281-03, 021-281-10, and portions of 021-281-04 and 021-281-09) from Industrial (I), Employment Center (EC), and General Commercial (C2) to Mixed Use (MU) to facilitate the construction of a 320-unit multi-family project called River Ranch Apartments.

This item was pulled from the agenda.

7. STAFF REPORTS

7.1. Discussion and possible action to allow the Mayor to modify the organization chart.

This item was pulled from the agenda.

7.2. Possible Action to Receive and Approve the Five-year Comprehensive Economic Development Strategy for the City of Fernley.

Trisha Connor, Assistant to the City Manager, introduced the item and provided background information on this item. She stated that a year ago the City contracted with the University Center of Economic Development to develop the Five-Year Comprehensive Economic Development Strategy report.

Fred Steinmann, Director of the University Center for Economic Development, provided a presentation of the report to the City Council.

Motion: MOVE TO RECEIVE AND APPROVE THE FIVE-YEAR COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY FOR THE CITY OF FERNLEY. **Action:** Approve, **Moved by:** Councilman Lau, **Seconded by:** Councilman Hanan. **Vote:** Passed, **Summary:** Yes 5, **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

7.3. Possible Action to approve the Community Response & Resource Center project Design Development Submittal.

Kevin Kemner, TSK Architects presented 3 design development packages for the Community Resource and Response Center.

Motion: MOVE TO APPROVE THE COMMUNITY RESPONSE AND RESOURCE CENTER DESIGN DEVELOPMENT SUBMITTAL. **Action:** Approve, **Moved by:** Councilman Torres, **Seconded by:** Councilwoman Zoberski. **Vote:** Passed, **Summary:** Yes 5, **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

City Attorney Brandi Jensen informed the Mayor and Councilmembers that she will not be the attorney on future agenda items regarding the Community Resource and Response Center due to a conflict of interest with her husband working in construction. Phillip Manley will be the attorney for the Community Resource and Response Center going forward.

7.4. Discussion and Possible Action to approve the City of Fernley Maximum Allowed Operating Property Tax Rate to to Levied for Fiscal Year 2024 and for Submission to the Department of Taxation.

This item was pulled from the agenda.

7.5. Discussion and Possible Action to approve a Memorandum of Understanding (MOU) between the City of Fernley and Mark IV concerning the RAISE Grant Administration.

This item was pulled from the agenda.

8. PUBLIC FORUM

With no comments being brought forward at that time, the Mayor closed the public forum.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilwoman McKay requested that Bill 317 be placed on the agenda as a future agenda item to be reviewed.

Councilwoman McKay requested that residency requirements for any board and commission members be

placed on the agenda as a future item.

Councilman Hanan reminded everyone that water is on the agenda for the next meeting.

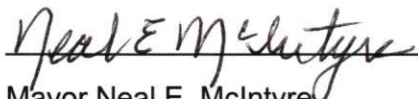
10. ADJOURNMENT

The next City Council meeting will be held on March 1, 2023 @ 5pm.

There being no further business to come before it, the Fernley City Council meeting adjourned at 7:25 PM.

Approved by the Fernley City Council on March 1, 2023 by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson