

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JUNE 7, 2023**

Mayor Neal E. McIntyre called the meeting to order at 5:00 PM at Fernley City Hall, 595 Silver Lace Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Neal E. McIntyre, Councilman Ryan Hanan, Councilwoman Felicity Zoberiski, Councilman Albert Torres, Councilwoman Fran McKay, Deputy City Manager Lydia Altick, Administrative Specialist II Reba Skinner, Administrative Specialist I Sandy Harris, Acting Public Works Director Barry Williams, City Engineer Derek Starkey, City Attorney Brandi Jensen, City Treasurer Denise Lewis, IT Coordinator John Cleven, Assistant Planner Lisa Warner. Councilman Stan Lau arrived at 5:30

1.2. Public Forum

None at this time.

1.3. (For Possible Action) Approval of Agenda

Councilman Torres requested to pull Items 6.1 and 8.1 from the agenda.

Motion: MOTION TO REMOVE ITEMS 6.1 AND 8.1 FROM THE AGENDA.

Action: DENIED, **Moved by:** Councilman Torres, **Seconded by:** Councilwoman McKay.

Vote: Failed, **Summary:** Yes 2, No 3 **Yes:** Councilwoman Zoberiski, Councilman Torres, **No:** Councilman Hanan, Councilwoman McKay, Mayor Neal McIntyre, **Absent:** Councilman Lau.

Motion: MOTION TO APPROVE AGENDA WITH ITEM 8.1 REMOVED. **Action:** Approved.

Moved by: Councilman Hanan, **Seconded by:** Councilman Torres. **Vote:** Passed, **Summary:** Yes 4, **Yes:** Councilwoman McKay, Councilman Torres, Councilwoman Zoberiski, Councilman Hanan, **Absent:** Councilman Lau.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of the Voucher Report

2.2. (For Possible Action) Approval of Minutes

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible action to authorize the execution of the water rights banking and dedication agreement with Rhodes Ranch Properties, APN 009-271-12 TCID serial number 842 in the amount of 162-acre feet.

2.5. Possible action to authorize the execution of the water rights banking and dedication agreement with Robert Jacobson and Deann Jacobson, APN 020-151-29 TCID serial number 1001-E-E-1 in the amount of 2.0-acre feet.

2.6. Possible Action to approve a Contract for Water Rights Services to Resource Concepts Inc. (RCI)

for an amount not to exceed \$125,000 for FY 2023-2024.

Motion: MOTION TO APPROVE CONSENT AGENDA **Action:** Approved. **Moved by:** Councilman Hanan, **Seconded by:** Councilman Torres **Vote:** Passed. **Summary:** Yes 4. **Yes:** Councilwoman McKay, Councilman Torres, Councilwoman Zoberski, Councilman Hanan. **Absent:** Councilman Lau.

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 Sheriff's Department reported on the traffic events on Hardie Lane. On May 29, 2023, there were 15 traffic stops and 9 citations issued. On May 31, 2023, there were 14 traffic stops, issued 12 citations and made 2 arrests and towed 2 vehicles away. Fernley will be getting 2 more sheriffs.

Councilman Ryan Hanan thanked the department for the quick response to traffic issues on Hardie Lane.

Councilwoman Felicity Zoberski asked if the department had come up with a date to set up a Zero Tolerance public workshop for parents, teachers and the public so they can understand the Zero Tolerance policy a little better.

Councilwoman Fran McKay thanked the department.

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

Deputy City Manager Altick gave the building department report for the month of May.

Lowell Patton, Main Street Nevada at Fernley, notified people about a Main Street meeting at his house in order to let people know about the program, what it entails, and to get people set up on committees. He would like four committees: design, promotion, organization, and economic vitality.

Acting Public Works Director Barry Williams gave an update on the water main break at the NDOT yard; only the 20 affected customers were notified.

Councilman Stan Lau arrived at 5:30 pm.

Council Reports:

Ward 5 Councilwoman McKay thanked the departments for the work on Cottonwood and Fremont. Also, reminded everyone about the FCTA Meeting on Monday at 6:00 pm and on June 21, 2023, the Lyon County Room Tax Board will meet at 10:00 am

Ward 4 Councilman Torres had a meeting regarding the schoolhouse at the Depot. Dayton is interested in taking the schoolhouse. They are reaching out for grants and private donations to get it moved to Dayton.

Ward 2 Councilwoman Felicity Zoberski thanked Public Works for meeting. She thanked ACES and the City for Music, Murals and Margaritas adding each year it just gets better & better.

Ward 1 Councilman Hanan thanked Public Works for their quick response to the water line break, and for the work on Cottonwood and Fremont. He attended the Fernley Builders Association event which brought in a lot of people in Fernley to show them the development and growth here and hopes we can work hand in hand with all the business partners to help grow Fernley.

Mayor McIntyre stated that the City is moving forward rapidly with getting positions filled. The new Planning Director will start on June 12, 2023. The Human Resource Manager will start soon. Interviews will take place next week for the Management Analysis. BakerTilly has 28 applicants for City Manager. Three seasonal workers have been hired. We are getting two young kids from Comstock Youth Program to work at the City.

3.2. State of Nevada Legislative update

None at this time.

4. PROCLAMATIONS BY THE MAYOR

None at this time.

5. PRESENTATIONS

5.1. (For Possible Action) Discussion and possible action to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment of \$317,990.42 with a deductible of \$2,000 per claim or \$305,582.52 with a deductible of \$5,000 per claim from fiscal year 2023 - 2024 funds.

Tina Peterson, Pool Pact, gave a brief presentation on changes in coverage for renewal. The only coverage that has decreased this year is the Cyber liability coverage. She also covered the deductible options and the Enterprise Risk Excellence Program.

Wayne Carlson, founder of Pool Pack, gave overview of Pool Pack and went over the policies, training and tailored services.

Motion: MOVE TO ACCEPT THE RENEWAL PROPOSAL FROM NEVADA PUBLIC AGENCY INSURANCE POOL AND APPROVE PAYMENT OF \$317,990.42 WITH A DEDUCTIBLE OF \$2,000 PER CLAIM FOR FISCAL YEAR 2023-2024 FUNDS. **Action:** Approved. **Moved by:** Councilman Torres. **Seconded by:** Councilman Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilwoman McKay, Councilman Hanan, Councilman Torres.

5.2. Possible Action, Presentation and adoption of Resolution 23-006, providing for the transfer of the City's 2023 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority.

Diane Arvizo, Nevada Rural Housing Authority, Director of Home Ownership Programs, went over the transfer request for the bond cap for this year and explained why they asked for this request. The amount of distribution is based specifically on the City of Fernley's population. The Council has until September 1, 2023, to figure out what they are going to do with it in regards to any requests that come before the Council for a qualified purpose. Since 2006 Nevada Rural Housing Authority has been collecting the unused bond cap from the rural counties and cities so that they can pool them together and create the ability to issue mortgage credit certificates or even mortgage revenue bonds to help provide homeownership opportunities across rural Nevada. Since 2006 in the City of Fernley, they have helped 804 home buyers with \$174,500,000.00 in affordable mortgages, provided residents with \$4,600,000.00 in downpayment assistance.

Motion: MOVE TO APPROVE RESOLUTION 23-006, PROVIDING FOR THE TRANSFER OF THE CITY'S 2023 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY. **Action:** Approved. **Moved by:** Councilwoman McKay. **Seconded by:** Councilman Lau.

Vote: Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilwoman McKay, Councilman Hanan, Councilman Torres.

6. STAFF REPORTS

6.1. Possible action to appoint Lydia Altick as Acting City Manager pursuant to FMC Title 2, Chapter 2, Section 2.02.07(e).

Councilwoman Felicity Zoberski questioned why at this time when we will be hiring a City Manager soon.

Mayor McIntyre stated that it improves morale, we need to reward people for the extra work they are doing, regardless if it's just a title. This will allow the Mayor to do his job as far as overseeing the day-to-day operations of the City. By not doing this now, we are delaying having a public point of contact. It is better for operational efficiency and we need to follow our policies, procedures, ordinances and resolutions. This will allow Acting City Manager to inform council and department heads on issues that arise within the City. We have a new HR starting next week and without an Acting City Manager HR will have no Supervisor.

Councilman Torres believed it would not be this much of an issue if they had followed policy four months ago when it was brought up in Council. Code needs to be clarified between "shall" and "may".

City Attorney Jensen explained the difference between sections A and E in 2.02.07, in A it is in the event of a temporary absence, and in E it is during a vacancy. In a temporary, which in A, then the person who is the Deputy City Manager "shall" automatically become, in E it is during the vacancy, so the Mayor "may", so it is at his discretion when to do that.

Motion: MOVE TO APPROVE THE APPOINTMENT OF LYDIA ALTICK AS ACTING CITY MANAGER UNTIL A PERMANENT CITY MANAGER IS HIRED. **Action:** Approved. **Moved by:** Councilwoman McKay, **Seconded by:** Councilman Hanan. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilman Lau, Councilwoman McKay, Councilman Hanan, **No:** Councilwoman Zoberski, Councilman Torres.

7. PUBLIC HEARINGS

7.1. Public Hearing: Discussion and possible action to adopt Resolution #23-005 authorizing temporary inter-fund loans from the General fund to the Grants fund for Fiscal Year 2023-24.

City Treasurer Denise Lewis said that this is an annual item that is required by the State, because the City is required to pay for certain grants projects in advance and then request reimbursement from the grantors after payment. This requires a short-term loan from the general fund to the grants fund. Once the money is received from the grantor, the general fund is paid back.

No public input

Motion: MOVE TO ADOPT RESOLUTION #23-005, AUTHORIZING TEMPORARY INTER-FUND LOANS FROM THE GENERAL FUND TO THE GRANTS FUND FOR FISCAL YEAR 2023-2024. **Action:** Approved. **Moved by:** Councilwoman McKay, **Seconded by:** Councilman Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilwoman McKay, Councilman Hanan, Councilman Torres.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

8.1. Possible action to request a future agenda item to renegotiate the city attorney's contract.

(Councilwoman McKay)

This item was removed

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilman Albert Torres wants the city selling water rights written into code and brought before council.

City Engineer Derek Starkey stated that there is no specific language on not selling in code for large sales.

Councilman Stan Lau would like to see a stop sign on Steamboat & Jennys.

Councilman Ryan Hanan would like an update on stop signs.

PW Director Barry Williams the stop signs are still being considered. A map was drawn out and provided to the council. They are waiting for the construction in the areas to be completed before changing the dynamic of traffic.

10. PUBLIC FORUM

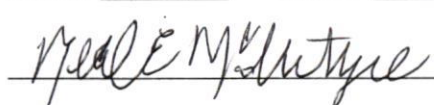
Fernley city resident, Tammy Dittman stated that she was sorry to see the City lose Brandi Jensen. She would like to have the council address no trucks on Cottonwood Lane.

11. ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 7:00 PM.

Approved by the Fernley City Council on June 21, 2023 by a vote of:

AYES 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1



Mayor Neal E. McIntyre



City Clerk Kim Swanson