



N E V A D A

AGENDA
Regular Meeting
City Council

Wednesday, September 6, 2023 • 5:00 PM

Mayor

Neal E. McIntyre

City Council

Ward 1 - Ryan Hanan

Ward 2 - Felicity Zoberski

Ward 3 - Stan Lau

Ward 4 - Albert Torres

Ward 5 - Fran McKay

City Manager

Benjamin Marchant

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](#), 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. Pledge of Allegiance**
- 1.2. Roll Call**
- 1.3. Public Forum**
- 1.4. (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 Voucher Report**
- 2.2. (Possible Action) Approval of Minutes**
- 2.3. (Possible Approval) Approval of Business Licenses**
- 2.4. (Possible Action) Approval to save and not spend \$3,577,592.80 in remaining ARPA funds that are currently allocated to Sewer projects and other general services in an effort to ensure the City will have the funding to contract for and construct Phase I of the Community Response and Resource Center (CRR).**
- 2.5. (Possible Action) to authorize the execution of the water rights banking and dedication agreement with Christopher Madsen, APN 020-371-05 TCID serial number 1057-17 in the amount of 3.08 acre-feet.**
- 2.6. (Possible Action) to Participate in the Walgreens Settlement in the District Court Case entitled: "State of Nevada v. McKesson Corporation, et al.," Case Number A-19-796755-B, filed in the Eighth Judicial District Court, Clark County, Nevada, and to release any and all claims against all released entities and agree to the Walgreens Settlement in the Net Allocation Amount of \$17,340.73 to the City of Fernley and take all actions properly related thereto.**
- 2.7. (Possible Action) to Participate in the Teva Settlement in the District Court Case entitled: "State of Nevada v. McKesson Corporation, et al., Case Number A-19-796755-B, filed in the Eighth Judicial District Court, Clark County, Nevada and to release any and all claims against all released entities and agree to the Teva Settlement in the Net Allocation Amount of \$11,560.48 to the City of Fernley and take all actions properly related thereto**
- 2.8. (Possible Action) to Approve the Will-Serve Request from The Meadows at Inglewood, Maintenance Building for 0.40 ERC's for Water and .36 ERC's for Sewer for Lyon County Parcel 020-342-02 located at 1065 Inglewood Drive, Fernley, NV 89408.**
- 2.9. (Possible Action) Approval of revised Building Inspector I, II and III job description**
- 2.10. (Possible Action) to approve a contract with Phyllis Dowd not to exceed \$45,000.00 for year end close out and audit preparation for FY22/23**
- 2.11. (Possible Action) Add Deputy Finance Director as Administrator for Nevada State Bank Treasury Services.**
- 2.12. (Possible Action) to reappoint Jacqueline LaVoie and Sharon Holley to the Fernley Senior Citizen Advisory Committee for a two-year term expiring September 2025.**
- 2.13. (Possible Action) Approval of the revised job description for the Development Services Coordinator position previously approved by the City Council on March 16, 2022.**

- 2.14. (Possible Action) Approval of the job description and salary range for the Senior Maintenance Worker Parks position approved by the City Council on May 17, 2023 during the FY23-24 budget discussions. The wage range is \$22.75 - \$32.50 or \$47,320.00 - \$67,600 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.

- 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. RESOLUTIONS

- 5.1. (Possible Action) to approve Resolution #23-008 authorizing the establishment of a Gold sweep account with Nevada State Bank to be linked to the City's general checking analysis account with Nevada State Bank.
- 5.2. (Possible Action) to adopt Resolution #23-012, a Resolution of the Fernley City Council, State of Nevada, directing the Mayor to conduct evaluations in compliance with Fernley Municipal Code of Ordinances Codes 2.03.04(a), 2.04.04(a) and 2.05.03(a).

6. PRESENTATIONS

- 6.1. (Possible Action) Presentation by Geothermal Rail Industrial Development, LLC regarding requesting a letter of support to Congressman Amodei's office requesting certain sections be added to the existing 2023 Lands Bill.

7. PUBLIC HEARINGS

- 7.1. (Possible Action) First Reading for Bill #331, an Ordinance to repeal and replace Section 32.06.140 (Planned Development) of the City of Fernley Development Code.
- 7.2. (Possible action) First reading of Bill #330 and the initiation of a future agenda item related to two applications submitted by Christy Corporation, LTD on behalf of Nev Dev, LLC on a parcel ±26.55-acres in size and generally located south of Farm District Road, west of Desert Lakes Drive, and east of Donna Way (APN: 021-301-35).

1. MPA23001 – A master plan amendment application to redesignate the comprehensive master plan land use of the parcel from Single-Family Residential (SFR) to Commercial (C).
2. ZMA23001 – A zoning map amendment application to rezone the parcel from Single-Family Residential, 20,000 square foot minimum lot size (SF20) to General Commercial (C2).

- 7.3. (Possible Action) to adopt Bill # 333, an ordinance amending Title 16 Chapter 1 of the Fernley Municipal Code, parking and storage of junk vehicles as follows: This ordinance shall go into effect October 1st, 2023.

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

9. PUBLIC FORUM

10. ADJOURNMENT

Next Meeting: September 20th @ 5pm