

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
MAY 15, 2024**

Mayor Neal E. McIntyre called the meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Mayor Neal E. McIntyre, Councilman Ryan Hanan, Councilwoman Felicity Zoberski, Councilman Stan Lau, Councilman Albert Torres, Councilwoman Fran McKay, City Manager Ben Marchant, Deputy City Manager Lydia Altick, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Administrative Specialist I Sandy Harris, City Treasurer Robert Carson, Planning Director Michele Rambo, Public Works Director Barry Williams, Deputy Public Works Director Olivia John, City Engineer Derek Starkey, Building Official Charity Birkel, HR Manager Mitzi Carter, Court Judge Lori Matheus.

1.3. Public Forum

Tammy Dittman, Fernley resident, requested that the council not approve the budget.

Becky Howlett, Fernley 4th of July Committee member, challenged the Councilmembers to match Councilwoman McKay's donation to the Fernley 4th of July. There will be a service at 10:00 at the Fire Station on Thursday, May 16 for Dan McCassie and a procession to the Cemetery.

Joseph Motsinger, Fernley resident and City employee, asked that they vote yes on the Compensation Plan Package.

Tessa Garvin, Fernley resident, expressed her confusion and astonishment over the budget, specifically for streets and storm drains. The Public Works department is given the largest allocation of city funds and has been unrealized by millions for years. This unused allocation to this magnitude is theft to the people of this community. I strongly and respectfully request that the city and the city council make a conservative and responsible adjustment to the streets and storm drains budget for Fiscal Year 2024 until Public Works can provide a valid justification for their budget allocation and provide transparency for both the city and the public.

Shay League, Fernley resident and City employee, stated that in the past 2 years the city lost 31 of its colleagues. Why are we losing that money and opportunity cost of employees in a revolving door? That's what I would like you to consider when you're looking at our compensation package.

Jessica Murdock, Fernley resident and City employee, stated she was worried because she lives paycheck to paycheck. If you approve this budget, you keep the good employees who want to be here. You help us gain a life and work-life balance. I live here. I work here, and I want to continue working here and by not approving this budget you hurt the good staff we have and the

people who are trying to make the city better. If you don't pass the budget, we risk losing positions.

Mr. G (Zoom) stated he is a former city employee. He had certifications and experience but couldn't afford to stay and went elsewhere making double what he was making at the city. He would have loved to stay with the city.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA WITH ITEM 5.6 MOVED BEFORE 5.5. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

2. CONSENT AGENDA

Councilwoman Fran McKay asked to have item 2.5 pulled from the consent agenda for extra discussion after the rest of the items.

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Approval) Approval of Business Licenses

City Clerk, Kim Swanson read the new approved business licenses.

2.4. Possible Action to Approve the Will-Serve Request from The Meadows at Inglewood, LLC for 0.29 ERC's for Water and 1.30 ERC's for Sewer for Canal Wine Lounge Lyon County Parcel 020-341-11 located at 1032 Inglewood #110 Fernley, NV 89408

2.5. (Possible Action) Approval the Non-Exclusive ("Open") Waste Franchise Agreement for Multi-family and Non-Residential Waste Collection for Reno Dumpster

Motion: I MOVE TO APPROVE THE CONSENT AGENDA WITH 2.5 PULLED FOR DISCUSSION. **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

Councilwoman McKay asked for clarification regarding Item 2.5.

Ben Marchant, City Manager, explained that Waste Management remains the exclusive provider for residential waste removal in the City of Fernley. Multifamily apartments and non-residential or commercial waste collection remains an open franchise. Reno Dumpster is an option for apartment complexes, multifamily areas, commercial and industrial services.

Motion: I MOVE TO APPROVE 2.5. **Action:** Approved. **Moved by:** Councilwoman Fran McKay, **Seconded by:** Councilman Ryan Hanan. **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 Mitch Brantingham recognized the passing of Dan McCassie. The department received a call for services at the 600 block of Angela Street which turned out to be a swatting call. Swatting, generally, is conducted by somebody from an out-of-state area. Deputy Eric Mendoza, who's been working as our school resource officer here in Fernley transferred over to Dayton. Deputy Vasquez just got back from the Academy and will be filling that school resource officer position until the end of the school year. The department is now at 4 deputies per shift working here in the city. There are 19 deputies assigned to Fernley currently.

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

Ben Marchant, City Manager, reminded everyone that the FCTA grant applications need to be submitted by 5:00 PM on May 31st. Friday, the FCTA Board will review the grant applications and make selections during the June 17th board meeting. Fernley Art week is here, and the 3rd annual Music Murals and Margaritas Festival is already getting started. May 17th is the Fernley Chamber of Commerce Main Street Poker Walk from 3:30 to 6:30 pm. They will meet at the Fernley Clock on the corner of Silver Lace and Main Street. Saturday, May 18th the festival begins at noon, at 10 Center Street. Admission is free. Monday, May 27th there will be a ceremony at the Northern Nevada Veterans Cemetery at 11 am. Please join the Nevada Veterans Coalition in honoring and remembering the fallen service men and women. The coalition needs volunteers for flag day on Saturday, May 25th at 8:30 am. City Hall will be closed on Monday May 27, in observance of Memorial Day.

Kim Swanson, City Clerk, reported that early voting would start on May 25th at 10:00 am.

Judge Lori Matheus requested that if the City Council does not approve item 5.5, that when approving item 5.3, the court's job descriptions not be included in that approval.

Councilwoman Fran McKay reported 4th of July Committee are in the process of sending out solicitations letters to help pay for things because they are a non-profit. The spaghetti dinner raised \$1,742. She also confirmed with Barry Williams, Public Works Director, that the city was still providing the barricades for 4th of July.

Councilwoman Felicity Zoberski congratulated the Fernley High School Boys Golf for winning the 3A State Championship. Jacob Holmes was 3A State Individual Champion

Councilman Ryan Hanan stated that the new installation at the Art Park by Chad Rice is illuminated at night. It is amazing to see local talent displayed here. He extended his condolences to the McCassie family.

Councilman Stan Lau welcome back Derek Starkey.

Mayor Neal E. McIntyre reported that he got to be the Ring Master at the circus that was in town.

4. PROCLAMATIONS BY THE MAYOR

Mayor Neal E. McIntyre stated that today is Police Officers Memorial Day and Police Officer Week so we want to thank all of our deputies in Lyon County. The City Hall flag is flying at half-mass.

He also proclaimed May is Mental Health Month and presented a proclamation to Laura Yannis, Executive Director for NAM Western Nevada. The second proclamation was National Public Works Week, May 19th to 25th, and was presented to Barry Williams, Public Works Director.

Break 5:55 pm - 6:05 pm

5. STAFF REPORTS

5.1. (For possible action) Discussion regarding the Fiscal Year 2024/2025 proposed final budget including but not limited to: All funds within the Water Enterprise Fund; Wastewater Enterprise Fund; General Fund; Special Revenue Funds; Capital Improvement Program; rates; all city departments; the budget process; timelines, goals, and existing budget; debt, staffing, including but not limited to reorganization, reclassification, employee positions and contracts, new positions, and other matters related thereto.

Councilwoman Fran McKay requested that this item be pulled until the next budget meeting.

Motion: I MOVE TO MOVE THIS TO THE MAY 22, 2024, BUDGET MEETING. **Action:** Approved. **Moved by:** Councilwoman Fran McKay, **Seconded by:** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilwoman Zoberski, Councilman Torres, Councilwoman McKay, **No:** Councilman Lau, Councilman Hanan.

Mayor Neal E. McIntyre vetoed the vote.

City Attorney Mouritsen stated there would have to be a four-fifths vote to overturn the veto.

Motion: MOVE TO OVERTURN THE VETO. **Action:** Denied. **Moved by:** Councilwoman McKay, **Seconded by:** Councilman Torres. **Vote:** Failed, **Summary:** Yes 3, No 2. **Yes:** Councilwoman Zoberski, Councilman Torres, Councilwoman McKay, **No:** Councilman Lau, Councilman Hanan.

Robert Carson, City Treasurer, presented the changes that were made to the Tentative Budget that was presented to City Council on April 4, 2024. As a reminder, he stated that a budget is not binding. What a budget does is give you authority to spend and incur expenditures. What we are doing is proposing what we are allowed to spend. This budget was developed in conformity with the council's goal and all the proposed expenses are within the limits of the expected revenues. He went through where some of the assumptions came from and explained the changes that were made to the tentative budget that was presented already. This budget included an appropriation from General Fund reserves to off-set a projected deficit of \$900,000 (expenses exceeding revenues). The proposed budget that was presented included funding for all proposed increases to staff wages, capital projects and operations, decreasing the prior year budgeted deficit from \$3.67 million down to \$900,000. The preliminary 2024-2025 Budget that is being presented to the City Council is now a fully balanced budget where revenues equal expenses. This is the first time that the City of Fernley will have the chance to approve a balanced budget since FY 2014. The difference in cost from the current City of Fernley Compensation Plan compared to the new proposal is an increase of \$282,000. The final balanced budget includes this amount to fund the proposed increases for the new compensation plan.

Councilman Torres asked (1) about their new positions that were approved on April 4th and reallocating of funds. (2) If the wage, compensation study and wage increases are approved, then the wages won't increase in the next 2 years other than by small percentages or whatever

City Treasurer Carson stated that the reallocation is for the breakdown of employee salaries that are paid over multiple funds. The percentage of allocations changes each year based on the expenditure of the funds from the prior year. Everything that was asked was approved and funded through the budget that we presented, the only thing that came back was the associate planner is not approved. Money is not being taken away from other projects. He continued by stating employees will have more structured steps, some of it may be a \$1.00 some \$.50. It just depends where they are on the steps and what the next increase is. As far as the cost-of-living adjustment the salary scaled will be adjusted by that and then wherever they fall on the next step All increases be effective on July 1st so it's easier to budget and forecast.

Councilwoman Fran McKay (1) asked if the state of the economy, the political state right now, and the Governor asking for a flat budget has been considered. (2) Why the Public Works Department has the budget it has?

City Treasurer Carson explained (1) that the revenues have been historically under budget by massive amounts except for the ones the city does not control. The State may issue a flat budget, they told us to increase our property tax budget by \$650,000. We are increasing the revenue slightly to be in line with where it's actually going to be because a majority of them are based on use. The expenditures were not reduced by a lot. (2) There are different divisions within the Public Works Department. Streets and Storm Drains are the largest allocation and that includes the RTC funds. The budgeted RTC funds is what is anticipated to be spent on projects. It's a dollar-for-dollar reimbursement, so it kind of inflates the budget expenditures. There are other projects that haven't been started yet.

Councilman Hannan asked about (1) flat budgets and (2) if money is being borrowed from the budget.

City Treasurer Carson explained that (1) flat budget means you're not going to increase any expedites and hold off on any large projects, and salary increases. (2) The proposed expenditures and estimates are covered by the estimated revenues.

Councilwoman Zoberski asked (1) if the \$280,00 included the cost-of-living increase and (2) in 5 years from now are we also budgeting for those increases every single year. She would like to see the projection of what is going to be paid out in 5 years. (3) She also asked where the \$4,000,000. for the CRC came from and (4) how prepared are we for an economic downturn. (5) There is a large sum of money in our savings that is consistently collecting interest, and that money is committed. Is accruing interest being calculated into what the future finances are?

City Treasurer Carson explained the (1) the \$280,000 is over what would be next year's salaries and wages to the general fund if nothing changes and that is based on projected salaries under the current contract with 2% COLA and 3% merit increases. (2) Going forward for the next 5 years, under the proposed wage plan, it will make it easier to budget because increases are not based on percentages, and there are also a lot of other factors that come into plan with PERS rates, healthcare rates and things like that. (3) He explained that 8.3% of the prior year's expenditures, less capital outlay goes to unassigned fund balance then you subtract your restricted fund balance, and the remainder is committed to the CRC, so the \$4,000,000 is

proposed because that is the shortfall in funding that we have to complete phase 1. (4) You can do your best to prepare for an economic downturn. What we can look at going forward is if we have a slight shortfall, you can use some of the savings to fund in the short term. (5) The interest is in the budget, because you must forecast where you think you will be at the end of the year, so an estimated amount is built into the budget. That's where the estimated beginning fund balance of \$15,000,000 comes from.

Ben Marchant, City Manager, stated because of the good management that the Council has exercised in budgeting in the past years in growing that surplus from \$5,000,000 up to \$15,000,000, the City Council can decide to preserve projects. Right now, the council doesn't have that option because the Council resolved to only use those funds for the CRC, but that's a resolution that the City Council can change when they see that it is needed.

5.2. (For Possible Action) Discussion and possible action to adopt Resolution 24-013 amending the City of Fernley Personnel Policy Manual.

Ben Marchant, City Manager, explained The City of Fernley Personnel Policy manual received a comprehensive evaluation and update with recommendations from POOL/PACT to align policies with best practices and recent employment case law decisions and legislative developments. There are significant changes included in the update to the policy manual.

Motion: I MOVE TO ADOPT RESOLUTION 24-013 AMENDING THE CITY OF FERNLEY PERSONNEL POLICY MANUAL. **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

5.3. (For Possible Action) Possible action to approve updated job descriptions and reclassifications.

Ben Marchant, City Manager, stated that they have gone through all the current active job descriptions for all departments and all employees to verify that the job descriptions are consistent with the jobs they are performing and consistent with the responsibilities and assignments we anticipate them to have in the coming year. There is one exception to this. Judge Matheus brought up earlier what happened with the court clerk positions. Right now, in the current plan, there are 3 different positions for a probationary position, Court 1, Court 2 and Court 3, and by talking with them, it is really one job, and it's each year of experience they would be expected to progress through this, so it was collapsed into one Clerk Specialist position and created a 5-year step program.

Councilwoman Zoberski asked what the current classification is under Accounting Manager.

City Manager Marchant stated that the current title for Ms. Carrick is Deputy Finance Director.

Mayor Neal E. McIntyre called for a break 7:19 - 7:27.

Motion: I MOVE TO APPROVE THE UPDATED JOB DESCRIPTIONS AND RECLASSIFICATIONS MINUS THE ACCOUNTING MANAGER POSITION. **Action:** Withdrawn, **Moved by:** Councilwoman Zoberski, **Seconded by:** Councilwoman McKay.

Motion: I MOVE TO APPROVE THE UPDATED JOB DESCRIPTIONS AND RECLASSIFICATIONS MINUS THE COURT CLERK AND THE ACCOUNTING MANAGER DEPENDENT ON WHETHER THE COMPENSATION STUDY IS PASSED. **Action:** Passed, **Moved by:** Councilwoman Felicity Zoberiski, **Seconded by:** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 3 No 2. **Yes:** Councilwoman Zoberiski, Councilman Torres, Councilwoman McKay, **No:** Councilman Hanan, Councilman Lau.

5.4. (For Possible Action) Possible action to approve new positions of Utility Director, Animal Services Program Manager, Planning Technician, and Associate Planner

Ben Marchant, City Manager, explained these positions were proposed as desirable and necessary for the growth of the city. The council requested that the Associate Planner position not be funded and that we hold off on filling that position until we deem that it's necessary based on increased development demands.

Councilman Torres questioned why the Associate Planner position was listed when it was voted on at the April 4th budget meeting not to have this position until next year.

City Manager Marchant stated that this is just a job description like other vacant positions in the City that are not filled right now, but it is not budgeted.

Motion: I MOVE TO APPROVE THE NEW POSITIONS OF UTILITY DIRECTOR, ANIMAL SERVICES PROGRAM MANAGER, PLANNING TECHNICIAN AND ASSOCIATE PLANNER. **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilwoman Zoberiski, Councilman Lau, Councilman Hanan, **No:** Councilman Torres, Councilwoman McKay.

5.6. Consideration of correction action pursuant to NRS 241.0365 on action previously taken by city council on May 1, 2024. (Discussion and for possible action). The City Council will consider whether to rescind the vote taken on agenda item 6.3 of the regular meeting held on May 1, 2024. (For Possible Action) (Discussion and Possible Action to approve the 2024 City of Fernley Compensation Plan).

Mayor McIntyre responded to a letter given to the Council at the last meeting that he did not see until some days later. The letter is full of bad information. Whoever wrote it clearly doesn't have the knowledge or expertise to make the information and formed opinions about this year's budget process because they do not have all the facts. It is his duty as Mayor to be fully transparent with the City Council and the public about the City's budget and lay to rest inaccuracies and doubts brought by the person who wrote this letter. The proposed budget for 2025 is balanced, responsible and sustainable. It does not use any prior year's savings to the proposed wage increases. We found that 72% of Fernley's employees make less than the average minimum paid for the same job in other cities and counties in Northern Nevada. The City Council resolution passed last year dedicating all reserve funds for the completion of the CRRC is being followed. This budget process has been totally transparent and anybody that says otherwise is simply wrong. The budget was presented on April 4, 2024, and tentatively approved by City Council as presented. The proposed budget includes all expenses in wages and benefits and assertions that it doesn't is wrong. Updates to the final version have been presented this evening. Anyone with questions has been openly invited to meet and discuss with the City

Manager, City Treasurer, and himself. He sincerely hopes that no one is relying upon the opinion of whoever wrote this letter, which is completely lacking the facts in accuracy. On May 1, 2024, action was taken to table items related to a proposed 2024 City of Fernley Compensation Plan. Just prior to the meeting, the document was distributed by a member of council internally and was not included in the packet that was provided to the public, nor was it made available to the public. NRS 241.0206 requires that supporting materials provided to members of the council at the meeting must be made available to the public. This week the letter has been included in the agenda for the public to review. Item 5.6 is to discuss and take action to correct a potential violation that may have occurred. Following council comments and before any action is taken the floor will be open for public comment. related to this item.

Motion: I MOVE TO RESCIND THE VOTE ON MAY 1, 2024, IN RELATION TO ITEM 6.3 AS IT RELATES TO THE COMPENSATION PLAN. **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Hanan, **No:** Councilman Torres, Councilwoman McKay

5.5. Reconsideration of agenda item 6.3 from May 1, 2024 (For Possible Action) Discussion and Possible Action to approve the 2024 City of Fernley Compensation Plan. The City Council will discuss and take possible action regarding approving the 2024 City of Fernley Compensation Plan.

City Manager Marchant presented that 72% of the positions are proposed to be modified in the Compensation Plan. There are several positions that are not affected, based on the fact they are already being paid at rates comparable to the market. Seven positions were picked at random to use as examples to explain the methodology to show how the compensation plan relates to the wage study that was performed.

Councilwoman McKay stated that she would like time to get a clear picture of all the departments.

Motion: I MOVE TO RESCHEDULE THIS ITEM FOR NEXT WEEK PRIOR TO THE BUDGET MEETING. **Action:** Approved. **Moved by:** Councilwoman Fran McKay, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 4, No 1. **Yes:** Councilwoman Zoberski, Councilman Torres, Councilwoman McKay, Councilman Hanan, **No:** Councilman Lau.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Break 8:13 - 8:15

Councilwoman Felicity Zoberski requested a closed session to do a competence study for Jennie Carrick, who is our Deputy City Treasurer, her qualifications and new job description.

Councilwoman Fran McKay requested a closed session at the first meeting available to discuss the competency and job performance of City Manager Ben Marchant.

7. PUBLIC FORUM

Tammy Dittman, a city resident, stated that this was the most unprofessional city council meeting she has ever been to.

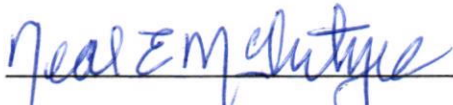
The next meeting will be held Wednesday May 22, 2024, at 6:00 pm.

8. ADJOURNMENT

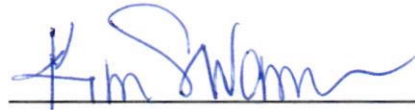
There being no further business to come before it, the Fernley City Council meeting adjourned at 8:19 pm.

Approved by the Fernley City Council on June 5, 2024, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson

CITY OF FERNLEY
RESOLUTION 24-013

A RESOLUTION TO APPROVE THE REVISED CITY OF FERNLEY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Fernley City Council desires to create a document which outlines the philosophy, work rules, policies, procedures, and benefits for employees; and

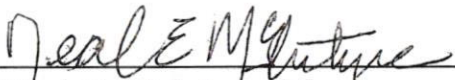
WHEREAS, the City of Fernley reserves the right to change personnel policies at any time subject to NRS 288, and understands that it is essential to periodically update such a document; and

WHEREAS, the City of Fernley Personnel Policy Manual is a compilation of policies concerning the internal operations of City government relating to various bargaining unit provisions and federal and state law; and

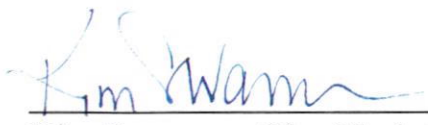
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fernley hereby adopts the City of Fernley Personnel Policies and Procedures Manual.

PASSED, APPROVED, AND ADOPTED ON May 15, 2024, by the following vote of the Council:

AYES: 5 NAYS: 0 ABSTENTIONS: 0 ABSENT:



Neal E. McIntyre, Mayor



Kim Swanson, City Clerk

Please sign in

Fernley City Council - 05/15/2024

[illegible]

Sandy Harris

From: tessa@garvinranch.com
Sent: Tuesday, May 14, 2024 1:27 PM
To: City Clerk
Subject: Public Comment for City Council Meeting 5/15/2024
Attachments: City Council Budget Public Comment.pdf

Hello,

I'm hoping to have the attachment entered into the record for tomorrow's meeting. I plan to attend but don't believe I can get everything in the 3 minutes time frame.

Thank you!
Tessa Garvin

City Council Meeting, May 15, 2024

Agenda Item 5.1 – Discussion regarding the Fiscal Year 2024/2025

Public Comment authored by Tessa Garvin

First, I would like to say that I'm in support of salary and wage increases and should be more than what's being proposed. We need to attract and sustain talented and experienced people and Fernley needs to compensate by paying competitive salary and wages.

Public Finance is an interesting beast to say the least. When it comes to budgeting for various public sectors/entities that provide services to the "public", all revenues and expenditures are scrutinized to ensure that each can sufficiently and effectively continue these services. Some will require additional allocation if a scheduled project has been approved that will require additional resources. Private businesses do the same when preparing for the upcoming year as well.

However, the biggest difference between public and private is when it comes to the issue of performing under budget. Private sectors congratulate each other because it means they get to keep more of their profits. Public sector should never want to come under budget for the simple reason of there are no profits. The budget is based on revenue generated through taxes and fees collected by the city that should always go back into providing the services outlined by city government. If any public sector within our local government that underutilizes their allocated budget, it is the responsibility of both our government and the people being (under) served why this is happening and more importantly, stop it from happening.

Why is the budget for Streets & Storm Drains for the City of Fernley always underutilized? I did some number crunching and here's what I found:

FISCAL YEAR	BUDGET	ACTUAL	DIFFERENCE	% UNUTILIZED
2021	4,695,585	2,651,085	2,044,500	44%
2022	9,339,100	3,779,800	5,559,300	60%
2023	10,286,750	6,057,554	4,229,196	42%
2024	10,273,670	7,127,654	3,146,016	31%

For 2025, it appears that they will be given another \$10M budget. Why? Can anyone provide some transparency as to the reason this department has been underutilized by millions every year for the past 5 years? I think in all fairness, there needs to be a clear justification for both why these funds are not being used and what is the guarantee of having them used in the year to come? The initial concern is that there are projects that are needing resources, so what's happening? If we are just "padding" the budget in case of "emergency", what is the purpose of our "rainy day fund"?

Here's an idea.... Since we know the city has the means and equipment to grade dirt roads since they currently maintain the following:

- N. Jenny's Lane
- Andy Way
- Winnies Lane
- Erica Lane
- Red Rock Road

- Truckee Lane
- California Immigrant Trail
- Barker Lane

The City is only required to maintain ~2 feet on each of these roads due to underground utilities, but they actually do the entire road, back/forth/side/side.

We also know that most of Desert Shadows was never part of the deal Lyon County made back in 1994, especially since we've had many more residence added to the south of the canal since then, Desert Shadows could use some attention. I think proper grading and drainage would suffice as we are constantly dealing with water collection during the rain and snow seasons. From my understanding, the City refuses to provide any services due to a 1994 document where Lyon County was relieved of providing maintenance east of Gustofson due to an agreement with the Dick Lee Property Owners Association. Fernley didn't incorporate into a "City" until 2001, but to this day, this document is used as the reason why the City will not provide any services to the Highlands, even though the agreement was only for a portion of East Desert Shadows and only with Lyon County. Since the Property Owner Association and those providing materials no longer exist and likely haven't for a long time, the City needs to provide services like the City does for everyone else north and west of the canal. Being considered a "sub resident" isn't really sitting well with a lot of us being that our tax dollars are a part of the city's revenue. Like it or not, we are residents of Fernley, the most underserved in this community.

If the city wants to continue ignoring the Fernley Highlands, how about these suggestions where it would be apparent to everyone what Streets & Storm Drains is doing:

Beautify Downtown (Main Street)

- Plant Trees
- Benches
- Trash receptacles
- Safe parking (not on gravel)

I would rather see Streets & Storm Drains utilize their entire budget for the city and ALL residents herein. However, it's time the city should account responsibly and reallocate appropriately if the coming year is going to prove the same numbers as the prior years. I see that the proposed budget includes moving \$4M from the general fund for the CRRC project. Why not re-allocate from Streets & Storm Drains? Better yet, finally adopt the City of Fernley Police Department so we can start getting our fair share of CTAX?

Ever since we moved here, it's always been said "there's not enough money". There is money, it just isn't being used.

Attachment: Dick Lee Memorial Property Assoc 1994 document

DICK LEE MEMORIAL PROPERTY OWNERS ASSOC.

May 6, 1994

To Whom It May Concern:

Maintenance of Fernley Highlands roads is provided by the Dick Lee Property Owners Association. The Association is made up of property owners in the area. Maintenance is provided on an as needed basis.

The work is performed by John Lee Development Co., directed and funded by the Association. John Johnson and Lee Smith are both Fernley Highlands property owners and have provided road maintenance for the past 5 years.

Highlands Drive, running south from Desert Shadows to View Drive, is on an easement which runs along the Jack Tedford Gravel Co. western property line. Tedford provides the gravel material and John Lee Development Co. provides the improvements for the association. This arrangement has and will provide the maintenance of Desert Shadows (main access road) from State Highway 50 to View Drive.

Dick Lee Memorial
Property Owners Association


Janice Herrick
Secretary/Treasurer

OWNERS SOUTH OF THE CANAL

171827

P.O. Box 1347 • Fernley, NV 89408 • Phone (702) 972-8303

Unofficial Copy

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HANCY M. CARR
COUNTY RECORDER

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Fernley, NV
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