

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JULY 17, 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: Councilman Torres, Councilwoman Zoberski, Councilman Lau, Councilwoman McKay. City Manager Ben Marchant, City Attorney Aaron Mouritsen, Public Works Director Barry Williams, City Engineer Derek Starkey, Finance Director Robert Carson, Planning Director Michele Rambo, Senior Planner Shay League, Building Official Charity Birkel, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser. Councilman Hanan arrived at 5:03 pm.

1.3. Public Forum

There was none.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA WITH THE CHANGES OF MOVING 2.4 AND 2.5 FROM CONSENT INTO THE REGULAR AGENDA FOR DISCUSSION AND MOVING 8.3 TO BEGIN BEFORE 5.1 OF THE GENERAL AGENDA. **Action:** Approve, **Moved by:** Councilman Albert Torres, **Seconded by:** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 5, No 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

Business licenses were read into the record by City Clerk Kim Swanson.

2. CONSENT AGENDA

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 to approve the execution of the Land & Water Conservation Fund Project Grant Agreement for the In Town Park in amount of \$200,167.50.

This item was heard before item 2.

City Engineer Starkey presented this item.

Motion: I MOVE TO APPROVE ITEM 2.4. **Action:** Approve, **Moved by:** Councilwoman Fran McKay, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

2.5. Possible Action to approve a Contract for Dennis Banks Construction for the construction of two additional office spaces at City Hall for an amount not to exceed \$32,305.

Public Works Director Williams answered questions on this item.

Motion: I MOVE TO APPROVE A CONTRACT FOR DENNIS BANKS CONSTRUCTION FOR THE CONSTRUCTION OF TWO ADDITIONAL OFFICE SPACES AT CITY HALL FOR AN AMOUNT NOT TO EXCEED \$32,305. **Action:** Approve, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau.

Vote: Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

2.6. Possible action to approve a contract with Lumos and Associates for Construction Management and Materials Testing for Shadow Lane Reconstruction Project for an amount not to exceed \$572,905.00

Item 2. was heard after item 2.4.

Motion: I MOVE TO APPROVE THE CONSENT AGENDA MOVING 2.4 AND 2.5 OFF CONSENT ONTO THE REGULAR AGENDA FOR DISCUSSION. **Action:** Approve, **Moved by:** Councilman Albert Torres, **Seconded by:** Councilwoman Felicity Zoberski. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **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.

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

Chief Deputy Sheriff Brantingham reported on the 4th of July event, gave an update on the school resources officer position, spoke on upcoming events: the National Night Out and Rodeo, and touched on general preparedness.

City Manager Marchant introduced Ana Navarro as the City's new Senior Project Manager, reported on the upcoming election for Ward 5 and notified that he will be off for 2 weeks.

Councilman Torres thanked the Fernley Senior Citizens Advisory Committee (FSCAC) and staff member Casey for their work during the 4th of July festival. He reported on the upcoming Stan Ceresola Roping event and junior rodeo; and thanked Public Works Director Williams and staff for assisting in moving the old schoolhouse.

Councilwoman Zoberski thanked staff for their work on the 4th of July and reported that the 10U, 12U and senior girls' softball teams made it to the State competition and the Seniors are moving forward.

Councilman Hanan thanked the 4th of July Committee and City staff for their work on the festivities. He noted that Union Pacific's Big Boy 4014 train came through the city and reported on his ride-along with Lyon County Sheriff Deputy Bonds.

Mayor McIntyre reported on the Mayor's Corner, previously coffee with the mayor, coming up on September 13 and the Mayors Clean Up which will take place on August 24. He reported that the FSCAC is working with staff to update the cemetery ordinance.

4. PROCLAMATIONS BY THE MAYOR

There were none.

5. PRESENTATIONS

5.1. Presentation by Mary C. Woods, Business Development Director with NCLab.

This item was heard after item 8.3.

Mary C. Woods presented this item. She highlighted the education and training program model,

including career paths; discussed the program's partnership with local colleges and university; discussed funding and grants available and future growth of the program.

5.2. Possible Action, Presentation and adoption of Resolution 24-016, providing for the transfer of the City's 2024 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority.

Katie Coleman, Communications Director for Nevada Rural Housing Authority, presented this item. She noted the ways that the organization has helped their clients over the years and the importance of partnering with municipalities to make the program successful. She summarized how the program helps buyers and the role the City has played in the past.

Ms. Coleman answered questions from the Council.

Motion: I MOVE TO APPROVE RESOLUTION 24-016, PROVIDING FOR THE TRANSFER OF THE CITY'S 2024 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY. **Action:** Approve, **Moved by:** Councilwoman McKay, **Seconded by:** Councilman Lau. **Vote:** Passed, **Summary:** Yes 5, No 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

Break 5:26 - 6:36 pm

5.3. Presentation by David H. Rigdon, Esq., Special City Attorney for water issues, on the status of the current litigation with the Truckee Carson Irrigation District ("TCID") related to the Truckee Canal XM Project repayment contract and the property assessments associated therewith (Tenth Judicial District Court Case Nos. 22-10DC-0868 & 23-10DC-0332). The presentation will include a discussion of the upcoming public hearing to be held at the Tenth Judicial District Court in Fallon, Nevada on August 2, 2024 at 9:00 am at which the Court will hear all objections to the repayment contract and the election held by TCID to ratify said contract.

David H. Rigdon, from Taggart & Taggart Ltd. presented this item. Mr. Rigdon gave an overview of the project and the history that prompted it. He gave an update on the TCID Repayment Contract Petition and the City of Fernley v TCID Assessment Case. He also covered upcoming court dates and the importance of them to Fernley residents.

Councilwoman McKay thanked Mr. Rigdon and asked how a person can submit objections in writing and commented on the length of time of the assessment.

Councilman Lau thanked Mr. Rigdon and asked if well owner's legal representation could have assisted with the case.

Councilwoman Zoberski inquired on a list of water users and if the City was able to send notices to the public on the upcoming hearings. She inquired if the public comment could be provided during this item.

Councilman Torres invited the public to provide their comments during the public input item towards the end of the meeting.

Mr. Rigdon answered questions.

5.4. (For Discussion and Possible Action) Presentation by Nick Vander Poel on a proposed bill draft request for the City of Fernley seeking state funding for phase two and phase three of the Community Response and Resource Center.

Nick Vander Poel, Flynn Giudici Government Affairs, LLC, presented this item. Mr. Vander Poel gave an overview of what the City has previously done during the legislative session and explained how this item

would be presented as a financial request before the Senate Finance and Assembly Ways and Means Committee.

Mr. Vander Poel answered questions.

Motion: I MOVE TO APPROVE THE PROPOSED BILL DRAFT REQUEST SEEKING STATE FUNDING FOR PHASE TWO AND PHASE THREE OF THE COMMUNITY RESPONSE AND RESOURCE CENTER. **Action:** Approve, **Moved by:** Councilman Albert Torres, **Seconded by:** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

6. ORDINANCES

6.1.(For Possible Action) Discussion and first reading of Bill #352, an Ordinance amending Title 32, Chapter 3, Section 060 (Land division applications) of the Fernley Development Code to create Subsections g(1)(b)(4) and g(1)(b)(5) to separate unrelated portions of parcel and lot design standards.

Planning Director Rambo presented this item, stating that this is the first reading of this item.

7. PUBLIC HEARINGS

7.1.(For possible action) Discussion and possible action regarding Resolution #24-014 as it pertains to a comprehensive master plan amendment application (MPA24003) submitted by Golden Years Castle to change the designated land use from Single-Family Residential (SFR) to Public Facility (PF) on a site ±1.74-acres in size and approximately located at 565-575 Farm District Road (APNs: 021- 111-47 & 021-111-48).

Senior Planner League presented this item, including company background and future proposed project. She covered facility type designation and presented findings on the plan amendment.

Councilwoman Zoberski inquired on the proposed floorplan and parking requirements.

There was no public input.

Councilman Torres and Councilwoman McKay stated their appreciation of the project.

Motion: I MOVE TO CERTIFY RESOLUTION #24-014 AND APPROVE THE MASTER PLAN AMENDMENT ASSOCIATED WITH MPA24003. I FURTHER MOVE TO ADOPT FINDINGS A, B, AND C, AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve, **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5, No 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

8. STAFF REPORTS

8.1.(For Possible Action) A review of the City of Fernley Comprehensive Master Plan and other adopted Master Plans to discuss future update priorities and needs.

Planning Director Rambo presented this item. She summarized the current Master Plan and how it pertains to the City. She explained that there are parts of the document that don't pertain to Fernley and that there are different parts applicable to the plan that currently exist outside of the main document, some of which would need to be updated.

Councilwoman Zoberski requested that staff work when time allows on the Master Plan and inquired on

the process and frequency of Master Plan amendments.

Planning Director Rambo answered questions.

8.2.(For Possible Action) Discussion and possible action regarding a tentative subdivision map application (TSM23003) from KLS Planning & Design Group on behalf of Schell Creek Construction to create 41 single-family detached lots on a site ±9.23-acres in size and generally located near the intersection of Canal Way and Silver Way (APN: 021-191-08). This parcel is zoned Single-Family Residential, 6,000 square-foot minimum lot size (SF6) and the land use designation of Fernley's Comprehensive Plan is Single-Family Residential (SFR).

Senior Planner League presented this item, including background and approval criteria.

Councilman Hanan inquired if the School District provided feedback on this item.

Councilwoman Zoberski inquired if the School Board can be contacted to make sure that the goals of the City development line up with the School District's.

Discussion ensued.

Senior Planner League answer questions.

Motion: I MOVE TO APPROVE THE TENTATIVE SUBDIVISION MAP FOR GREEN VALLEY RANCH PHASE 7 ASSOCIATED WITH TSM23003 BASED ON APPROVAL CRITERIA 1 THROUGH 11 AND THE FACTS SUPPORTING THESE CRITERIA AS SET FORTH IN THE STAFF REPORT. I FURTHER MOVE TO ADOPT CONDITIONS OF APPROVAL 1 THROUGH 21 AS LISTED IN THE STAFF REPORT. **Action:** Approve, **Moved by:** Councilman Torres, **Seconded by:** Councilman Hanan. **Vote:** Passed, **Summary:** Yes 5, No 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

8.3. (For possible action) Discussion and Possible Action on a resolution authorizing the City Treasurer/Finance Director of the City of Fernley to arrange for the sale of general obligation (limited tax) water refunding bonds (additionally secured by pledged revenues) in an aggregate principal amount not to exceed \$30,000,000; and providing other details in connection therewith.

This item was heard before item 5.1

Finance Director Carson introduced this item.

Marty Johnson, JNA Consulting Group presented this item.

Councilman Torres inquired on the City's biggest risk in passing this resolution. Councilman Hanan asked how this resolution affect would taxpayers.

Mr. Johnson answered questions.

Motion: I MOVE TO APPROVE A RESOLUTION AUTHORIZING THE CITY TREASURER/FINANCE DIRECTOR OF THE CITY OF FERNLEY TO ARRANGE FOR THE SALE OF GENERAL OBLIGATION (LIMITED TAX) WATER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH. **Action:** Approve, **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 4, No 0, Abstained 1. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilman Hanan, **No:** None, **Absent:** 0, **Abstain:** Councilwoman Fran McKay.

9. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

9.1. Possible action requesting a future agenda item to discuss a public workshop by CRRC and the architect(s) to review the next phases of the project. (Councilwoman Zoberski)

Councilwoman Zoberski stated that her intent with this item was to bring the public in during a workshop to allow for input on the next phases.

Mayor McIntyre stated that some workshops had already been done.

Councilman Hanan asked if there are final plans for phase 2 and 3 and asked verification on the funds that would be needed for these phases.

Mayor McIntyre verified with City Engineer Starkey that utilities are being installed during phase 1 which may limit layout.

City Attorney Mouritsen stated that discussion for this item would need to happen at a later date if council approves that the item be brought back.

Motion: I MOVE TO HAVE A PUBLIC WORKSHOP WITH THE COMMUNITY RESOURCE AND RESPONSE, COMMUNITY FOUNDATION GROUP, AND EVERYONE ELSE INVOLVED IN THE PROJECT AND IT BEING AN OPEN MEETING TO THE PUBLIC FOR IDEAS AND QUESTIONS. **Action:** Approve, **Moved by:** Councilwoman Felicity Zoberski, **Seconded by:** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 4, No 1. **Yes:** Councilwoman Zoberski, Councilman Torres, Councilwoman McKay, Councilman Hanan, **No:** Councilman Lau.

10. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilwoman Zoberski requested a future agenda item to discuss the special temporary use permit and a second item for an update on the wage study update.

City Manager Marchant stated that there will be a quote on the agenda for the first meeting on August 7.

11. PUBLIC FORUM

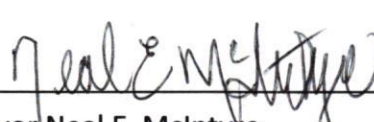
Cody Wagner, Chair of Fernley Community Foundation, expressed excitement on the CRRC project. He stated that he has been involved with the project since the beginning, but that public involvement has been very low. He made some suggestions for future consideration on the project and stated that different groups are calling him regularly to speak with him about the resource center.

12. ADJOURNMENT

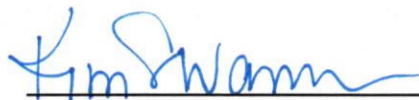
Being no further business to come before it, the Fernley City Council meeting adjourned at 8:34 pm.

Approved by the Fernley City Council on August 7, 2024, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson