MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
MARCH 4, 2020

Mayor Edgington called the meeting to order at 5:00 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV

1. INTRODUCTORY ITEMS
1.1. Roll Call
Present: Councilman Ray Lacy, Councilman Stan Lau, Councilman Albert Torres, Councilwoman Fran McKay, Councilwoman Shellie Severa, City Manager Daphne Hooper, Deputy City Attorney Brent Kolvet, Public Works Director Dave Whalen, City Treasurer Denise Lewis, Building Official Shawn Keating, Planning Director Tim Thompson, Assistant Planner Olivia John, City Clerk Kim Swanson, City Engineer Derek Starkey, City Attorney Brandi Jensen, Deputy Finance Director Thomas Lukas

1.2. Public Forum
LeRoy Goodman, Fernley resident, spoke about the zoning code he was concerned about the congestion in Fernley and traffic plan. He also express concern regarding the updated code allowing 21 apartments per acre.

John Reichlein, Fernley resident, congratulated new councilwoman Shelli Severa.

Louise Inman, Fernley resident, thanked Chief Nichols for cleaning up a piece of property that has been vacant and needed to be cleaned up for 2 years.

1.3. (For Possible Action) Approval of the Agenda
Motion: MOVE TO APPROVE THE AGENDA AS SUBMITTED, Action: Approve, Moved by Councilman Stan Lau, Seconded by Councilman Ray Lacy. Vote: Motion
carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

2. OATH OF OFFICE FOR NEWLY APPOINTED COUNCILWOMAN SHELLIE SEVERA

Judge Matheus administered the Oath of Office for Councilwoman Shellie Severa then she took her seat on the dais.

3. CONSENT AGENDA:
3.1. (For Possible Action) Approval of Voucher Report.
3.2. (Possible Action) Approval of Business Licenses
3.3. (For Possible Action) Approval of Minutes from February 5th and February 11th.
3.4. (For Possible Action) Contract award for Construction of the FY 19/20 Donner Trails Lift Station Generator Upgrade and Construction, to Merit Electric, Inc. (Merit) in an amount not to exceed $82,600, plus a 10% contingency of $8,260 for a Total of $90,860.
3.5. (Possible Action) Approve the Will-Serve for Kassandra King for 1 ERC's for Water and 0 ERC's for Sewer for Lyon County Parcel 021-331-05 located at 2040 Farm District Rd. Fernley, NV.

Councilman Lacy disclosed that he owns a business that is listed on the Voucher Report. He stated he would abstain from the vote as it directly benefits his business.

**Motion:** MOVE TO APPROVE THE CONSENT AGENDA ITEMS 3.2 THROUGH 3.5. 
**Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Albert Torres. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa.

**Motion:** MOVED TO APPROVE ITEM 3.1, VOUCHER REPORT ON THE CONSENT AGENDA, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Albert Torres. **Vote:** Motion passed (summary: Yes = 4, No = 0, Abstain = 1). **Yes:** Councilman Albert Torres, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa, **Abstain:** Councilman Ray Lacy.
4. REPORTS This item is for various public entity representatives to provide general information to the Council and public. No action will be taken.

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

NLCFPD Chief Nichols gave the monthly report for the month of February. He pointed out the response time averages 7 minutes in February. This exceeds the National Standards by 59 seconds. He also reported on other activities at the Fire Department. City Manager Hooper stated she would write a letter from the City Council in support of the grant for Assistance for Firefighters.

Lt. Baltes reported the Lyon County Sheriff’s Office stats for the month of February.

City Manager Hooper reported the draft environmental impact study for the lining of the canal has been completed and will be released in the Federal Register on Friday. There will be a 45-day comment period and staff is working on some talking points. She will have a briefing with City Council. Budget Hearings are scheduled for April 2nd & 3rd. If needed there will be a meeting on April 7th. The 4th week of Citizens Academy will be held on Thursday night. Mayor’s Clean Sweep is scheduled for April 4th. The County Commission will be discussing the introduction of the diesel tax at tomorrows meeting.

Building Official Keating reported the stats for the Building Department for the month of February and stats for 2019.

City Clerk Swanson reminded everyone that the Candidate Filing Period was open now through March 13th. Seats up for election are Ward 2, Ward 4 and Ward 5.

Councilwoman McKay reported the STEM Festival will be held tomorrow night at the high school.

Councilman Torres stated that he and Building Official Keating have been working together to clean up Scott Drive. He stated the response from the residents in the area has been positive and they wanted to thank Mr. Keating as well.

Councilman Lacy thanked everyone for attending the City Council Meeting.
Mayor Edgington reported that the Stem Festival will be held tomorrow night at the high school. He stated TCID will have their water users meeting at City Hall on March 9th at 6pm.

5. PROCLAMATIONS BY THE MAYOR
There were none.

6. PRESENTATIONS
6.1. Presentation by Atlanta Capital Investment Managers regarding the City’s NVEST (Nevada Enhanced Savings Term) investment account.
Jim Womack, Atlanta Capital presented the City of Fernley NVEST Portfolio Review.

6.2. Western Nevada Development District CEDS Presentation - Presentation Only
Cheryl Gonzales, Executive Director Western Nevada Development District reviewed the services WNDD offers and recent activities they have been involved in (see attached).

6.3. Presentation and discussion regarding the City’s quarterly financials.
Deputy Director Lukas presented the quarterly financials (see attached).

7. STAFF REPORTS
7.1. Discussion and Possible Action to Approve the City of Fernley’s Maximum Allowed Operating Property Tax Rate of .6734 to be Levied for Fiscal Year 2020 and for Submission to the Department of Taxation.
City Treasurer Lewis explained in February of each year, the State Department of Taxation notifies the City what the maximum property tax rate is that the governing body may levy for the following fiscal year. She stated the Department of Taxation has allowed a .6734 for FY 2021. Currently the rate is .6727.

Motion: MOVE TO APPROVE THE CITY OF FERNLEY'S MAXIMUM ALLOWED OPERATING PROPERTY TAX RATE OF .6734 TO BE LEVIED FOR FISCAL YEAR
2021 AND FOR SUBMISSION TO THE DEPARTMENT OF TAXATION. Action: Approve, Moved by Councilman Stan Lau, Seconded by Councilman Ray Lacy. Vote: Motion carried by unanimous roll call vote (summary: Yes = 5). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa.

8. ORDINANCES - ADOPTION
a. Discussion with City Council & Staff
b. Public Input
  c. Additional Discussion with City Council & Staff
d. Council Action or Direction to Staff

8.1. Second Reading & Public Hearing Bill #284 (DA 2020-001) - (FOR POSSIBLE ACTION)
Discussion and possible action to adopt Bill #284 as an ordinance authorizing the City of Fernley to enter into a Development Agreement (DA 2020-001) with Jenuane Communities Onda Verde, LLC, to extend the period of time for the Friendly 5 Ranch final map approval of (TSM 2016-003), located north and south sides of Farm District Road approximately 500 lineal feet east of its intersection with Jessica Lane, APN(s): 021-303-09, 47, 49, 52 & 54.

Planning Director Thompson stated this is a Development Agreement for extending the time for a Final Map related to the Fernley 5 Planned Development. He stated this planned development was originally approved in the mid 2000's. He stated the tentative map is about to expire and the applicant has been working diligently to submit the Final Map. He stated approval of this ordinance this will allow the applicant additional time to submit their Final Map.

Mayor Edgington opened Public Input.
There was none.

Motion: MOVE TO ADOPT BILL #284 AN ORDINANCE AUTHORIZING THE CITY OF FERNLEY TO ENTER INTO A DEVELOPMENT AGREEMENT (DA 2020-001) WITH JENUANE COMMUNITIES ONDA VERDE, LLC, TO EXTEND THE PERIOD OF TIME FOR THE FRIENDLY 5 RANCH FINAL MAP APPROVAL OF (TSM 2016-003), LOCATED NORTH AND SOUTH SIDES OF FARM DISTRICT ROAD APPROXIMATELY...
500 LINEAL FEET EAST OF ITS INTERSECTION WITH JESSICA LANE, APN(S): 021-303-09, 47, 49, 52 & 54, Action: Approve, Moved by Councilman Stan Lau, Seconded by Councilman Ray Lacy. Vote: Motion carried by unanimous roll call vote (summary: Yes = 5). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa.

Break 6:31 – 6:46

8.2. Second Reading, Public Hearing Bill #283 (CA 2020-001) - (FOR POSSIBLE ACTION)
Consideration and possible action to adopt Bill #283, An Ordinance amending Title 32 - Zoning of the Fernley Municipal Code in its entirety and providing other matters properly relating thereto.
Senior Planner Thompson explained in 2018, the City updated the master plan. As a result of this update, staff identified an opportunity to revise the City’s development code which governs zoning and development (Title 32). Title 32 regulates the use and improvement of land while controlling the location, soundness and use of structures located thereon. This Code Amendment is the culmination of more than 18 months of work to create the revised Title 32 (development code) which will replace the existing development code in its entirety. He stated this is a living document that will change. The biggest change is the organizational structure, and this is the reason that he could not provide a "lined out" version.

He explained the changes in the various chapters of the proposed code.
Chapter 32.01 This chapter establishes the purpose of the code; addresses the applicability and jurisdiction of the code; states the code is consistent with the City’s master plan; includes the saving clause, right to farm regulations, enforcement authority and the authority to establish fees; and requires the payment of taxes.
Chapter 32.02 This chapter includes the bulk of the definitions included in the code along with rules of interpretation. Many codes relegate definitions to the end of the document. Staff believes the definitions provide a significant foundation for the code in the ensuing chapters.
Chapter 32.03 The Administration chapter defines the decision making bodies and sets forth common review procedures such as noticing and public hearing requirements. This chapter also describes the individual processes for annexations, master plan amendments, zoning map amendment, conditional use permits, administrative reviews, temporary use permits, land division applications, modifications and appeals. This chapter also includes a use table that is a great reference tool.

Director Thompson explained the new Major Deviation process. NRS 278 sets the criteria for the Major Deviation, it must be a hardship, not monetary or human caused. This process will allow for special exceptions greater than 10% and less than 50% from development standards that can be quantified. Special exception allowed by NRS.

Director Thompson explained that this section is where City Council is granting the authority to the Planning Commission to take final action special use permits and major deviations unless appealed to or called up by the City Council.

Chapter 32.05 This chapter defines the types of violations, the enforcement of the code, and the penalties.

Chapter 32.06 defines the various zoning districts, requires the creation of a zoning map, includes the dimensional standards within each district, and contains the use table. He stated many of the names of the zoning districts have to minimize confusion and more clearly identify each category. There is a conversion chart that explains the changes. He explained staff is proposing to remove the /PUD and /T overlay districts in favor of a Planned Development based zoning district.

Chapter 32.07 This chapter includes regulations, for accessory dwellings, home occupations, wireless telecommunications facilities, manufactured and mobile homes, mini-warehouse projects, and recreational vehicle storage and marijuana regulations. He explained some uses in the use table have specific standards associated with them. For example, in-home childcare facilities are permitted in residential zoning districts by right provided an applicant meet the use criteria listed in this chapter.
Chapter 32.08 This chapter defines and regulates non-conforming uses, non-conforming lots, and substandard developments. A process for the alteration, extension, or expansion of a substandard development is also set forth in this chapter. Lastly, the chapter includes a section addressing the damage or destruction of a non-conforming use, non-conforming lot, or substandard development.

Chapter 32.09 The Development Standards chapter includes design and construction regulations for development projects. To address concerns regarding different uses on adjacent properties, adjacency standards have been added to the development code. The adjacency standards will provide for a transition and appropriate buffering between uses. Water dedication can be found in this chapter. Director Thompson stated drainage, grading, flood plain management, and streets are also included in this section and these sections did not change from the current code. This chapter includes landscaping, lighting, parking, roadway, and utility requirements.

Chapter 32.10 Signs are regulated by time, place, and manner in which the sign is displayed.

Chapter 32.12 Planning Director Thompson stated this chapter is a result of Resolution #17-020 which was adopted in November 2017. This resolution established polices related to new development and the timely, orderly, and efficient arrangement of adequate public facilities and infrastructure that support existing and planned land use patterns and densities and which preserve the quality of available water resources. These policies were also addressed in the City’s 2018 master plan update. This chapter codifies these policies and requires the necessary infrastructure to serve the development be provided concurrently with the new development. In addition, this chapter requires new subdivisions and new commercial and industrial developments to connect to the city’s water and wastewater systems. City staff will determine whether adequate public facilities exist based on adopted levels of service.

Chapter 32.13 This chapter addresses impact fees, reimbursement agreements, and improvements, securities, and inspections related to public infrastructure.
Mayor Edgington inquired if there was a timeframe for adding retention basins and ponds. Planning Director Thompson stated there was not a timeframe set yet. He stated language is included in the code that will help protect the City in the interim.

Mayor Edgington called for public input.

Katy Cecceralli, owner of Premier K9 Training, she has been a certified dog trainer for 5 years. She stated she wanted to open a day use only dog training facility. She stated the old code prohibits her from opening one. She encouraged City Council to pass the proposed new code.

Jamie Williams, Fernley resident, stated she works in Reno and wants somewhere to send her dogs during the day for training.

Jeanie Nieboer, Fernley resident, stated she works 10 hours a day and it would help if her dog could to a facility like Katy Cecceralli is planning to offer to get his therapy dog certification.

Cal Eilrich, President of the Fernley Builders Association felt it was very important to the City for this code update to move this forward.

Greg Evangaltos, Professional Planner, felt the adoption of this code is needed for the City to move forward.

Mayor Edgington inquired if overnight keeping of dogs is allowed in the new code. Director Thompson stated it is a permitted use in certain zoning districts.

**Motion:** MOVE TO ADOPT BILL #283, AN ORDINANCE AMENDING TITLE 32 - ZONING OF THE FERNLEY MUNICIPAL CODE IN ITS ENTIRETY AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa.
9. PUBLIC HEARINGS
a. Discussion with City Council & Staff
b. Public Input
c. Additional Discussion with City Council & Staff
d. Council Action or Direction to Staff

9.1. Public Hearing, MPA 2019-002 - (FOR POSSIBLE ACTION)
Consideration and possible action to Adopt Resolution 20-002, Master Plan Amendment to modify the land use tables within Chapter 3 – Land Use Element within the City of Fernley Comprehensive Master Plan. Specifically, updates to the Uses and Density, Characteristics and Location, and the Equivalent Zoning Categories within the land use tables to provide consistency with the City’s updated Development Code as required by NRS 278.

Planning Director Thompson explained minor modification to the land use tables with the City of Fernley Comprehensive Master Plan. He stated the changes that make the SF6 needs to be added in. Director Thompson stated that not future development should occur that does not tie into City water and sewer.

Mayor Edgington called for public comment. There was none.


Consideration and possible action on a Tentative Subdivision Map (Donner Trails Estates Phase 12) request from Genica Nevada, LLC to allow for a 105-lot single family residential development on a site approximately 20.88 acres, generally located east of Spur Way, south of Rutledge Street, and west of Endeavor Lane, Fernley, NV. (APN: 021-201-51)
Assistant Planner John presented the Tentative Subdivision Map. She explained the original map was approved in 2015. She explained since the final map was not presented to City Council within four years therefore, the subdivision map expired. Assistant Planner John explained the lots will be constructed in two phases and each phase must be designed in accordance with the City’s Design standards. Staff recommends approval for Donner Trails Estates Phase 12 TSM.

JR Hildabran, representing the applicant, explained the road connections with phase A. He explained all streets within the subdivision will eventually be paved.

Mayor Edgington open public comment.

Gary Oberg, Fernley resident, inquired about the paving of Endeavor Lane.

**Motion:** MOVE TO APPROVE A TENTATIVE SUBDIVISION MAP (DONNER TRAILS ESTATES PHASE 12), ASSOCIATED WITH TSM 2019-002, ADOPTING FINDINGS 1 THROUGH 8 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 24 AS LISTED IN THE STAFF REPORT, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shellie Severa.

10. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.
Mayor Edgington requested items regarding the City Cemetery, a Letter of Support for JOIN and a discussion regarding retention ponds and stormwater drainage.

11. PUBLIC FORUM
There was none.
ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:08 pm.

Approved by the Fernley City Council on April 1, 2020 by a vote of:

AYES: _____  NAYS: _____  ABSTENTIONS: _____  ABSENT: _____

_________________________  ________________________
Mayor Roy Edgington  ATTEST: City Clerk Kim Swanson
Item 6.2

WESTERN NEVADA DEVELOPMENT DISTRICT

Established 1983

Regional Partnerships Growing A
Stronger Economy

Sherri Gonzalez
Executive Director

WESTERN NEVADA DEVELOPMENT DISTRICT

Established 1983

A regional council of local governments, business, education, and non-profit partners to plan for
and respond to opportunities that grow the region’s capacity and promote environments which render
investment, retention and expansion of businesses and jobs within the counties are served. This is
accomplished through regional planning, grants/financial assistance and collaboration.

- Comprehensive Economic Development Strategy (CEDS)
- Work with EDA, Center for Economic Development and Nevada Department of
- Undertake the Economic Development Commission's project of statewide analysis and
- Provide economic development services.
- Education

WNDD SERVICES

- Comprehensive Economic Development Strategy (CEDS)
- Grant Research, Application and Administrative Assistance
- Community Studies & Assessments
- Community Planning
- Business Microloan Loan Fund

WNDD
WNDD BOARD ACTIVITIES
Engaging Board Members – Attend in Person or Call in
Board Meetings – 6 per year

EDUCATIONAL/INFORMATION PROGRAMS
WACO - Waupaca College - Agriculture/Horticulture
BASO - Business Adaptation and Sustainable Opportunities

WINDS/ENERGY/FOOD/PLANNING - Dairy & Agricultural Summit
EPA - Brownfields Programs and Grant Opportunities

WINDS with Gosi INSTITUTE - Creating an Economic Resilient Community
WINDS - Lance Gilman – Vision for TRII in Neenah

TODAY
Weldon County Marquee
Bass Courtroom and Growing Facilites
Bass Court/County

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)
MEMBERS BENEFITS

- Participate in regional planning to leverage resources through networking
- Focus on a region's resources

- Build capacity with grant opportunities and partnerships
- Increase likelihood of success for economic viability

- Become more resilient given economic challenges - planning for those challenges

- CEDS can be utilized as a part of a grant, application or development of
  partnerships/collaborative programs/services

REGIONAL ACCOMPLISHMENTS - $26M
- Ferryland Water Plant Improvement - $1,796,000
- Ferryland Park Improvements - $48,800
- Economic Uses/Parks - $27,394
- Ferryland Skatepark - $41,300
- C60 - Revolving Fund Program - $120,000
- Pembroke/City of Woonsocket Brownfields
  Infrastructure Assessment Grant - $660,000
- 2016 - Career Board Workforce Development Program - $76,000
- Educational Programs - WINDS, workshops, presentations, WINDS, covers

CEDS 2020 PRIORITY/GOAL AREAS - 5 YEAR REWRITE - UPDATE ANNUALLY
- WORKFORCE DEVELOPMENT
- INFRASTRUCTURE - SEWER, WATER, ENERGY, BROADBAND
- TRANSPORTATION
- QUALITY OF LIFE

HOUSING
WNDD CEDS 2020
EVALUATIVE CRITERIA

- What is the project/program broad regional impact?
- How many issues/priorities/goals identified within the CEDS does it cross?
- Describe how the project fosters collaboration/partnerships?
- What is potential to bring in new business or expand existing businesses?
- What is potential to bring in or expand number of jobs, including quality of jobs?
- How does it contribute to economic resiliency?

ECONOMIC RESILIENCY

Resilience is the ability to prepare for and adapt to changing conditions and to withstand and rapidly recover from disruptions. (PPD-8, PPD-21)

Community resilience goes beyond mitigating risk and includes implementing measures to ensure that the community recovers its function in a reasonable timeframe.

QUESTIONS THANKYOU!
### SEWER ENTERPRISE FUND

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### PROJECT MANAGEMENT

**Construction in Progress**

- **GOVERNMENT FUNDS**
- **WATER FUND**
- **SEWER FUND**

Dates included in the following slides represent the fiscal years the projects began.

Government Sources of funds:
- GF - General Fund
- CR - Capital Fund
- CI - Capital Improvement Fund

### GENERAL GOVERNMENT

**Capital Projects in Progress (Costs to date)**

- Hardie Lane Design & Construction (2014)/GF: $27,180
- Hardie Lane Safe Routes to School (2014)/Gr: $1,194,867
- Hardie Lane Design & Construction (2014)/GF: $2,727,972
- Downtown Corridor Revitalization (2016)/Gr: $247,830
- Depot Improvements (2017)/GF: $34,373
- Depot Improvements (2018)/CI: $5,408
- Depot Community Center Ph1 (2017)/Gr: $83,773
- Depot Community Center Ph2 (2019)/Gr: $43,459
- Depot Community Center Ph3 (2019)/Gr: $31,072
- Community Center Design/Construction (2019)/GF: $9,520
- Cottonwood Lane Reconstruction (2020)/GF: $75,450
WATER FUND
Capital Projects in Progress (Costs to date)

- Hardie Lane Waterline Rehabilitation Design & Const (2016) 741,576
- Water meter replacement project (2016) 1,090,555
- Surface Water Conveyance and Treatment Design (2018) 573,163
- EWVTP Fire Lane & Portable Water Main Design (2019) 37,770
- Sage Ranch Booster Pump Repair (2019) 21,474
- Cottonwood Lane Reconstruction Waterline (2020) 1,037

SEWER FUND
Capital Projects in Progress (Costs to date)

- Hardie Lane Sewer Line Design and Construction (2016) 54,674
- Farm District Road Lift Station Design (2019) 12,774
- West Street Lateral Reconstruction (2019) 10,650
- Donner Trails Lift Station (2020) 11,700
- Vira Way, Parkland & Radon Court (2020) 9,756
- EWVTP Monitoring Well 3,648
- Cottonwood Ln Sewer (2020) 1,080

PROJECT MANAGEMENT
Streets Maintenance Projects (Costs to date)

- CRACK REPAIR (2014) 428,625
- PMP (2015) 1,484,246