

Fernley City Council Agenda

June 21, 2017

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: Mayor Edgington, Councilman Dan McCassie, Councilwoman Sue Seidl, Councilwoman Shari Whalen, Councilman Stan Lau, Councilwoman Fran McKay. City Manager Daphne Hooper, City Attorney Brandi Jensen, City Treasurer Denise Lewis, City Clerk Kim Swanson, Public Works Director Dave Whalen, Senior Planner Tim Thompson, City Engineer Derek Starkey, Deputy City Attorney Brent Kolvet, Assistant to the City Manager Colleen Unterbrink, Building Official Rick Kabele.

1.2. Public Comment

LeRoy Goodman, Fernley resident expressed concern regarding road coating on Miller Lane, and the intersection of Miller Lane and Cedar Street there is a site obstruction with a large bush. He explained there was a three way stop at the intersection that was removed in the past. He would like the sign placed at the intersection again.

1.3. Approval of the Agenda

Motion: MOVE TO APPROVE THE AGENDA AS PRESENTED, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Business Licenses

2.3. Possible Action to Approve the Will-Serve Request for Daehan Solution Nevada, LLC for 8.93 ERC'S for Water and 7.7 ERC's for Sewer for Lyon County Parcel 021-232-36 located at 1600 East Newlands Drive, Suite 100.

2.4. Possible Action to Approve the Will-Serve Request for East Valley Elementary School Modulars for 0.15 ERC'S for Water and 0.22 ERC's for Sewer for Lyon County Parcel 021-351-11 located at 4170 Farm District Road.

2.5. Possible Action to Approve the Will-Serve Request for Kennerson Parcel Map 551576 for 4.0 ERC'S for Water and 0.0 ERC's for Sewer for Lyon County Parcels 021-472-17, 18, 19 and 20 located at 3465 Farm District Rd.

2.6. Possible approval of a contract for Legal Services related to Water Resources to Taggart & Taggart, Ltd. in the amount not to exceed \$160,000.

Motion: MOVE TO APPROVE THE CONSENT AGENDA AS PRESENTED, **Moved by** Councilwoman Stan Lau, **Seconded by** Councilman Susan Seidl.

Councilwoman Whalen asked if the Water Resource plan is being created in-house with Mr. Taggart's assistance or if the City is hiring Taggart & Taggart to do the engineering work. City Manager Hooper stated Paul Taggart will be working with the City, with the help of an engineer.

Councilwoman Whalen disclosed she is married to the Public Works Director Dave Whalen.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl. **Action:** Approve

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.

Michael Oats, North Lyon County Fire Protection District reported the monthly stats for the month of May.

Councilwoman McKay reminded everyone of the danger of firing off fireworks.

Councilwoman Seidl reported on the RTC Meeting. The only action item is the approval of 3.7 million for the City of Fernley for the Hardie Lane project, she reported. She attended a Census presentation, and they are working on correcting addresses for the 2020 Census.

Councilman Lau thanked the staff for their work on Jenny's Lane, and the basketball courts.

Councilwoman Whalen reminded everyone at any intersection pedestrians have the right of way. She stated we should remember we need to stop for them.

Mayor Edgington reported Senator Settlemeyer and Assemblywoman Titus will be at Ambassadors meeting next Tuesday.

3.2. 2017 State of Nevada Legislative Update

Mendy Elliott, Senior Partner with Capitol Partners, thanked the City of Fernley for working with them. She reported on 79th Legislative session update. Ms. Elliott shared with the City Council on some of the bills that impact the City.

- AB5 Renewable Energy Projects.
- AB246 Enables the City Of Fernley to work with 2 or more municipalities to bond or create a district.
- AB379 Allow the City Of Fernley to create an open space district.
- SB54 Expands the use of tax revenue.
- SB487 Allows for counties or City's, 1 dispensary certificate of each type of dispensary for medical marijuana enterprise. The City's can collect 3% from gross sales of recreational, and medical marijuana.

- SB489 Diesel Tax Bill would have allowed the County or City to put on the ballot.

Councilwoman Whalen stated she does have a concern about Bill SB487, and the marijuana industry in our community. She asked for more information on the creation of the open space district. Mendy Elliott shared information on Bill AB379. Councilwoman Whalen asked about Bill AB246, and partnering with the Pyramid Paiute Tribe. Ms. Elliott, believes it is between municipalities only.

4. PROCLAMATIONS AND/OR EMPLOYEE RECOGNITION

There were none.

5. PUBLIC HEARINGS

5.1. Public Hearing: Discussion and possible action to adopt Resolution #17-012 authorizing temporary inter-fund loans from the General Fund to the Grants Fund for Fiscal Year 2017-18.

City Treasurer Lewis explained the City would need to spend funds prior to being reimbursed. She also explained before the City can spend monies we would need to use monies from the General Fund. Because reimbursement is considered a loan and the Resolution allows us to use the money. She stated this is required by NRS and then provided to the State.

Public Comment

There were none.

Motion: MOVE TO adopt Resolution #17-012 authorizing temporary inter-fund loans from the General Fund to the Grants Fund for Fiscal Year 2017-18., **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilwoman Sue Seidl.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

6. RESOLUTIONS

6.1. Discussion and possible action to adopt Resolution 17-008, A Resolution to direct staff to examine, explore, and assess the feasibility of establishing a Redevelopment Area and a Redevelopment Agency for the City of Fernley as laid out in Nevada Revised Statute Chapter 279 Redevelopment of Communities.

Assistant to the City Manager Unterbrink introduced Dr. Fred Steinman with UNR, and Mark Bruce, from Bruce Law Group who will be working with the City on the Redevelopment project area. The project is a year-long community process for the creation of a redevelopment agency. He outlined the various tasks minimum of 6 community workshops that have been built into the schedule. He stated there are legal processes identified in the process and engaging the public in the large community planning process.

Councilwoman Whalen inquired about additional funding. Dr. Steinman stated there is no additional funding to be spent at this time. She inquired about property values. Dr. Steinman explained the assessed value for Lyon County. He felt the City was still in a good position.

Councilwoman Seidl inquired about the Redevelopment District with the increase in the property values. Dr. Steinman explained how the Redevelopment District monies, and new property tax values collected could be allocated. Can the agency offer property as security for the bonds? was asked by Councilwoman Seidl. Dr. Steinman stated the County or City who created the development agency would have to agree to sell or transfer property to the Redevelopment Agency.

Councilwoman Whalen asked Dr. Steinman Is it true that the City Council could act as the Board of Directors for the Redevelopment Agency? He stated yes per Nevada Revised Statute (NRS) Chapter 279 which permits the City Council during the creation process to develop the governing structure.

Mark Bruce, Bruce Law Group, stated if and when the agency is created, you do not indicate you are acting on behalf of the agency. Unless you are in fact acting on behalf of the agency.

Dr. Steinman answered questions from the Mayor and City Council.

City Manager Hooper explained the City needs to trust the process and start looking at the process to see if it's feasible. The City will need to get all the information before it can make a decision, she stated.

Councilman McCassie inquired about the soonest the City will see improvement. Dr. Steinman explained the agency has the ability to engage in public/private partnerships. It should be viewed as an investment in the community.

Councilwoman Whalen urged the City Council to take action tonight. She stated we talked about not having any money in Fernley, and not having a funding plan. This is a piece of it, she stated.

Councilman Lau stated he is in favor of the Redevelopment Agency. He explained he has seen what it does in Reno, and it gives people opportunities.

Motion: MOVE TO ADOPT RESOLUTION 17-008, A RESOLUTION TO DIRECT STAFF TO EXAMINE, EXPLORE, AND ASSESS THE FEASIBILITY OF ESTABLISHING A REDEVELOPMENT AREA AND A REDEVELOPMENT AGENCY FOR THE CITY OF FERNLEY AS LAID OUT IN NEVADA REVISED STATUTE CHAPTER 279 REDEVELOPMENT OF COMMUNITIES. WITH THE EXPECTATION THAT STAFF WILL REACH OUT TO KEY STAKE HOLDERS TO PARTICIPATE IN THE PROCESS.,

Action: Approve, **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilman Stan Lau.

City Attorney Jensen reported Mr. Mark Bruce has reviewed the documents and made sure the City was in compliance in accordance with NRS.

Redevelopment Attorney read the Resolution into the record.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

7. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

7.1. Discussion and Possible Action to request a future agenda item to create a CIP Committee. (Councilwoman Whalen's request)

Councilwoman Whalen explained we as the City Council have an expectation that City staff can do all the amazing things, in addition to operation and maintenance. But the reality is we are an operation/ maintenance organization and we do not have the staffing levels to do everything. She feels the City should have some leadership people and the City Council, meet to have discussions together regularly. Ms. Whalen stated they could meet quarterly.

City Manager Hooper stated this is a really good idea. She explained sometimes the perspective of what can actually be done, and what we have money for, and staff time can be challenging. This is a good tool to work with City Council and get some understanding.

Councilwoman Seidl stated she understands where this is coming from, but how the City going to do this without creating more work for staff.

Mayor Edgington stated he feels if staff would spend an hour each quarter and take City Council members to different projects throughout the City and explain what is being done it would give us a better understanding of the work.

City Manager Hooper stated the intent is we do not want to spend every month doing this. Meeting once a quarter discussing how we are doing on Capital Improvement Projects, and having a clear understanding and the reality of the project is a good tool. We don't want to inundate our staff, she stated.

Motion: MOVE TO BRING BACK A POSSIBLE ACTION FOR A CREATION OF A CIP COMMITTEE, **Action:** Approve, **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilman Stan Lau. Motion passed unanimously.

7.2. Discussion and Possible Action to request a future agenda item to create a code enforcement task force. (Councilwoman Whalen's Request)

Councilwoman Whalen explained we are making progress having a new position of a Building Inspector, and focusing on Code Enforcement. She stated having a Code Enforcement Task Force like the water team. The team would consist of Council members, building, planning departments, and the City Managers office meeting regularly. This would allow us to be more effective while supporting staff, Ms. Whalen stated.

Motion: MOVE TO APPROVE AN AGENDA ITEM FOR A CODE ENFORCEMENT TASK FORCE AND MAY INCLUDE STAKEHOLDERS FROM OUTSIDE OF THE CITY.

Action: Approve, **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilwoman Fran McKay. Motion passed unanimously. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

8. PUBLIC COMMENT

There was none.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

Councilwoman Whalen requests a future agenda item to discuss the City of Fernley, parks trails and open space district under AB379. And the next steps where we go from here.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council Meeting adjourned at 7:12 pm.

Approved by the Fernley City Council on July 19, 2017 by a vote of:

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

Mayor Roy Edgington

ATTEST: City Clerk Kim Swanson