



# CITY OF FERNLEY

## CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2020

<b>REPORT TO:</b>	Mayor and City Council
<b>REPORT THRU:</b>	<b>Daphne Hooper, City Manager</b>
<b>REPORT FROM:</b>	<b>Jessica Dover, Senior Project Manager</b>
<b>REVIEWED BY:</b>	Brandi Jensen, City Attorney
<b>REVIEWED BY:</b>	Denise Lewis, City Treasurer

<b>FINANCIAL IMPACT:</b> Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	<b>CURRENTLY BUDGETED:</b> Yes: <input type="checkbox"/> No: <input type="checkbox"/>	<b>FUND/ACCOUNT:</b> N/A
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**ACTION REQUESTED:**  Consent  Ordinance  Resolution  Motion  Receive/File

**AGENDA ITEM: Possible Action to Approve the City of Fernley Annual Road and Street Mileage Report to be submitted to the Nevada Department of Transportation (NDOT).**

**Agenda Item Brief:** The Motor Vehicle Fuel Tax is allocated based upon area, population, road mileage and vehicle travel miles. Certification letters were last submitted to NDOT in February 2019. Since the 2019 submittal (2018 Data Year), approximately 0.855 centerline miles of public roadway have been accepted by the City. No centerline miles have changed classification during the 2019 Data Year. The total area managed by the City within the corporate boundary map has not changed during the 2019 Data Year.

**Recommended Motion:**  
"I move to Approve the City of Fernley Annual Road and Street Mileage Report to be submitted to the Nevada Department of Transportation (NDOT)."

**Business Impact (per NRS Chapter 237):**

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

**ALTERNATIVES:**

1. City Council may review: *2020 City Certification of Public Road Mileage* and *2020 Motor Fuel Tax Certification*, and approve the Certifications for submittal to NDOT by the March 01, 2020 deadline
2. City Council may review: *2020 City Certification of Public Road Mileage* and *2020 Motor Fuel Tax Certification*, and provide additional direction to the City Manager

**BACKGROUND:**

NRS 365.550 Section 8 (a)(b) states the following:

“Each county and incorporated city shall, not later than March 1 of each year, submit a list to the Department of Transportation setting forth:

- (a) Each improved road or street that is maintained by the county of city; and
- (b) The beginning and ending points and the total mileage of each of those improved roads or streets.

Each county and incorporated city shall, at least 10 days before the list is submitted to the Department of Transportation, hold a public hearing to identify and determine the improved roads and streets maintained by the county or city.”

The City has a database of roads and streets within the City that is updated as projects are completed. This database, along with required NDOT Forms (referenced below as Attachment No. 1 and Attachment No. 2), will be submitted to NDOT subsequent to Council approval.

Per NRS 365.550, every 10 years NDOT is required to perform a physical road audit of the roads maintained by the City for Motor Fuel Tax purposes. This audit was completed by NDOT Roadway Systems Division in Fall 2015. NDOT compared total mileage accounted for during the audit, to the 2015 certified mileage as submitted by the City.

If the total mileage obtained by NDOT after an audit is within 5% of the mileage submitted by the City, the City’s mileage is accepted by the State without any major revisions necessary, and the higher mileage amount is assigned to the City. The City’s certified mileage amount was within the required 5%, however, the total mileage driven by NDOT exceeded the total mileage submitted by the City. As a result, in 2016 the City’s new certified mileage became 129.202; (total centerline mileage derived through NDOT’s audit in Fall, 2015) a slight increase from 128.72 miles, reported in recent years preceding the audit.

The following roadway improvements were accepted by the City of Fernley (City) during the 2019 Data Year:

**Resolution #19-012, (approved August 07, 2019)**

Green Valley Subdivision Unit #5

- Emerald WY – 401.72’ (0.076 miles)
- Garnet WY – 745.10’ (0.141 miles)
- Agate WY – 837.72’ (0.159 miles)
- Canal DR – 891.79’ (0.169 miles)
- Total = 2,876.33’ (0.545 miles)**

**Resolution #19-014, (approved October 02, 2019)**

Silverland Estates Phase 2

- Willow CT – 189.22’ (0.036 miles)
- Wild Flower LN – 240.73’ (0.046 miles)

Windrow DR – 1206.33' (0.228 miles)  
Total = 1,636.28' (0.310 miles)

**Total Additional Roadway Centerline Miles Accepted by the City during Data Year 2019: 0.855 miles**

**Total Certified Mileage, Data Year 2019: 129.202 + 0.855 = 130.057 centerline miles, 96.645 Paved miles**

**LEGAL IMPLICATIONS:**

Nevada Statutes: NRS 365

Other: CFR Title 23, Chapter 1, parts 460.1-460.3 and USC 23, Chapter 4, Section 402 c

**FINANCIAL IMPLICATIONS:**

Proper reporting of roadway centerline miles maintained by the City of Fernley is critical for distribution of the Motor Vehicle Fuel Tax. This tax is allocated based upon area, population, road mileage and vehicle travel miles.

**ATTACHMENTS:**

- 1.) City Certification of Public Road Mileage
- 2.) Motor Fuel Tax Certification