

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
FEBRUARY 17, 2021**

Mayor Edgington called the meeting to order at 5:02 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

Mayor Edgington explained this meeting was broadcasted by Zoom. He explained how to access Zoom and how to ask questions during the appropriate time.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Ray Lacy, Councilman Albert Torres, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, City Manager Daphne Hooper, City Attorney Brandi Jensen, City Engineer Derek Starkey, City Treasurer Denise Lewis, Planning Director Tim Thompson, Building Official Shawn Keating, Public Works Director Dave Whalen, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser, Clerk Administrative Specialist II April Homme.

1.2. Public Forum

Mr. Clarence Willis trustee for 330 Garden Lane Trust requested an item for water restoration service at 330 Garden Lane be placed on a future agenda.

1.3. (For Possible Action) Approval of the Agenda

Motion: MOVE TO APPROVE THE AGENDA MOVING ITEM 7.1 TO BE HEARD AFTER ITEM 5. **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 Felicity Zoberski.

2. CONSENT AGENDA:

2.1. (For Possible Action) Approval of Voucher Report.

2.2. (Possible Action) Approval of Minutes Meeting January 20,2021 and Meeting February 03,2021

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible Action to Approve the Will-Serve for Trex Logistics Building addition of 1.163 ERC's for Water and 1.73 ERC's for Sewer for Lyon County Parcel 021-241-08 located at 1800 E. Newlands Drive, Fernley, NV.

2.5. Possible Action to Approve a Contract with Granite Government Solutions to consolidate the City's AT&T broadband accounts under Granite at an estimated annual rate of \$14,064.

2.6. (For Possible Action): Receive report; consider; and possibly approve settlement agreement in Case No. 19-CV-00812, Lyon County v. City of Fernley – concerning the Fernley Redevelopment Agency.

2.7. (Possible action) Approve the amendment B (Addendum No. 2) for the Consultant Agreement to authorize additional professional services to be billed by Lumos & Associates for increasing the scope of services in an amount not to exceed \$6,510.

2.8. Possible action to approve a contract with Resource Concepts, Inc. (RCI) for Site Review to help determine ADA compliance, adequate site drainage, and other possible issues at the City's Cottonwood Lane shop

2.9. Possible Action to Award a Contract for Professional Right-of-Way Services for the Cottonwood LN Reconstruction Project to: Atkins North America, Inc., in an amount not to exceed \$124,375.

2.10. Possible action to approve a contract Addendum with Lumos & Associates for Construction Services for construction testing and inspections for the East Wastewater Treatment Plant water line extension

Motion: MOVE TO APPROVE THE CONSENT AGENDA, **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 Felicity Zoberski.

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 Nicholl North Lyon County District Fire Chief provided the February stats for North Lyon County Fire. He stated the two new fire engines have arrived, and staff training is scheduled for March 2nd. North Lyon County Fire is hosting the Fire Engine Pushing Event. This is an event to bring the new engines into full service and it is scheduled for March 2nd at 6:00 p.m. The community is welcome to attend; masks and social distancing will be required. Tim Myers Fire Marshal provided the inspection reports.

Item 3.2 was heard at this time.

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

City Manager Hooper reported The Arts and Culture Zoom Meeting is scheduled for Monday the 22nd at 3:30 p.m. The Citizens Academy meeting is scheduled Thursday the 18th at 6:00 p.m. to 7:00 p.m. The public can sign up through the City of Fernley website at cityoffernley.org or may contact Trisha Conner at 775-784-9858.

Councilman Lau provided an update for Commission on Aging.

Councilwoman McKay provided an update on the NNDA meeting she attended. National make a blanket day over 14,000 blankets have been delivered to those in need.

Mayor Edgington reported on the Rail Presentation. Representatives from NNDA, NDOT, Oakland Port, and Cal Trans attended this informative meeting.

3.2. State of Nevada Legislative Update

Nick Vander Poel with Capitol Partners provided the State of Nevada Legislative updates. Mr. Vander Poel stated he and Mendy Elliot attended the Rural Caucus. He invited City Manager Hooper and Mayor Edgington to represent the City of Fernley at the next Rural Caucus breakfast. Storey County Special Meeting to discuss innovation zoning is scheduled for February 19th at 2:00 p.m. Mendy Elliot with Capitol Partners stated she will send the new council members bill process reference packets.

Mayor Edgington requested a discussion regarding the Inland Port Bill and electronic mylars.

4. PROCLAMATIONS BY THE MAYOR

There were none

5. PRESENTATIONS

5.1. Presentation and update from Northern Nevada Development Authority

Robert C. Hooper President and CEO, NNDA (Northern Nevada Development Authority) presented this item. (see attached) Mr. Hooper responded to questions.

Item 7.1 was heard at this time.

6. 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**

6.1. Second Reading, Public Hearing Bill #291 (FOR POSSIBLE ACTION) Adoption of Bill 291, as an ordinance modifying Fernley Municipal Code Title 4 Liquor, updating definitions; expanding classes of license; requiring a liquor policy to prevent sales to minors; removing quarterly payments and grace period; updating the revocation, probation and suspension process.

City Clerk Kim Swanson presented. (see attached)

Mayor Edgington called for Public Input

There was none

Motion: MOVE TO ADOPT BILL 291, AS AN ORDINANCE MODIFYING FERNLEY MUNICIPAL CODE TITLE 4 LIQUOR, UPDATING DEFINITIONS; EXPANDING CLASSES OF LICENSE; REQUIRING A LIQUOR POLICY TO PREVENT SALES TO MINORS; REMOVING QUARTERLY PAYMENTS AND GRACE PERIOD; UPDATING THE REVOCATION, PROBATION AND SUSPENSION PROCESS. **Action:** Approve,

Moved by Councilman Stan Lau, **Seconded** 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 Felicity Zoberiski.

6.2. Second Reading, Public Hearing Bill #294 - Code Amendment, CA21001 (FOR POSSIBLE ACTION) Consideration and possible action to adopt Bill #294, an Ordinance amending Title 32, Chapter 09 of the Fernley Municipal Code to include requirements and standards related to the dedication of water rights and facilities for residential subdivision and parcel maps, construction of new homes and industrial and commercial buildings. Specifically, adding sections for (1) use of water rights and facilities; (2) the nature of dedication; (3) facilities standards; (4) approval of service is conditional; (5) payment in lieu of dedication of water rights; (6) list of qualified appraisers; and other matters properly related thereto.

Planning Director Thompson presented. (see attached)

Mayor Edgington called for Public Input

There was none

Motion: MOVE TO ADOPT BILL #294, AN ORDINANCE AMENDING TITLE 32, CHAPTER 09 OF THE FERNLEY MUNICIPAL CODE TO INCLUDE REQUIREMENTS AND STANDARDS RELATED TO THE DEDICATION OF WATER RIGHTS AND FACILITIES FOR RESIDENTIAL SUBDIVISION AND PARCEL MAPS, CONSTRUCTION OF NEW HOMES AND INDUSTRIAL AND COMMERCIAL BUILDINGS. **Action:** Approve, **Moved by** Councilwoman Felicity Zoberiski, **Seconded by** Councilwoman Fran McKay, **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 Felicity Zoberiski.

7. STAFF REPORTS

7.1. (For possible action) Adoption of the 2021-2026 City of Fernley Strategic Plan Implementation Action Plan as presented (or as amended) by the City Council.

Item 7.1 was heard after Item 5.

Arne Croce and Ted Gaebler presented the City of Fernley Strategic Plan. (see attached).

Motion: MOVE TO ADOPT THE 2021-2026 CITY OF FERNLEY STRATEGIC PLAN IMPLEMENTATION ACTION PLAN AS PRESENTED (OR AS AMENDED) BY THE CITY COUNCIL. **Action:** Approve, **Moved by** Councilman Albert Torres, **Seconded by** Councilwoman Felicity Zoberski, **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 Felicity Zoberski.

7.2 (For Possible Action) Approval of Memorandum of Understanding between the City of Fernley and Mark IV Capital for the specific purpose of seeking grant funding for Nevada Pacific Parkway.

City Manager Daphne Hooper stated the purpose of the MOU is to work with Mark IV to seek out federal funds and grant funding for the extension and construction of Nevada Pacific Parkway and the infrastructure in the Victory Logistics District. Formal grant agreements will be provided to the City Council for approval.

Motion: MOVE TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FERNLEY AND MARK IV CAPITAL FOR THE SPECIFIC PURPOSE OF SEEKING GRANT FUNDS FOR NEVADA PACIFIC PARKWAY. **Action:** Approve, **Moved by** Councilwoman Fran McKay, **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 Felicity Zoberski.

7.3. Discussion and Possible Action to Approve the City of Fernley's Maximum Allowed Operating Property Tax Rate to be Levied for Fiscal Year 2022 and for submission to the Department of Taxation.

City Finance Director Denise Lewis presented. City Council's decision must be submitted to the State by February 22nd (see attached)

Motion: MOVE TO APPROVE THE CITY OF FERNLEY'S MAXIMUM ALLOWED OPERATING PROPERTY RATE TO BE LEVIED FOR FISCAL YEAR 2022 AND FOR SUBMISSION TO THE DEPARTMENT OF TAXATION. **Action:** Approve, **Moved by** Councilman Albert Torres, **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 Felicity Zoberski.

7.4. (For possible action) Update on City of Fernley COVID-19 response including City Hall reopening, funding for state and local governments, local business re-opening plans, and local events.

City Manager Hooper provided the latest COVID stats. She presented the updated Governor's Directive with the seventy-five (75) day reopening timeline. The City will provide the community with updated vaccination information.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

These items will be discussed by Mayor and City Council to possibly be placed on a future agenda.

8.1. Discussion and possible action requesting a future agenda item regarding revitalizing the Fernley Cemetery Cremation Block. (Councilman Lacy's Request)

Councilman Lacy requested money be set aside in the budget for the Fernley revitalization.

Councilman Torres inquired about the gate logistics, number of residents buried, and burial costs for the Fernley Cemetery. Councilman Torres suggested adding another funding source. Public Works Director Dave Whalen stated there are five to ten burials and cremations a year.

Mayor Edgington stated the City agreed and accepted the cemetery with the condition it was not a perpetual care facility. He stated we cannot be compared to the Veterans Cemetery as they are Federally funded.

Motion: MOVE TO HAVE A DISCUSSION AND STAFF PRESENT INFORMATION ON THE HISTORY, ACCOMPLISHMENTS, OPERATIONS AND COUNCIL INPUT FOR FUTURE REQUESTS. **Action:** Approve, **Moved by** Councilman Ray Lacy, **Seconded by** Councilman Stan Lau, **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 Felicity Zoberski.

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

Councilwoman McKay requested a discussion regarding forming a Transit Program for the City and naming it COFTA (City of Fernley Transportation Authority).

Councilman Lacy requested an item regarding resolution of 330 Garden Lane water restoration.

10.PUBLIC FORUM

There was none

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:58 p.m. The next City of Fernley Council meeting is scheduled for March 3, 2021 at 5:00 p.m.

Approved by the Fernley City Council on March 03, 2021 by a vote of:

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

ATTEST: City Clerk Kim Swanson

Mayor Roy Edgington