

**MINUTES OF THE  
FERNLEY CITY COUNCIL MEETING  
AUGUST 18, 2021**

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

Mayor Edgington explained this meeting was in person and broadcasted via 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 Felicity Zoberski, Councilwoman Fran McKay, City Manager Daphne Hooper, Deputy City Manager Michael Toombs, Deputy City Attorney Aaron Mouritsen, City Engineer Derek Starkey, City Treasurer Denise Lewis, Deputy City Treasurer Thomas Lukas, Planning Director Tim Thompson, Assistant Planner Nikil Manayathara, Public Works Director Dave Whalen, City Clerk Kim Swanson, City Clerk Administrative Specialist II April Homme.

**1.2. Public Forum**

John Reichlein Fernley resident voiced concerns regarding item 6.3 the funding to Western Nevada Development District.

**1.3. (For Possible Action) Approval of the Agenda**

**Motion:** MOVE TO APPROVE THE AGENDA. **Action:** Approve, **Moved by** Councilwoman Fran McKay. **Seconded by** Councilman Ray Lacy, **Vote:** Motion carried

by vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberiski, Councilwoman Fran McKay.

## **2. CONSENT AGENDA:**

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

**2.2.(Possible Action) Approval of Minutes from August 08, 2021**

**2.3.(Possible Action) Approval of Business Licenses**

**2.4.(For Possible Action) Approval of Liquor License for McHoppers LLC**

**2.5. Possible Action to approve the purchase of a Ford F150 Four Wheel Drive from Corwin Ford for an amount not to exceed \$32,000 plus a 29.25 title fee for a total of \$32,029.25.**

**2.6. (For Possible Action): Approval of contract with DocuSign subscription in an amount not to exceed \$3,000.00 utilizing the CARES Act funding.**

**2.7. Possible Action to Award a Contract for Engineering Services for the FY 21/22 PMP Maintenance Project, to Lumos and Associates, Inc., in an amount not to exceed \$175,635.**

**2.8 (For Possible Action): Approval of the contract with CivicPlus for Agenda, Meeting and Media Management software subscription in an amount not to exceed \$18,521.00 utilizing the CARES Act funding.**

Councilman Lacy requested an itemized report for the purchase of the Ford F150.

Deputy Public Works Director Barry Williams stated the vehicle specifications are attached to the staff report. Mr. Williams stated he would email Councilman Lacy a full report on the vehicle.

City Manager Hooper read the quote and standard equipment details. Manager Hooper stated this vehicle is for the Building Department and was been approved in the budget.

**Motion:** MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approve, **Moved by** Councilman Stan Lau. **Seconded by** Councilman Ray Lacy, **Vote:** Motion carried by vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberiski, Councilwoman Fran McKay.

## **3. PROCLAMATIONS BY THE MAYOR**

There were none.

**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.**

City Manager Hooper reported the City has hired staff in Utilities and the City Clerk's office. The Fernstock Golf Tournament is scheduled for August 21st at the Fernley Golf Course check in is at 7:30 p.m. The Fernstock Dinner and Awards Celebration and Outdoor Concert is scheduled at 4:30 pm on August 28<sup>th</sup> at the Senior Center. Tickets for these events can be purchased online at [www.fernleycommunityfoundation.org](http://www.fernleycommunityfoundation.org). There is a walk- in COVID19 vaccination clinic scheduled August 19<sup>th</sup> from 11:00 am to noon at Fernley City Hall. The Arts and Culture Task Force meeting is scheduled August 23<sup>rd</sup> at 3:30. The Neighborhood Watch meeting is scheduled for Thursday August 26<sup>th</sup> at 6:30 p.m. at City Hall.

Councilwoman McKay reported the Lyon County Fair is scheduled this weekend. The Rotary's 15<sup>th</sup> Anniversary potluck dinner is August 19<sup>th</sup> and the public is welcome.

Mayor Edgington reported the ribbon cutting for Yogurt Beach is scheduled August 19<sup>th</sup> from 4:00 p.m. to 7:00 p.m.

## **5. 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

**5.1. Second Reading, Public Hearing, and consideration of Bill #302 – DA21002 (FOR POSSIBLE ACTION) Consideration and possible action on Bill #302, an Ordinance authorizing the City of Fernley to enter into a Development Agreement (DA21002) with DLG Associates, LLC to allow for an extension of time of two (2) years for the presentation of a Final Map for The Golf Club at Fernley Subdivision pursuant to NRS 278.360 and 278.0201.**

Planning Director Tim Thompson presented information and history on this item.

## **PUBLIC INPUT**

There was none.

**Motion:** MOVE TO ADOPT BILL #302, AN ORDINANCE AUTHORIZING THE CITY OF FERNLEY TO ENTER INTO A DEVELOPMENT AGREEMENT (DA21002) WITH DLG ASSOCIATES, LLC TO ALLOW FOR AN EXTENSION OF TIME OF TWO (2) YEARS FOR THE PRESENTATION OF A FINAL MAP FOR THE GOLF CLUB AT FERNLEY SUBDIVISION PURSUANT TO NRS 278.360 AND 278.0201. **Action:** Approve, **Moved by** Councilman Stan Lau. **Seconded by** Councilwoman Felicity Zoberiski, **Vote:** Motion carried by vote (summary: Yes = 5). **Yes:** Councilman Torres, Councilman Lacy, Councilman Lau, Councilwoman Zoberiski, Councilwoman McKay.

## 6.STAFF REPORTS

### 6.1. Staff report (For possible action) Direction on proposed water and sewer utility rate changes presented by Hansford Economic Consulting, LLC.

City Public Works Dave Whalen stated water and sewer rate increases are not easy subjects to address. At the April City Council meeting staff was instructed to make adjustments to the model and to include the ARPA funding. Final changes will be done via resolution and Mr. Whalen anticipates the resolution will be brought back to Council in January. Public Works Director Whalen stated Public Works reached out to 350 business owners and held workshops May 18<sup>th</sup> and May 25<sup>th</sup> with zero attendance from the public. Three written comments were received from businesses not in favor of the rate increases.

Catherine Hansford owner of Economics Consulting presented this item. (see attached) Mayor Edgington requested clarification on the 3% increase projections presented and inquired if a plant upgrade was included in these projections. Ms. Hansford stated eleven million was included for upgrades.

The Water Fund was discussed at this time.

Ms. Hansford stated the water connection fee has not been increased in 14 years.

Discussion ensued.

Mayor Edgington opened for public comment.

Councilman Lacy questioned when rates would go up and how much.

City Manager Hooper clarified the annual increase would apply each January as it is the lowest water usage of the year and less impactful to customers.

Councilman Torres inquired if it was possible to increase the connection fees and wastewater fees and decrease the fees for existing customers to 1.5% rather than 3%. Torres stated he could not justify a 3% increase every year for the next five years.

Councilman Lau concurred with Councilman Torres.

Councilwoman McKay agreed that the annual increase be applied in January. She also requested the fees be reassessed biennially by a consultant.

Councilwoman Zoberski voiced concerns about raising the connections fees for developers and stated the City needs affordable housing and developers and builders are struggling with materials and workforce and the increase needs to be affordable to the builders as well.

Break 6:16 p.m. – 6:25 p.m.

Councilman Torres clarified that he was in favor of affordable housing. He suggested increasing the projections on the amount of development to come in the next five years for water and sewer connection fees to reduce the percentage of increase to the current citizens.

Mayor Edgington stated the City cannot count on new homes or businesses to pay for future expenses as history has shown. The City needs to be prepared for future expenses.

Discussion ensued regarding how to make the increase less impactful on residents and still provide security for the future.

City Manager Hooper suggested the City look at a 3% increase and consider moving forward with a resolution that revisits the increase every year to make adjustments based on actual numbers rather than projections.

More discussion ensued with Council. Public Works Director Dave Whalen was asked to clarify the connection fees for commercial projects.

**Motion:** MOVE TO ESTABLISH WATER AND SEWER RATES THAT START JANUARY 01, 2022 WATER RATES WILL INCREASE 2.25% ON JANUARY 01, 2022, THEN ON JANUARY 01, 2023, WATER RATES WILL INCREASE 3% AND CONTINUE A YEARLY 3% INCREASE. SEWER RATES WILL INCREASE 3% STARTING JANUARY 01, 2022. WATER CONNECTION FEES WILL GO TO \$7,000 AND SEWER CONNECTION FEES WILL GO TO \$5,000. **Moved by** Councilman Lau. **Seconded by** Councilman Lacy.

City Manager Hooper requested the motion be amended to state staff will bring back a resolution stating such.

Deputy City Attorney Aaron Mouritsen requested a full recitation of the amended motion.

Mayor Edgington requested as per Councilwoman's McKay's request the fees be reassessed biennially by a consultant. This was agreed to by Councilman Lau and Councilman Lacy.

Mayor Edgington stated public comment will be open at the next meeting when the resolution is brought back.

**Amended Motion:** MOVE TO HAVE STAFF BRING BACK A RESOLUTION TO ESTABLISH WATER AND SEWER RATES THAT START JANUARY 01, 2022. WATER RATES WILL INCREASE 2.25% ON JANUARY 01, 2022. ON JANUARY 01, 2023, WATER RATES WILL INCREASE 3% AND CONTINUE A YEARLY 3% INCREASE. SEWER RATES WILL INCREASE 3% STARTING JANUARY 01, 2022 AND CONTINUE A YEARLY INCREASE. WATER CONNECTION FEES WILL GO TO \$7,000 AND SEWER CONNECTION FEES WILL GO TO \$5,000. **Action:** Approve, **Moved by** Councilman Stan Lau. **Seconded by** Councilman Ray Lacy, **Vote:** Motion carried by roll call vote (summary: Yes = 3). **Yes:** Councilman Ray Lacy, Councilwoman Fran McKay Councilman Stan Lau. (summary: **No** = 2). Councilwoman Felicity Zoberiski, Councilman Albert Torres.

**6.2. Presentation, Discussion, and Possible Action regarding fiscal impact analysis criteria and a citywide land use fiscal assessment to evaluate proposed development projects within the City of Fernley. (FOR POSSIBLE ACTION)**

Break 7:14 p.m. to 7:24 p.m.

Planning Director Tim Thompson provided a synopsis on this item.

Verdunity Engineer Kevin Shepherd presented a power point presentation. (see attached)

Data was provided to facilitate discussion to align development patterns, infrastructure standards, and align the service model with what residents can pay today and in the future.

Discussion ensued.

**Motion:** MOVE TO APPROVE THE PROFESSIONAL SERVICES CONTRACT WITH VERDUNITY, INC. IN AN AMOUNT NOT TO EXCEED \$60,000 AS PRESENTED.

**Action:** Approve, **Moved by** Councilwoman Fran McKay. **Seconded by** Councilman Stan Lau, **Vote:** Motion carried by roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberski, Councilwoman Fran McKay.

**6.3. (For possible action) Approve funding to Western Nevada Development District (WNDD) at a cost not to exceed \$2,850 to conduct a region wide broadband mapping project and approve community outreach support from the City of Fernley working with WNDD to inform and engage residents, businesses, and institutions to participate in broadband mapping by testing Internet speeds.**

City Manager Hooper presented.

Mayor Edgington disclosed he was the previous president for the WNND and is currently on the board.

**Motion:** MOVE TO APPROVE \$2,850 FROM ARPA FUNDS TO CONDUCT A REGION WIDE BROADBAND MAPPING PROJECT AND COMMUNITY OUTREACH SUPPORT FROM THE CITY OF FERNLEY WORKING WITH WNDD TO INFORMATION AND ENGAGE RESIDENTS, BUSINESSES, AND INSTITUTIONS TO PARTICIPATE IN

BROADBAND MAPPING BY TESTING INTERNET SPEEDS. **Action:** Approve, **Moved by** Councilman Stan Lau. **Seconded by** Councilman Ray Lacy, **Vote:** Motion carried by roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberski, Councilwoman Fran McKay.

**6.4. (For Possible Action) Possible selection and approval of artwork for the Signal Box Art Painting Project on US95A & Newlands Drive and direction to staff to move forward in submitting the NDOT Right-of-Way Occupancy Permit.**

City Manager Hooper presented.

**Motion:** MOVE TO SELECT THE ARTWORK PROPOSED BY ARTIST HEIDI FIGUEROA FOR THE SIGNAL BOX ART PAINTING PROJECT ON US95A & NEWLANDS DRIVE AND DIRECT STAFF TO MOVE FORWARD IN SUBMITTING THE RIGHT-OF-WAY OCCUPANCY PERMIT TO NDOT WITH THE SELECTED ARTWORK.

**Action:** Approve, **Moved by** Councilwoman Felicity Zoberski. **Seconded by** Councilman Stan Lau, **Vote:** Motion carried by roll call vote (summary: Yes = 4). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberski, (summary: **No** = 1). Councilwoman Fran McKay.

Mayor Edgington requested the artwork submitted by Jamie Vincek be used on another project.

**6.5. Discussion and Possible Action to approve a contract with Farr Construction (dba Resource Development Corporation) in an amount not to exceed \$4,835,798 with a 2% contingency of \$96,716 for Construction services for the Truckee Canal Surface Conveyance Project.**

City Engineer Derek Starkey presented.

City Treasurer Denise Lewis stated there was money in the budget to pay for this.

**Motion:** MOVE TO RATIFY THE CONTRACT WITH FARR CONSTRUCTION CORPORATION (DBA RDC) IN THE AMOUNT NOT TO EXCEED \$4,835,798.00. PLUS 2% CONTINGENCY OF \$96,716 FOR THE TOTAL AMOUNT OF \$4,932,514.00.

**Action:** Approve, **Moved by** Councilman Stan Lau. **Seconded by** Councilman Ray Lacy, **Vote:** Motion carried by roll call vote (summary: Yes = 5). **Yes:** Councilman Albert Torres,



Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Felicity Zoberski, Councilwoman Fran McKay.

**6.6. (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 reported on the high transmission rates. The more stringent mask guidelines will go into effect on Friday August 27<sup>th</sup> and the City will continue to monitor and update the public and City Council.

**7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.**

Councilwoman McKay requested a presentation from Nevada Rural Housing. City Manager Hooper stated this is scheduled for September.

Mayor Edgington requested an item regarding a land swap for the Moto Cross Track.

Councilman Lacy requested a one-hour limit on presentations.

**8. PUBLIC FORUM**

There was none.

**ADJOURNMENT**

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:25 p.m. The next City of Fernley Council meeting is scheduled for September 01, 2021 at 5:00 p.m.

Approved by the Fernley City Council on September 01,2018, by a vote of:

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

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**Mayor Roy Edgington**

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**ATTEST: City Clerk Kim Swanson**