

**MINUTES OF THE  
FERNLEY CITY COUNCIL MEETING**

**FEBRUARY 19, 2020**

Mayor Edgington called the meeting to order at 5:04 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV

**1. INTRODUCTORY ITEMS**

**1.1. Roll Call**

**Present:** Mayor Roy Edgington, Councilman Ray Lacy, Councilman Albert Torres, Councilman Stan Lau, Councilwoman Fran McKay, City Manager Daphne Hooper, Deputy City Attorney Brent Kolvet, Public Works Director Dave Whalen, City Treasurer Denise Lewis, Planning Director Tim Thompson, Assistant Planner Olivia John, City Clerk Kim Swanson, City Attorney Brandi Jensen, Building Official Shawn Keating.

**1.2. Public Forum**

There was none.

**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. CONSENT AGENDA:**

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

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

**2.3. (Possible Action) to Approve the Will-Serve for Nevada State Bank for .11 ERC's for Water and 0 ERC's for Sewer for Lyon County Parcel 020-057-08 located at 250 S. HWY 95A Fernley, NV.**

**Motion:** MOVE TO APPROVE THE CONSENT AGENDA ITEM 2.1, 2.2 AND 2.3, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay.

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.

**AMENDED MOTION:** MOVE TO APPROVE THE CONSENT AGENDA ITEMS 2.2 AND 2.3, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay. **Action:** Approve

**Motion:** MOVE TO APPROVE THE CONSENT AGENDA ITEM 2.1 VOUCHER REPORT, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 3, Abstain = 1). **Yes:** Councilman Albert Torres, Councilman Stan Lau, Councilwoman Fran McKay. **Abstain:** Councilman Ray Lacy, **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.**

City Manager Hooper reported City Council Interviews will be done at a Special City Council Meeting on February 27<sup>th</sup> at 5pm. new City Council applications will be accepted through Friday at 4pm. Citizens Academy will be held Wednesday, February 26<sup>th</sup> due to the Special City Council Meeting, Lyon County Commission will have a meeting regarding growth, and development tax.

City Clerk Swanson reported Candidate Filing period will begin March 2<sup>nd</sup> and run through March 13<sup>th</sup>. Ward 2, Ward 4 and Ward 5 are up for election.

Mayor Edgington reported the City is working with the State on the upcoming Census. He reported on a meeting with Northern Nevada Development District.

#### **4. PROCLAMATIONS BY THE MAYOR**

Mayor Edgington read a proclamation about the importance of being counted in the 2020 census and stated it is a matter of civic responsibility. Garret Kault with UNR spoke about the importance of participating in the Census.

## **5. STAFF REPORTS**

### **5.1. (Possible action) Approval of the 2019 City of Fernley Water Resource Plan, dated January 2020.**

Public Works Director Whalen introduced the Farr West consultants that worked on the project. (see attached).

Lucas Tipton, Farr West Engineering stated a Water Resource Plan is a key component in utility planning and it examines all potential changes and conditions or circumstances which may affect the city's ability to provide a sustainable water system to its customers. He stated the legislature just passed at the most recent session that mandates all governing bodies must update their plan every 10 years. He states among other items, the plan estimates the maximum number of dwelling units the City can serve from a regulatory and operational standpoint.

Angela Pazoni, Farr West Engineering reviewed the key components and findings of the Water Resource Plan. She stated there was approximately 8,900-acre feet of water available from ground water rights. She noted there is approximately 9,700-acre feet of surface water permitted to the City from the Truckee River, which is not currently in use. She explained under the Truckee River Operating Agreement, on an annual basis, the City's Water Rights could yield about 6,500-acre feet. She continued to explain the water source in the neighboring Brady's Hot Springs Basin which has 2,100-acre feet of permitted Water Rights. She stated this source is not currently in use and would require construction of a well and pipeline. Ms. Pazoni stated the City currently uses approximately 4,000-acre feet per year based on July – June usage. This supported 7,300 equivalent dwelling units. She explained future water supplies could support an additional 27,400 edu's based on the current water rights permitted for the City's use. This would be an additional 20,000 edu's for the City, based on water right capacity.

David Rigton with Taggart and Taggard stated the Water Resource Plan is a forward-looking long-term document. He explained the purpose is to identify the resources that

are available now and what resources are needed in the future. He added the Water Resource Plan is designed to work in conjunction with the Capital Improvement 5 Year Plan. He acknowledged the City is in good shape with water. He stated there are adequate resources and adequate infrastructure to meet short term needs, over the next 5 – 10 years.

Mayor Edgington pointed out that the statement the City could service another 20,000 homes is misleading. He stated edu's are also used for businesses, parks, industrial buildings, etc.

Public Works Director Whalen stated an edu (equivalent dwelling unit) can change over time. He explained the City Council can decide what users are added to the system. He stated if a heavy water user is added to the system the figures will change.

**Motion:** MOVE TO APPROVE THE CITY OF FERNLEY WATER RESOURCE PLAN DATED JANUARY 2020, **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.

## **6. ORDINANCES - INTRODUCTION ONLY**

### **6.1. First Reading, Introduction Bill #283 (CA 2020-001)**

**Consideration and possible action to Introduce Bill #283, An Ordinance amending Title 32 - Zoning of the Fernley Municipal Code in its entirety and providing other matters properly relating thereto.**

Planning Director Thompson explained he is looking into making a change to the RR ½ acre lots and keeping those in the code. He stated this change will be incorporated into the future draft to adopt at the next meeting.

**Motion: INTRODUCE BILL #283 AND SET THE PUBLIC HEARING FOR MARCH 4, 2020. Moved by** Councilman Albert Torres.

### **6.2. First Reading, Introduction of Bill #284 (DA 2020-001)**

**Discussion and possible action to introduce 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 was originally approved back in the mid 2000's. He stated in 2016 the application moved forward with the tentative map application. The developer has been working to bring forward a final map which has been challenging. The tentative map will expire on March 17<sup>th</sup>. The only way to extend the tentative map application is through the Development Agreement process. Director Thompson explained the adoption will take place at the March 4<sup>th</sup> City Council Meeting

**Motion: MOVE TO INTRODUCE BILL 284 AND SET THE PUBLIC HEARING FOR THE MARCH 4<sup>TH</sup> CITY COUNCIL MEETING. Moved by Councilwoman McKay.**

## **7. 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**

### **7.1. (For Possible Action) Public Hearing & Second Reading (MPA 2019-001 & ZMA 2019-003)**

**A Master Plan Amendment and Zoning Map Amendment request from ERGS, Inc. on a site approximately 2.23 acres generally located south of Fremont Street, east of King Court, and north of the Union Pacific Railroad Right-of-Way. (APN: 021-271-15)**

**A. Consideration and possible action to certify a Master Plan Amendment Resolution #20-001, associated with MPA 2019-001, to change the land use designation from MR (Mixed Residential) to MFR (Multi-Family Residential).**

**B. Consideration and possible action to adopt Bill #281 as an ordinance authorizing the City to enact a Zoning Map Amendment, associated with ZMA 2019-003, to change the zoning from C-2 (General Commercial) to NR-2 (Multiple Residence Non-Rural Residential).**

Assistant Planner John explained 2 separate motions must be made for this item. She stated the property is undeveloped and is adjacent to commercial development. The property is currently zoned C2 with a land use designation of MR (Mixed Residential). The remaining 9.44 acres is zoned NR2. The applicant has requested a change to the

zoning and land use designation associated with the 2.23-acre site to coincide with the 9.44-acre portion of the property.

Melissa Lindell with ERGS, Inc. stated the intent is to develop a multifamily project on the property.

Mayor Edgington called for public input. There was none.

**Motion:** MOVE TO CERTIFY A MASTER PLAN AMENDMENT RESOLUTION #20-001, ASSOCIATED WITH MPA 2019001, TO CHANGE THE LAND USE DESIGNATION FROM MR (MIXED RESIDENTIAL) TO MFR (MULTI-FAMILY RESIDENTIAL) BASED ON FINDINGS A THROUGH E AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **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

**Motion:** MOVE TO ADOPT BILL #281 AS AN ORDINANCE AUTHORIZING THE CITY TO ENACT A ZONING MAP AMENDMENT, ASSOCIATED WITH ZMA 2019-003, TO CHANGE THE ZONING FROM C-2 (GENERAL COMMERCIAL) TO NR-2 (MULTIPLE RESIDENCE NON-RURAL RESIDENTIAL) BASED ON FINDINGS A THROUGH E AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

## **7.2. (For Possible Action) Public Hearing, Second Reading (ANX 2019-001)**

**Consideration and possible action to adopt Bill #280 as an ordinance for an Annexation request from M4 New Fernley QOZB, LLC to annex into the City of Fernley approximately 170.13 acres located south of the southern terminus of Nevada Pacific Parkway and north of U.S. Hwy 50A. Upon annexation, the zoning shall convert from the Lyon County zoning designation of M-1 (General Industrial) to a City of Fernley zoning designation of M-1 (General Industrial). (APN: 021-261-04)**

Assistant Planner John explained the approximate 170.13-acre site is located within the Victory Logistics District. The property has long been scheduled for industrial level

development and is the ideal location for the future extension of Nevada Pacific Parkway creating an additional connection between Interstate 80 and U.S. Highway 50A. Also, the subject property will provide rail access linkages through spur lines which will not only serve the eastern portion of the Victory Logistics District but will provide rail service to the northern properties already within the City of Fernley. She added this annexation is completely voluntary. She stated public notice was given, and that no comments were received.

David Snelgrove with CFA stated the property is at the southern terminus of Nevada Pacific Parkway and will provide connectivity in the area with Nevada Pacific Parkway and Newlands. He stated this will have a positive financial impact on the City of Fernley.

Mayor Edgington called for public input.

Gary Bennidict, Fernley resident, inquired if there will be utilities.

David Snelgrove stated there would be utilities through the entire road to Nevada Pacific Parkway. He added the necessary all utility connections will be made.

Michael Kalkaski, Fernley resident, stated the addition to Nevada Pacific Parkway impacts his neighborhood. He asked if speed control devices can be installed in his neighborhood on Rainbow Lane.

**Motion:** MOVE TO ADOPT BILL #280 AS AN ORDINANCE FOR AN ANNEXATION REQUEST, ASSOCIATED WITH ANX 2019001, TO ANNEX APPROXIMATELY 170.13 ACRES INTO THE CITY OF FERNLEY AND, UPON ANNEXATION, THE ZONING SHALL CONVERT FROM THE LYON COUNTY ZONING DESIGNATION OF M-1 (GENERAL INDUSTRIAL) TO A CITY OF FERNLEY ZONING DESIGNATION OF M-1 (GENERAL INDUSTRIAL) HENCEFORTH ADOPTING FINDINGS 1 THROUGH 3 AND THE FACTS SUPPORTING THESE FINDINGS AS SET FORTH IN THE STAFF REPORT, **Action:** Approve, **Moved by** Councilman Albert Torres, **Seconded by** Councilman Ray Lacy. Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

## 8. RESOLUTIONS

**8.1. (For possible action) Approve Resolution 20-004 updating the City of Fernley Internal Agenda Process**

City Clerk Swanson stated an update to the current resolution is required due to our current electronic agenda process. Also included in this resolution, per the Mayor's request, is the reduction in time for public input from 5 minutes to 3 minutes.

**Motion:** MOVE TO APPROVE RESOLUTION 20-004 UPDATING THE CITY OF FERNLEY INTERNAL AGENDA PROCESS, **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.

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

There was none.

**10. PUBLIC FORUM**

Tammy Dittman, Fernley resident, stated where she was sitting in the audience, and she could barely hear the meeting.

**ADJOURNMENT**

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:41pm.

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

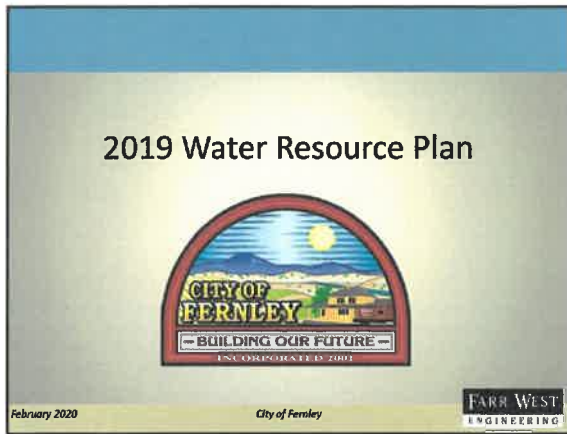
AYES: 5      NAYS: 0      ABSTENTIONS: 0      ABSENT: 0



ATTEST: City Clerk Kim Swanson

  
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Mayor Roy Edgington





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The slide has a blue header with the title "Available Water Rights". Below the title is a table with three columns: "Source of Water", "In-Use", and "Volume". The table lists three sources of water: Groundwater - Fernley Basin, Surface Water - Truckee River, and Groundwater - Brady's Hot Springs Basin. A "Total" row is at the bottom. A footnote below the table states: "\* Current Firm Yield Study indicates 6,500 AF is available to support development". The footer includes "February 2020", "City of Fernley", and the "FARR WEST ENGINEERING" logo.

Source of Water	In-Use	Volume
Direct Volume for Municipal Uses		
Groundwater – Fernley Basin	Yes	8,900 AF
Surface Water – Truckee River	No	9,700 AF *
Groundwater – Brady's Hot Springs Basin	No	2,100 AF
<b>Total</b>	--	<b>20,700 AF</b>

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- The slide has a blue header with the title "Recent Use & System Capacity". Below the title is a bulleted list of four items. The footer includes "February 2020", "City of Fernley", and the "FARR WEST ENGINEERING" logo.
- Average Pumping = 3,944 AF per year  
– Supports about 7,300 Equivalent Dwelling Units
  - Total Pumping Capacity (TPC) = 8,560 gpm  
Firm Pumping Capacity (FPC) = 6,010 gpm
  - Utilizes 46% of TPC during peak use in summer
  - Approximately 7 million gallons of storage capacity

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### System Capacity Analysis

- NAC 445A.6672(3) requires water system storage and supply capacity to meet:
  - a. Maximum day demand + fire demand with all water sources functioning
  - b. Average day demand + fire demand with the most productive well out of service
- Current storage and supply can support an additional 2,950 EDU's

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### System Limitations

- Well 9 and Well 9A proximity and downstream pipe constraint limit the pumping capacity
- Storage capacity is more limited than supply
- Water rights located at wells not in operation
- Production well pumping capacity based on original well testing

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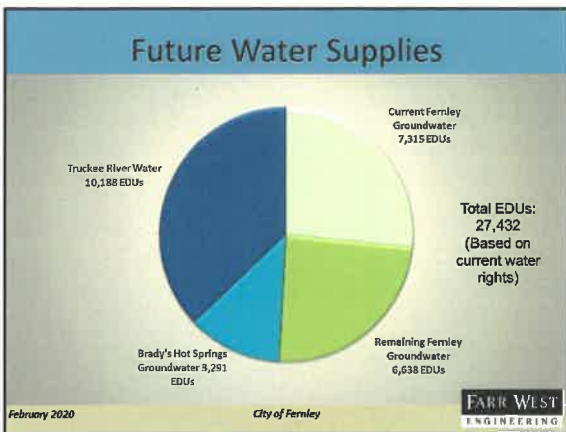
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**Recommendations**

- Construct surface water diversion facilities
- Actively manage water rights and consider long-term strategies
- Evaluate tank zones and need for additional storage capacity

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**Recommendations**

- Pursue well development in Brady's Hot Springs Basin
- Continue well maintenance activities and develop a groundwater monitoring plan
- Evaluate existing wellfield and strategize for future production well replacement

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**Questions?**

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