

AGENDA
CITY OF FALLON – CITY COUNCIL
55 West Williams Avenue
Fallon, Nevada
March 18, 2019 – 9:00 a.m.

The Honorable City Council will meet in a regularly scheduled meeting on March 18, 2019 at 9:00 a.m. in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Items on the agenda may be taken out of order. The Council may combine two or more agenda items for consideration. The Council may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Unless otherwise allowed by the City Council, public comments by an individual will be limited to five minutes.

1. Pledge of Allegiance to the Flag.
2. Certification of Compliance with Posting Requirements.
3. Public Comments: General in nature, not relative to any agenda items.
No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. **(For discussion only)**
4. Approval of Warrants: **(For possible action)**
 - A) Accounts Payable
 - B) Payroll
 - C) Customer Deposit
5. Consideration and possible adoption of Resolution No. 19-02: A resolution to annex approximately 16.66 acres of contiguous territory owned by the City of Fallon pursuant to the Purchase and Sale Agreement dated the 20th day of December 2018, entered into by the City of Fallon, as purchaser, and E&C Schank Properties, LLC, as seller, and authorize the Mayor, pursuant to the terms of the Purchase and Sell Agreement and NRS 268.670 (alternate annexation procedures), to execute any and all documents, including but not limited to maps necessary to annex the territory to the City of Fallon. **(For possible action)**
6. Public Comments **(For discussion only)**
7. Council and Staff Reports **(For discussion only)**
8. Executive Session (closed):
 - Discuss Litigation Matters **(For discussion only)** (NRS 241 et.seq.)
 - Negotiations with Operating Engineers Local Union No. 3 **(For discussion only)**

Negotiations with Fallon Peace Officers Association **(For discussion only)**

This agenda has been posted on or before 9:00 a.m. on March 13, 2019 at City Hall, District Court Building, Churchill County Office Complex, Churchill County Public Library and posted to the City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>). Members of the public may request the supporting material for this meeting by contacting Elsie M. Lee, Deputy City Clerk, City Clerk's Office, City Hall, 55 West Williams Avenue, Fallon, Nevada, (775) 423-5104. The supporting material for this meeting is also available to the public on the City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>).


Elsie M. Lee

NOTICE TO PERSONS WITH DISABILITIES: Reasonable effort will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call the City Clerk's Office at 423-5104 in advance so that arrangements may be conveniently made.

March 18, 2019

Agenda Item 5

Consideration and possible adoption of Resolution No. 19-02: A resolution to annex approximately 16.66 acres of contiguous territory owned by the City of Fallon pursuant to the Purchase and Sale Agreement dated the 20th day of December 2018, entered into by the City of Fallon, as purchaser, and E&C Schank Properties, LLC, as seller, and authorize the Mayor, pursuant to the terms of the Purchase and Sell Agreement and NRS 268.670 (alternate annexation procedures), to execute any and all documents, including but not limited to maps necessary to annex the territory to the City of Fallon. **(For possible action)**

Date Submitted: March 15, 2019

From: Mike Mackedon, City Attorney

Agenda Date Requested: March 18, 2019

To: The Honorable City Council

Subject Title: Adoption of Resolution No. 19-02: A resolution to annex approximately 16.66 acres of contiguous territory owned by the City of Fallon pursuant to the Purchase and Sale Agreement dated the 20th day of December 2018, entered into by the City of Fallon, as purchaser, and E&C Schank Properties, LLC, as seller, and authorize the Mayor, pursuant to the terms of the Purchase and Sell Agreement and NRS 268.670 (alternate annexation procedures), to execute any and all documents, including but not limited to, maps necessary to annex the territory to the City of Fallon.

Type of Action Required: Resolution

Recommended Council Action: Adoption of Resolution No. 19-02.

Discussion: On November 5, 2018, the Fallon City Council approved the Purchase and Sale Agreement of approximately 16.66 acres of real property from E&C Schank Properties, LLC, for \$165,000 plus a share of transactional costs, and authorized the Mayor to execute documents and take executive action necessary to consummate the purchase. The property is contiguous to existing City of Fallon boundaries and adjacent to property where the City of Fallon sewer enterprise is located.

In order to facilitate the purchase and comply with applicable Nevada laws and city and county ordinances, a boundary line adjustment map was created that extends the current boundaries of an adjacent City of Fallon owned parcel to include the territory of the 16.66 acres within the City of Fallon owned parcel as expanded.

The legal description for the 16.66 acres is attached and is a portion of Parcel 2 of the Record of Survey in support of a boundary line adjustment which is to be recorded in the Official Records, Churchill County, Nevada, at close of escrow. A copy of an aerial map is also enclosed showing the physical location of the 16.66 acres being purchased and annexed.

Annexation of the territory is necessary to bring the 16.66 acres within the City of Fallon and is consistent with the intentions of the City of Fallon when it approved the purchase of the property.

Fiscal Impact: The cost and preparation of the annexation map is estimated to be less than \$1,500.

Funding Source: Sewer enterprise.

Prepared By: City Attorneys Office: Mike Mackedon and Trent deBraga.

To Be Presented to the Council By: Mike Mackedon, City Attorney and Trent deBraga, Deputy City Attorney

Resolution No. 19-02

A Resolution To Annex Territory To The City Of Fallon.

WHEREAS, on November 5, 2018 the City Council voted to approve a Purchase and Sale Agreement to be entered into by the City of Fallon and E&C Schank Properties, LLC, for the purchase of approximately 16.5 acres of real property located within Churchill County for the purchase price of \$165,000 plus a share of surveying, closing and related transaction costs.

WHEREAS, on November 5, 2018 the City Council authorized the Mayor to take executive action and execute any necessary documents to consummate the transaction in a manner that comported with the terms of the Purchase and Sale Agreement and all applicable Nevada State Laws, city ordinances and county ordinances.

WHEREAS, a survey performed pursuant to the mandate of the Purchase and Sale Agreement determined that the property to be purchased comprised approximately 16.66 acres, which is particularly described by metes and bounds as follows:

A parcel of land situate in a portion of the SE ¼ Section 32
Township 19 North, Range 29 East, M.D.B.&M., Churchill
County, Nevada.

Beginning at the Southeast corner of Parcel I-1 of that certain
Boundary Line Adjustment Map for the City of Fallon recorded
March 12, 2012 under File No. 425876, Official Records,
Churchill County, Nevada, and the true point of beginning;

Thence S 89°48'12" E 205.84 feet;
Thence N 63°44'48" E 536.34 feet to the East line of said SE ¼
Thence N 00°31'54" E 825.95 feet;
Thence leaving the East line of said SE ¼ N 73°45'25" W 387.01
feet;
Thence S 88°00'55" W 316.17 feet to the Northeast corner of
said Parcel I-1;
Thence S 00°20'39" W 1159.78 feet to the true point of
beginning.

WHEREAS, in order to consummate the Purchase and Sale Agreement, the Mayor executed and approved a Boundary Line Adjustment Map supported by a Record of Survey that places the 16.66 acres within a portion of Parcel 2 of the Boundary Line Adjustment Map in order to comply with applicable law and ordinances.

WHEREAS, the Record of Survey must be recorded in the Official Records of Churchill County, Nevada at the close of escrow, which shall be March 18, 2019 or as soon thereafter, as may be lawfully and practically possible.

WHEREAS, annexation of the 16.66 acres of territory to the City of Fallon is necessary to satisfy the conditions of ownership depicted in the Boundary Line Adjustment Map and annexation of the property purchased pursuant to the Purchase and Sale Agreement is determined to be in the public interest of the citizens of the City of Fallon and consistent with the intentions of the Fallon City Council when it approved the purchase of the property.

WHEREAS, the Mayor ordered the preparation of an annexation map that is required by law for annexation of the property to the City of Fallon for submission to the Fallon City Council.

NOW THEREFORE, be it resolved that the City of Fallon shall annex the 16.66 acres, as hereinabove more particularly described, to the City of Fallon and as depicted on an annexation map, and be it further resolved, that the Mayor be directed to sign the annexation map as approved and accepted by the Fallon City Council on this day, and be it further resolved that the Fallon City Clerk or Fallon Deputy Clerk be directed to attest to the Mayor's signature thereon.

NOW THEREFORE, be it further resolved that the signed, executed, and approved annexation map shall be filed for record in the time and manner provided by law in the Official Records for Churchill County, Nevada.

PROPOSED this _____ day of March, 2019 by: _____

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

10-40476-18
APN; P(n. 7-811-12

EXHIBIT "A"

A parcel of land situate in a portion of the SE ¼ Section 32 Township 19 North, Range 29 East, M.D.B. & M., Churchill County, Nevada.

Beginning at the Southeast corner of Parcel I-1 of that certain Boundary Line Adjustment Map for the City of Fallon recorded March 12, 2012 under File No. 425876, Official Records, Churchill County, Nevada, and the true point of beginning;

Thence S 89°48'12" E 205.84 feet;

Thence N 63°44'48" E 536.34 feet to the East line of said SE ¼;

Thence N 00°31'54" E 825.95 feet;

Thence leaving the East line of said SE ¼ N 73°45'25" W 387.01 feet;

Thence S 88°00'55" W 316.17 feet to the Northeast corner of said Parcel I-1;

Thence S 00°20'39" W 1159.78 feet to the true point of beginning.

Said property is a portion of Parcel 2 of the Record of Survey in support of a Boundary Line Adjustment for the City of Fallon and E & C Schank Properties, LLC recorded (to be determined) as File No. (to be determined), Official Records, Churchill County, Nevada.

SewerParcel
Schank-City of Fallon

Legend
Polygon Measure



600 ft

Google Earth

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