

AGENDA
CITY OF FALLON – CITY COUNCIL
55 West Williams Avenue
Fallon, Nevada
December 16, 2019 – 9:00 a.m.

The Honorable City Council will meet in a regularly scheduled meeting on December 16, 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 action to approve a construction contract with Bodec Electric, Inc. of Price, Utah, in order to complete the New River Substation project in the amount of Nine Hundred Ninety-Seven Thousand Two Hundred and Ninety-Two Dollars and Eighty-Nine Cents (\$997,292.89), Public Works #CH-2020-055. **(For possible action)**
6. Consideration and possible approval of the formation and acceptance of a public utility easement granted to the City of Fallon by E&C Schank Properties, LLC and authorization for the Mayor to execute the document creating and accepting the easement on behalf of the City of Fallon. **(For possible action)**
7. Consideration and possible approval of the abandonment of a sewer utility easement held by the City of Fallon and authorization for the Mayor to execute a Declaration to Abandon Sewer Utility Easement on behalf of the City of Fallon. **(For possible action)**
8. Presentation of the Police Department Report for September/October 2019. **(For discussion only)**

9. Public Comments **(For discussion only)**

10. Council and Staff Reports **(For discussion only)**

11. 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 December 11, 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.

December 16, 2019

Agenda Item 5

Consideration and possible action to approve a construction contract with Bodec Electric, Inc. of Price, Utah, in order to complete the New River Substation project in the amount of Nine Hundred Ninety-Seven Thousand Two Hundred and Ninety-Two Dollars and Eighty-Nine Cents (\$997,292.89), Public Works #CH-2020-055. **(For possible action)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 5

DATE SUBMITTED: December 10, 2019

AGENDA DATE REQUESTED: December 16, 2019

TO: The Honorable City Council

FROM: Brian Byrd

SUBJECT TITLE: Consideration and possible action to approve a construction contract with Bodec Electric, Inc. of Price, Utah, in order to complete the New River Substation project in the amount of Nine Hundred Ninety-Seven Thousand Two Hundred and Ninety-Two Dollars and Eighty-Nine Cents (\$997,292.89), Public Works #CH-2020-055. **(For possible action)**

TYPE OF ACTION REQUESTED: (Check One)

<input type="checkbox"/> Resolution	<input type="checkbox"/> Ordinance
<input checked="" type="checkbox"/> Formal Action/Motion	<input type="checkbox"/> Other

RECOMMENDED COUNCIL ACTION: Motion to approve a construction contract with Bodec Electric, Inc. of Price, Utah, in order to complete the New River Substation project in the amount of Nine Hundred Ninety-Seven Thousand Two Hundred and Ninety-Two Dollars and Eighty-Nine Cents (\$997,292.89), Public Works #CH-2020-055.

DISCUSSION: The City of Fallon issued its Electric System Revenue Bonds, Series 2017 in October 2017 in order to complete a number of electric enterprise capital improvement projects including the design and construction of a new 4th electric substation, to be known as the New River Substation. The New River Substation project includes the required components associated with the construction and interconnection of a new 60 kV substation, located at the corner of New River Parkway and Wildes Road. Upon completion, the New River Substation will increase the reliability of the City of Fallon's electrical system while decreasing the current demand on the Babb Street Substation and provide capacity for future growth and development at the City's New River Business Park.

Construction elements of the project include, but are not limited to, site work, ground grid installation, fencing, foundations, transformer installation, regulators, metering cabinets, and station commissioning.

BACKGROUND: This project was released for public bid on October 30, 2019 and advertised in the Lahontan Valley News in accordance with NRS 338.1385. A pre-bid meeting was held on November 14, 2019. Three bids were received and publicly opened by the City of Fallon on

December 3, 2019. With approval, construction would start in January of 2020, with a 134-day construction schedule.

FISCAL IMPACT: \$997,292.89

FUNDING SOURCE: The Electric Enterprise Fund utilizing the previously issued Electric System Revenue Bonds, Series 2017

PREPARED BY: Brian Byrd, Director of Public Works



City of Fallon
New River Substation Project
PWP # CH-2020-055
Bid Submittal Checklist
City of Fallon - City Hall
December 3, 2019 - 3:00 PM

[illegible]



**City of Fallon New River Substation
Pricing Schedule (With Engineering Estimate)
October 28, 2019**



Task Item	Qty.	Task Description	Unit	Unit Price	Extended Price
GENERAL					
G	1	General Project Management, including, but not limited to Contractor margin and at a minimum, accounting for each of the below listed items: <ul style="list-style-type: none"> - Performance and Payment Bonds - Mobilization and Demobilization - Project Management and Construction Quality Control - Fire, Safety and Environmental Management - Materials Management. Includes procurement of outstanding materials, receipt of owner and contractor furnished equipment, storage and security of materials, complete inventory management, disbursement, and on-site management - Permits to be obtained by Contractor per contract (dust control, blasting, dewatering, etc.) - Traffic Control as may be needed 	lump sum	\$200,000.00	\$200,000.00
SECTION 1 - SITEWORK					
1	1	Sitework Completion, including, but not limited to the below listed items: <ul style="list-style-type: none"> - Site Preparation - Mass and Final Grading - Procure and Place Substation Gravel (including driveways) - Procure and Place Driveway Apron - Procure and Place Fence and Gates per construction package 	lump sum	\$113,900.00	\$113,900.00
SECTION 2 - BELOW GRADE					
2	1	Below Grade Installations, including, but not limited to the below listed items: <ul style="list-style-type: none"> - Procure and Install CI Agent Oil Containment per construction package - Procure and Install Ground Grid per construction package - Procure and Install Conduit per construction package - Procure and Install All Required Footings and Slabs per construction package, including necessary dewatering operations 	lump sum	\$225,650.00	\$225,650.00
SECTION 3 - ABOVE GRADE STRUCTURAL					
3	1	Above Grade Structural Installations, including, but not limited to the below listed items: <ul style="list-style-type: none"> - Procure and Install 60kV Portal Structure per construction package - Procure and Install 12.5kV Box Structure per construction package - Procure and Install U/G Termination Structures per construction package 	lump sum	\$109,000.00	\$109,000.00
SECTION 4 - ABOVE GRADE ELECTRICAL					
4	1	Above Grade Electrical Installations, including, but not limited to the below listed items: <ul style="list-style-type: none"> - Receive and Install Recloser Units - Receive and Install Regulator Units - Receive and Install Transformer Unit - Receive and Install 69kV Disconnect Switch - Procure and Install Remaining Electrical Equipment Required per construction package 	lump sum	\$87,900.00	\$87,900.00
SECTION 5 - PROTECTION AND CONTROL					
5	1	Protection and Control Installations, including, but not limited to the below listed items: <ul style="list-style-type: none"> - Procure and Install Equipment Cabinets - Procure and Install Control Cable and Wiring Required per construction package - Telecomm Coordination 	lump sum	\$49,700.00	\$49,700.00
SECTION 6 - IN-SERVICE TEST AND COMMISSION					
6	1	Testing and Commissioning of Substation	lump sum	\$24,700.00	\$24,700.00
Total Engineering Estimate					\$810,850.00
Additional Material, Labor and Equipment Reference					
All additional materials, equipment and labor required for changes in scope to be handled per contract requirements.					

December 16, 2019

Agenda Item 6

Consideration and possible approval of the formation and acceptance of a public utility easement granted to the City of Fallon by E&C Schank Properties, LLC and authorization for the Mayor to execute the document creating and accepting the easement on behalf of the City of Fallon. **(For possible action)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 6

DATE SUBMITTED: December 9, 2019

AGENDA DATE REQUESTED: December 16, 2019

TO: The Honorable City Council

FROM: Michael F. Mackedon, City Attorney

SUBJECT TITLE: Consideration and possible approval of the formation and acceptance of a public utility easement granted to the City of Fallon by E&C Schank Properties, LLC and authorization for the Mayor to execute the document creating and accepting the easement on behalf of the City of Fallon. **(For possible action)**

TYPE OF ACTION REQUESTED: (Check One)

- | | |
|--|------------------------------------|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other |

RECOMMENDED COUNCIL ACTION: Motion to approve the formation and acceptance of a public utility easement granted to the City of Fallon by E&C Schank Properties, LLC and authorization for the Mayor to execute the document creating and accepting the easement on behalf of the City of Fallon.

DISCUSSION: Kenneth Kent, Robert Kent and Thomas Kent conveyed a public utility easement to the City of Fallon on June 23, 1954 to allow for the installation of sewer line infrastructure lying within and across the boundaries of real property owned by the Kents. The easement was memorialized in a document that was recorded on July 14, 1954 which purported to describe the alignment of the easement. The legal description in the document incorrectly described the actual, true, physical alignment of the sewer line as it was actually constructed and as it was intended to be constructed by the City and the Kents. E&C Schank Properties, LLC is the present owner of the property described in the 1954 easement and of the property over and across which the sewer line actually physically traverses. E&C Schank, LLC have agreed to grant the attached easement to the City of Fallon, which properly describes by survey the correct location of the sewer easement within which the sewer line is installed.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

PREPARED BY: Robert Erquiaga, Legal and Administrative Director

EASEMENT

This indenture, made this ____ day of _____, 2019, by and between E&C SCHANK PROPERTIES, LLC, a Nevada Limited Liability Company (hereinafter referred to as "E&C") and the CITY OF FALLON, a political subdivision of the State of Nevada (hereinafter referred to as "FALLON"):

WITNESSETH

E&C, for good and valuable consideration and other covenants, grants to FALLON in perpetuity a 30' public utility easement for sewer infrastructure being situated over and across certain real property owned by E&C located in Churchill County, State of Nevada, as more particularly bounded and described as follows, to-wit;

SEE EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED
HEREIN.

The easement granted herein replaces the easement created and described in that certain document entitled "Easement" dated June 23, 1954 executed by KENNETH KENT, ROBERT KENT and THOMAS D. KENT (Grantors) and the CITY OF FALLON (Grantee) and recorded July 14, 1954 as File No. 80246 at Page 329, Book 31 of Deeds in the Official Records of Churchill County, Nevada which is to be abandoned by FALLON.

The easement granted herein shall run with the land as an appurtenance to the land.

IN WITNESS WHEREOF, ERNIE SCHANK, managing member of E&C Properties, LLC has hereunto set his hand on the day and year first written above

ERNIE SCHANK

Date

///

///

STATE OF NEVADA)
 : ss.
County of Churchill)

On this _____ day of _____, 2019, personally appeared before me, a Notary Public, in and for the county and state aforesaid, ERNIE SCHANK, known to me or who proved to me to be the person described herein and who executed the above and foregoing instrument; and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year first written above.

Notary Public

ACCEPTANCE

FALLON, by action taken by the Fallon City Council on the 16th day of December 2019, accepts the easement granted by E&C effective as of the date KEN TEDFORD, Mayor of Fallon, shall sign same.

Ken Tedford
Mayor of the CITY OF FALLON

Date

Attest:

Gary Cordes
Fallon City Clerk

Date

November 06, 2019
Job No. LA19.289

EXHIBIT "A"

30 FOOT SEWER EASEMENT

All that certain parcel situate within a portion of South One Half (S1/2) of Section Thirty-Two (32), Township Nineteen (19) North, Range Twenty-Nine (29) East, Mount Diablo Meridian, Churchill County, Nevada, being a portion of Parcel II and Parcel III as described in Grant, Bargain and Sale Deed, Document No. 466104 in the Official Records of Churchill County, Nevada, said easement being fifteen (15) feet on each side of the following described centerline:

COMMENCING at the west 1/4 corner of said Section 32;

THENCE South 89°49'08" East to the westerly line of said Parcel II, being on the existing sewer line and also being the POINT OF BEGINNING for this description;

THENCE leaving said westerly line, South 66°40'19" East, 615.48 feet to an angle point;

THENCE South 57°54'30" East, 915.56 feet to an angle point;

THENCE South 45°43'35" East, 723.81 feet to an angle point;

THENCE South 42°39'46" West, 61.25 feet to a point on the southerly line of said Parcel III, being the POINT OF TERMINUS for this description.

The sidelines of the above described easement are to be shortened or extended, as the case may be, to begin on the westerly line of said Parcel II and to end on the southerly line of said Parcel III.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD83(94) BASED UPON REAL TIME KINEMATIC GPS OBSERVATIONS, OBSERVED 04/19/2019 USING A SURVEY GRADE DUAL FREQUENCY GPS RECEIVER, MODIFIED BY A COMBINED FACTOR OF 1.0001854204, SCALED FROM 0.00N, 0.00E AND CONVERTED TO U.S. SURVEY FEET.

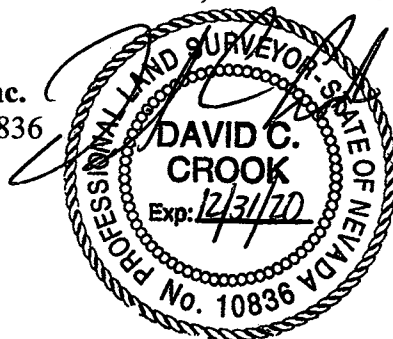
Prepared by:

Lumos & Associates, Inc.

David C. Crook, PLS 10836

178 South Maine Street

Fallon, NV 89406



11/06/2019

E A S E M E N T

THIS INDENTURE, made and entered into this 22 day of June, A.D., 1954, by and between FLENEETH FERT, ROBERT FERT, and THOMAS D. FERT, of the county of Churchill, state of Nevada, as parties of the first part, and the CITY OF FALLON, a municipal corporation of the state of Nevada, as party of the second part, WITNESSETH:

That for and in consideration of the sum of One (\$1.) Dollar and for other valuable considerations, the receipt whereof is hereby acknowledged, the parties of the first part have bargained and sold, and by these presents do bargain, sell, convey, transfer, and deliver unto the City of Fallon, a permanent easement and right of way, including the perpetual right to enter upon the real estate hereinafter described, at any time that it may seem fit, and construct, maintain, and repair an underground sewage line, together with the right to excavate and refill ditches for the location of said sewer pipeline, and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said sewer pipes; provided, nevertheless, that said second party shall be responsible for damage to crops or lands of first parties arising by virtue of any such entry.

Party of the second part hereby grants to the parties of the first part the right to use the runoff waste waters from said sewage system so long as such a taking will not effect the operation of said system and provided further that such taking shall not result in any expense to second party, its successors or assigns.

Party of the second part further grants to first parties the first option to remove and use the solid waste materials from the system's leech beds at no cost to said first parties.

The land affected by the grant of this easement and right of way is located in the county of Churchill, state of

1 Nevada, and is more particularly described as follows:

2 The Northeast quarter (NE $\frac{1}{4}$) and the East Half
3 of the Northwest quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$) and the
4 Northeast quarter of the Southwest quarter
(NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 32, Township 19 North,
Range 29 East, M.D.B.&M.

5 The easement and right of way hereby granted covers a
6 str'p or parcel of land of varying width in Churchill County,
7 Nevada, being a portion of the above-described land and more
8 particularly described as follows, to wit:

9 Commencing at a point that bears North 57°52'45"
10 East a distance of one hundred sixty and no/100
11 feet (160.00') from the Northeast corner of the
12 Northwest quarter of the Southeast quarter of
13 Section Thirty-four (34), Township Nineteen (19)
14 North, Range Twenty-nine (29) East, M.D.B.&M.,
15 the same point being Engineers Station 0 + 00
16 of the outfall sewer line; running thence
17 South 66°42'45" East a distance of two hundred
18 twenty-three and 62/100 feet (223.62'); thence
19 North 89°54'45" East a distance of two thousand
20 three hundred forty-two and 18/100 feet (2342.18')
21 a point on the West boundary line of the Kent
22 Bros. tract and Engineers Station 25 + 6580 of
23 the outfall sewer line, the point of beginning;
24 running thence South 64°34'45" East a distance
25 of seven hundred forty-nine and two-tenths
26 feet (749.2'); thence South 56°37'15" East a
27 distance of seven hundred seventy-two and one-
28 tenth feet (772.1'); thence South 45°15'15"
29 East a distance of seven hundred twenty-six
30 and eight-tenths feet (726.8'); thence South
0°41'45" West a distance of sixty-eight and
one-tenth feet (68.1') to a point in the
center of the New River Drain and on the South
boundary line of said property and Engineers
Station 48 + 82.

TO HAVE AND TO HOLD said easement and right of way unto
said party of the second part, and unto its successors and assigns
forever.

IN WITNESS WHEREOF, the parties of the first part have
hereunto set their hands the day and year first above written.

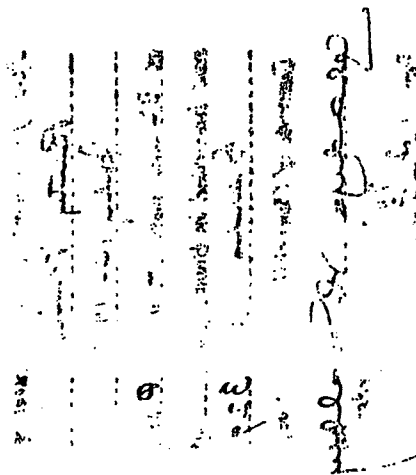
1 STATE OF NEVADA,)
2 County of Churchill.) ss.

3 On this 23 day of June, A.D., 1954, personally appeared
4 before me, a notary public in and for the county and state afore-
5 said, KENNETH KENT, ROBERT KENT and THOMAS D. KENT, known to me
6 (or proved) to be the persons described in and who executed the
7 foregoing instrument, who acknowledged to me that they executed
8 the same freely and voluntarily and for the uses and purposes
9 therein mentioned.

10 IN WITNESS WHEREOF, I have hereunto set my hand and
11 affixed my official seal the day and year in this certificate
12 above written.

13 
14 Notary Public

15 My commission expires: July 25, 1955
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Sited for record at the Hospital of
Baptist
July 14-1954
at 3 1/2 min. past 4 o'clock P.M.
and Recorded in Book 31
of
Records of Churchill County, Nev.
Page 327
J. D. Paulley
Recorder
Page 82 =

VERIFIED

December 16, 2019

Agenda Item 7

Consideration and possible approval of the abandonment of a sewer utility easement held by the City of Fallon and authorization for the Mayor to execute a Declaration to Abandon Sewer Utility Easement on behalf of the City of Fallon. **(For possible action)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 7

DATE SUBMITTED: December 9, 2019

AGENDA DATE REQUESTED: December 16, 2019

TO: The Honorable City Council

FROM: Michael F. Mackedon, City Attorney

SUBJECT TITLE: Consideration and possible approval of the abandonment of a sewer utility easement held by the City of Fallon and authorization for the Mayor to execute a Declaration to Abandon Sewer Utility Easement on behalf of the City of Fallon. **(For possible action)**

TYPE OF ACTION REQUESTED: (Check One)

- | | |
|--|------------------------------------|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other |

RECOMMENDED COUNCIL ACTION: Motion to approve the abandonment of a sewer utility easement held by the City of Fallon and authorization for the Mayor to execute a Declaration to Abandon Sewer Utility Easement on behalf of the City of Fallon.

DISCUSSION: Kenneth Kent, Robert Kent and Thomas Kent conveyed a public utility easement to the City of Fallon on June 23, 1954 to allow for the installation of sewer line infrastructure lying within and across the boundaries of real property owned by the Kents. The easement was memorialized in a document that was recorded on July 14, 1954 which purported to describe the alignment of the easement. The legal description in the document incorrectly described the actual, true, physical alignment of the sewer line as it was actually constructed and as it was intended to be constructed by the City and the Kents. E&C Schank Properties, LLC is the present owner of the property described in the 1954 easement and of the property over and across which the sewer line actually physically traverses. E&C Schank, LLC have agreed to grant an easement to the City of Fallon, which properly describes by survey the correct location of the sewer easement within which the sewer line is installed. As such, the 1954 easement and its incorrect legal description does not in fact benefit the City of Fallon or its citizens and should be abandoned.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

PREPARED BY: Robert Erquiaga, Legal and Administrative Director

Declaration to Abandon Sewer Utility Easement

The CITY OF FALLON, a political subdivision of the State of Nevada, by action taken by the Fallon City Council, as hereinafter set forth, does hereby recite and declare as follows:

RECITALS

- 1.) KENNETH KENT, ROBERT KENT and THOMAS D. KENT (KENTS) conveyed an easement to the CITY OF FALLON on June 23, 1954 to allow for the installation of sewer line infrastructure lying within and across the boundaries of real property owned by KENTS.
- 2.) The sewer easement referred to in paragraph 1 above was memorialized in a document that was recorded on July 14, 1954 as File No. 80246 at Page 329, Book 31 of Deeds in the Official Records of Churchill County, Nevada which purported to describe the alignment of the easement conveyed to the CITY OF FALLON (hereinafter referred to as 1954 CONVEYANCE).
- 3.) The legal description in the 1954 CONVEYANCE incorrectly described the actual, true, physical alignment of the sewer line as it was actually constructed and as it was intended to be constructed by the CITY OF FALLON and by KENTS.
- 4.) E&C SCHANK PROPERTIES, LLC, a Nevada Limited Liability Company, is the present owner of the property described in the 1954 CONVEYANCE and also the owner of the real property over and across which the sewer line serving the sewer utility owned and operated by the CITY OF FALLON actually physically traverses.
- 5.) The CITY OF FALLON and E&C SCHANK PROPERTIES, LLC have agreed that E&C SCHANK PROPERTIES, LLC shall to grant the CITY OF FALLON a 30' sewer utility easement that properly describes by survey the correct location of the sewer easement within which the sewer infrastructure is installed and within which maintenance and repairs may be conducted by the CITY OF FALLON.
- 6.) The Fallon City Council has determined, for the reasons stated herein, in a regular and properly noticed meeting of the Fallon City Council on the ____ day of December 2019, that the 1954 CONVEYANCE purporting to create a sewer easement to serve the sewer utility of the CITY OF FALLON does not in fact benefit the CITY OF FALLON or its citizens and should be abandoned.

///

WHEREFORE

The CITY OF FALLON by action taken by the Fallon City Council, on the ____ day of December 2019, hereby declares its intention to abandon the easement created by the 1954 CONVEYANCE dated June 23, 1954 recorded July 14, 1954 as File No. 80246, at Page 329, Book 31 of Deeds in the Official Records of Churchill County, Nevada.

The CITY OF FALLON, by action taken by the Fallon City Council as aforesaid, declares that, all rights conferred by the 1954 CONVEYANCE, shall be deemed abandoned and forever extinguished effective as of the date that the Mayor of the CITY OF FALLON shall have signed this "Declaration to Abandon Sewer Utility Easement."

IN WITNESS WHEREOF, KEN TEDFORD, Mayor of the CITY OF FALLON has executed this Declaration to Abandon Sewer Utility Easement as attested to by GARY CORDES, Fallon City Clerk.

Ken Tedford
Mayor of the CITY OF FALLON

Date

Attest:

Gary Cordes
Fallon City Clerk

Date

STATE OF NEVADA)
 : ss.
County of Churchill)

On this ____ day of _____, 2019, personally appeared before me, a Notary Public, in and for the county and state aforesaid, KEN TEDFORD, known to me or who proved to me to be the person described herein and who executed the above and foregoing instrument; and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day
and year first written above.

Notary Public

E A S E M E N T

1 THIS INDENTURE, made and entered into this 23 day of
2 June, A.D., 1954, by and between FLENEITH FENT, ROBERT F FENT, and
3 THOMAS D. FENT, of the county of Churchill, state of Nevada, as
4 parties of the first part, and the CITY OF FALLON, a municipal
5 corporation of the state of Nevada, as party of the second part,
6 WITNESSETH:

7 That for and in consideration of the sum of One (\$1.)
8 Dollar and for other valuable considerations, the receipt whereof
9 is hereby acknowledged, the parties of the first part have bar-
10 gained and sold, and by these presents do bargain, sell, convey,
11 transfer, and deliver unto the City of Fallon, a permanent ease-
12 ment and right of way, including the perpetual right to enter
13 upon the real estate hereinafter described, at any time that it
14 may seem fit, and construct, maintain, and repair an underground
15 sewage line, together with the right to excavate and refill
16 ditches for the location of said sewer pipeline, and the further
17 right to remove trees, bushes, undergrowth and other obstructions
18 interfering with the location, construction and maintenance of said
19 sewer pipes; provided, nevertheless, that said second party shall
20 be responsible for damage to crops or lands of first parties arising
21 by virtue of any such entry.

22 Party of the second part hereby grants to the parties of
23 the first part the right to use the runoff waste waters from said
24 sewage system so long as such a taking will not effect the operation
25 of said system and provided further that such taking shall not re-
26 sult in any expense to second party, its successors or assigns.
27 Party of the second part further grants to first parties the first
28 option to remove and use the solid waste materials from the system's
29 leech beds at no cost to said first parties.

30 The land affected by the grant of this easement and
right of way is located in the county of Churchill, state of

1 Nevada, and is more particularly described as follows:

2 The Northeast quarter (NE $\frac{1}{4}$) and the East Half
3 of the Northwest quarter (E $\frac{1}{2}$ of NW $\frac{1}{4}$) and the
4 Northeast quarter of the Southwest quarter
(NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 32, Townsh'p 19 North,
5 Range 29 East, M.D.B.&M.

6 The easement and right of way hereby granted covers a
7 str'p or parcel of land of varying width in Churchill County,
8 Nevada, being a portion of the above-described land and more
9 particularly described as follows, to wit:

10 Commencing at a point that bears North 57°52'45"
11 East a distance of one hundred sixty and no/100
12 feet (160.00') from the Northeast corner of the
13 Northwest quarter of the Southeast quarter of
14 Section Thirty-four (34), Township Nineteen (19)
15 North, Range Twenty-nine (29) East, M.D.B.&M.,
16 the same point being Engineers Station 0 + 00
17 of the outfall sewer line; running thence
18 South 66°42'45" East a distance of two hundred
19 twenty-three and 62/100 feet (223.62'); thence
20 North 89°54'45" East a distance of two thousand
21 three hundred forty-two and 18/100 feet (2342.18')
22 a point on the West boundary line of the Kent
23 Bros. tract and Engineers Station 25 + 6580 of
24 the outfall sewer line, the point of beginning;
25 running thence South 64°34'45" East a distance
26 of seven hundred forty-nine and two-tenths
27 feet (749.2'); thence South 56°37'15" East a
28 distance of seven hundred seventy-two and one-
29 tenth feet (772.1'); thence South 45°15'15"
30 East a distance of seven hundred twenty-six
and eight-tenths feet (726.8'); thence South
0°41'45" West a distance of sixty-eight and
one-tenth feet (68.1') to a point in the
center of the New River Drain and on the South
boundary line of said property and Engineers
Station 48 + 82.

TO HAVE AND TO HOLD said easement and right of way unto
said party of the second part, and unto its successors and assigns
forever.

IN WITNESS WHEREOF, the parties of the first part have
hereunto set their hands the day and year first above written.

1 STATE OF NEVADA,)
2 County of Churchill.) ss.

3 On this 23 day of June, A.D., 1954, personally appeared
4 before me, a notary public in and for the county and state afore-
5 said, KENNETH KENT, ROBERT KENT and THOMAS D. KENT, known to me
6 (or proved) to be the persons described in and who executed the
7 foregoing instrument, who acknowledged to me that they executed
8 the same freely and voluntarily and for the uses and purposes
9 therein mentioned.

10 IN WITNESS WHEREOF, I have hereunto set my hand and
11 affixed my official seal the day and year in this certificate
12 above written.

13 E. L. Smith
14 Notary Public

15 My commission expires: June 25, 1955
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515240

Filed for record at the request of
Betty Mills
July 14-1954
 at 3:25 min. past 4 o'clock P.M.
 and Recorded in Book 31
Page 329
 Records of Churchill County, Nev.
John A. [Signature]
75
Recorder

VERIFIED

6-23-54

CITY

RECEIVED
 JUL 14 1954
 CLERK

December 16, 2019

Agenda Item 8

Presentation of the Police Department Report for
September/October 2019. **(For discussion only)**

CITY OF FALLON
REQUEST FOR COUNCIL ACTION
AGENDA ITEM NO. 8

DATE SUBMITTED: 12/06/19

AGENDA DATE REQUESTED: 12/16/19

TO: Mayor and Council

FROM: Kevin Gehman, Chief of Police

SUBJECT: Monthly Report for September/October 2019

TYPE OF ACTION REQUESTED: (Check One)

☐ Resolution

☐ Ordinance

☐ Formal Action/Motion

☒ Other (Specify) Review Only

RECOMMENDED COUNCIL ACTION: For review only

DISCUSSION/ANALYSIS: (Attachment, if necessary)

FISCAL IMPACT: None

FUNDING SOURCE:

EXPLANATION OF IMPACT:

ALTERNATIVES:

Prepared By: Wendy J. Mello

Date 12/9/19

Reviewed By: Chief Kevin Gehman

Date 12/8/19

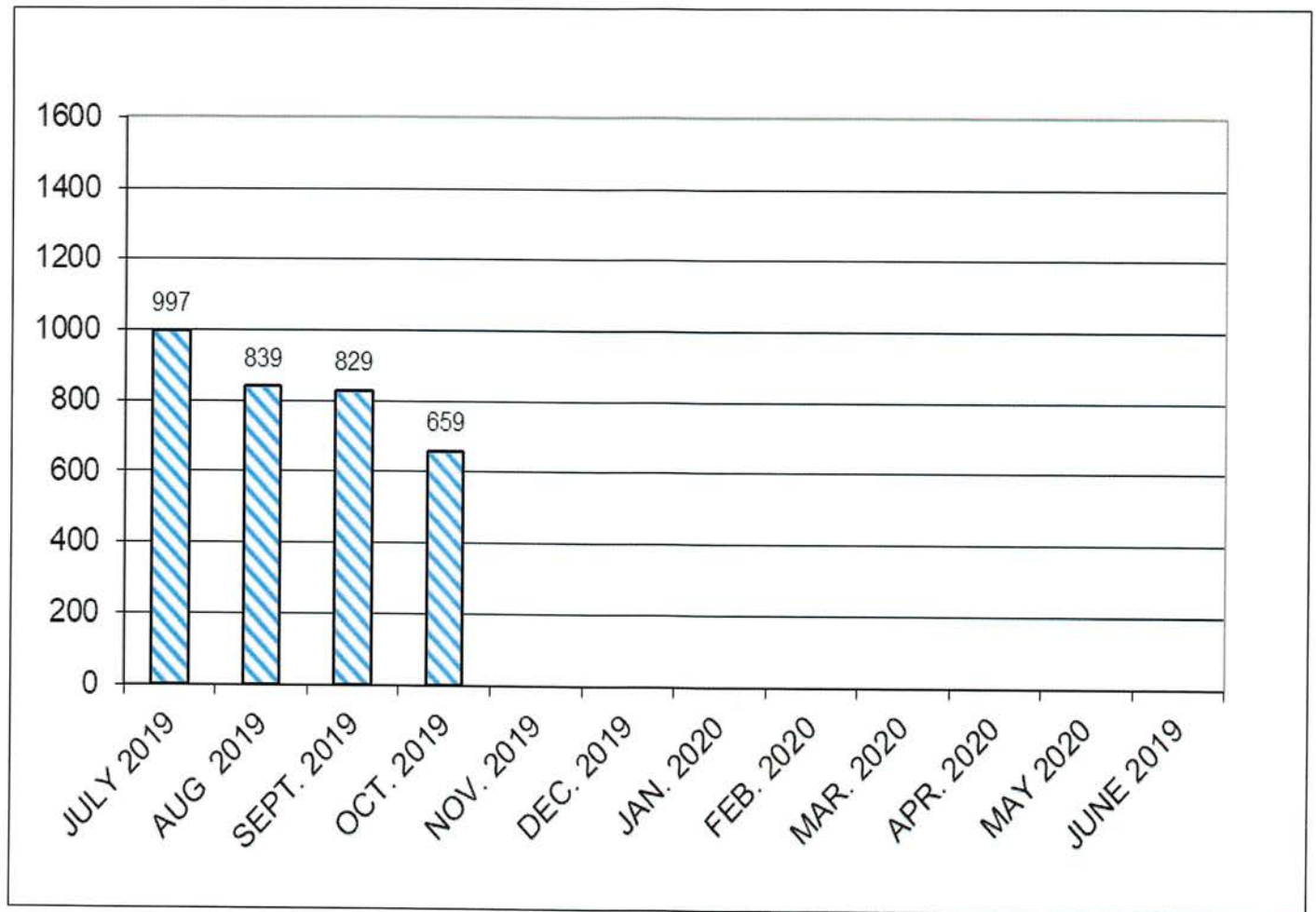
Presented by Kevin Gehman

MONTHLY ACTIVITY REPORT

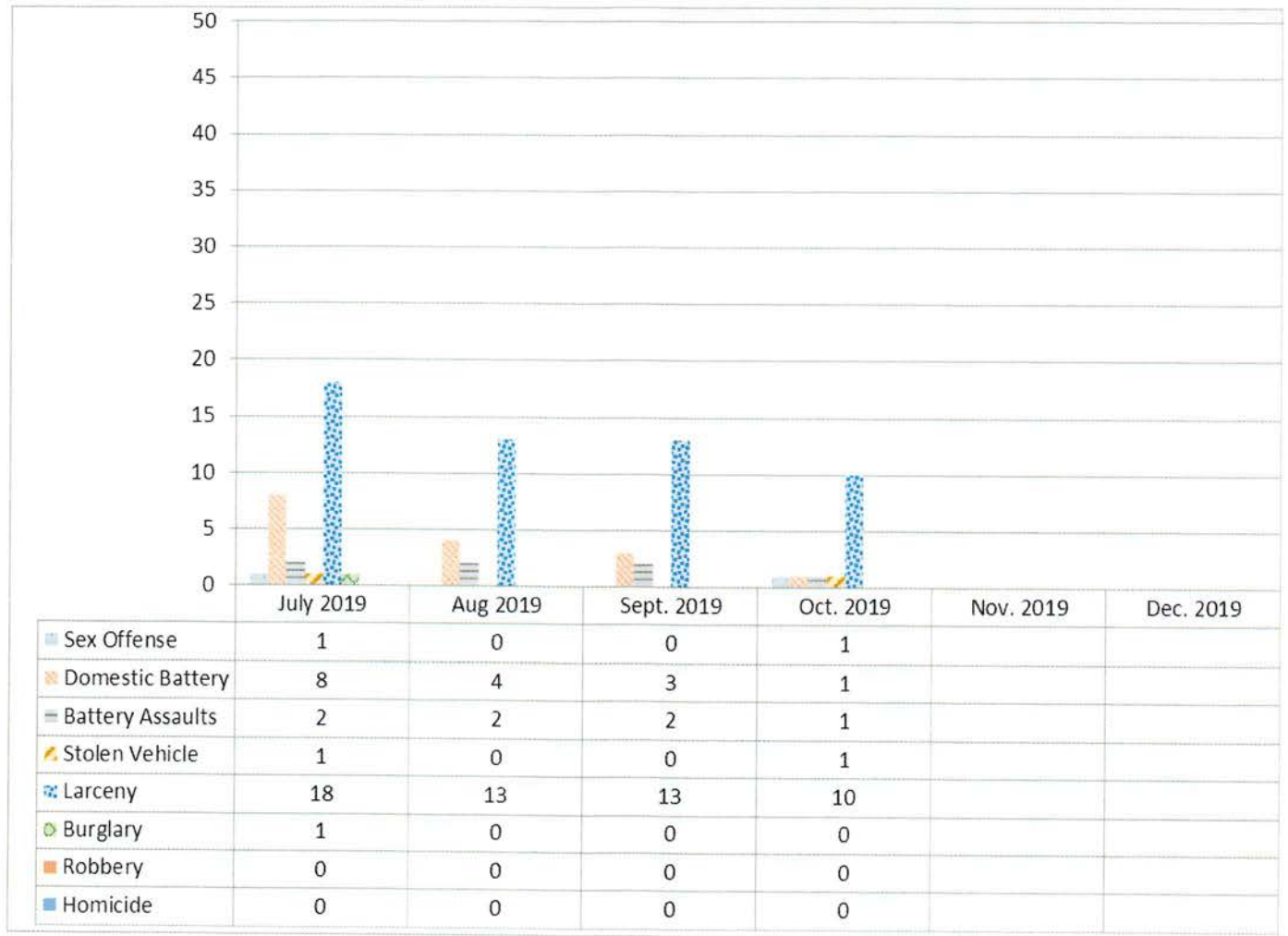


SEPTEMBER/OCTOBER 2019

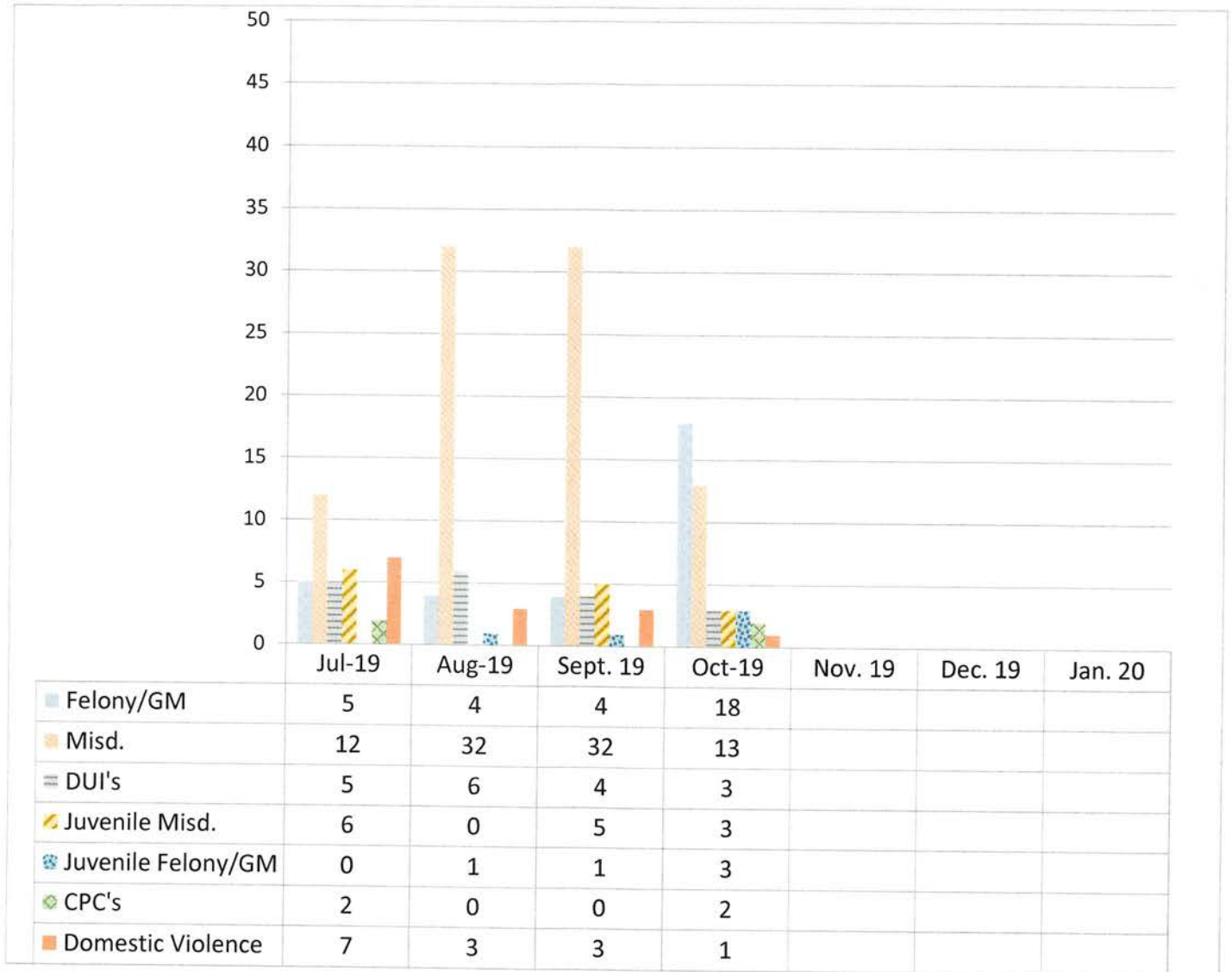
2019/2020 Total Incidents Reported



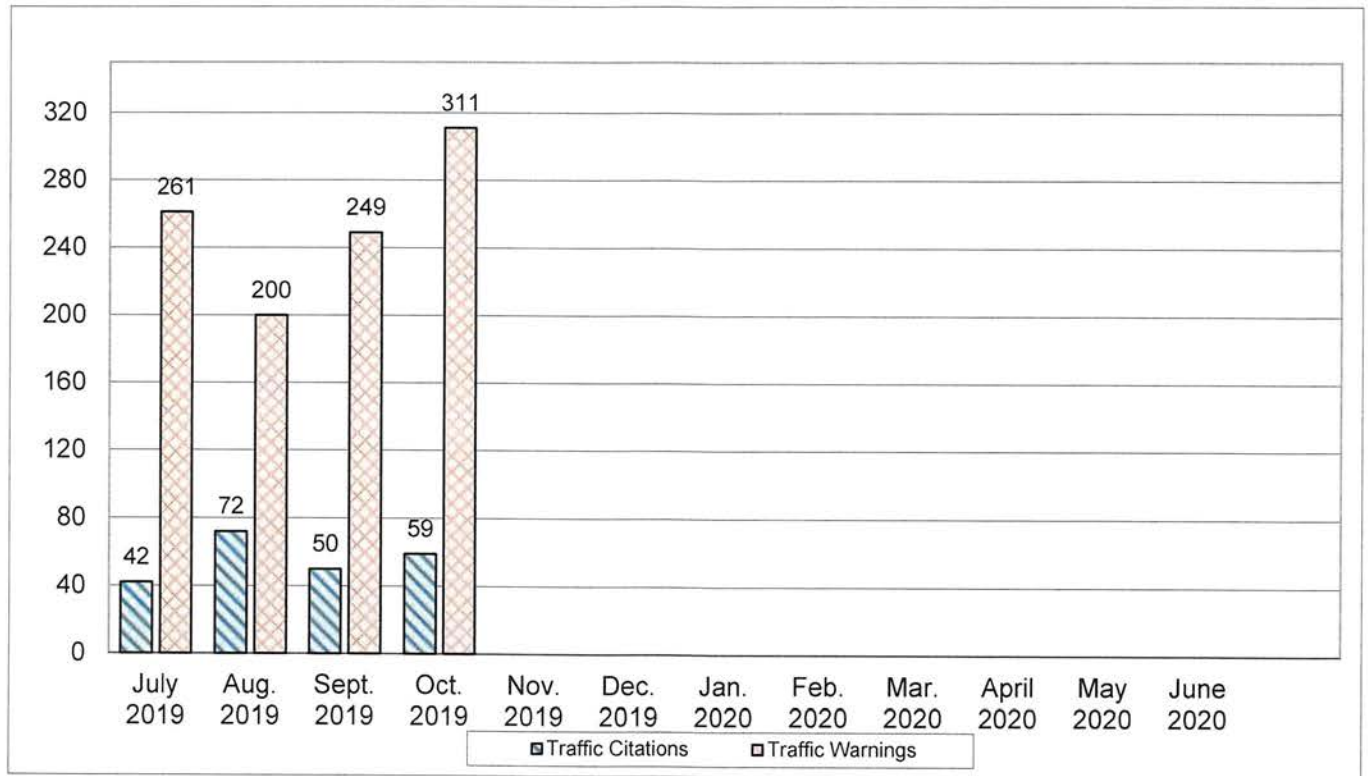
2019/2020 CRIME SUMMARY



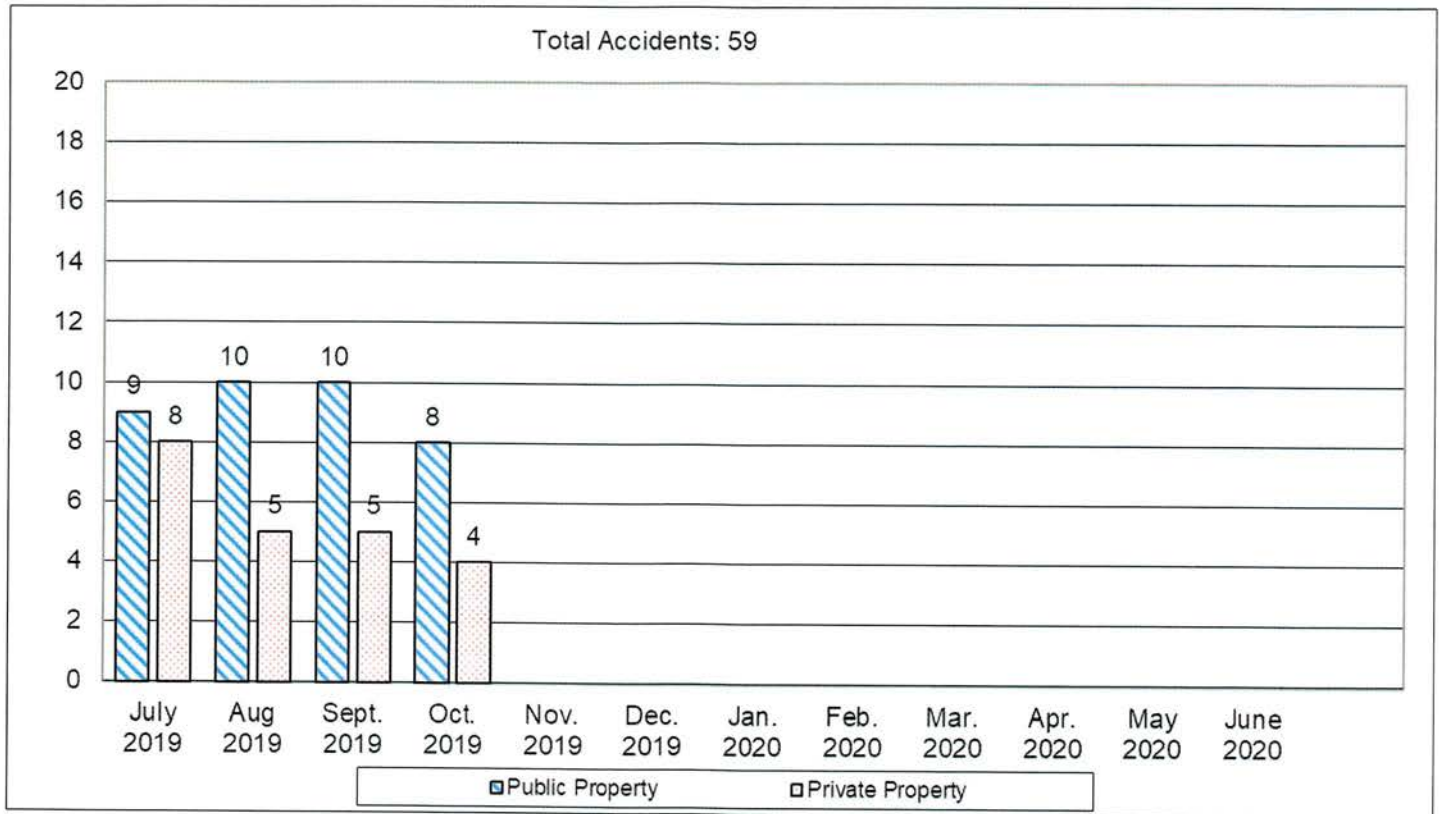
2019/2020 ARREST SUMMARY



2019/2020 MOVING CITATIONS AND TRAFFIC WARNINGS

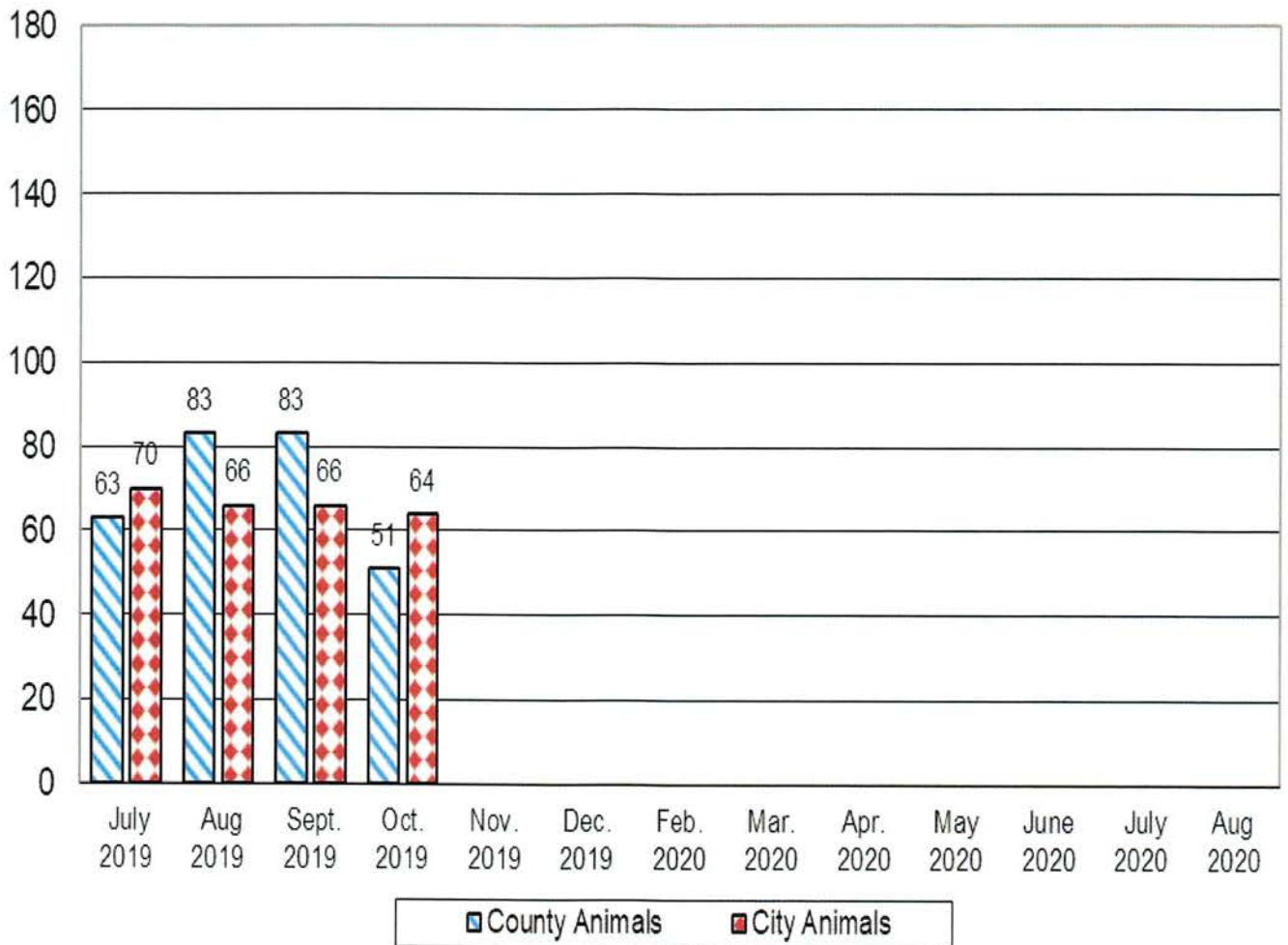


2019/2020 ACCIDENTS



2019/2020 ANIMAL SHELTER SERVICE

Year to Date County Animals: 280 Year to Date City Animals: 266



**Fallon Police Department
Citizen Survey Results**

September/October 2019

When you contacted the Police Department, how satisfied were you with the ability of the dispatcher or employee that assisted you?

<u>VERY SATISFIED</u>	<u>SATISFIED</u>	<u>DISSATISFIED</u>	<u>NO OPINION</u>
10	3		

Were you satisfied with the courtesy and concern shown by the dispatcher or employee?

<u>VERY SATISFIED</u>	<u>SATISFIED</u>	<u>DISSATISFIED</u>	<u>NO OPINION</u>
11	2		

Are you satisfied with the Police Department's response time?

<u>VERY SATISFIED</u>	<u>SATISFIED</u>	<u>DISSATISFIED</u>	<u>NO OPINION</u>
10	2		1

Regarding your most recent contact, please rate the Officer in the following areas:

Officer name(s) Officer J. Shyne. Officer Schumann and Officer Bernard.

	<u>VERY SATISFIED</u>	<u>SATISFIED</u>	<u>DISSATISFIED</u>	<u>NO OPINION</u>
Concern	11	2		
Courtesy	11	2		
Knowledge	11	1	1	
Problem Solving Ability	12		1	
Professional Conduct	11	2		

Overall, how satisfied are you with the Fallon Police Department?

<u>VERY SATISFIED</u>	<u>SATISFIED</u>	<u>DISSATISFIED</u>	<u>NO OPINION</u>
11	2	1	

CITIZEN SURVEY COMMENTS

September/October 2019

- There has been part of a vehicle in front of 411 Michael Drive for about 6 months. It looks like it was a Chevy Blazer. There are also car parts all over the front yard. This is a neighborhood repair shop. I don't know if anyone went down Michael Drive, the vehicle is still there and hasn't moved in months.
- Thank you for all the help. The officers did a great job. They know what they are doing and they know their job.
- I pushed my medic alert button by mistake and the officer was there immediately.
- There is a license plate wired on the rear of the vehicle in front of 411 Michael drive but it only part of a Chevy Blazer and not legal for street use. It doesn't have parts such as a drive shaft and has not moved since March. What vehicle does this plate belong to? Is he the legal owner of the car parts in the front yard?
- My contact with all representatives employed by the Fallon Police Department, over my four (4) year residency in Fallon has always been positive. Even off duty at the gym workouts has been a positive experience, as I would meet law enforcement officers while they would be exercising. Being a retired cop, I do pay attention, and I feel proud of our town of Fallon's law enforcement personnel. Law enforcement is not an easy task, "nobody calls the cops because everything is going fine." Something to think about, thank you all!
- Thank you all for your service!
- Helpful with dementia patient. Kind and considerate. Thanks

Fallon Police Department
Activities / Special Events
September/October 2019

SEPTEMBER
COMMUNITY RELATIONS

Indoctrination

On September 3, 2019-Detective Decker completed indoctrination training with ten (10) sailors at the multipurpose building on the base.

Explorers

September 5, 2019- The Fallon Police Department Explorers assisted with serving meals to citizens of the community at the Epworth Methodist Church, located at 280 East Stillwater Avenue.

September 12, 2019-Officer J. Shyne and Officer Groom took the Fallon Police Department Explorers to assist Tom Goodson. Tom is a VIPS member with the Fallon Police Department and needed help pulling weeds in his yard.

Recovery Day

September 21, 2019-Dispatcher Rasmussen, Dispatcher Kufalk, CSO Itskin, VIP McCusker and John Riley attended the Recovery Day in Oats Park which was put on by New Frontier. They handed out candy, frisbees, tattoos and had a photo booth for the attendees. Officer Goodrick came by while on duty and raffled off three (3) bicycles which had been donated by Walmart.

MISC.

September 10, 2019-Officer Bernard provided the Tungland Group a tour of the department.

September 25, 2019-Officer Itskin went to 280 East Stillwater Avenue, Epworth Methodist Church, to speak to children about being a police officer. He spoke with the children, answered questions, and showed them the equipment in his patrol vehicle.

SEPTEMBER
VOLUNTEERS IN POLICE SERVICES

During the month of September, our VIPS donated 67.5 total hours to the agency. They assisted with the annual Labor Day parade, admin, patrol, school zones, repairs as well as Helping Hands visits.

SEPTEMBER TRAINING

During the month of September, officers and staff attended the following training:

September 9-13-Sgt. Jardine and Officer Grimes attended -Basic Sniper Training @ Palomino Gun Club.

OCTOBER

COMMUNITY RELATIONS

Explorers

October 3, 2019-The Fallon Police Department Explorers and Officer Bloomfield went to 280 East Stillwater Avenue, the Epworth Methodist Church. They assisted in setting up, serving, and cleaning up at the Fallon Daily Bread.

October 8, 2019-Officers Shyne, Groom, Officer Jacobs and the Explorers met with students of Oasis Academy, located at 920 West Williams Avenue. They discussed the Explorer's program to the students and answered any questions they had.

Indoctrination

On October 7, 2019-Detective Decker completed indoctrination training with nine (9) sailors at Naval Air Station Fallon.

Halloween

October 18, 2019- Trunk or Treat at the Churchill County Swimming Pool was set up, executed and completed without incident. The Fallon Police Department was awarded first place.

October 26, 2019-PSA Fecht, PSA Sweeney, Dispatcher Kufalk, Officer Jacobs, Explorers: Jason, Janice and Josh set up and attended the Banner Community Hospital Trunk or Treat.

October 26, 2019-Officer Bloomfield, PSA Fecht and members of the Fallon Police Explorer's group went to Walmart and participated in their Trunk or Treat event.

National Prescription Drug Take Back

October 19, 2019-Detective Decker and Officer Sam Ugalde completed the Drug Enforcement Agency (DEA) National Prescription Drug Take Back at the parking lot of CVS Pharmacy. They collected five boxes of old prescription drugs with a total approximate weight of twenty-two pounds.

MISC

October 3.19-Detective Sgt. Frandsen & Detective Decker received an award from the FBI regarding their assistance on a criminal investigation.

October 12, 2019, PSA Melissa Fecht met with local Cub Scout Pack 38. They were earning their Cyber Clip badges. She discussed Internet safety, inappropriate touching, bullying and stranger danger with the juveniles. She then met with the parents and discussed GPS trackers, inappropriate apps, emojis and text messages that they may find on their child's phone. They also discussed sex offenders and the behaviors someone might display who is trying to harm their child and ways they can help keep their children safe. She handed out information for the parents regarding all the subjects that had been discussed.

October 18, 2019-Officer Bernard participated in Northside Early Learning Center's Community Heroes event.

October 18, 2019-CSO Itskin went to Churchill County Middle School where she met with teacher Traci Miller and her class. The students made cookies for the shelter dogs and CSO Itskin answered their questions.

October 28, 2019-Officer Zamora gave a presentation to the first-grade students of Oasis Academy.

October 28, 2019- VIPs Goodson participated in "Hands Are Not for Hitting" Program at Northside Elementary School

October 31, 2019-Officer Jardine, Officer Ugalde and Officer Groom conducted an escort for the tennis team. The team had made it to state level finals and were traveling to Las Vegas, NV.

OCTOBER
VOLUNTEERS IN POLICE SERVICES

During the month of October, our VIPs donated 82.5 total hours to the agency. They assisted with the annual the downtown Halloween event, Hands are not for Hitting, traffic control, radio repairs as well as Helping Hands visits.

OCTOBER TRAINING

During the month of October, officers and staff attended the following training:

October 7-11- Officer Babiarz attended ISR Matrix Instructor Class in Sparks, NV.

October 16-Executive Secretary, Wendy Mello attended an Advanced Excel class in Reno, NV.

October 28-31- Daniel Babiarz attended -CVSA (Computer Voice Stress Analyzer) Class in Las Vegas, NV.

October 30-Detective Wood attended Fusion Liaison Officer & 1st Amendment Training in Carson City, NV.