

AGENDA
CITY OF FALLON – CITY COUNCIL
55 West Williams Avenue
Fallon, Nevada
February 15, 2022 – 9:00 a.m.

The Honorable City Council will meet in a regularly scheduled meeting on February 15, 2022 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 three 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. Public hearing for Bill Nos. 788, 789, and 790: Ordinances amending Title 2, Chapter 2.20, Sections 2.20.020, 2.20.030, and 2.20.050 of the City of Fallon Municipal Code for the purpose of changing the dates of primary and general city elections, requirements for primary election candidates, and commencement of office for elected officers following general city election; and for other matters properly related thereto. **(For discussion only)**
6. Consideration and possible adoption for Bill Nos. 788, 789, and 790: Ordinances amending Title 2, Chapter 2.20, Sections 2.20.020, 2.20.030, and 2.20.050 of the City of Fallon Municipal Code for the purpose of changing the dates of primary and general city elections, requirements for primary election candidates, and commencement of office for elected officers following general city election; and for other matters properly related thereto. **(For possible action)**
7. Public hearing for Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the

appointment dates of appointive officers; and for other matters properly related thereto.
(For discussion only)

8. Consideration and possible adoption of Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto. **(For possible action)**
9. Fallon Police Department Monthly Report for January 2022 **(For discussion only)**
10. Public Comments **(For discussion only)**
11. Council and Staff Reports **(For discussion only)**
12. 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 February 10, 2022 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.

February 15, 2022

Agenda Item 5

Public hearing for Bill Nos. 788, 789, and 790: Ordinances amending Title 2, Chapter 2.20, Sections 2.20.020, 2.20.030, and 2.20.050 of the City of Fallon Municipal Code for the purpose of changing the dates of primary and general city elections, requirements for primary election candidates, and commencement of office for elected officers following general city election; and for other matters properly related thereto. **(For discussion only)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 5

DATE SUBMITTED: February 8, 2022

AGENDA DATE REQUESTED: February 15, 2022

TO: The Honorable City Council

FROM: Trent deBraga, Deputy City Attorney

SUBJECT TITLE: Public hearing for Bill Nos. 788, 789, and 790: Ordinances amending Title 2, Chapter 2.20, Sections 2.20.020, 2.20.030, and 2.20.050 of the City of Fallon Municipal Code for the purpose of changing the dates of primary and general city elections, requirements for primary election candidates, and commencement of office for elected officers following general city election; and for other matters properly related thereto. **(For discussion only)**

Resolution Ordinance
 Formal Action/Motion Other

POSSIBLE COUNCIL ACTION: None in this agenda item, it is for public hearing for Bill Nos. 788, 789, and 790 only.

DISCUSSION: Bill Nos. 788, 789, and 790 were introduced at the Council's properly noticed special meeting on January 28, 2022. Notice of the deposit of copies of the proposed ordinances and the public hearing date was duly published in the Lahontan Valley News on February 2, 2022. The proposed ordinances, as introduced, and Proof and Statement of Publication of the Notice of Deposit of Copies and Public Hearing to Adopt Bill Nos. 788, 789, and 790 are attached to this coversheet. This agenda item represents the public's opportunity to comment on the proposed ordinances and to present relevant information and materials to the Council.

PREPARED BY: Trent deBraga, Deputy City Attorney



Lahontan VALLEY NEWS

SERVING FALLON AND FERRELL AND FALLON EAGLE STANDARD

Proof and Statement of Publication
AD #: 21177

580 Mallory Way, Suite 200, Carson City, NV
89701 PO Box 648, Carson City, NV 89702
(775) 881-1201 FAX: (775) 887-2408

Customer Account #: 2263

Legal Account

CITY OF FALLON

55 W Williams Ave
Fallon, NV 89406

Matt Speers says:

That he is a legal clerk of the
Lahontan Valley News
a newspaper published Wednesday at
Fallon, in the State of Nevada.

Copy Line

2/2 LVN PH to Adopt Bills 788, 789, 790, 791

PO #:

AD #: 21177

of which a copy is hereto attached, was published
in said newspaper for the full required period of 1
time(s) commencing on **02/02/2022**
and ending on, **02/02/2022**
all days inclusive.

Signed: *Matt Speers*

Statement:

Date	Amount	Credit	Balance
02/02/22	153.50		

City of Fallon
Notice of Deposit of Copies and Public
Hearing to Adopt Bill Nos. 788, 789, 790, and
791

Notice is hereby given that the Honorable
City Council of the City of Fallon will hold a
Public Hearing on Tuesday, February 15, 2022
at 9:00 a.m. in the City Council Chambers,
City Hall, 55 West Williams Avenue, Fallon,
Nevada 89406, to consider possible adoption
of Bill Nos. 788, 789, 790, and 791.

Bill Nos. 788, 789, and 790, if adopted as
Ordinances, will accomplish the following:
Ordinances amending Title 2, Chapter 2.20,
Sections 2.20.020, 2.20.030, and 2.20.050
of the City of Fallon Municipal Code. Bill No.
788 would change the dates of the primary
elections of the City of Fallon. Bill No. 789
would change the requirements for candidates
who desire to run for City office, including the
date for filing a declaration of candidacy and
the process for those who file and receive a
majority of the votes cast in the primary City
election. Bill No. 790 would change the dates
of the general election of the City of Fallon
and would also establish when the Council
Members and Mayor shall be elected and
when they shall take office.

Bill No. 791, if adopted as an Ordinance,
would accomplish the following: An Ordinance
amending Title 2, Chapter 2.40, Section
2.40.020 of the City of Fallon Municipal Code,
for the purpose of changing the appointment
dates of appointive officers and for other
matters properly related thereto.

Notice is hereby further given that copies of
the Bills have been deposited with the City
Clerk, City Hall, 55 West Williams Avenue,
Fallon, Nevada 89406, for public examination
and distribution upon request. Members of
the public may request a copy of the Bills by
contacting Elsie Lee, Deputy City Clerk, at
(775) 423-5104 or elee@fallonnevada.gov.

BILL NO. 788

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.020 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE DATES OF THE PRIMARY ELECTIONS OF THE CITY OF FALLON; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.020 currently requires a primary city election to be held on the first Tuesday after the first Monday in April in every year in which a general city election is to be held;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.115 mandates the City Council to provide for a primary city election and a general city election via ordinance pursuant to the provisions of NRS Chapter 293C.

WHEREAS, NRS 293C.175 requires a primary city election of population category two to be held on the second Tuesday in June of each even-numbered year;

WHEREAS, NRS 266.055 defines population category two as cities having 5,000 or more but less than 50,000 inhabitants;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.020 to conform to NRS 293C.175.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.020 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.020 Primary election.

A primary municipal election must be held on the second Tuesday in June of each even-numbered year, at which time there must be nominated candidates for offices to be voted for at the next general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by:

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

BILL NO. 789

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.030 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE REQUIREMENTS FOR PRIMARY ELECTION CANDIDATES OF THE CITY OF FALLON, DECLARATION OF CANDIDACY, TIME FOR FILING, FILING FEES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.030(A) currently requires a candidate for any office to be voted for at the primary city election to file a declaration of candidacy with the City Clerk not less than sixty days nor more than seventy days before the date of the primary city election;

WHEREAS, Fallon Municipal Code 2.20.030(C) currently requires the name of a candidate who receives more than a majority of votes cast in the primary city election for the office for which he is a candidate to be placed alone on the ballot for the general city election;

WHEREAS, Fallon Municipal Code 2.20.030(C) further provides that if no candidate receives a majority of the votes cast in the primary city election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.175 governs the filing for declaration of candidacy in primary city elections, collection of filing fees from a candidate filing a declaration of candidacy, the procedure for candidates who receive a majority of votes cast in the primary election and the procedure when no candidate receives a majority of votes cast in a primary city election;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.030 to conform to NRS 293C.175.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.030 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.030 Primary Election Candidates-Declaration of Candidacy-Time for Filing-Filing Fees.

- A. A candidate for an office to be voted for at the primary city election must file a declaration of candidacy with the City Clerk not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5:00 p.m. on the second Friday after the first Monday in March.

- B. At the time that a candidate files a declaration of candidacy, the City Clerk shall charge and collect from the candidate, and the candidate must pay to the City Clerk, a filing fee in an amount fixed by the City Council by resolution. The filing fees collected by the City Clerk must be deposited to the credit of the general fund of the City.

- C. If, in the primary city election, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the candidate must be declared elected to the office and the candidate's name must not be placed on the ballot for the general city election. Such candidate shall enter upon his or her respective duties at:
 - i. If the primary city election was held on the second Tuesday of June of an even numbered year, the first regular meeting of the City Council held in January of the year following the primary city election.

- D. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by:

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

BILL NO. 790

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.050 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE DATES OF THE GENERAL CITY ELECTION; MAYOR AND COUNCIL MEMBER ELECTION REQUIREMENTS; COMMENCEMENT OF DUTEIS FOR ELECTED OFFICERS FOLLOWING GENEREAL CITY ELECTION; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.050(A) currently requires the general city election to be held on the first Tuesday after the first Monday in June on the odd-numbered years commencing in 2009, and on the same day every two years thereafter;

WHEREAS, Fallon Municipal Code 2.20.050(B) provides that for the election in June 2009, a councilman for Ward 1 and a councilman for Ward 3 shall be elected to serve a term of four years;

WHEREAS, Fallon Municipal Code 2.20.050(C) provides that for the election in June 2011, a mayor and councilman for Ward 2 shall be elected to serve a term of four years;

WHEREAS, Fallon Municipal Code 2.20.050(D) provides that the mayor must be voted upon by the electors of the city at large and candidates for councilmen must be voted upon by the electors of their respective wards to represents the wards in which they reside;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.115 mandates the City Council to provide for a primary city election and a general city election via ordinance on the dates set forth for primary city elections and general city elections pursuant to the provisions of NRS Chapter 293C.

WHEREAS, NRS 293C.140 establishes when a general city election must be held and establishes the successive intervals at which time there must be elected the elective city officers;

WHEREAS, Assembly Bill 50, Section 51, passed in the 80th Nevada Legislative session established the term limits for elective city officers elected at such general city election in June 2017, and June 2019;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.050 to conform to NRS 293C.140.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.050 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.050-Time for the General City Election-Mayor and Council Member Election Requirements.

- A. A general city election must be held on the first Tuesday after the first Monday in November 2022, and at each successive interval of 2 years, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election.
- B. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, a Council Member for Ward 1 and a Council Member for Ward 3 shall be elected and shall hold office for a period of 4 years. The Council Member for Ward 1 shall be elected only by the electors who reside in Ward 1 and the Council Member for Ward 3 shall be elected only by the electors who reside in Ward 3.
- C. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, a Mayor and Council Member for Ward 2 shall be elected and shall hold office for a period of 4 years. The Mayor shall be elected by the electors of the city at large and the Council Member for Ward 2 shall be elected only by the electors who reside in Ward 2.
- D. An officer so elected shall qualify and enter upon the discharge of his or her respective duties on the first regular meeting of the City Council held in January of the year following the general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by:

Passed and adopted this ____ day of _____, 2022.

Those voting aye:_____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

February 15, 2022

Agenda Item 6

Consideration and possible adoption for Bill Nos. 788, 789, and 790: Ordinances amending Title 2, Chapter 2.20, Sections 2.20.020, 2.20.030, and 2.20.050 of the City of Fallon Municipal Code for the purpose of changing the dates of primary and general city elections, requirements for primary election candidates, and commencement of office for elected officers following general city election; and for other matters properly related thereto. **(For possible action)**

held. NRS 293C.175 requires a primary city election to be held on the second Tuesday in June of each even-numbered year.

Bill No. 789: AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.030 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE REQUIREMENTS FOR PRIMARY ELECTION CANDIDATES OF THE CITY OF FALLON, DECLARATION OF CANDIDACY, TIME FOR FILING, FILING FEES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

Bill No. 789 would amend Title 2, Chapter 2.20, Section 2.20.030 of the Fallon Municipal Code and change the requirements for candidates who desire to run for City office, including the date for filing a declaration of candidacy and the process for those who file and receive a majority of the votes cast in the primary city election.

FMC 2.20.030(A) currently requires a candidate to file a declaration of candidacy with the City Clerk not less than 60 days nor more than 70 days before the date of the primary city election. The amendment would change the date for filing a declaration for candidacy with the City Clerk not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5:00 p.m. on the second Friday after the first Monday in March.

FMC 2.20.030(C) currently requires a candidate who receives more than a majority of votes cast in the primary city election for the office for which he is a candidate to be placed alone on the ballot for the general city election. The proposed amendment would not require a candidate who receives a majority of votes cast in the primary election to be placed on the ballot for the general city election. Instead, the candidate who receives a majority of votes cast in the primary election will be declared elected.

The amendment to FMC 2.20.030 will also establish when a candidate who is declared elected at the primary city election can take office. If the primary election was held on the second Tuesday of June of an even numbered year, the elected candidate will take office at the first regular City Council meeting in January following the primary city election. (For example, if a candidate is declared elected in June 2022, the elected candidate would take office in January 2023).

Bill No. 790: AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.050 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE DATES OF THE GENERAL CITY ELECTION; MAYOR AND COUNCIL MEMBER ELECTION REQUIREMENTS; COMMENCEMENT OF DUTIES FOR ELECTED OFFICERS FOLLOWING GENERAL CITY ELECTION; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

Bill No. 790 would amend Title 2, Chapter 2.20, Section 2.20.050 of the Fallon Municipal Code and change the date of the general city election. The amendment would also establish when the Council Members and Mayor shall be elected and when they shall take office.

Fallon Municipal Code 2.20.050(A) currently requires the general city election to be held on the first Tuesday after the first Monday in June on the odd-numbered years commencing in 2009,

and on the same day every two years thereafter. Fallon Municipal Code 2.20.050(B) currently provides that for the election in June 2009, a Councilman for Ward 1 and a Councilman for Ward 3 shall be elected to serve a term of four years. For the the election in June 2011, the Mayor and Councilman for Ward 2 shall be elected to serve a term of four years.

The amendment to FMC 2.20.050 would change the date of the general city election to the first Tuesday after the first Monday in November 2022 and every 2 years thereafter. The Council Member for Ward 1 and Council Member for Ward 3 shall be elected on the first Tuesday after the first Monday in November 2022 and shall hold office for 4 years. The Council Member for Ward 2 and the Mayor shall be elected on the first Tuesday after the first Monday in November 2024 and shall hold office for 4 years.

The amendment to FMC 2.20.050 would add language establishing that an elected officer will enter upon the discharge of their respective duties on the first regular meeting of the City Council held in January of the year following the general city election.

FISCAL IMPACT: N/A.

FUNDING SOURCE: N/A.

PREPARED BY: Trent deBraga, Deputy City Attorney

BILL NO. 788

ORDINANCE NO. 769

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.020 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE DATES OF THE PRIMARY ELECTIONS OF THE CITY OF FALLON; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.020 currently requires a primary city election to be held on the first Tuesday after the first Monday in April in every year in which a general city election is to be held;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.115 mandates the City Council to provide for a primary city election and a general city election via ordinance pursuant to the provisions of NRS Chapter 293C.

WHEREAS, NRS 293C.175 requires a primary city election of population category two to be held on the second Tuesday in June of each even-numbered year;

WHEREAS, NRS 266.055 defines population category two as cities having 5,000 or more but less than 50,000 inhabitants;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.020 to conform to NRS 293C.175.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.020 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.020 Primary election.

A primary municipal election must be held on the second Tuesday in June of each even-numbered year, at which time there must be nominated candidates for offices to be voted for at the next general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by: Councilman Richardson

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.030 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE REQUIREMENTS FOR PRIMARY ELECTION CANDIDATES OF THE CITY OF FALLON, DECLARATION OF CANDIDACY, TIME FOR FILING, FILING FEES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.030(A) currently requires a candidate for any office to be voted for at the primary city election to file a declaration of candidacy with the City Clerk not less than sixty days nor more than seventy days before the date of the primary city election;

WHEREAS, Fallon Municipal Code 2.20.030(C) currently requires the name of a candidate who receives more than a majority of votes cast in the primary city election for the office for which he is a candidate to be placed alone on the ballot for the general city election;

WHEREAS, Fallon Municipal Code 2.20.030(C) further provides that if no candidate receives a majority of the votes cast in the primary city election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.175 governs the filing for declaration of candidacy in primary city elections, collection of filing fees from a candidate filing a declaration of candidacy, the procedure for candidates who receive a majority of votes cast in the primary election and the procedure when no candidate receives a majority of votes cast in a primary city election;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.030 to conform to NRS 293C.175.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.030 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.030 Primary Election Candidates-Declaration of Candidacy-Time for Filing-Filing Fees.

- A. A candidate for an office to be voted for at the primary city election must file a declaration of candidacy with the City Clerk not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5:00 p.m. on the second Friday after the first Monday in March.

- B. At the time that a candidate files a declaration of candidacy, the City Clerk shall charge and collect from the candidate, and the candidate must pay to the City Clerk, a filing fee in an amount fixed by the City Council by resolution. The filing fees collected by the City Clerk must be deposited to the credit of the general fund of the City.

- C. If, in the primary city election, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the candidate must be declared elected to the office and the candidate's name must not be placed on the ballot for the general city election. Such candidate shall enter upon his or her respective duties at:
 - i. If the primary city election was held on the second Tuesday of June of an even numbered year, the first regular meeting of the City Council held in January of the year following the primary city election.

- D. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by: Councilman Richardson

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

BILL NO. 790

ORDINANCE NO. 771

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.20, SECTION 2.20.050 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE DATES OF THE GENERAL CITY ELECTION; MAYOR AND COUNCIL MEMBER ELECTION REQUIREMENTS; COMMENCEMENT OF DUTEIS FOR ELECTED OFFICERS FOLLOWING GENERAL CITY ELECTION; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.20.050(A) currently requires the general city election to be held on the first Tuesday after the first Monday in June on the odd-numbered years commencing in 2009, and on the same day every two years thereafter;

WHEREAS, Fallon Municipal Code 2.20.050(B) provides that for the election in June 2009, a councilman for Ward 1 and a councilman for Ward 3 shall be elected to serve a term of four years;

WHEREAS, Fallon Municipal Code 2.20.050(C) provides that for the election in June 2011, a mayor and councilman for Ward 2 shall be elected to serve a term of four years;

WHEREAS, Fallon Municipal Code 2.20.050(D) provides that the mayor must be voted upon by the electors of the city at large and candidates for councilmen must be voted upon by the electors of their respective wards to represents the wards in which they reside;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS Chapter 293C governs city elections;

WHEREAS, NRS 293C.115 mandates the City Council to provide for a primary city election and a general city election via ordinance on the dates set forth for primary city elections and general city elections pursuant to the provisions of NRS Chapter 293C.

WHEREAS, NRS 293C.140 establishes when a general city election must be held and establishes the successive intervals at which time there must be elected the elective city officers;

WHEREAS, Assembly Bill 50, Section 51, passed in the 80th Nevada Legislative session established the term limits for elective city officers elected at such general city election in June 2017, and June 2019;

WHEREAS, the City Council desires to amend Fallon Municipal Code 2.20.050 to conform to NRS 293C.140.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.20, Section 2.20.050 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.20

MUNICIPAL ELECTIONS

2.20.050-Time for the General City Election-Mayor and Council Member Election Requirements.

- A. A general city election must be held on the first Tuesday after the first Monday in November 2022, and at each successive interval of 2 years, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election.
- B. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, a Council Member for Ward 1 and a Council Member for Ward 3 shall be elected and shall hold office for a period of 4 years. The Council Member for Ward 1 shall be elected only by the electors who reside in Ward 1 and the Council Member for Ward 3 shall be elected only by the electors who reside in Ward 3.
- C. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, a Mayor and Council Member for Ward 2 shall be elected and shall hold office for a period of 4 years. The Mayor shall be elected by the electors of the city at large and the Council Member for Ward 2 shall be elected only by the electors who reside in Ward 2.
- D. An officer so elected shall qualify and enter upon the discharge of his or her respective duties on the first regular meeting of the City Council held in January of the year following the general city election.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by: Councilman Richardson

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

February 15, 2022

Agenda Item 7

Public hearing for Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto. **(For discussion only)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 7

DATE SUBMITTED: February 8, 2022

AGENDA DATE REQUESTED: February 15, 2022

TO: The Honorable City Council

FROM: Trent deBraga, Deputy City Attorney

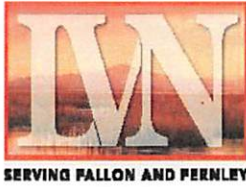
SUBJECT TITLE: Public hearing for Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto. **(For discussion only)**

Resolution Ordinance
 Formal Action/Motion Other

POSSIBLE COUNCIL ACTION: None in this agenda item, it is for public hearing for Bill No. 791 only.

DISCUSSION: Bill No. 791 was introduced at the Council's properly noticed special meeting on January 28, 2022. Notice of the deposit of copies of the proposed ordinance and the public hearing date was duly published in the Lahontan Valley News on February 2, 2022. The proposed ordinance, as introduced, and Proof and Statement of Publication of the Notice of Deposit of Copies and Public Hearing to Adopt Bill No. 791 are attached to this coversheet. This agenda item represents the public's opportunity to comment on the proposed ordinance and to present relevant information and materials to the Council.

PREPARED BY: Trent deBraga, Deputy City Attorney



Lahontan VALLEY NEWS

AND FALLON EAGLE STANDARD

Proof and Statement of Publication
AD #: 21177

580 Mallory Way, Suite 200, Carson City, NV
89701 PO Box 648, Carson City, NV 89702
(775) 881-1201 FAX: (775) 887-2408

Customer Account #: 2263

Legal Account

CITY OF FALLON

55 W Williams Ave
Fallon, NV 89406

Matt Speers says:

That he is a legal clerk of the
Lahontan Valley News
a newspaper published Wednesday at
Fallon, in the State of Nevada.

Copy Line

2/2 LVN PH to Adopt Bills 788, 789, 790, 791

PO #:

AD #: 21177

of which a copy is hereto attached, was published
in said newspaper for the full required period of 1
time(s) commencing on 02/02/2022
and ending on, 02/02/2022
all days inclusive.

Signed: *Matt Speers*

Statement:

Date	Amount	Credit	Balance
02/02/22	153.50		

City of Fallon
Notice of Deposit of Copies and Public
Hearing to Adopt Bill Nos. 788, 789, 790, and
791

Notice is hereby given that the Honorable
City Council of the City of Fallon will hold a
Public Hearing on Tuesday, February 15, 2022
at 9:00 a.m. in the City Council Chambers,
City Hall, 55 West Williams Avenue, Fallon,
Nevada 89406, to consider possible adoption
of Bill Nos. 788, 789, 790, and 791.

Bill Nos. 788, 789, and 790, if adopted as
Ordinances, will accomplish the following:
Ordinances amending Title 2, Chapter 2.20,
Sections 2.20.020, 2.20.030, and 2.20.050
of the City of Fallon Municipal Code. Bill No.
788 would change the dates of the primary
elections of the City of Fallon. Bill No. 789
would change the requirements for candidates
who desire to run for City office, including the
date for filing a declaration of candidacy and
the process for those who file and receive a
majority of the votes cast in the primary City
election. Bill No. 790 would change the dates
of the general election of the City of Fallon
and would also establish when the Council
Members and Mayor shall be elected and
when they shall take office.

Bill No. 791, if adopted as an Ordinance,
would accomplish the following: An Ordinance
amending Title 2, Chapter 2.40, Section
2.40.020 of the City of Fallon Municipal Code,
for the purpose of changing the appointment
dates of appointive officers and for other
matters properly related thereto.

Notice is hereby further given that copies of
the Bills have been deposited with the City
Clerk, City Hall, 55 West Williams Avenue,
Fallon, Nevada 89406, for public examination
and distribution upon request. Members of
the public may request a copy of the Bills by
contacting Elsie Lee, Deputy City Clerk, at
(775) 423-5104 or elee@fallonnevada.gov.

BILL NO. 791

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, SECTION 2.40.020 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE APPOINTMENT DATES OF APPOINTIVE OFFICERS; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.40.010 authorizes the Mayor, by and with the advice and consent of the City Council, to appoint all such officers as may be provided by law or ordinance;

WHEREAS, Fallon Municipal Code 2.40.010 provides appointed officers shall receive such salary as may from time to time be fixed therefor by ordinance, properly approved and passed by the City Council, which shall be paid in the same manner and at the same time as the compensation of other city employees is paid;

WHEREAS, Fallon Municipal Code 2.40.020 sets the term of office of all appointive officers at two years, currently ending on the 30th day of June following each municipal election and until their successors are duly appointed and qualified;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS 293C.140 establishes when a general city election must be held and establishes the successive intervals at which time there must be elected the elective city officers;

WHEREAS, NRS 293.140 requires a general city election to be held on the first Tuesday after the first Monday in November 2022, and at each successive interval of 2 years, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election;

WHEREAS, due to the changes to general city elections required by NRS Chapter 293C, the City Council desires to amend Fallon Municipal Code 2.40.020.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.40, Section 2.40.020 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.40

APPOINTIVE OFFICERS

2.40.020 Term of Office.

The term of office of all appointive officers shall be two years, ending on the second Tuesday in January of each odd numbered year following the November 2022 general election and until their successors are duly appointed and qualified, unless sooner removed by the Mayor, with the concurrence of a majority of the members of the City Council; but any such person so appointed may be removed by the votes of all the members of the City Council, if the City Council shall by resolution so provide.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by:

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

February 15, 2022

Agenda Item 8

Consideration and possible adoption of Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto. **(For possible action)**

Incorporated 1908

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 8

DATE SUBMITTED: February 8, 2022

AGENDA DATE REQUESTED: February 15, 2022

TO: The Honorable City Council

FROM: Trent deBraga, Deputy City Attorney

SUBJECT TITLE: Consideration and possible adoption of Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto. **(For possible action)**

Resolution Ordinance
 Formal Action/Motion Other

POSSIBLE COUNCIL ACTION: Motion to adopt Bill No 791: An ordinance amending Title 2, Chapter 2.40, Section 2.40.020, of the City of Fallon Municipal Code for the purpose of changing the appointment dates of appointive officers; and for other matters properly related thereto.

DISCUSSION: This agenda item represents the Council's opportunity to consider the proposed ordinance as they see fit. The Council is free to adopt the Bill as introduced or to amend the Bill, in any respect, prior to its adoption. The proposed ordinance, as introduced, is attached to this coversheet.

BILL NO. 791: AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, SECTION 2.40.020 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE APPOINTMENT DATES OF APPOINTIVE OFFICERS; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

FMC 2.40.020 currently sets the term of office of all appointive officers at two years, ending on the 30th day of June following each municipal election. Due to the changes to the general city elections required by NRS Chapter 293C and the days when elected officials take office, an amendment is necessary to align the dates of appointed officers with the days elected officials take office. The amendment would end the two-year term of appointed officers on the second Tuesday in January of each odd numbered year following the November 2022 general election.

FISCAL IMPACT: N/A.

FUNDING SOURCE: N/A.

PREPARED BY: Trent deBraga, Deputy City Attorney

BILL NO. 791

ORDINANCE NO. 772

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.40, SECTION 2.40.020 OF THE CITY OF FALLON MUNICIPAL CODE FOR THE PURPOSE OF CHANGING THE APPOINTMENT DATES OF APPOINTIVE OFFICERS; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Fallon Municipal Code 2.40.010 authorizes the Mayor, by and with the advice and consent of the City Council, to appoint all such officers as may be provided by law or ordinance;

WHEREAS, Fallon Municipal Code 2.40.010 provides appointed officers shall receive such salary as may from time to time be fixed therefor by ordinance, properly approved and passed by the City Council, which shall be paid in the same manner and at the same time as the compensation of other city employees is paid;

WHEREAS, Fallon Municipal Code 2.40.020 sets the term of office of all appointive officers at two years, currently ending on the 30th day of June following each municipal election and until their successors are duly appointed and qualified;

WHEREAS, Assembly Bill 50 was passed in the 80th Nevada Legislative session revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly related thereto;

WHEREAS, NRS 293C.140 establishes when a general city election must be held and establishes the successive intervals at which time there must be elected the elective city officers;

WHEREAS, NRS 293.140 requires a general city election to be held on the first Tuesday after the first Monday in November 2022, and at each successive interval of 2 years, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election;

WHEREAS, due to the changes to general city elections required by NRS Chapter 293C, the City Council desires to amend Fallon Municipal Code 2.40.020.

NOW, THEREFORE, the City Council of the City of Fallon do ordain that Title 2, Chapter 2.40, Section 2.40.020 of the City of Fallon Municipal Code be amended to read, in its entirety, as follows:

Chapter 2.40

APPOINTIVE OFFICERS

2.40.020 Term of Office.

The term of office of all appointive officers shall be two years, ending on the second Tuesday in January of each odd numbered year following the November 2022 general election and until their successors are duly appointed and qualified, unless sooner removed by the Mayor, with the concurrence of a majority of the members of the City Council; but any such person so appointed may be removed by the votes of all the members of the City Council, if the City Council shall by resolution so provide.

This ordinance shall become effective after its passage, approval and publication as required by law.

Proposed by: Councilwoman Frost

Passed and adopted this ____ day of _____, 2022.

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Those abstaining: _____

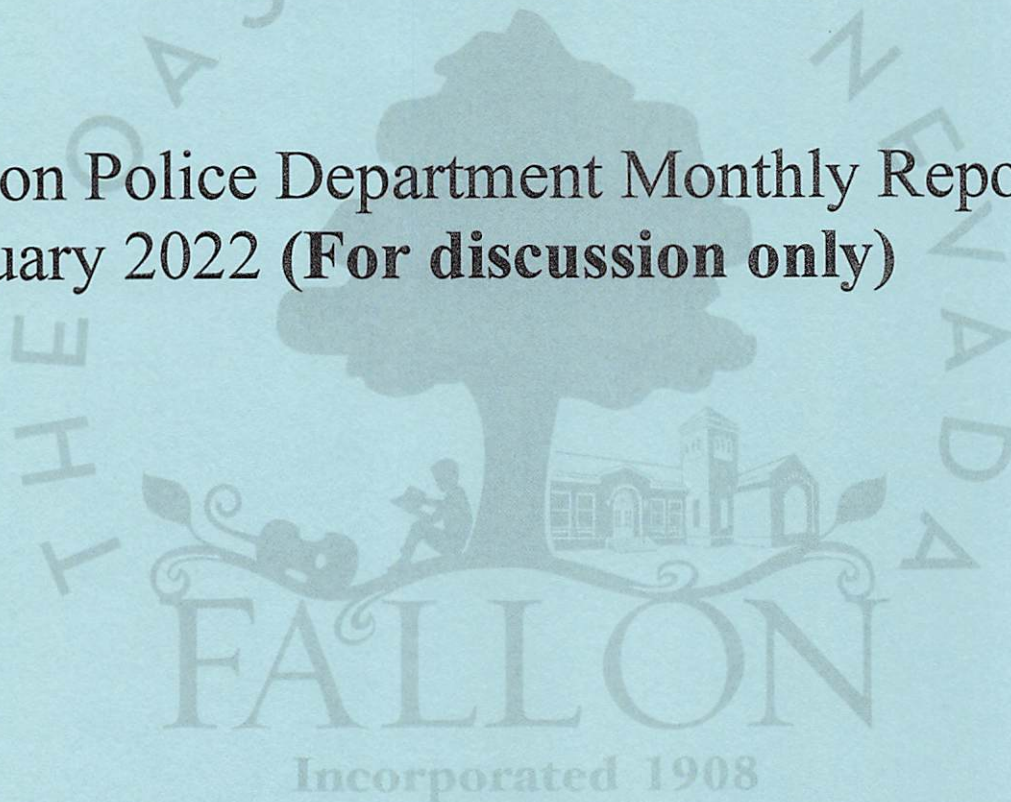
KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk-Treasurer

February 15, 2022

Agenda Item 9

Fallon Police Department Monthly Report for
January 2022 (**For discussion only**)



CITY OF FALLON
REQUEST FOR COUNCIL ACTION
AGENDA ITEM NO. 9

DATE SUBMITTED: 02/04/22

AGENDA DATE REQUESTED: 02/15/22

TO: Mayor and Council

FROM: Kristopher R. Alexander, Chief of Police

SUBJECT: Fallon Police Department Monthly Report for January 2022

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: Emily Rasmussen

Date 2/3/22

Reviewed By: Chief Kristopher Alexander 

Date 2/4/22

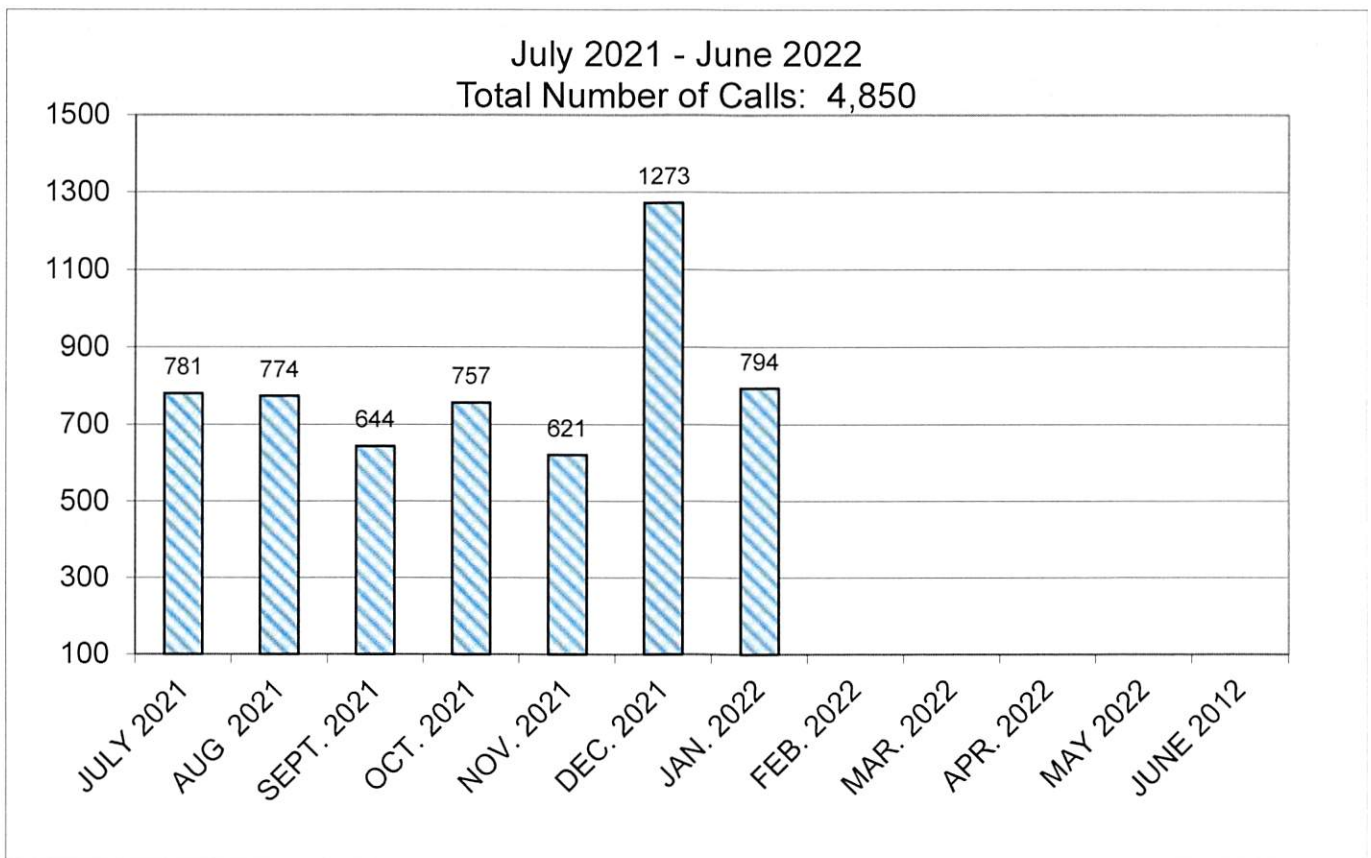
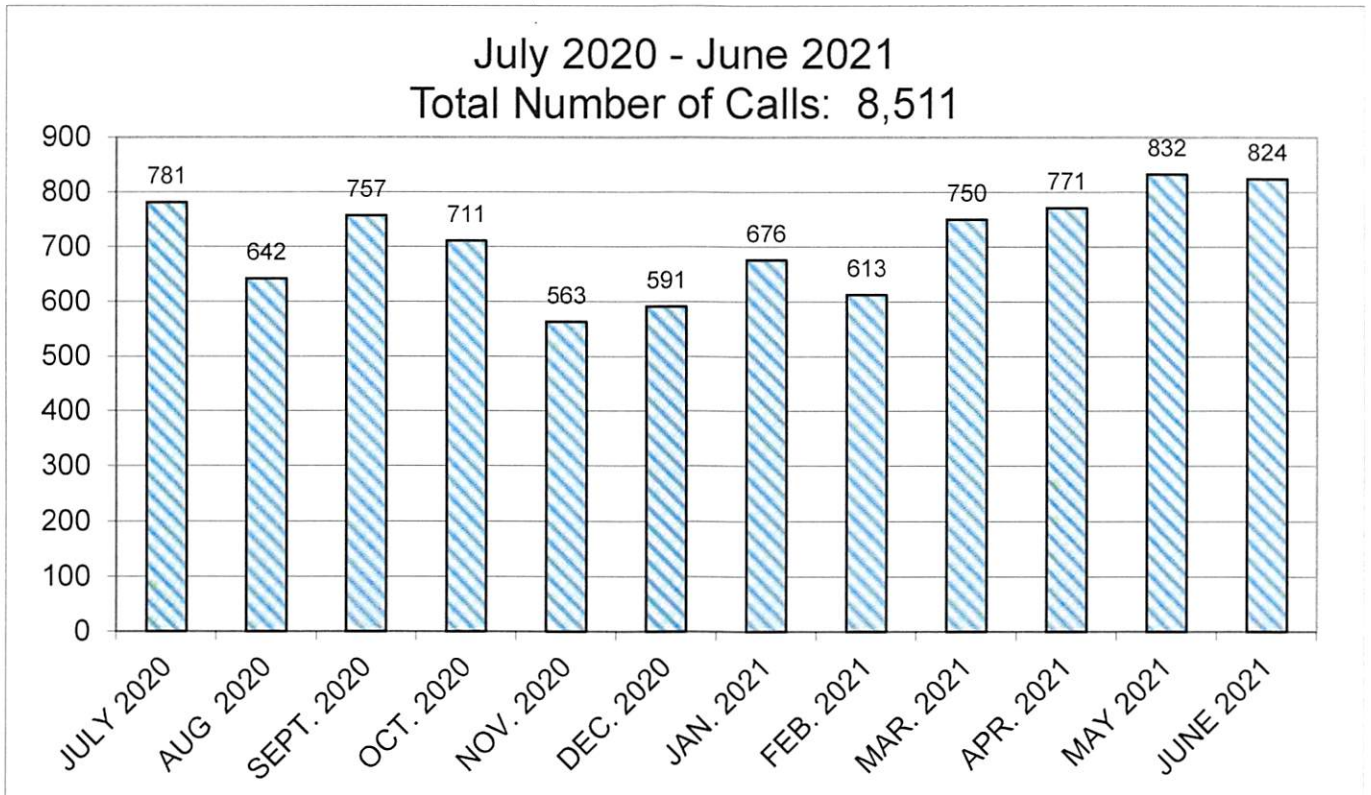
Presented by Kristopher Alexander

MONTHLY ACTIVITY REPORT

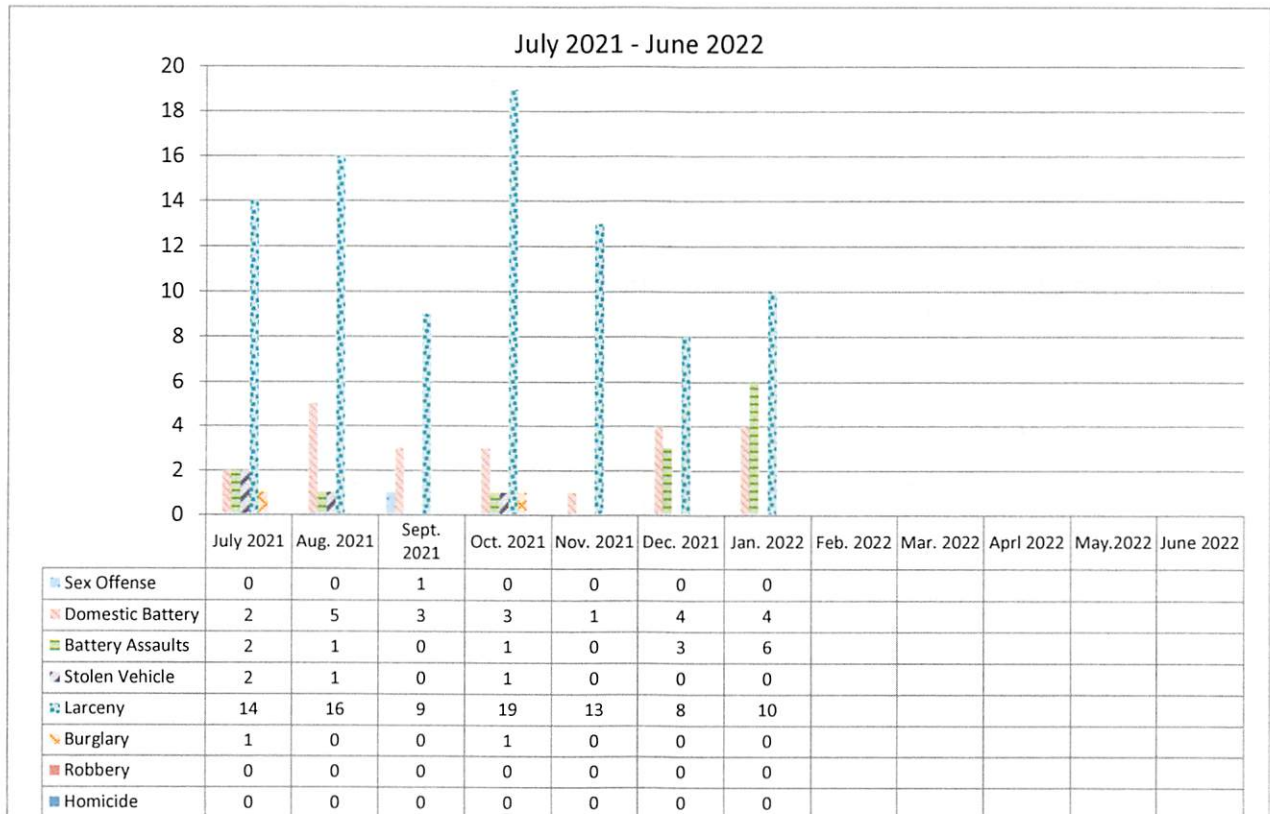
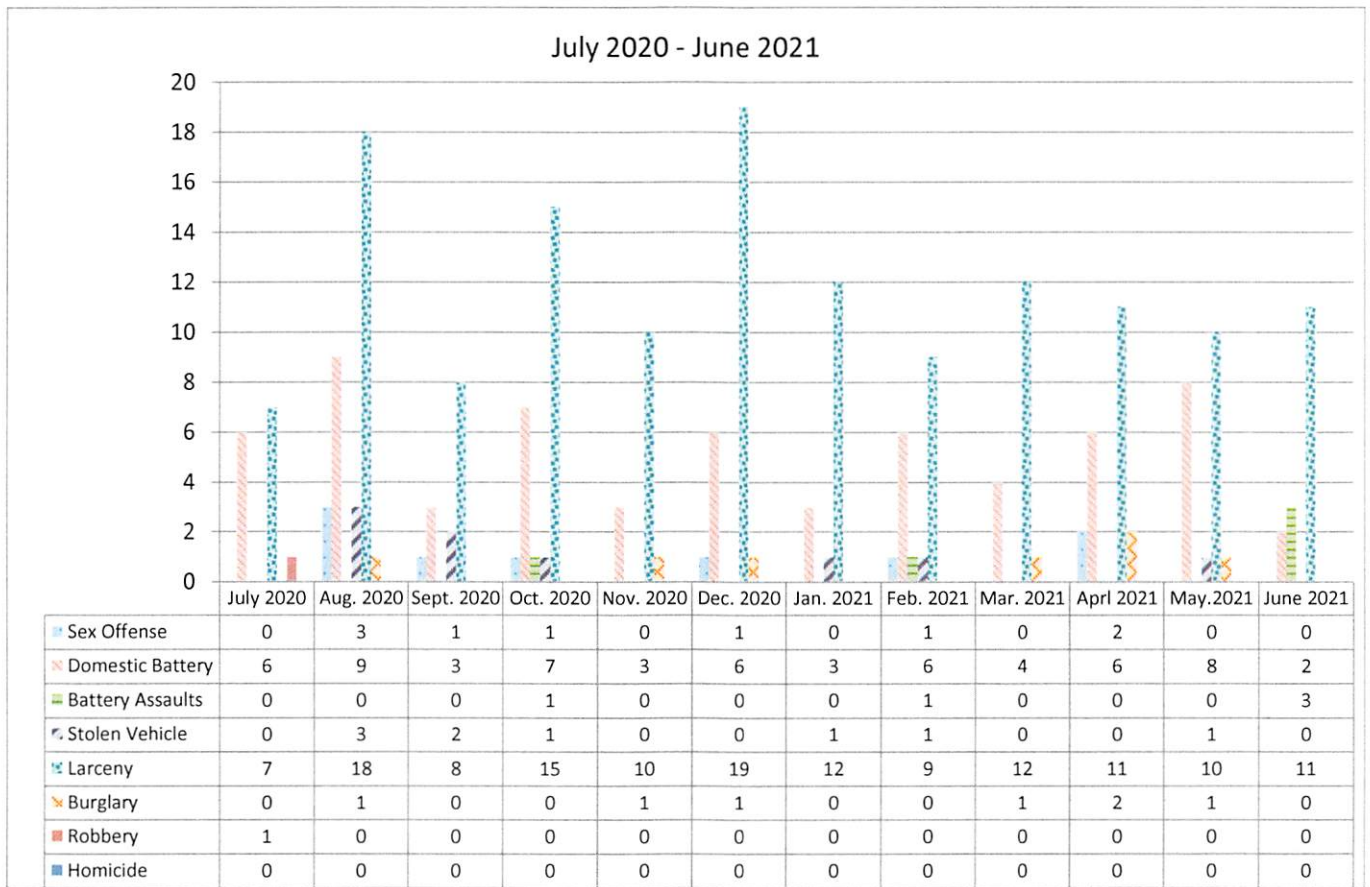


January 2022

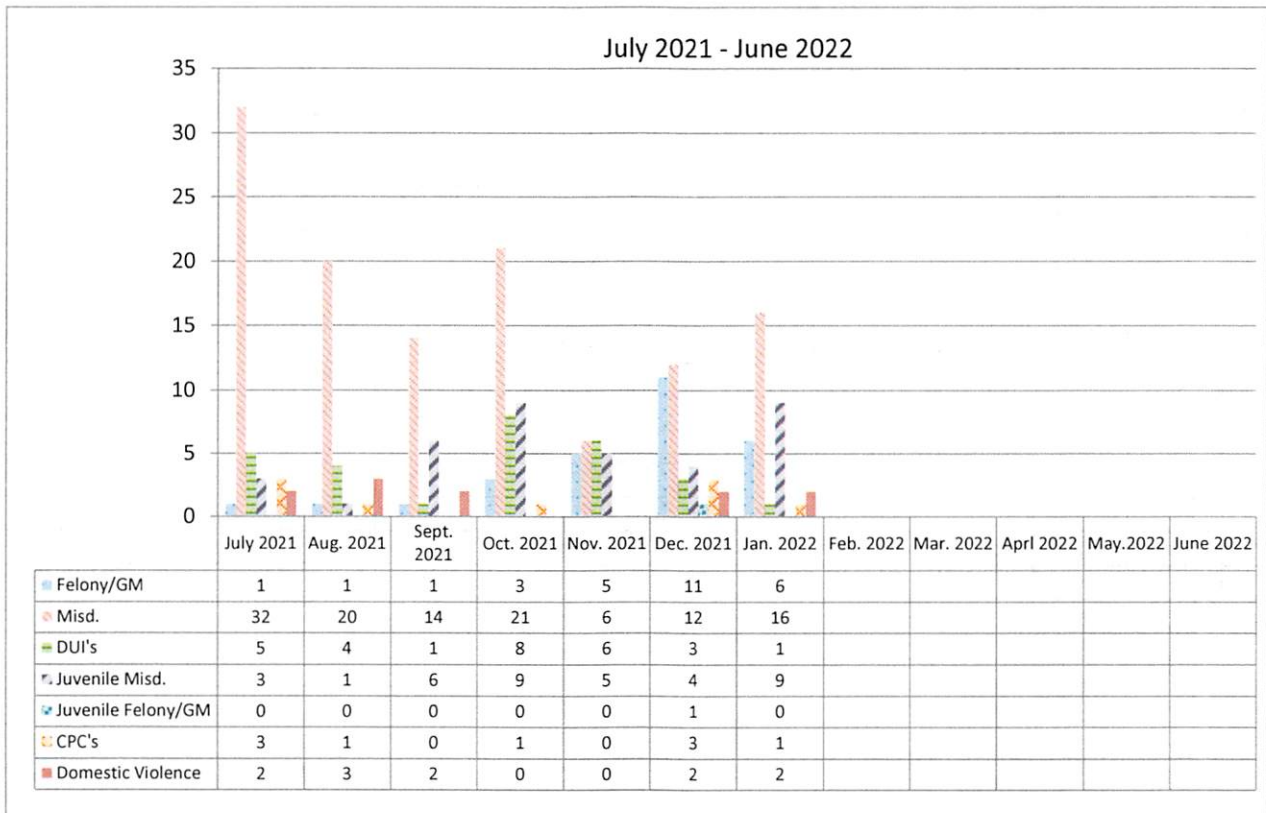
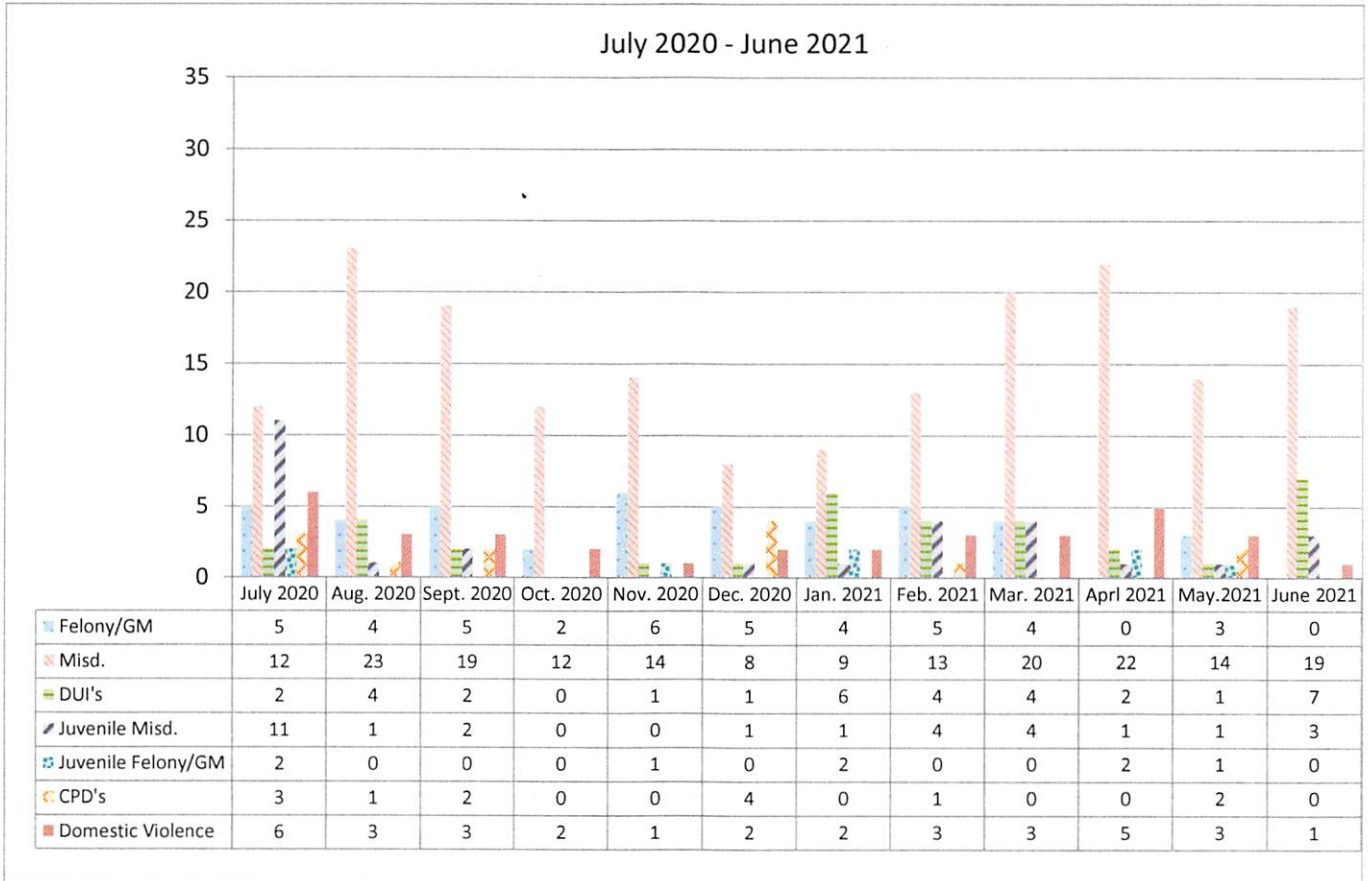
Calls for Service / Total Incidents Reported



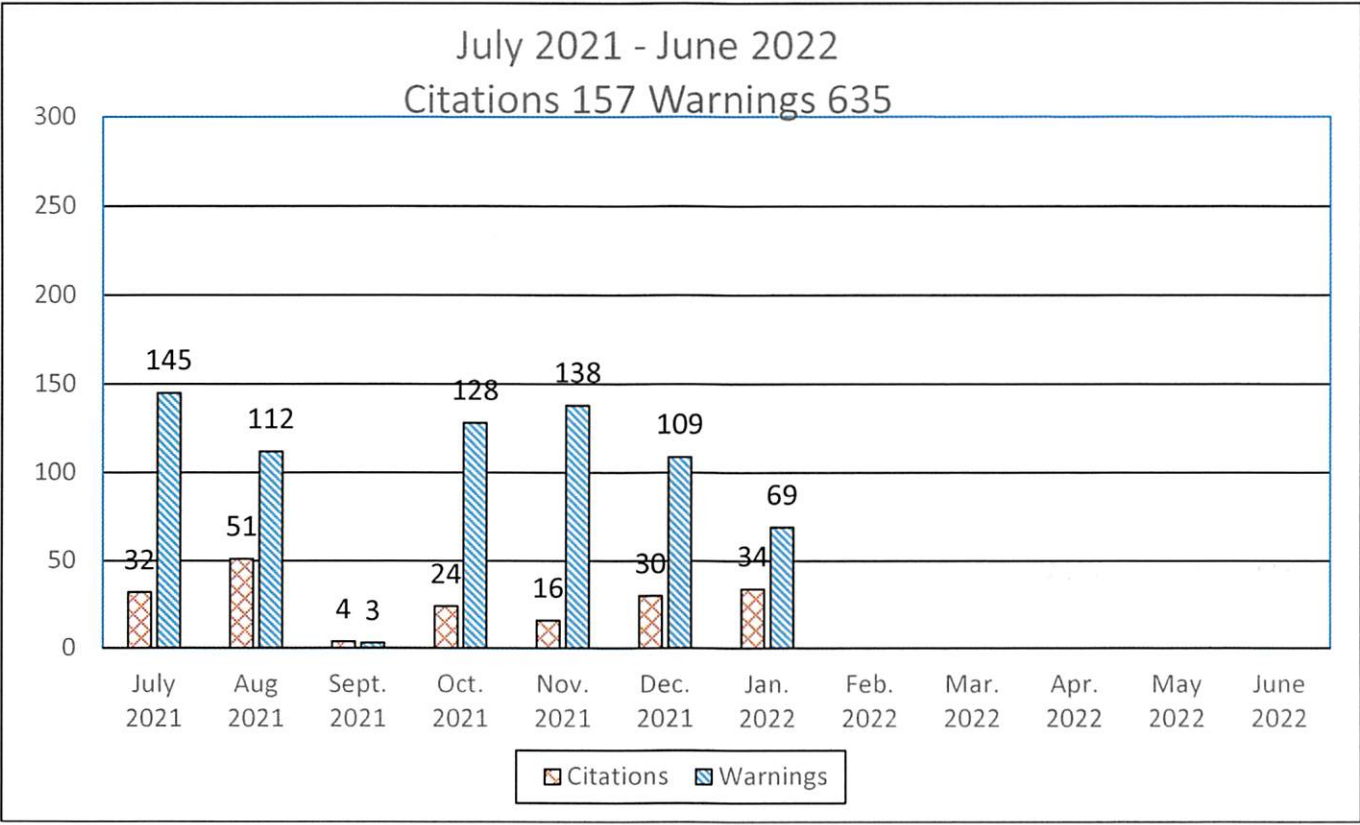
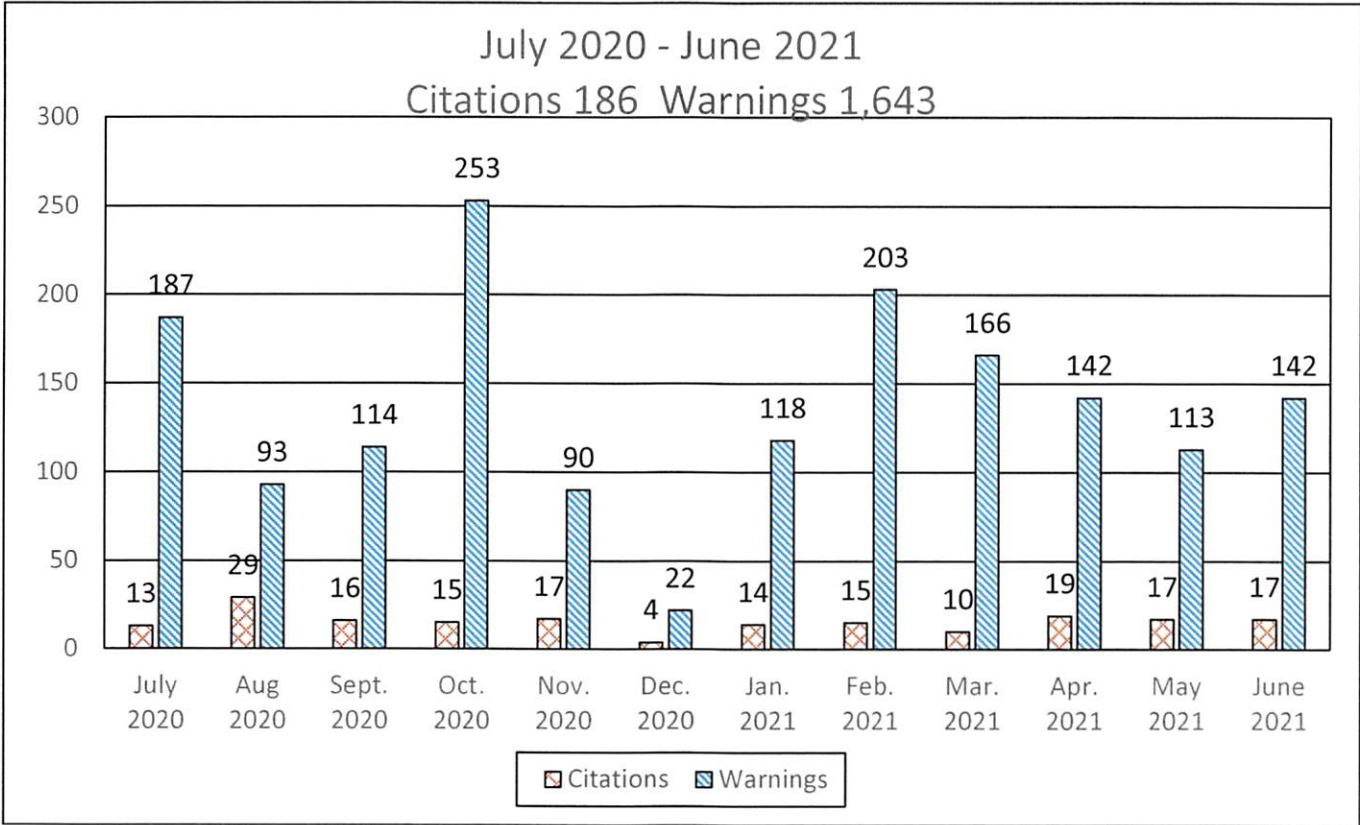
Crime Summary



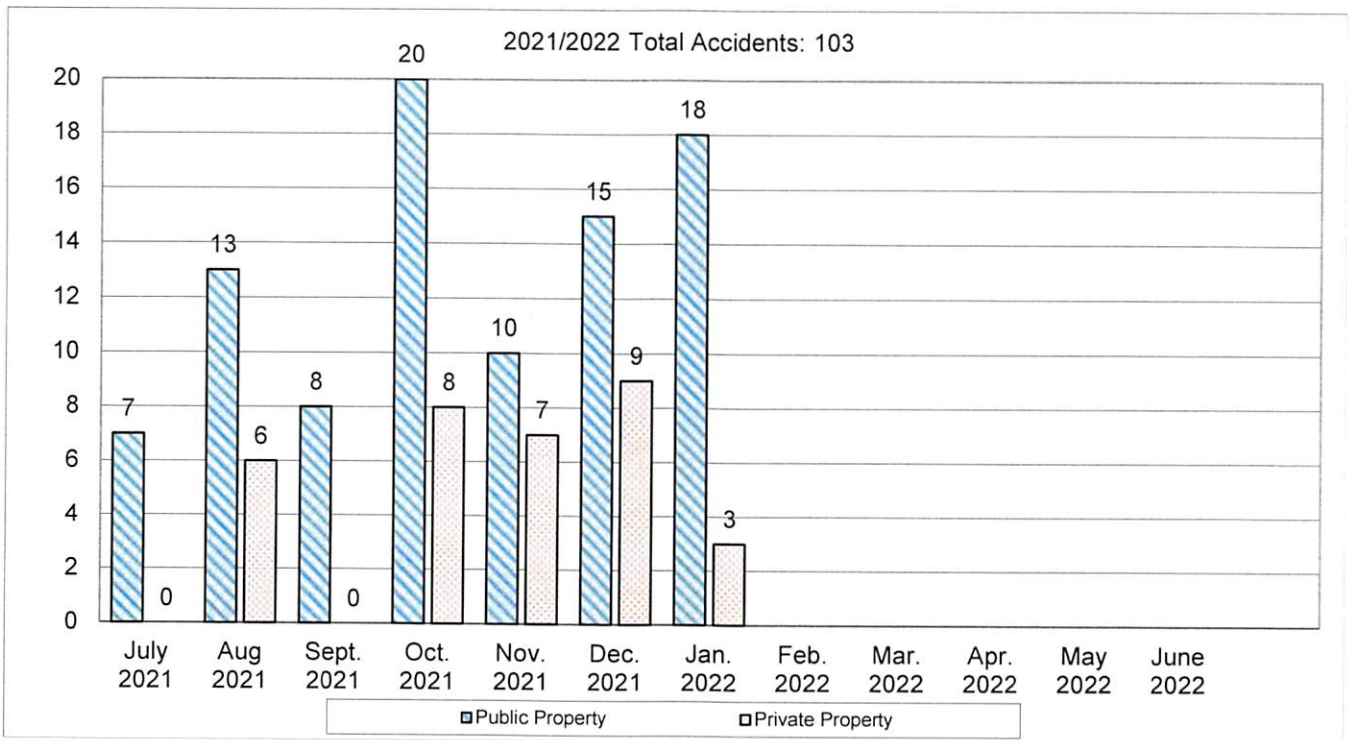
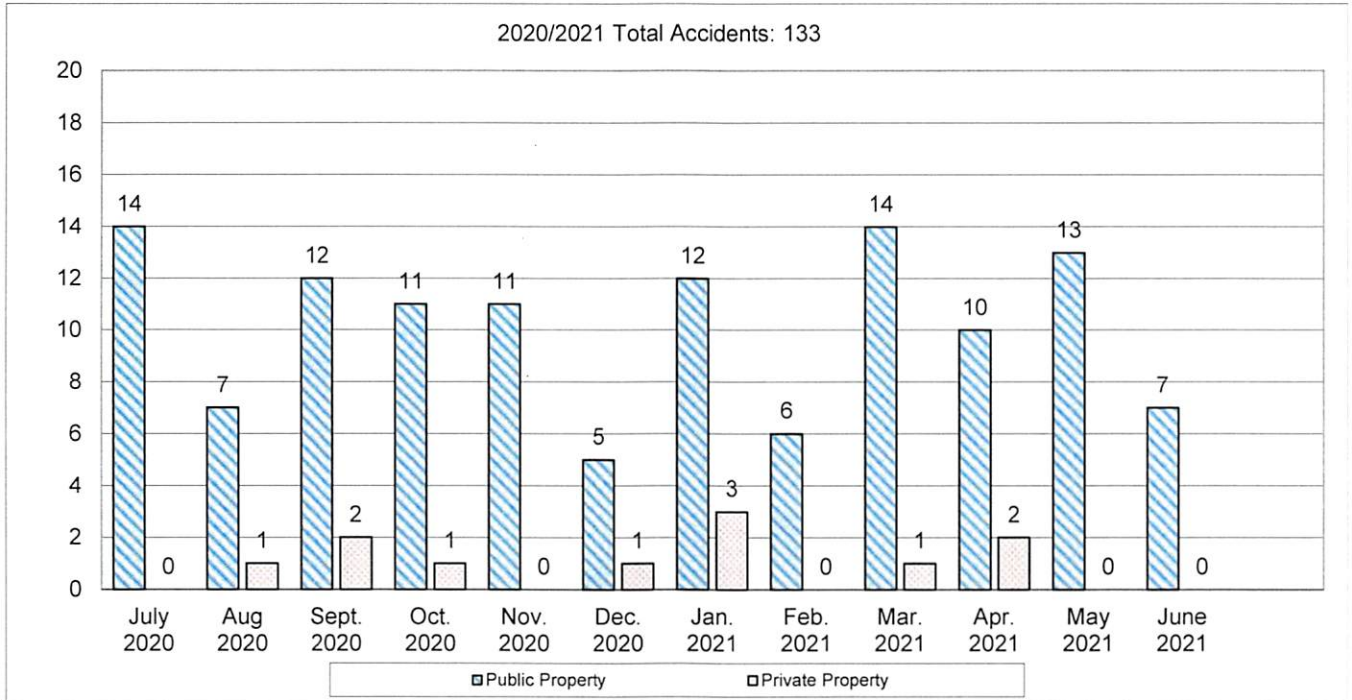
Arrest Summary



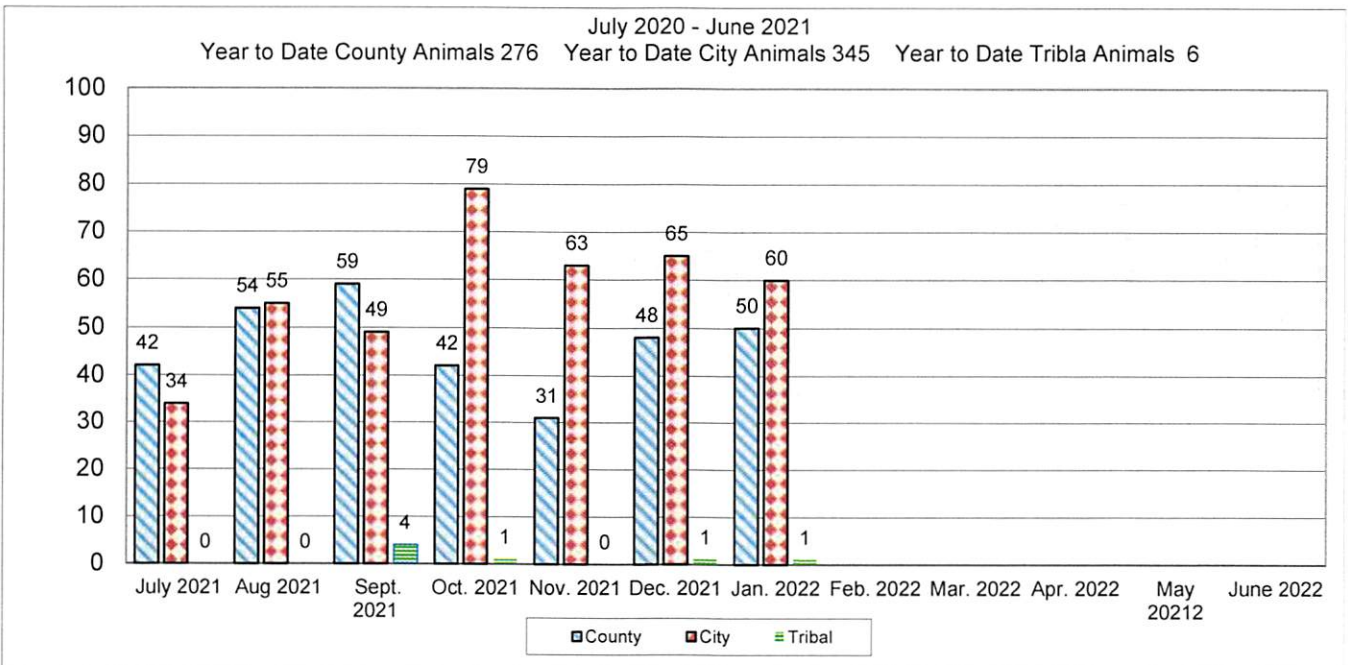
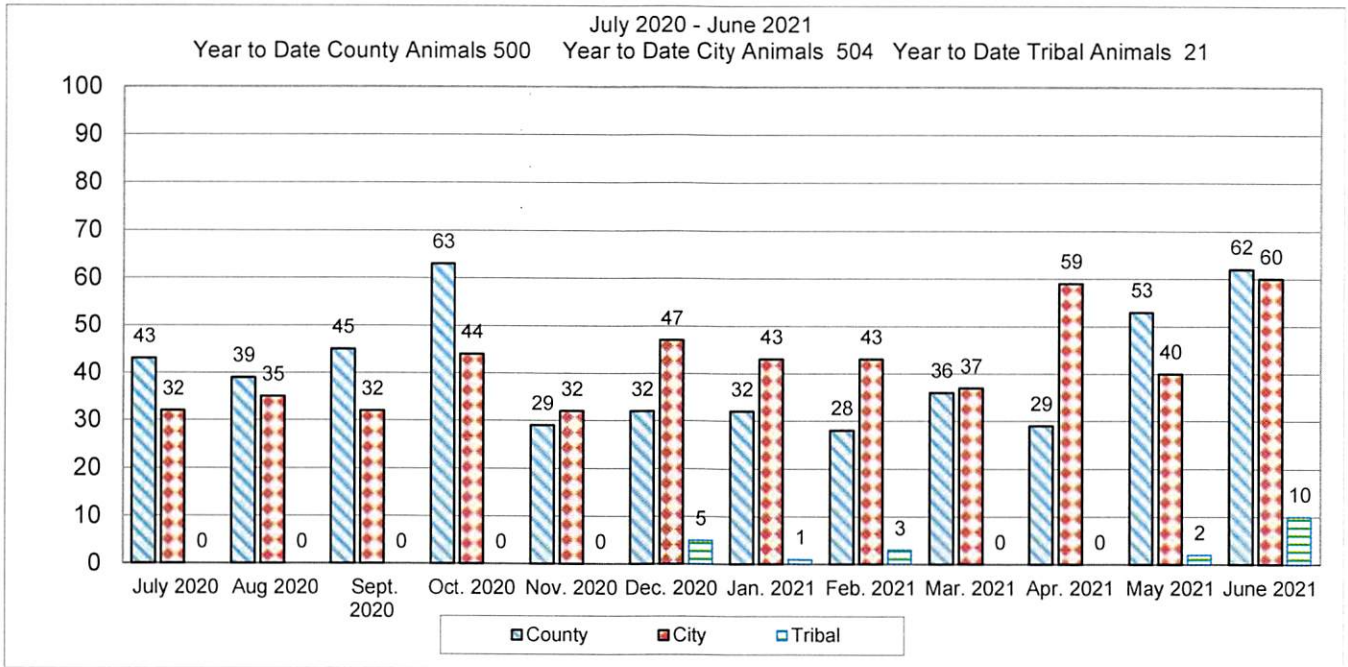
Moving Citations Traffic Warnings



Traffic Accidents



Animal Shelter Service



Fallon Police Department
Citizen Survey Results
January 2022

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

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
4	2		

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

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
4	2		

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

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
5	1		

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

Officer name (s) Sgt. Babiarz & Officer Beck

Dispatcher (s) _____

	VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
Concern	3	1		2
Courtesy	4			2
Knowledge	3	1		2
Problem Solving Ability	3			3
Professional Conduct	3	1		2

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

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
4	2		

Fallon Police Department
January 2022

Citizen Survey Comments

- Thank you so much for your help with a delicate situation w my elderly neighbors with dementia. I appreciate the prompt, kind response. Thanks again!
- I can never thank you enough for your help. My dog ate rat poison. I called the Police Department crying and upset. They were very kind and understanding and sent Animal Control who was able to direct me where to go. My beautiful Barnaby was saved because of your excellent help, and I thank you a thousand times over. (Kimber Kufalk and Kayla Norcutt)
- Every time I've had to call or interact with Fallon PD, it was positive. I was treated respectfully, efficiently, and quickly. We are so fortunate here in Fallon! Thank you FPD for all you do!
- A survey was sent in reference to a found property call. The note on this survey talks about a call from several months ago with ongoing issues with noise coming from the neighbor's house.

**Fallon Police Department
Activities / Special Events
January 2022**

ASSISTANCE

During the month of January, we provided lodging assistance to one person.

INDOCTRINATION

During the month of January there was no indoctrination as NAS Fallon.

VOLUNTEERS IN POLICE SERVICES

January 2022 the Fallon Police VIPS volunteered eighty-three (83) hours to the agency. These duties included Helping Hands, Domestic Violence Meetings and a project for our department meeting.

OTHER PUBLIC RELATIONS

During January officers conducted special detail for the following:

- On January 14th, Officer Jacobs passed out lunches to students at Lahontan Elementary School.

BREAKDOWN OF ARRESTS

During the month of January, The Police Department had thirty-six (35) total arrests:

- Of the five (5) felony arrests, three (3) of the arrests were on felony warrants and two (2) arrests were on Parole and Probation violations.
- Of the total sixteen (16) misdemeanor arrests, eleven (11) were misdemeanor warrant arrests.

BREAKDOWN OF THEFT REPORTS

During the month of January, the Police Department took ten (10) Theft reports:

- One (1) report was for a stolen tires
- Two (2) reports of siphoned gas
- One (1) report of a stolen casino ticket
- Two (2) reports of stolen packages
- One (1) report of a stolen scooter
- One (1) report of stolen license plates
- One (1) report of theft from Walmart
- One (1) report of theft of food from Golden Gate Gas