



AGENDA

CITY COUNCIL MEETING

55 West Williams Avenue Fallon, NV

August 01, 2023 at 9:00 AM

The Honorable City Council will meet in a regularly scheduled meeting on August 1, 2023 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. Consideration and possible approval of Council Meeting Minutes for June 29,2023 **(For possible action)**

5. Approval of Warrants **(For possible action)**

A) Accounts Payable

B) Payroll

C) Customer Deposit

6. Possible introduction of Bill No.794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto. **(For possible action) (This agenda item is for possible introduction of the proposed ordinance only. If introduced, a public**

hearing on the proposed ordinance will be set in the next agenda item and no further action can or will be taken at this meeting. At the public hearing, which will be properly noticed and advertised, the City Council will take comment and then consider possible adoption of the ordinance as introduced or amended.)

- 7.** Setting of public hearing date for Bill No. 794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto. **(For possible action)**
- 8.** Public Comments **(For discussion only)**
- 9.** Council and Staff Reports **(For discussion only)**
- 10.** 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 July 27, 2023 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/>).

/s/ 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 775-423-5104 in advance so that arrangements may be conveniently made.

**MINUTES
CITY OF FALLON
55 West Williams Ave
Fallon, Nevada
June 29, 2023**

The Honorable City Council met in a special meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Ken Tedford
Councilwoman Kelly Frost
Councilwoman Karla Kent
Councilman Paul Harmon
Chief of Staff Bob Erickson
City Attorney Mike Mackedon
Deputy City Attorney Trent deBraga
Deputy City Attorney Sean Rowe
Public Works Director Brian Byrd
Deputy Public Works Ryan Swirczek
Deputy Public Works Adrian Noriega
City Clerk Treasurer Sean Richardson
Deputy City Clerk Michael O'Neill
Captain John Riley
Engineer Derek Zimney
Director of Tourism Jane Moon

The meeting was called to order by Mayor Ken Tedford at 9:00 a.m.

Mayor Ken Tedford led the Pledge of Allegiance.

Mayor Tedford requested that everyone remain standing. I would like to take a moment of silence for Pat Grady. Pat just passed away and was the wife of Tom Grady, who was the Mayor of Yerington, mother-in-law of Gary Cordes our past City Clerk Treasurer, and the mother-in-law of Councilman Paul Harmon. (Moment of Silence)

Mayor Ken Tedford inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Treasurer Sean Richardson advised that the agenda was posted in compliance with the NRS requirements.

Public Comments

Mayor Ken Tedford inquired if there were any public comments. He noted that comments are to be 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.

Geoff Knell of 261 Serpa Place greeted the Council.

- Made comments about the scriptures from the book of Acts Chapter 5.
- Made comments about the Governor and Bills regarding parental rights and Medicaid.
- Made comments about bills being ungodly.
- Made comments regarding reducing the population.
- Made comments regarding food and water supply.
- Made comments regarding the LGBTQ community and depopulation.
- Made comments regarding the scripture from Matthew 24.
- Made additional comments about the Government and standing up against evil (while hitting hand on podium).
- Made comments about biblical principles.
- Made comments about escaping the things that come in our paths before standing before God.
- Stated, “Brush off my feet. You better watch out; we are facing God’s wrath.”

Mayor Tedford inquired if there were any further comments.

No further comments were noted.

Report on transfers of appropriations between functions or programs with the General Fund, Convention Center Fund and ARPA Resource Fund during fiscal year 2023 as required by NRS 354.598005.

City Clerk Treasurer Sean Richardson stated that NRS 354.598005 allows for budget appropriations to be transferred between functions and funds if such transfers do not increase the total appropriation for the fiscal year and are not in conflict with other statutory provisions. The transfers would be affected once the Council has advised at a public Council meeting, and the action is recorded in the official minutes. The attached schedule for the budget appropriation transfers made within the General Fund, Convention Center Fund, and ARPA Resource Fund. There was no increase in total appropriations due to the action.

Mayor Tedford inquired if there were any questions from the Council or public comments.

No comments/discussions were noted.

Consideration and possible approval and adoption of Resolution No. 23-07: A resolution augmenting the Fiscal Year 2023 budget of the General Fund in the amount of Six Million One Hundred Fifty-Five Thousand Dollars (\$6,115,000.00), the Convention & Tourism Authority Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), the Mayor’s Youth Fund in the amount of Ten Thousand Dollars (\$10,000.00) and other matters properly related thereto.

City Clerk Treasurer Sean Richardson stated that NRS 354.598005 authorizes the City to augment a budget when anticipated resources are available during a budget period that exceeds those estimated. The City must comply with NRS 354.598005 and NAC 354.490, inclusive, in order to properly augment the budget. Pursuant to NRS 354.598005(1)(a), in order to augment the appropriations of a fund to which ad valorem taxes are allocated as a source of revenue, the City Council must adopt a resolution reciting the appropriations to be augmented and the nature

of the unanticipated resources intended to be used for the augmentation. The Council must publish notice of its intention to act on the resolution and must not take action until at least three days after the publication of the notice. The General Fund contains ad valorem taxes as a source of revenue which requires the publication notice. The other governmental funds included in the resolution, the Convention & Tourism Authority Fund and Mayor's Youth Fund, are not allocated ad valorem taxes, and therefore do not require publication. The attached proposed resolution satisfies the requirement of both the Nevada Revised Statutes and the Nevada Administrative Code. Notice of the Council's intention to act on the proposed resolution was published in the Fallon Post on June 23, 2023, and the Proof and Statement of Publication was provided to you today. As listed in Resolution 23-07, today, we are requesting augmentation in the General Fund, Convention & Tourism Fund, and the Mayor's Youth Fund. The details of the revision of the budget are contained in the resolution, and the forms prescribed by the Department of Taxation. If approved, the proposed resolution will augment the budget of the General Fund, Convention & Tourism Authority Fund, and the Mayor's Youth Fund in order to properly account for the resources and expenditures of those funds.

Mayor Tedford inquired if there were any questions or comments from the Council or public.

No comments were noted.

Councilwoman Kent motioned to approve and adopt Resolution No. 23-07: A resolution augmenting the Fiscal Year 2023 budget of the General Fund in the amount of Six Million One Hundred Fifty-Five Thousand Dollars, the Convention & Tourism Authority Fund in the amount of Two Hundred Fifty Thousand Dollars, the Mayor's Youth Fund in the amount of Ten Thousand Dollars and other matters properly related thereto; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible approval and adoption of Resolution No. 23-08: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Water Enterprise Fund in the amount of Two Hundred Thousand Dollars (\$200,000.00), and other matters properly related thereto.

City Clerk Treasurer Sean Richardson stated that the Water Enterprise Fund has a limited cash resource for capital assets and infrastructure improvements. Due to the limited cash resources, the Council just recently adjusted the water rates, which became effective in April 2023. Due to the Smart Meter Upgrade project and the limited time the rate change has been in effect, additional liquidity is required in the fund. In order to properly authorize a temporary interfund loan the City must comply with NRS 354.6118 and NAC 354.290. The proposed resolution will satisfy those requirements. If approved, the proposed temporary interfund loan will be repaid in full within one year after the date on which the loan is made and will bear no interest.

Mayor Tedford inquired if there were any questions from the Council.

Councilwoman Kent stated that she had an inquiry regarding the smart meters. Do we have enough meters to service the City, or has the project just started?

City Clerk Treasurer Sean Richardson stated that we are continually purchasing inventory for the meters because there is a limited supply and long wait times for purchasing the meters. We do have a stock of meters, but not enough to cover the entire system. We are continually ordering them and if there is a chance for us to get them, due to limited supply, we purchase them when we can.

Councilwoman Kent inquired on the percentage of the project that is believed to be

complete.

City Clerk Treasurer Sean Richardson stated that he doesn't know the exact percentage of the top of his head.

Deputy Public Works Ryan Swirczek stated that we probably have about 4-5% completed.

City Clerk Treasurer Sean Richardson stated that the number of meters in inventory is much greater than the percentage number. We have already pre-purchased many of those meters.

Councilwoman Frost inquired on the utility rate increase. Do you predict that this increase will get us caught up in the Water Resource Fund?

City Clerk Treasurer Sean Richardson stated that he thinks for normal operations, yes. There are always unpredictable repairs and emergency capital needs, that is where sometimes we get in trouble a little bit with the cash-flow. We are going to go back and look at some of our allocations of what we do in the Water Fund, and all our utilities, to see if it is equitable of our distribution. I believe this will help the Water Resource Fund and its cash-flow.

Councilwoman Frost thanked City Clerk Treasurer Sean Richardson.

Mayor Tedford inquired if there were any further comments or questions from the Council or public.

No further comments were noted.

Councilman Harmon motioned to approve and adopt Resolution No. 23-08: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Water Enterprise Fund in the amount of Two Hundred Thousand Dollars (\$200,000.00), and other matters properly related thereto; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Consideration and possible approval and adoption of Resolution No. 23-09: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Sewer Enterprise Fund in the amount of Three Hundred Thousand Dollars (\$300,000.00), and other matters properly related thereto.

City Clerk Treasurer Sean Richardson stated that the Sewer Enterprise Fund has limited cash resources for capital assets and infrastructure improvements. Due to limited resources, a utility rate increase in the Sewer Enterprise Fund was approved by the Council to be effective in April 2023. Due to the emergency repair and replacement of that sewer line, at Tolos Place in the alley, and the limited time this rate change has been in effect, additional liquidity is needed currently. In order to properly authorize a temporary interfund loan, the Council must comply with NRS 354.6118 and NAC 354.290. The proposed Resolution, and the findings and determinations contained therein, satisfy those requirements. If approved, the proposed temporary interfund loan will be repaid in full within one year after the date on which the loan is made and will bear no interest.

Mayor Tedford inquired if there were any questions or comments from the Council or public.

No comments were noted.

Councilwoman Kent motioned to approve and adopt Resolution No. 23-09: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Sewer Enterprise Fund in the amount of Three Hundred Thousand Dollars (\$300,000.00), and other matters properly related thereto; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible approval and adoption of Resolution No. 23-10: A resolution augmenting the fiscal year 2022-2023 budget of the Electric Enterprise Fund in the amount of One Million Six Hundred Seventy Thousand Dollars (\$1,670,000.00), the Water Enterprise Fund in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), the Sewer Enterprise Fund in the amount of Four Hundred Thirty-Five Thousand Dollars (\$435,000.00), the Sanitation Enterprise Fund in the amount of Four Hundred Fifteen Thousand Dollars (\$415,000.00), the Data Processing Internal Service Fund in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), and other matters properly related thereto.

City Clerk Treasurer Sean Richardson stated that this agenda item involves the augmentation of enterprise funds and internal service funds. Annually, City staff estimates the actual expenditures of all the enterprise and internal service funds and compares it to the budget. NRS 354.598005 authorizes the City to augment a budget when anticipated resources actually available during a budget period exceed those estimated. The City must comply with NRS 354.598005 and NAC 354.400 through 354.490, inclusive, in order to properly augment the budget. Pursuant to NRS 354.598005(1)(b), in order to augment the appropriations of an enterprise fund or internal service fund, the City Council must adopt a resolution providing therefore at a regular meeting of the Council. The attached proposed resolution satisfies the requirements of both the Nevada Revised Statutes and the Nevada Administrative Code. If approved, the proposed resolution will augment the budget of the Electric Enterprise Fund, the Water Enterprise Fund, the Sewer Enterprise Fund, the Sanitation Enterprise Fund, the Data Processing Internal Service Fund, and the Public Works Internal Service Fund in order to properly account for the resources and expenditures of those funds.

Mayor Tedford stated that as Councilwoman Kent has pointed out, the internal document has the data processing internal service fund at \$45,000.00. We are going to have to amend page 31 at the bottom of that attached document.

City Clerk Treasurer Sean Richardson stated that it is listed in the subject at \$50,000.00. Let me check my form. I believe it should be \$50,000.00. Can we amend the resolution to that number?

Mayor Tedford stated that we will have to amend page 2 of the resolution to reflect \$50,000.00, when the motion is made.

Councilman Harmon stated that page 4 of the resolution will also have to be amended to \$50,000.00.

Mayor Tedford stated that the second paragraph on page 4, 3rd line will also need to be amended.

City Clerk Treasurer Sean Richardson stated that he will update the resolution and present the resolution with the corrections.

Mayor Tedford stated that this resolution will just be amended. Any questions from the Council or public?

No comments were noted.

Councilwoman Kent motioned to approve and adopt Resolution No. 23-10: A resolution augmenting the fiscal year 2022-2023 budget of the Electric Enterprise Fund in the amount of One Million Six Hundred Seventy Thousand Dollars (\$1,670,000.00), the Water Enterprise Fund in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), the Sewer Enterprise Fund in the amount of Four Hundred Thirty-Five Thousand Dollars (\$435,000.00), the Sanitation Enterprise Fund in the amount of Four Hundred Fifteen Thousand Dollars

(\$415,000.00), the Data Processing Internal Service Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), and other matters properly related thereto; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Councilwoman Frost inquired if the Council could look back at Agenda Item 5. I believe we have a clerical error on this agenda item as well.

Mayor Tedford stated that we will go back to Item #5.

Councilwoman Frost stated that it says Six Million One Hundred and Fifty-Five Thousand, instead of Six Million One Hundred Fifteen Thousand, in the wording under possible Council action. I believe the correct amount is the Six Million One Hundred Fifteen Thousand.

Mayor Tedford clarified that the resolution states Six Million One Hundred Fifty-Five Thousand. So, is this the correct amount or is it the Six Million One Hundred Fifteen Thousand?

Councilwoman Frost stated that she believed the Six Million One Hundred Fifteen Thousand was the correct amount. I believe the motion was read as Six Million One Hundred Fifty-Five Thousand, instead of the Six Million One Hundred Fifteen Thousand amount.

Mayor Tedford stated that we will take this out of order and go back to Agenda Item 5. Karla, will you agree to amend your motion to the amount of Six Million One Hundred Fifteen Thousand?

Councilwoman Kent agreed to amend the motion.

Mayor Tedford stated that he would frame the motion. I would entertain a motion to amend the motion on Resolution 23-07 to the amount of Six Million One Hundred Fifteen Thousand, as opposed to Six Million One Hundred Fifty-Five Thousand.

Councilwoman Kent agreed to the motion; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible approval and adoption of Resolution No. 23-11: Adjustment of Allowance for Doubtful Accounts – Enterprise Funds’ Accounts Receivables.

City Clerk Treasurer stated that the City staff is constantly working on collecting on the enterprise fund accounts, receivables and billings. Like all businesses, we do have collection issues with some customers. The accounts presented for adjustment to the allowance for doubtful accounts, have been outstanding prior to July 1st, 2021, are no longer City of Fallon customers and have been forwarded to a collection agency for additional collection efforts. The total proposed adjustment of One Hundred Sixty Thousand Seven Hundred Twenty-Three Dollars and Four Cents (\$160,723.04) represents 8/10th of one percent (0.8%) of the Enterprise Funds’ Total Operating Revenues for the most recent fiscal year ended June 30th, 2022.

Mayor Tedford stated that it should also be noted that not only did they go to collections but if they ever move back to City limits, these will remain on record. They will have to pay a deposit and clear up this bill. This bill will never get away from these people. Often times people move back into the City and we try to collect from them another time. 8/10th of one percent of accounts receivable isn’t bad. Any questions from the Council or public?

No comments were made.

Councilwoman Frost motioned to approve and adopt Resolution No. 23-11: Adjustment of Allowance for Doubtful Accounts – Enterprise Funds’ Accounts Receivables; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve the purchase and sale agreement and escrow instructions for the purchase of real property owned by Hilltop Foundation located at 1050 W Williams Avenue, Fallon, Nevada (Churchill County Assessor's Parcel No. 001-191-07) in the amount of Seventy-Two Thousand Dollars (\$72,000.00).

Deputy City Attorney Trent deBraga stated that as part of the City's redevelopment plans of the north Whitaker commercial block Williams Avenue, City staff has been involved in communications with the Hilltop Foundation. The Hilltop Foundation is the owner of record of the real property commonly known as 1050 W Williams Avenue, or also known as the KHWG building. As part of the redevelopment plans for north Whitaker Avenue, City staff believes it is necessary to acquire the real property at 1050 W Williams Avenue. The Hilltop Foundation has proposed to sell its real property at 1050 W Williams Avenue in the amount of \$72,000.00. The proposed purchase price is comprised of the County's 2022-2023 total taxable value in the amount of \$69,563.00 and other fees the Hilltop Foundation would incur as part of the transaction. If approved, the proposed contract terms and escrow instructions are attached to this agenda item. If approved, the Mayor will execute the contract on behalf of the City and the transaction will proceed to escrow, which is expected to close in approximately 60-days, or less.

Mayor Tedford stated that we have long term plans to extend Whitaker Lane north to Auction Road, to try and open some development in the Auction Road area. That is long term, but isn't going to happen tomorrow, just so everyone understands that. We need this piece of property to get there. We have been working on this for about a year to a year and a half and it has finally come to fruition and that is an important piece to get there. I appreciate everyone that has helped in trying to get this done, you all know who you are. This has been difficult but is important to what we are going to attempt to get accomplished. I appreciate the Council understanding on how important that is in trying to open development in that Auction Road area that is a little stagnant and has been for years now. That is the importance of this piece of property. Any questions from the Council or public?

Councilwoman Frost stated that she believes this is an important piece to opening this area up. I appreciate all the hard work that it took to get where we are today. Thank you all.

Councilman Harmon stated that he just recently learned the intention of opening this area up and appreciates the City's forethought of getting this done.

Mayor Tedford stated that we were never able to do anything in the past because buildings were in the way, and now we can.

Councilwoman Frost motioned to approve the purchase and sale agreement and escrow instructions for the purchase of real property owned by Hilltop Foundation located at 1050 W Williams Avenue, Fallon, Nevada (Churchill County Assessor's Parcel No. 001-191-07) in the amount of Seventy-Two Thousand Dollars (\$72,000.00); seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments.
No comments were noted.

Council and Staff Reports

Mayor Tedford inquired if there were any Council or staff reports.
No reports were noted.

Executive Session

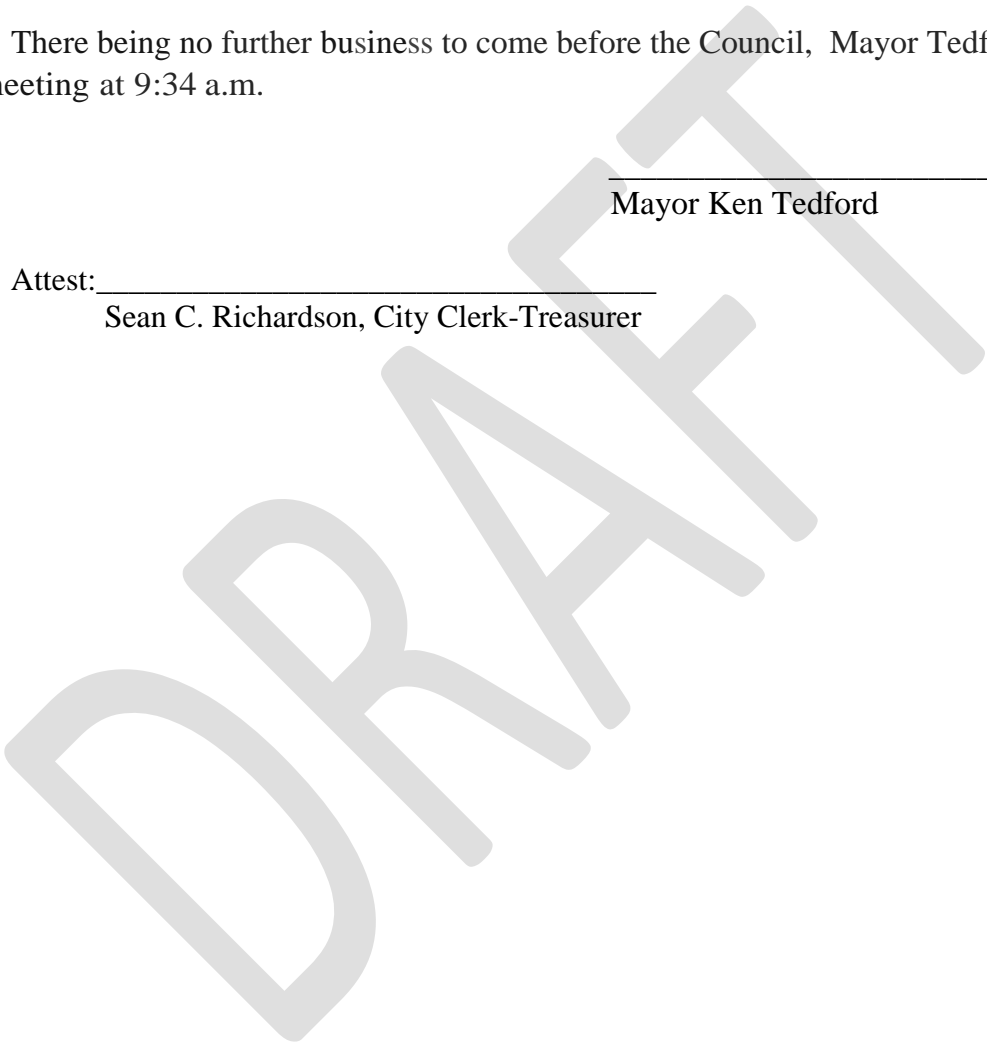
Mayor Tedford tabled the executive session, as it was not needed at this time.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:34 a.m.

Mayor Ken Tedford

Attest: _____
Sean C. Richardson, City Clerk-Treasurer



MEMORANDUM**FROM: Office of the City Attorney****DATE: 21 July 2023****RE: June 29, 2023, Council Agenda and Budget Augmentations**

At its June 29, 2023, Council Meeting and following agenda item number 8, the Council returned to agenda item number 5 when Councilwoman Frost pointed out a typographical error on the agenda wherein the text of the agenda item proposed augmenting the General Fund by “Six Million One Hundred Fifty-Five Thousand Dollars” followed by the numerical “\$6,115,000.00”. When the Council approved item 5, it approved augmentation in the amount of Six Million One Hundred Fifty-Five Thousand Dollars (\$6,155,000.00). Believing the number needing to be amended to Six Million One Hundred Fifteen Thousand Dollars (\$6,115,000.00), Councilwoman Kent amended her previous motion to Six Million One Hundred Fifteen Thousand Dollars (\$6,115,000.00) and the Council affirmed the amended motion. This amended action was done in error and is, therefore, considered a nullity.



AGENDA

CITY COUNCIL SPECIAL MEETING

55 West Williams Avenue Fallon, NV

June 29, 2023 at 9:00 AM

The Honorable City Council will meet in a special meeting on June 29, 2023 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. Report on transfers of appropriations between functions or programs with the General Fund, Convention Center Fund and ARPA Resource Fund during fiscal year 2023 as required by NRS 354.598005. **(For discussion only)**
5. Consideration and possible approval and adoption of Resolution No. 23-07: A resolution augmenting the Fiscal Year 2023 budget of the General Fund in the amount of **Six Million One Hundred Fifty-Five Thousand Dollars (\$6,115,000.00)**, the Convention & Tourism Authority Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), the Mayor's Youth Fund in the amount of Ten Thousand Dollars (\$10,000.00) and other matters properly related thereto. **(For possible action)**
6. Consideration and possible approval and adoption of Resolution No. 23-08: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Water Enterprise Fund in the amount of Two Hundred Thousand Dollars (\$200,000.00), and other matters properly related thereto. **(For possible action)**

7. Consideration and possible approval and adoption of Resolution No. 23-09: A resolution authorizing a temporary interfund loan from the Landfill Enterprise Fund to the Sewer Enterprise Fund in the amount of Three Hundred Thousand Dollars (\$300,000.00), and other matters properly related thereto. **(For possible action)**
8. Consideration and possible approval and adoption of Resolution No. 23-10: A resolution augmenting the fiscal year 2022-2023 budget of the Electric Enterprise Fund in the amount of One Million Six Hundred Seventy Thousand Dollars (\$1,670,000.00), the Water Enterprise Fund in the amount of Two Hundred Forty Thousand Dollars (\$240,000), the Sewer Enterprise Fund in the amount of Four Hundred Thirty-Five Thousand Dollars (\$435,000.00), the Sanitation Enterprise Fund in the amount of Four Hundred Fifteen Thousand Dollars (\$415,000.00), the Data Processing Internal Service Fund in the amount of Fifty Thousand Dollars (\$50,000.00), the Public Works Internal Service Fund in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), and other matters properly related thereto. **(For possible action)**
9. Consideration and possible approval and adoption of Resolution No. 23-11: Adjustment of Allowance for Doubtful Accounts – Enterprise Funds’ Accounts Receivables. **(For possible action)**
10. Consideration and possible action to approve the purchase and sale agreement and escrow instructions for the purchase of real property owned by the Hilltop Foundation located at 1050 W. Williams Avenue, Fallon, Nevada (Churchill County Assessor’s Parcel No. 001-191-07) in the amount of seventy-two thousand dollars (\$72,000). **(For possible action)**
11. Public Comments **(For discussion only)**
12. Council and Staff Reports **(For discussion only)**
13. 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 June 26, 2023 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/>).

/s/ Elsie M. Lee

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CITY OF FALLON

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: June 22, 2023
 AGENDA DATE: June 29, 2023
 TO: The Honorable City Council
 FROM: Sean Richardson, City Clerk/Treasurer
 AGENDA ITEM TITLE: Consideration and possible approval and adoption of Resolution No. 23-07: A resolution augmenting the Fiscal Year 2023 budget of the General Fund in the amount of **Six Million One Hundred Fifty-Five Thousand Dollars** (\$6,115,000.00), the Convention & Tourism Authority Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), the Mayor's Youth Fund in the amount of Ten Thousand Dollars (\$10,000.00) and other matters properly related thereto. **(For possible action)**

TYPE OF ACTION REQUESTED:

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

POSSIBLE COUNCIL ACTION: Motion to approve and adopt Resolution No. 23-07: A resolution augmenting the Fiscal Year 2023 budget of the General Fund in the amount of **Six Million One Hundred Fifty-Five Thousand Dollars** (\$6,115,000.00), the Convention & Tourism Authority Fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), the Mayor's Youth Fund in the amount of Ten Thousand Dollars (\$10,000.00) and other matters properly related thereto.

DISCUSSION: NRS 354.598005 authorizes the City to augment a budget when anticipated resources actually available during a budget period exceed those estimated. The City must comply with NRS 354.598005 and NAC 354.400 through 354.490, inclusive, in order to properly augment a budget. Pursuant to NRS 354.598005(1)(a), in order to augment the appropriations of a fund to which ad valorem taxes are allocated as a source of revenue, the City Council must adopt a resolution reciting the appropriations to be augmented and the nature of the unanticipated resources intended to be used for the augmentation. The Council must publish notice of its intention to act on the resolution and must not take action until at least three (3) days after publication of the notice.

The General Fund contains ad valorem taxes as a source of revenue which requires the publication notice. The other governmental funds included in the resolution, Convention & Tourism Authority Fund and Mayor's Youth Fund, are not allocated ad valorem taxes and therefore do not required publication. The attached proposed Resolution satisfies the requirements of both the Nevada Revised Statutes and the

Nevada Administrative Code. Notice of the Council's intention to act on the proposed Resolution was published in the Fallon Post on June 23, 2023 and the Proof and Statement of Publication is attached hereto.

If approved, the proposed Resolution will augment the budget of the General Fund, Convention & Tourism Authority Fund and Mayor's Youth Fund in order to properly account for the resources and expenditures of those funds.

FISCAL IMPACT: As described in the proposed Resolution

FUNDING SOURCE: As described in the proposed Resolution

PREPARED BY: Sean Richardson, City Clerk/Treasurer



CITY OF FALLON

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: July 24, 2023
 AGENDA DATE: August 1, 2023
 TO: The Honorable City Council
 FROM: Sean Rowe, Deputy City Attorney
 AGENDA ITEM TITLE: Possible introduction of Bill No.794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto. **(For possible action) (This agenda item is for possible introduction of the proposed ordinance only. If introduced, a public hearing on the proposed ordinance will be set in the next agenda item and no further action can or will be taken at this meeting. At the public hearing, which will be properly noticed and advertised, the City Council will take comment and then consider possible adoption of the ordinance as introduced or amended.)**

TYPE OF ACTION REQUESTED:

- Resolution
- Ordinance
- Formal Action/Motion
- Other – Discussion Only

RECOMMENDED COUNCIL ACTION: Introduction of Bill No. 794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive, and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto.

DISCUSSION: The proposed ordinance will be read by title to the City Council. If introduced by a City Councilmember, a public hearing on the proposed ordinance will be set in the next agenda item and no further action can or will be taken at this meeting.

PREPARED BY: Sean Rowe, Deputy City Attorney

BILL NO. ____

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ANNEXATION THREE PARCELS OF REAL PROPERTY TOTALING 5.0 ACRES, MORE OR LESS, LOCATED AT 1700 HARRIGAN ROAD, 875 WOOD DRIVE, AND 865 WOOD DRIVE AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF FALLON, NEVADA, AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, NRS 268.670 provides authority for the City Council, subject to the provisions of NRS 268.663, and after notifying the Board of County Commissioners of its intention, to annex contiguous territory if 100 percent of the owners of record of individual parcels of land sign a petition requesting the City Council to annex such area to the City; and

WHEREAS, the respective owners of record of 1700 Harrigan Road, a parcel of land consisting of 2.7 acres, 875 Wood Drive, a parcel of land consisting of 1.17 acres, AND 865 Wood Drive, a parcel of land consisting of 1.13 acres, more or less (collectively referred to as the "Parcels"), have presented signed Petitions requesting the City Council to annex the Parcels to the City; and

WHEREAS the respective owners of the Parcels have further authorized Westex Consulting Engineers, LLC, to request annexation on their behalf;

WHEREAS, Westex Consulting Engineers, LLC, has caused an accurate map of said 5.0 acres, more or less, to be made under the supervision of a licensed surveyor and has filed a copy of said map with the City of Fallon; and

WHEREAS, the City of Fallon has provided notice to the Board of Churchill County Commissioners of its intention to annex such parcel; and

WHEREAS, the Parcels are contiguous to the existing corporate limits of the City of Fallon as the Parcels are conterminous with the boundary of the City of Fallon; and

WHEREAS, the property owners and Westex Consulting Engineers, LLC, has requested that, upon annexation, zoning of the annexed parcels be set as R-C Transition Use Residential District as set forth in the Fallon Municipal Code; and

WHEREAS, each parcel owner has entered into an Annexation Agreement with the City of Fallon; and

WHEREAS, the proposed annexation and the terms and conditions of the Annexation Agreements are in the best interests of the citizens of the City of Fallon.

NOW, THEREFORE, the City Council of the City of Fallon do ordain as follows:

Parcel 1: 1700 Harrigan Road, Fallon, NV

All that certain lot, piece or parcel of land situate in the County of Churchill, State of Nevada, described as follows:

Commencing at the intersection of the center lines of the Truckee-Carson Irrigation District "L" Line Canal and the Lincoln Highway (now known as Harrigan Road); the said intersection conforming to the Southeast Corner of Section 31, Township 19 North, Range 29 East, MDB&M; thence North a distance of 75 feet on the center line of said highway; thence West a distance of 50 feet on the North boundary line of said "L" Line Canal to the point of beginning and the Southeast corner of the parcel; thence Northerly along the West boundary line of said highway a distance of 412 feet to the Northeast corner of the parcel; thence Westerly deflecting to the left $96^{\circ}17'$ a distance of 346.2 feet to the Northwest corner of the parcel; thence Southerly along the East line of the Heath parcel a distance of 378 feet more or less to the North boundary line of said canal and the Southwest corner of the parcel; thence Easterly along said canal a distance of 318 feet to the true point of beginning.

Note: The above Metes and Bounds description appeared previously in that certain document recorded July 5, 2022, under Document No. 497237.

Said Annexation Parcel contains 2.7 acres of land, more or less

Parcel 2: 875 Wood Drive, Fallon, NV

All that certain lot, piece or parcel of land situate in the County of Churchill, State of Nevada, described as follows:

A parcel of land in the Southeast 1/4 of the Southeast 1/4 of Section 31, Township 19 North, Range 29 East, M.D.B.&M., more particularly bounded and described as follows:

Commencing at the intersection of the centerline of the Truckee-Carson Irrigation District "L" Line Canal and U.S. Highway No. 50, said intersection conforming to the Southeast corner of Section Thirty-One (31), Township Nineteen (19) North, Range Twenty-Nine (29) East, M.D.B.&M.; running thence North 75 feet on said centerline of U.S. Highway No. 50; thence West 50 feet along the North boundary line of said "L" Line Canal to the Western line of said U.S. Highway No. 50; thence Northerly at right angles along the Western line of said U.S. Highway No. 50 a distance of 412 feet; thence Westerly, deflecting to the left through an angle of $96^{\circ}17'$ a distance of 346.2 feet to the true point of beginning, said true point of beginning being the Northeast corner of the parcel of land described in the Deed to Otis L. Heath and wife, recorded in Book 24, Page 334 of Deeds; thence Westerly along the Northern line of said Heath parcel 140.5 feet; thence Southerly, deflecting to the left through an angle of $92^{\circ}02'$ a distance of 362.2 feet, more or less, to said North boundary line of said canal; thence Easterly along the last mentioned line to the Eastern line of said Heath Parcel; thence Northerly 378 feet, more or less along the last mentioned line to the true point of beginning.

Note: The above Metes and Bounds description appeared previously in that certain document recorded March 1, 2006, under Document No. 379449.

Said Annexation Parcel contains 1.17 acres of land, more or less

Parcel 3: 865 Wood Drive, Fallon, NV

All that certain lot, piece or parcel of land situate in the County of Churchill, State of Nevada, described as follows:

Commencing at the intersection of the center line of the TCID "L" Line Canal and the Lincoln Highway (U.S. Route 50) the said intersection conforming to the SE corner of Section 31, Township 19 North, Range 29 East, MDB&M; running thence N 75 feet on the center line of the said highway; thence W 50 feet on the N boundary line of the said "L" Line Canal; thence right 90°, 412 feet along the W boundary line of the said highway; thence left 96°17', 346.2 feet to the place of beginning; thence Westerly as the same degree and minute aforesaid, 281 feet to the NW corner of the parcel; thence left 91°02', 346.5 feet to the North boundary line of the said canal right of way, the SW corner of the parcel; thence left 82°41', 261 feet along the North boundary line of said canal to the SE corner of said parcel; thence Northerly 378 feet, more or less, to the point of beginning.

Excepting therefrom a parcel of land in the SE 1/4 of the SE 1/4 of Section 31, Township 19 North, Range 29 East, MDB&M, more particularly bounded and described as follows:

Commencing at the intersection of the centerline of the Truckee-Carson Irrigation District "L" Line Canal and U.S. Highway No. 50, said intersection conforming to the SE corner of Section 31, Township 19 North, Range 29 East, MDB&M; running thence North 75 feet on said centerline of U.S. Highway No. 50; thence West 50 feet along the North boundary line of said "L" Line Canal to the Western line of said U.S. Highway No. 50; thence Northerly at right angles along the Western line of said U.S. Highway No. 50 a distance of 412 feet; thence Westerly, deflecting to the left through an angle of 96°17' a distance of 346.2 feet to the true point of beginning, said true point of beginning being the NE corner of the parcel of land described in Deed to Otis L. Heath and wife, recorded in Book 24, Page 334, of Deeds; thence Westerly along the Northern line of said Heath parcel 140.5 feet; thence Southerly, deflecting to the left through an angle of 92°02' a distance of 362.2 feet, more or less, to the said North boundary line of said canal; thence Easterly along the last mentioned line to the Eastern line of said Heath parcel; thence Northerly 378 feet, more or less, along the last mentioned line to the true point of beginning.

Note: The above Metes and Bounds description appeared previously in that certain document recorded January 2, 1986, under Document No. 217357.

Said Annexation Parcel contains 1.13 acres of land, more or less

The afore-described parcels are hereby annexed to the City of Fallon, and the said territory hereinbefore described shall be deemed and held to be a part of said City of Fallon and the inhabitants thereof shall hereafter enjoy the privileges and benefits of such annexation and be subject to the ordinances and regulations of the City of Fallon.

SECTION II

That zoning for the annexed parcel is hereby set as R-C Transition Use Residential District as set forth in the Fallon Municipal Code.

SECTION III

That this ordinance shall be in full force and effect from and after passage, approval and publication as required by law.

Proposed by:

Passed and adopted this _____ day of _____, 2023.

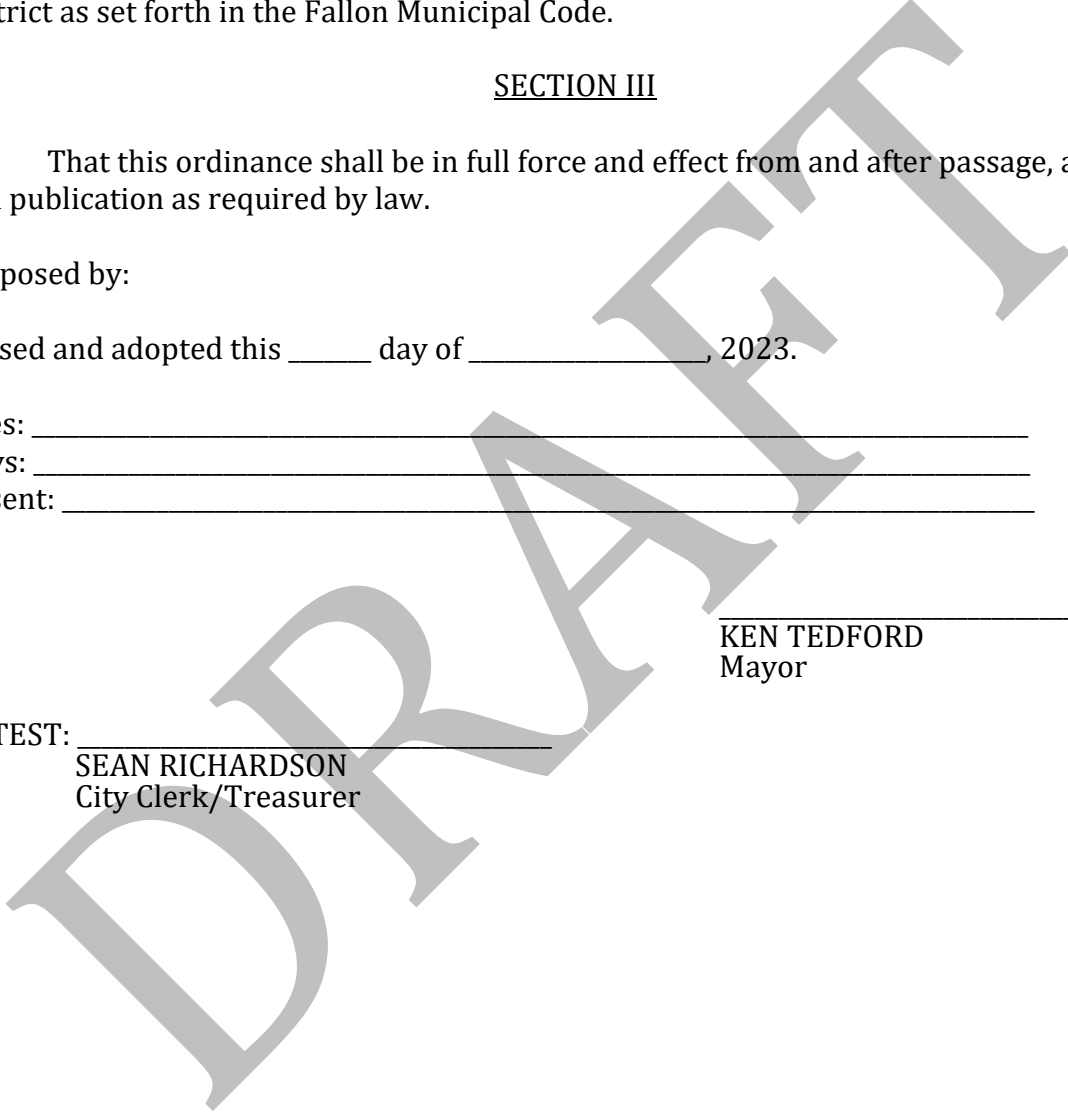
Ayes: _____

Nays: _____

Absent: _____

KEN TEDFORD
Mayor

ATTEST: _____
SEAN RICHARDSON
City Clerk/Treasurer





CITY OF FALLON REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: July 24, 2023
 AGENDA DATE: August 1, 2023
 TO: The Honorable City Council
 FROM: Sean Rowe, Deputy City Attorney
 AGENDA ITEM TITLE: Setting of public hearing date for Bill No. 794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto. **(For possible action)**

TYPE OF ACTION REQUESTED:

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

RECOMMENDED COUNCIL ACTION: Set public hearing date for August 15, 2023, at 9:00 a.m. for Bill No. 794: An Ordinance providing for the annexation three parcels of real property totaling 5.0 acres, more or less, located at 1700 Harrigan Road, 875 Wood Drive, and 865 Wood Drive and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto.

DISCUSSION: None.

PREPARED BY: Sean Rowe, Deputy City Attorney