

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

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.



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