

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
February 8, 2010**

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

Present:

Mayor Ken Tedford, Jr.
City Councilman, Robert Erickson
City Councilwoman, Rachel Dahl
City Engineer, James Souba
Police Chief, Kevin Gehman
City Clerk, Gary Cordes
City Attorney, Mike Mackedon

The meeting was called to order by Mayor Tedford at 4:00 p.m.

Mayor Tedford noted for the record that Councilman Richardson was ill.

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

City Clerk Cordes advised the agenda was posted in compliance with NRS 241.

Consideration of development agreement pursuant to Section 20.26.010 through 20.26.012 of Title 20 of the Fallon Municipal Code between the City of Fallon and Coleman Road 2174, LLC for Desert Oasis Subdivision Unit 2 and release of performance bond for subdivision improvements for Desert Oasis Subdivision Unit 2 and other matters related thereto

City Attorney Mackedon explained that this is the proposed final draft for a development agreement between the City of Fallon and Coleman Road 2174, LLC. The final map for Desert Oasis Subdivision Unit 2 was recorded on June 7, 2005 as Document # 372552. The subdivision has been stalled by virtue of the state of the residential housing market. There is no reason to insist upon subdivision improvements at this point in time. An agreement is needed to ensure the subdivision will be improved. It is important that individual lots will not be sold or used as collateral until all improvements are made. The agreement is consistent with the ordinance that was recently enacted on January 30, 2010 after proper publication. The agreement also requires that the Council relinquish performance bond # 567842S posted by the previous owner, Great Basin Land Development, LLC. The bond amount is \$573,643.00. The agreement was signed and notarized today by John T. Friedrich for Coleman Road 2174, LLC. He proposed that the Council release the bond as previously described and authorize the Mayor to notify the bond company that the bond is released. He recommended approval of the agreement as presented.

Mayor Tedford thanked City Attorney Mackedon for his work on this issue over the last three months. He also thanked the Council for their willingness to implement new ordinances to make this possible.

Mayor Tedford inquired if the Council had any comments or questions.

Councilman Erickson inquired if this action would need to be published.

City Attorney Mackedon replied that publication is not necessary; the ordinance was effective January 30, 2010 and if the Council approves this action it would be effective immediately.

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

No public comments were noted.

Councilman Erickson motioned to enter into a development agreement between the City of Fallon and Coleman Road 2174, LLC for Desert Oasis Subdivision Unit 2 and authorize the Mayor to sign the same, and also release performance bond #567842S for subdivision improvements for Desert Oasis Subdivision Unit 2 and authorize the Mayor to sign any necessary documents related to the release of said bond; seconded by Councilwoman Dahl with a 2-0 vote by the Council.

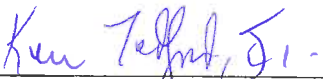
Public Comments

Mayor 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.

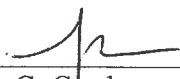
No public comments were noted.

Adjournment

There being no further business to come before Council, Mayor Tedford adjourned the meeting at 4:14 p.m.



Mayor Ken Tedford, Jr.

Attest: 

Gary C. Cordes
City Clerk Treasurer