



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, February 25, 2020

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.S.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocitynv.gov> the State of Nevada's Public Notice Website,

<https://notice.nv.gov>, and in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date: Time Posted: Thursday, February 20, 2020 at 8:30 a.m.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: Thursday, February 20, 2020 at 8:40 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: Thursday, February 20, 2020 at 8:50 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: Thursday, February 20, 2020 at 9:00 a.m.

Posted by: **Kim Wilkinson** Administrative Assistant

Name

Title

Kim Wilkinson

Signature

The public may contact Curtis Calder by phone at (775)777-7110 or email at ccalder@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

Dated this 20th day of February, 2020

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

Scott A. Wilkinson

Scott Wilkinson, Assistant City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.S.T., TUESDAY, FEBRUARY 25, 2020
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES February 11, 2020 **Regular Session**

I. PRESENTATIONS

- A. Presentation by the Te-Moak Tribe of Western Shoshone, Elko Band Council Chairman, Davis Gonzales, in Regards to the Marijuana Dispensary, and matters related thereto. **INFORMATION ITEM ONLY – NON-ACTION ITEM**
- B. Presentation of the Elko Police Department Annual Report by Police Chief Tyler Trouten, and matters related thereto. **INFORMATION ITEM ONLY-NON-ACTION ITEM**
- C. Presentation by Leah Lamborn of Creative Consulting Solutions concerning Ground Emergency Medical Transportation Program (GEMT), and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Maveric Morales, Parks Maintenance Technician I
 - 2.) Timothy Anders, WRF Technician

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review and possible designation of an independent auditor to prepare the annual audit for the City of Elko for Fiscal Year ending June 30, 2020, pursuant to NRS. 354.624, and matters related thereto. **FOR POSSIBLE ACTION**

Each year the City is required to designate an independent auditor prior to March 31 of the year in which the audit is to be conducted. The City put out Requests for Proposals for auditing services for a period of five years on March 2016, and awarded the RFP to HintonBurdick, PLLC. JB

IV. SUBDIVISIONS

- A. Review, consideration and possible approval of Final Map No. 15-19, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hill Phase 3 involving the proposed division of approximately 10.72 acres of property into 27 lots for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located southwest of Pheasant Drive between Chukar Drive and Deerfield Way. (APN 001-929-124). The Planning Commission considered this item on February 4, 2020, and took action to forward a recommendation to conditionally approve Final Map 15-19. MR

V. UNFINISHED BUSINESS

- A. Status update on the Public Nuisance complaint 403 Pine Street, and matters related thereto. **INFORMATION ONLY–NON ACTION ITEM**

Based upon City Council action on October 23 2019, Staff is providing a status update with regard to 403 Pine Street. MR

VI. NEW BUSINESS

- A. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Tower Hill Unit 3 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those

improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. As part of the conditions of approval for Final Map 15-19, the Planning Commission recommended that the agreement be approved by the City Council and be entered into by the developer within 30 days of the City Council's approval of the Final Map. MR

- B. Review, consideration and possible action to initiate amendment to Title 8 Chapter 18, entitled "Public Improvement Standards", and matters related thereto. **FOR POSSIBLE ACTION**

The principal objective of the proposed amendment is to include a detail in the public improvement standards for micro-trenching. The current code references standard details by the Regional Transportation Commission of Washoe County, which does not include a detail for micro-trenching. MR

- C. Review, consideration, and possible approval of Revocable Permit No. 1-20, filed by Bulldog Ranch, LLC and Edward Jones Investments, to occupy a portion of the North 5th Street Right-of-Way as located adjacent to 2213 North 5th Street, to accommodate installation of a new sign, and matters related thereto. **FOR POSSIBLE ACTION**

Edward Jones Investments operates a business on real property owned by Bulldog Ranch LLC. The proposed monument sign is located in the City of Elko Right-of-Way. City Code requires they have a Revocable Permit to occupy the Right-of-Way. CL

- D. Review, consideration and possible action to approve a Revocable Agreement for the Implementation and Oversight of a Syringe Services Program at the Elko Humanitarian Campground, and matters related thereto. **FOR POSSIBLE ACTION**

On January 14, 2020, Council directed Staff to develop a revocable agreement with Trac B Harm Reduction Clinic for the implementation and oversight of a Syringe Services Program at the Humanitarian Campground located at 398 Hot Springs Road for the benefit of persons properly registered and utilizing the campground. SAW

- E. Review, consideration, discussion and possible approval of a recommendation from the Parks and Recreation Advisory Board to support the designation of an off leash dog park located at 5th Street Park, and matters related thereto. **FOR POSSIBLE ACTION**

The Parks and Recreation Advisory Board met on January 16, 2020 and took action to forward a recommendation to City Council for the designation of an off leash dog park located at 5th Street Park within the City of Elko. JW

- F. Review, consideration, and possible action pertaining to a request to purchase approximately 8,000 sq. ft. of a 50 acre city owned parcel referred to as APN 001-

710-055, pursuant to NRS 268.061 or NRS 268.062, and matters related thereto.
FOR POSSIBLE ACTION

Staff has received a request from Loren Highland to purchase property abutting his property. He has stated on the application that he would be storing honey bees on the property during the summer months. CL

VII. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 849, an ordinance amending Title 8, Chapter 2 of the Elko City Code entitled "Utility Occupancy of Public Rights-Of-Way or Public Easements, Smart Dig Requirements, and City Excavation Permits", and direct Staff to set the matter for public hearing, second reading, and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

On February 11, 2020, Council approved the initiation of Ordinance No. 849 and directed Staff to conduct a First Reading. MR

- B. Review, discussion, and possible adoption of Resolution No. 5-20, a resolution authorizing the City of Elko to enter into a revocable agreement with Trac B Harm Reduction Clinic for implementation and oversight of a syringe services program at the Humanitarian Campground, and matters related thereto. **FOR POSSIBLE ACTION**

On January 14, 2020, Council directed Staff to develop a revocable agreement with Trac B Harm Reduction Clinic for the implementation and oversight of a syringe service program at the Humanitarian Campground located at 398 Hot Springs Road for the benefit of persons properly registered and utilizing the campground. SAW

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible adoption of Resolution No. 06-20, a resolution of the Elko City Council, amending the Elko City Master Plan Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3, and Roadway Classifications, Existing Functional Classification Atlas Map 11, and Atlas Map 12, filed as Elko City Master Plan Amendment No. 1-20, and matters related thereto. **FOR POSSIBLE ACTION**

On February 4, 2020, the Planning Commission adopted its Resolution No. 1-20 to amend the Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3 and Roadway Classifications, Existing Functional Classification Atlas Map 11 and Atlas Map 12 of the current Elko City Master Plan. An amendment of this type requires positive action by both the Planning Commission and the City Council. If the City Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval. CL

- B. Review and consideration of Tentative Map 14-19, filed by Koinonia Development, LP, for the development of a subdivision entitled Mountain View Townhomes involving the proposed division of approximately 3.24 acres of property into 44 lots for residential development and 1 common lot within the CT (Commercial Transitional) Zoning District, in conjunction with a conditional use permit application, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the south side of N 5th Street at the intersection of Mary Way. (APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075). The Planning Commission considered this item on February 4, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 14-19. MR

- C. Review and consideration of Tentative Map 16-19, filed by Bailey & Associates, LLC, for the development of a subdivision entitled Ruby Mountain Peaks involving the proposed division of approximately 10 acres of property into 45 lots for residential development and 1 remainder lot within the R1 (Single-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located on the east side of Jennings Way between Mountain City Highway and Bluffs Avenue. (APN 001-01A-014). The Planning Commission considered this item on February 4, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 16-19. MR

IX. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

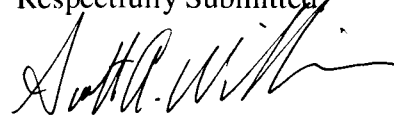
Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item

on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott Wilkinson", written over a horizontal line.

Scott Wilkinson
Assistant City Manager

City of Elko)
County of Elko)
State of Nevada)

SS February 11, 2020

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, February 11, 2020.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
 Councilman Robert Schmidtlein
 Councilman Chip Stone
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Kelly Wooldridge, City Clerk
 Michele Rambo, Development Manager
 Candi Quilici, Accounting Manager
 Jan Baum, Financial Services Director
 Karen Walther, Animal Shelter Manager
 Bob Thibault, Civil Engineer
 James Wiley, Parks and Recreation Director
 Cathy Laughlin, City Planner
 Jim Foster, Airport Manager
 Jeff Ford, Building Official
 Matt Griego, Fire Chief
 Dave Stanton, City Attorney
 Mike Palhegyi, Police Lieutenant
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in recognition of the month of February as Beef Month, and matters related thereto.

This item was not hear as there wasn't anyone present.

- B. Public display of Elko Fire Department Engine 10, and matters related thereto.
INFORMATION ONLY – NON-ACTION ITEM

Chief Griego said Engine 10 is finally here and in operation. It will run as a first up truck in Station One and respond to emergency medical calls, wildland and structure fires. It should serve us well into the future. The next truck to be delivered will go to Lee Engine Company and will be for wildland fires.

II. PERSONNEL

- A. Employee Introductions:

- 1.) Thomas Quinlan, Volunteer Fire Fighter, Fire Department *Not Present.*
2.) Clancy Harman, Volunteer Fire Fighter, Fire Department *Present and introduced.*

- B. Fire Department Badge Pinning and Administration of the Fire Officer's Oath, promotion of Firefighter Jeffrey Winrod to Fire Lieutenant, and matters related thereto. **INFORMATION ONLY - NON-ACTION ITEM**

Chief Griego introduced Jeff Winrod as the latest Fire Lieutenant in the Lee Engine Company.

Councilman Schmidtlein administered the Fire Officer's Oath.

Jeff Winrod's son pinned the new badge on his dad's uniform. Mr. Winrod thanked everyone for their time. It has been a pleasure serving as a Volunteer Fire Fighter with Lee Engine.

Mayor Keener thanked all the volunteer firefighters for the work they do for the City.

- C. Review, consideration, and possible approval of an Agreement between the City of Elko, and the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America AFL/CIO Local 9110, July 1, 2019 – June 30, 2022, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2019/2020, FY 2020/2021 and FY 2021/2022. A redlined copy of the proposed Collective Bargaining Agreement has been included in the agenda packet for review. SS

Note: This portion of the meeting may be closed pursuant to NRS 288; therefore the Council may move to adjourn the meeting prior to consideration of this item.

Susie Shurtz, Human Resources Manager, explained the redlined version of the agreement and the financial impact was included in the packet. She offered to answer questions.

Councilman Hance asked why there was a dip in 2021.

Ms. Shurtz answered there was a Corporal that moved out of the contract. Because he moved out, the numbers dropped down.

Mayor Keener noted the Chief was not present and asked if he was good with the agreement.

Ms. Shurtz answered yes. He is aware of it and they have been in discussion with them as well.

Curtis Calder, City Manager, said this is the non-supervisory contract and one of our goals was to put it in alignment with the supervisory contract. The supervisory contract did have a compaction issue. We have landed on a Pay-For-Performance model contract for the officers. We feel this will benefit the department and the City. The numbers are large because of the numbers of members in the contract. Overall he felt the fiscal impact was reasonable. This model incentivizes performance and gives the department a retention tool. It is also a recruiting tool that will help us compete for quality applicants.

**** A motion was made by Councilman Schmittlein, seconded by Councilwoman Simons, to approve the collective bargaining agreement for the FY 2019/2020, FY 2020/2021, FY 2021/2022.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Status Update on the Public Nuisance complaint regarding 403 Pine Street, and matters related thereto. **INFORMATION ONLY–NON ACTION ITEM**

Based upon City Council action on October 22, 2019, Staff is providing a status update with regard to 403 Pine Street. MR

Michele Rambo, Development Manager, explained the structural analysis concluded the structure could not be saved. We have contacted several contractors to get quotes for demolition. She was hoping to have the quotes back by the end of the week and be under a contract by the end of the month.

Scott Wilkinson, Assistant City Manager, added they have requested removal of all the flatwork but they may decide to leave that for the new owners.

V. NEW BUSINESS

- A. Review, consideration, and possible action to accept the 2019 Annual Report of Planning Commission Activities, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to City Code Section 3-4-23, the Planning Commission is required to prepare and present an Annual Report of its activities to Council. On February 4, 2020, the Planning Commission took action to approve the 2019 Annual Report of Planning Commission Activities, and forward it to the Council. CL

Cathy Laughlin, City Planner, gave a presentation (included in packet).

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to approve the 2019 Annual Report of Planning Commission Activities.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible acceptance of a Corrective Deed from T.G. Sheppard 1995 Family Limited Partnership to the City of Elko for a permanent non-exclusive Right of Way, and matters related thereto. **FOR POSSIBLE ACTION**

This Corrective Deed corrects deficiencies and effects the purpose of the Grant Deed and Easement that was recorded September 27, 1982 conveying the property to the City of Elko. CL

Ms. Laughlin explained this needed corrections since 1982. It was an agreement the City had with Anita Anacabe and the Sheppard Family Trust. The City was going to bring some utilities in exchange for a sliver of land along Bullion Road that would be right-of-way, as well as, the parcel for the extension of Front Street. Through a variety of issues that started in 1982, we never completed the extension of Front Street. There are some more processes to go through to get this entire process completed correctly.

Mayor Keener asked if a sale is driving this.

Ms. Laughlin answered no. Mr. Franzoia came to her a couple of years ago and asked her to look into this. Both parties are willing to sign the corrective deeds.

Dave Stanton, City Attorney, said the reason we are calling these corrective deeds is because there is an exemption to the parcel map requirement for conveyances to the City for that purpose, for public rights-of-way. Prior deeds did not clarify that.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to accept the Corrective Deed for Public Right-of-Way.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible acceptance of a Corrective Deed for Public Street/Right-of-way and Grant of Easement for Roadway and Utility Purposes from Franzoia Anacabe Family Limited Partnership to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

This Corrective Deed corrects deficiencies and effects the purpose of the Grant Deed and Easement recorded July 15, 1982, and Deed of Correction recorded October 23, 1983 was for the creation or realignment of a public Right-of-Way by the City of Elko. CL

Ms. Laughlin said this was the same as the last agenda item.

Mayor Keener asked if the street will be connecting to Front Street. (yes)

**** A motion was made by Councilman Stone, seconded by Councilman Schmidlein, to accept the Corrective Deed for Public Street/Right-of-Way and Grant of Easement for Roadway and Utility Purposes.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of a Non-Exclusive Franchise Agreement between the City of Elko and CC Communications an Enterprise Fund Operation of Churchill County, NV for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The proposed term of the agreement is 10 (ten) years and provides for a 5 (five) year renewal provided the terms and conditions remain the same. The proposed franchise fee is 5 (five) percent of the gross revenues actually collected from customers located within the corporate limits of the City. SAW

Scott Wilkinson, Assistant City Manager, explained this agreement contains a few provisions that they worked out with White Cloud. It also contains another provision that allows for if the Council passes the Resolution waiving franchise fees for five years.

Mayor Keener said he saw a typo on the first page.

Mr. Wilkinson asked to include that correction in the motion.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve a Non-Exclusive Franchise Agreement between the City of Elko and CC Communications an Enterprise Fund Operation of Churchill County, NV for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko, with a typographical correction on page one.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible action pertaining to a request to purchase or lease approximately 900 sq. ft. of City owned property, identified as APN 001-01R-001, and matters related thereto. **FOR POSSIBLE ACTION**

Staff has received a request from Safelink Internet Services to purchase or lease property. They have stated on the application that they intent to place communication infrastructure on the property. NRS 268.062 allows for the sale or lease of any real property at auction after adopting a resolution declaring its intention to sell the property at auction. City Council must determine if the property is economically viable. SW

Mr. Wilkinson explained they have a request for the possible purchase or lease of some property. It is near the 5th Street Bridge on the southwest side. This is an area that was acquired through Project Lifesaver. One issue we need to look at tonight is if there is some merit to move this forward. We would have to research Project Lifesaver to make sure there were not any restrictions that would prohibit us from moving forward. Talking to SafeLink, they believe this location would be critical to their infrastructure. They would construct a small building. He would like to know if Council would like to move forward with this. They would rather purchase a piece of property than have an ongoing lease. It will take a lot of research to go through all the Project Lifesaver documents to try to make the determination of whether or not there are any restrictions. If we move forward with that we would have to get an appraisal and everything else associated.

Cathy Laughlin, City Planner, said they would have to change the land inventory. It was originally planned as a parking lot for the park path. Council would have to determine how to dispose of the property. She thought it would have to go to auction and SafeLink will have to reimburse the costs associated. It is a long process. The land isn't designated to be sold right now.

Mayor Keener asked if there was no other precedent of the Project Lifesaver property being carved out and disposed of.

Mr. Wilkinson answered not that he knew of. The corridor was an area granted to the City for public purposes only. We may have to get into a title search on the property. There was a lot of different property and land exchanges that occurred for the project.

Mayor Keener thought it would be interesting to see if there was an exception for utilities.

Dave Stanton, City Attorney, answered you are talking about a structure that SafeLink, a telecom, would be using for its equipment. It is not a utility easement. It will be property they own to operate out of. They will not use it to install utilities.

Ms. Laughlin added telecommunications does not meet the definition of essential services under Planning and Zoning. This is a very complicated long process.

Mayor Keener asked if Safelink was advised of the long process.

Mr. Wilkinson answered he did advise them.

Councilwoman Simons asked if there was any other property that would meet their needs.

Mr. Wilkinson said they tried to steer them that direction. This property is identified for Parks. If Council would like to entertain the possibility of a sale or lease of that portion of the parcel, then staff would act on that.

Ms. Laughlin said if Council decides to lease, the land inventory would not have to be changed and it would not have to go out to public auction.

Mayor Keener called for public comment without a response. He said their plan for the community is important enough that we need to do everything we can to accommodate them. It makes sense for them to be near the bridge.

Mr. Wilkinson expressed his concerns with the process and expending a lot of staff time and legal fees.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to authorize staff to obtain the required appraisal for the proposed sale or lease of a 900 sq. ft. portion of APN: 001-01R-001, and proceed with the statutory process for selling or leasing the parcel pursuant to NRS 268.062 subject to the Council accepting that appraisal.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible action to initiate amendment to Title 8 Chapter 2, entitled "Conditions of Utility Occupancy of Public Roads and City Street Cuts and Repairs," and matters related thereto. **FOR POSSIBLE ACTION**

The principal objective of the proposed amendment is to identify micro-trenching as an alternative for fiber optic cable installation, to exclude micro-trenching activities from the requirement to install additional micro-duct and/or conduit in the micro-trench and to prohibit nano-trenching as an alternative for fiber optic cable installation in private excavations. Additional revisions are proposed to clarify other provisions of Code. SAW

Mr. Wilkinson explained we had some meetings concerning this proposed type of trenching. Staff has some reservations. They have reached out to Reno and Salt Lake City. Nano-trenching is defined as a trench that is within the asphalt section of a roadway. It would be very shallow and narrow. Typically, they put the cable in and put crack seal on top of that. Staff doesn't recommend going that route. What we would define Micro-trenching would be as a trench that would be below the asphalt section of a road. Typically, our understanding is that they have cutting wheels that have a max depth of 16 inches but the cable would go in at 11 inches. Staff has discussed how this would impact our roads. He thought if this is done properly, the impact to the roads would be less significant over a short term than if we did the traditional bore and trench methods. After some discussion and research, they decided that the micro-trenching needs to be done right up to the lip of the gutter. He typed up a quick memo earlier today and Mr. Thibault drew up a detail. If we move forward, there is a section of our code that requires work in right-of-ways to follow Orange Book. We will have to amend that section of code that also includes City details so that we can finalize this detail and include it on our website.

Councilman Schmidtlein said regarding fall freeze, as the water sheds off the road, even though the grout is put in there, what will prevent the water from getting in between the curb and the grout going back? Are they going to be required to crack seal all of that?

Mr. Wilkinson answered they looked at that and they will probably have to work with Dennis Strickland further on this issue.

Councilman Schmidtlein asked what cities or townships are already doing this so he can go look at it.

Mr. Wilkinson answered Salt Lake City is doing it. Reno does not do it yet but they have had discussions regarding it. They are proposing nano-trenching being allowed.

Mayor Keener noted that a representative from the Governor's Office was present and asked if she had any comments.

Jojo Myers Campos, State Broadband Development Manager, said micro-trenching is definitely recommended. She was glad to hear that they were opposed to nano-trenching. There was a company that did nano-trenching in Douglas County. Frontier Communications has done nano-trenching. Micro-trenching is about 11 inches down. The typical conduit is about 2 inches. You can't get more than one conduit into the micro-trench. The micro-trenching has been successful in this state and these providers are basing their budgets on this.

Mayor Keener said Councilman Hance asked about four different providers putting in the trenches. He didn't think there will be that issue since the capital investments are so high.

Ms. Campos thought it would be nice to have four different providers willing to invest in this community. She didn't think there would be that many.

Mayor Keener asked regarding a hold-harmless agreement, is the proper place to have that in the franchise agreement or in the ordinance.

Mr. Wilkinson answered we have a USA Dig requirement. If the utilities are being marked, it is up to whoever is digging to avoid those utilities. The responsibility lies on the person doing the excavation. If the utilities are not marked, then that's on them.

Dave Stanton, City Attorney, said the franchise agreement would be the place to address that.

Jason Herr, SafeLink, said they chose to do the micro-trenching because they believe it will have the least impact to the community and will allow them to meet their timelines. It is shallower but you will always run into breaks and cracks and they will cover that.

Councilman Schmidtlein felt it was important to stay proactive with this. He agreed with the placement next to the curb.

Mayor Keener called for public without a response.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to initiate an amendment to Title 8, Chapter 2, entitled "Conditions of Utility Occupancy of Public Roads and City Street Cuts and Repairs," as presented by staff.**

The motion passed unanimously. (5-0)

BREAK

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 848, an ordinance amending Title 5, Chapter 3, section one (1), and twenty through twenty-two (20-22), adding the option for a Cat Caregiver Person, or organization to engage in a Trap-Neuter-Return (TNR) Program for Feral Cats, and matters related thereto. **FOR POSSIBLE ACTION**

On December 10, 2019, Council heard a presentation by Mark Robison, Senior Consultant with the Humane Network, and Co-Executive Director of Maddie's Pet Project regarding Trap-Neuter-Return (TNR) Programs. Council initiated amendments to Title 5, Chapter 3 of the Elko City Code to allow for TNR within the City of Elko. First reading was conducted on January 28, 2020. CC

Curtis Calder, City Manager, explained this is the second reading. There were some folks in the audience in support of the ordinance. There weren't a lot of questions the last time around and there are no changes to the ordinance.

Mayor Keener didn't have any questions and was in support of the ordinance.

Karen Walther, Animal Shelter Manager, said nothing has changed and she was in support of the program. She was looking forward to the changes to come.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve the Second Reading, Public Hearing and adopt Ordinance No. 848.**

The motion passed unanimously. (5-0)

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Consideration of a dispute of a water bill from Ms. Beverly Vasquez, and matters related thereto. **FOR POSSIBLE ACTION**

A letter from Ms. Beverly Vasquez has been included in the agenda packet for your review. CC

Mr. Calder explained he didn't have a lot of information on this item other than the letter received.

Beverly Vasquez said she was so upset about the way her property was handled. She got a bill for \$250 because she forgot to turn in a piece of paper stating that she was working on a trailer. There is a camp trailer there that is nothing but a shed. She was charged \$250 more than she normally

pays each month. She knew she forgot to turn in the paper. She has paid all but \$83 just to keep her water on.

Mayor Keener asked Candi Quilici to come up and explain this further.

Ms. Vasquez said she has paid her business license until this last year. She was told she didn't need a license anymore because there are only two trailers.

Candi Quilici, Accounting Supervisor, explained there was some confusion regarding the Business License and the water bill. She tried to explain to Ms. Vasquez that they are different departments and have nothing to do with each other. There were three months that the Water Department received a vacancy affidavit claiming one unit vacant as opposed to the two units vacant that she typically has claimed in the past. According to her vacancy affidavits, they billed her correctly for those three months. Ms. Vasquez received the late notice and she was advised she had to pay at least \$83 to stay off the shut-off list.

Mayor Keener clarified she is being charged for three utilities.

Ms. Quilici answered she has three spaces and she typically claims a vacancy for two.

Councilwoman Simons asked if she removed the shed would she have to continually claim it's vacant.

Ms. Quilici answered in order to remove the shed from service, the waterline would have to be capped.

Mayor Keener asked who would cap the lines.

Mr. Calder answered it would depend on where the disconnect is at and how the services are brought to the home. Staff is not allowed to waive the fees. He recommended that Council waive the fees for the small trailer/shed and she continue to turn in the affidavits for the two vacancies.

Mr. Calder recommended waiving the late fees too.

Ms. Vasquez stated that it may be a three space trailer court but a regular sized trailer would not fit where the small trailer. There really is only two spaces that can be used. The small trailer was grandfathered in.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to accept the letter from Beverly Vasquez and waive the fees for one space over a three month period of time and the associated late fees.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Hance, to approve the general warrants.**

The motion passed unanimously. (5-0)

- B. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve the Print 'N Copy warrants.**

The motion passed. (4-0 Mayor Keener abstained.)

V. NEW BUSINESS (Cont.)

- G. Review, consideration and possible approval of a Non-Exclusive Franchise Agreement between the City of Elko and SafeLink Internet LLC for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The proposed term of the agreement is 10 (ten) years and provides for a 5 (five) year renewal provided the terms and conditions remain the same. The proposed franchise fee is 5 (five) percent of the gross revenues actually collected from customers located within the corporate limits of the City. SAW

Scott Wilkinson, Assistant City Manager, explained this is the same as the last franchise agreement considered. Mr. Jason Herr from SafeLink was present.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidtlein, to approve a Non-Exclusive Franchise Agreement between the City of Elko and SafeLink Internet LLC for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES

- A. Review, discussion, and possible adoption of Resolution No. 4-20, a resolution waiving, for a period of five (5) years, the requirement that telecommunications carriers pay compensation to the City of Elko, for the property rights granted under franchise agreements, and matters related thereto. **FOR POSSIBLE ACTION**

On January 14, 2020, Council heard a presentation regarding a request from the Governor's Office of Science, Innovation, and Technology to consider reducing the telecommunication franchise fee's as a method for the City to invest in broadband communication development. Council voted to direct Staff to bring back a resolution that will reduce the franchise fees to 0% for a five-year period, starting

July 1, 2020 to go through until June 30, 2025, for the telecommunication franchise fees only. SAW

Mr. Wilkinson explained the Resolution was in the packet. It states that beginning July 1, 2020, the fees will be waived. Starting June 30, 2025, the fees will start to be collected per the respective franchise agreements.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve Resolution No. 04-20 as presented.**

The motion passed unanimously. (5-0)

IX. REPORTS

A. Mayor and City Council

Mayor Keener reported the Komatsu opening last Friday was a tremendous event. Some of the senior managers wanted him to let staff know they appreciate the relationship. The Special Budget meeting is on Tuesday but he will not be present for the meeting.

B. City Manager – February 18, 2020 - Special City Council Meeting

Curtis Calder said they will post the agenda for the Special Meeting tomorrow. We will be talking about big capital projects we have looming out there and try to get priorities set. The pool is a massive capital project that is out there but in the meantime, we have to keep the current pool open. There are some roof issues that have been brought to our attention that need to be addressed in the next budget.

C. Assistant City Manager

D. Utilities Director

E. Public Works

F. Airport Manager

Jim Foster stated next month he will be bringing an item to close out the AIP 49 Fence Project. Hopefully, he will also be bringing them a contract for the food/beverage concession. Lastly, they had the Part 139 Inspection and there just a few items that need to be corrected. It was a good inspection even with a few discrepancies noted.

Mayor Keener asked if there was any word from Hillary yet on dates for a visit.

Mr. Foster said he is checking on some dates but they are looking at the first part of March. If that doesn't happen, the Nevada Airport Managers Association has a meeting in Tonopah in April where he will be able to meet with the FAA for our Capital Improvement Program.

Mayor Keener asked about the SkyWest passenger counts and if he had them yet.

Mr. Foster answered the numbers from 2019 are in and we just barely missed our 20,000 mark for the year. The January numbers are up from the same time last year. We are still seeing the trend increasing.

- G. City Attorney
- H. Fire Chief
- I. Police Chief

Lt. Mike Palhegyi thanked Council for attending the Annual Police Department Awards Ceremony last month. We have been working with the US Marshal Service in a new joint task force and they just had some officers sworn in as Deputy Marshals.

- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Financial Services Director – Consolidated Sales Tax Update

Jan Baum reported on Sales Tax. We are about \$125,000 short of what we budgeted but we are still up from the previous year. She has been meeting with everyone and getting the budgets together.

- N. Parks and Recreation Director – Sno Bowl Update; Swimming Pool Update –

James Wiley reported there was a little bit of a snow storm and the SnoBowl was able to stay open one more weekend. We are near the end of the season. We may be able to run on Saturday but he didn't see it being open Sunday and Monday unless there is a significant snow storm. We did have a good year at the SnoBowl.

- O. Civil Engineer
- P. Building Official

COMMENTS BY THE PUBLIC

Pursuant to N.R.S. 241, the public, if any, and discussion of those comments devote this time to comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Presentation by Leah Lamborn of Creative Consulting Solutions concerning Ground Emergency Medical Transportation Program (GEMT), and matters related thereto. INFORMATION ITEM ONLY – NON ACTION ITEM**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **PRESENTATION**
4. Time Required: **15 Minutes**
5. Background Information: **The GEMT program allows local government providers of ground emergency medical transportation (ambulance transport) to recover the actual costs to provide the service instead of the Fee Schedule rate of approximately \$250. In essence, the program allows local government provider to recover their overhead costs which are directly associated with the transport, thus more closely aligning the reimbursement with the true cost to provide the service. MG**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **No Action Required**
10. Prepared By: **Matthew Griego, Fire Chief**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and possible designation of an independent auditor to prepare the annual audit for the City of Elko for Fiscal Year ending June 30, 2020, pursuant to NRS. 354.624, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Each year the City is required to designate an independent auditor prior to March 31 of the year in which the audit is to be conducted. The City put out Requests for Proposals for auditing services for a period of five years on March 2016, and awarded the RFP to HintonBurdick, PLLC. JB**
6. Budget Information:

Appropriation Required:	\$60,000.00
Budget amount available:	\$60,000.00
Fund name:	
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Approve HintonBurdick, PLLC as the City of Elko's independent auditors for the fiscal year ending June 30, 2020 in an amount not to exceed \$60,000.**
10. Prepared By: **Jan Baum, Financial Services Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Michael K. Spilker, Hinton Burdick, PLLC
mspilker@hintonburdick.com**

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration and possible approval of Final Map No. 15-19, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hill Phase 3 involving the proposed division of approximately 10.72 acres of property into 27 lots for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **SUBDIVISION**
4. Time Required: **15 Minutes**
5. Background Information: **Subject property is located southwest of Pheasant Drive between Chukar Drive and Deerfield Way. (APN 001-929-124). The Planning Commission considered this item on February 4, 2020 and took action to forward a recommendation to conditionally approve Final Map 15-19. MR**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, Approved Construction Plans, P.C. Action Report, Staff Report, and related correspondence.**
9. Recommended Motion: **Conditionally approve Final Map 15-19 for the Tower Hill Unit 3 subdivision subject to the conditions as recommended by the Planning Commission.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Council Agenda Distribution:

Jordanelle Third Mortgage, LLC
Attn: Scott MacRitchie
4518 N. 32nd Street
Phoenix, AZ 85018
scott@macritchie.com

High Desert Engineering
Attn: Tom Ballew
tcballew@frontiernet.net

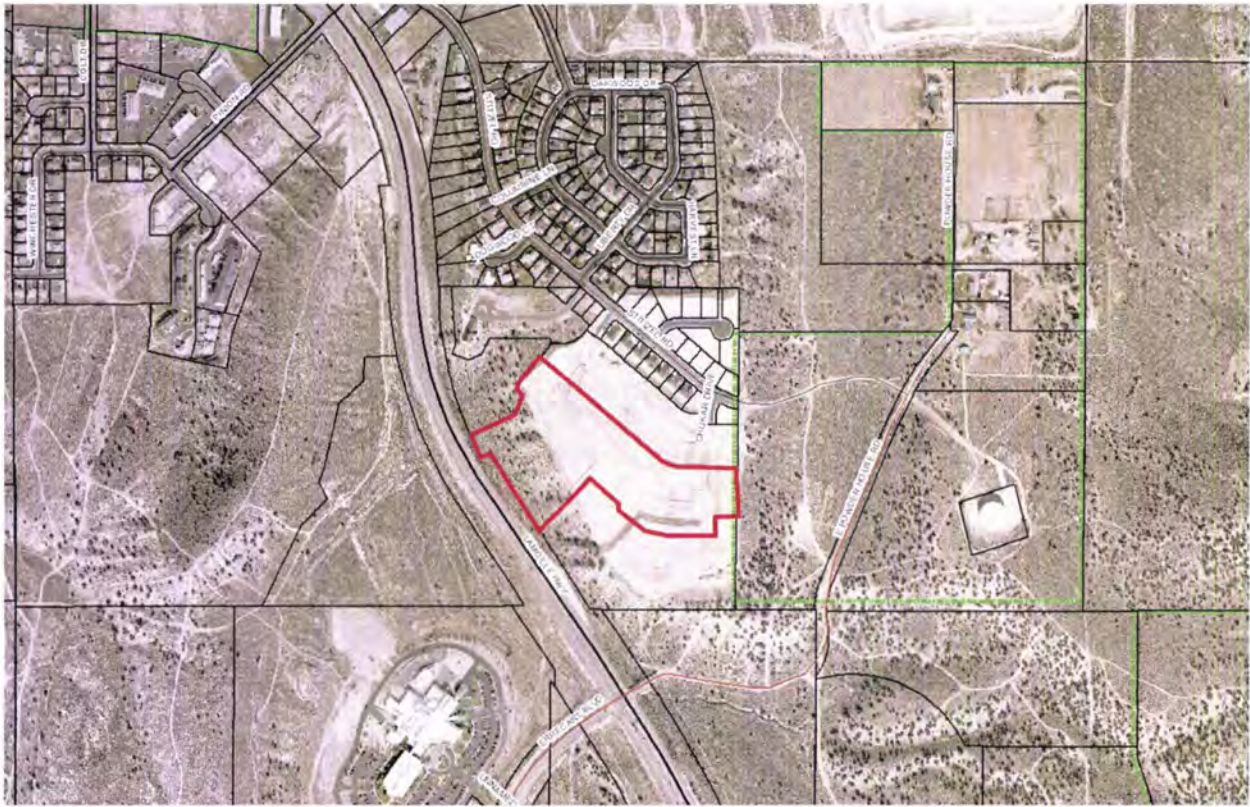


City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE:	January 21, 2020
PLANNING COMMISSION DATE:	February 4, 2020
AGENDA ITEM NUMBER:	I.B.1.
APPLICATION NUMBER:	Final Map 15-19
APPLICANT:	Jordanelle Third Mortgage, LLC
PROJECT DESCRIPTION:	Tower Hill Unit 3

A Final Map for the division of approximately 10.72 acres into 27 lots for single family residential development within an R1 (Single Family Residential) zoning district.



STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact, and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-929-124

PARCEL SIZE: 10.72 Acres

EXISTING ZONING: (R1) Single-Family Residential.

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

BACKGROUND:

1. The Final Map for Tower Hill Unit 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Tower Hill Tentative Map.
3. The City Council conditionally approved the Tower Hill Tentative Map.
4. Three phases were shown on the Tentative Map.
5. The subdivision is located on APN 001-929-124.
6. The proposed subdivision consists of 27 residential lots.
7. The total subdivided area is approximately 10.72 acres.
8. The proposed density is 2.52 units per acre.
9. Approximately 1,580 acres are offered for dedication for street development.
10. Drainage and utility easements are provided along all lot lines.
11. The property is located southwest of Pheasant Drive (Phase 2) between Chukar Drive and Deerfield Way.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: Single-Family and Multiple-Family Residential (R1) / Developed
- South: Single-Family and Multiple-Family Residential (R1) / Vacant
- East (County): Open Space (OS) / Vacant
- West: Commercial (C) / Developed (Lamoille Highway)
Planned Commercial (PC) / Vacant

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The area abuts previous residential development to the northeast, a church to the northwest, and vacant property on all other sides.
- The parcel has some significant slope down to Lamoille Highway, which is incorporated into the design of the lots where possible.
- The property will be accessed off of Stitzel Road via either Deerfield Way or Chukar Drive.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-3-7 Final Map State (Stage III)
- City of Elko Zoning – Section 3-3-8 Content and Format of Final Map Submittal
- City of Elko Zoning – Section 3-3-9 to 3-3-16 (Inclusive) Subdivision Design Standards
- City of Elko Zoning – Section 3-3-17 to 3-3-22 (Inclusive) Public Improvements/ Guarantees
- City of Elko Zoning – Section 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), and 3-2-17 Zoning Code Standards
- City of Elko Zoning – Section 3-8 Flood Plain Management

MASTER PLAN - Land use:

Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Tentative Map. The Final Map is in conformance with the Tentative Map.

Therefore, the proposed subdivision is in conformance with the Land Use Component of the Master Plan.

MASTER PLAN - Transportation:

Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Tentative Map. The Final Map is in conformance with the Tentative Map.

Therefore, the proposed subdivision is in conformance with the Transportation Component of the Master Plan.

ELKO REDEVELOPMENT PLAN:

The property is not located within the redevelopment area.

ELKO WELLHEAD PROTECTION PLAN:

The property is located outside of any capture zone for City of Elko wells. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system.

As the project is designed, it does not present a hazard to City wells.

SECTION 3-3-7 FINAL MAP STAGE (STAGE III):

Pre-submission Requirements (C)(1) – The Final Map is in conformance with the zone requirements.

Pre-submission Requirements (C)(2) – The proposed Final Map conforms to the Tentative Map.

SECTION 3-3-8 CONTENT AND FORMAT OF FINAL MAP SUBMITTAL:

- A. Form and Content – The Final Map conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The Final Map identifies the subdivision and provides its location by section, township, range, and county.
 - 2. The Final Map was prepared by a properly licensed surveyor.
 - 3. The Final Map provides a scale, north arrow, and date of preparation.
- C. Survey Data
 - 1. The boundaries of the subdivision are fully balanced and closed.
 - 2. Any exceptions are noted on the Final Map.
 - 3. The Final Map is tied to a section corner.
 - 4. The location and description of any physical encroachments upon the boundary of the subdivision are noted on the Final Map.
- D. Descriptive Data
 - 1. The name, right-of-way lines, courses, lengths, and widths of all streets and easements are noted on the Final Map.
 - 2. All drainage ways are noted on the Final Map.
 - 3. All utility and public service easements are noted on the Final Map.
 - 4. The location and dimensions of all lots, parcels, and exceptions are shown on the Final Map.
 - 5. All residential lots are numbered consecutively on the Final Map.
 - 6. There are no sites dedicated to the public shown on the Final Map.
 - 7. The locations of adjoining subdivisions are noted on the Final Map with required information.
 - 8. There are no deed restrictions proposed.
- E. Dedication and Acknowledgment
 - 1. The owner's certificate has the required dedication information for all easements and right-of-ways.
 - 2. The execution of dedication is acknowledged with space to be certified by a notary public.
- F. Additional Information
 - 1. All centerline monuments for streets are noted as being set on the Final Map.
 - 2. The centerline and width of each right-of-way is noted on the Final Map.
 - 3. The Final Map indicates the location of monuments that will be set to determine the boundaries of the subdivision.
 - 4. The length and bearing of each lot line is identified on the Final Map.
 - 5. The Final Map is located adjacent to a city boundary, which is shown on the Final Map.
 - 6. The Final Map identifies the location of the section lines nearest the property.
- G. City to Check
 - 1. Closure calculations have been provided. Civil improvement plans have been approved. Drainage plans have been approved. An engineer's estimate has been provided.

2. The lot closures are within the required tolerances.

H. Required Certifications

1. The Owner's Certificate is shown on the Final Map.
2. The Owner's Certificate offers for dedication all right-of-ways shown on the Final Map.
3. A Clerk Certificate is shown on the Final Map, certifying the signature of the City Council.
4. The Owner's Certificate offers for dedication all easements shown on the Final Map.
5. A Surveyor's Certificate is shown on the Final Map and provides the required language.
6. The City Engineer's Certificate is shown on the Final Map.
7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
8. The engineer of record has submitted the Tentative Map and construction plans to the state, but no written approval has been received.
9. A certificate from the Division of Water Resources is provided on the Final Map with the required language.
10. The construction plans identify the required water meters for the subdivision.

SECTION 3-3-9 THROUGH 3-3-16 (INCLUSIVE)

The proposed subdivision was evaluated for conformance to the referenced sections of code during the Tentative Map process.

The proposed development conforms with these sections of City code.

SECTION 3-3-17 RESPONSIBILITY FOR PUBLIC IMPROVEMENTS

The subdivider shall be responsible for all required improvements in conformance with this section of City code. The developer is also responsible for construction of a portion of the shared-use pathway along the west side of Lamoille Highway.

SECTION 3-3-18 CONSTRUCTION PLANS

The subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with this section of City code. The plans have been approved by City staff.

SECTION 3-3-19 CONSTRUCTION AND INSPECTION

The subdivider has submitted plans to the city and state agencies for review to receive all permits in accordance with this section of City code.

SECTION 3-3-20 REQUIRED IMPROVEMENTS

The subdivider has submitted civil improvement plans which are in conformance with this section of City code.

Civil improvements include curb, gutter, and sidewalk as well as paving and utilities within the Chukar Drive and Deerfield Way right-of-ways.

SECTION 3-3-21 AGREEMENT TO INSTALL IMPROVEMENTS

The subdivider will be required to enter into a Performance Agreement to conform to this section of City code.

SECTION 3-3-22 PERFORMANCE AND MAINTENANCE GUARANTEES

The subdivider will be required to provide a Performance and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with this section of City code.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), AND 3-2-17

The proposed subdivision was evaluated for conformance to the referenced sections of code during the Tentative Map process.

The proposed development conforms with these sections of City code.

SECTION 3-8 FLOODPLAIN MANAGEMENT:

This parcel is not designated in a Special Flood Hazard Area (SFHA).

FINDINGS

1. The Final Map for Tower Hill Unit 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Final Map is in conformance with the Tentative Map.
3. The proposed subdivision is in conformance with the Land Use and Transportation Components of the Master Plan.
4. The proposed development conforms with Sections 3-3-9 through 3-3-16 (inclusive).
5. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-17 of City code.
6. The Subdivider has submitted construction plans in conformance with Section 3-3-18 of City code.

7. The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-19 of City code.
8. The Subdivider has submitted construction plans which, having been found to be in conformance with Section 3-3-20 of City code, have been approved by City staff.
9. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-21 of City code.
10. The Subdivider will be required to provide a Performance and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-22 of City code.
11. The proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), and 3-2-17 of City code.
12. The proposed development is in conformance with Section 3-8 of City code.

STAFF RECOMMENDATION:

Staff recommends this item be **conditionally approved** with the following conditions:

1. The Developer shall execute a Performance and Maintenance Agreement in accordance with Section 3-3-21 of City code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of City code. In conformance with Section 3-3-21 of City code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Map approval by the City Council unless extended as stipulated in City code.
2. The Performance and Maintenance Agreement shall be approved by the City Council.
3. The Developer shall enter into the Performance and Maintenance Agreement within 30 days of approval of the Final Map by the City Council.
4. The Final Map for Tower Hill Unit 3 is approved for 27 single family residential lots.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. Site disturbance shall not commence prior to approval of the project's construction plans by the Nevada Department of Environmental Protection.
7. Construction shall not commence prior to Final Map approval by the City Council and issuance of a will-serve letter by the City of Elko.
8. Conformance with the conditions of approval of the Tentative Map is required.
9. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required

inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition of the Standard Specifications for Public Works. All right-of-way and utility improvements are to be certified by the Engineer of Record for the project.

TOWER HILL SUBDIVISION – UNIT NUMBER 3 ELKO, ELKO COUNTY, NEVADA

LAND SURVEYOR'S CERTIFICATE:

I, THOMAS C. BALLEW, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AND DIRECTION AT THE INSTANCE JORDANELLE THIRD MORTGAGE, LLC.
2. THE LANDS SURVEYED LIE WITHIN SECTION 10, TOWNSHIP 34 NORTH, RANGE 50 EAST, N.E.1/4 & M. AND THE SURVEY WAS COMPLETED ON THE ____ DAY OF ____ 20__.
3. THIS PLAT COMPLES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED HEREON AND ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE REPRODUCED.

THOMAS C. BALLEW P.L.S. NO. 5072

 DATE: _____

CITY ENGINEER'S REPRESENTATIVE CERTIFICATE:

I, _____, REPRESENTATIVE FOR THE CITY ENGINEER OF THE CITY OF ELKO, NEVADA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, WITH ALL APPROVED ALTERATIONS, THAT ALL PROVISIONS OF N.E.S. 278.010 THROUGH 278.030, INCLUSIVE, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT; AND THAT THE MONUMENTS AS SHOWN AND ON THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THAT THE MONUMENTS HAVE NOT BEEN SET AND THAT A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED GUARANTEEING THEIR SETTING ON OR BEFORE _____.

CITY OF ELKO, CITY ENGINEER'S REPRESENTATIVE: _____ DATE: _____

APPROVAL – CITY OF ELKO PLANNING COMMISSION

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, PLANNING COMMISSION HELD ON THE ____ DAY OF _____, 2017, A TENTATIVE MAP OF THIS SUBDIVISION WAS FILED AND REGULARLY APPROVED PURSUANT TO N.E.S. 278.330. THIS FINAL MAP SUBSTANTIALLY COMPLES WITH SAID TENTATIVE MAP AND ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

CHAIRMAN, CITY OF ELKO PLANNING COMMISSION: _____ DATE: _____

APPROVAL – CITY OF ELKO CITY COUNCIL

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, CITY COUNCIL HELD ON THE ____ DAY OF _____, 2017, THIS MAP WAS APPROVED FOR SUBDIVISION PURPOSES PURSUANT TO N.E.S. 278.461 THROUGH 278.465, INCLUSIVE, AND ALL APPLICABLE LOCAL ORDINANCES. ALL OFFERS OF DEDICATION, AS SHOWN HEREON, WERE ACCEPTED FOR PUBLIC USE.

MAYOR, CITY OF ELKO, NEVADA: _____ DATE: _____

ATTTEST: CITY CLERK, CITY OF ELKO, NEVADA: _____ DATE: _____

LEGAL DESCRIPTION:

PARCEL C AS SHOWN ON THE FINAL MAP OF TOWER HILL SUBDIVISION, UNIT NUMBER 3, FILED IN THE OFFICE OF THE ELKO COUNTY RECORDER, ELKO, NEVADA, AT FILE NUMBER _____ FILE NUMBER 888870.

TOWER HILL SUBDIVISION



VICINITY MAP

APPROVAL – NEVADA DIVISION OF WATER RESOURCES

THIS FINAL MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO REVIEW OF APPROVAL, ON FILE AT THIS OFFICE.

NEVADA DIVISION OF WATER RESOURCES: _____ DATE: _____

APPROVAL – NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

THIS FINAL MAP IS APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER POLLUTION CONTROL: _____ DATE: _____

ASSESSOR'S CERTIFICATE:

I, KATHRYN RUSSELL, CERTIFY THAT THE ASSESSOR'S PARCEL NUMBER SHOWN ON THIS PLAT IS CORRECT AND THAT THE PROPOSED PARCELS ARE A DIVISION OF SAID ASSESSOR'S PARCEL NUMBER 001-____.

ELKO COUNTY ASSESSOR: _____ DATE: _____

TREASURER'S CERTIFICATE:

I, CHERYL PAUL, CERTIFY THAT ALL PROPERTY TAXES ON ASSESSOR'S PARCEL NUMBER 001-____ HAVE BEEN PAID FOR THIS FISCAL YEAR.

ELKO COUNTY TREASURER: _____ DATE: _____

OWNER'S CERTIFICATE:

KNOWN OF ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, SCOTT A. MACORTICHE, MANAGING DIRECTOR OF JORDANELLE THIRD MORTGAGE, LLC, BEING THE OWNER OF THOSE PARCELS AS SHOWN ON THIS MAP, DOES HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP AND OFFERS FOR DEDICATION ALL OF THE RIGHTS-OF-WAY AND EASEMENTS FOR PUBLIC ACCESS, PUBLIC UTILITY AND PUBLIC DRAINAGE PURPOSES AS DESIGNATED HEREON. IN WITNESS WHEREOF, SCOTT MACORTICHE, SET MY HAND ON THE DATE SHOWN.

JORDANELLE THIRD MORTGAGE, LLC

BY: SCOTT MACORTICHE, MANAGING DIRECTOR: _____ DATE: _____

STATE OF NEVADA }
COUNTY OF ELKO } S.S.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20____, BY SCOTT MACORTICHE, MANAGING DIRECTOR OF JORDANELLE THIRD MORTGAGE, LLC.

NOTARY PUBLIC IN AND FOR ELKO COUNTY, NEVADA

MY COMMISSION EXPIRES: _____

APPROVAL – PUBLIC UTILITY EASEMENTS

THE PUBLIC UTILITY EASEMENTS, AS DESIGNATED HEREON, ARE APPROVED BY THE RESPECTIVE PUBLIC UTILITIES EXERCISING BELOW:

FRONTIER COMMUNICATIONS: _____ DATE: _____

SERRA PACIFIC POWER COMPANY A/P/D BY ENERGY: _____ DATE: _____

SATVIEW BROADCASTING: _____ DATE: _____

SOUTHWEST GAS CORPORATION: _____ DATE: _____

ELKO COUNTY RECORDER:

FILE NUMBER: _____

FILED AT THE REQUEST OF: _____

DATE: _____

TIME: _____

BY: NAME SHOWN, ELKO COUNTY RECORDER: _____

SHEET 1 OF 2

FINAL MAP

OF TOWER HILL SUBDIVISION UNIT NUMBER 3

LOCATED IN:
SECTION 13, T.34 N., R.55 E., M.D.B. & M.
ELKO ELKO COUNTY NEVADA

 HIGH DESERT
ENGINEERING
LLC

840 GRAND STREET
ELKO, NEVADA 89001
(775) 738-8053

215012

THE DAYS BEFORE YOU DIE
CALL USA TOLL FREE
1-800-227-2600

JORDANELLE THIRD MORTGAGE, LLC
4518 N. 32ND STREET
PHOENIX, ARIZONA, 85018
SCOTT MACRITCHIE (775) 340-6005

[illegible]

LEGEND:

[illegible][illegible]

HIGH DESERT ENGINEERING, LLC
640 IDAHO STREET
ELKO, NEVADA 89801
(775) 738-4053

CONSTRUCTION DRAWINGS

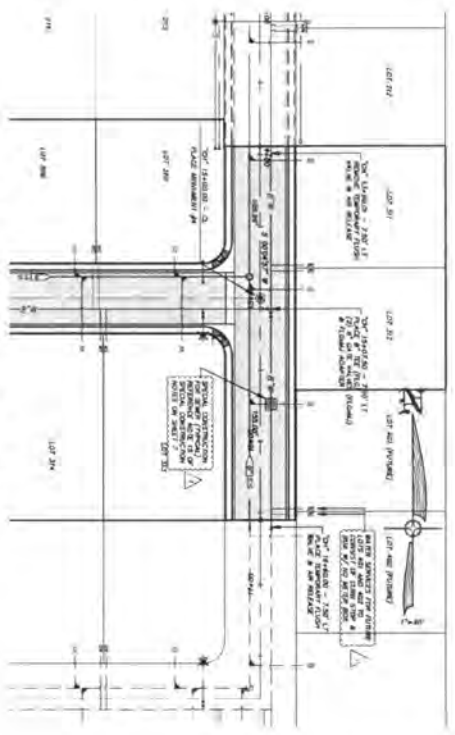
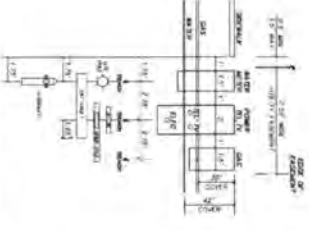
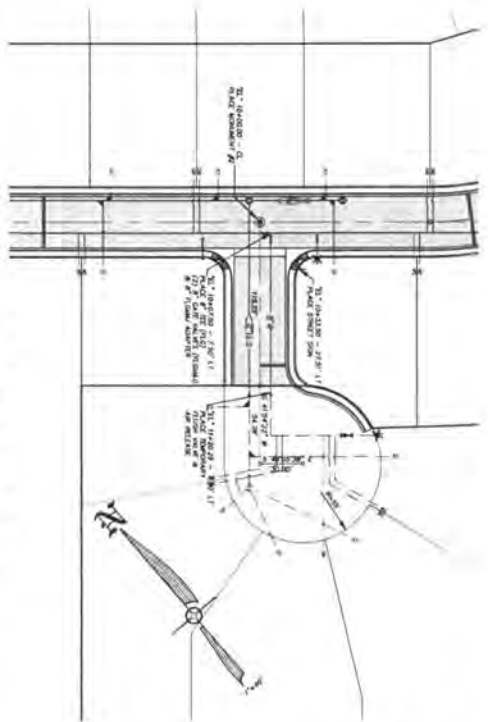
1	TITLE SHEET
2	PLAN & PROFILE - DUFFENFIELD WAY
3	PLAN & PROFILE - SILKHOUS CIRCLE
4	PLAN & PROFILE - CHURCH DRIVE
5	& TYPICAL UTILITY LAYOUTS DETAIL
6	GRADING PLAN
7	LANCILLIE HIGHWAY CONSTRUCTION
8	ERNSHOLM CONTROL PLAN
9	SITE DETAILS
10	WATER SYSTEM DETAILS
11	SANITARY & STORM SEWER DETAILS
12	& UTILITY NOTES

SUPPLEMENTAL DRAWINGS

Utilities approved
01/17/2020 5:00:03 PM

ABBREVIATIONS:

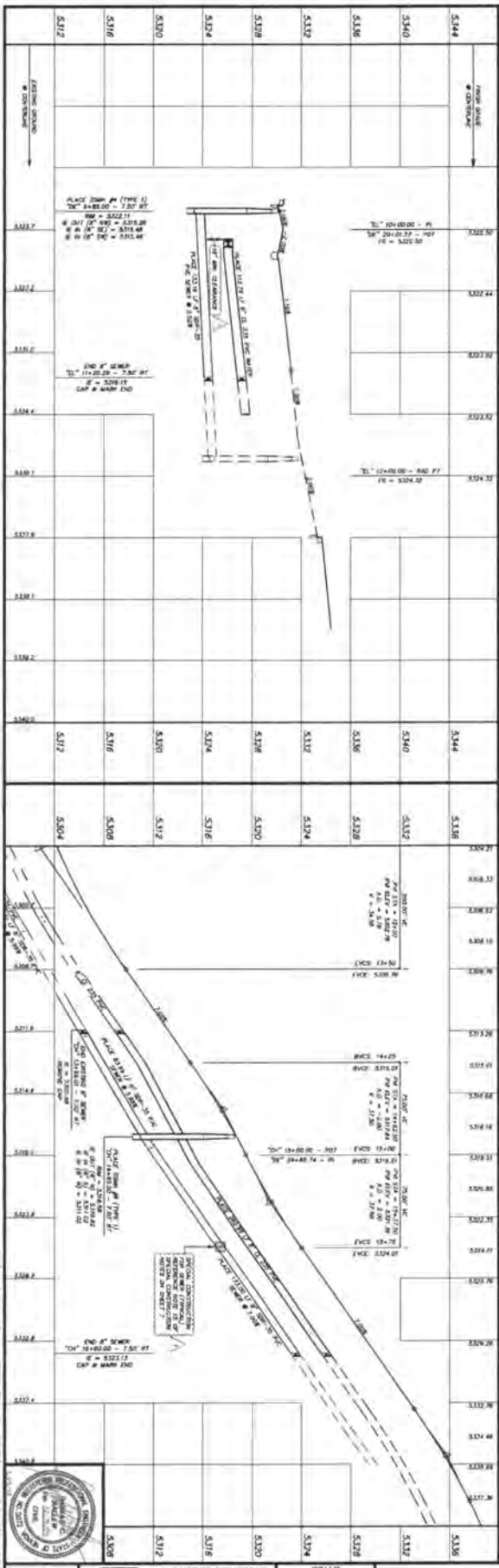
[illegible][illegible]



ELKHORN CIRCLE

CHUKAR DRIVE

- NOTES:
1. ALL EASEMENTS ARE SHOWN IN RED.
 2. ALL EASEMENTS ARE SHOWN IN RED.
 3. ALL EASEMENTS ARE SHOWN IN RED.
 4. ALL EASEMENTS ARE SHOWN IN RED.
 5. ALL EASEMENTS ARE SHOWN IN RED.
 6. ALL EASEMENTS ARE SHOWN IN RED.
 7. ALL EASEMENTS ARE SHOWN IN RED.



<p>JORDANELLE THIRD MORTGAGE, LLC TOWER HILL SUBDIVISION - UNIT NUMBER 3 P&P - ELKHORN CIRCLE & CHUKAR DRIVE ELKO ELKO COUNTY NEVADA</p>		<p>DESIGNED BY: TCR DRAWN BY: TCR CHECKED BY: TCR APPROVED BY: TCR DATE: FEBRUARY 2016</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP'D</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2/1/16</td> <td>ISSUED FOR PERMIT</td> <td>TCR</td> <td></td> </tr> </tbody> </table>	REV.	DATE	DESCRIPTION	BY	APP'D	1	2/1/16	ISSUED FOR PERMIT	TCR	
REV.	DATE	DESCRIPTION	BY	APP'D									
1	2/1/16	ISSUED FOR PERMIT	TCR										



SITE DETAILS

JORDANVILLE THIRD MORTGAGE, LLC
TOWER HILL SUBDIVISION - UNIT NUMBER

CONSULTING ENGINEERING & ARCHITECTING 840 IVARD STREET ELKS NEVADA 89001 (775) 758-4050	 HIGH DESERT ENGINEERING LLC	SHEET 6 OF 8
--	--	-----------------

IN REPLY,
PLEASE REFER TO
NY 67-1087

MENT _____

SEAL OF THE STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
JULY 1967

NOTES:

1. DIMENSIONS OF PATCHES TO BE GIVEN IN ALL CASES OF PATCHES IN THIS SECTION

APPROXIMATE PATCHES TO BE GIVEN IN ALL CASES OF PATCHES IN THIS SECTION

(NOTE: 1:10:10)

TYPICAL PATCH FOR FLEXIBLE PAVEMENT

[illegible]

NOTES:

1. GUTTER SHALL BE CONCRETE OR SHALL BE AN EQUIVALENT TO THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
2. GUTTER SHALL BE 6 INCHES WIDE.
3. GUTTER SHALL BE 1/4 INCH THICK.
4. GUTTER SHALL BE 1/4 INCH THICK.
5. GUTTER SHALL BE 1/4 INCH THICK.
6. GUTTER SHALL BE 1/4 INCH THICK.
7. GUTTER SHALL BE 1/4 INCH THICK.
8. GUTTER SHALL BE 1/4 INCH THICK.
9. GUTTER SHALL BE 1/4 INCH THICK.
10. GUTTER SHALL BE 1/4 INCH THICK.

TYPE 2 STREET SIDE

[illegible][illegible]

MANHOLE COVER AND RINGS (SEE DETAIL)

PLAN

SECTION A-A

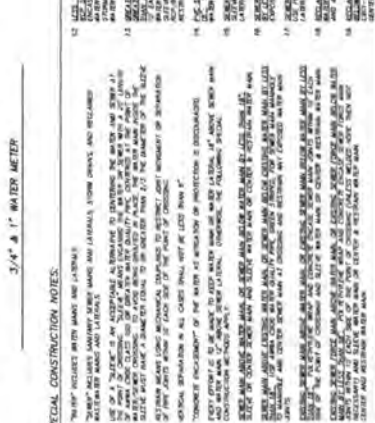
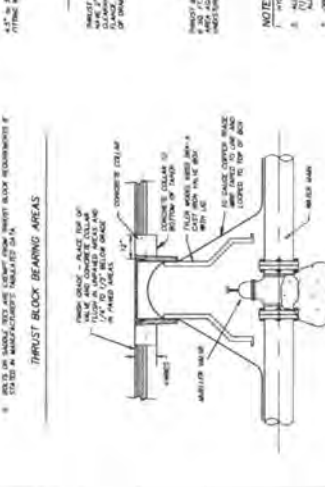
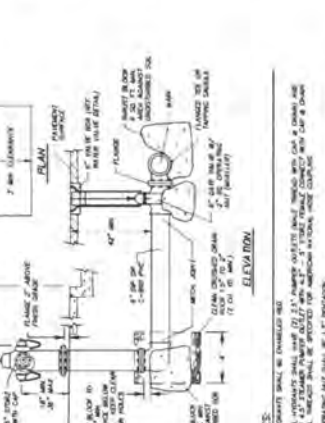
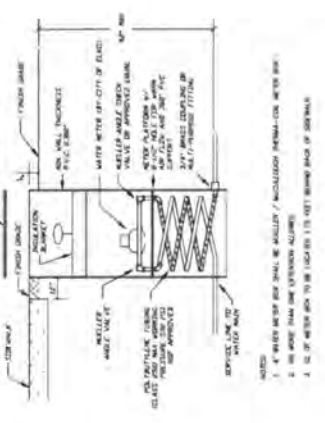
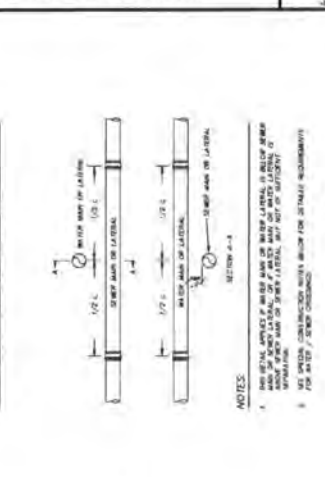
ITEM	QTY	UNIT	PRICE	TOTAL
1. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
2. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
3. 4" THICK WALL	1	EA	1.00	1.00
4. 4" WIDE CURB	1	EA	1.00	1.00
5. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
6. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
7. 4" THICK WALL	1	EA	1.00	1.00
8. 4" WIDE CURB	1	EA	1.00	1.00
9. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
10. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
11. 4" THICK WALL	1	EA	1.00	1.00
12. 4" WIDE CURB	1	EA	1.00	1.00
13. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
14. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
15. 4" THICK WALL	1	EA	1.00	1.00
16. 4" WIDE CURB	1	EA	1.00	1.00
17. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
18. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
19. 4" THICK WALL	1	EA	1.00	1.00
20. 4" WIDE CURB	1	EA	1.00	1.00
21. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
22. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
23. 4" THICK WALL	1	EA	1.00	1.00
24. 4" WIDE CURB	1	EA	1.00	1.00
25. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
26. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
27. 4" THICK WALL	1	EA	1.00	1.00
28. 4" WIDE CURB	1	EA	1.00	1.00
29. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
30. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
31. 4" THICK WALL	1	EA	1.00	1.00
32. 4" WIDE CURB	1	EA	1.00	1.00
33. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
34. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
35. 4" THICK WALL	1	EA	1.00	1.00
36. 4" WIDE CURB	1	EA	1.00	1.00
37. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
38. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
39. 4" THICK WALL	1	EA	1.00	1.00
40. 4" WIDE CURB	1	EA	1.00	1.00
41. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
42. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
43. 4" THICK WALL	1	EA	1.00	1.00
44. 4" WIDE CURB	1	EA	1.00	1.00
45. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
46. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
47. 4" THICK WALL	1	EA	1.00	1.00
48. 4" WIDE CURB	1	EA	1.00	1.00
49. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
50. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
51. 4" THICK WALL	1	EA	1.00	1.00
52. 4" WIDE CURB	1	EA	1.00	1.00
53. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
54. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
55. 4" THICK WALL	1	EA	1.00	1.00
56. 4" WIDE CURB	1	EA	1.00	1.00
57. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
58. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
59. 4" THICK WALL	1	EA	1.00	1.00
60. 4" WIDE CURB	1	EA	1.00	1.00
61. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
62. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
63. 4" THICK WALL	1	EA	1.00	1.00
64. 4" WIDE CURB	1	EA	1.00	1.00
65. 12" DIA. MANHOLE COVER	1	EA	1.00	1.00
66. 12" DIA. MANHOLE RINGS	1	EA	1.00	1.00
67. 4" THICK WALL	1	EA	1.00	1.00

Figure 1: Type 1 Curb & Gutter. This diagram shows a cross-section of a curb and gutter assembly. The gutter is 18 inches wide at the top and 12 inches wide at the base. The curb is 12 inches high. The gutter is labeled "GUTTER" and the curb is labeled "CURB". The gutter is shown with a "GUTTER" label and a "CURB" label. The gutter is shown with a "GUTTER" label and a "CURB" label. The gutter is shown with a "GUTTER" label and a "CURB" label.

Figure 2: Type 2 Curb & Gutter. This diagram shows a cross-section of a curb and gutter assembly. The gutter is 18 inches wide at the top and 12 inches wide at the base. The curb is 12 inches high. The gutter is labeled "GUTTER" and the curb is labeled "CURB". The gutter is shown with a "GUTTER" label and a "CURB" label. The gutter is shown with a "GUTTER" label and a "CURB" label. The gutter is shown with a "GUTTER" label and a "CURB" label.

Figure 3: Thickened Edge Sidewalk. This diagram shows a cross-section of a thickened edge sidewalk. The sidewalk is 18 inches wide at the top and 12 inches wide at the base. The curb is 12 inches high. The sidewalk is labeled "THICKENED EDGE SIDEWALK" and the curb is labeled "CURB". The sidewalk is shown with a "THICKENED EDGE SIDEWALK" label and a "CURB" label. The sidewalk is shown with a "THICKENED EDGE SIDEWALK" label and a "CURB" label. The sidewalk is shown with a "THICKENED EDGE SIDEWALK" label and a "CURB" label.

[illegible][illegible][illegible]

[illegible]

The diagram illustrates the thrust block bearing areas for a vertical shaft. Key components and dimensions are labeled as follows:

- THRUST BLOCK BEARING AREAS**: The main title of the diagram.
- FRONT GRADE - PLACE TOP OF WALL AND ADVANCE 10' MAX. TO 1/4" TO 1/2" BELOW GRADE**: A note indicating the front grade level and its relationship to the wall top.
- CONCRETE CULM**: The concrete culm structure shown at the bottom left.
- ROCK'S SURFACE**: The rock surface beneath the culm.
- 1/2"**: A dimension indicating the thickness of the rock surface layer.
- FULL WIDTH, USED HERE = 6' WITH 4"**: A note specifying the full width used in the calculation, which is 6 feet with a 4-inch offset.
- SL DRAIN CHUTE MADE BY CUTTING TOP OF ROCK**: A note describing the sl drain chute formed by cutting the top of the rock.
- WATER MAIN**: The water main pipe running horizontally through the center of the diagram.
- WELL HEAD**: The well head structure located on the right side of the diagram.

3/4" x 1" WATER METEY

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200

201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300

301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400

401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500

501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600

601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700

701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800

801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
8

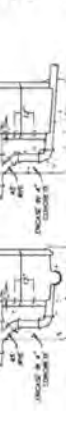
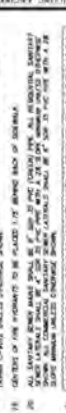
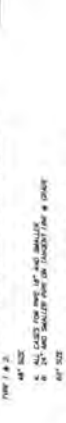
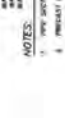
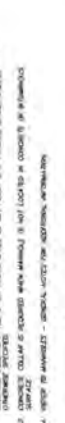
NOTES

1. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
2. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
3. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
4. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
5. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
6. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
7. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
8. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
9. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
10. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.

VALVE DETAIL

NOTES

1. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
2. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
3. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
4. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
5. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
6. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
7. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
8. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
9. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.
10. THE 1" BALL VALVE WAS REWORKED BY THE BEST OPTION AVAILABLE TO THE CONTRACTOR.



**Elko City Council
Agenda Action Sheet**

1. Title: **Status update on the Public Nuisance complaint 403 Pine Street, and matters related thereto. INFORMATION ONLY-NON ACTION ITEM**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **UNFINISHED BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **Based upon City Council action on October 23, 2019, Staff is providing a status update with regard to 403 Pine Street. MR**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **N/A**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Tower Hill Unit 3 subdivision, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. As part of the conditions of approval for Final Map 15-19, the Planning Commission recommended that the agreement be approved by the City Council and be entered into by the developer within 30 days of the City Council's approval of the Final Map. MR**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Performance/Maintenance Agreement**
9. Recommended Motion: **Approve the Performance/Maintenance Agreement for subdivision improvements associated with the Tower Hill Unit 3 subdivision and require that the developer enter into the agreement within 30 days.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **David Stanton, City Attorney**
12. Council Action:
13. Council Agenda Distribution: **Jordanelle Third Mortgage, LLC
Attn: Scott MacRitchie
4518 N. 32nd Street
Phoenix, AZ 85018
scott@macritchie.com

**High Desert Engineering
Attn: Tom Ballew
tcballew@frontiernet.net****

AGREEMENT TO INSTALL IMPROVEMENTS
AND PROVIDE MAINTENANCE GUARANTY

THIS AGREEMENT made and entered into this 25th day of February, 2020, by and between the **CITY OF ELKO**, a municipal corporation organized and existing under the laws of the State of Nevada, hereinafter referred to as the "**City**," and **Jordanelle Third Mortgage, LLC**, an Arizona Limited Liability Company, hereinafter referred to as "**Developer**."

RECITALS

- A. WHEREAS, Developer** is subdividing certain property within the **City**, the subdivision being generally known as **Tower Hill Unit 3**, into twenty-seven (27) separate parcels by means of a subdivision map, identified by the **City** as Final Map No. 15 -19;
- B. WHEREAS**, Elko City Code, Title 3, Chapter 3, requires that a developer of a subdivision (as that term is used in NRS 278.320(1)) enter into an Agreement to Install Improvements;
- C. WHEREAS**, the **City** has approved the Engineer's Cost Estimate for the required subdivision improvements (set forth in **Exhibit A** and made a part hereof) and has determined that the cost of the required subdivision improvements is expected to be in the amount of **One Million, Twenty Thousand, Nine Hundred Fifty-Two Dollars and No Cents (\$1,020,952.00)**, which amount provides the basis for calculating the amount of the Maintenance Guaranty;
- D. WHEREAS**, the Developer intends to complete the required subdivision improvements with its own resources pursuant to Elko City Code Section 3-3-21(A)(3)(a) and 3-3-22(A)(1), and in conformity with the construction plans approved by the City (attached as **Exhibit B** and made a part hereof) prior to certification of the final map;
- E. WHEREAS**, Elko City Code 3-3-21(A)(4) requires that all subdivision improvements identified in the agreement to install improvements shall be completed within a specified period, not to exceed two (2) years, to the satisfaction of the City;
- F. WHEREAS**, the **City** approved the Final Map on February 25, 2020;
- G. WHEREAS**, pursuant to Elko City Code Section 3-3-22(B)(3), the **Developer** shall file with the Clerk of the City a maintenance guaranty to ensure the maintenance, adequacy and condition of all improvements required by this Agreement for a period of one (1) year after the subdivision improvements are accepted by the City. The maintenance guaranty may be in any form permitted in Section 3-3-22(B)(1) for a performance guaranty and shall be in the amount of **One Hundred Two Thousand, Ninety-Five Dollars and Twenty Cents (\$102,095.20)** (hereinafter referred to as the "Maintenance Guaranty");
- H. WHEREAS**, in the event the **Developer** fails to complete all the required subdivision improvements in accordance with the terms of this Agreement, the **Developer** shall be in default of this Agreement and the **City** shall be entitled to pursue all available legal remedies.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions on the part of the respective parties to be performed, the parties hereby agree as follows:

1) **REQUIRED IMPROVEMENTS, CERTIFICATION, MAINTENANCE GUARANTY, AND ACCEPTANCE AND CERTIFICATION OF THE FINAL MAP**

A. **COMPLETION OF WORK AND MAINTENANCE GUARANTY.** **Developer** agrees to complete the improvements shown on the construction plans attached as **Exhibit B** hereto in the manner set forth in this Agreement and in conformity with Elko City Code 3-3-21(A)(4) (requiring the improvements to be completed to the satisfaction of the City) (hereinafter the "**Work**") within twenty-four (24) months of the Effective Date, unless otherwise extended in accordance herewith, and **Developer** shall pay or cause to be paid all claims for labor and materials used to perform the **Work**. During the construction of the subdivision improvements, the **Developer** may, at its option, guarantee performance of the remaining subdivision improvements with a performance guaranty that conforms to ECC Sections 3-3-21(A)(3)(b) and 3-3-22.

B. **ENGINEER'S ESTIMATE, CERTIFICATION AND SUBMISSION OF WORK.**

1) **Developer** agrees to, at its own expense, contract with a licensed engineer in the State of Nevada to oversee the construction of the subdivision improvements, oversee all required testing and verification of materials to ensure construction of the subdivision improvements in accordance with all federal, state and local requirements and provide an engineer's estimate, which must be approved by the City. The total engineer's estimate must be an amount no less than the full cost of the following improvements: (a) improvements required under Section 3-3-20 of the Elko City Code; (b) improvements shown on the construction plans prepared and approved in accordance with Section 3-3-18 of the Elko City Code; (c) the cost of required inspection and testing by a properly licensed engineer to oversee the quality assurance and quality control necessary to ensure certification for the construction of the approved construction plans; (d) the cost to replace any existing streets, utilities or other improvements that are included in the required improvements as shown on the construction plans; (e) the cost to prepare the as-built drawings and any associated documents; and (f) incidental expenses associated with the foregoing **Work**.

2) The **Work** shall be certified by the **Developer's** Engineer (who shall be a registered engineer, licensed in the State of Nevada) and submitted to the **City** for possible acceptance of the **Work** before the **City** conducts the subdivision final inspection and no later than twenty-four (24) months after the Effective Date. Upon certification of the **Work**, the **Developer's** Engineer shall provide the **City** with a certificate attesting to the adequacy of the **Work** and compliance with all requirements set forth in this Agreement, to include, without limitation, the construction specifications, codes and standards set forth in the Orange Book.

3) The certification by the **Developer's** engineer shall include: (a) the results of all required testing, presented in an organized manner by material type and category of work; (b) references to the sections of the Orange Book that correspond to the required testing for the material type and category of work; (c) the frequency of the required testing; (d) photo documentation for any components of the **Work** which cannot be certified by testing (i.e. special construction of utility crossings); and (e) an "as-built" drawing of the **Work**.

4) The City Council shall not accept the **Work** without a complete and comprehensive certification of the **Work** by the **Developer's** engineer.

C. MAINTENANCE PERIOD. Notwithstanding the Term of this Agreement, the maintenance period shall commence on the date the City Council accepts the **Work** and shall continue thereafter for a period of twelve (12) months. In satisfaction of its requirement to provide a Maintenance Guaranty, **Developer** shall, prior to acceptance of the **Work**, in conformance with Elko City Code 3-3-22(B)(3), provide the **City** with a Maintenance Guaranty in a form that complies with Elko City Code Section 3-3-22(B) in the amount of **One Hundred Two Thousand, Ninety-Five Dollars and Twenty Cents (\$102,095.20)**, which amount is not less than ten percent (10%) of the total cost of the required subdivision improvements. If maintenance is required during the maintenance period, the **City** will provide fifteen (15) calendar days' written notice of the required maintenance work to the **Developer** and the **Developer** must thereafter complete the required maintenance work. If the **Developer** fails to complete the maintenance work within the fifteen (15) calendar day period, without limiting any other rights or remedies available, the **City** may complete or have the maintenance work completed and use the Maintenance Guaranty to satisfy the costs thereof. The certification of the Final Map is, without limitation, conditioned upon **Developer** providing the Maintenance Guaranty.

D. CERTIFICATION OF FINAL MAP. The **City** will not certify the Final Map until:

- 1) The Agreement has been approved by the City Council in conjunction with Final Map approval;
- 2) The Agreement has been fully executed and filed with the City Clerk's office;
- 3) The **Developer** has completed the **Work** as required under the Agreement, or a performance guaranty that complies with ECC Sections 3-3-21(A)(3)(b) and 3-3-22 has been posted with the Elko City Clerk for the remaining **Work**;
- 4) The **Developer** has filed with the Elko City Clerk the Maintenance Guaranty, calculated in the manner set forth herein and otherwise meeting the requirements of this Agreement and the Elko City Code;
- 5) The City Council has accepted the subdivision improvements, or a performance guaranty that complies with ECC Sections 3-3-21(A)(3)(b) and 3-3-22 has been posted with the Elko City Clerk for the remaining **Work**;
- 6) The **Developer** has acquired all other jurat certifications required by the Nevada Revised Statutes, the Elko City Code and this Agreement; and
- 7) All other Final Map requirements set forth in the Nevada Revised Statutes and the Elko City Code have been met.

E. EFFECTIVE DATE. The Effective Date of this Agreement shall be February 25, 2020, which is the date the **City** approved the Final Map, and this Agreement shall operate retroactively to that date, except where otherwise specifically stated herein.

F. TERM. The Term of this Agreement shall be twenty-four (24) months from the Effective Date, unless the **Work** is completed and accepted by the **City** prior to the expiration of the foregoing twenty-four (24) month period, in which event the Term shall expire on the date the **Work** is accepted by the **City**. Notwithstanding the foregoing, the **City** may, upon a written request and showing by the **Developer** of good cause, grant an extension of time to complete the **Work** for an additional twelve (12) months thereafter (with a corresponding extension of the Term); **provided**, no such extension shall be given unless: (a) the **Developer** has satisfactorily performed its duties under this Agreement to date; (b) the **Developer** has diligently and in good faith attempted to complete the **Work** within the aforementioned twenty-four (24) month period, but has been unable to do so due to events beyond the **Developer's** control; and (c) the Maintenance Guaranty has been provided to the Elko City Clerk.

G. DESCRIPTION OF WORK AND CONDITIONS. In addition to any other requirements contained herein, the **Work** shall not be accepted by the **City** unless the **Developer** fully satisfies the following requirements:

(1) COMPLIANCE WITH CITY CODE. **Developer** shall perform the **Work** in a manner that fully complies with the Elko City Code.

(2) STANDARDS. The **Work** shall be completed in accordance with the plans, specifications and conditions approved by the **City** and in accordance with requirements otherwise set forth in this Agreement, to include requirements incorporated by reference.

(3) PRECONSTRUCTION CONFERENCE. Prior to the initiation of the construction of any roadway, drainage, water or sewer improvements included in the **Work**, the **Developer** shall schedule and participate in a preconstruction conference with **Developer's** contractor(s) and the City Development Manager or the **City's** designee(s).

(4) AS-BUILT PLANS. **Developer** shall provide complete as-built drawings of all street, water, sewer and drainage improvements to the **City** prior to the subdivision final inspection.

(5) SUBDIVISION CONDITIONS. **Developer** shall satisfy all subdivision approval conditions established by or at the direction of the City Council and/or the City Planning Commission.

(6) ENGINEER'S CERTIFICATE. Before the subdivision final inspection, **Developer's** engineer (who shall be a registered engineer, licensed in the State of Nevada) shall provide the **City** with a certificate certifying the adequacy of the **Work** and compliance with all requirements set forth in this Agreement, to include, without limitation, **City** standard construction specifications, codes and standards.

H. FINAL COMPLETION AND ACCEPTANCE OF WORK. Approval of the final completion and acceptance of the **Work** shall be at the discretion of the **City**. The **Work** shall not be accepted unless and until it satisfies the requirements of this Agreement, to include the

conditions set forth in Section 1 (**REQUIRED IMPROVEMENTS, CERTIFICATION, MAINTENANCE GUARANTY, ACCEPTANCE AND CERTIFICATION OF THE FINAL MAP**).

Developer shall request that the **City** inspect the **Work** no later than thirty (30) days prior to the end of the Term. The **City** shall have the authority to suspend the **Work**, in whole or in part, for such period as it may deem necessary due to unsuitable weather or other unfavorable conditions or the failure of **Developer** to comply with the requirements contained in this Agreement, to include compliance with the standard construction specifications of the **City**.

- I. **DEFAULT, NOTICE AND OPPORTUNITY TO CURE.** In the event **Developer** fails to complete the **Work** during the Term of this Agreement or any extension hereof, the **Developer** shall be considered in **Default**. Upon discovery of the **Default**, the **City** shall serve upon the **Developer** written notice of such **Default**. **Developer** shall then have fifteen (15) days from the date of mailing of said notice in which to cure the **Default**. In the event of a **Default**, should the **Developer** fail to cure the **Default** within fifteen (15) days from the date of notice, the **City** shall then have the right to complete the **Work**, to include, without limitation, payment of all third-party claims for labor and material, after which the **Developer** shall be liable to the **City** for all costs incurred in completing the **Work**, such amount to be due and payable within thirty (30) days of receipt of an itemized invoice from the **City** detailing the costs incurred by the **City**. In the event **Developer** fails to reimburse the **City** for the costs shown on the foregoing invoice, the **City** may thereafter exercise all rights and remedies available at law and equity.

2. GENERAL TERMS AND CONDITIONS.

- A. **WARRANTY.** **Developer** warrants to the **City** that the **Work**, upon completion, will be free of defects and in conformity with all applicable standards, to include requirements of the Elko City Code and any plans approved by the **City** pertaining to the **Work**.
- B. **TERMINATION, BINDING EFFECT, DELEGATION AND OTHER MATTERS.** This Agreement may not be amended, modified or terminated except by an agreement in writing and approved by the **Developer** and the Elko City Council. This Agreement and all of the covenants, terms, conditions and/or provisions herein contained shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Notwithstanding any other provision contained in this Agreement, neither this Agreement nor any of the rights, interests or obligations under this Agreement may be assigned or delegated by any party without the prior written consent of the other party. This Agreement is not intended to confer any rights or benefits to any entity other than to the **City** and to **Developer**; accordingly, there are no third-party beneficiaries to this Agreement.
- C. **CONSTRUCTION OF AGREEMENT.** This Agreement constitutes a contract under and shall be construed in accordance with the laws of the State of Nevada. Both parties have had the opportunity to review this Agreement with the assistance of legal counsel. Accordingly, the parties agree that the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
- D. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall have the force and effect of an original, and all of which shall constitute but one document.

- E. NOTICES.** All notices required to be given under this Agreement shall be deemed given upon the earlier of the actual receipt or two (2) days after being mailed by registered or certified mail, return receipt requested, addressed as follows: if to **City**, to c/o Michele Rambo, (or the then-current) Development Manager, 1751 College Avenue, Elko, Nevada 89801; if to **Developer**, to: Scott MacRitchie, Jordanelle Third Mortgage LLC, 4518 N 32nd Street, Phoenix, AZ 85018.
- F. CITY'S AUTHORITY.** This Agreement is not intended to supersede the authority granted by law to the **City**. Therefore, nothing in this Agreement shall be construed or implied to require the **City's** planning or other regulatory boards or departments (however designated) to approve any plans, permits, maps or other documents pertaining to any aspect of the **Work** or other action described in this Agreement.
- G. TIME OF THE ESSENCE.** Time is of the essence and a material provision of this Agreement.
- H. INDEMNIFICATION.** **Developer** hereby agrees to hold harmless, indemnify and defend the **City** (including, without limitation, the **City's** officers, agents and employees) against and to all claims, demands, actions, suits, liability, cost and expense, including defense expenses, (to include, without limitation, suits for damages and injuries to persons or property) that are claimed to have resulted from the acts or omissions of **Developer** (including without limitation its agents, employees and/or contractors) in any manner pertaining to the **Work**.
- I. JURISDICTION AND VENUE.** The District Court for the Fourth Judicial District, in and for the County of Elko, State of Nevada, shall have jurisdiction and venue over all disputes arising from or in relation to this Agreement.
- J. INTEGRATION.** This Agreement represents and contains the entire Agreement and understanding among the parties with respect to the subject matter of this Agreement and supersedes and replaces all prior oral and written agreements and understandings with respect to the subject matter of this Agreement, and no representation, warranty, condition, understanding or agreement of any kind with respect to the subject matter hereof shall be relied upon by the parties unless incorporated herein. This Agreement shall be construed as a complete novation of any prior agreements relating to the subject matter of this Agreement.
- K. DOCUMENTS PROVIDED TO CITY ARE PUBLIC.** This Agreement, together with any documents associated with the **Work**, may be recorded in any public system of records, to include the records of the Elko County Recorder. Under no circumstances shall **Developer** assert a right to confidentiality or an intellectual property interest in documents or other information provided to the **City** in relation to the **Work**.
- L. ATTORNEY FEES.** In the event the **City** is required to pursue any action to enforce any term or condition in this Agreement, it shall be entitled to reasonable attorney's fees and court costs.
- M. SEVERABILITY.** In the event one or more of the provisions, or portions thereof, of this Agreement is determined to be illegal or unenforceable, the remainder of the Agreement shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

- N. HEADINGS.** The headings of sections and subsections of this Agreement are inserted for convenience only and shall not be deemed to constitute part of this Agreement or to affect the construction hereof.
- O. NO AGENCY, PARTNERSHIP OR JOINT VENTURE.** Nothing herein contained shall be construed to create an agency, partnership or joint venture between the parties.
- P. REMEDIES NOT EXCLUSIVE.** No remedy provided by this Agreement, to include the right to make a claim against a bond or other guaranty, shall be exclusive. The **City** shall have the right to pursue any remedies provided under this Agreement, or by law or equity, simultaneously or in sequence at its sole discretion.
- Q. PERFORMANCE GUARANTY IS NOT EQUIVALENT TO ACCEPTANCE OF THE WORK.** **Developer** acknowledges that posting a performance guaranty for the remaining **Work** does not constitute acceptance of the subdivision improvements by the **City**. City Council acceptance and the beginning of the maintenance period will only occur once all subdivision improvements have been completed, have been certified by the project engineer of record, and have been inspected and approved by all appropriate **City** departments.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate the day and year first above written.

CITY - THE CITY OF ELKO,
a municipal corporation

**DEVELOPER – JORDANELLE THIRD MORTGAGE,
LLC**

By: _____
REECE KEENER, Mayor

By: _____

Its: _____

ATTEST:

KELLY WOOLDRIDGE, City Clerk

EXHIBIT A

**JORDANELLE THIRD MORTGAGE
TOWER HILL SUBDIVISION - UNIT NUMBER 3**

**Public Improvement Estimate
January 21, 2020**

ITEM	DESCRIPTION	UNIT PRICE	UNIT	QTY	EXTENSION
Mobilization					
1	Mobilization	\$ 5,000.00	L.S.	1	\$ 5,000.00
2	Erosion Control	2,500.00	L.S.	1	2,500.00
3	Traffic Control	1,000.00	L.S.	1	1,000.00
Removals					
4	Remove Temporary Flush/Air Valve	1,000.00	Each	2	2,000.00
Sanitary Sewer					
5	8" SDR-35 PVC Sanitary Sewer	45.00	L.F.	1,296	58,320.00
6	48" Type 1 Sanitary Sewer Manhole	4,200.00	Each	8	33,600.00
7	4" Sanitary Sewer Service	1,500.00	Each	28	42,000.00
Water					
8	8" Class 235 PVC Water	45.00	L.F.	1,461	65,745.00
9	6" Class 235 PVC Water	55.00	L.F.	55	3,025.00
10	8" Gate Valve	1,250.00	Each	4	5,000.00
11	8" 22-1/2° Bend	500.00	Each	6	3,000.00
12	8" Tee	750.00	Each	2	1,500.00
13	8"x6" Tee	750.00	Each	3	2,250.00
14	6" Gate Valve	1,000.00	Each	3	3,000.00
15	Fire Hydrant	4,500.00	Each	3	13,500.00
16	1" Water Service	2,500.00	Each	27	67,500.00
17	Reset Temporary Flush/Air Valve	1,500.00	Each	2	3,000.00
Surfacing					
18	Type 2, Class B, Aggregate Base	45.00	C.Y.	1,609	72,405.00
19	Type 2 Curb & Gutter	27.00	L.F.	2,373	64,071.00
20	Type 1 Curb & Gutter w/ Apron	25.00	S.F.	1,157	28,925.00
21	6' Valley Gutter	11.00	S.F.	432	4,752.00
22	4" Sidewalk	5.75	S.F.	9,492	54,579.00
23	3" Plantmix Bituminous Surface	2.60	S.F.	49,479	128,645.40
24	Seal Coat	0.10	S.F.	49,479	4,947.90

**JORDANELLE THIRD MORTGAGE
TOWER HILL SUBDIVISION - UNIT NUMBER 3**

**Public Improvement Estimate
January 21, 2020**

ITEM	DESCRIPTION	UNIT PRICE	UNIT	QTY	EXTENSION
Shared Use Path					
25	Subgrade Preparation	2.00	S.Y.	835	1,670.00
26	12" ADS "N-12" Storm Drain	50.00	L.F.	36	1,800.00
27	12" ADS End Section	500.00	Each	2	1,000.00
28	Rock Riprap	50.00	S.Y.	20	1,000.00
29	Type 2, Class B, Aggregate Base	45.00	C.Y.	150	6,750.00
30	3" Plantmix Bituminous Surface	2.60	S.F.	4,862	12,641.20
31	Seal Coat	0.10	S.F.	4,862	486.20
Miscellaneous					
32	Class A Monument	500.00	Each	4	2,000.00
33	Street Light Bases	650.00	Each	3	1,950.00
34	Stop & Street Sign	500.00	Each	2	1,000.00
Public Utilities					
35	Electric	100,000.00	L.S.	1	100,000.00
36	Telephone	17,500.00	L.S.	1	17,500.00
37	Television	8,500.00	L.S.	1	8,500.00
38	Natural Gas	35,000.00	L.S.	1	35,000.00
Construction Total					\$ 861,563
Davis Bacon Wage Rates		15.0%	L.S.		129,234
Construction Engineering		3.5%	L.S.		30,155
Public Improvement Estimate Total					\$ 1,020,952

EXHIBIT B

TWO DAYS BEFORE YOU DIE
CALL **USA** TOLL FREE
1-800-227-2600

CALL USA TOLL FREE
1-800-227-2600

JORDANELLE THIRD MORTGAGE, LLC
4518 N. 32ND STREET
PHOENIX, ARIZONA, 85018
SCOTT MACRITCHIE (775) 340-6005

[illegible]

LEGEND:

HIGH DESERT ENGINEERING, LLC
640 IDAHO STREET
ELKO, NEVADA 89801
(775) 738-4053

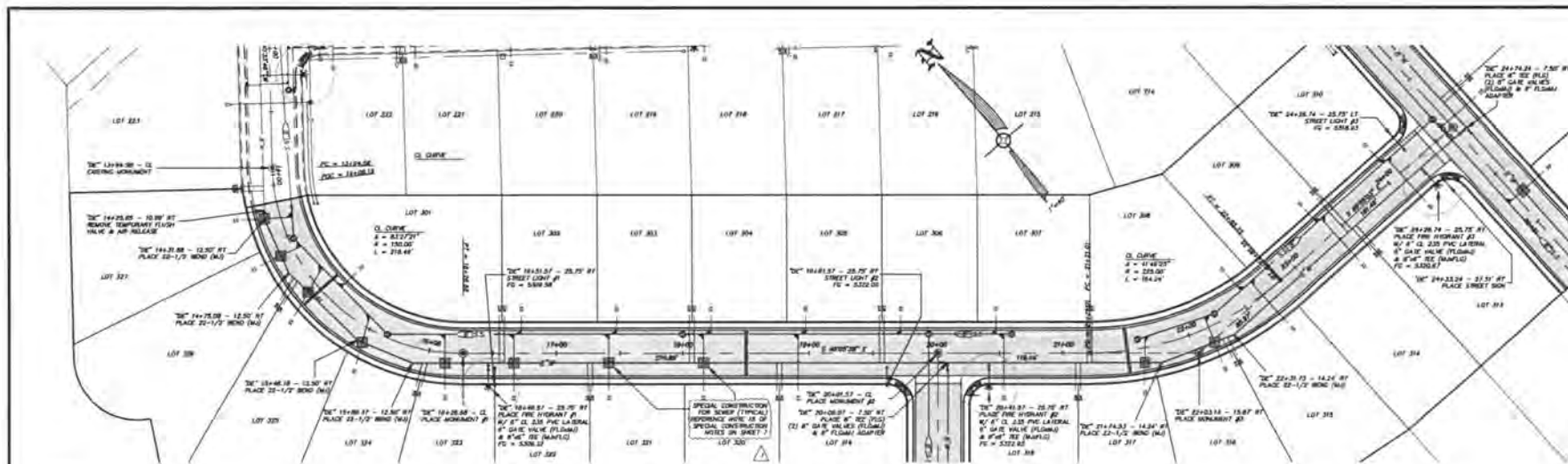
CONSTRUCTION DRAWINGS

1	TITLE SHEET
2	PLAN & PROFILE - DECENTRALIZED WAY
3	PLAN & PROFILE - ELKHORN CIRCLE
4	PLAN & PROFILE - TYPICAL UTILITY LAYOUTS DETAIL
5	GRADING PLAN
6	LANDSCAPE HIGHWAY CONSTRUCTION
7	WATER DETAIL
8	SITE SYSTEMS
9	SANITARY & STORM SEWER DETAILS
10	UTILITY NOTES

SUPPLEMENTAL DRAWINGS

1	FINAL MAP - SHEET 1 OF 2
2	FINAL MAP - SHEET 2 OF 2

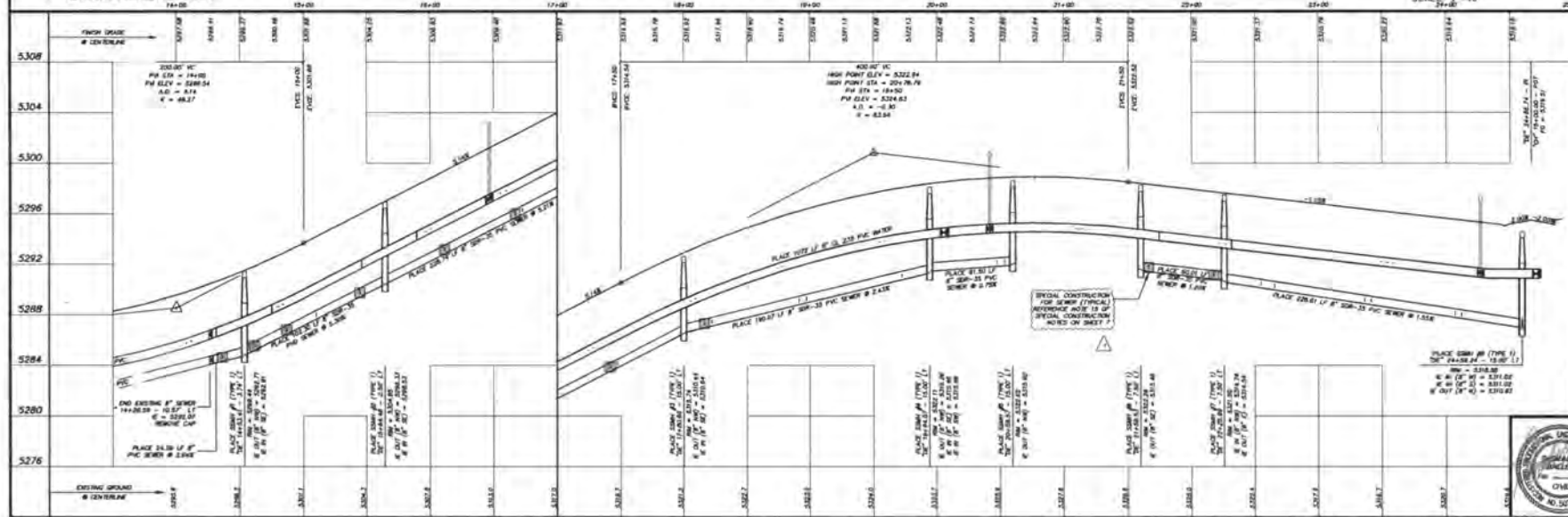
[illegible][illegible]



NOTES:

- REFERENCE SHEET 3 FOR UTILITY NOTES.
- ALL PARKING MARKINGS WITH THE EXCEPTION OF THE PARKING SPACES SHALL BE WHITE. PARKING SPACES SHALL BE WHITE WITH A BLUE BACKGROUND. PARKING SPACES SHALL HAVE SPACED 3" SPACES. CURBLINE LINES AND STOP BARS SHALL BE 1" WIDE. PARKING SPACES AND ACCESSIBLE LINES SHALL BE 4" WIDE. ARROWS AND DIRECTIONAL MARKINGS TO BE PLACED AS SHOWN.
- THURST BLOCKING IS REQUIRED FOR ALL WATER MAINS (14" & LARGER) AT ALL BENTS, TEES, CROSSINGS, VALVES AND HYDRANTS. REFERENCE DETAIL SHEET.
- AP RELEASE VALVES ARE REQUIRED AT THE HIGH POINTS OF THE WATER MAIN. FINAL LOCATIONS OF THESE VALVES MAY DIFFER FROM THOSE SHOWN, DEPENDING ON VERTICAL LOCATION OF EXISTING WATER MAIN.
- PRESTIGE THURST BLOCKING AT ALL INTERSECTIONS AND HYDRANTS IN ACCORDANCE WITH DETAIL SHEET.
- RESTRAINED JOINTS SHALL CONSIST OF ALL INTERSECTIONS WITH RIGID CURB RINGS OR EQUAL.
- ALL HYDRANTS SHOWN ARE PUBLIC HYDRANTS.

DEERFIELD WAY

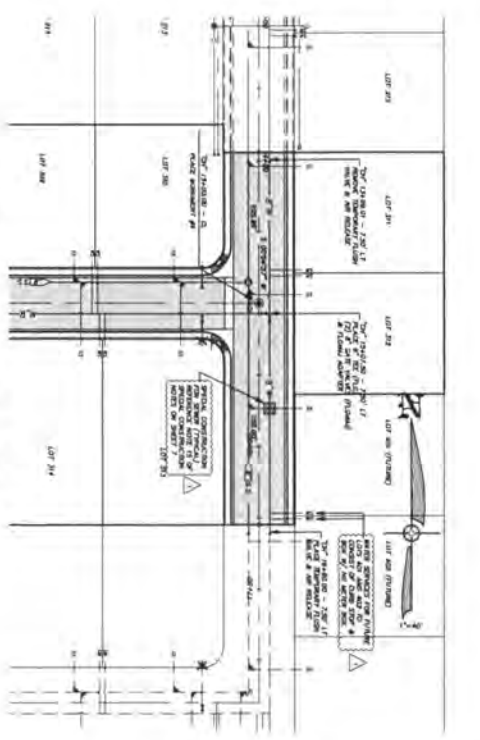
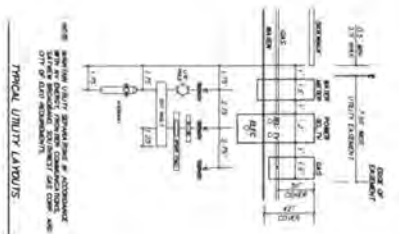
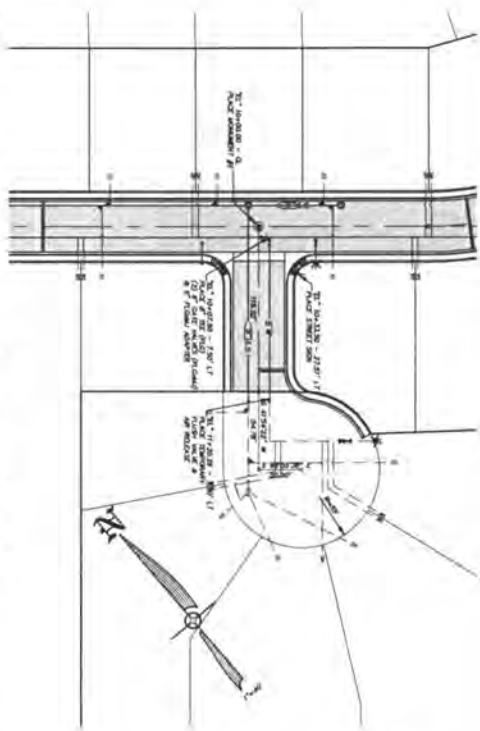


REV	DATE	DESCRIPTION	BY	APP'D
1	01/11/20	ISSUED FOR PERMIT	JTD	JTD
2	01/11/20	ISSUED FOR PERMIT	JTD	JTD
3	01/11/20	ISSUED FOR PERMIT	JTD	JTD
4	01/11/20	ISSUED FOR PERMIT	JTD	JTD
5	01/11/20	ISSUED FOR PERMIT	JTD	JTD
6	01/11/20	ISSUED FOR PERMIT	JTD	JTD
7	01/11/20	ISSUED FOR PERMIT	JTD	JTD
8	01/11/20	ISSUED FOR PERMIT	JTD	JTD
9	01/11/20	ISSUED FOR PERMIT	JTD	JTD
10	01/11/20	ISSUED FOR PERMIT	JTD	JTD
11	01/11/20	ISSUED FOR PERMIT	JTD	JTD
12	01/11/20	ISSUED FOR PERMIT	JTD	JTD
13	01/11/20	ISSUED FOR PERMIT	JTD	JTD
14	01/11/20	ISSUED FOR PERMIT	JTD	JTD
15	01/11/20	ISSUED FOR PERMIT	JTD	JTD
16	01/11/20	ISSUED FOR PERMIT	JTD	JTD
17	01/11/20	ISSUED FOR PERMIT	JTD	JTD
18	01/11/20	ISSUED FOR PERMIT	JTD	JTD
19	01/11/20	ISSUED FOR PERMIT	JTD	JTD
20	01/11/20	ISSUED FOR PERMIT	JTD	JTD
21	01/11/20	ISSUED FOR PERMIT	JTD	JTD
22	01/11/20	ISSUED FOR PERMIT	JTD	JTD
23	01/11/20	ISSUED FOR PERMIT	JTD	JTD
24	01/11/20	ISSUED FOR PERMIT	JTD	JTD
25	01/11/20	ISSUED FOR PERMIT	JTD	JTD
26	01/11/20	ISSUED FOR PERMIT	JTD	JTD
27	01/11/20	ISSUED FOR PERMIT	JTD	JTD
28	01/11/20	ISSUED FOR PERMIT	JTD	JTD
29	01/11/20	ISSUED FOR PERMIT	JTD	JTD
30	01/11/20	ISSUED FOR PERMIT	JTD	JTD
31	01/11/20	ISSUED FOR PERMIT	JTD	JTD
32	01/11/20	ISSUED FOR PERMIT	JTD	JTD
33	01/11/20	ISSUED FOR PERMIT	JTD	JTD
34	01/11/20	ISSUED FOR PERMIT	JTD	JTD
35	01/11/20	ISSUED FOR PERMIT	JTD	JTD
36	01/11/20	ISSUED FOR PERMIT	JTD	JTD
37	01/11/20	ISSUED FOR PERMIT	JTD	JTD
38	01/11/20	ISSUED FOR PERMIT	JTD	JTD
39	01/11/20	ISSUED FOR PERMIT	JTD	JTD
40	01/11/20	ISSUED FOR PERMIT	JTD	JTD
41	01/11/20	ISSUED FOR PERMIT	JTD	JTD
42	01/11/20	ISSUED FOR PERMIT	JTD	JTD
43	01/11/20	ISSUED FOR PERMIT	JTD	JTD
44	01/11/20	ISSUED FOR PERMIT	JTD	JTD
45	01/11/20	ISSUED FOR PERMIT	JTD	JTD
46	01/11/20	ISSUED FOR PERMIT	JTD	JTD
47	01/11/20	ISSUED FOR PERMIT	JTD	JTD
48	01/11/20	ISSUED FOR PERMIT	JTD	JTD
49	01/11/20	ISSUED FOR PERMIT	JTD	JTD
50	01/11/20	ISSUED FOR PERMIT	JTD	JTD
51	01/11/20	ISSUED FOR PERMIT	JTD	JTD
52	01/11/20	ISSUED FOR PERMIT	JTD	JTD
53	01/11/20	ISSUED FOR PERMIT	JTD	JTD
54	01/11/20	ISSUED FOR PERMIT	JTD	JTD
55	01/11/20	ISSUED FOR PERMIT	JTD	JTD
56	01/11/20	ISSUED FOR PERMIT	JTD	JTD
57	01/11/20	ISSUED FOR PERMIT	JTD	JTD
58	01/11/20	ISSUED FOR PERMIT	JTD	JTD
59	01/11/20	ISSUED FOR PERMIT	JTD	JTD
60	01/11/20	ISSUED FOR PERMIT	JTD	JTD
61	01/11/20	ISSUED FOR PERMIT	JTD	JTD
62	01/11/20	ISSUED FOR PERMIT	JTD	JTD
63	01/11/20	ISSUED FOR PERMIT	JTD	JTD
64	01/11/20	ISSUED FOR PERMIT	JTD	JTD
65	01/11/20	ISSUED FOR PERMIT	JTD	JTD
66	01/11/20	ISSUED FOR PERMIT	JTD	JTD
67	01/11/20	ISSUED FOR PERMIT	JTD	JTD
68	01/11/20	ISSUED FOR PERMIT	JTD	JTD
69	01/11/20	ISSUED FOR PERMIT	JTD	JTD
70	01/11/20	ISSUED FOR PERMIT	JTD	JTD
71	01/11/20	ISSUED FOR PERMIT	JTD	JTD
72	01/11/20	ISSUED FOR PERMIT	JTD	JTD
73	01/11/20	ISSUED FOR PERMIT	JTD	JTD
74	01/11/20	ISSUED FOR PERMIT	JTD	JTD
75	01/11/20	ISSUED FOR PERMIT	JTD	JTD
76	01/11/20	ISSUED FOR PERMIT	JTD	JTD
77	01/11/20	ISSUED FOR PERMIT	JTD	JTD
78	01/11/20	ISSUED FOR PERMIT	JTD	JTD
79	01/11/20	ISSUED FOR PERMIT	JTD	JTD
80	01/11/20	ISSUED FOR PERMIT	JTD	JTD
81	01/11/20	ISSUED FOR PERMIT	JTD	JTD
82	01/11/20	ISSUED FOR PERMIT	JTD	JTD
83	01/11/20	ISSUED FOR PERMIT	JTD	JTD
84	01/11/20	ISSUED FOR PERMIT	JTD	JTD
85	01/11/20	ISSUED FOR PERMIT	JTD	JTD
86	01/11/20	ISSUED FOR PERMIT	JTD	JTD
87	01/11/20	ISSUED FOR PERMIT	JTD	JTD
88	01/11/20	ISSUED FOR PERMIT	JTD	JTD
89	01/11/20	ISSUED FOR PERMIT	JTD	JTD
90	01/11/20	ISSUED FOR PERMIT	JTD	JTD
91	01/11/20	ISSUED FOR PERMIT	JTD	JTD
92	01/11/20	ISSUED FOR PERMIT	JTD	JTD
93	01/11/20	ISSUED FOR PERMIT	JTD	JTD
94	01/11/20	ISSUED FOR PERMIT	JTD	JTD
95	01/11/20	ISSUED FOR PERMIT	JTD	JTD
96	01/11/20	ISSUED FOR PERMIT	JTD	JTD
97	01/11/20	ISSUED FOR PERMIT	JTD	JTD
98	01/11/20	ISSUED FOR PERMIT	JTD	JTD
99	01/11/20	ISSUED FOR PERMIT	JTD	JTD
100	01/11/20	ISSUED FOR PERMIT	JTD	JTD

JORDANVILLE THIRD MORTGAGE, LLC
TOWER HILL SUBDIVISION - UNIT NUMBER 3
PLAN & PROFILE - DEERFIELD WAY
BLAD COUNTY
BLAD

SCALE: 1"=40'
DATE: 01/11/20
DRAWN BY: JTD
CHECKED BY: JTD
APPROVED BY: JTD
DATE: 01/11/20

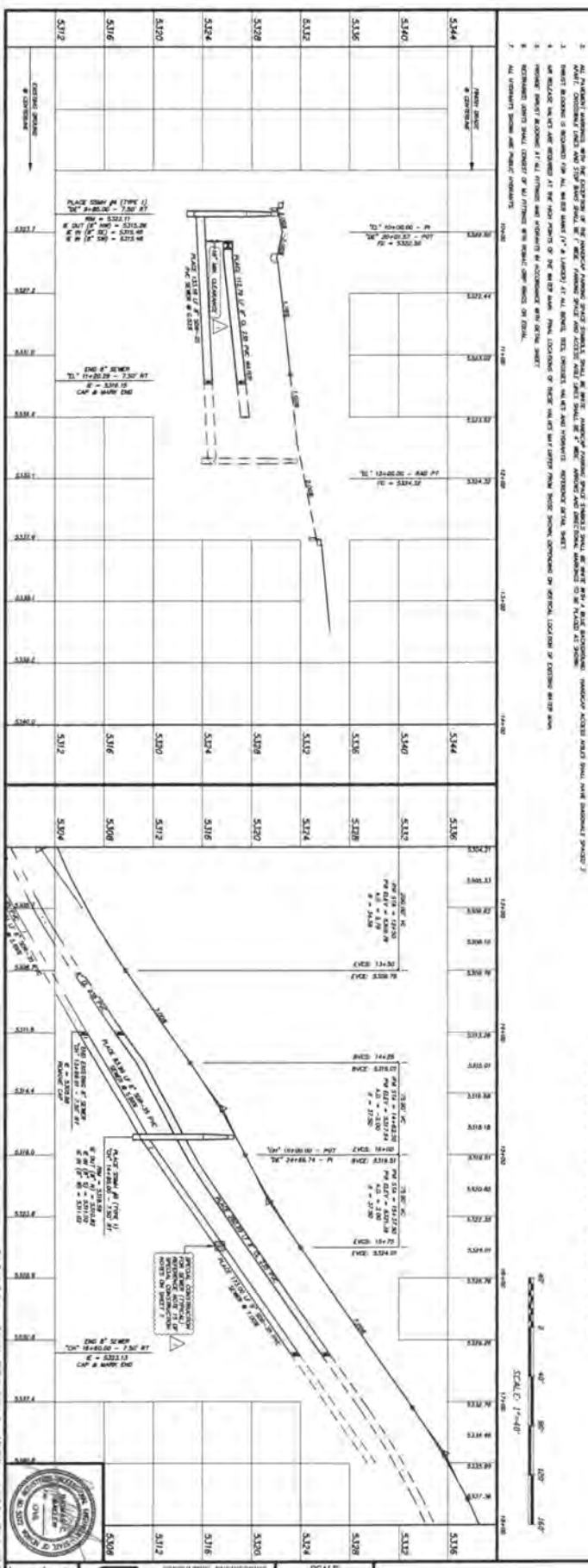
SHEET 2 OF 8
DATE: 01/11/20



ELKHORN CIRCLE

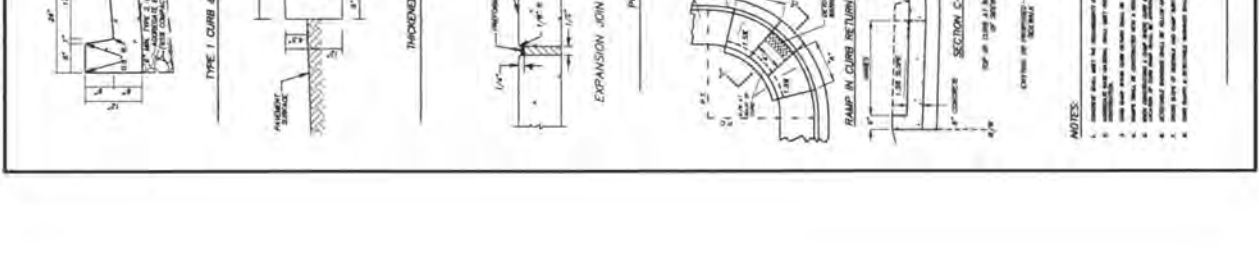
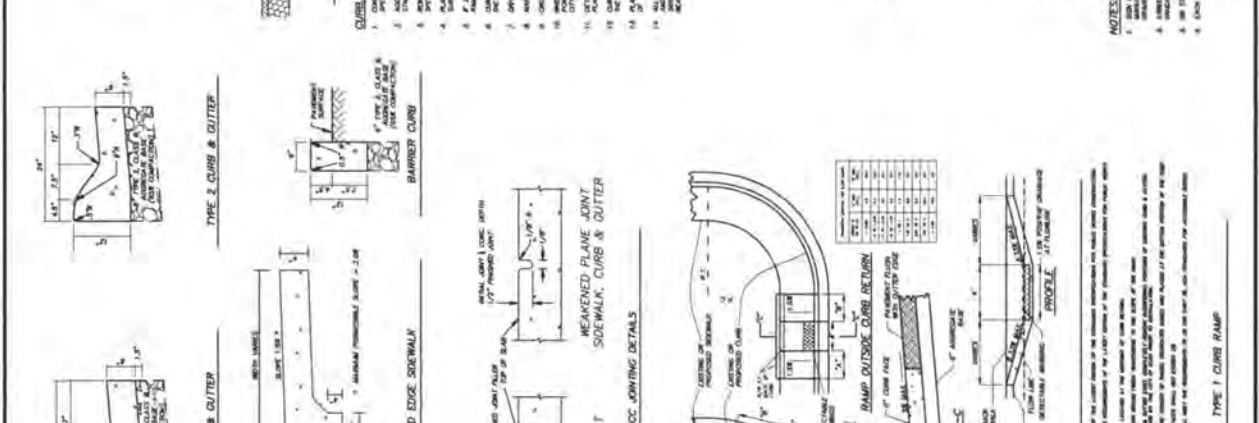
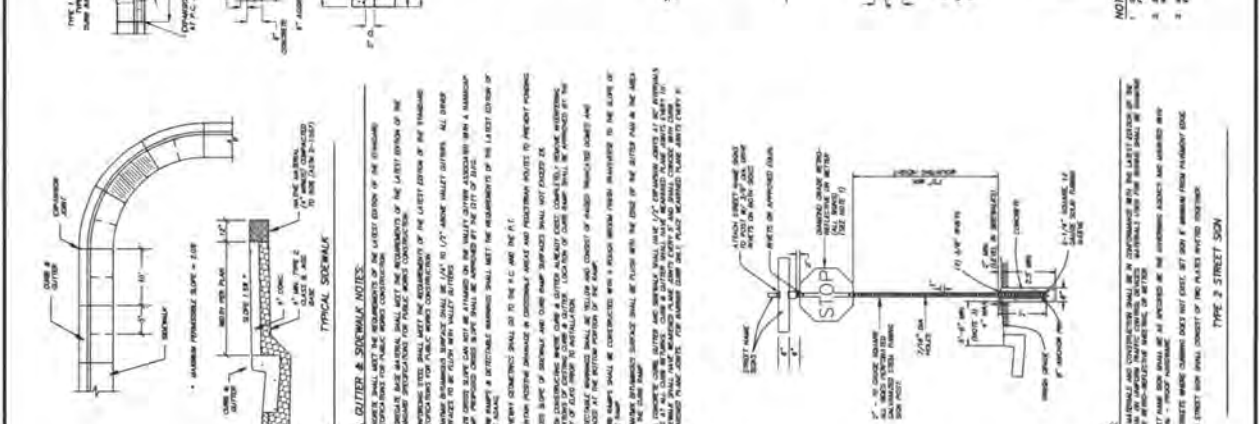
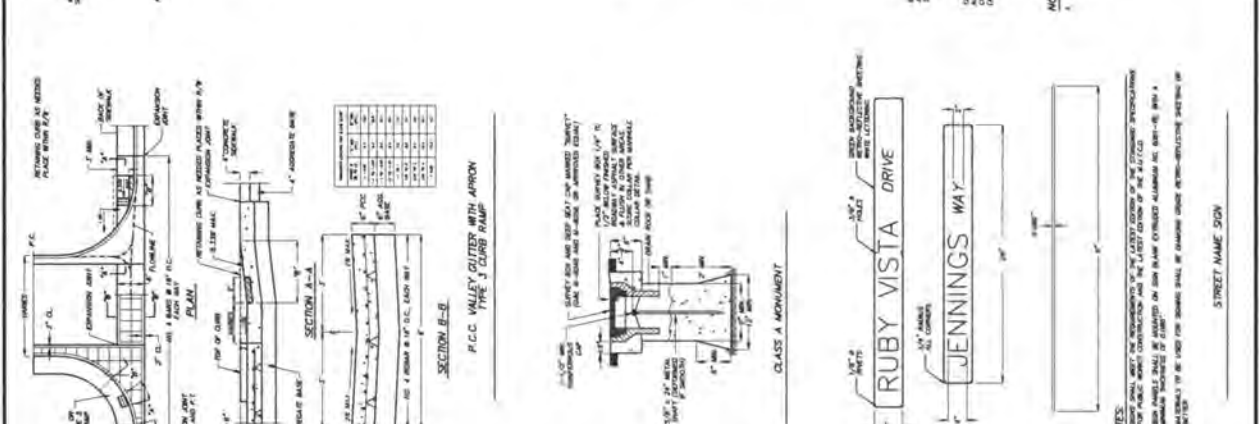
CHUKAR DRIVE

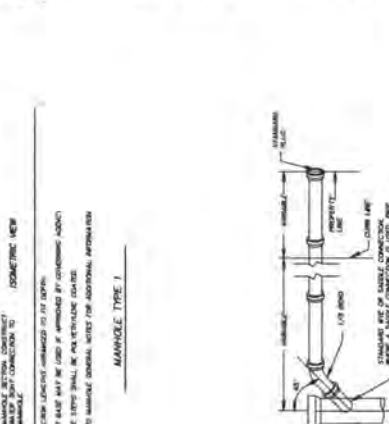
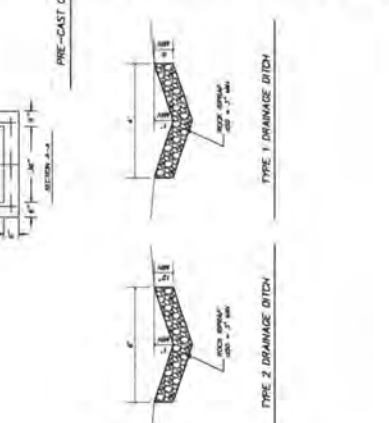
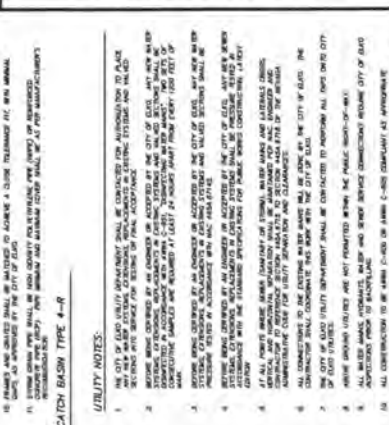
NOTES:
 1. ALL PROPERTY LINES AND THE CENTERLINE OF THE PROPOSED HIGHWAY SHALL BE SET BY A SURVEYOR.
 2. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.
 3. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.
 4. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.
 5. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.
 6. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.
 7. EASEMENTS SHALL BE 10 FEET, 20 FEET, AND 30 FEET.



SHEET 3 OF 8	HIGH DESERT ENGINEERING 1400 GRAND STREET ELKO, NEVADA 89601 (775) 738-4000	JORDANVILLE THIRD MORTGAGE, LLC TOWER HILL SUBDIVISION - UNIT NUMBER 3 P&P - ELKHORN CIRCLE & CHUKAR DRIVE ELKO ELKO COUNTY NEVADA		DESIGNED BY: TCM DRAWN BY: TCM CHECKED BY: TCM APPROVED BY: TCM DATE: FEBRUARY 2012
		SCALE: HORIZ. 1"=40' VERT. 1"=40' JOB NO. 1201 DWG. NO. 120101		REV. DATE DESCRIPTION BY APP.

[illegible]





**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration and possible action to initiate amendment to Title 8 Chapter 18, entitled “Public Improvement Standards”, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **The principal objective of the proposed amendment is to include a detail in the public improvement standards for micro-trenching. The current code references standard details by the Regional Transportation Commission of Washoe County, which does not include a detail for micro-trenching. MR**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Title 8 Chapter 18 proposed revisions shown with track changes**
9. Recommended Motion: **Move to initiate an amendment to Title 8 Chapter 18, entitled “Public Improvement Standards” as presented by Staff.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **N/A**

CITY OF ELKO
ORDINANCE **XXX**

AN ORDINANCE AMENDING TITLE 8, CHAPTER 18 OF THE ELKO CITY CODE ENTITLED "PUBLIC IMPROVEMENT STANDARDS" AND MATTERS RELATED THERETO.

WHEREAS, excavations for utility installations typically must comply with the requirements set forth in the book entitled "Standard Specifications for Public Works Construction" (known as the "Orange Book"), which is distributed to the cities and counties of northern Nevada by the regional transportation commission (RTC) of Washoe County;

WHEREAS, excavations for utility installations typically must also comply with the requirements set forth in the Latest edition of the "Standard Details for Public Works Construction" as distributed to the cities and counties of northern Nevada by the regional transportation commission (RTC) of Washoe County;

WHEREAS, the foregoing publications do not presently contain specifications or standard details applicable to microtrenching;

WHEREAS, the City has reviewed and has determined that it is necessary to amend Title 8, Chapter 18 of the Elko City Code to require microtrenching to comply with Standard Details established by the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKO, NEVADA.

For amendment purposes, words which are in blue bold and underlined are additions to the Ordinance, and words ~~which are red lined through and bold red~~ are deleted from the Ordinance.

SECTION 1: Title 8, Chapter 18, shall be entitled "PUBLIC IMPROVEMENT STANDARDS" and is hereby amended as follows:

8-18-1: TITLE

This chapter shall be known and cited as the PUBLIC IMPROVEMENT STANDARDS. ~~(Ord. 680, 10-23-2007)~~

8-18-2: DEFINITIONS

For purposes of this chapter, certain words, terms and phrases are defined as follows:

ALLEY: A public way providing secondary vehicular access and service to properties which also abut a street.

ARTERIAL AND MINOR ARTERIAL STREETS: A general term describing large major streets, including freeways, expressways and interstate roadways, and state and/or county highways having city and regional continuity.

COLLECTOR RESIDENTIAL AND LOCAL RESIDENTIAL STREETS: City streets serving the primary function of providing access to abutting property:

Cul-De-Sac Street: A short collector residential and local residential street having one end permanently terminating in and including a vehicular turning area.

Marginal Access Street: A collector residential and local residential street parallel to and abutting an arterial street which provides access to abutting property, intercepts other collector residential and local residential streets, and controls access to the arterial street.

COLLECTOR STREET: A street generally with limited continuity serving the primary function of moving traffic between arterial streets and local residential streets, and the secondary function of providing access to abutting properties.

PRIVATE STREET: A nondedicated, privately owned right of way or limited public way that affords the principal means of emergency and limited vehicular access and connection from the public street system to properties created through the division or subdivision of land.

PUBLIC IMPROVEMENT STANDARDS: A set of standards approved by the city council regulating the design and construction of public improvements in the city of Elko public roads or the city of Elko.

PUBLIC ROAD AND PUBLIC ROADS: The public highways, streets, avenues, alleys, bridges and ways as the same may now or hereafter exist within the city and future additions thereto over which the city has jurisdiction.

PUBLIC STREET: A dedicated public right of way that is part of the public street system and which affords the principal means of emergency and general vehicular access to abutting property.

STREET: Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct or easement for public vehicular access; or, a street shown in a plat heretofore approved pursuant to law; or, a street in a plat duly filed and recorded in the county recorder's office. A street includes all land within the street right of way, whether improved or unimproved, and includes such improvements as pavement, shoulder, curbs, gutters, sidewalks, parking space, bridges, viaducts, lawns and trees.

STREET LINE: A line describing the limits of a street right of way. (Ord. 680, 10-23-2007)

8-18-3: PROVISIONS

This chapter shall be known as the public improvement standards code of the city of Elko, hereinafter "code". This chapter adopts the following public improvement standards:

- A. Latest edition of the "Standard Specifications for Public Works Construction" ("Orange Book") as distributed to the cities and counties of northern Nevada by the regional transportation commission (RTC) of Washoe County, and
- B. Latest edition of the "Standard Details ~~For Public Works Construction~~" as distributed ~~to the cities and counties of northern Nevada by the regional transportation commission (RTC) of Washoe County~~ by the City of Elko, and
- C. Latest edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways"

(MUTCD), and

D. Latest edition of the "American Water Works Association" (AWWA).

Certain sections of the public improvement standards may be added or deleted by resolution.

All public improvement designs, construction, and modifications within the city of Elko public roads or the city of Elko shall conform with the above adopted public improvement standards, in addition to any other applicable codes or amendments set forth by the Elko city council.

~~{Ord. 680, 10-23-2007}~~

8-18-4: HORIZONTAL CONTROL DATUM

The basis of bearings for all engineering plans submitted to the city of Elko shall be based upon the following:

North American datum of 1983 (NAD83), Nevada east, U.S. feet, ground distance using a datum adjustment ground to grid factor of 0.99964312740 and be effective as of October 28, 2008. ~~{Ord. 701, 10-14-2008, eff. 10-28-2008}~~

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability of such section, paragraph, clause or provision shall not affect any remaining provision of this Ordinance.

SECTION 4. Upon adoption, the City Clerk of the City of Elko is hereby directed to have this ordinance published by title only, together with the Councilpersons voting for or against its passage in a newspaper of general circulation within the time established by law, for at least one publication.

SECTION 5. This ordinance shall be effective upon the publication mentioned, unless otherwise stated.

PASSED AND ADOPTED this ____ day of March, 2020 by the following vote of the Elko City Council.

VOTE:

AYES:

NAYES:

ABSENT:

ABSTAIN:

CITY OF ELKO

By:

REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Revocable Permit No. 1-20, filed by Bulldog Ranch, LLC and Edward Jones Investments, to occupy a portion of the North 5th Street Right-of-Way as located adjacent to 2213 North 5th Street, to accommodate installation of a new sign, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Edward Jones Investments operates a business on real property owned by Bulldog Ranch LLC. The proposed monument sign is located in the City of Elko Right-of-Way. City Code requires they have a Revocable Permit to occupy the Right-of-Way. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **License Agreement and Application**
9. Recommended Motion: **Approve Revocable Permit No. 1-20 subject to execution of a standard license agreement between the applicant, property owner and the City of Elko**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Bulldog Ranch LLC
D. Marshall Nelson
618 Lakeshore Blvd.
Incline Village, NV 89451
Yesco Signs
grogers@yesco.com**

**REVOCABLE LICENSE AGREEMENT FOR NON-EXCLUSIVE
OCCUPANCY OF RIGHT-OF-WAY FOR FREE-STANDING SIGN**

THIS REVOCABLE LICENSE AGREEMENT FOR NON-EXCLUSIVE OCCUPANCY OF RIGHT-OF-WAY (hereinafter the "License Agreement") is made this ____ day of _____, 2020 (hereinafter the "Effective Date"), by and between the **CITY OF ELKO**, a municipal corporation and political subdivision of the State of Nevada, hereinafter called the "**City of Elko**," and **EDWARD D. JONES & CO., L.P.**, a Delaware Limited Partnership (hereinafter "**EDWARD JONES INVESTMENTS**"), and **BULLDOG RANCH, LLC**, a Nevada limited-liability company, on behalf of themselves and any contractors or subcontractors performing work on the project described herein, jointly and severally. **EDWARD JONES INVESTMENTS** and **BULLDOG RANCH, LLC** are hereinafter collectively called the "**Licensees**." The **City of Elko** and **Licensees** may be referred to individually as "**Party**" and collectively as the "**Parties**."

R E C I T A L S

- A. **BULLDOG RANCH, LLC** owns real property located generally at 2213 North 5th Street, Elko, Nevada; and
- B. **EDWARD JONES INVESTMENTS** intends to occupy the aforementioned real property for the purpose of operating a financial investment business; and
- C. **Licensees** desire to place a free-standing sign within the 5th Street right-of-way, located generally on the west side of 5th Street, north of the intersection with Spruce Road and south of the intersection with Clearwater Ct. (hereinafter the "Right-of-Way"); and
- D. The dimensions and physical appearance of the free-standing sign are shown on the YESCO Design attached hereto at **Exhibit C**; and
- E. The location and physical layout of the real property in relation to placement of the free-standing sign are more particularly described at **Exhibit A** and shown on the site plan attached at **Exhibit B**; and
- F. **Licensees** have asked the **City of Elko** for permission to use a portion of the Right-of-Way for the purpose of placing the aforementioned free-standing sign in the manner shown on the Application for Revocable Permit to Occupy City of Elko Property on file with the Elko City Planning Department; and
- G. The license granted hereunder does not constitute a sale or lease of property subject to the requirements of NRS 268.059, *et. seq*;

NOW, THEREFORE, in consideration of the rights and obligations contained herein, it is agreed as follows:

The **City of Elko** grants to **Licensees**, jointly and severally, subject to the terms and conditions contained herein, a non-exclusive, revocable license to use the Right-of-Way for the purposes set forth in this License Agreement.

The Parties hereto further covenant and agree as follows:

1. **TERM:** The Term of this License Agreement shall be five (5) years, commencing on the Effective Date, subject to the termination rights set forth herein; *provided*, this License Agreement will automatically renew at the end of the initial term and each term thereafter for a further term of five (5) years unless any Party gives the other Parties written notice of termination at least thirty (30) days prior to the end of the relevant term.

2. **WAIVER:** Waiver by any Party of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, condition or covenant or any subsequent breach of the same, or any other term, condition or covenant herein contained.

3. **NOTICES:** Any and all notices or demands by or from the **City of Elko** to either of the **Licensees**, or from either of the **Licensees** to the **City of Elko** shall be in writing and served by certified mail. Service shall be conclusively deemed made forty-eight (48) hours after the deposit thereof in the United States mail, postage prepaid, addressed to the party to whom such notice or demand is to be given and the issuance of a receipt thereof. Any notice or demand to the **City of Elko** may be given to: City of Elko, 1751 College Avenue, Elko, Nevada 89801, or at such other place or places as shall be designated by the **City of Elko** from time to time. Any notice or demand to either of the **Licensees** shall be mailed to:

BULLDOG RANCH, LLC
618 Lakeshore Blvd.
Incline Village, NV 89451

and

EDWARD JONES INVESTMENTS
2213 N. 5th Street
Elko, NV 89801

4. **IMPROVEMENTS, REPAIRS, MAINTENANCE AND USE OF THE PROPERTY:**

(a) **Licensees** shall have the license to enter upon and occupy the Right-of-Way to place a free-standing sign, *provided*, **Licensees** must receive the prior consent of the **City of Elko** before entering upon the Right-of-Way and must thereafter act in accordance with its directions.

(b) **Licensees** shall maintain the free-standing sign in good repair, shall promptly repair all damage and/or deterioration, and shall otherwise keep the free-standing sign in a clean and orderly condition at all times.

(c) **Licensees** shall maintain the Right-of-Way in a manner that is acceptable to the **City of Elko** at all times.

(d) **Licensees** shall secure any permits required in connection with the activities authorized hereunder and shall comply with all applicable Federal, state and local statutes, ordinances or regulations.

(e) Either **Licensee's** violation of any provision of this License Agreement, to include any violation of the Elko City Code, shall constitute immediate grounds for revocation of this License Agreement by the **City of Elko**.

(f) The aforementioned free-standing sign shall be removed by **Licensees** upon request by the **City of Elko** within thirty (30) days of notice as provided herein in the event of revocation or termination hereof.

5. **RIGHT OF ENTRY:** The **City of Elko** specifically reserves the right of entry upon the Right-of-Way by any authorized officer, engineer, employee, agent or contractor of the **City of Elko** at any time and for any and all purposes.

6. **INDEMNIFICATION:** Notwithstanding any other provision contained herein, **Licensees** hereby agree to hold harmless, indemnify and defend the **City of Elko**, including, without limitation, the **City of Elko's** agents, employees and contractors (the "City's Representatives") against any and all claims, demands, actions, suits, liability, cost and expense, including defense, expenses, (to include, without limitation, suits for damages and injuries to persons or property (collectively "claims") arising out of **Licensees'** acts or omissions in connection with the activities contemplated by this License Agreement, except to the extent such claims are caused by or arise out of the negligence of the **City of Elko** or the City's Representatives.

7. **INSURANCE:** **Licensees** agree to purchase insurance or otherwise arrange at their own expense and to keep such insurance in force at all times this License Agreement is in effect, as follows:

(a) Workmen's Compensation Insurance covering all of **Licensees'** employees and shall require all consultants or other third parties engaged in the activities contemplated by this License Agreement to furnish evidence of appropriate workmen's compensation coverage or that they are a self-insured employer.

(b) Comprehensive General Public Liability Insurance against claims for bodily injury or death of any person and property damage arising out of or resulting from **Licensee's** activities and the use of the Right-of-Way. Such insurance shall be in an amount not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. **Licensees** shall furnish to the **City of Elko** proof that such insurance has been obtained and is in force.

(c) General Vehicle Liability Insurance against claims for injury or death of any person and property damage arising out of or resulting from **Licensees'** operation of any motor vehicle used in connection with the activities contemplated herein. Such insurance shall be in an amount of not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. This policy shall include vehicles operated by **Licensees** and **Licensees'** agents, employees and contractors. Licensee shall furnish to the **City of Elko** proof that such insurance has been obtained and is in force.

(d) The **City of Elko** shall be provided with copies of all insurance policies required under this License Agreement.

(e) The foregoing insurance may be part of a blanket policy.

(f) Notwithstanding anything contained herein, Licensee shall be entitled to self-insure with respect to any of the required coverage herein. Additionally, Licensee's insurance coverage shall only apply to the extent of its indemnity obligations.

8. **TERMINATION:** Notwithstanding any other provision contained herein, the **City of Elko** may immediately revoke and terminate this License Agreement for any violation of the terms or conditions hereof prior to the expiration of the Term or any extension thereof; *provided*, either Party may terminate this License Agreement upon thirty (30) days' prior written notice to the other Party.

In the event of the termination of the license granted hereunder prior to the end of the Term, or upon notice for any other reason permitted hereunder, Licensee shall promptly, peaceably and quietly leave, surrender and yield to the **City of Elko** the Right-of-Way in good order, condition and repair, after performing all repairs to the site needed to return it to its prior condition.

9. **GENERAL COVENANTS:**

(a) **GOVERNING LAW.** It is agreed that this License Agreement shall be governed by, construed and enforced in accordance with the Laws of the State of Nevada.

(b) **MODIFICATION OF AGREEMENT.** Any modification of this License Agreement or additional obligation assumed by either party in connection with this License Agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each Party.

(c) **ATTORNEY FEES.** In the event the either party is required to pursue any action to enforce any term or condition in this License Agreement and prevails in said action, then said party shall be entitled to reasonable attorney's fees and court costs from the other party.

(d) **ASSIGNMENT OF RIGHTS AND DUTIES.** Licensees may not assign their rights or duties under this License Agreement without the advance written consent by the **City of Elko** not to be unreasonably withheld. There is no restriction on assignment with respect to the **City of Elko**.

(e) **NO THIRD-PARTY BENEFICIARIES.** Except as expressly provided herein, this License Agreement shall not confer any rights or remedies upon any third party other than the respective successors and assigns of a Party.

(f) **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the Parties and supersedes any prior understandings, agreements, or representations between the Parties, written or oral, to the extent they have related in any way to the right to conduct the activities contemplated hereby; *provided*, to the extent not inconsistent with this Agreement, all terms and conditions of the "Application for Revocable Permit to Occupy City of Elko Property" (**Exhibit A**), to include all representations of **Licensees**; the drawing at **Exhibit B**; and the site plan at **Exhibit C**, are incorporated herein by this reference.

(g) **FACSIMILE AND COUNTERPART SIGNATURES.** Facsimile and counterpart signatures shall have the same force and effect as original signatures or the signatures of all parties on the same document.

(h) **JURISDICTION AND VENUE.** The District Court for the Fourth Judicial District Court in and for the County of Elko, State of Nevada, shall have jurisdiction and venue over all disputes arising from or in relation to this License Agreement.

(i) **TERMS INCLUSIVE.** As used herein, the terms the **City of Elko** and **Licensees** shall include the plural as well as the singular, and the feminine as well as the masculine and the neuter.

(j) **TIME.** Time is of the essence.

IN WITNESS WHEREOF, the parties hereto have executed this license the day and year first above written.

EDWARD JONES INVESTMENTS:

By: _____

Title: _____

BULLDOG RANCH, LLC.:

By: _____

Title: _____

CITY OF ELKO:

By: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION OF REVOCABLE PERMIT

An easement 5.00 feet in width and 11.00 feet in length, located within a portion of North 5th Street Right-of-Way, dedicated to the City of Elko per Parcel Map No. 172734, Recorded on January 21, 1983, in the Official Records of Elko County, Nevada, situate within the Southeast Quarter of Section 9, Township 34 North, Range 55 East, MDM, more particularly described as follows:

Commencing at the South Corner of Parcel F of Parcel Map No. 363274, Recorded on January 10, 1995, in said Official Records;

thence along the Southeasterly boundary line of said Parcel F, North $45^{\circ}53'15''$ East a distance of 153.32 feet to the East Corner of said Parcel F;

thence departing said Southeasterly boundary line and along the Southwesterly Right-of-Way line of said North 5th Street, from a tangent which bears North $34^{\circ}52'59''$ West, along a circular curve to the left with a radius of 3230.16 feet and a central angle of $00^{\circ}14'01''$ an arc length of 13.18 feet to the **Point of Beginning**;

thence along a tangent circular curve to the left with a radius of 3230.16 feet and a central angle of $00^{\circ}05'19''$ an arc length of 5.00 feet;

thence departing said Southwesterly Right-of-Way line, with a non-tangent line North $54^{\circ}50'20''$ East a distance of 11.00 feet;

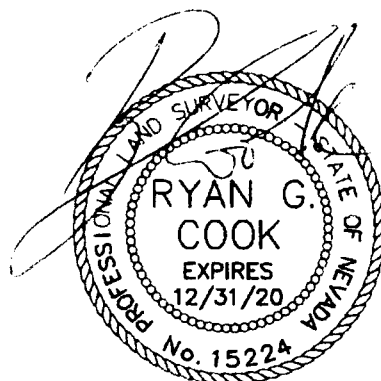
thence from an arc that is 11.00 feet Northeasterly of and coincident with said Southwesterly Right-of-Way line, from a tangent which bears North $35^{\circ}07'01''$ West, along a circular curve to the left with a radius of 3241.16 feet and a central angle of $00^{\circ}05'18''$ an arc length of 5.00 feet;

thence departing said arc, with a non-tangent line South $54^{\circ}50'20''$ West a distance of 11.00 feet to the **Point of Beginning**.

Said parcel contains an area of approximately 55 square feet.

Basis of Bearings: Nevada State Plan Coordinate System
East Zone, (NAD83/94).

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Avenue
Reno, NV 89523
775-747-8550



2-6-2020

RECEIVED

FEB 06 2020

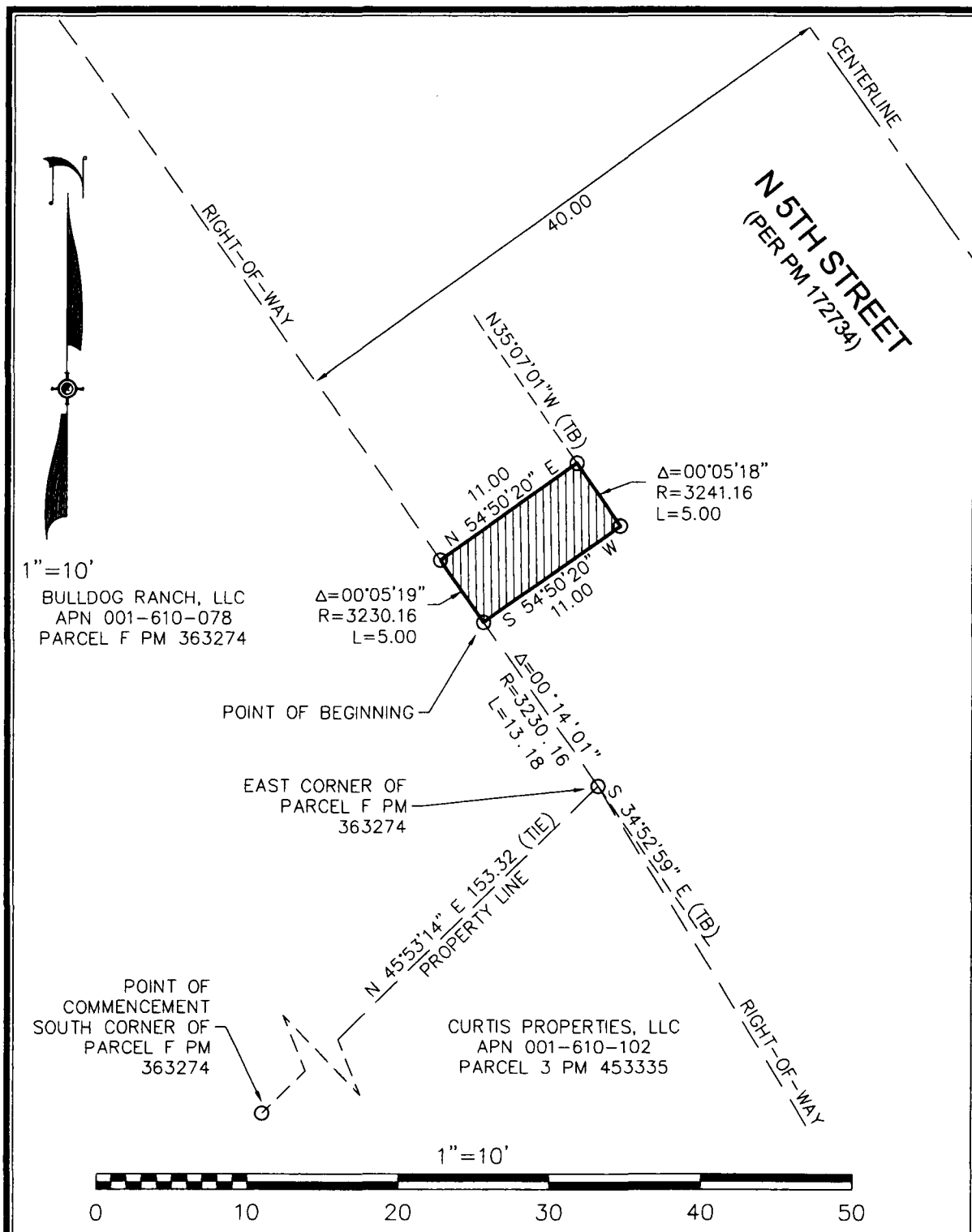


EXHIBIT "B"
DISPLAY TO ACCOMPANY
LEGAL DESCRIPTION

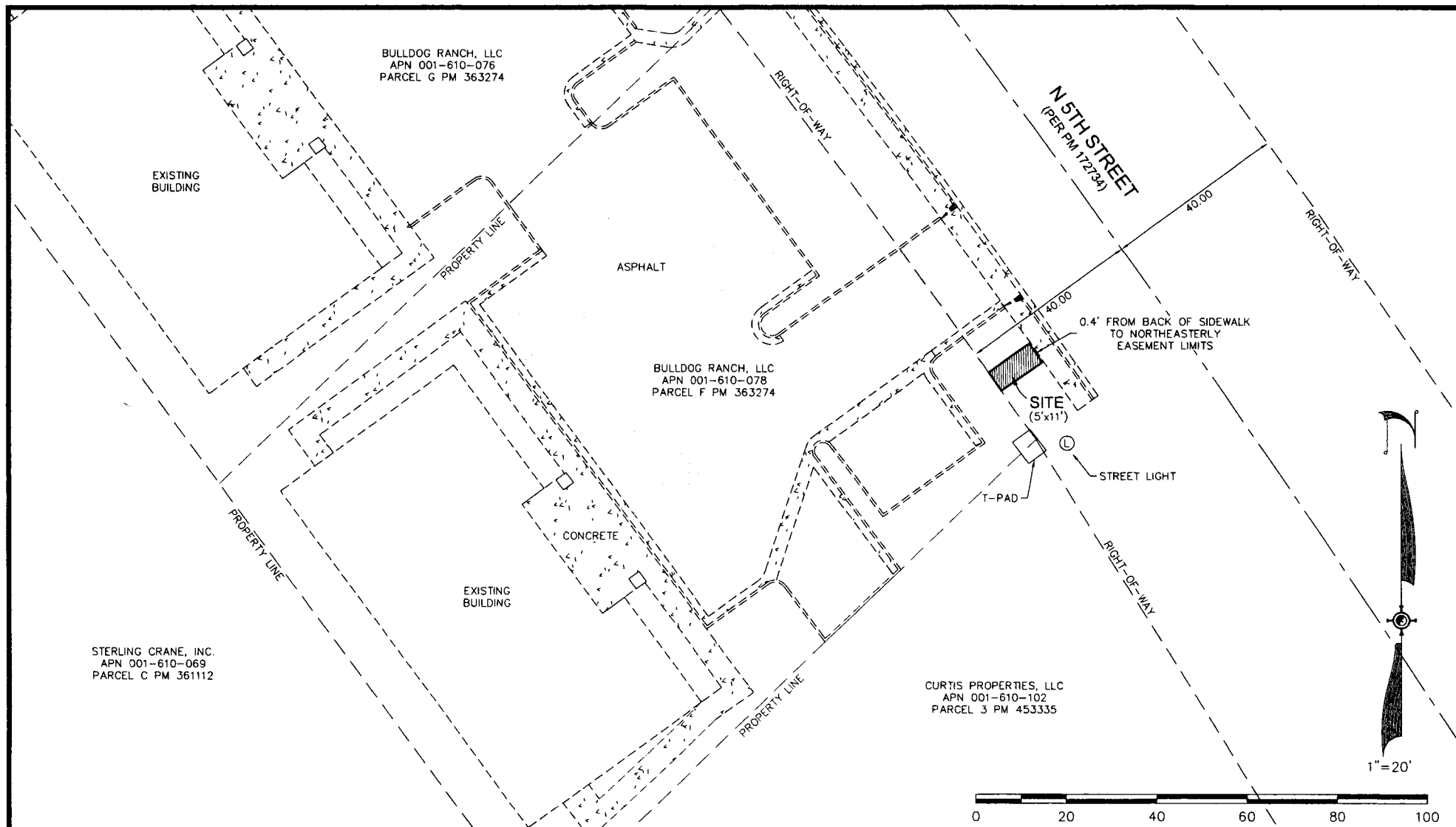
SCALE 1"=10'
LIMITS OF
REVOCABLE PERMIT
POR. OF N 5TH ST

SUMMIT ENGINEERING CORPORATION
5405 MAE ANNE AVENUE, RENO, NV, 89523
PHONE: (775) 747-8550 FAX: (775) 747-8559

SHEET
1
OF
1

N:\DWGS\J82506_221JN5thSt\YESCO\221JN5thSt_YESCO.DWG ~ 11:58 AM * 06-FEB-2020

RECEIVED
FEB 06 2020



SCALE: 1"=20'

JOB #: 3-83506

DESIGNED BY: RGC

CHECKED BY: RGC

DRAWN BY: kconstantine

N:\DWG\SUB82506_2213N5thSt\YESCO\2213N5thSt_YESCO.DWG - 11:58 AM * 06-FEB-2020

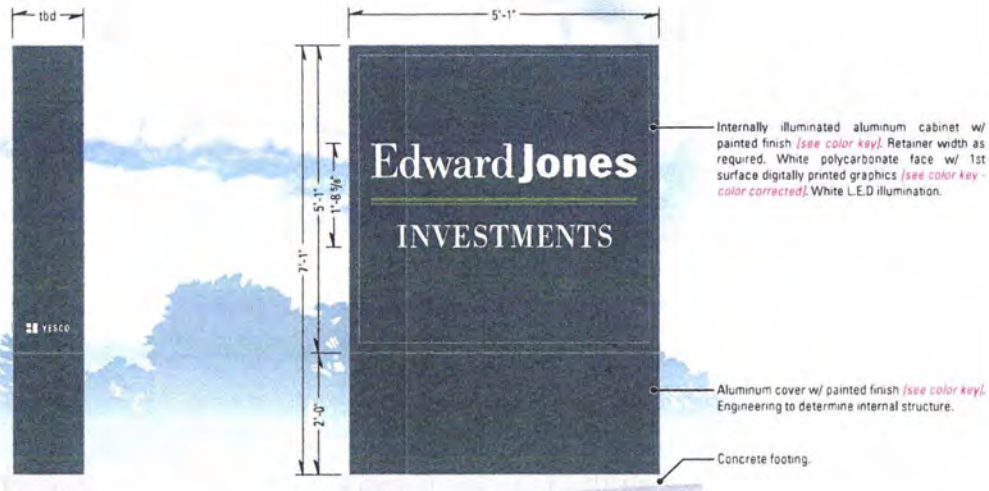
**PLOT PLAN OF PROPOSED REVOCABLE PERMIT
FOR SIGN FRONTING 2213 NORTH 5TH STREET
(APN 001-610-078)**

SHEET
1
OF
1

RECEIVED

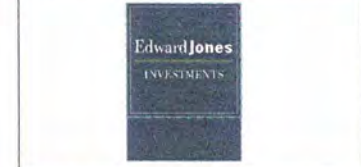
FEB 06 2020

FEB 06 2020



SCOPE OF WORK:
MANUFACTURE & INSTALL ONE (1) D/F INTERALLY ILLUM.
MONUMENT SIGN.

AREA: 75.34 SF



ELECTRICAL
POWER TO DISPLAY LOCATION: BY OTHERS OR EXISTING
HOOKUP AT DISPLAY: BY YESCO

COLOR KEY	
PAINT	SHERWIN WILLIAMS TO MATCH PMS
PMS	PANTONE 5535c
PMS	PANTONE 371c

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FABRICATED DISPLAY. PLEASE REFER TO COLOR CALIBRATIONS AND THEIR APPROPRIATE VENDOR SPECIFICATIONS. APPROVED COLOR SPECIFICATIONS.

NOTE: FIELD SURVEY REQUIRED PRIOR TO FABRICATION. CUSTOMER TO VERIFY COLORS/VINYL FABRICATION METHODS.

YESCO
DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481
www.yesco.com

© 2016 YESCO LLC. All right reserved

This drawing was created to assist you in visualizing our proposal. The original ideas herein are the property of YESCO LLC. Permission to copy or revise this drawing can only be obtained through a written agreement with YESCO.

The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign will be installed in accordance with the requirements of Article 800 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions

No.	Date / Description
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	

Approvals

YESCO A/E Signature / Date

Client Signature / Date

Landlord Signature / Date

Edward Jones

2213 N 5th St STE A
Elko, NV 89801

Acct. Exec: Gordie Rogers

Designer: Justin Raymond

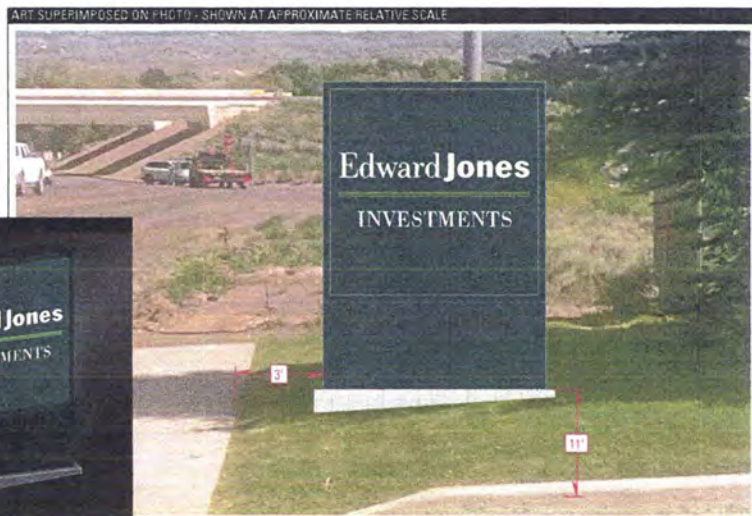
Date: 06.21.2019

Monument

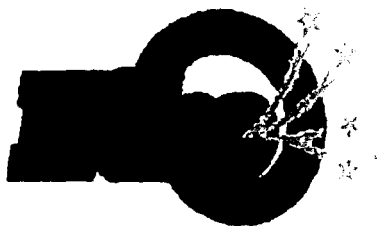
23320 R0

JO #

scale as noted
ART 1.0



This design does not constitute production ready artwork and is to be used exclusively for proofing and review purposes only.



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR REVOCABLE PERMIT TO OCCUPY CITY OF ELKO PROPERTY

APPLICANT(s):	D. Marshall Nelson		
MAILING ADDRESS:	2213 N. 5th Street, Suite 4, Elko, NV 89801		
PHONE NO (Home)	775-738-8811	(Business)	775-738-8925
NAME OF PROPERTY OWNER (If different):	D. Marshall Nelson		
(Property owner's consent in writing must be provided.)			
MAILING ADDRESS:	618 Lakeshore Blvd. Incline Village, NV 89451		
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):			
ASSESSOR'S PARCEL NO.:	001-610-078		
Address	2213 N 5th Street Elko, NV 89801		
APPLICANT'S REPRESENTATIVE OR ENGINEER:	Gordie Rogers YESCO		

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed.

Fee: A \$400.00 non-refundable filing fee.

Legal Description: A certified metes and bounds legal description of the boundary of the area to be used by the applicant must be provided.

Plot Plan: A plot plan provided by a properly licensed surveyor drawn to scale showing the proposed boundary lines, proposed structures, signs, landscaping, etc.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 1/2" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

FEB 06 2020

Describe the proposed use of the property:

Install 1- double face interior illuminated monument sign. 36 square feet, 7'1" over all height

(Dimensions) feet X feet (Attach Plot Plan)

(Use additional pages if necessary to address the question)

This area intentionally left blank,

THE APPLICANT HEREBY AGREES TO COMPLY WITH THE FOLLOWING:

1. That if this permit is granted, the applicant agrees that the property involved shall be subject to any utility easements affecting said area, including all existing utility mains, pipelines, laterals, sewer lines, water lines, gas lines, telephone lines, cables, television cables, electrical lines and wires, gas wires, drains and other pipes, wires and cables, and lines now located on, over, under or within said property area, strip or any portion thereof.
2. That if this permit is granted, the applicant hereby agrees that their use of said area shall be only for landscaping, driveways, fences, carports, signs, and any other such similar uses involving non-permanent structures.
3. That the applicant understands and agrees that said permit, if granted, is revocable by the City of Elko, should the City of Elko determine said right-of-way is needed for public use. Revocation of the permit to occupy the right-of-way shall be 30 days from the date of certified mailing to the permit holder, notifying permittee of the City's intent to revoke.
4. That the applicant hereby agrees that the removal and/or relocation of the permittee's improvements, desired to be retained and salvaged by the permittee, shall be the responsibility of the permittee and at the permittee's expense. Any improvements remaining after the 30 day notification period shall be removed by the City of Elko to accomplish the City's plan for public use of said area.
5. That the applicant further agrees to comply with all applicable codes and ordinances pertaining to the applicant's use of said right-of-way.

Applicant / Agent

Gordie Rogers YESCO

(Please print or type)

Mailing Address

1154 W Main St

Street Address or P.O. Box

Elko, NV 89801

City, State, Zip Code

Phone Number:

775-401-6295

Email address:

grogers@yesco.com

SIGNATURE:

Gordie Rogers

FOR OFFICE USE ONLY

File No.: 1-20 Date Filed: 2/6/20 Fee Paid: \$400 cx# 002285

**Elko City Council
Agenda Action Sheet**

1. **Title: Review, consideration and possible action to approve a Revocable Agreement for the Implementation and Oversight of a Syringe Services Program at the Elko Humanitarian Campground, and matters related thereto. FOR POSSIBLE ACTION**
2. **Meeting Date: February 25, 2020**
3. **Agenda Category: NEW BUSINESS**
4. **Time Required: 15 Minutes**
5. **Background Information: On January 14, 2020, Council directed Staff to develop a revocable agreement with Trac B Harm Reduction Clinic for the implementation and oversight of a syringe service program at the Humanitarian Campground located at 398 Hot Springs Road for the benefit of persons properly registered and utilizing the campground. SAW**
6. **Budget Information:**
 - Appropriation Required: N/A**
 - Budget amount available: N/A**
 - Fund name: N/A**
7. **Business Impact Statement: Not Required**
8. **Supplemental Agenda Information: Proposed Revocable Agreement**
9. **Recommended Motion: Pleasure of the Council**
10. **Prepared By: Scott A. Wilkinson, Assistant City Manager**
11. **Committee/Other Agency Review:**
12. **Council Action:**
13. **Agenda Distribution: Chelsi Cheatom**
cheatom.tracbexchange@gmail.com

**REVOCABLE AGREEMENT FOR THE IMPLEMENTATION
AND OVERSIGHT OF A SYRINGE SERVICES PROGRAM
AT THE ELKO HUMANITARIAN CAMPGROUND**

This Revocable Agreement of the Implementation and Oversight of a Syringe Services Program at the Elko Humanitarian Campground (hereinafter the "Agreement") is entered into this ____ day of _____, 2020 (hereinafter the "Effective Date") by and between the City of Elko, Nevada, a municipal corporation and political subdivision of the State of Nevada (hereinafter the "City") and The Trac-B Exchange Harm Reduction Center, a Nevada nonprofit corporation (hereinafter "Trac-B").

RECITALS

WHEREAS, the Elko Humanitarian Campground is a facility located on City-owned property at 398 Hot Springs Road that is utilized for the purpose of allowing people who are homeless or who cannot occupy their homes due to lack of utilities or other causes, to engage in life sustaining activities, such as eating and sleeping;

WHEREAS, Trac-B operates a storefront facility in Las Vegas that provides consulting to the community for infectious disease prevention and harm reduction surrounding syringe use and disposal, to include syringe service (needle exchange) and harm reduction programs;

WHEREAS, the City has determined that the re-use of syringes by users of the Humanitarian Campground presents a public health risk;

WHEREAS, Trac-B has expressed a willingness and desire to implement and oversee a syringe services program at the Humanitarian Campground without charge to the City;

NOW, THEREFORE, for and in consideration of the foregoing recitals, the City and Trac-B agree as follows:

1. TERM:

The Term of this Agreement shall be one (1) year, commencing on the Effective Date. The Term may be extended by mutual agreement of the parties. Notwithstanding the foregoing, the City may immediately revoke this Agreement for any reason or no reason prior to the expiration of the term or any extension thereof upon written notice to Trac-B.

2. SYRINGE SERVICES:

During the Term, Trac-B shall implement and operate a syringe services program at the Humanitarian Campground in a manner similar to the syringe services program operated at its storefront facility at 6114 West Charleston Boulevard, Las Vegas, Nevada (hereinafter the "Syringe Services Program"). The Syringe Services Program shall include the following

elements, all of which shall be without charge to either the City or the users of the Humanitarian Campground:

- A. Trac-B shall, upon request, provide one or more new syringes to registered users of the Humanitarian Campground in sealed sterile packages free of charge.
- B. Trac-B shall receive used syringes from registered users of the Humanitarian Campground.
- C. Trac-B shall utilize disposable, medical grade sharps containers for the disposal of used syringes and shall dispose of all used syringes in accordance with all applicable Federal, state and local laws, regulations and ordinances. Trac-B shall not dispose of any used syringes at the Humanitarian Campground.
- D. Trac-B shall provide and make available to all recipients of new syringe(s) verbal and written instruction on methods for preventing the transmission of blood-borne pathogens, including the following: HIV, HBV and HCV information and referral to drug and alcohol treatment; information and referral for HIV and HCV testing; and instruction on how and where to obtain an opiate antagonist (naloxone).

3. DAILY INSPECTION OF CAMPGROUND AND DISPOSAL OF DISCARDED SYRINGES:

Trac-B shall, at least daily, inspect the Humanitarian Campground for discarded syringes and shall dispose of all collected syringes in accordance all applicable Federal, state and local laws, regulations and ordinances.

4. REPORTING:

Trac-B shall, within fourteen (14) days of the end of quarter for each calendar year of the Term provide a report to the Assistant City Manager containing the following statistics, information and certifications for the previous quarter:

- A. The number of new syringes provided to registered users of the Humanitarian Campground;
- B. The number of used syringes collected from the Humanitarian Campground, to include discarded syringes;
- C. A description of the means used to dispose of all used syringes collected from the Humanitarian Campground, to include the identity of the disposal

facility and date of disposal; and

- D. A certification that all used syringes collected from the Humanitarian Campground were disposed of in accordance with all applicable Federal, state and local laws and regulations.

5. NOTICE:

All notices or demands by or from the City to Trac-B or from Trac-B to the City of Elko shall be in writing. They shall be served either personally or by certified mail, return receipt requested. If served by certified mail, return receipt requested, the service shall be conclusively deemed made forty-eight (48) hours after the deposit thereof in the United States mail, postage prepaid, addressed to the party to whom such notice or demand is to be given and the issuance of a receipt thereof. Any notice or demand to the City of Elko may be given to the City of Elko at 1751 College Avenue, Elko, Nevada 89801, or at such other place or places as shall be designated by the City from time-to-time. Any notice or demand to Trac-B shall be given to: Evelyn McGuckin-Reich, President, The Trac-B Exchange Harm Reduction Center, 6540 Bradley Road, Las Vegas, Nevada 89131.

6. INDEMNIFICATION:

Notwithstanding any other provision contained herein, Trac-B hereby agrees to hold harmless, indemnify and defend the City, including, without limitation, the City's agents, employees and contractors, from and against any and all claims, demands, actions, suits, liability, cost and expense, including defense expenses, (to include, without limitation, suits for damages and injuries to persons or property) arising out of Trac-B's acts or omissions in connection with the activities contemplated by this Agreement.

7. GENERAL COVENANTS:

A. This Agreement shall constitute the entire contract between the parties hereto concerning the subject matter hereof.

B. All covenants and agreements herein contained shall extend to and be obligatory upon the heirs, executors, administrators, and assigns, as the case may be, of the respective parties; provided, under no circumstances shall Trac-B assign its rights or obligations hereunder without the prior written consent of the City.

C. As used herein, the terms "the City" and "Trac-B" shall include the plural as well as the singular, and the feminine as well as the masculine and the neuter.

D. The provisions of this Agreement may only be altered, changed or amended by mutual written consent of the parties hereto, in accordance with the provisions and

procedures herein contained.

E. Any claim made by Trac-B arising out of any act or omission by any officer, agent or employee of the City in the execution or performance of this Agreement will be made against City and not against the officer, agent or employee.

F. Nothing in this Agreement shall be construed to give any person, other than the City and Trac-B, any legal or equitable right, remedy or claim under this Agreement, but it shall be held to be for the sole and exclusive benefit of the City and Trac-B. There are no third-party beneficiaries to this Agreement.

G. This Agreement shall be governed by the laws of the State of Nevada and jurisdiction and venue for any legal action shall be the Fourth Judicial District Court in and for Elko County, Nevada.

H. In the event of any litigation between the parties hereto arising out of this Agreement, or if one party seeks to judicially enforce the terms of this Agreement, the prevailing party shall be entitled to an award of all reasonable fees and costs, including, but not limited to, reasonable attorney's fees.

I. If any date specified in this Agreement falls on a Saturday, Sunday or a public holiday, such date shall be deemed to be the succeeding day on which the public agencies and major banks are open for business.

J. Time is of the essence.

K. Waiver by the City of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such terms, condition or covenant or any subsequent breach of the same, or any other term, condition or covenant herein contained.

L. Trac-B shall not operate a syringe services program within the City that is not within the Humanitarian Campground.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

**THE TRAC-B EXCHANGE HARM
REDUCTION CENTER:**

CITY OF ELKO:

By: _____
RICKEY R. REICH
MANAGING MEMBER

By: _____
REECE KEENER
MAYOR

ATTEST:

KELLY WOOLDRIDGE
CITY CLERK

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, discussion and possible approval of a recommendation from the Parks and Recreation Advisory Board to support the designation of an off leash dog park located at 5th Street Park, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **The Parks and Recreation Advisory Board met on January 16, 2020 and took action to forward a recommendation to City Council for the designation of an off leash dog park located at 5th Street Park within the City of Elko. JW**
6. Budget Information:
 Appropriation Required: **None**
 Budget amount available: **None**
 Fund name: **None**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Letters of support and proposals related to Dog Parks.**
9. Recommended Motion: **Approve the recommendation from the Parks and Recreation Advisory Board to designate 5th Street Park for the purpose of an off leash dog park and direct staff to develop policies, regulations, and ordinances necessary for the management and use of the site.**
10. Prepared By: **James Wiley, Director of Parks and Recreation**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

Lodi Dog Park

Assembled by
Molly Cabaj & Curtis Ryan



Table of Contents

Letter of Intent	01
Existing Dog Parks	02
What a Dog Park Provides	03 - 04
What a Dog Park Needs	05 - 07
Necessities & Funding Options	08
Rules & Regulations	09 - 12
Potential Locations	13 - 17
Case Studies	18 - 20
Fencing Estimate	21 - 22

Molly Cabaj
Curtis Ryan
114 Columbus Street
Lodi, WI 53555

April 01, 2015

City of Lodi
Parks Commission
103 S. Main Street
Lodi, WI 53555

To City of Lodi Parks Commission:

We have put together this document in hopes to establish a fenced-in, off-leash dog park in our community of Lodi, Wisconsin. This park will provide a place for well-behaved dogs to exercise and socialize in a safe and clean environment for both dogs and their owners. Users of such a park will be allowed access to a well-maintained, spacious site during hourly regulations, and must uphold the park's rules and restrictions. By doing so, licensed dogs within the surrounding area will have a place to play and expend energy without endangering or aggravating people, property, or wildlife.

A successful dog park is one that provides both dogs and their owners with an enjoyable environment for interaction. The ideal dog park should be comprised of an acre or more of land surrounded by a four to six-foot high chain link fence. For added safety, a double-gated entry is desired to keep dogs contained with more reliability. Cleaning supplies, including covered garbage cans and waste bag dispensers, should also be provided to ensure that users keep up a clean and well-maintained park. An adequate amount of shade and seating is ideal for both dogs and their owners, especially in warmer months, and can be provided with umbrellas and picnic tables if there are no trees on site. To that effect, it is also ideal to provide water on site, which can be provided through the use of a large five gallon water cooler and a couple of large dog dishes. To ensure that users are aware of correct dog park etiquette, signs should be provided to indicate "Rules and Regulations," outlining the park's hours and other important information to ensure a safe environment.

This document will outline what it takes to establish a thriving dog park within the city of Lodi, and why it is important to both dogs and their owners. Specific sites within the city are proposed in detail later in the document, and supporting information from surrounding cities are also included to show the success of similar dog parks. Important rules and regulations are defined in detail to warrant the safety of the park and its occupants.

Establishing a dog park in the City of Lodi will provide a safe environment for our canine friends to maintain a healthy and active lifestyle. Not only will our dogs be able to hone better relationships with other dogs and people, but dog-owners themselves will be able to interact with other fellow dog-owners, establishing a greater sense of community within our city.

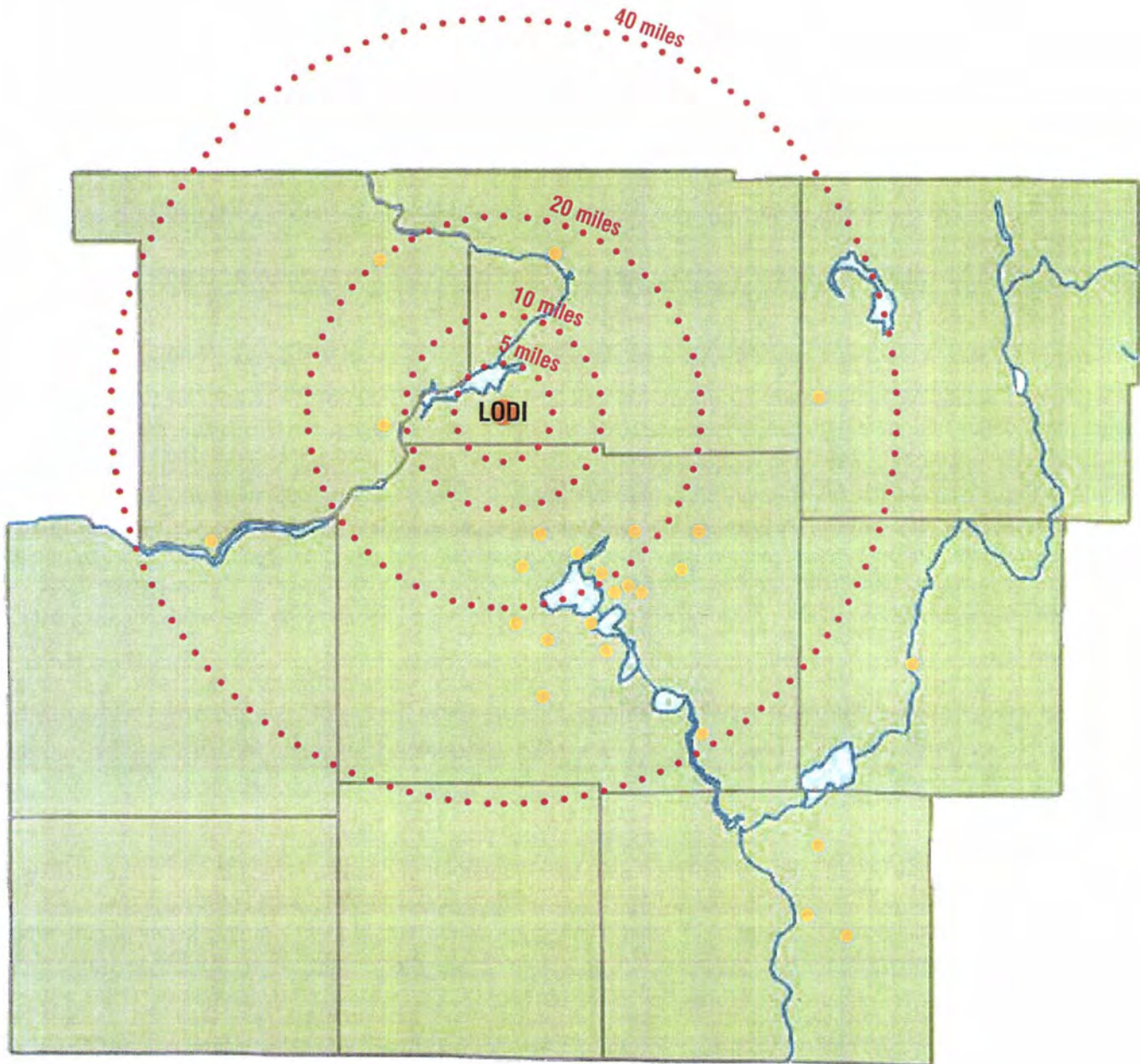
Sincerely,



Molly Cabaj

Curtis Ryan

Existing Off-Leash Dog Parks South Central Wisconsin



The majority of off-leash dog parks exists between a 20 and 40 mile radius (most within the City of Madison). The closet dog park to Lodi is 13 miles away in Prairie du Sac.

What a Dog Park Provides Happiness & Health

Being able to socialize with other dogs while off-leash allows dogs to interact and play in a safe environment.

This sort of socialization helps dogs develop healthy relationships with other dogs as well as humans, encouraging them to learn how to behave at and away from the dog park.



Allowing dogs to run freely helps them to expend their energy in a productive and controlled manner.

Dogs who get regular exercise live healthier lifestyles and tend to be calmer in public and at home.

Some dog parks even include small obstacles for dogs to play, promoting the development of dexterity, while providing an element of fun and excitement.



What a Dog Park Provides

A Sense of Community Between People



Dog owners have easy access to people they can talk with about pet related issues, such as problems they are having with their dog and advice that might be useful.

Creating a common place for dog owners to bring their pets, initiates socialization not only between dogs, but between their owners as well.



By having a space that has been created specifically for owners and their dogs that is separate from other public parks, people are apt to make an effort to take care of the special place, by keeping it clean and safe.

What a Dog Park Needs Entry Gates & Signage



Dogs must be on a leash until they are inside of the park.

Gate must have a latch lock to ensure security and that no dogs are able to escape.



Clear signage posted on gate, stating rules and regulations upon entry.



Double-entry gate provides extra reliability for leashing and un-leashing dogs without the chance of other dogs getting out.

Many dog parks have a separate smaller area reserved just for small dogs. This helps prevent any unwanted potential problems between large dogs and small dogs.

What a Dog Park Needs

Trash & Waste Baggies

Fences around the park should be about 4 to 6 feet high.

Fences are not limited to chain link. Rolled wire fencing can work, as well as other applicable options.



Many owners typically bring their own baggies to clean up after their dogs, but refillable dispensers should be provided to ensure the upkeep of a clean park.

Trash receptacles should be clearly visible and covered to reduce odor.

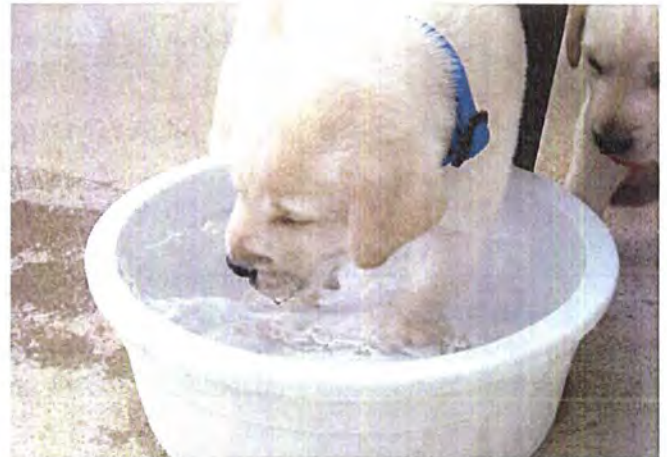


What a Dog Park Needs

Water, Benches, & Shade



Many dog owners bring their own water, but it is important to provide some sort of water access at the park. This can be accomplished by a refillable 5 gallon water cooler and a couple of large dog dishes.



Benches or picnic tables are a good thing to provide at the park for owners to use, if they'd like to, while their dogs are getting exercise.



Shade is important during the summer months and can be achieved through umbrellas if there are not many trees on site.

Necessities & Funding Options

As mentioned earlier, there are a few different things that dog parks need in order to be functional and well-maintained. These things include:

- Fencing, including a double-entry gate
- Waste Bag Dispensers
- Garbages
- Picnic benches / tables / umbrellas for shade
- Water (a refillable 5 gallon water cooler will do)
- A couple of large dog dishes (for water)

To build a dog park and provide the things mentioned above, you need to have the funds to do so. There are many different options for funding the construction and maintenance of a dog park in Lodi. These include:

- Donations (i.e. from residents in the City of Lodi, likely those who own dogs and have the same desire to establish a dog park)
- Fund raisers
- Operational fees in the form of a dog park permit (i.e. in order to use the dog park, you need to pay a yearly fee)

**Note: City of Madison Dog Parks require a Dog Park Permit in order to be used, represented in the form of a dog tag. Fees are as follows: Annual Permit Tag - \$30, Senior or Disabled Permit Tag - \$15, Additional or Replacement Permit Tag - \$14, Daily Fee: \$5. Daily Fees are taken as an "honorable donation" at the dog park itself, deposited in a locked box (similar to how you would do this at a state park).*

***Note: If this option is chosen, there will be a need for an anchored lock box.*

Rules & Regulations

Rules are to be strongly enforced at a dog park to protect both dogs and their owners. Rules should be established to enforce reasonable health and safety of the park. The following rules have been taken directly from the American Kennel Club (AKC) and The City of Madison "Dogs in Parks" website:

1. Owners are legally responsible for their dogs and any injuries caused by them.
2. Puppies and dogs must be properly licensed, inoculated, and healthy. Dogs must be wearing current rabies, license, park permit and owner ID tags.
3. Animals should wear a collar and ID tags at all times.
4. Owners must clean up after their dogs.
5. Dogs showing aggression toward people or other animals will be removed from the park. Animals who exhibit history of aggressive behavior will not be permitted to enter. Report to Public Health Animal Services, any bite incident in which your dog is involved, whether your dog bites a person, is bitten by, or fights with a wild animal or stray pet.
6. Puppies using the park must be at least 4 months old.
7. Owners should not leave their dogs unattended or allowed out of sight. If young children are permitted in the dog park, they too should be under constant supervision.
8. Dogs in heat will not be allowed inside the park.
9. Owners must carry a leash at all times. Dogs should be leashed before entering and prior to leaving the park.
10. Violators will be subject to removal from the park and suspension of park privileges.

Rules & Regulations

Sample dog park rules sign
from Dane County, WI.



PET EXERCISE AREA

Rules:

1. All pets must be under owners control at all times.
2. Dogs must be licensed and have up to date vaccinations.
3. Pets should wear owner identification tags.
4. Puppies, aggressive dogs, and female dogs in heat should remain leashed.
5. For the safety of your pet and other park users, do not leave your pet unattended.
6. Do not allow your pet to harass other pets, humans, or wildlife.
7. Clean up after your pet. Seal waste in a bag before disposing in a trash receptacle.
8. Leash your pet before leaving the exercise area and keep leashed in all other areas of the park.

The future of these exercise areas depends on the pet owners consideration for others.

Rules & Regulations



Sample dog park sign on waste bag dispenser

Sample dog park sign reminding people to clean up after their pets

As a simple rule, many dog parks allow users to utilize the park from sunrise to sunset



Rules & Regulations

Sample dog park sign, indicating hours and important phone numbers



Sample dog park rules sign



Potential Locations

Pros:

- City owned
- Already partially fenced
- No homes directly adjacent
- Space not used all year round
- Parking already provided

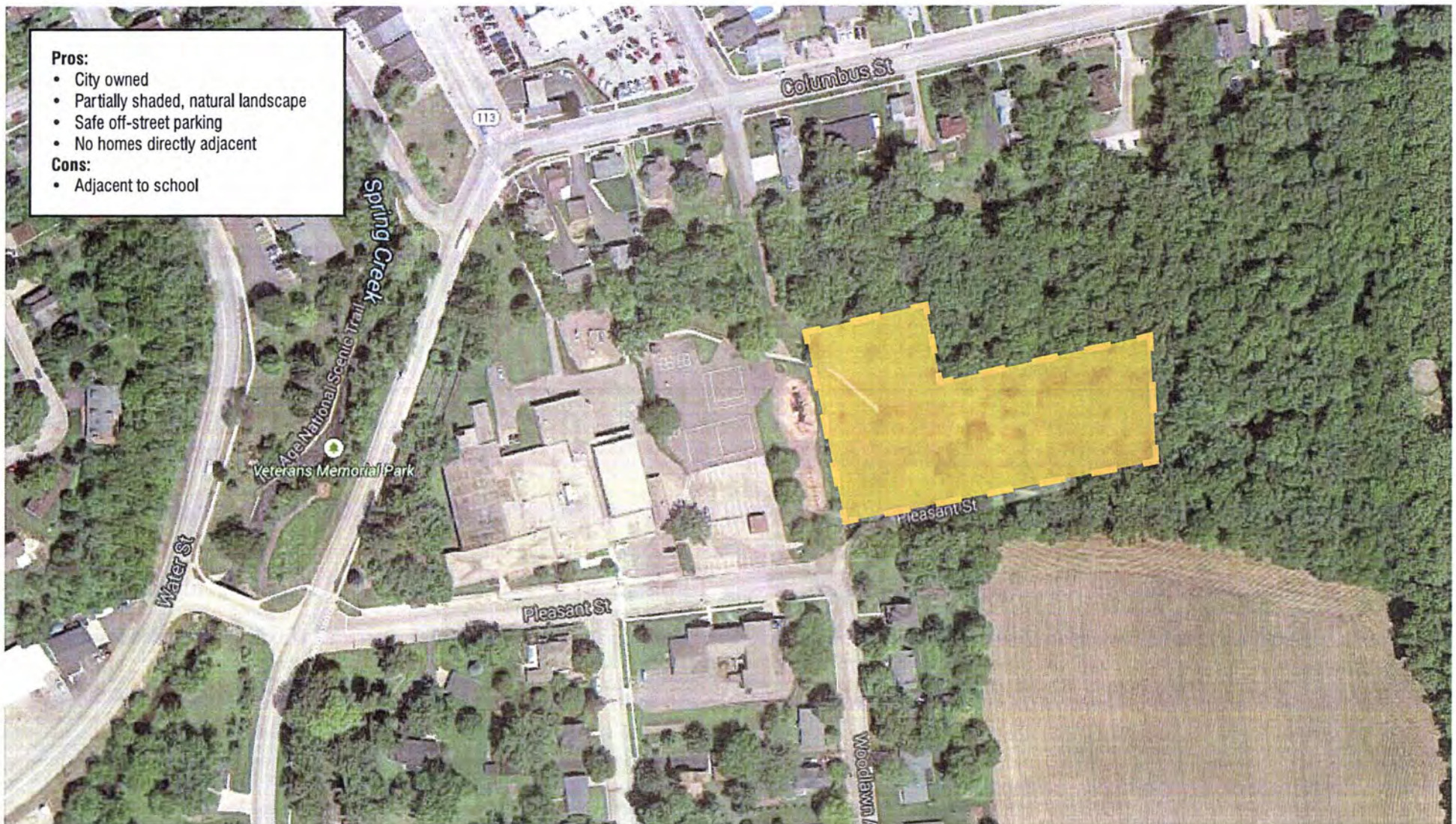
Cons:

- Used seasonally for outdoor ice skating
- Adjacency to baseball field could make for distractions on either end
- Smaller parcel



Option 01: Adjacent to Water Treatment Plant - Approx. 2 acres
Parcel ID: 11246-116 - City of Lodi

Potential Locations



Option 02: Behind Lodi Primary School - Approx. 1.6 acres
Parcel ID: 11246-323 - Owned by School District of Lodi

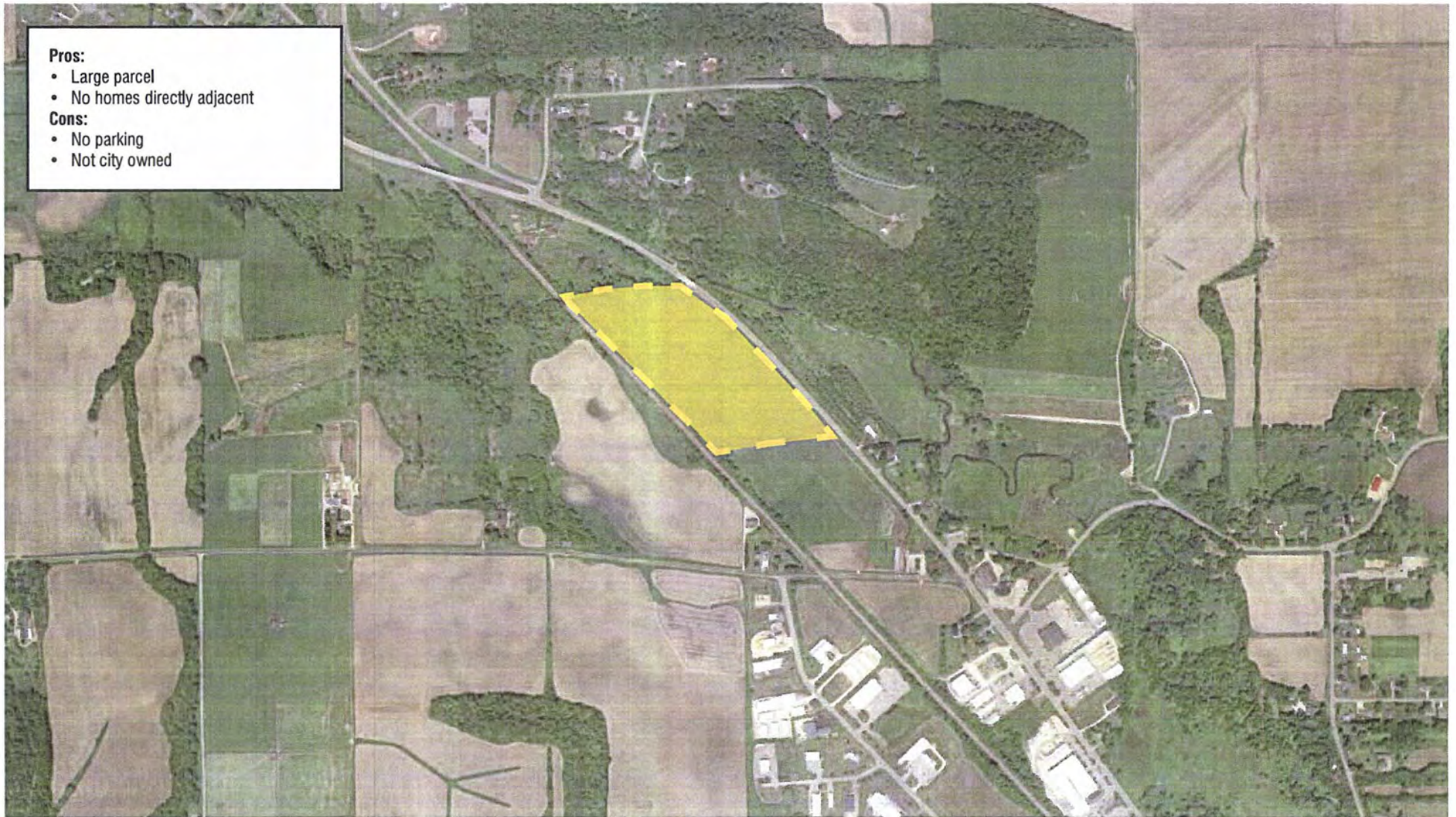
Potential Locations

Pros:

- Large parcel
- No homes directly adjacent

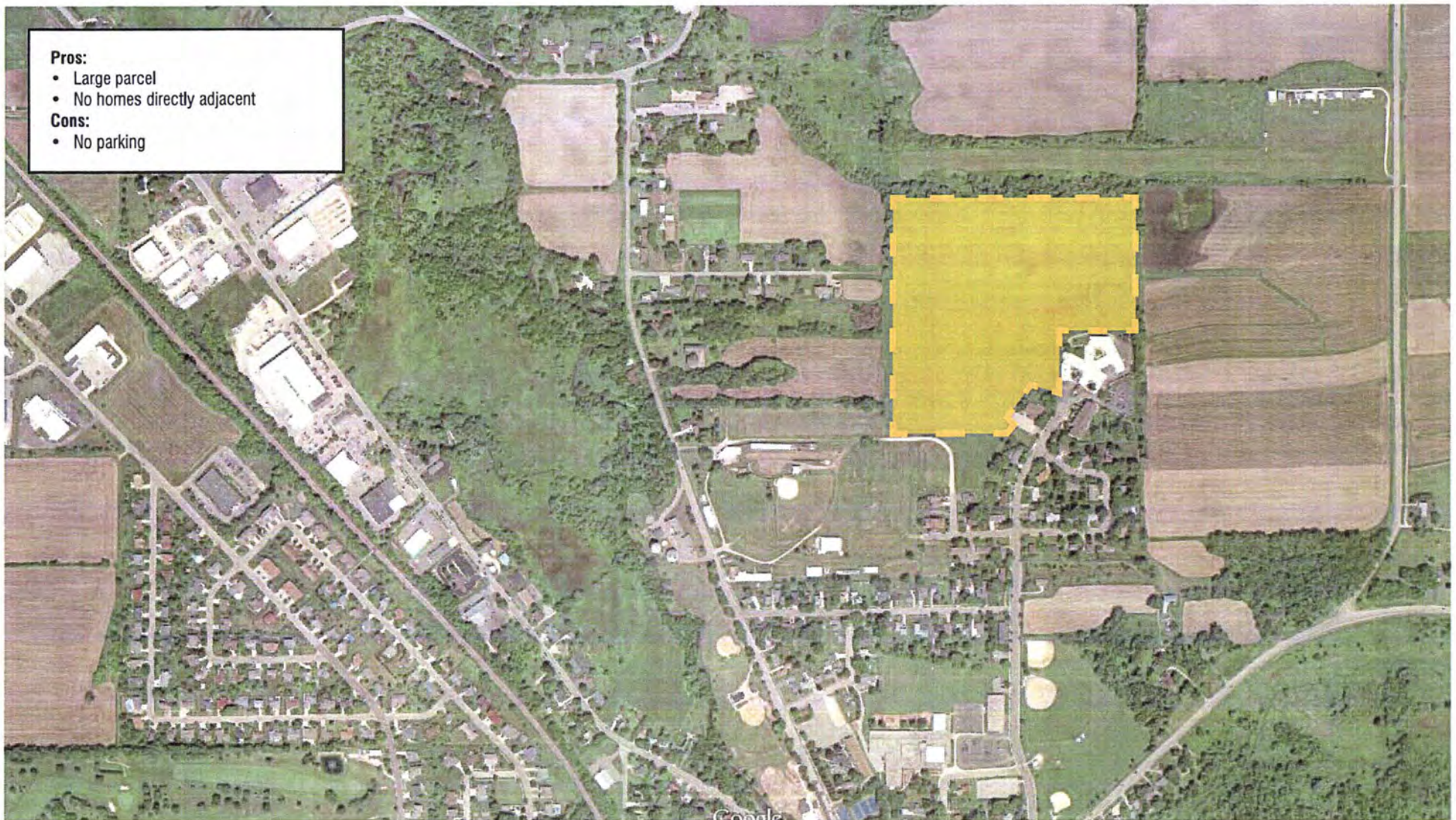
Cons:

- No parking
- Not city owned



Option 03: Intersection of County Highway J and State Highway 113 - Approx. 19 acres
Parcel ID: 11022-468, - 469.A, -483, -497 - Owned by LVH

Potential Locations

**Pros:**

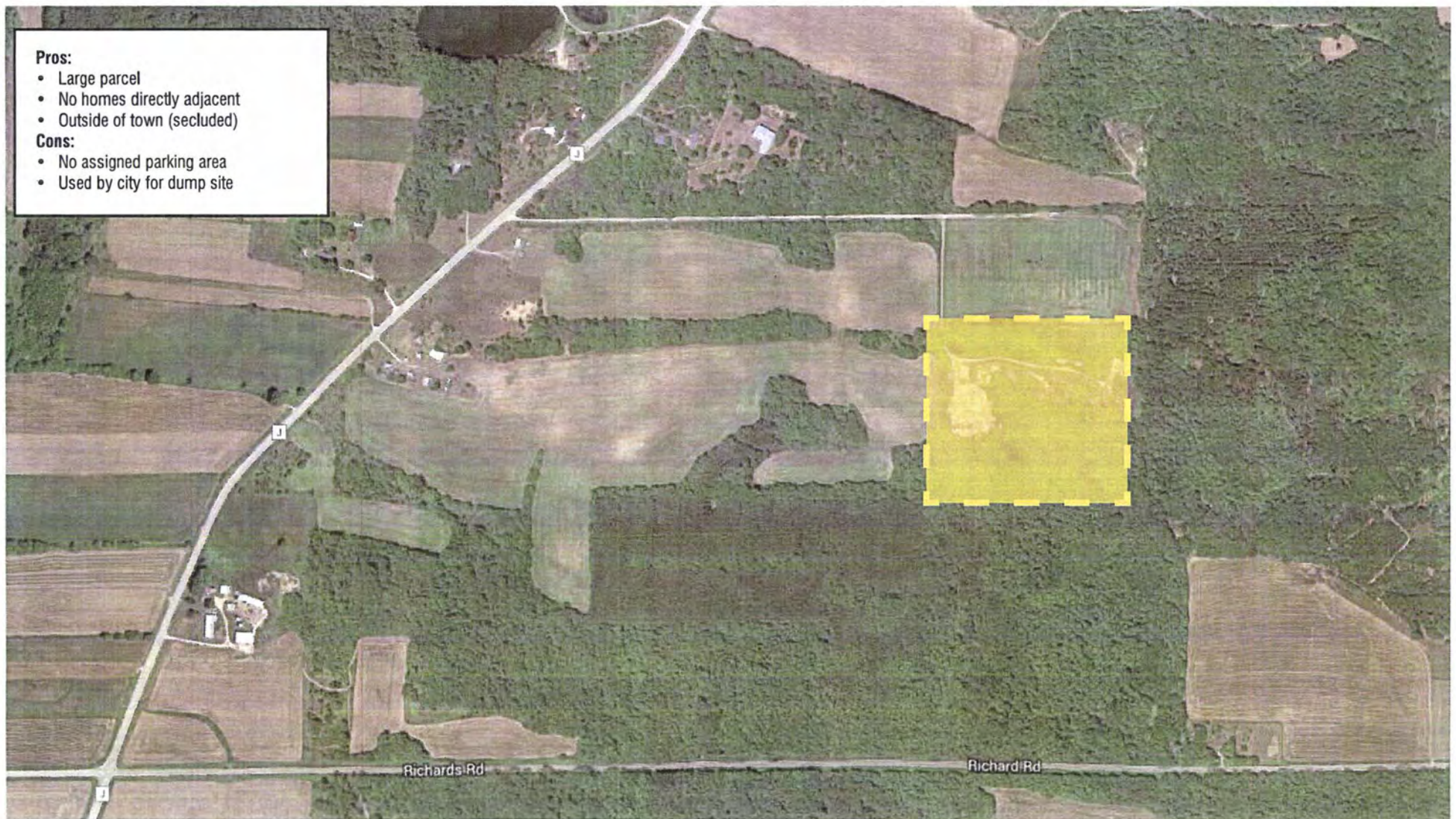
- Large parcel
- No homes directly adjacent

Cons:

- No parking

Option 04: AG Fairgrounds Behind the Nursing Home - Approx. 26.3
Parcel ID: 11022-526 - Owned by Lodi Agricultural Fair Inc.

Potential Locations



Option 05: Portion of Model Airplane Site - Approx. 5.5 acres
Parcel ID: 11022-372.A - Owned by City of Lodi

Case Studies

Shamrock Dog Park, Prairie du Sac, WI

Details:

Opened in 2003
Approximately 2 acres
Hours: dawn to dusk
Parking lot available

Enclosed by chain link fence
Includes: benches, watering station, biodegradable waste bags

Construction Costs: \$27,000
(includes parking and building shelter costs)

Annual Costs:

- \$4,500 per year to mow (2 times per month), snowplow, and for taxes
- \$450 per year for biodegradable trash bags

Membership requirements:

- Annual Permit \$90 (\$25 per additional dog)
- Daily Permit \$2 (\$1 per additional dog)

**Shamrock Loyalty Discount of \$20.00 applies to dogs who use Sauk Prairie Small Animal Hospital for their veterinary services.*

There are about 70 with annual permits, 20-30 daily permits sold per week - approximately 100 dogs per week.

Other information:

Suggests having a 3 person committee to prevent city from quickly becoming frustrated with issues, questions, etc. (typically there are about 3-4 issues per year).

Case Studies

Marvin & Marie Schweers Dog Park, DeForest, WI

Details:

Opened in 2014
Approximately 5 acres (including 3/4 acre small dog area)
Hours: 5:00am - 10:00pm
Parking lot available

Enclosed by a woven wire fencing and a break-away fence made of a series of gates in the floodway
Low mow fescue turf
Trees funded by an ATC grant
Benches were donated
Sold pavers with engraving for entry area (15' x 20' area) for \$50 per paver

Construction Costs: \$65,000
(includes parking lot, fencing, river floodplain analysis to ensure that the dog park would not disrupt the marsh)

Annual Costs:

- \$3,000 per year to mow, operate, maintain, and dog bags

Upkeep:

- Mow about twice per month

Membership requirements:

Residents of the Village of DeForest have free access to the dog park with their annual licensing. Park tag is issued when you renew your license.

Non-residents of the Village of DeForest must pay a fee:

- Annual Permit \$20 (\$5 per additional dog)
- Daily Permit \$3

Other information:

There was a push for a dog park by residents.

Case Studies

The City of Middleton Dog Park, Middleton, WI

Details:

Opened in 2011

Approximately 20 acres (including 3 acre small dog area)

Hours: 8am - 10pm

Parking lot available (20 cars)

Enclosed by woven wire fencing

On old landfill

Agility course provided by donations

Includes: shade shelter, picnic tables, watering station, biodegradable waste bags, portable restrooms

Construction Costs: \$17,000

(includes trash cans - \$100 per - and picnic tables - \$200 per)

Annual Costs:

- \$1,300 to remove waste per year (approximately)

Membership requirements:

In order to use the City of Middleton Dog Park, a permit must be purchased:

- Annual Permit \$30 (\$14 per additional dog)
- Daily Permit \$5
- Senior Permit \$15
- Disabled Permit \$15
- Replacement \$14

Other information:

Volunteers needed for the annual Dane County Parks Clean Up, which usually takes place on the last Saturday in March.

Fencing Estimate

Woven Wire Fencing

Many dog parks have chosen woven wire fencing as an alternative to more expensive chain link fences. Darren Marsh, Director of Dane County Parks Division, has provided an estimate for fencing based on linear feet. This information has been taken from Dane County dog parks.

Linear Feet: 2,000 feet

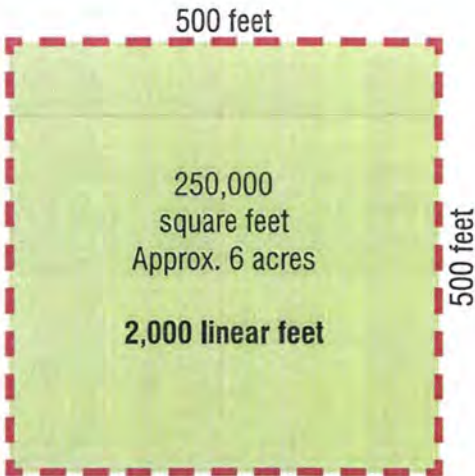
Estimated Cost Breakdown:

- (87) wooden 5" x 7'-0" fence posts, installed every 24'-0": **\$8 per post** **\$700**
- (42) 6'-0" T-posts, installed between wooden posts, splitting distance to 12'-0": **\$7 per post** **\$300**
- 2,000 linear feet of heavy-duty, poly, seasonal barrier fencing: **\$1 per linear foot** **\$2,000**
 - Red Brand Field Fence
 - 1047-6-11 Ga. Monarch
 - 20 rod roll, 47" height x 330' length
 - ASTM a-116, Class 1

Estimated Total Cost: **\$3,000**

Additional Fencing Costs:

- Double Entry Gate
- Labor



January 15th, 2020

To Whom It May Concern:

I Shelby Ogden, have been an Elko County resident for nearly 5 years. As a resident that deeply loves my community I fully support the motion for a dog park in the Elko area. I have noticed over the years that we have a problem with dogs at large in our community, I feel we would be spearheading that problem by providing responsible dog owners a safe space to exercise their dogs and allow them to roam freely without becoming a public nuisance. This also allows owners a chance to be physically active with their pet which also increases their overall health and well being. A local dog park would help create better behaved pets and a more pet friendly community as it has been proven that exercise and socialization lead to better behaved pets.

Studies show that 91% of Americans believe their community benefits from having a dog park. Another 60% of Americans say that the top benefit of having a dog park in their community is that it provides pets a safe place to exercise off leash. Furthermore, nearly half of all Americans believe dogs having the ability to socialize with other dogs is a top benefit to having a community dog park. Last but not least, 1 in 3 Americans agree that community dog parks give owners a chance to also be physically active with their pets. (NRPA, 2018)

Based on the information available to us regarding the benefits of a dog park, I believe you would be doing a great disservice to the pet owners of Elko County by rejecting the motion to construct a dog park. Dog parks are among the fastest growing amenities park and recreation agencies offer so I think it is safe to assume that the demand for dog park will not diminish in the near future and it would be a wise long term investment for the community. (NRPA, 2018)

Thank you for the opportunity to express my favor for this item on the agenda and I appreciate your consideration

Thank You,

Shelby Ogden (Elko County Resident)



1 message

Thu, Jan 16, 2020 at 8:09 AM

1/16/2020

January 6, 2020

Dear Elko Council Members,

I wanted to share with the council my support for an Elko dog park. I believe this type of venue for Elko will enhance the community's intrinsic and extrinsic value. A dog park sends a clear message to visitors that our community is organized, welcoming, and accommodating. A dog park also allows residents a public outlet to exercise their dogs, which can improve the overall physical and psychological well-being of our pets.

Thank you for your time in reading this letter of support and know that I appreciate your public service.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Bassett". The signature is fluid and elegant, with the first name "Brenda" being more prominent than the last name "Bassett".

Brenda Bassett
Elko Resident
775-388-2151



Marie Gonzalez <marie.gonzalez1220@gmail.com>

Fwd: Dog park..

1 message

Darci Shelton <darcishelton@hotmail.com>

Thu, Jan 16, 2020 at 8:08 AM

To: Marie Gonzalez <marie.gonzalez1220@gmail.com>

Style By Darci

Begin forwarded message:

From: Trinity Gerber <tringerber@gmail.com>

Date: January 15, 2020 at 3:10:39 PM PST

To: "Darcishelton@hotmail.com" <Darcishelton@hotmail.com>

Subject: Dog park..

To our Elko City Council members,

I am expressing my interest in having a dog park here in Elko! I am a pet owner who would love access to a safe place and an appointed place to go and let my dog run! I find it hard to provide good socializing opportunities for my dog. Having a dog park to do this would really help with matter.

Sincerely,
Trinity Gerber
tringerber@gmail.com



Marie Gonzalez <marie.gonzalez1220@gmail.com>

Fwd: Proposed Dog Park Letter

1 message

Darci Shelton <darcishelton@hotmail.com>
To: Marie Gonzalez <marie.gonzalez1220@gmail.com>

Thu, Jan 16, 2020 at 8:11 AM

Style By Darci

Begin forwarded message:

From: Erika <elorraineu@gmail.com>
Date: January 9, 2020 at 10:44:07 AM PST
To: "Darcishelton@hotmail.com" <Darcishelton@hotmail.com>
Subject: Proposed Dog Park Letter

Thank you for taking the time to read this letter. Elko has a unique issue regarding places to run family dogs. While we have somewhat unlimited outdoor spaces, there are also many dangers present. Snakes, coyotes, and various other wildlife to name a few. Not to mention the growing garbage problem. Elko needs a safe, fenced area to exercise our dogs. While the football, baseball and softball fields are often used for this, many people are irresponsible about cleaning up after their furry friends. If you designated a dog only area, this issue won't go away. However, you could dramatically cut down on the use on said fields that our children use regularly.

I wouldn't be too happy, but I would even be willing to pay a very small fee if it meant some peace of mind. I, like many others in the area, have dogs that need to exercise quite often. It really could be a win, win situation! Again, thank you for your time.

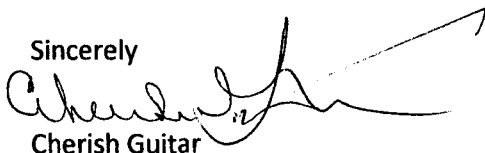
Signed,
Erika Urriola

Dear city council members,

I am speaking on behalf of the prospective for a dog park to be located in Elko. This was brought to awareness by Darci Shelton and she has my full support. As a dog mom of 2 pups, I wish there was a way to socialize them not only with other people but also other dogs. There are many other benefits to a dog park other than socialization, like exercise, mental stimulation and great training experiences while the humans can socialize as well with other people and make friends. I do ask that this is a fenced area that allows dogs to run freely, make sure that responsible pet parents have fully vaccinated their pets to refrain from transmitting other illnesses. Another benefit for a dog park is there can be other pet related events to happen through the city, which can bring revenue in for Elko ~~city~~. I know some concerns are raised about who will clean the mess that could be caused in accordance with dogs? I know not every parent is a responsible parent but I know I would ask that there be poo stations located in various locations across the park but just as regular parks, add this park to keep up with sanitation. A good park to cut a section off would be Southside Park. There are many vacant places in this city that would be excellent for a dog park but I picked Southside Park because it is big, there is a large open area and the park is already fenced off. I know some people who are afraid of bigger dogs like my German shepherd and my old boy a Belgian Malinois/husky, that maybe they would like an area for their smaller dogs by cutting the dog park architecture in half.

Thank you for your consideration and time and hope you will consider it as the closest dog park is in Lamoille.

Sincerely



Cherish Guitar

To whom it may concern,

Hello, I understand you are looking into the benefits of a dog park in the Elko area.

I am a frequent visitor of Elko and when I visit I often like to bring my dogs.

However, I don't visit quite as much as I used to because I don't like leaving my dogs cooped up in a tiny room while I'm on vacation and visiting family.

Here are some benefits of having a dog park for visitors and community members alike. Visitors are more likely to continue or start vacationing in an area if they know ~~there~~ is a safe place for their pets to run freely. Most people that bring their pets on vacation feel that they need to enjoy their vacation just like we do. Many pet owners

will search for a dog park in the area before they decide where they are going on vacation; this is an actual deciding factor for my family when we travel.

I have a dog park in my town and I have lived in towns that don't; I can assure you that they are very beneficial to a community. Dogs have a lot of energy that they burn off by running and playing. When they are denied a space for this they use this energy in loud or destructive ways, they can destroy property or break a sound and noise ordinance. Having a dog park would decrease the noise and destruction problems in many neighborhoods because their energy would be used in a safe and healthy manner instead. As a visitor I highly recommend a dog park in Elko. My trips would be more frequent & enjoyable. Thank you, Kaitlin Cimmiell.

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action pertaining to a request to purchase approximately 8,000 sq. ft. of a 50 acre city owned parcel referred to as APN 001-710-055, pursuant to NRS 268.061 or NRS 268.062, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Staff has received a request from Loren Highland to purchase property abutting his property. He has stated on the application that he would be storing honey bees on the property during the summer months. CL**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application, memo from City Planner**
9. Recommended Motion: **Move to deny the request to sell a portion APN 001-710-055, based on the finding that selling a portion doesn't meet the long range planning goals and objectives of the City of Elko.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Mr. Loren Highland
644 Juneau Street
Elko, NV 89801**



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

MEMO DATE:	February 19, 2020
CITY COUNCIL DATE:	February 25, 2020
APPLICATION NUMBER:	LSR 1-20
APPLICANT:	Loren and Barbara Highland
PROJECT DESCRIPTION:	APN 001-761-014 Highland Property APN 001-710-055 City of Elko Property

A request to purchase approximately 8,000 sq. ft. of City owned property.



STAFF RECOMMENDATION:

RECOMMEND to DENY based on findings of fact.

PROJECT INFORMATION

PARCEL SIZE:	City of Elko Parcel is 50 acres
EXISTING ZONING:	(RMH) Residential Mobile Home (Highland Property) (AG) Agriculture (City of Elko Property)
MASTER PLAN DESIGNATION:	(MED- RES) Medium Density Residential
EXISTING LAND USE:	Undeveloped City of Elko Property Developed Highland Property

BACKGROUND:

1. The applicant is the property owner.
2. The parcel owned by the Highlands has access from Juneau Street.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

North: RMH Residential Mobile Home / Developed

East: RMH Residential Mobile Home / Developed

South: Agriculture / Undeveloped

West: RMH Residential Mobile Home / Developed

MASTER PLAN AND CITY CODES:

Applicable Master Plans and City Code Sections are:

City of Elko Master Plan – Transportation Component

City of Elko Redevelopment Plan

City of Elko Municipal Code 4-1-3

City of Elko Municipal Code 3-2-18

MASTER PLAN - Transportation:

1. Master Plan Transportation document shows future roadway connection between Errecart Blvd. on the west side of town connecting with Errecart Blvd. at the hospital. At this time the exact location of that connection of roadway has not been established as record. At this time, it would not be wise to sell any portion of property in which the future roadway would bisect until additional long range planning is complete.

The proposed land sale is not in conformance with the Master Plan Transportation component for long range planning of future roadways.

REDEVELOPMENT PLAN

- The area is located outside the Redevelopment Area.

CITY OF ELKO CODE 4-1-3

1. It shall be unlawful for any person or persons, either directly or indirectly, to conduct or commence any business, trade, calling, profession or occupation or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, in the City without first procuring a business license and keeping said license in effect at all times in compliance with this chapter.
2. The application to purchase the property was originally submitted from L & B Honey. L & B Honey does not currently have a business license with the City of Elko or a Home Occupation Permit. It also appears that L & B Honey does not have a State of Nevada Business license.

CITY OF ELKO CODE 3-2-18 CONDITIONAL USE PERMIT

G. Conditional Use Permit for Home Occupation:

3. Permits issued for home occupation shall adhere to the following criteria:
 - a. Not more than one (1) home occupation is allowed in any dwelling unit.
 - b. The permitted use shall be confined to the dwelling unit and shall not include areas outside the dwelling unit, such as yards or accessory structures.
 - c. Only natural persons who are occupants of the permitted dwelling unit may be permittees; provided, nothing herein shall prevent a permittee from being affiliated with a business association or other entity that is not a natural person in connection with the home occupation.
 - d. No employee, other than the permittee or other occupants of the permitted dwelling unit, shall be permitted to report to work or perform work related to the home occupation in the permitted dwelling unit.
 - e. Permittees shall not allow more than five (5) customers or other business invitees to enter the permitted dwelling unit to examine or purchase goods or services on any single day. The foregoing prohibition applies to promotional events and business related parties at the permitted dwelling unit. The foregoing prohibition does not apply to or limit transaction conducted by telephone or over the internet.
 - f. No forms of advertising related to the home occupation may be placed on the exterior of the dwelling unit or in a location visible from a public street, sidewalk or alley. This prohibition includes, without limitation, yard signs or signs visible from windows.
 - g. No addition, alteration or remodeling that changes the residential character of the dwelling unit shall be permitted in connection with a home occupation.
 - h. The home occupation shall not generate additional vehicular traffic at the or in the vicinity of the permitted dwelling unit that is measurably in excess of that normally associated with the residential use.
 - i. No home occupation which produces noise, odors, dust, smoke or electrical disturbances or in any way interferes with the quiet, peace, and enjoyment of surrounding residential uses shall be permitted.
 - j. The appearance of the property upon which the home occupation is permitted shall be maintained in a clean and orderly manner.

- k. There shall be no commercial delivery of products or materials to or from the property upon which the home occupancy is permitted more than once every two (2) days or through the use of vehicles with three (3) or more axles.
- l. A permittee may park or use no more than one (1) motor vehicle in connection with a home occupation on the property subject to the conditional use permit; provided, in no event shall the permittee utilize on-street parking for the aforementioned motor vehicle; further provided, the permittee must comply with all off-street parking requirements as set forth in section 3-2-17 of this chapter. The foregoing parking restrictions do not limit permitted nonconforming uses allowed under section 3-2-19 of this chapter.

If the applicant was to apply for a City of Elko Business license, they would be required to obtain a Home Occupation Permit to conduct business at their home. A conditional use permit for home occupation would be denied based on the criteria listed in 3-2-18(G)(3) as they would be conducting business in the yard and not within the dwelling unit.

FINDINGS

- The proposed land sale is not in conformance with the Master Plan Transportation component for long range planning of future roadways.
- The property proposed for sale is not located within the Redevelopment Area.
- The applicant is conducting business at their home without a business license and state that the property to be purchased will be for their business expansion.
- The applicant would be denied a home occupation permit based on 3-2-18(G)(3) not allowing any portion of the business to be located outside the dwelling unit.

STAFF RECOMMENDATION:

Staff recommends that the application to purchase property be DENIED.



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR SALE OR LEASE OF CITY OWNED LAND

APPLICANT(s): Loren & Barbara Highland

ADDRESS: 644 Jones St Elko

PHONE NO (Home) 775 753 6450 (Business) 775 934 9605 (Fax)

I, the undersigned applicant, hereby requests the Elko City Council advertise for sale or lease, by sealed bid/public auction on terms/or cash, a parcel of land owned by the City of Elko and further described below:

ASSESSORS PARCEL #, LEGAL DESCRIPTION, AND LOCATION OF PROPERTY: (Attach if necessary):

Attached

Document # 65780

(Attach a small site plan)

FILING REQUIREMENTS:

- 1) In order to begin processing the request, an Application for Sale or Lease of City Owned Land must be completed and signed.
- 2) There is no filing fee at this time, however applicants are required to deposit a sufficient amount of money to pay the costs to be incurred by the City of Elko in acting upon the application. These costs include the expense of the appraisal and associated publications. The deposit amount will be determined on a case-by-case basis. Applicants shall be notified in writing of the deposit amount required to process the application.
- 3) Successful bidders shall be responsible for the costs of acting upon the application. If someone other than the applicant is the successful bidder, the costs will be obtained from the successful bidder and the money deposited by the applicant will be refunded.
- 4) If costs exceed the original deposit amount, successful bidders shall pay the difference. If costs are less than the deposit, successful bidders shall be refunded the difference. Deposits shall only be returned to non-successful bidders. *Applicants who fail to submit a bid on the property forfeit their deposit.*
- 5) The notice of sale or lease of the property must be advertised by Public Notice once a week for three (3) successive weeks in a local newspaper. All bids must conform to the notice of land sale or lease and must be filed in the Office of the City Clerk in a sealed envelope prior to the time set for receiving bids. Anyone, including anyone not submitting a bid, may raise the offer by five percent (5%) at the time of the auction and the auction will proceed accordingly.

APPLICANT'S SIGNATURE: [Signature]

APPLICANT'S PRINTED NAME: Loren B Highland

22 Feb 2020

OFFICE USE ONLY

File No.: 1-20

Date Filed: 1/23/20

Deposit Paid: _____

RECEIVED

JAN 23 2020

only wanting to buy or lease for 10 yrs, The red box 80' wide 100' Deep
This is to keep Honey Bee's during the summer months,
The Green line is Section 22 Township 34N Range 55E Document # 65780



Elko County Property Inquiry

Property Information

Parcel ID	001-710-055	Parcel Acreage	50.0000
Tax Year	2020	Assessed Value	175,000
Land Use Group	VAC	Tax Rate	0.0000
Land Use	150 - Vacant - Industrial	Total Tax Fiscal Year (2020 - 2021)	\$0.00
Zoning	ZA	Total Unpaid All Years	\$0.00
Tax District	110		
Site Address	SEC 22 TWP 34N RGE 55E MDB&M ELKO CITY		Pay Taxes

No Sketches or Photos

Assessments

Taxable Value	Land	Building	Per. Property	Totals
Residential	0	0	0	0
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	500,000	0	0	500,000
Pers. Exempt				0
Total	0	0	0	0
Assessed Value	Land	Building	Per. Property	Totals
Residential	0	0	0	0
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	175,000	0	175,000	175,000
Pers. Exempt				0
Total	0	0	0	0
	New Land	New Const.	New P.P.	Omit Bldg
Residential	0	0	0	0
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Totals	0	0	0	0

Assessor Descriptions

Assessor Descriptions	Subdivision Name	Section	Township	Range	Block	Lot
SE4NE4,SE4SW4NE4,MDB&M		22	34N	55E		
SE4NE4,SE4SW4NE4, 22 34N 55E MDB&M						

No Billing Information

Payment History

	Fiscal Year	Total Due	Total Paid	Amount Unpaid	Date Paid
•	(2019 - 2020)	\$1.00	\$1.00	\$0.00	8/21/2019
•	(2017 - 2018)	\$1.00	\$1.00	\$0.00	8/2/2017
•	(2016 - 2017)	\$0.97	\$0.97	\$0.00	7/27/2016

Show 1 More

No Personal Exemptions

No Taxing Entity Information

Related Names

OWNER ELKO CITY OF
Mailing Address 1755 COLLEGE AVE
 ELKO, NV 898013400
Status Current
Account

No Structure Information

No Sales History Information

No Genealogy Information

Property Map

View Full Screen



Elko City Council
Agenda Action Sheet

1. Title: **First reading of Ordinance No. 849, an ordinance amending Title 8, Chapter 2 of the Elko City Code entitled “Utility Occupancy of Public Rights-Of-Way or Public Easements, Smart Dig Requirements, and City Excavation Permits”, and direct Staff to set the matter for public hearing, second reading, and possible adoption, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **ORDINANCE**
4. Time Required: **10 Minutes**
5. Background Information: **On February 11, 2020, Council approved the initiation of Ordinance No. 849 and directed Staff to conduct a First Reading. MR**
6. Budget Information:
 - Appropriation Required: **N/A**
 - Budget amount available: **N/A**
 - Fund name: **N/A**
7. Business Impact Statement: **N/A**
8. Supplemental Agenda Information: **Copy of Ordinance No. 849**
9. **Recommended Motion: Conduct First Reading Ordinance No. 849, and direct Staff to set the matter for Second Reading, Public Hearing and possible adoption.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Dave Stanton, City Attorney**
12. Council Action:
13. Council Agenda Distribution: **N/A**

**CITY OF ELKO
ORDINANCE 849**

AN ORDINANCE AMENDING TITLE 8, CHAPTER 2 OF THE ELKO CITY CODE ENTITLED "UTILITY OCCUPANCY OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENTS, SMART DIG REQUIREMENTS, AND CITY EXCAVATION PERMITS" AND MATTERS RELATED THERETO.

WHEREAS, the City seeks to encourage investment in the development of cost-effective, innovative and long-lasting fiber optic infrastructure throughout the community through the use of microtrenching;

WHEREAS, the City has determined that by amending Title 8, Chapter 2 and 18 of the Elko City Code to exempt microtrenching from smart dig requirements, the City will promote the use of microtrenching for fiber optic cable installation;

WHEREAS, nanotrenching is a less durable means of installing buried fiber optic cable than microtrenching and, if permitted, would create additional maintenance problems for the City;

WHEREAS, the City has determined that it is necessary to amend Title 8, Chapters 2 and 18 of the Elko City Code to prohibit nanotrenching;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKO, NEVADA.

For amendment purposes, words which are in blue bold and underlined are additions to the Ordinance, and words ~~which are red lined through and bold are~~ deleted from the Ordinance.

SECTION 1: Title 8, Chapter 2, shall be entitled "CONDITIONS OF UTILITY OCCUPANCY OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENTS, SMART DIG REQUIREMENTS AND CITY EXCAVATION PERMITS" and is hereby amended as follows:

8-2-1: TITLE:

This chapter shall be known as and may be cited as: CONDITIONS OF UTILITY OCCUPANCY OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENTS, SMART DIG REQUIREMENTS AND CITY EXCAVATION PERMITS.
~~(Ord. 835, 3-12-2019)~~

8-2-2: DEFINITIONS, TERMS:

For the purpose of this chapter, the following terms, phrases, words and abbreviations shall have the meanings ascribed to them below. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

COMMUNICATIONS INFRASTRUCTURE: The technology, products and network connections that allow for the transmission of communications over large distances.

CONSTRUCTION PLANS: Plans, profiles, cross-sections and other required details for the construction of public improvements, prepared in conjunction with the project and in compliance with standards of design and construction approved by the City.

EMERGENCY: Sudden unexpected occurrence that involves clear and imminent danger and requires immediate action to prevent or mitigate loss of life or damage to health, property or essential public services.

EXCAVATE OR EXCAVATION: Any work or action in which earth, rock, pavement, or other materials in the ground or underwater in a public right-of-way is moved, removed, or otherwise displaced in any of the following ways: grading, trenching, digging, ditching, or any other means.

EXCAVATION PERMIT: A permit required and issued by the City for any excavation within a public right-of-way, to include a street cut.

EXCAVATOR: Any person who engages in excavation.

LONGITUDINAL ACCESS: Access to or the use of any part of a right-of-way that extends generally parallel to or within the right-of-way.

MICRODUCT: A small-diameter (less than 20 millimeter), flexible, lightweight duct designed to provide a path for placing microfiber cable and fiber optic cable with lower fiber counts. A microduct must meet industry standards, to include required rigidity (crush) and temperature specifications.

MICROTRENCHING: Trenching by means of a cutting wheel designed for the purpose of creating a narrow shallow trench that is typically less than 2 inches in width and is located below the asphaltic or cement layer of a road or pedestrian way for the purpose of fiber optic cable installation utilizing microduct installed below the asphaltic or concrete layer of a road or pedestrian way.

NANOTRENCHING: Trenching by means of a cutting wheel designed for the purpose of creating a narrow and shallow trench that is located within the asphaltic or concrete layer of a road or pedestrian way for the purpose of fiber optic cable installation with or without the utilization of microduct.

OPERATOR: Any person who owns, operates or maintains underground telecommunication facilities.

PERMITTEE: An excavator who is authorized to perform work pursuant to an excavation permit in accordance with the provisions of this chapter.

PERSON: A natural person, any form of business or social organization and any other legal entity including, but not limited to, a corporation, partnership, association, trust or unincorporated organization, or any government, governmental agency or political subdivision of a government.

PUBLIC EASEMENT: A right to use any area or alignment that has been conveyed to the City for one or more public purposes.

PUBLIC RIGHT-OF-WAY: An area or alignment that has been dedicated to the City for one or more public purposes.

PUBLIC WORKS PROJECT: Any excavation project undertaken by a public entity.

SMART DIG: The requirements of this chapter pertaining to the placement of telecommunication facilities in excavations within rights-of-way.

TELECOMMUNICATION: The transmission of signs, signals, messages, words, writing, images, sound or information of any nature by wire, radio, optical, or electromagnetic systems. Telecommunication occurs when the exchange of information between communication participants includes the use of technology.

TELECOMMUNICATION FACILITY: Any cable, line, fiber, wire, conduit, inner duct, access manhole, hand hole, tower, hut, pedestal, pole, box, splice panel, transmitting equipment, receiving equipment, power equipment or other equipment, system or device that is used to transmit, receive, produce or distribute a signal for telecommunications purposes via wireless, wireline, electronic or optical means, and any other outside plant materials provided by the City.

USA: Underground Service Alert (USA), a non-profit mutual benefit organization operating free call centers for excavators who are digging, blasting, trenching, drilling, grading, excavating, or otherwise moving any earth for the purpose of providing information about the locations of underground facilities.

UNDERGROUND FACILITY: Any underground or submerged conductor, pipe, structure, conduit, or equipment used or installed for use in providing electric, communications, gas, sanitary sewer, storm sewer, reuse water or any other underground works. ~~(Ord. 835, 3-12-2019)~~

8-2-3: CITY EXCAVATION PERMITS:

- A. Permit Required: Prior to cutting or excavating within any public rights-of-way or public easements within the City limits, an excavation permit must be issued by the City.
- B. State Permits Applicable: Prior to the cutting or excavation of any State highway or route within the City limits, all State permits must be obtained and a copy of each such permit must be filed with the City.
- C. Traffic Control ~~a~~**A**nd Construction Plans; Depth ~~o~~**O**f Facilities: An applicant for an excavation permit shall submit with the application a traffic control plan and detailed construction plans, which plans must be approved by the City prior to issuance of the excavation permit. Two (2) copies of the traffic control plan and two (2) copies of the construction plans shall be submitted with the application. The minimum depth of any excavation in a City-owned right-of-way shall be twenty four inches (24") below the surface of the ground or, in cases of excavations below asphalt paving or sidewalks, a minimum of twenty four inches (24") below the bottom of the pavement or sidewalk.
- D. Notification Prior To Excavation: The permittee must notify USA at least forty eight (48) hours prior to the start of any excavation.
- E. Presence ~~o~~**O**f Form ~~a~~**A**nd Permit: A copy of the USA Dig Alert Location Request Form and a copy of the City excavation permit shall be present on the job site at all times work is in progress.

- F. Cut Unavoidable: An applicant for an excavation permit requesting permission to perform a street cut shall demonstrate that the cut is unavoidable and that the permittee has fully evaluated other alignments which would avoid a street cut.
- G. Work Without Excavation Permit: If a person performs an excavation without a permit, except in an emergency as defined in this chapter, the permittee shall thereafter pay double the regular permit fee for that excavation project.
- H. Expiration Date: An excavation permit shall expire on a date determined by the City, which date shall be no more than thirty (30) days from the date of issuance. If a temporary patch is required due to a street cut, the permittee shall pay an additional fee as established by resolution of the City Council.
- I. Revocation ~~o~~o Permit: The City may revoke an excavation permit at any time for the failure of the permittee to comply with this chapter. ~~(Ord. 835, 3-12-2019)~~

8-2-3-1: SMART DIG REQUIREMENTS:

- A. Smart dig requirements apply to excavations at least one hundred feet (100') in length.
- B. Operators and excavators are not required to comply with smart dig requirements if an excavation is made due to an emergency as defined in this chapter. ~~(Ord. 835, 3-12-2019)~~
- C. Exception: Microtrenching activities are excluded from the requirement to install conduit in excavations in rights-of-way pursuant to City Code Section 8-2-3-2(B).
- D. Prohibitions: Nanotrenching is prohibited.

8-2-3-2: MANDATORY INSTALLATION OF CONDUIT:

- A. Installation ~~o~~o of Conduit In Rights-Of-Way ~~F~~For Public Works Projects: Whenever a person undertakes a public works project within a public right-of-way involving the planning, construction, reconstruction, or repaving of the public right-of-way (not to include microtrenching), the project shall include, to the maximum extent practical and feasible, installation of underground communication infrastructure by the person performing the work.
 - 1. The City may grant a telecommunications provider a license for longitudinal access or wireless access to a right-of-way for the installation, operation, and maintenance of a telecommunications facility.
 - 2. Before granting a telecommunications provider a license for longitudinal access or wireless access to a right-of-way, the City must first enter into a competitively neutral and nondiscriminatory agreement with the telecommunications provider. Such an agreement must be approved by the Elko City Council, which approval may be granted, conditioned or withheld in its discretion.

B. Installation ~~Of~~ Conduit ~~I~~n Rights-Of-Way ~~F~~or Private Excavations:

1. To the maximum extent practicable and feasible, the City shall condition all permits for private excavations within public rights-of-way (~~not to include microtrenching~~) on the execution of an agreement providing for the installation of underground communications infrastructure on behalf of the City by the permittee, which agreement shall, without limitation, contain the following terms and conditions:
 - a. Upon satisfactory completion of the installation, the City shall pay to the permittee the incremental additional cost of installing the communications infrastructure, which cost shall not include any amounts that would otherwise have been paid by the permittee had the communications infrastructure not been installed;
 - b. The City shall bear all reasonable and properly documented design and construction costs associated solely with and required for the installation of the communications infrastructure.
2. The communications infrastructure shall automatically be owned by the City upon installation without any further action on the part of either the permittee or the City.
3. The City may, at its sole option and expense, require the permittee conducting the excavation to extend the excavation, where practical, to permit the connection of the communications infrastructure to existing communications infrastructure owned by the City. ~~(Ord. 835, 3-12-2019)~~

8-2-4: ASPHALT PAVEMENT REPAIR:

The permittee shall receive City approval for the construction of temporary and permanent asphalt pavement repairs required as a result of the excavation. All asphalt repairs shall be performed by a properly licensed contractor. The permittee shall be responsible for properly compacted placement of all backfill and base required to establish a smooth road surface, shall perform appropriate compaction tests and shall provide the test results to the City. If repairs are made by the City, the permittee shall reimburse the City for expenses incurred to construct temporary and permanent pavement patches at rates established by resolution of the City Council. ~~(Ord. 835, 3-12-2019)~~

8-2-5: EMERGENCY EXCAVATIONS:

When an emergency requires any excavation, the permittee making the excavation shall notify the City Police Department. The permittee shall provide the Police Department with the location of the excavation, the start time and a description of the project. The permittee must obtain a City excavation permit on the next business day. The permittee shall be responsible for properly compacted placement of all backfill and base required to establish a smooth road surface, shall perform appropriate compaction tests and shall provide the test results to the City. ~~(Ord. 835, 3-12-2019)~~

8-2-6: NEW CITY STREET CUTS:

Except in an emergency, if a permittee wishes to excavate within a street or paved alley that is five (5) years old or less, the permittee must receive City Council approval prior to excavation. In granting approval for a new excavation permit pursuant to this section, the City Council may place any conditions on the permit it determines are reasonably necessary to protect the City streets. ~~(Ord. 835, 3-12-2019)~~

8-2-7: CONSTRUCTION STANDARDS:

All pipes, sewers, drains, lines, valves or other structures and appurtenances which shall be laid and used shall be installed, constructed and maintained in accordance with any applicable standard details and specifications, as adopted and amended by the codes and ordinances of the City, all applicable State Statutes, regulations and orders, (to include all applicable regulations and orders of the Nevada Public Utilities Commission), and in a good and workmanlike manner, and the pipes, sewers, drains, lines, valves or other structures and appurtenances shall be maintained in compliance with all applicable standards adopted by the City. ~~(Ord. 835, 3-12-2019)~~

8-2-8: NONINTERFERENCE WITH EXISTING UTILITIES:

All pipes, sewers, drains, lines, valves or other structures and appurtenances laid or placed by any person shall be located in the public roads in the City so as not to obstruct or interfere with any pipes, sewers, drains, lines, valves or other structures already installed. The City shall, upon request, provide to the permittee available information pertaining to whether or not there is any such interference or obstruction; provided, due to the passage of time, the City may no longer have records documenting the locations of certain underground facilities within the City rights-of-way and, accordingly, nothing herein shall be interpreted as creating a legal obligation on the part of the City to provide accurate information as to the locations of existing pipes, sewers, drains, lines, valves or other structures and appurtenances. It shall be the permittee's responsibility to see that no interference or damage occurs prior to and/or during excavation. ~~(Ord. 835, 3-12-2019)~~

8-2-9: RELOCATION OF UTILITIES:

Any person who lays or places any pipes, sewers, drains, lines, valves or other structures and appurtenances shall relocate, without expense to the City, any such pipes, sewers, drains, lines, valves or other structures and appurtenances when made necessary by any lawful change in any public street, road or highway by the City. ~~(Ord. 835, 3-12-2019)~~

8-2-10: REPAIR OF PUBLIC ROADS AND CITY STREET CUTS:

If any portion of a sidewalk, curb, gutter, alley, public road or right-of-way shall be damaged by reason of defects in any of the pipes, sewers, drains, lines, valves or other structures and appurtenances installed, utilized, maintained or constructed, or by reason of any cause whatsoever, including the subsidence of any cut in the public road, or the existence of any pipes, sewers, drains, lines, valves or other structures and appurtenances constructed or maintained under this chapter, the person who initially constructed such improvements shall, at his own cost and expense, within ten (10) days, repair any such damage and restore such sidewalk, curb, gutter, street, alley, public road or right-of-way, or portion thereof, to as good a condition as it existed before such excavation, disturbance, work, or other cause of damage occurred. Any subsurface or surface installations damaged by a utility street cut or excavation of any kind in a City right-of-way shall be repaired at the permittee's expense. ~~(Ord. 835, 3-12-2019)~~

8-2-11: LIABILITY INSURANCE:

Before an excavation permit shall be issued under this chapter, any permittee, with the exception of all public utilities under the jurisdiction of the Nevada Public Utilities Commission and having a current franchise with the City, shall file with the City Clerk a certificate of insurance showing a minimum combined single limit liability insurance policy of five hundred thousand dollars (\$500,000.00), such policy to include, but not be limited to, collapse and underground damage. The foregoing policy shall name the City as an additional insured. ~~{Ord. 835, 3-12-2019}~~

8-2-12: BONDING:

Any person obtaining a permit under this chapter shall, before renewing or in any manner changing the surface of the sidewalk, curb, gutter, street, highway, avenue or alley, provide the City a bond or other security guaranteeing that the obligor of the bond will pay to the City the amount of the bond should the permittee fail, neglect or refuse to complete the work, including the excavating or filling in of the sidewalk, curb, gutter, public street, highway, avenue or alley and all public utilities in proper condition to the satisfaction of the City after the work provided for in the permit has been finished; provided, however, that instead of special bonds to cover particular work, any person intending to make excavations in sidewalks, curbs, gutters, public streets, alleys, or any public places in the City may make and maintain with the City a general bond in the sum of two thousand five hundred dollars (\$2,500.00), which general bond shall be conditioned and used for the same purpose as the special bond hereinbefore described in this section, covering all work to be done instead of any particular piece of work. So long as such general bond is maintained at the sum of two thousand five hundred dollars (\$2,500.00), the permittee shall not be required to provide the aforementioned special bond, but shall be required to comply with all other provisions of this chapter. Notwithstanding the foregoing, public utilities under the jurisdiction of the Nevada Public Utilities Commission and having a current franchise with the City shall be considered bonded for purposes of this section. ~~{Ord. 835, 3-12-2019}~~

8-2-13: PERMIT FEES:

- A. Payment Required: All applicants for a City excavation permit shall pay to the [Public Works Building](#) Department permit fees as set by resolution of the City Council.
- B. Estimated Permit Fees; When Paid: All estimated excavation permit fees shall be paid at the time of filing the initial application.
- C. Final Fees: Final permit fees shall be paid within thirty (30) calendar days of the approval of the work by the City. ~~{Ord. 835, 3-12-2019}~~

8-2-14: CONTRACTOR AND BUSINESS LICENSES:

All permittees shall be licensed State contractors and possess a current City business license and shall provide copies of the foregoing licenses to the City prior to the commencement of work. ~~{Ord. 835, 3-12-2019}~~

8-2-15: INSPECTION:

The permittee shall schedule all City inspections twenty four (24) hours in advance. Failure of the permittee to obtain inspections of the work to the extent reasonably necessary to enable the City to determine compliance with this Code, to include model codes adopted therein, shall result in the revocation of the permit. ~~(Ord. 835, 3-12-2019)~~

8-2-16: WATER DRAINAGE:

The permittee shall be responsible for maintaining surface water drainage at all times during performance of the work, to include redirecting water drainage where appropriate, except as otherwise directed by the City. The permittee shall, upon request by the City, submit to the City an appropriate plan for water drainage control, in which event the work may not commence or continue until or unless the water drainage control plan has been approved by the City. The requirements set forth in a water drainage control plan shall, upon approval by the City, become requirements of the excavation permit. ~~(Ord. 835, 3-12-2019)~~

8-2-17: ABANDONED UTILITY FACILITIES:

A permittee with utilities in a City right-of-way that the permittee has abandoned or intends to abandon may be required by the City, in the City's discretion, to remove the utilities at the permittee's expense or, in the alternative, to reimburse the City for the cost removal of the utilities. Notwithstanding the foregoing, if the permittee is a public utility under the jurisdiction of the Nevada Public Utilities Commission and has a current franchise with the City, in the event of an inconsistency between the requirements of this section and the terms of a franchise agreement, the terms of the franchise agreement shall prevail. ~~(Ord. 835, 3-12-2019)Disclaimer: This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing Corporation provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken. For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588.~~

~~Hosted by: American Legal Publishing Corporation~~

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability of such section, paragraph, clause or provision shall not affect any remaining provision of this Ordinance.

SECTION 4. Upon adoption, the City Clerk of the City of Elko is hereby directed to have this ordinance published by title only, together with the Councilpersons voting for or against its passage in a newspaper of general circulation within the time established by law, for at least one publication.

SECTION 5. This ordinance shall be effective upon the publication mentioned, unless otherwise stated.

PASSED AND ADOPTED this ____ day of February, 2020 by the following vote of the Elko City Council.

VOTE:

AYES:

NAYES:

ABSENT:

ABSTAIN:

CITY OF ELKO

By:

REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, discussion, and possible adoption of Resolution No. 5-20, a resolution authorizing the City of Elko to enter into a revocable agreement with Trac B Harm Reduction Clinic for implementation and oversight of a Syringe Services Program at the Humanitarian Campground, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **RESOLUTION**
4. Time Required: **10 Minutes**
5. Background Information: **On January 14, 2020, Council directed Staff to develop a revocable agreement with Trac B Harm Reduction Clinic for the implementation and oversight of a Syringe Service Program at the Humanitarian Campground located at 398 Hot Springs Road for the benefit of persons properly registered and utilizing the campground. SAW**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No 5-20**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Scott Wilkinson, Assistant City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**CITY OF ELKO
RESOLUTION NO. 05-20**

**A RESOLUTION AUTHORIZING THE CITY OF ELKO TO ENTER
INTO A REVOCABLE AGREEMENT WITH TRAC-B HARM
REDUCTION CLINIC FOR THE IMPLEMENTATION AND OVERSIGHT OF
A SYRINGE SERVICES PROGRAM AT THE HUMANITARIAN CAMPGROUND**

Upon introduction and motion by Councilman _____ and seconded by
Councilman _____ the following Resolution and Order was passed and adopted:

WHEREAS, the City of Elko has determined that the re-use of syringes by users of the Elko Humanitarian Campground presents a public health risk;

WHEREAS, at the January 14, 2020 meeting of the Elko City Council, the Council directed Staff to develop a revocable agreement with Trac-B Harm Reduction Clinic (hereinafter "Trac-B") for the implementation and oversight of a syringe service program at City-owned property at 398 Hot Springs Road for the benefit of persons properly registered and utilizing the Humanitarian Campground;

WHEREAS, the Council further instructed Staff to include the following provisions in the agreement: (1) that the term of the agreement shall be for one year; (2) that Trac-B must provide the City with quarterly reports of the number of syringes handed out and the number of syringes received; (3) that Trac-B must be responsible for collecting and disposing of all discarded syringes in the Humanitarian Campground; (4) that the revocable agreement must be limited to the Humanitarian Campground; and (5) that agreement must be revocable at the discretion of the City.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO CITY COUNCIL that the City shall enter into a revocable agreement with Trac-B Harm Reduction Clinic containing the provisions set forth in the above recitals and in substantially the form as the proposed revocable agreement attached hereto at Appendix 1;

IT IS FURTHER RESOLVED that this Resolution and Order shall be effective and shall be in force upon signature of the aforementioned revocable agreement by the Mayor and attestation by the City Clerk.

PASSED AND ADOPTED this ____ day of _____, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible adoption of Resolution No. 6-20, a resolution of the Elko City Council, amending the Elko City Master Plan Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3 and Roadway Classifications, Existing Functional Classification Atlas Map 11, and Atlas Map 12, filed as Elko City Master Plan Amendment No. 1-20, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **On February 4, 2020 the Planning Commission adopted its Resolution No. 1-20 to amend the Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3, and Roadway Classifications, Existing Functional Classification Atlas Map 11 and Atlas Map 12 of the current Elko City Master Plan. An amendment of this type requires positive action by both the Planning Commission and the City Council. If the City Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution, P.C. Action Report, P.C. Resolution and related correspondence**
9. Recommended Motion: **Adopt Resolution No. 6-20**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission, Legal Review**
12. Council Action:
13. Agenda Distribution:

**CITY OF ELKO
RESOLUTION NO. 06-20**

A RESOLUTION OF THE ELKO CITY COUNCIL AMENDING THE ELKO CITY MASTER PLAN BY UPDATING THE PROPOSED FUTURE LAND USE PLAN (ATLAS MAP 8), THE LAND USE COMPONENT (CORRESPONDING ZONING DISTRICTS), TRANSPORTATION COMPONENT (BEST PRACTICE 2.3) AND ROADWAY CLASSIFICATIONS, AND EXISTING FUNCTIONAL CLASSIFICATION (ATLAS MAP 11 AND ATLAS MAP 12)

WHEREAS, the Elko City Council conducted a public hearing on proposed changes to parts of the Elko City Master Plan in accordance with Nevada Revised Statutes, Section 278.220 and the Elko City Code, Section 3-4-13, and

WHEREAS, the Elko City Council received public input, examined documents and materials related to amending the Proposed Future Land Use Plan (Atlas Map 8), the Land Use Component (Corresponding Zoning Districts), the Transportation Component (Best Practice 2.3 and Roadway Classifications), and Existing Functional Classification (Atlas Map 11 and Atlas Map 12) of the Elko City Master Plan, and reviewed the previous action taken by the Planning Commission pertaining to the Master Plan amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE ELKO CITY COUNCIL that amended portions of the Elko City Master Plan within Proposed Future Land Use Plan (Atlas Map 8), the Land Use Component (Corresponding Zoning Districts), the Transportation Component (Best Practice 2.3 and Roadway Classifications), and Existing Functional Classification (Atlas Map 11 and Atlas Map 12), are attached hereto at Exhibits 1 through 6, and that the amendments to the Elko City Master Plan attached hereto at Exhibits 1 through 6 are hereby adopted.

All previous versions of the amended portions of Elko City Master Plan, and all resolutions or parts of resolutions in conflict herewith are hereby repealed.

IT IS FURTHER RESOLVED that this Resolution shall be effective and shall be in force immediately upon adoption, and that upon adoption of this Resolution by the Elko City Council it shall be signed by the Mayor and attested to by the City Clerk.

PASSED AND ADOPTED this ___ day of February 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY WOOLDRIDGE, CITY CLERK

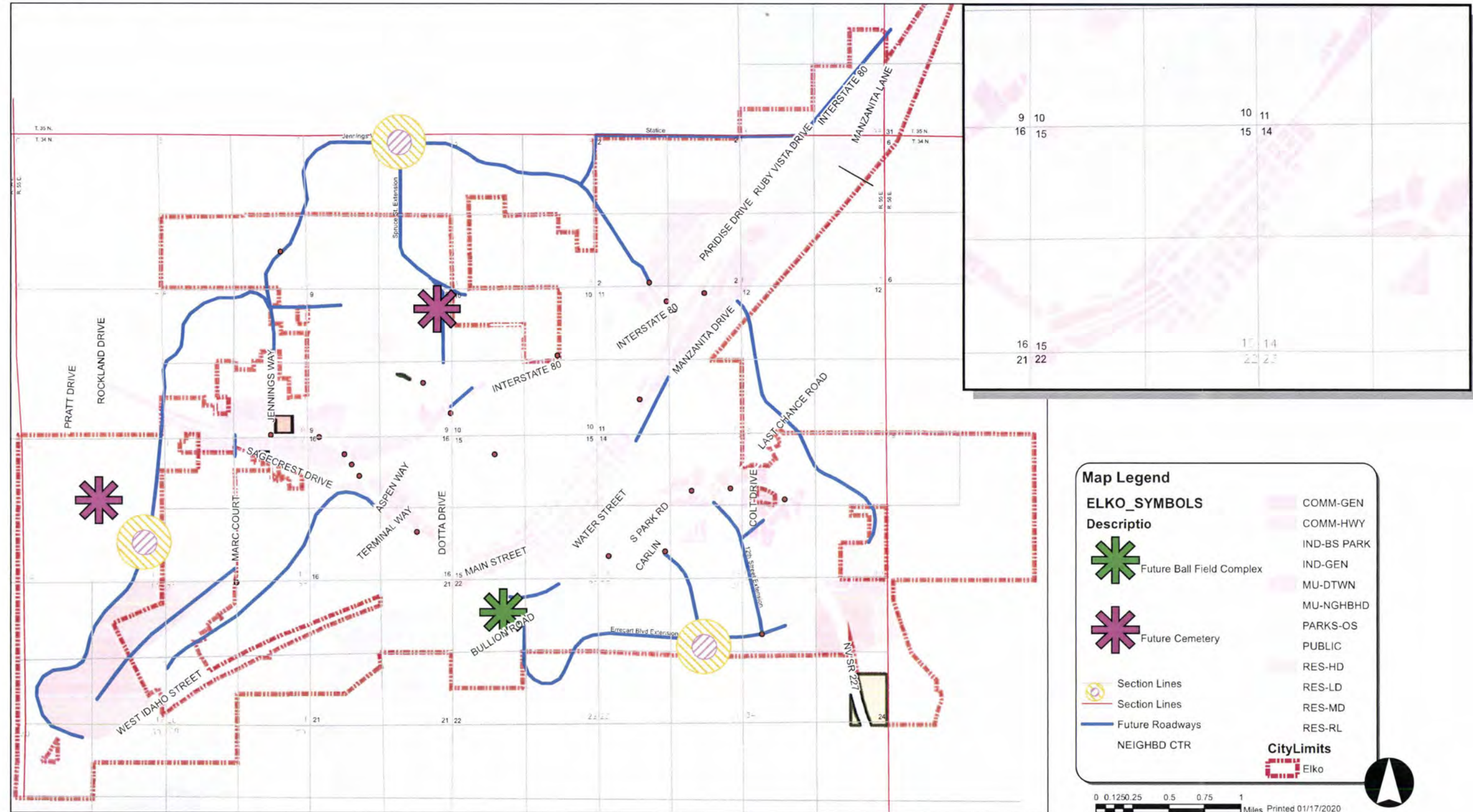
VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:



apartments, townhomes, condominiums, etc. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- C General Commercial (with revisions)

Neighborhood Mixed Use

Neighborhood Mixed-Use are areas designated on the Elko Future Land Use Map intended for higher density residential development combined with neighborhood scale commercial activity. This designation features commercial uses such as grocery stores, corner stores, coffee shops, bookstores, video rentals, barber shops, hair salons, bakeries and bicycle repair. The Master Plan Land Use Map identifies several general locations for Neighborhood Mixed-Use development.

Housing within this designation will range from higher density multi-family housing around the commercial core of the neighborhoods to medium density residential development away from the core. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- CC Convenience Commercial
- CT Commercial Transitional
- RB Residential Business

General Industrial

This land use designation includes light to heavy industrial type land uses as well as some of the more intense commercial uses. Land use activity in this category may include research and development, clean technology assembly and production as well as more intense industrial uses. It should be noted that these uses have some impact on surrounding areas in terms of noise, odor, dust or other nuisances that would likely extend beyond the property lines. Uses of land must comply with the Elko City Code, and must be compatible with, and not frustrate, this Master Plan's goals and policies.

Corresponding zoning districts:

- LI Light Industrial
- IC Industrial Commercial
- GI General Industrial

Business Park Industrial

This land use designation identifies future employment centers, and specifically those targeting high-technology, research, education, and training institutions. Light industrial uses are appropriate within this designation, provided there are no nuisances (odor, noise, dust) which

Exhibit 3

Table 8
ACCESS MANAGEMENT STANDARDS

Roadway Functional Classification	Signal Spacing	Driveway Spacing	Left-Turns from Roadways and Driveways	Median Treatment	Other
Mixed Use/Main Street Major Arterial	1/2 Mile desired 1/3 Mile minimum	350 ft. (right in/out only with deceleration lane)	Only at Signal or Major Unsignalized Intersection/ Driveway	Raised Median or TWLTL	<ul style="list-style-type: none"> - No more than one driveway per property; joint driveways are recommended - Left turn in at major driveways/unsignalized roadways okay
Industrial Major Arterial	1/2 Mile desired 1/3 Mile minimum	350 ft. (right in/out only with deceleration lane)	Only at Signal or Major Unsignalized Intersection/ Driveway	TWLTL	<ul style="list-style-type: none"> - No more than one driveway per property; joint driveways are recommended - Left turn in at major driveways/unsignalized roadways okay
Commercial Major Arterial	1/2 Mile desired 1/3 Mile minimum	350 feet (right in/out only with deceleration lane)	Only at Signal or Major Unsignalized Intersection/ Driveway	Raised Median or TWLTL	<ul style="list-style-type: none"> - No more than one driveway per property; joint driveways are recommended - Left turn in at major driveways/unsignalized roadways okay
Mixed Use/Main Street Minor Arterial	1/2 Mile desired 1/3 Mile minimum	250 feet	As Determined by Staff	Raised Median or TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
Industrial Minor Arterial	1/2 Mile desired 1/3 Mile minimum	250 feet	As Determined by Staff	TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
Commercial Minor Arterial	1/2 Mile desired 1/3 Mile minimum	250 feet	As Determined by Staff	Raised Median or TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property

Residential Minor Arterial	1/2 Mile desired	250 feet	As Determined by Staff	Raised Median or TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
	1/3 Mile minimum				
Mixed Use/Main Street Collector	1/4 Mile desired	150 feet	Yes	Raised Median or TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
	1/5 Mile minimum				
Industrial Collector	1/4 Mile desired	150 feet	Yes	None Required	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
	1/5 Mile minimum				
Commercial Collector	1/4 Mile desired	150 feet	Yes	Raised Median or TWLTL	<ul style="list-style-type: none"> - Do not offset driveways - A maximum of one full access driveway per property
	1/5 Mile minimum				
Residential Collector	1/4 Mile desired	75 feet	Yes	None Required	None
	1/5 Mile minimum				

Notes: TWLTL = Two way left turn lane

Sources: Fehr & Peers, 2010

Rural Roadways

Rural Roadways provide direct access to residential properties located within the Residential Suburban (RS) zoning district. Rural Roadways typically serve lower traffic volumes under 600 vehicles per day, roadways with a traffic volume over 600 vehicles per day should be classified as a Collector Rural Road. Rural Roadways may be utilized in the RS district which are self-contained and having lots no less than ½ acre in size.

Right-of-Way Width: 60 feet Local Rural Residential Road
Typical Travel Lanes: 2 lanes

Right-of-Way Width: 70 feet Collector Rural Residential Road
Typical Travel Lanes: 2 lanes

Elko Roadway Classification

The following provides the functional classifications for roadways within the City of Elko based on existing street character and function:

Interstates and Interstate Interchanges

- Interstate 80 (I-80)
- Exit 298 (Idaho Street Interchange)
- Exit 301 (Mountain City Highway Interchange)
- Exit 303 (Jennings Way Interchange)

Principal Arterials/Other NDOT Roadways

- Lamoille Highway (State Route-SR 227)
- Mountain City Highway (SR 225)

Major Arterials

- 5th Street, between Idaho Street and Lamoille Highway (SR 227)
- 12th Street, between Idaho Street and Lamoille Highway (SR 227)
- Idaho Street
- Silver Street, Idaho Street to 5th Street

Minor Arterials

- 5th Street, north of Idaho Street
- 12th Street Extension (future)
- Cattle Drive, south of Mountain City Highway (SR 225) (future)
- College Avenue – 12th Street to Idaho Street
- Errecart Boulevard, between Silver Street and Bullion Road
(classification is Major Arterial once roadway is connected)
- Errecart Boulevard, west of Lamoille Highway (SR 227)
(classification is Major Arterial once roadway is connected)
- Jennings Way, northeast of Mountain City Highway (SR 225)
(classification is Major Arterial once roadway is connected)
- Jennings Way, northwest of Idaho Street (classification is Major Arterial once roadway is connected)

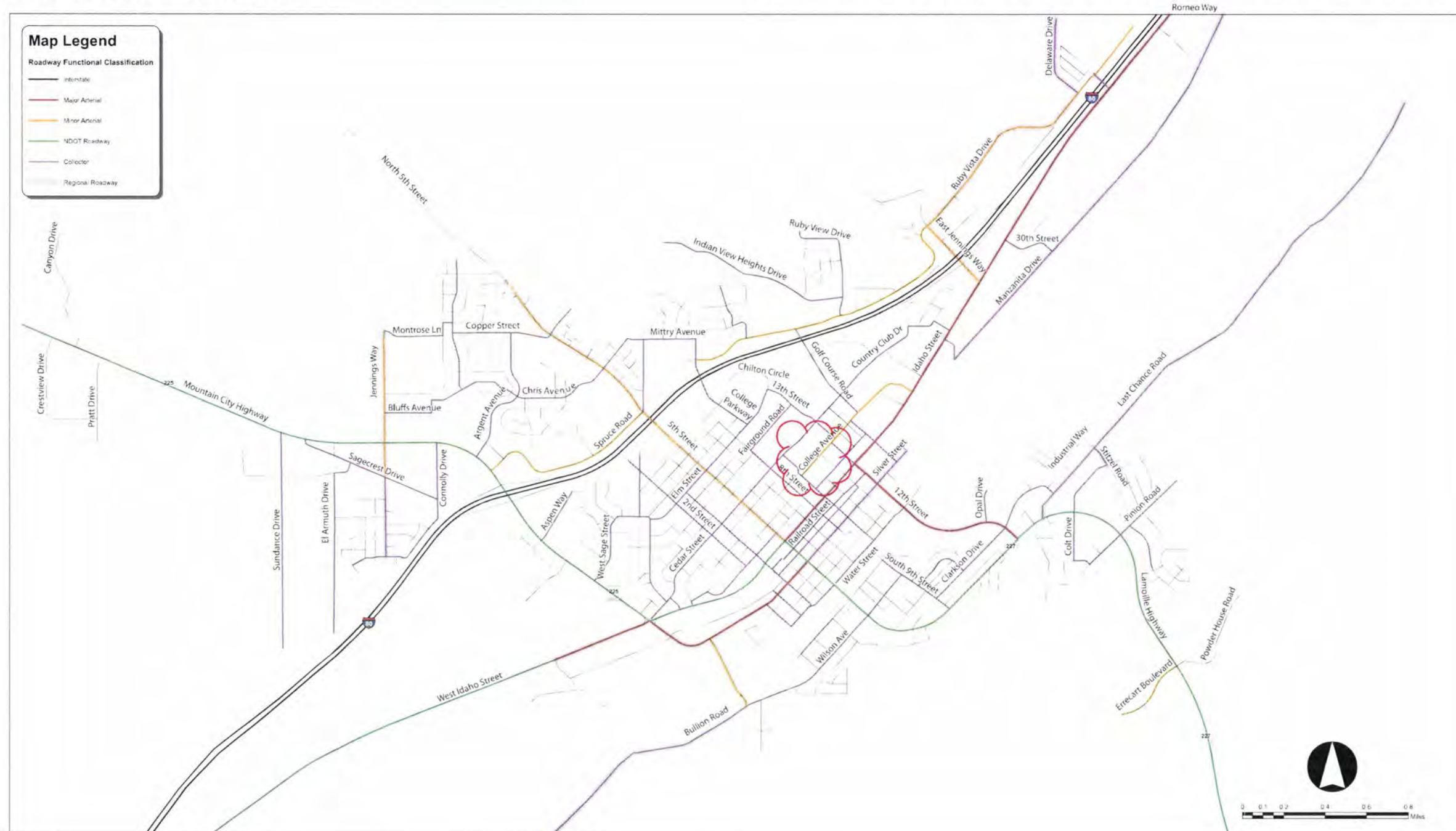
- Powder House Road
- Powder House Road Extension (future)
- Ruby Vista Drive
- Silver Street, between 5th Street and 12th Street
- Spruce Road
- Spruce Road Extension (future)

Commercial/Industrial Collectors

- 8th Street, between Elm Street and Silver Street
- 9th Street
- 12th Street, between College Avenue and Idaho Street
- 13th Street
- 14th Street
- 30th Street
- Airport Road Extension (future)
- Aspen Way, between Mountain City Highway (SR 225) and Westwood Drive
- Chris Avenue
- Colt Drive
- College Avenue – 9th Street to 12th Street
- College Parkway
- Commercial Street
- D Street
- Elm Street
- Fairground Road
- Front Street
- Golf Course Drive
- Last Chance Road
- Manzanita Lane
- Kittridge Canyon Road, between Paradise Drive and Idaho Street
- Pinion Road
- Railroad Street
- Silver Street, east of 12th Street
- Statice Street (Ruby Vista Drive to Delaware Street) Stitzel Road, between Colt Way and Last Chance
- Water Street
- West Sage Street
- Wildwood Way, between Lamoille Highway (SR 227) and Stitzel Road

Residential Collectors

- 1st Street, south of Silver Street
- 2nd Street
- 3rd Street
- Argent Avenue
- Bluffs Avenue
- Bullion Road – Wilson Avenue
- Cattle Drive, north of Mountain City Highway (SR 255) (future)
- Cedar Street, between Fir Street and 6th Street
- Cedar Street, Mountain City Highway to Fir Street and 6th Street to Idaho Street
- Clarkson Drive
- Connolly Drive
- Copper Street







CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

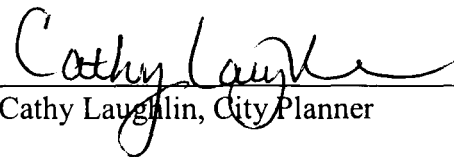
1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of February 4, 2020

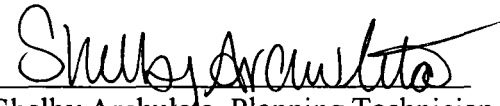
WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on February 4, 2020 under Public Hearing format in accordance with notification requirements contained in NRS 278.210 and Elko City Code Section 3-4-12 A.:

Resolution 1-20, containing amendments to the Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3 and Roadway Classifications, Existing Functional Classification Atlas Map 11 and Atlas Map 12, and matters related thereto.

WHEREAS, the Planning Commission, upon review and consideration of the supporting data, public input and testimony, adopt Resolution 1-20, containing amendments to the Proposed Future Land Use Plan Atlas Map 8, Land Use Component Corresponding Zoning Districts, Transportation Component Best Practice 2.3 and Roadway Classifications, Existing Functional Classification Atlas Map 11 and Atlas Map 12 of the City of Elko Master Plan; directing that an attested copy of the foregoing parts, amendments, extensions of and/or additions to the Elko City Master Plan be certified to the City Council; further directing that an attested copy of this Commission's report on the proposed changes and additions shall have be filed with the City Council; and recommending to City Council to adopt said amendments by resolution.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Michele Rambo, Development Manager (via email)
Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and consideration of Tentative Map 14-19, filed by Koinonia Development, LP, for the development of a subdivision entitled Mountain View Townhomes involving the proposed division of approximately 3.24 acres of property into 44 lots for residential development and 1 common lot within the CT (Commercial Transitional) Zoning District, in conjunction with a conditional use permit application, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **The subject property is located on the south side of N 5th Street at the intersection of Mary Way. (APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075). The Planning Commission considered this item on February 4, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 14-19. MR**
6. **Budget Information:**

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. Action Report, Staff Reports, and related correspondence.**
9. Recommended Motion: **Conditionally approve Tentative Map No. 14-19 for the Mountain View Townhomes Subdivision, subject to the findings and conditions as recommended by the Planning Commission. The City Council determines that the property can be divided based on the findings required in Section 3-3-5(E)(2) of the Municipal Code.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Koinonia Development, LP
Attn: John Smales
207 Brookwood Drive
Elko, NV 89801
johnskoinonia@gmail.com**

**High Desert Engineering, LLC
Attn: Tom Ballew
tcballew@frontiernet.net**



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of February 4, 2020

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on February 4, 2020 per City Code Section 3-3-5(D)4.:

Tentative Map No. 14-19, filed by Koinonia Development, LP, for the development of a subdivision entitled Mountain View Town Homes involving the proposed division of approximately 3.24 acres of property into 44 lots for residential development and 1 common lot within the CT (Commercial Transitional) Zoning District, in conjunction with a conditional use permit application, and matters related thereto.

The subject property is located generally on the south side of N. 5th Street, across from Mary Way. (APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099)

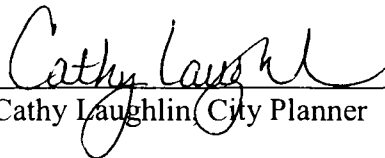
WHEREAS, the Planning Commission, upon review and consideration of the application, supporting data, public input and testimony, forward a recommendation to City Council to conditionally approve Tentative Map No. 14-19 subject to the conditions found in the City of Elko Staff Report dated January 16, 2020, with modifications listed as follows:

Development Department:


1. The associated Master Plan Amendment and Zoning Amendment must be approved and in effect prior to application submittal of the Final Map.
2. Conditional Use Permit 12-19 must be approved and all conditions met.
3. A copy of the CC&Rs must be submitted to the City of Elko Development Department prior to recordation of the Final Map.
4. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
5. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.
6. The Tentative Map must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval by the City of Elko.
7. Construction plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit.
8. Tentative Map approval does not constitute authorization to proceed with site improvements.
9. The applicant must submit an application for Final Map within a period of four (4) years in accordance with NRS.360(1)(a). Approval of the Tentative Map will automatically lapse at that time.
10. A soils report is required with Final Map submittal.
11. A hydrology report is required with Final Map submittal.
12. Final Map construction plans are to comply with Chapter 3-3 of City code.
13. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.

14. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
15. Obtain an easement for any off-site grading prior to issuance of a grading permit, or acquire the property needed to create the slope, prior to City Council consideration.

The Planning Commission's findings to support its recommendation are the proposed subdivision and development is in conformance with both the Land Use and Transportation Components of the Master Plan. The proposed subdivision and development does not conflict with the Airport Master Plan; The City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report- November 2012; The Wellhead Protection Program; or applicable sections of the Elko City Code. The proposed subdivision complies with Section 3-3-5(E)(2)(a)-(k) as required by Section 278.349(3) of the Nevada Revised Statutes. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan. A Zoning Amendment is required for the proposed subdivision.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk
Michele Rambo, Development Manager (email)

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 2/4

Do not use pencil or red pen, they do not reproduce

Title: Tentative Map 14-19 - Mountain View Town Homes
Applicant(s): Koinonia Development, LP
Site Location: S side of N. 5th St. across from Mary Way
Current Zoning: CT Date Received: 12/3/19 Date Public Notice: 1/24/20
COMMENT: This is to divide 3.24 acres into 44 lots and
a Common area.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 1/28/20
Recommend approval as presented by
Staff

SAW
Initial

City Manager: Date: 1/29/20
No comments/concerns.

CC
Initial



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE:	January 16, 2020
PLANNING COMMISSION DATE:	February 4, 2020
AGENDA ITEM NUMBER:	I.A.2.
APPLICATION NUMBER:	Tentative Map 14-19
APPLICANT:	Koinonia Development, LP
PROJECT DESCRIPTION:	Mountain View Townhomes

A Tentative Map for the proposed division of approximately 3.24 acres of property into 44 townhouse lots for residential development and 1 common lot within a CT (Commercial Transitional) Zoning District.



STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact, and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075 (being purchased from the City of Elko)

PARCEL SIZE: 3.24 Acres

EXISTING ZONING: (CT) Commercial Transitional
Upon approval of a Zoning Amendment

MASTER PLAN DESIGNATION: (MU-NGHBHD) Mixed-Use Neighborhood
Upon approval of a Master Plan Amendment

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- Northwest: Commercial (C) / Developed
- Northeast: Residential Mobile Home (RMH) / Developed
- Southwest: Public/Quasi-Public (PQP) / Developed
- Southeast: Commercial (C) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped commercial parcel.
- The site abuts previous residential development to the northeast, commercial buildings on the northwest and southeast, and Mountain View Park on the southwest.
- The parcel is generally flat, but has some significant slope in the southwest corner, which has been incorporated into the tentative map design.
- The property will be accessed by two driveways off of N 5th Street.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
- City of Elko Zoning – Section 3-2-9(B) Commercial Transitional District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback, and Height
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations

- City of Elko Zoning – Chapter 3 Subdivisions
- City of Elko Zoning – Section 3-8 Flood Plain Management
- City of Elko Public Ways and Property – Title 9, Chapter 8 Post Construction Runoff Control and Water Quality Management

BACKGROUND:

1. The property owner and applicant is Koinonia Development, LP.
2. The subdivision is located on APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075 (being purchased from the City of Elko).
3. The property is undeveloped.
4. The proposed subdivision consists of 44 townhouse lots and 1 common lot.
5. The total subdivided area is approximately 3.24 acres.
6. The proposed density is 13.58 units per acre.
7. Phasing may be used as part of this subdivision. If the developer chooses to do phasing, multiple Final Maps can be submitted.
8. There are no new roads or dedications offered as part of the project.
9. The property is located on the south side of N 5th Street at the intersection of Mary Way.
10. A Stage 1 meeting for the proposed subdivision was held on August 22, 2019.

MASTER PLAN

Land Use:

1. The land use for the four lots adjacent to N 5th Street are shown as Mixed-Use Neighborhood. The portion of property currently being purchased from the City is currently Open Space. A Master Plan Amendment is required to change the Open Space designation to Mixed-Use Neighborhood so all property is consistent. Mixed-Use Neighborhood does not have a specific density requirement and is intended, among other things, for the development of medium to high density residential projects.
2. The zoning for the four lots adjacent to N 5th Street are currently zoned General Commercial, while the portion of property being purchased from the City of Elko is currently zoned Public/Quasi-Public. Neither of these zoning categories is listed in the Master Plan as a corresponding district within the Mixed-Use Neighborhood land use designation, or allows for townhomes. A Zoning Amendment is required to change the General Commercial and Public/Quasi-Public zoning to Commercial Transitional. Commercial Transitional (CT) zoning is listed as a corresponding district for the Mixed-Use Neighborhood designation in the Master Plan, which also allows for townhomes.
3. The listed Goal of the Land Use Component states: "Promote orderly, sustainable growth and efficient land use to improve quality of life and ensure new development meets the needs of all residents and visitors."
4. Objective 1 under the Land Use component of the Master Plan states: "Promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups."
 - a. Best Practice 1.1 – The proposed subdivision meets several of the methods described to achieve a diverse mix of housing types in the community.
 - b. Best Practice 1.3 – The location of the proposed subdivision appears to support the City striving for a blended community by providing a mix of housing types in the neighborhood and is supported by existing infrastructure.
5. Objective 8 of the Land Use component of the Master Plan states: "Ensure that new development does not negatively impact County-wide natural systems or public/federal lands such as waterways, wetlands, drainages, floodplains, etc. or pose a danger to human health and safety." Staff believes there will be no negative impacts to natural systems

and no issue with regard to human health and safety.

The proposed subdivision and development is in conformance with the Land Use component of the Master Plan upon approval of a Master Plan Amendment and Zoning Amendment as described above. A condition of approval has been added requiring both of these amendments to be in effect prior to any construction activity or the recordation of the Final Map, whichever comes first.

Transportation:

1. The project will be accessed from N 5th Street via two private driveways.
2. N 5th Street is classified as a Minor Arterial road.
3. The interior circulation of the project will be provided by a private driveway.
4. The Master Plan requires Minor Arterial roads to have 80 feet of right-of-way.
5. N 5th Street has 80 feet of right-of-way. No further dedications are required.
6. Upon full buildout, the proposed subdivision is expected to generate approximately 256 additional Average Daily Trips based on 5.81 trips/townhome (ITE Trip Generation, 10th Edition). This is well below the threshold for a traffic study established in the Master Plan.

The proposed subdivision and development is in conformance with the Transportation component of the Master Plan.

ELKO AIRPORT MASTER PLAN:

The proposed subdivision and development does not conflict with the Airport Master Plan.

CITY OF ELKO DEVELOPMENT FEASIBILITY, LAND USE, WATER INFRASTRUCTURE, SANITARY SEWER INFRASTRUCTURE, TRANSPORTATION INFRASTRUCTURE, AND ANNEXATION POTENTIAL REPORT – NOVEMBER 2012:

The proposed subdivision does not conflict with the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

The property is located within the 20-year capture zone for two City of Elko wells. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system.

SECTION 3-3-5 TENTATIVE MAP STAGE (STAGE II):

Tentative Map Approval 3-3-5(E)(2)(a)-(k) – Requires the following findings:

- a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal, and, where applicable, individual systems for sewage disposal.
 - The proposed subdivision will be connected to the city's water supply system, programmed sewer system, and is required to be in compliance with all applicable federal, state, and local requirements.
- b. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.
 - The City of Elko Engineering Department is required to model the anticipated water consumption of the subdivision. The City of Elko Utility Department will be required to submit a "Tentative Will-Serve Letter" to the State of Nevada. The water modeling requires an update to reflect the increased number of lots. Current City-wide annual water usage is approximately 50% of the total allocated water rights.
 - City of Elko currently has excess pumping capacity of 3,081 gallons per minute. Sufficient infrastructure and pumping capacity exists to provide the required water volume to serve the proposed subdivision and development.
 - The Developer will extend properly sized infrastructure as required for development of the property.
 - The proposed subdivision and development will not create an unreasonable burden on the existing water supply.
- c. The availability and accessibility of utilities.
 - Utilities are available in the immediate area and can be extended for the proposed development.
- d. The availability and accessibility of public services such as schools, police protection, transportation, recreation, and parks.
 - Schools, fire and police, and recreational services are available throughout the community.
- e. Conformity with the zoning ordinance and the City's Master Plan, except that if any existing zoning ordinance is inconsistent with the City's Master Plan, the zoning ordinance takes precedence.
 - The land use for the four lots adjacent to N 5th Street are shown as Mixed-Use Neighborhood. The portion of property currently being purchased from the City is currently Open Space. A Master Plan Amendment is required to change the Open Space designation to Mixed-Use Neighborhood so all property is consistent.
 - The zoning for the four lots adjacent to N 5th Street are currently zoned General Commercial, while the portion of property being purchased from the City of Elko is currently zoned Public/Quasi-Public. Neither of these zoning categories is

listed in the Master Plan as a corresponding district within the Mixed-Use Neighborhood land use designation, or allows for townhomes. A Zoning Amendment is required to change the General Commercial and Public/Quasi-Public zoning to Commercial Transitional. Commercial Transitional (CT) zoning is listed as a corresponding district for the Mixed-Use Neighborhood designation in the Master Plan, which also allows for townhomes.

- Mixed-Use Neighborhood does not have a specific density requirement and is intended, among other things, for the development of medium to high density residential projects.
 - The proposed subdivision is in conformance with the City's Master Plan as well as the Zoning Ordinance.
- f. General conformity with the City's Master Plan of streets and highways.
- The proposed subdivision is in conformance with the Transportation Component of the Master Plan.
- g. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.
- The proposed subdivision and development will add approximately 256 Average Daily Trips to N 5th Street. Based on the threshold of 1,000 ADT referenced in the Master Plan, a traffic study is not required with this subdivision.
 - The proposed subdivision and development will not cause unreasonable traffic congestion or unsafe conditions with respect to existing or proposed streets.
- h. Physical characteristics of the land, such as floodplain, slope, and soil.
- The proposed subdivision and subsequent development of the property is expected to reduce the potential for erosion in the immediate area. Development of the property will not cause unreasonable soil erosion.
 - A hydrology report is required with the Final Map and Construction Plan submittal.
 - The proposed subdivision and development is not expected to result in unreasonable erosion or reduction in the water holding capacity of the land thereby creating a dangerous or unhealthy condition.
- i. The recommendations and comments and those entities and persons reviewing the Tentative Map pursuant to this Chapter and NRS 278.330 to 278.3485, inclusive.
- Any comments received from other entities and persons reviewing the Tentative Map have been incorporated either as revisions to the Map or as conditions of approval.
- j. The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.
- Fire protection services are available throughout the community.
 - A sufficient amount of water exists in this area for use in fire containment.
 - The City of Elko Fire Department has reviewed the application materials for compliance with all fire code requirements.

- k. The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance with the disclosure and recording requirements of Subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.
 - The subdivider/developer is required to comply with all applicable sections of Chapters 375 and 598 of the NRS.

There are no obvious considerations or concerns which indicate the proposed subdivision would not be in conformance with all applicable provisions.

SECTION 3-3-6 CONTENT AND FORMAT OF TENTATIVE MAP SUBMITTAL:

- A. Form and Scale – The Tentative Map conforms to the required size and form specifications.
- B. Identification Data
 - 1. The subdivision name, location, and section/township/range, with bearing to a section corner or quarter-section corner, is shown.
 - 2. The name, address, email, and telephone number of the subdivider is shown.
 - 3. The engineer's name, address, and telephone number are shown.
 - 4. The scale is shown on all sheets.
 - 5. The north arrow is shown on all sheets.
 - 6. The date of initial preparation and dates of any subsequent revisions are shown.
 - 7. A location map is provided.
 - 8. A legal description is provided.
- C. Physical Conditions
 - 1. The existing topography of the site is shown.
 - 2. Existing drainage conditions are shown on the Tentative Map.
 - 3. There are no Special Flood Hazards within the proposed subdivision.
 - 4. All roadways, easements, and corporate limits are shown within and adjacent to the subdivision.
 - 5. Dimensions of all subdivision boundaries are shown on the Tentative Map.
 - 6. Gross and net acreage of the subdivision is shown.
- D. Recorded Map Information:
 - 1. Any previously recorded maps for adjacent properties is labeled on the Tentative Map.
- E. Existing Zoning:
 - 1. The zoning is shown for the subject property. Zoning classifications for adjacent properties are also shown on the Tentative Map.
- F. Proposed Improvements and Other Features Data:
 - 1. The proposed interior driveway layout is shown. None of the streets are named or proposed for dedication. The grades of the proposed streets are shown on the grading plan. The continuation of roadways is not required of the proposed subdivision.
 - 2. The lot layout with consecutively numbered lots is shown. The area and dimensions for each lot are shown, as well as the total number of lots.
 - 3. Typical easements will be required along all lot lines.

4. No street dedications are proposed.
 5. A Conditional Use Permit is required to allow for the use of townhouses in the Tourist Commercial zoning. This application has been submitted and is being processed by the Planning Department.
- G. Proposed Deed Restrictions:
1. No proposed CC&R's for the subdivision have been submitted. A condition of approval has been added requiring submittal to the City prior to recordation of the Final Map.
- H. Preliminary Grading Plan:
1. A grading plan has been provided. The areas of cut and fill are shown on the plan.
- I. NPDES Permit Compliance:
1. The subdivider will be required to comply with the City of Elko's storm water regulations.
- J. Proposed Utility Methods and Requirements:
1. The proposed sewage disposal infrastructure connecting to the City's infrastructure is shown on the utility plan.
 2. The proposed water supply infrastructure connecting to the City's infrastructure is shown on the utility plan.
 3. The Tentative Map shows storm water infrastructure. A hydrology report will be required with the Final Map and Construction Plan submittal.
 4. Utilities in addition to City utilities must be provided with construction plans required for Final Map submittal.
 5. The City will not require a traffic impact study for the proposed subdivision.

SECTION 3-3-9 GENERAL REQUIREMENTS FOR SUBDIVISION DESIGN:

- A. Conformance with Master Plan: The proposed subdivision is in conformance with the Master Plan objectives for density and applicable zoning as discussed in detail above.
- B. Public Facility Sites: No public facility sites are proposed for dedication.
- C. Land Suitability: The area proposed for subdivision is suitable for the proposed development based on the findings in this report.

The proposed subdivision is in conformance with Section 3-3-9 of City code.

SECTION 3-3-10 STREET LOCATION AND ARRANGEMENT:

- A. Conformance with Plan: The proposed subdivision utilizes an existing section of N 5th Street for access.
- B. Layout: Street continuation through the proposed subdivision is not required.
- C. Extensions: No extensions are required as part of the proposed subdivision.
- D. Arrangement of Residential Streets: The arrangement of streets within the subdivision prevents outside traffic from utilizing the neighborhood for cut-through traffic.
- E. Protection of Residential Properties: There are no lots that have frontage or access from arterial streets. All lots will front onto the private driveway running through the site.
- F. Parallel Streets: Consideration of street location is not required.

- G. Topography: The residential driveway has been designated to address the topography of the area.
- H. Alleys: No alleys are proposed.
- I. Half-Streets: There are no half-streets proposed.
- J. Dead-End Streets: There are no dead-end streets proposed. The driveway is designed to allow for appropriate turnaround areas for traffic, as well as fire trucks.
- K. Intersection Design: The proposed intersections with N 5th Street are code compliant.

The proposed subdivision is in conformance with Section 3-3-10 of City code.

SECTION 3-3-11 STREET DESIGN:

- A. Required Right-of-Way Widths: N 5th Street currently consists of the required 80 feet of right-of-way. No new streets are proposed.
- B. Street Grades: The proposed street grades are code compliant.
- C. Vertical Curves: Any vertical curves are code compliant.
- D. Horizontal Alignment: The horizontal alignment of the driveway and intersection are code compliant.

The proposed subdivision is in conformance with Section 3-3-11 of City code.

SECTION 3-3-12 BLOCK DESIGN:

- A. Maximum Length of Blocks: The block design does not exceed the maximum length of a block and maximizes block length.
- B. Sidewalks or Pedestrian ways: The proposed sidewalks are code compliant. No other pedestrian ways are proposed.

The proposed subdivision is in conformance with Section 3-3-12 of City code.

SECTION 3-3-13 LOT PLANNING:

- A. Lot Width, Depth, and Area: The lots are in conformance with the specifications stipulated for the zoning in Elko City Code 3-2-5.
- B. Building Setback: The proposed subdivision, when developed, can meet setback requirements as stipulated in Elko City Code 3-2-5(G).
- C. Side Lot Lines: The side lot lines are generally at right angles to the interior driveway.
- D. Accessibility: The development abuts a public street. All residents will have access to N 5th Street.
- E. Prohibitions: No units shall have direct access to N 5th Street. All access is to be through the proposed driveway.

The proposed subdivision is in conformance with Section 3-3-13 of City code.

SECTION 3-3-14 EASEMENT PLANNING:

- A. Utility Easements: The applicant is proposing a new public access, utility, and drainage easement to run under the driveway parallel with N 5th Street. Overhead utilities are not allowed within the subdivision.
- B. Underground Utilities: Overhead utilities are not allowed within the subdivision. The utility companies, at their discretion, may request a wider easement where needed.
- C. Lots Facing Curvilinear Streets: Overhead utilities are not allowed within the subdivision.
- D. Public Drainage Easement: The applicant is proposing a new public access, utility, and drainage easement to run under the driveway parallel with N 5th Street.
- E. Easement Land Not Considered and Considered in Minimum Lot Area Calculation: All calculations appear to be correct.
- F. Lots Backing Onto Arterial Streets: There are no lots proposed which require residents to back onto an arterial street.
- G. Water and Sewer Lines: The utilities are shown in the streets, within existing side or rear easements, and in the proposed driveway access. Sanitary sewer will tie into the existing city infrastructure near the southeast corner of the property.

The proposed subdivision is in conformance with Section 3-3-14 of City code.

SECTION 3-3-15 STREET NAMING:

No new streets are proposed as part of this project.

The proposed subdivision is in conformance with Section 3-3-15 of City code.

SECTIONS 3-3-16 STREET LIGHT DESIGN STANDARDS:

Conformance is required with the submittal of construction plans.

SECTION 3-3-17 through 3-3-22 (inclusive):

All referenced sections are applicable to Final Map submission, approval, and construction plans.

SECTION 3-3-23 PARK LAND DEDICATIONS:

There is no offer of dedication for park lands.

SECTION 3-2-3 GENERAL PROVISIONS:

Section 3-2-3(C)(1) of City code specifies use restrictions. The following use restrictions shall apply:

Principal Uses: Only those uses and groups of uses specifically designated as “principal uses permitted” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses.

Accessory Uses: Uses normally accessory and incidental to permitted principal or conditional uses may be permitted as hereinafter specified.

Other uses may apply under certain conditions with application to the City.

Section 3-2-3(D) states that: "No land may be used or structure erected where the land is held by the planning commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety, and general welfare of the community. The planning commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based. The applicant shall have the right to present evidence contesting such determination to the city council if he or she so desires, whereupon the city council may affirm, modify, or withdraw the determination of unsuitability."

The proposed subdivision and development is in conformance with Section 3-2-3 of City code.

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS:

1. Section 3-2-4(B) Required Conformity to District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.
2. Section 3-2-4(B)(4) stipulates that no yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The proposed subdivision is in conformance with Section 3-2-4 of City code.

SECTION 3-2-9(B) CT – COMMERCIAL TRANSITIONAL:

Section 3-2-9(B)(3) Conditional Uses Permitted:

1. Churches, church facility complexes and places of religious worship.
2. Convalescent hospitals, sanatoriums, nursing homes, homes for the aged.
3. Funeral homes and mortuaries.
4. Multiple-family residential developments which contain five (5) or more units located on a single lot or parcel; townhouse, condominium, or attached housing developments.
5. Restaurants, sandwich and beverage shops, delicatessens.
6. Theater, indoor.
7. Similar uses determined to be functionally comparable to conditional permitted uses in this zone.

The proposed subdivision and development is in conformance with Section 3-2-9(B)(3). Conformance with Section 3-2-9(B) is required as the subdivision develops.

SECTION 3-2-5(G) RESIDENTIAL ZONING DISTRICTS AREA, SETBACKS, AND HEIGHT:

1. Lot areas are shown.
2. Lot dimensions are shown. The lot dimensions are in conformance with Section 3-2-5(G) of City code.

The proposed subdivision and development is in conformance with Section 3-2-5(G) of City code.

SECTION 3-2-17 TRAFFIC, ACCESS, PARKING, AND LOADING:

1. N 5th Street is designated as a Minor Arterial in the Master Plan. No new streets are being proposed as part of the proposal.
2. The proposed lots are large enough to develop the required off-street parking. Each townhouse unit will include a two-car garage within the individual lots. Additional guest parking will be provided in the common lot owned and maintained by the Homeowner's Association.
3. The southern access driveway is lined up with the existing intersection of N 5th Street and Tasha Way. The northern access driveway is located approximately half way between the intersections of Mary Way and Copper Street. The Master Plan requires that driveways and intersections on Minor Arterial roads have a minimum separation of 250 feet. The proposed driveway is more than 250 feet from the closest intersection and conforms with both Master Plan and zoning requirements.

The proposed subdivision and development is in conformance with Section 3-2-17 of City code. Conformance with Section 3-2-17 is required as the subdivision develops.

SECTION 3-8 FLOOD PLAIN MANAGEMENT:

The proposed subdivision and development is not located in a designated special flood hazard area and is in conformance with Section 3-8 of City Code.

TITLE 9, CHAPTER 8 POST CONSTRUCTION RUNOFF CONTROL AND WATER QUALITY MANAGEMENT:

Final design of the subdivision is required to conform to the requirements of this title. The Tentative Map storm drain infrastructure is shown through the area.

OTHER:

The following permits will be required for the project:

1. State storm water general permit: Required submittals to the City of Elko are a plan view showing the storm water controls, a copy of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the certified confirmation letter from the Nevada Department of Environmental Protection.

2. A Surface Area Disturbance (SAD) is required if the disturbed area is equal to or greater than five (5) acres. A copy of the SAD permit is required to be submitted to the City of Elko.
3. A street cut permit from the City of Elko.
4. A grading permit from the City of Elko.
5. All other applicable permits and fees required by the City of Elko.
6. The City of Elko also requires submittal of the plans to the individual utility companies before permits will be issued for the project.

FINDINGS

1. The proposed subdivision and development is in conformance with both the Land Use and Transportation components of the Master Plan as previously discussed in this report.
2. The proposed subdivision and development does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; the Wellhead Protection Program; or applicable sections of the Elko City Code.
3. The proposed subdivision complies with Section 3-3-5(E)(2)(a)-(k) as discussed in this report and as required by Section 278.349(3) of the Nevada Revised Statutes.
4. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan.
5. A Zoning Amendment is required for the proposed subdivision as previously discussed in this report.

STAFF RECOMMENDATION:

Staff recommends this item be **conditionally approved** with the following conditions:

Development Department:

1. The associated Master Plan Amendment and Zoning Amendment must be approved and in effect prior to application submittal of the Final Map.
2. Conditional Use Permit 12-19 must be approved and all conditions met.
3. A copy of the CC&Rs must be submitted to the City of Elko Development Department prior to recordation of the Final Map.
4. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
5. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.

6. The Tentative Map must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval by the City of Elko.
7. Construction plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit.
8. Tentative Map approval does not constitute authorization to proceed with site improvements.
9. The applicant must submit an application for Final Map within a period of four (4) years in accordance with NRS.360(1)(a). Approval of the Tentative Map will automatically lapse at that time.
10. A soils report is required with Final Map submittal.
11. A hydrology report is required with Final Map submittal.
12. Final Map construction plans are to comply with Chapter 3-3 of City code.
13. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.
14. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
15. Obtain an easement for any off-site grading prior to issuance of a grading permit.

Tentative Map 14-19 Mountain View Town Homes

YPNO	assess_nam	address1	address2	mcity	mzip
001610039	ATLAS LAND HOLDINGS LLC	1522 PROSPECT LN		ALPINE, UT	84004-1870
001612003	DAVIS LYNETTE	2430 5TH ST		ELKO, NV	89801-4460
001610075	ELKO CITY OF <i>NOP.C.</i>	1755 COLLEGE AVE		ELKO, NV	89801-
001611005	ELLIS GREGOR	2350 N 5TH ST		ELKO, NV	89801-4450
001610047	NORTH FIFTH COMMERCIAL CENT LLC	PO BOX 669		ELKO, NV	89803-0660
001613002	POMROY ROBERT & CAITLIN TERESA	2515 FRANZI LN		ELKO, NV	89801-4440
001612004	REIMOLD ZACKERY E	2440 N 5TH ST		ELKO, NV	89801-4460
001613003	RODRIGUEZ ALEJANDRO	2523 FRANZI LN		ELKO, NV	89801-4440
001613001	SANDOVAL LUZ & CELSA G	2507 FRANZI LN		ELKO, NV	89801-4440
001612002	SIDES RICHARD	2420 5TH ST		ELKO, NV	89801-4460
001612005	TYNER ERIC	2450 N 5TH ST		ELKO, NV	89801-4460
001612001	WORNEK KIM RAY & DONNA K	2410 N 5TH ST		ELKO, NV	89801-4460

(11)

Post Marked 2/14/20

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Council will conduct a series of public hearings on Tuesday, February 25, 2020 beginning at 5:30 P.M. P.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative.

The specific item to be considered under public hearing format is:

- **Tentative Map No. 14-19, filed by Koinonia Development, LP, for the development of a subdivision entitled Mountain View Town Homes involving the proposed division of approximately 3.240 acres of property into 44 lots for residential development and a common area within the CT (Commercial Transitional) Zoning District, and matters related thereto. The subject property is located generally on the south side of N. 5th Street, across from Mary Way. (APNs 001-610-096, 001-610-097, 001-610-098, 001-610-099)**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY COUNCIL



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 5, 2020

State of Nevada
Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701

Subject: Mountain View Town Homes, 44 Lots and a Common Area – Elko, Nevada

Attached are three copies of the Tentative Map for Mountain View Town Homes in Elko, Nevada. This single family subdivision has 44 lots and a Common Area. The subdivision's water supply will be the City of Elko's municipal water system. Upon approval of the Tentative Map by the Elko City Council Dale Johnson, Utilities Director, will provide an Intent to Serve Letter to applicable state agencies.

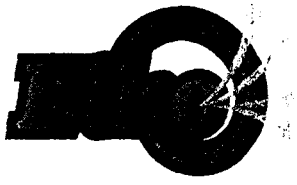
Also enclosed is the review fee of \$224.00, Check No. 2995

Please let me know if you have any questions.

Sincerely,

Shelby Archuleta
Planning Technician
City of Elko Planning Department
sarchuleta@elkocitynv.gov

CC: High Desert Engineering, Tom Ballew, 640 Idaho Street, Elko, NV 89801
Koinonia Development, 207 Brookwood Drive, Elko, NV 89801



CITY OF ELKO

Planning Department

Website: www.elkocity.com

Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 5, 2020

Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

Subject: Mountain View Town Homes, 44 Lots and Common Area – Elko, Nevada

Attached are two copies of the Tentative Map for Mountain View Town Homes in Elko, Nevada. This single family subdivision has 44 lots and a common area. This subdivision's water supply will be the City of Elko's municipal water system. The subdivision will also be served by the City of Elko Sanitary Sewer System and Storm Drainage System. Upon approval of the Tentative Map by the Elko City Council Dale Johnson, Utilities Director, will provide an Intent to Serve Letter to applicable state agencies.

Also enclosed is the review fee of \$532.00, Check No. 2992

Please let me know if you have any questions.

Sincerely,

Shelby Archuleta
Planning Technician
City of Elko Planning Department
sarchuleta@elkocitynv.gov

CC: High Desert Engineering, Tom Ballew, 640 Idaho Street, Elko, NV 89801
Koinonia Development, 207 Brookwood Drive, Elko, NV 89801

ASPEN
500 ASPEN WAY
ELKO, NV 89801-2797
312561-0825
(800)275-8777
02/05/2020 01:21 PM

Product	Qty	Unit Price	Price
PM 2-Day (Domestic) (CARSON CITY, NV 89701) (Weight:0 Lb 13.10 Oz) (Expected Delivery Day) (Friday 02/07/2020) (USPS Tracking #) (9505 5100 5051 0036 4035 35)	1	\$8.00	\$8.00
Insurance (Up to \$50.00 included)			\$0.00
PM 2-Day (Domestic) (CARSON CITY, NV 89701) (Weight:0 Lb 13.10 Oz) (Expected Delivery Day) (Friday 02/07/2020) (USPS Tracking #) (9505 5100 5051 0036 4035 43)	1	\$8.00	\$8.00
Insurance (Up to \$50.00 included)			\$0.00
Total:			\$16.00

Debit Card Remit'd \$16.00
(Card Name:VISA)
(Account #:XXXXXXXXXX5337)
(Approval #)
(Transaction #:718)
(Receipt #:026975)
(Debit Card Purchase:\$16.00)
(Cash Back:\$0.00)
(AID:A0000000980840 Chip)
(AL:US DEBIT)
(PIN:Verified)

Includes up to \$50 insurance

Text your tracking number to 28777



CITY OF ELKO

Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

December 5, 2019

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702

SUBJECT: Tentative Map No. 14-19/Mountain View Town Homes

To Whom It May Concern:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Mountain View Town Homes subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their February 4, 2020 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

To: Shelby Archuleta <sarchuleta@elkocitynv.gov>

 2 attachments (5 MB)

Annexes



Derivation

THE PROBLEM

Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190

direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072

amanda.marcucci@swgas.com | www.swgas.com

Amanda,
Sorry about that. Here are the PDFs.
Let me know if you need anything else.

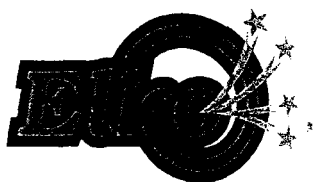
Shelby Archuleta

Planning Technician

City of Elko

Planning Department

PK (775) 777-7160



CITY OF ELKO

Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

December 5, 2019

NV Energy
Mr. Robert Lino
4216 Ruby Vista Dr.
Elko, NV 89801-1632

SUBJECT: Tentative Map No. 14-19/Mountain View Town Homes

Dear Mr. Lino:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Mountain View Town Homes subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their February 4, 2020 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



CITY OF ELKO

Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

December 5, 2019

Satview Broadband
Mr. Steve Halliwell
3550 Barron Way, Suite 13A
Reno, NV 89511

SUBJECT: Tentative Map No. 14-19/Mountain View Town Homes

Dear Mr. Halliwell:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Mountain View Town Homes subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their February 4, 2020 meeting.

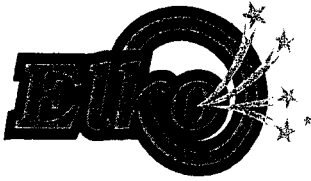
Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



CITY OF ELKO

Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

December 5, 2019

Frontier Communications
John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Tentative Map No. 14-19/Mountain View Town Homes

Dear Mr. Poole:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Mountain View Town Homes subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their February 4, 2020 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



CITY OF ELKO

Planning Department

Website: www.elkocitynv.gov
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

December 5, 2019

Elko County School District
Mr. Todd Pehrson
PO Box 1012
Elko, NV 89803

SUBJECT: Tentative Map No. 14-19/Mountain View Town Homes

Dear Mr. Pehrson:

Enclosed for your review and information is a copy of the submitted tentative map for the proposed Mountain View Town Homes subdivision, which is tentatively scheduled for consideration by the Elko City Planning Commission at their February 4, 2020 meeting.

Please submit written comments to the Elko City Planning Department. If we do not receive written comments prior to the scheduled meeting, we will assume you have no concerns regarding this application.

Thank you for your attention to this matter.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

December 4, 2019

High Desert Engineering, LLC
Attn: Tom Ballew
640 Idaho Street
Elko, NV 89801

Re: Mountain View Townhomes – Complete Submittal

Dear Mr. Ballew:

The City of Elko has reviewed your Tentative Map application materials for the Mountain View Townhomes (submitted December 2, 2019) and has found them to be complete. We will now begin processing your application by transmitting the materials to other City departments for their review. You may receive further comments or corrections as these reviews progress.

I will keep you updated on the status of your application, but please feel free to contact me at (775) 777-7217 if you have any questions.

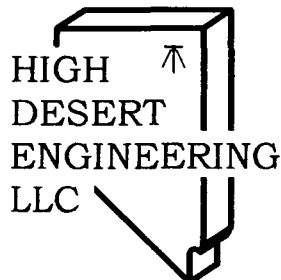
Sincerely,

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Koinonia Development, LP
Attn: John Smales
207 Brookwood Drive
Elko, NV 89801

City of Elko – File

Thomas C. Ballew, P.E., P.L.S.
Robert E. Morley, P.L.S.
Duane V. Merrill, P.L.S.



Consulting Civil Engineering
Land Surveying
Water Rights

December 2, 2019

Cathy Laughlin, City Planner
City of Elko
1751 College Avenue
Elko, NV 89801

Re: Koinonia Development, LP
Tentative Map

Dear Cathy,

Enclosed please find the following items regarding the above referenced project:

- Application for Tentative Map Approval.
- Three (3) 24"x36" copies (consisting of 4 sheets each) of the proposed Tentative Map.
- One (1) copy of the subdivision lot calculations.
- One (1) copy of the subdivision design report.
- One (1) copy of the subdivision drainage calculations.
- One (1) copy of the project legal description (Exhibits A and B).
- Check in the amount of \$1,850.00 for the Tentative Map review fee (payee City of Elko).
- Check in the amount of \$ 532.00 for the NDEP review fee (payee NDEP).
- Check in the amount of \$ 224.00 for the NDWR review fee (payee NDWR).

Pdf copies of the documents listed above will be transmitted to you.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,
HIGH DESERT Engineering, LLC

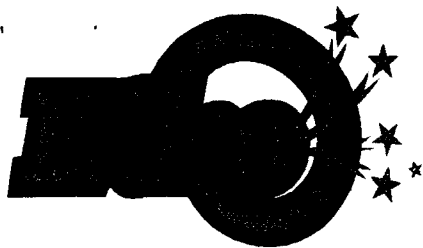
Thomas C. Ballew, P.E., P.L.S.

enclosures

cc John M. Smales, Koinonia Development, LP

RECEIVED

DEC 03 2019



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR TENTATIVE MAP (STAGE II) APPROVAL

****PRIOR TO SUBMITTING THIS APPLICATION, PRE-APPLICATION (STAGE I) MUST BE COMPLETE****

APPLICANT(s): Koinonia Development, LP
MAILING ADDRESS: 207 Brookwood Drive, Elko, NV 89801
PHONE NO (Home): _____ (Business) (775) 778-1539
EMAIL: johns.koinonia@gmail.com
NAME OF PROPERTY OWNER (If different): same
(Property owner consent in writing must be provided)
MAILING ADDRESS: same
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-610-096, 097, 098 & 099, and a portion of 001-610-075
Address Not addressed
Lot(s), Block(s), & Subdivision _____
Or Parcel(s) & File No. _____
APPLICANT'S REPRESENTATIVE: High Desert Engineering, LLC
MAILING ADDRESS: 640 Idaho Street, Elko, NV 89801
PHONE NO: (775) 738-4053

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 42 days (6 weeks) prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and three (3) 24" x 36" copies of the tentative map, grading plan, and utility plan folded to a size not to exceed 9"x12" provided by a properly licensed surveyor or civil engineer, and any required supporting data, prepared in accordance with Section 3-3-5 9C) and 3-3-6 of the Elko City Code (see attached checklist).
2. A Development Master Plan when, in the opinion of the Planning Commission, the proposed subdivision possesses certain characteristics, such as size, impact on neighborhoods, density, topography, utilities, and/or existing and potential land uses, that necessitate the preparation of a Development Master Plan.
3. Application/fees for State of Nevada review. (See Page 5)

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

DEC 03 2019

PROJECT DESCRIPTION OR PURPOSE: _____

Development of 44 single family residential townhouse lots on North Fifth Street in Elko, Nevada.

Subdivision to be phased as dictated by marketing conditions.

(Use additional pages if necessary)

Preliminary Plat Checklist 3-3-6

Date	Name
Identification Data	
✓	Subdivision Name ✓
✓	Location and Section, Township and Range ✓
✓	Reference to a Section Corner or Quarter-Section Corner ✓
✓	Name, address and phone number of subdivider ✓
✓	Name, address and phone number of engineer/surveyor ✓
✓	Scale, North Point and Date of Preparation ✓
✓	Dates of Revisions ✓
✓	Location maps ✓
✓	Legal description of boundaries ✓ <i>(Separate Sheet)</i>
Existing Conditions Data	
✓	2' contours on city coordinate system ✓
✓	Location of Water Wells ✓
✓	Location of Streams, private ditches, washes and other features ✓
✓	Location of Designated flood zones ✓
✓	The Location, widths and Names of all platted Streets, ROW ✓
✓	Municipal Corporation Lines <i>N/A</i>
✓	Name, book and page numbers of all recorded plats ✓
✓	Existing Zoning Classifications ✓
✓	Zoning of Adjacent Properties ✓
✓	Dimensions of all tract boundaries, gross and net acreage ✓
Proposed Conditions Data	
✓	Street Layout, location, widths, easements ✓
<i>N/A</i>	Traffic Impact Analysis ✓
✓	Lot Layout, including dimensions of typical lots ✓
✓	Corner Lot Layout ✓
✓	Lot layout on Street Curves <i>N/A</i>
✓	Each lot numbered consecutively ✓
✓	Total number of lots ✓
✓	Location, Width and proposed use of easements ✓
✓	Location, extent and proposed use of all land to be dedicated ✓
✓	Location and boundary of all proposed zoning districts ✓
	Draft of proposed deed restrictions <i>None</i>
✓	Preliminary Grading Plan ✓
✓	Conceptual cut and fill
✓	Estimated quality of material to be graded
Proposed Utilities	
✓	Sewage Disposal, design for sewage disposal ✓
✓	Water Supply, Evidence of adequate volume and quality ✓
✓	Storm Drain, Preliminary Calculations and Layout ✓
✓	Telephone, Power, Gas, Television ✓
	Intent to Serve Letter from Utility Department <i>N/A</i>

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent: Koinonia Development, LP / John M. Smales
(Please print or type)

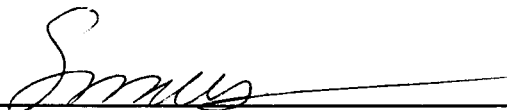
Mailing Address: 207 Brookwood Drive
(Street Address or P.O. Box)

Elko, NV 89801
(City, State, Zip Code)

Phone Number: (775) 778-1539

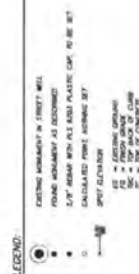
Email address: johns.koinonia@gmail.com

SIGNATURE:



FOR OFFICE USE ONLY

File No.: 14-19 Date Filed: 12/3/19 Fee Paid: \$1875.00 CU # 2991 + 15349
44 lots + Common Area 45 x 25 = \$1,125 + 750 = \$1,875



- [illegible]



- EXISTING MONUMENT BY STREET WALL
FOUND MONUMENT AS DESCRIBED
5/8" REBAR WITH PL 8202 PLASTIC CAP, TO BE SET

TREET LIGHT SUMMARY:		
STREET LIGHT	"X" LINE STATION	OFFSET
1	1+38.37	18.25' RT
2	5+05.00	15.25' LT
3	8+25.00	18.25' RT

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and consideration of Tentative Map 16-19, filed by Bailey & Associates, LLC, for the development of a subdivision entitled Ruby Mountain Peaks involving the proposed division of approximately 10 acres of property into 45 lots for residential development and 1 remainder lot within the R1 (Single-Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **February 25, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **Subject property is located on the east side of Jennings Way between Mountain City Highway and Bluffs Avenue. (APN 001-01A-014). The Planning Commission considered this item on February 4, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 16-19. MR**
6. **Budget Information:**
 - Appropriation Required: **N/A**
 - Budget amount available: **N/A**
 - Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. Action Report, Staff Reports, and related correspondence.**
9. Recommended Motion: **Conditionally approve Tentative Map No. 16-19 for the Ruby Mountain Peaks Subdivision, subject to the findings and conditions as recommended by the Planning Commission. The City Council determines that the property can be divided based on the findings required in Section 3-3-5(E)(2) of the Municipal Code.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Bailey & Associates, LLC**
 - Attn: Jon Bailey**
 - 780 W. Silver Street**
 - Elko, NV 89801**
 - jbaileype@gmail.com**
 - Summit Engineering**
 - Attn: Nitin Bhakta**
 - 1150 Lamoille Highway**
 - Elko, NV 89801**
 - nitin@summitnv.com**



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of February 4, 2020

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on February 4, 2020 per City Code Section 3-3-5(D)4.:

Tentative Map No. 16-19, filed by Bailey & Associates, LLC for the development of a subdivision entitled Ruby Mountain Peaks involving the proposed division of approximately 10.00 acres of property into 45 lots for residential development in an R (Single-family & Multi-Family Residential) Zoning District, and matters related thereto.

The subject property is located generally on the southeast corner of the intersection of Jennings Way and Bluffs Avenue. (APNs 001-01A-014)

WHEREAS, the Planning Commission, upon review and consideration of the application, supporting data, public input and testimony, forward a recommendation to City Council to conditionally approve Tentative Map No. 16-19 subject to the conditions found in the City of Elko Staff Report dated January 17, 2020, listed as follows:

Development Department:


1. The associated Master Plan Amendment must be approved and in effect prior to application submittal of the Final Map.
2. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
3. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.
4. The Tentative Map must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval by the City of Elko.
5. Construction plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit.
6. Tentative Map approval does not constitute authorization to proceed with site improvements.
7. The applicant must submit an application for Final Map within a period of four (4) years in accordance with NRS.360(1)(a). Approval of the Tentative Map will automatically lapse at that time.
8. A soils report is required with Final Map submittal.
9. A hydrology report is required with Final Map submittal. This report will need to be reviewed and approved by both the City of Elko and NDOT.
10. Final Map construction plans are to comply with Chapter 3-3 of City code.
11. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.
12. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
13. A modification from standards be approved by City Council for Lot 18, 19, 25, and 26 to allow for shorter-than-required front lots widths.

14. No lots are allowed to face Bluffs Avenue, Jennings Way, or Mountain City Highway.

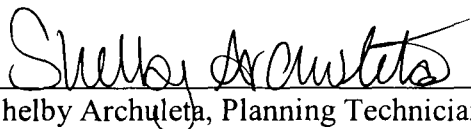
Planning Department:

1. A modification from standards be approved by City Council for Lot 3, 4, 5, 6, 7, 8, and 9 to allow single family residences on double frontage lots not abutting an arterial street.

The Planning Commission's findings to support its recommendation are the proposed subdivision and development is in conformance with both the Land Use and Transportation Components of the Master Plan. The proposed subdivision and development does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; The Wellhead Protection Program; or applicable sections of the Elko City Code. The proposed subdivision complies with Section 3-3-5(E)(2)(a)-(k) as required by Section 278.349(3) of the Nevada Revised Statutes. The property is not located within the Redevelopment Area. Therefore, there is not conflict with the Redevelopment Plan.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk
Michele Rambo, Development Manager (email)

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 2/4

Do not use pencil or red pen, they do not reproduce

Title: Tentative Map No. 16-19 - Ruby Mountain Peaks
Applicant(s): Bailey + Associates, LLC
Site Location: NE Corner of Jennings Way + Bluffs Ave.
Current Zoning: R Date Received: 12/24/19 Date Public Notice: 1/24/20
COMMENT: This is to divide 10.00 acres into 45 lots.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 1/28/20
Recommend approval as presented by
staff

SAW

Initial

City Manager: Date: 1/29/20
No comments/concerns.

CC

Initial

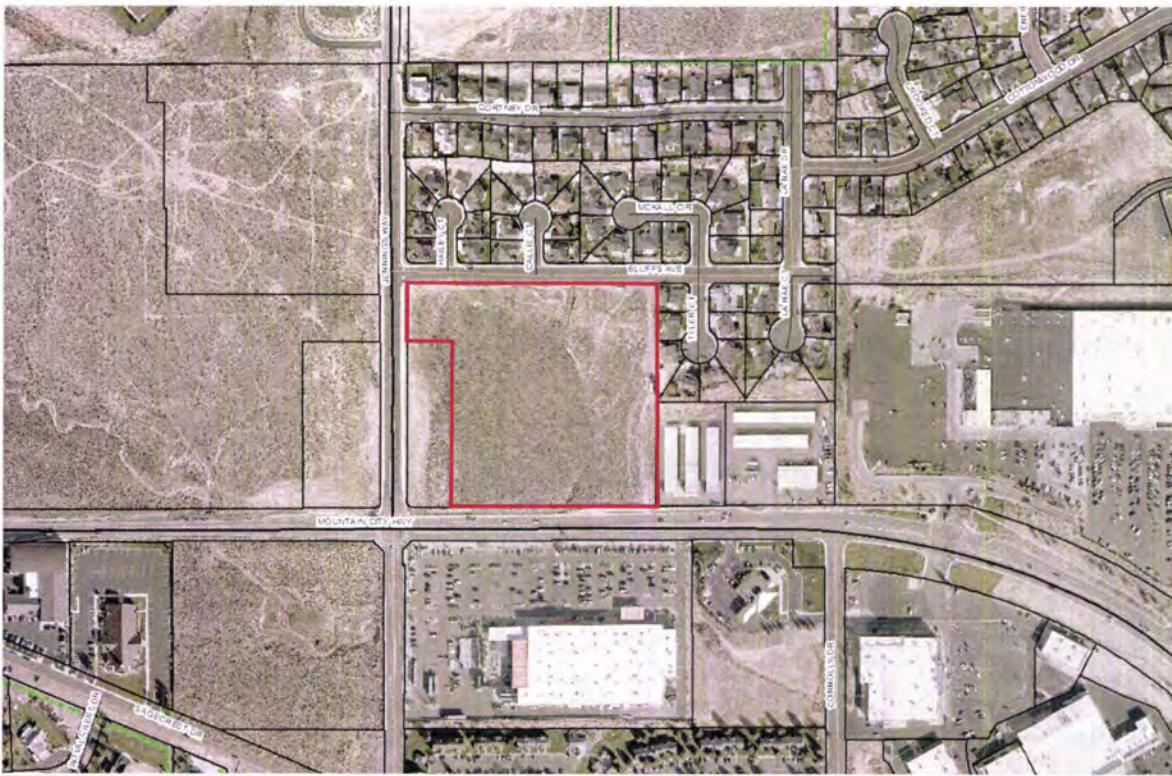


City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

REPORT DATE:	January 17, 2020
PLANNING COMMISSION DATE:	February 4, 2020
AGENDA ITEM NUMBER:	I.A.3.
APPLICATION NUMBER:	Tentative Map 16-19
APPLICANT:	Bailey & Associates, LLC
PROJECT DESCRIPTION:	Ruby Mountain Peaks

A Tentative Map for the proposed division of approximately 10 acres of property into 45 lots for residential development and 1 remainder lot within a R1 (Single-Family Residential) Zoning District.



STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-01A-014

PARCEL SIZE: 10 Acres

EXISTING ZONING: (R) Single-Family and Multiple-Family Residential

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density
Upon approval of a Master Plan Amendment

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: Single-Family Residential (R1) / Developed
- South: General Commercial (C) / Developed
- East: General Commercial (C) / Vacant
- West: Single-Family Residential (R1) / Developed
Industrial Commercial (IC) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The site abuts previous residential development to the north and northeast, developed commercial property to the south, vacant commercial property to the west, and developed industrial/commercial property to the southeast.
- The parcel slopes down to Mountain City Highway. The slope has been incorporated into the tentative map design where possible, but a large amount of grading will be required.
- The property will be accessed by two driveways off of Bluffs Avenue.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
- City of Elko Zoning – Section 3-2-5(E) Single-Family and Multiple-Family Residential District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback, and Height

- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Chapter 3 Subdivisions
- City of Elko Zoning – Section 3-8 Flood Plain Management
- City of Elko Public Ways and Property – Title 9, Chapter 8 Post Construction Runoff Control and Water Quality Management

BACKGROUND:

1. The property owner and applicant is Bailey & Associates, LLC.
2. The subdivision is located on APN 001-01A-014.
3. The property is undeveloped.
4. The proposed subdivision consists of 45 residential lots and 1 remainder lot to be dedicated to the City of Elko as a utility easement.
5. The total subdivided area is approximately 10 acres.
6. The proposed density is 4.5 units per acre.
7. No phasing is proposed as part of this subdivision.
8. There are 2 new dedicated roadways offered as part of the project.
9. The property is located on the east side of Jennings Way between Mountain City Highway and Bluffs Avenue.
10. A Stage 1 meeting for the proposed subdivision was held on September 12, 2019.

MASTER PLAN

Land Use:

1. The land use for the parcel is shown as Highway Commercial. A Master Plan Amendment is required to change this designation to Residential Medium Density to create consistency between the Master Plan and the zoning designation. Residential Medium Density is intended for residential development at a density between four and eight units per acre. The proposed subdivision consists of a density of 4.5 units per acre and does conform with this aspect of the Master Plan.
2. The zoning for the parcel is shown as Single-Family and Multiple-Family Residential, which is not listed in the Master Plan as a corresponding district within the Highway Commercial land use designation. While this residential designation allows for the proposed development, it is in conflict with the Master Plan. In an effort to clean up this inconsistency, a Master Plan Amendment has been initiated by staff as described above.
3. The listed Goal of the Land Use Component states: “Promote orderly, sustainable growth and efficient land use to improve quality of life and ensure new development meets the needs of all residents and visitors.”
4. Objective 1 under the Land Use component of the Master Plan states: “Promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups.”
 - a. Best Practice 1.1 – The proposed subdivision meets several of the methods described to achieve a diverse mix of housing types in the community.
 - b. Best Practice 1.3 – The location of the proposed subdivision appears to support the City striving for a blended community by providing a mix of housing types in the neighborhood and is supported by existing infrastructure.
5. Objective 8 of the Land Use component of the Master Plan states: “Ensure that new development does not negatively impact County-wide natural systems or public/federal lands such as waterways, wetlands, drainages, floodplains, etc. or pose a danger to human health and safety.” Staff believes there will be no negative impacts to natural systems and no issue with regard to human health and safety.

The proposed subdivision and development is in conformance with the Land Use component of the Master Plan upon approval of a Master Plan Amendment as described above. A condition of approval has been added requiring this amendment to be in effect prior to any construction activity or the recordation of the Final Map, whichever comes first.

Transportation:

1. The project will be accessed from Bluffs Avenue.
2. Bluffs Avenue is classified as a Residential Collector street.
3. The interior circulation of the project will be provided by two new roads to be dedicated to the City of Elko.
4. The Master Plan requires Residential Collector streets to have 60 feet of right-of-way.
5. Bluffs Avenue has 60 feet of right-of-way. No further dedications are required.
6. Upon full buildout, the proposed subdivision is expected to generate approximately 428 additional Average Daily Trips based on 9.52 trips/single-family unit (ITE Trip Generation, 10th Edition). This is well below the threshold for a traffic study established in the Master Plan.

The proposed subdivision and development is in conformance with the Transportation component of the Master Plan.

ELKO AIRPORT MASTER PLAN:

The proposed subdivision and development does not conflict with the Airport Master Plan.

CITY OF ELKO DEVELOPMENT FEASIBILITY, LAND USE, WATER INFRASTRUCTURE, SANITARY SEWER INFRASTRUCTURE, TRANSPORTATION INFRASTRUCTURE, AND ANNEXATION POTENTIAL REPORT – NOVEMBER 2012:

The proposed subdivision does not conflict with the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

The property is not located within any capture zone for City of Elko wells. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system.

SECTION 3-3-5 TENTATIVE MAP STAGE (STAGE II):

Tentative Map Approval 3-3-5(E)(2)(a)-(k) – Requires the following findings:

- a. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal, and, where applicable, individual systems for sewage disposal.

- The proposed subdivision will be connected to the city's water supply system, programmed sewer system, and is required to be in compliance with all applicable federal, state, and local requirements.
- b. The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.
- The City of Elko Engineering Department is required to model the anticipated water consumption of the subdivision. The City of Elko Utility Department will be required to submit a "Tentative Will-Serve Letter" to the State of Nevada. The water modeling requires an update to reflect the increased number of lots. Current City-wide annual water usage is approximately 50% of the total allocated water rights.
 - City of Elko currently has excess pumping capacity of 3,081 gallons per minute. Sufficient infrastructure and pumping capacity exists to provide the required water volume to serve the proposed subdivision and development.
 - The Developer will extend properly sized infrastructure as required for development of the property.
 - The proposed subdivision and development will not create an unreasonable burden on the existing water supply.
- c. The availability and accessibility of utilities.
- Utilities are available in the immediate area and can be extended for the proposed development.
- d. The availability and accessibility of public services such as schools, police protection, transportation, recreation, and parks.
- Schools, fire and police, and recreational services are available throughout the community.
- e. Conformity with the zoning ordinance and the City's Master Plan, except that if any existing zoning ordinance is inconsistent with the City's Master Plan, the zoning ordinance takes precedence.
- The land use for the parcel is shown as Highway Commercial. A Master Plan Amendment is required to change this designation to Residential Medium Density to create consistency between the Master Plan and the zoning designation.
 - The zoning for the parcel is shown as Single-Family and Multiple-Family Residential, which is not listed in the Master Plan as a corresponding district within the Highway Commercial land use designation. While this residential designation allows for the proposed development, it is in conflict with the Master Plan. In an effort to clean up this inconsistency, a Master Plan Amendment has been initiated by staff as described above.
 - Residential Medium Density is intended for residential development at a density between four and eight units per acre. The proposed subdivision consists of a density of 4.5 units per acre and does conform with this aspect of the Master Plan.
 - The proposed subdivision is otherwise in conformance with the City's Master Plan as well as the Zoning Ordinance.

- f. General conformity with the City's Master Plan of streets and highways.
 - The proposed subdivision is in conformance with the Transportation Component of the Master Plan.
- g. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.
 - The proposed subdivision and development will add approximately 428 Average Daily Trips to Bluffs Avenue. Based on the threshold of 1,000 ADT referenced in the Master Plan, a traffic study is not required with this subdivision.
 - The proposed subdivision and development will not cause unreasonable traffic congestion or unsafe conditions with respect to existing or proposed streets.
- h. Physical characteristics of the land, such as floodplain, slope, and soil.
 - The proposed subdivision and subsequent development of the property is expected to reduce the potential for erosion in the immediate area. Development of the property will not cause unreasonable soil erosion.
 - A hydrology report is required with the Final Map and Construction Plan submittal.
 - The proposed subdivision and development is not expected to result in unreasonable erosion or reduction in the water holding capacity of the land thereby creating a dangerous or unhealthy condition.
- i. The recommendations and comments and those entities and persons reviewing the Tentative Map pursuant to this Chapter and NRS 278.330 to 278.3485, inclusive.
 - Any comments received from other entities and persons reviewing the Tentative Map have been incorporated either as revisions to the Map or as conditions of approval.
- j. The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.
 - Fire protection services are available throughout the community.
 - A sufficient amount of water exists in this area for use in fire containment.
 - The City of Elko Fire Department has reviewed the application materials for compliance with all fire code requirements.
- k. The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by Chapter 375 of NRS and for compliance with the disclosure and recording requirements of Subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.
 - The subdivider/developer is required to comply with all applicable sections of Chapters 375 and 598 of the NRS.

There are no obvious considerations or concerns which indicate the proposed subdivision would not be in conformance with all applicable provisions.

SECTION 3-3-6 CONTENT AND FORMAT OF TENTATIVE MAP SUBMITTAL:

- A. Form and Scale – The Tentative Map conforms to the required size and form specifications.
- B. Identification Data
 - 1. The subdivision name, location, and section/township/range, with bearing to a section corner or quarter-section corner, is shown.
 - 2. The name, address, email, and telephone number of the subdivider is shown.
 - 3. The engineer's name, address, and telephone number are shown.
 - 4. The scale is shown on all sheets.
 - 5. The north arrow is shown on all sheets.
 - 6. The date of initial preparation and dates of any subsequent revisions are shown.
 - 7. A location map is provided.
 - 8. A legal description is provided.
- C. Physical Conditions
 - 1. The existing topography of the site is shown.
 - 2. Existing drainage conditions are shown on the Tentative Map.
 - 3. There are no Special Flood Hazards within the proposed subdivision.
 - 4. All roadways, easements, and corporate limits are shown within and adjacent to the subdivision.
 - 5. Dimensions of all subdivision boundaries are shown on the Tentative Map.
 - 6. Gross and net acreage of the subdivision is shown.
- D. Recorded Map Information:
 - 1. Any previously recorded maps for adjacent properties are labeled on the Tentative Map.
- E. Existing Zoning:
 - 1. The zoning is shown for the subject property. Zoning classifications for adjacent properties are also shown on the Tentative Map.
- F. Proposed Improvements and Other Features Data:
 - 1. The proposed interior street layout is shown. All of the streets are named and proposed for dedication. The grades of the proposed streets are shown on the grading plan. The continuation of roadways is not required of the proposed subdivision.
 - 2. The lot layout with consecutively numbered lots is shown. The area and dimensions for each lot are shown, as well as the total number of lots.
 - 3. Typical easements will be required along all lot lines.
 - 4. Street dedications are proposed for the two new streets (Liberty Peak Street and Snow Lake Circle).
 - 5. Single-family residential units are allowed in the Single-Family and Multiple-Family Residential zoning.
- G. Proposed Deed Restrictions:
 - 1. No proposed CC&R's for the subdivision have been submitted.
- H. Preliminary Grading Plan:
 - 1. A grading plan has been provided. The cut and fill amounts are shown on a separate document.

- I. NPDES Permit Compliance:
 - 1. The subdivider will be required to comply with the City of Elko's storm water regulations.
- J. Proposed Utility Methods and Requirements:
 - 1. The proposed sewage disposal infrastructure connecting to the City's infrastructure is shown on the utility plan.
 - 2. The proposed water supply infrastructure connecting to the City's infrastructure is shown on the utility plan.
 - 3. The Tentative Map shows storm water infrastructure. A hydrology report will be required with the Final Map and Construction Plan submittal.
 - 4. Utilities in addition to City utilities must be provided with construction plans required for Final Map submittal.
 - 5. The City will not require a traffic impact study for the proposed subdivision.

SECTION 3-3-9 GENERAL REQUIREMENTS FOR SUBDIVISION DESIGN:

- A. Conformance with Master Plan: The proposed subdivision is in conformance with the Master Plan objectives for density and applicable zoning as discussed in detail above.
- B. Public Facility Sites: No public facility sites are proposed for dedication.
- C. Land Suitability: The area proposed for subdivision is suitable for the proposed development based on the findings in this report.

The proposed subdivision is in conformance with Section 3-3-9 of City code.

SECTION 3-3-10 STREET LOCATION AND ARRANGEMENT:

- A. Conformance with Plan: The proposed subdivision utilizes an existing section of Bluffs Avenue for access.
- B. Layout: Street continuation through the proposed subdivision is not required.
- C. Extensions: No extensions are required as part of the proposed subdivision. However, improvements will be required to Bluffs Avenue in the form of curb, gutter, and sidewalk.
- D. Arrangement of Residential Streets: The arrangement of streets within the subdivision prevents outside traffic from utilizing the neighborhood for cut-through traffic.
- E. Protection of Residential Properties: There are no lots that have frontage or access from arterial streets. Bluffs Avenue is a Residential Collector street. The subdivision has been designed so that all lots will front onto interior streets running through the site. A note is included on the map, and a condition of approval has been added, prohibiting lots to face on either Bluffs Avenue, Jennings Way, or Mountain City Highway.
- F. Parallel Streets: Consideration of street location is not required.
- G. Topography: The proposed streets have been designated to address the topography of the area.
- H. Alleys: No alleys are proposed.
- I. Half-Streets: There are no half-streets proposed.

- J. Dead-End Streets: There are no dead-end streets proposed. The streets are designed to allow for appropriate turning movements for traffic, as well as fire trucks.
- K. Intersection Design: The proposed intersections with Bluffs Avenue are code compliant.

The proposed subdivision is in conformance with Section 3-3-10 of City code.

SECTION 3-3-11 STREET DESIGN:

- A. Required Right-of-Way Widths: Bluffs Avenue currently consists of the required 60 feet of right-of-way. All proposed streets are shown with the required 50 feet of right-of-way.
- B. Street Grades: The proposed street grades are code compliant.
- C. Vertical Curves: Any vertical curves are code compliant.
- D. Horizontal Alignment: The horizontal alignment of the streets and intersections are code compliant.

The proposed subdivision is in conformance with Section 3-3-11 of City code.

SECTION 3-3-12 BLOCK DESIGN:

- A. Maximum Length of Blocks: The block design does not exceed the maximum length of a block and maximizes block length.
- B. Sidewalks or Pedestrian ways: The proposed sidewalks are code compliant. No other pedestrian ways are proposed.

The proposed subdivision is in conformance with Section 3-3-12 of City code.

SECTION 3-3-13 LOT PLANNING:

- A. Lot Width, Depth, and Area: The lots are in conformance with the specifications stipulated for the zoning in Elko City Code 3-2-5 with the exception of Lots 18, 19, 25, and 26. These lots are located on the outside curve of 90 degree turns and have short front lot widths. A modification of standards is required to make these lots conform.
- B. Building Setback: The proposed subdivision, when developed, can meet setback requirements as stipulated in Elko City Code 3-2-5(G).
- C. Side Lot Lines: The side lot lines are generally at right angles to the proposed streets.
- D. Accessibility: The development abuts a public street. All residents will have access to Bluffs Avenue.
- E. Prohibitions: No units shall have direct access to Bluffs Avenue, Jennings Way, or Mountain City Highway. All access is to be through the two proposed intersections on Bluffs Avenue.

The proposed subdivision is in conformance with Section 3-3-13 of City code with the needed modification of standards.

SECTION 3-3-14 EASEMENT PLANNING:

- A. Utility Easements: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels. Parcel A, located on the south side of the project adjacent to Mountain City Highway, is a proposed utility easement to be dedicated to the City of Elko. Overhead utilities are not allowed within the subdivision.
- B. Underground Utilities: Overhead utilities are not allowed within the subdivision. The utility companies, at their discretion, may request a wider easement where needed.
- C. Lots Facing Curvilinear Streets: Overhead utilities are not allowed within the subdivision.
- D. Public Drainage Easement: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels.
- E. Easement Land Not Considered and Considered in Minimum Lot Area Calculation: All calculations appear to be correct.
- F. Lots Backing Onto Arterial Streets: There are no lots proposed which require residents to back onto an arterial street. A note on the map and a condition of approval found below require that all lots face the interior streets.
- G. Water and Sewer Lines: The utilities are shown in the existing exterior streets, within proposed side or rear easements, and in the proposed interior streets. Sanitary sewer will tie into the existing city infrastructure near the southeast corner of the property.

The proposed subdivision is in conformance with Section 3-3-14 of City code.

SECTION 3-3-15 STREET NAMING:

The subdivider has proposed two new street names (Liberty Peak Street and Snow Lake Circle).

The proposed subdivision is in conformance with Section 3-3-15 of City code.

SECTIONS 3-3-16 STREET LIGHT DESIGN STANDARDS:

Conformance is required with the submittal of construction plans.

SECTION 3-3-17 through 3-3-22 (inclusive):

All referenced sections are applicable to Final Map submission, approval, and construction plans.

SECTION 3-3-23 PARK LAND DEDICATIONS:

There is no offer of dedication for park lands.

SECTION 3-2-3 GENERAL PROVISIONS:

Section 3-2-3(C)(1) of City code specifies use restrictions. The following use restrictions shall apply:

Principal Uses: Only those uses and groups of uses specifically designated as “principal uses permitted” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses.

Accessory Uses: Uses normally accessory and incidental to permitted principal or conditional uses may be permitted as hereinafter specified.

Other uses may apply under certain conditions with application to the City.

Section 3-2-3(D) states that: “No land may be used or structure erected where the land is held by the planning commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety, and general welfare of the community. The planning commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based. The applicant shall have the right to present evidence contesting such determination to the city council if he or she so desires, whereupon the city council may affirm, modify, or withdraw the determination of unsuitability.”

The proposed subdivision and development is in conformance with Section 3-2-3 of City code.

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS:

1. Section 3-2-4(B) Required Conformity to District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.
2. Section 3-2-4(B)(4) stipulates that no yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The proposed subdivision is in conformance with Section 3-2-4 of City code.

SECTION 3-2-5(E) R SINGLE-FAMILY AND MULTIPLE-FAMILY RESIDENTIAL DISTRICT:

Section 3-2-5(E)(2) Principal Uses Permitted:

1. Adult care facility which serves ten (10) or fewer.
2. Electric power substations, sewer lift stations, and water pump stations wherein service to district residents requires location within the district.
3. Multiple-family residential units, including a duplex, triplex, or a fourplex located on a single lot or parcel, provided area and setback requirements are met.
4. One single-family dwelling of a permanent character in a permanent location with each dwelling unit on its own parcel of land and provided all area and setback requirements are met.
5. Publicly owned and operated parks and recreation areas and centers.
6. Residential facility for groups of ten (10) or fewer.

The proposed subdivision and development is in conformance with Section 3-2-5(E). Conformance with Section 3-2-5(E) is required as the subdivision develops.

SECTION 3-2-5(G) RESIDENTIAL ZONING DISTRICTS AREA, SETBACKS, AND HEIGHT:

1. Lot areas are shown.
2. Lot dimensions are shown. The lots are in conformance with the specifications stipulated for the zoning in Elko City Code 3-2-5 with the exception of Lots 18, 19, 25, and 26. These lots are located on the outside curve of 90 degree turns and have short front lot widths. A modification of standards is required to make these lots conform.

The proposed subdivision and development is in conformance with Section 3-2-5(G) of City code with the required modification of standards.

SECTION 3-2-17 TRAFFIC, ACCESS, PARKING, AND LOADING:

1. Bluffs Avenue is classified as a Residential Collector street. The interior circulation of the project will be provided by two new roads to be dedicated to the City of Elko.
2. The proposed lots are large enough to develop the required off-street parking. Each unit will include a two-car garage within the individual lots.

The proposed subdivision and development is in conformance with Section 3-2-17 of City code. Conformance with Section 3-2-17 is required as the subdivision develops.

SECTION 3-8 FLOOD PLAIN MANAGEMENT:

The proposed subdivision and development is not located in a designated special flood hazard area and is in conformance with Section 3-8 of City Code.

TITLE 9, CHAPTER 8 POST CONSTRUCTION RUNOFF CONTROL AND WATER QUALITY MANAGEMENT:

Final design of the subdivision is required to conform to the requirements of this title. The Tentative Map storm drain infrastructure is shown through the area.

OTHER:

The following permits will be required for the project:

1. State storm water general permit: Required submittals to the City of Elko are a plan view showing the storm water controls, a copy of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the certified confirmation letter from the Nevada Department of Environmental Protection.
2. A Surface Area Disturbance (SAD) is required if the disturbed area is equal to or greater than five (5) acres. A copy of the SAD permit is required to be submitted to the City of Elko.

3. A street cut permit from the City of Elko.
4. A grading permit from the City of Elko.
5. All other applicable permits and fees required by the City of Elko.
6. The City of Elko also requires submittal of the plans to the individual utility companies before permits will be issued for the project.

FINDINGS

1. The proposed subdivision and development is in conformance with both the Land Use and Transportation components of the Master Plan as previously discussed in this report.
2. The proposed subdivision and development does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; the Wellhead Protection Program; or applicable sections of the Elko City Code.
3. The proposed subdivision complies with Section 3-3-5(E)(2)(a)-(k) as discussed in this report and as required by Section 278.349(3) of the Nevada Revised Statutes.
4. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan.

STAFF RECOMMENDATION:

Staff recommends this item be **conditionally approved** with the following conditions:

Development Department:

1. The associated Master Plan Amendment must be approved and in effect prior to application submittal of the Final Map.
2. The subdivider is to comply with all provisions of the NAC and NRS pertaining to the proposed subdivision.
3. Tentative Map approval constitutes authorization for the subdivider to proceed with preparation of the Final Map and associated construction plans.
4. The Tentative Map must be approved by the Nevada Department of Environmental Protection prior to submitting for Final Map approval by the City of Elko.
5. Construction plans must be approved by the Nevada Department of Environmental Protection prior to issuance of a grading permit.
6. Tentative Map approval does not constitute authorization to proceed with site improvements.
7. The applicant must submit an application for Final Map within a period of four (4) years in accordance with NRS.360(1)(a). Approval of the Tentative Map will automatically

lapse at that time.

8. A soils report is required with Final Map submittal.
9. A hydrology report is required with Final Map submittal. This report will need to be reviewed and approved by both the City of Elko and NDOT.
10. Final Map construction plans are to comply with Chapter 3-3 of City code.
11. The subdivision design and construction shall comply with Title 9, Chapter 8 of City code.
12. The Utility Department will issue an Intent to Serve letter upon approval of the Tentative Map by the City Council.
13. A modification from standards be approved by City Council for Lot 18, 19, 25, and 26 to allow for shorter-than-required front lots widths.
14. No lots are allowed to face Bluffs Avenue, Jennings Way, or Mountain City Highway.

Planning Department:

1. A modification from standards be approved by City Council for Lot 3,4,5,6,7,8, and 9 to allow single family residences on double frontage lots not abutting an arterial street.

Tentative Map 16-19 Ruby Mountain Peaks

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
00101A013	BAXTER, LINDA JEWELL TR		13172 GAFFNEY LN	OREGON CITY OR	97045-6776
00101C082	CERVANTES, JINIO & NORA		3024 HAILEY CT	ELKO NV	89801-2477
00101A005	CHA CHET II LLC		PO BOX 278	ELKO NV	89803-0278
00101A010	CHRISTIANSEN, RICHARD F ET AL		263 E 1000 S	OREM UT	84058-7050
00101C074	DELAMORA, JAIME JR & TARA		3016 CALLIE CT	ELKO NV	89801-2478
00101C002	GLAXNER, DANIEL J		2973 TYLER CT	ELKO NV	89801-2441
00101C062	GREENHAW, GREG & LESLIE		775 1ST ST	ELKO NV	89801-3001
001660020	HD DEVELOPMENT OF MARYLAND INC	C.O HOME DEPOT USA INC	2455 PACES FERRY RD SE	ATLANTA GA	30339-1834
00101C004	HENDRIX, BRANDON & JENNIFER L		2965 TYLER CT	ELKO NV	89801-2441
00101C061	JOGGERST, PAUL J & ELENA A TR		3055 MCKALL CIR	ELKO NV	89801-2476
00101A002	MCH PROPERTIES, LLC		950 IDAHO ST	ELKO NV	89801
00101C003	SANCHEZ, DAVID SR & DAWN C		2969 TYLER CT	ELKO NV	89801-2441
00101C001	SEDIVIC, NICHOLAS & BEVERLY		2977 TYLER CT	ELKO NV	89801-2441
00101C089	SHELDON, CALEB		3025 HAILEY CT	ELKO NV	89801
00101C081	SNIDER, REBEL WAYNE JR & TINA		3017 CALLIE CT	ELKO NV	89801-2478
00101C060	WOOD, MARCUS A & ALISSA M		3057 MCKALL CIR	ELKO NV	89801-2476

16

Post Marked 2/14/20

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Council will conduct a series of public hearings on Tuesday, February 25, 2020 beginning at 5:30 P.M. P.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative.

The specific item to be considered under public hearing format is:

- **Tentative Map No. 16-19, filed by Bailey & Associates, LLC for the development of a subdivision entitled Ruby Mountain Peaks involving the proposed division of approximately 10.00 acres of property into 45 lots for residential development in an R (Single-family & Multi-Family Residential) Zoning District, and matters related thereto. The subject property is located generally on the southeast corner of the intersection of Jennings Way and Bluffs Avenue. (APNs 001-01A-014)**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY COUNCIL



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2020

Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

Subject: Ruby Mountain Peaks, 45 Lots – Elko, Nevada

Attached are two copies of the Tentative Map for Ruby Mountain Peaks in Elko, Nevada. This single family subdivision has 45 lots. This subdivision's water supply will be the City of Elko's municipal water system. The subdivision will also be served by the City of Elko Sanitary Sewer System and Storm Drainage System. Upon approval of the Tentative Map by the Elko City Council Dale Johnson, Utilities Director, will provide an Intent to Serve Letter to applicable state agencies.

Also enclosed is the review fee of \$535.00, Check No. 33706

Please let me know if you have any questions.

Sincerely,

Shelby Archuleta
Planning Technician
City of Elko Planning Department
sarchuleta@elkocitynv.gov

CC: Bailey & Associates, LLC, Attn: Jon Bailey, 780 W Silver Street, Elko NV 89801
Summit Engineering, Attn: Nitin Bhakta, 1150 Lamoille Hwy, Elko, NV 89801



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2020

State of Nevada
Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701

Subject: Ruby Mountain Peaks, 45 Lots – Elko, Nevada

Attached are two copies of the Tentative Map for Ruby Mountain Peaks in Elko, Nevada. This single family subdivision has 45 lots. The subdivision's water supply will be the City of Elko's municipal water system. Upon approval of the Tentative Map by the Elko City Council Dale Johnson, Utilities Director, will provide an Intent to Serve Letter to applicable state agencies.

Also enclosed is the review fee of \$225.00, Check No. 33707

Please let me know if you have any questions.

Sincerely,

Shelby Archuleta
Planning Technician
City of Elko Planning Department
sarchuleta@elkocitynv.gov

CC: Bailey & Associates, LLC, Attn: Jon Bailey, 780 W Silver Street, Elko NV 89801
Summit Engineering, Attn: Nitin Bhakta, 1150 Lamoille Hwy, Elko, NV 89801

ASPEN
500 ASPEN WAY
ELKO, NV 89801-2797
312561-0825
(800)275-8777
02/12/2020 10:03 AM

Product	Qty	Unit Price	Price
PM 2-Day (Domestic) (CARSON CITY, NV 89701) (Weight:1 Lb 2.80 Oz) (Expected Delivery Day) (Friday 02/14/2020) (USPS Tracking #) (9505 5100 5051 0043 4071 45)	1	\$9.90	\$9.90
Insurance (Up to \$50.00 included)			\$0.00
PM 2-Day (Domestic) (CARSON CITY, NV 89701) (Weight:1 Lb 2.50 Oz) (Expected Delivery Day) (Friday 02/14/2020) (USPS Tracking #) (9505 5100 5051 0043 4071 52)	1	\$9.90	\$9.90
Insurance (Up to \$50.00 included)			\$0.00
Total:			\$19.80

Debit Card Remit'd \$19.80
(Card Name:VISA)
(Account #:XXXXXXXXXXXX5337)
(Approval #)
(Transaction #:896)
(Receipt #:027157)
(Debit Card Purchase:\$19.80)
(Cash Back:\$0.00)
(AID:A0000000980840 Chip)
(AL:US DEBIT)
(PIN:Verified)

Includes up to \$50 insurance



January 13, 2020

RECEIVED

JAN 14 2020

City of Elko
Michele Rambo
Development Manager
1751 College Avenue
Elko, NV 89801

Re: Ruby Mountain Peaks revisions for Tentative Map Submittal

Dear Michele:

The City of Elko completed a full review of the Tentative Map for Ruby Mountain peaks and found several items that need correction. Please find attached a revised copy of the submitted plans that address the list of comments below.

1. Design of the storm water detention system is required to include the approximate sizing of the outlet pipe from the 36" pipes to reduce the post construction runoff numbers to a number no greater than the preconstruction runoff numbers. Please revise the exhibits and hydrology report as needed to include this sizing and reduction of flows.
Appropriate pipe sizing and a controlled outlet pipe size with slope will be used to show that no net increase entering the existing storm drain system. The hydrology report has been revised and attached.
2. Show existing and proposed curb and sidewalks on Bluffs and Jennings.
Proposed curb, gutter and sidewalk have been added to the plan set.
3. "Peak" is not an acceptable street suffix per the USPS list of approved suffixes and their abbreviations. Please revised the street names.
Street names have been revised and shown.
4. State the intent of Parcel A. Will it be offered for dedication or maintained by an HOA? If an HOA is proposed, please provide a draft copy of the CC&Rs.
Parcel A is to be a Utility Easement and dedicated to the city of Elko, No HOA is proposed for this subdivision.
5. Provide a street light at the mailbox location(s). *Street light has been added.*
6. The Utility Plan needs to be revised:
 - a. No water service shown to lot 31. *Issue revised on Utility plan*
 - b. Two water services shown to lot 43. *Issue revised on Utility plan*
 - c. No sewer lateral shown to lot 22. *Issue revised on Utility plan*

Please contact me at our office (775) 787-4391 with any additional question you may have about this project.

Sincerely,

SUMMIT ENGINEERING CORPORATION



Nitin I. Bhakta, PE
VP of Engineering / Elko Area Manager



City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

January 9, 2020

Summit Engineering
Attn: Nitin Bhakta
1150 Lamoille Highway
Elko, NV 89801

Re: Ruby Mountain Peaks – Corrections

Dear Mr. Bhakta:

The City of Elko has completed a full review of your Tentative Map for Ruby Mountain Peaks (submitted December 24, 2019) and has the following revisions.

1. Design of the storm water detention system is required to include the approximate sizing of the outlet pipe from the 36" pipes to reduce the post construction runoff numbers to a number no greater than the preconstruction runoff numbers. Please revise the exhibits and hydrology report as needed to include this sizing and reduction of flows.
2. Show existing and proposed curb and sidewalks on Bluffs and Jennings.
3. "Peak" is not an acceptable street suffix per the USPS list of approved suffixes and their abbreviations. Please revised the street names.
4. State the intent of Parcel A. Will it be offered for dedication or maintained by an HOA? If an HOA is proposed, please provide a draft copy of the CC&Rs.
5. Provide a street light at the mailbox location(s).
6. The Utility Plan needs to be revised:
 - a. No water service shown to lot 31.
 - b. Two water services shown to lot 43.
 - c. No sewer lateral shown to lot 22.

A modification of standards will be required for Lots 18, 19, 25, and 26 due to the curvature of the street and less-than-required lot widths at the front property line. Staff will incorporate this need into the staff report and code analysis provided to Planning Commission.

This item is currently scheduled for the February 4, 2020 Planning Commission. In order to avoid delays, please return a new set of plans as soon as possible, but no later than January 17, 2020. Please submit three (3) full-size copies of the revised materials, one (1) reduced copy, and a PDF file.

Please contact me at (775) 777-7217 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Michele Rambo". The signature is fluid and cursive, with a large, looping capital "M" and a stylized "R" in "Rambo".

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Bailey & Associates LLC
Attn: Jon Bailey
780 W. Silver St. #104
Elko, NV 89801

City of Elko – File



City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

January 3, 2020

Summit Engineering
Attn: Nitin Bhakta
1150 Lamoille Highway
Elko, NV 89801

Re: Ruby Mountain Peaks – Complete Submittal

Dear Mr. Bhakta:

The City of Elko has reviewed your revised Tentative Map application materials for Ruby Mountain Peaks (submitted January 2, 2020) and has found them to be complete. We will now begin processing your application by transmitting the materials to other City departments for their review. You may receive further comments or corrections as these reviews progress.

I will keep you updated on the status of your application, but please feel free to contact me at (775) 777-7217 if you have any questions.

Sincerely,

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Bailey & Associates LLC
Attn: Jon Bailey
780 W. Silver St. #104
Elko, NV 89801

City of Elko – File



RECEIVED

JAN 02 2020

January 2, 2020

City of Elko
Michele Rambo
Development Manager
1751 College Avenue
Elko, NV 89801

Re: Ruby Mountain Peaks revisions for Tentative Map Submittal

Dear Michele:

The City of Elko completed a full review of the Tentative Map for Ruby Mountain peaks and found several items that need correction. Please find attached a revised copy of the submitted plans that address the list of comments below.

Sheet T-1

1. Provide a separate sheet showing the Proposed Tentative Map.
The Tentative Map sheet was included with the hardcopy submittal, but was not emailed to you, will email this to you ASAP.
2. Show section corner or quarter corner tie to Tentative Map.
A tie to the Section corner is shown on the Tentative Map sheet.
3. Show zoning of the existing parcels adjacent to the proposed subdivision.
This has been revised on the Title Sheet and email to you as well as revising the hard copy submittal.
4. Calculate and show the net acreage on the property
The net acreage is calculated and shown on the title sheet.

Please contact me at our office (775) 787-4391 with any additional question you may have about this project.

Sincerely,

SUMMIT ENGINEERING CORPORATION

Nitin I. Bhakta, PE
VP of Engineering / Elko Area Manager



City of Elko – Development Department
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

January 2, 2020

Summit Engineering
Attn: Nitin Bhakta
1150 Lamoille Highway
Elko, NV 89801

Re: Ruby Mountain Peaks – Incomplete Submittal

Dear Mr. Bhakta:

The City of Elko has reviewed your Tentative Map application materials for Ruby Mountain Peaks (submitted December 24, 2019) and has found it to be incomplete. Please revise the Tentative Map to include the information listed below.

1. Provide a separate sheet showing the proposed Tentative Map without grading information.
2. Show a Section corner or Quarter-Section corner tied to the Tentative Map.
3. Show zoning of the parcels adjacent to the subdivision.
4. Calculate and show the net acreage of the property.

Please resubmit the revised Tentative Map plans by January 10, 2020 to ensure sufficient time for other departments to review and comment prior to the February 4, 2020 Planning Commission meeting. Please include in your resubmittal a new PDF copy of the revised Tentative Map. As outlined in Section 3-3-5(C)(4), these revisions must be received within 90-days of the original filing date (December 24, 2019), or the submittal will automatically expire.

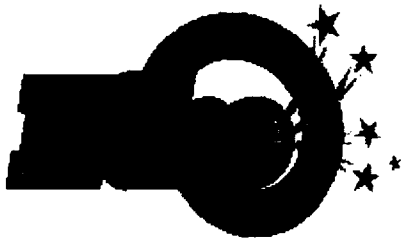
Please contact me at (775) 777-7217 if you have any questions.

Sincerely,

Michele Rambo, AICP
Development Manager
mrambo@elkocitynv.gov

CC: Bailey & Associates LLC
Attn: Jon Bailey
780 W. Silver St. #104
Elko, NV 89801

City of Elko – File



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR PRELIMINARY PLAT (STAGE II) APPROVAL

****PRIOR TO SUBMITTING THIS APPLICATION, PRE-APPLICATION (STAGE I) MUST BE COMPLETE****

APPLICANT(s):	Bailey & Associates LLC		
MAILING ADDRESS:	780 West Silver Street		
PHONE NO (Home):	775-385-3659	(Business):	775-777-7776
NAME OF PROPERTY OWNER (If different):	Same as Above <i>(Property owner consent in writing must be provided)</i>		
MAILING ADDRESS:	780 West Silver Street		
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):			
ASSESSOR'S PARCEL NO.:	001-01A-014	Address:	
Lot(s), Block(s), & Subdivision			
Or Parcel(s) & File No.	PARCEL 2 OF PARCEL MAP 554869		
APPLICANT'S REPRESENTATIVE OR ENGINEER:	Nitin Bhakta - Summit Engineering Corp.		

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the preliminary plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 1/2" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-7 of the Elko City Code (see attached checklist).
2. A Development Master Plan when, in the opinion of the Planning Commission, the proposed subdivision is sufficiently large enough to comprise a major part of a future neighborhood or the tract initially proposed for platting is only a part of a larger land area.
3. A preliminary grading plan for subdivisions involving property characterized by an average slope greater than ten percent (10%).

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

DEC 24 2019

PROJECT DESCRIPTION OR PURPOSE:

The proposed development is a 45 lot	single family residential subdivision located on a 10.00 acre parcel of land
located in Section 8, T, 34 N., R. 55 E. generally South of Bluffs Avenue and North of Mountain City Hwy.	
This property can be served by the City of	Elko water and sewer system.

(Use additional pages if necessary)

Preliminary Plat Checklist 3-3-7

Date	Name
Identification Data	
✓	Subdivision Name ✓
✓	Location and Section, Township and Range ✓
✓	Reference to a Section Corner or Quarter-Section Corner
✓	Name, address and phone number of subdivider ✓
✓	Name, address and phone number of engineer/surveyor ✓
✓	Scale, North Point and Date of Preparation ✓
✓	Dates of Revisions ✓
✓	Location maps ✓
	Legal description of boundaries ✓ <i>Separate sheet</i>
Existing Conditions Data	
✓	2' contours on city coordinate system ✓
✓	Location of Water Wells <i>None</i>
✓	Location of Streams, private ditches, washes and other features ✓
✓	Location of Designated flood zones <i>None</i>
✓	The Location, widths and Names of all platted Streets, ROW ✓
✓	Municipal Corporation Lines <i>None</i>
✓	Name, book and page numbers of all recorded plats ✓
✓	Existing Zoning Classifications ✓
✓	Zoning of Adjacent Properties
✓	Dimensions of all tract boundaries, gross and net acreage
Proposed Conditions Data	
✓	Street Layout, location, widths, easements ✓
✓	Traffic Impact Analysis <i>N/A</i>
✓	Lot Layout, including dimensions of typical lots ✓
✓	Corner Lot Layout ✓
✓	Lot layout on Street Curves ✓
✓	Each lot numbered consecutively ✓
✓	Total number of lots ✓
✓	Location, Width and proposed use of easements ✓
✓	Location, extent and proposed use of all land to be dedicated ✓
✓	Location and boundary of all proposed zoning districts <i>N/A</i>
✓	Draft of proposed deed restrictions <i>N/A</i>
✓	Preliminary Grading Plan ✓
✓	Conceptual cut and fill ✓ <i>Found</i>
✓	Estimated quality of material to be graded ✓ <i>Found</i>
	SWPPP
Proposed Utilities	
✓	Sewage Disposal, design for sewage disposal ✓
✓	Water Supply, Evidence of adequate volume and quality ✓
✓	Storm Drain, Preliminary Calculations and Layout ✓
	Telephone, Power, Gas, Television
	Will Serve Letter by Engineering Department

Provide Site Plan w/out grading info

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent

Jon Bailey

(Please print or type)

Mailing Address

780 West Silver Street

Street Address or P.O. Box

Elko, Nevada - 89801

City, State, Zip Code

Phone Number:

775-385-3659

Email address:

jbaileype@gmail.com

SIGNATURE:

Jon Bailey

FOR OFFICE USE ONLY

File No.: 16-19

Date Filed: 12/24/19

Fee Paid:

\$

1,875.00

CK# 33308

45 lots x \$25 = 1,125.00
+ 750.00
\$1,875.00

RECEIVED

DEC 24 2019

LEGAL DESCRIPTION
APN 001-01A-014

A piece of land being the same as Parcel 2 of Parcel Map 554869, Recorded on June 15, 2006, in the Official Records of Elko County, Nevada, situate within the Southeast Quarter of Section 8, Township 34 North, Range 55 East, MDM, more particularly described as follows:

Beginning at the Northeast Corner of said Parcel 2, from which the Section Corner bears South 39°11'59" East a distance of 853.69 feet;

thence along the Easterly boundary line, South 00°03'16" West a distance of 666.16 feet to the Southeast Corner of said Parcel 2;

thence departing said Easterly boundary line and along the Southerly boundary line, South 89°36'28" West a distance of 614.02 feet to the Southwest Corner of said Parcel 2;

thence departing the Southerly boundary line and along the Westerly boundary line, North 00°23'32" West a distance of 497.26 feet to an angle point;

thence continuing along said Westerly boundary line, South 89°36'28" West a distance of 135.20 feet to an angle point;

thence continuing along said Westerly boundary line, North 00°23'32" West a distance of 159.64 feet;

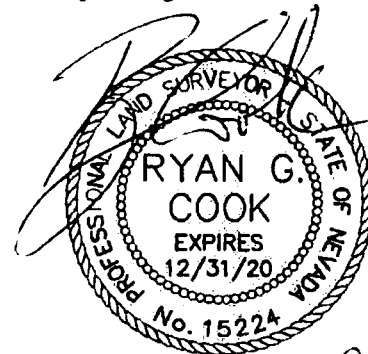
thence along a tangent circular curve to the right with a radius of 15.00 feet and a central angle of 90°26'48" an arc length of 23.68 feet to a point on the Northerly boundary line of said Parcel 2;

thence departing said Westerly boundary line and along said Northerly boundary line, South 89°56'44" East a distance of 739.32 feet to the **Point of Beginning**.

Said parcel contains an area of approximately 10.00 acres.

Basis of Bearings: National Spatial Reference System 2007 (NSRS2007) epoch 2007.00 holding the NGS April, 2008 published Latitude, Longitude and Ellipsoid Height of N40° 51' 36.95230", W115° 45' 34.70450" for the City of Elko CORS. Coordinates are projected using the Nevada State Plane Coordinate System, East Zone and scaled to ground using a combined grid-to-ground factor of 1.000357.

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Avenue
Reno, NV 89523
775-747-8550



12-18-2019

SUMMARY

Name	Area (SF)				Raw Volumes (CY)		Comp/Ratio		Compact (CY)		Net		Balance(CY) Change / .1'
	Total(SF)	Cut(SF)	Fill(SF)	OnGrade(SF)	Cut(CY)	Fill(CY)	Cut	Fill	Cut(CY)	Fill(CY)	Balance(CY)		
Offsite	9,732	5,983	3,154	595	99	63	1.00	1.00	99	63	36	Export	36
Onsite	333,995	194,056	134,764	5,175	47,099	20,124	1.00	1.00	47,099	20,124	26,975	Export	1,238
Site Total	343,727	200,039	137,918	5,770	47,198	20,187	1.00	1.00	47,198	20,187	27,011	Export	1,274

Subgrade Sections	Plane Area(SF)	Slope Area(SF)	Depth (FT)	Volume (CY)
OFF Sidewalk	1,900	1,906	0.667	48
OFF Street	5,551	5,567	1.000	206
ONS Sewer Access	2,467	2,480	1.000	92
ONS Sidewalk	9,067	9,073	0.667	224
ONS Street	48,038	48,075	1.000	1,781
Total	67,023	67,101		2,351

Removal Items	Plane Area(SF)	Slope Area(SF)	Depth (FT)	Volume (CY)
Stripping	343,727	344,773	0.667	8,517

Notes

Existing Layer:

Data imported from "SUMMIT TOPO.dwg".

Design Layer:

Data imported from "Stage One Bailey Map.dwg".

Subgrade Sections:

01. Sewer Access Road 3"9" (assumed)
02. Sidewalk 4"4" (assumed)
03. Street 3"9" (per request)

Removal Items:

Demolition was removed before volumes were calculated, and needs to be stockpiled or off-hauled.

01. Stripping 8" (per request)

Area of Concern:

01. All FG elevations at the Pad areas were disregarded due to conflict with the proposed slopes and contours.
02. No PDF sheets were provided, and the lack of details may affect the accuracy of this report.

RECEIVED

JAN 28 2020

1/27/2020

Attn: City Planner
City of Elko
1751 College Avenue
Elko, Nv 89801

Re: Development Application Ruby Mountain Peaks

Dear Cathy,

I authorize Bailey & Associates LLC to submit applications for tentative and final maps for the above referenced project for my property located at Mountain City Highway APN 001-01A-014.

Thank you,

<i>Linda Baxter</i>	dotloop verified 01/28/20 7:27 AM PST E4YG-GEKD-JWAI-PSJ9
---------------------	---

Linda Baxter

OWNER / DEVELOPER

BAILEY AND ASSOCIATES LLC.
JON BAILEY
780 WEST SILVER STREET
ELKO, NEVADA 89801

ATTN: JON BAILEY
775-385-3659
JBAILEY@GMAIL.COM

TENTATIVE MAP FOR RUBY MOUNTAIN PEAKS SUBDIVISION ELKO, NEVADA

ELKO

ELKO COUNTY

NEVADA

ENGINEER



1150 LAMOLLE HIGHWAY
ELKO, NEVADA 89801
(775) 738-8058

WWW.SUMMITNV.COM
NITING@SUMMITNV.COM

PROJECT DATA

TOTAL SUBDIVIDED AREA = 10.00 ACRES
TOTAL RIGHT-OF-WAY AREA = 2.10 ACRES (91,562 SF)
OFFERED FOR DEDICATION
NET AREA - (TOTAL AREA - RIGHT-OF-WAY AREA) = 7.90 ACRES
TOTAL UNITS = 45 LOTS
ESTIMATED WATER USAGE = 50.40 ACRE FEET PER YEAR
ESTIMATED SEWER CONTRIBUTIONS = 15,750 GALLONS PER DAY
THIS PROPOSED SUBDIVISION IS LOCATED IN SECTION 8, T 34 N, R 55 E, MDB&M.

THE REQUIRED FIRE FLOW FOR THIS DEVELOPMENT WILL BE
A MINIMUM OF 1,500 GPM FOR 2 HOURS, FOR RESIDENTIAL
TYPE V-B CONSTRUCTION.

BASIS OF BEARINGS

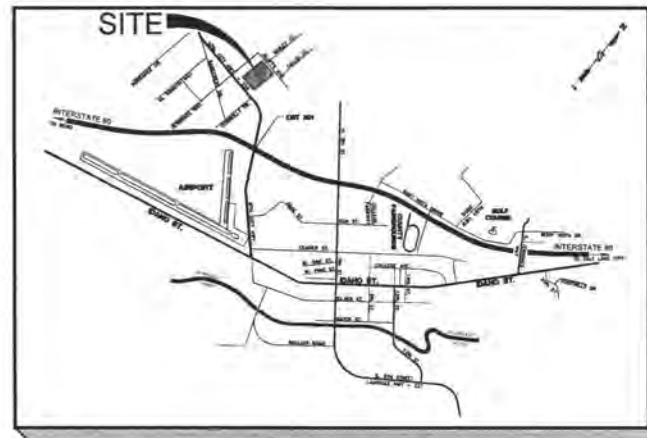
IS THE NORTH PROPERTY LINE OF SAID PARCEL IN SECTION 8
T. 34 N., R. 55 E., M.D.B. & M. TAKEN AS S 89° 56' 44" E

BASIS OF ELEVATION

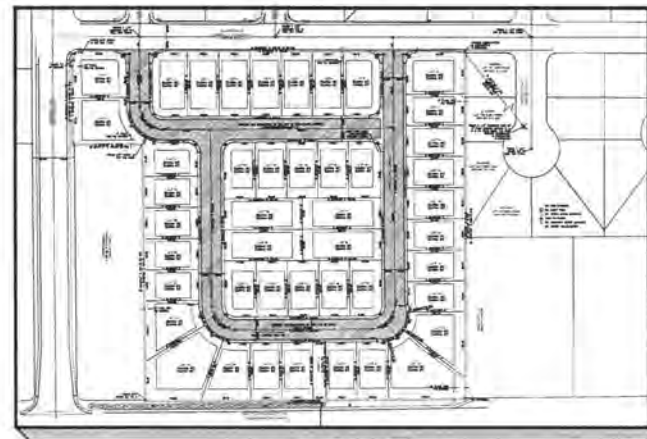
U.S.C. & G.S. BENCHMARK #S141, DATED 1929
ELEVATION REPORTED AS
5183.54' ABOVE SEA LEVEL

ABBREVIATIONS

A.C.	ASPHALTIC CONCRETE	M.D.D.	MAXIMUM DRY DENSITY
ADD.	ADDITIONAL	L.T.	LOW POINT
B.C.	BEGIN CURVE	L.P.	LOW POINT
B.F.	BOTTOM OF FOOTING	M.H.	MANHOLE
B.V.C.	BEFORE VERTICAL CURVE	P.	PAV. ELEVATION
B.W.	BACK OF SIDEWALK	P.C.	POINT OF COMPOUND CURVE
C.B.	CATCH BASIN	P.I.	POINT OF INTERSECTION
C.	CENTERLINE	P.R.C.	POINT OF REVERSE CURVATURE
C.C.	CONCRETE	P.V.C.	POLYVINYL CHLORIDE PIPE
CONIT.	CONCRETE	P.D.	PUSH ON
CUR.	CURB	P.A.E.	PUBLIC UTILITY EASEMENT
C.P.	CONCRETE PIPE	E.	EXISTING
C.R.	CURB RETURN	C10	10-YEAR STORM FLOW
D1.	DRAIN	Q100	100-YEAR STORM FLOW
DET.	DETAIL	R.	RADIUS
E.	ELEVATION	R.C.F.	REINFORCED CONCRETE PIPE
E.C.	END OF CURVE	R.P.	RADIUS POINT
E.V.C.	END OF VERTICAL CURVE	R.T.	RIGHT
EXIST.	EXISTING	R.W.	RIGHT OF WAY
E.G.	EXISTING GRADE	S.	SLOPE
F.F.	FINISHED FLOOR	S.S.	SEWER
F.F.C.	FRONT FACE OF CURB	S.W.	SIDEWALK
F.G.	FINISHED GRADE	STD.	STANDARD
F.H.	PIPE HYDRANT	SHT.	SHEET
F.L.	FLOW LINE	STA.	STATION
F.L.G.	FLANGE	S.D.	STORM DRAIN
G.	GRADE	T.	TANGENT
G.B.	GRADE BREAK	T.V.	DATE VALVE
GR.	GRASS	T.C.	TOP OF CURB
H.C.	HANDICAPPED	T.S.	TRUST BLOCK
HORIZ.	HORIZONTAL	T.S.	TOP OF SLOPE
I.F.	INTERSECTION	T.S.	TOP OF SLOPE
I.E.	INVERT ELEVATION	TYP.	TYPICAL
L.	LENGTH	V.C.	VERTICAL CURVE
L.F.	LINEAL FEET	V.P.I.	VERT. POINT OF INTERSECTION
L.P.	LOW POINT	W.	WATER
		Δ	CURVE DELTA



VICINITY MAP



SITE PLAN

SHEET INDEX

T-1	TITLE SHEET
N-1	GENERAL NOTES SHEET
I-2	TENTATIVE PLAT JURAT
2-2	TENTATIVE PLAT MAP
G-1	GRADING PLAN
U-1	UTILITY PLAN

LAND USE CLASSIFICATION

R1 (RESIDENTIAL SINGLE FAMILY)

EASEMENTS: ALL LOTS TO CONTAIN A 10' UTILITY AND DRAINAGE EASEMENT
ALONG THE SEED AND REAR LOT LINE AND A 7.5' DRAINAGE
AND UTILITY EASEMENT ALONG THE CITY RIGHT-OF-WAY

FLOOD PLAIN: BASED ON THE FLOOD INSURANCE RATE MAP FOR THE
CITY OF ELKO, NEVADA, DATED SEPTEMBER 4, 2011
THE ENTIRE SITE LIES OUTSIDE THE 100 YEAR FLOOD PLAIN

SITE INFO: BASED UPON THE CITY OF ELKO AND HISTORIC DATA THE
SUBJECT PROPERTY HAS BEEN EXCLUSIVELY USED AS
OPEN RANGE

LOCATION: THIS SITE IS LOCATED WITHIN SECTION 8, TOWNSHIP 34 NORTH
RANGE 55 EAST IN ELKO, NEVADA

ADJACENT ZONING: NORTH - EXISTING R1 RESIDENTIAL SUBDIVISION LOTS
SOUTH - EXISTING COMMERCIAL PROPERTY - HOME DEPOT
EAST - NORTH HALF EAST AND A7 RESIDENTIAL SUBDIVISION LOTS
SOUTHWEST - EXISTING DEVELOPED COMMERCIAL PROPERTY - STORAGE UNIT
WEST - EXISTING UNDEVELOPED COMMERCIAL PROPERTY

UTILITIES

ELECTRIC - NV ENERGY
TELEVISION - SATVIEW BROADBAND LLC
TELEPHONE - FRONTIER COMMUNICATION
GAS - SOUTHWEST GAS CORPORATION

WATER - CITY OF ELKO
SANITARY SEWER - CITY OF ELKO
GARBAGE UTILITIES - ELKO SANITATION (CITY LANDFILL)

SPECIFICATIONS

ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD SPECIFICATIONS
FOR PUBLIC WORKS CONSTRUCTION (CURRENT EDITION AND ANY APPURTENANT
SUPPLEMENTS) SPONSORED AND DISTRIBUTED BY RENO, SPARKS,
WASHOE COUNTY, AND THE RECOMMENDATIONS ESTABLISHED BY THE
SOILS INVESTIGATION FOR THIS SITE

ENGINEER'S STATEMENT

THESE PLANS (SHEETS T-1 OF 6 THROUGH D-1 OF 6) HAVE BEEN
PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PROCEDURES
AND GUIDELINES, AND ARE IN SUBSTANTIAL COMPLIANCE WITH
APPLICABLE STATUTES, CITY ORDINANCES, AND CODES. IN THE EVENT
OF CONFLICT BETWEEN ANY PORTION OF THESE PLANS AND CITY
CODES, THE CITY CODES SHALL PREVAIL.



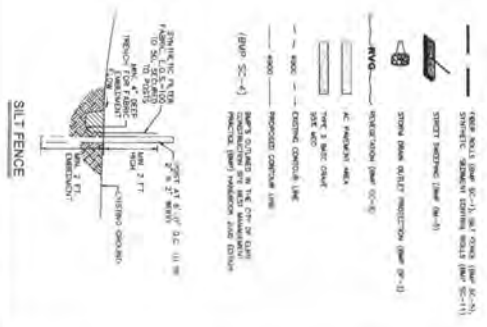
REV.	DATE	DESCRIPTION
1	01/11/2020	ISSUED FOR PERMIT

CIVIL IMPROVEMENT PLANS FOR
RUBY MOUNTAIN PEAKS SUBDIVISION
TITLE SHEET
ELKO COUNTY
NEVADA

DESIGNED BY: NIS
CHECKED BY: NIS
SCALE
HORIZ. NONE
VERT. NONE
JOB NO. 82550
SHEET T-1 6

[illegible][illegible]

1. The first step in the analysis is to identify the problem and to determine the objectives of the study. This involves a thorough review of the literature and a consultation with the relevant stakeholders.
2. The next step is to design the study, which includes determining the research methods, data collection techniques, and analysis procedures.
3. The third step is to collect and analyze the data. This involves gathering the data from the field and then using statistical methods to analyze the results.
4. The fourth step is to interpret the results and draw conclusions. This involves comparing the findings with the existing literature and making recommendations for future research.
5. The final step is to write the report, which should clearly and concisely present the findings of the study.

[illegible][illegible][illegible][illegible]

ELKO ELKO COUNTY NEVADA

[illegible]

OWNER'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, JON BAILEY, MANAGING MEMBER OF BAILEY & ASSOCIATES, LLC, A NEVADA LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE PARCELS SHOWN ON THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP AND OFFER FOR DEDICATION ALL OF THE EASEMENTS AND RIGHT-OF-WAYS FOR PUBLIC UTILITY, UTILITY AND DRAINAGE PURPOSES AS DESIGNATED HEREON, HERETOFORE AND HERETO, AND A SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF ELKO.

IN WITNESS WHEREOF, JON BAILEY, MANAGING MEMBER OF BAILEY & ASSOCIATES, LLC, A NEVADA LIMITED LIABILITY COMPANY, SET MY HAND THIS _____ DAY OF _____, 2020.

JON BAILEY
MANAGING MEMBER OF BAILEY & ASSOCIATES, LLC

NOTARY PUBLIC CERTIFICATE

STATE OF NEVADA
COUNTY OF ELKO

ON THIS _____ DAY OF _____, 2020, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, IN SAID COUNTY, JON BAILEY, PERSONALLY KNOWN (OR PROVIDED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE INSTRUMENT) AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING INSTRUMENT AS MANAGING MEMBER OF BAILEY & ASSOCIATES, LLC.

NOTARY PUBLIC

COUNTY ASSESSOR'S CERTIFICATE:

I, KATHLEEN RUSSELL, CERTIFY THAT THE ASSESSOR'S PARCEL NUMBERS SHOWN ON THIS PLAT ARE CORRECT AND THAT THE PROPOSED PARCELS ARE A DIVISION OF ASSESSOR'S PARCEL NO. 001-004-014.

KATHLEEN RUSSELL, ELKO COUNTY ASSESSOR

COUNTY TREASURER'S CERTIFICATE:

I, CHERYL PAUL, CERTIFY THAT ALL PROPERTY TAXES ON PARCEL NO. 001-004-014 HAVE BEEN PAID FOR THE FISCAL YEAR 2019-2020.

CHERYL PAUL, COUNTY TREASURER

CITY ENGINEER'S CERTIFICATE:

I, ROBERT TRINULLI, ENGINEER FOR THE CITY OF ELKO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT ESSENTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP WITH ALL APPROPRIATE ALTERATIONS AND THAT ALL PROVISIONS OF N.E.S. 278.030 THROUGH 278.036 INCLUSIVE, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THIS MAP IS TECHNICALLY CORRECT AND THAT THE MONUMENTS AS SHOWN ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED.

ENGINEER FOR THE CITY OF ELKO

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION:

THIS FINAL MAP IS APPROVED BY THE DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL, CONCERNING GENERAL DISPOSITION, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS INCORPORATED INTO PLANS FOR A PUBLIC WATER SUPPLY AND A SANITARY SYSTEM FOR DISPOSAL OF SEWAGE.

BUREAU OF WATER POLLUTION CONTROL

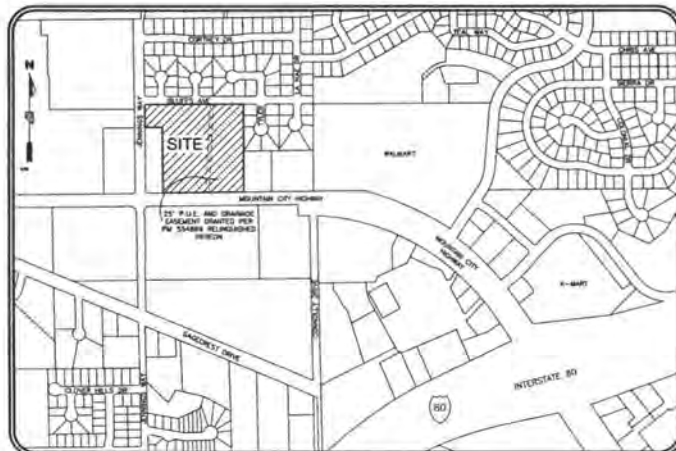
BY:

DIVISION OF WATER RESOURCES CERTIFICATE:

THIS PLAN IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO REVIEW OF APPROVAL ON FILE IN THE OFFICE.

DIVISION OF WATER RESOURCES

TENTATIVE PLAT OF RUBY MOUNTAIN PEAKS



VICINITY MAP

SURVEYOR'S CERTIFICATE:

I, RYAN G. COOK, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

- THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED UNDER MY SUPERVISION AT THE INSTANCE OF BAILEY & ASSOCIATES, LLC, A NEVADA LIMITED LIABILITY COMPANY.
- THE LANDS SURVEYED LIE WITHIN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 24 NORTH, RANGE 25 EAST, N34E.
- THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- THE MONUMENTS SHOWN ON THE PLAT WILL BE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED BY _____, 2020 AND APPROPRIATE NECESSARY GUARANTEE WILL BE POSTED WITH THE GOVERNING BODY BEFORE RECOGNITION TO ENSURE THE INSTALLATION OF THE MONUMENTS.

RYAN G. COOK



ELK 15234

BASIS OF BEARINGS:

NATIONAL SPATIAL REFERENCE SYSTEM 2011 (NAD83) EPOCH 2017.00 HOLDING THE NEIS APRIL, 2008 PUBLISHED LATITUDE, LONGITUDE AND ELEVATION HEIGHT OF MOUNTAIN CITY, NEVADA, AS A POINT FOR THE CITY OF ELKO, COORDINATES ARE PROJECTED USING THE NEVADA STATE PLANE COORDINATE SYSTEM, EAST ZONE AND ADJUST TO GROUND USING A COMBINED GRID-TO-GROUND FACTOR OF 1.00001 ORTHOMETRIC ELEVATIONS ABOVE MEAN SEA LEVEL, ARE DERIVED USING EQUATION 12.

NOTES:

- THE TOTAL SURVEYED AREA IS 10.000 ACRES.
- THE TOTAL AREA OFFERED AS DEDICATED RIGHT-OF-WAY IS 8.104 ACRES.
- THE TOTAL LOT AREA (AS) IS 7.944 ACRES.
- THE TOTAL PARCELS, A AREA IS 2.704 SQUARE FEET.
- A PUBLIC UTILITY EASEMENT IS ALSO HEREBY GRANTED WITHIN EACH LOT FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT LOT AND THE RIGHT TO EXIST THAT LOT WITHIN SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING OTHER LOTS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY. IN ADDITION, ALL GOE PROPERTY LINES SHALL HAVE A PUBLIC UTILITY EASEMENT AND PRIVATE DRAINAGE EASEMENT 10 FEET IN WIDTH CENTERED ABOUT THE PROPERTY LINE. ALSO, ALL NEAR PROPERTY LINES SHALL HAVE A PUBLIC UTILITY EASEMENT AND PRIVATE DRAINAGE EASEMENT 5 FEET IN WIDTH LOCATED WITHIN THE LOT ADJACENT TO THE NEAR PROPERTY LINE.
- THE DEVELOPER IS BAILEY & ASSOCIATES, LLC, WHOSE ADDRESS IS TWO WEST MAIN STREET, SUITE 100, ELKO, NEVADA 89801.
- ALL LOTS SHALL BE RESTRICTED TO ACCESS FROM LIBERTY PEAK & SNOW LAKE PEAK.
- THE NEW SANITARY DRAINAGE EASEMENT WITHIN LOTS 24 & 25 IS GRANTED TO THE UNITED STATES POSTAL SERVICE.

NOTARY PUBLIC CERTIFICATE

STATE OF NEVADA
COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020.

BY: CHAIRMAN, ELKO CITY PLANNING COMMISSION, AS A NOTARY PUBLIC, WHO KNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC

ELKO CITY PLANNING COMMISSION CERTIFICATE:

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF ELKO, STATE OF NEVADA, HELD ON THE _____ DAY OF _____, 2020, A TENTATIVE MAP OF SAID SUBDIVISION WAS FILED AND REGULARLY APPROVED PURSUANT TO N.E.S. 278.030 AND THIS FINAL MAP SUBSTANTIALLY COMPLETES WITH SAID TENTATIVE MAP AND ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

CHAIRMAN, ELKO CITY PLANNING COMMISSION

ELKO CITY COUNCIL CERTIFICATE:

AT A REGULAR MEETING OF THE ELKO CITY COUNCIL HELD ON THE _____ DAY OF _____, 2020, THIS MAP WAS APPROVED FOR SUBDIVISION PURPOSES PURSUANT TO N.E.S. 278 AND THROUGH OTHER LOCAL, NEVADA AND ALL APPLICABLE LOCAL ORDINANCES. ALL OFFERS OF DEDICATION SHOWN HEREON WERE ACCEPTED FOR PUBLIC USE.

MAYOR, CITY OF ELKO

STREET CLERK, CITY OF ELKO

NV ENERGY CERTIFICATE:

A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO NV ENERGY WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIST THAT PARCEL WITHIN SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY, AND DO HEREBY RELINQUISH THE 25' PUBLIC UTILITY AND DRAINAGE EASEMENT GRANTED FOR PARCEL MAP 354886, SHOWN AS "RELINQUISHED HEREON."

SERVA PACIFIC POWER COMPANY

03/04/21 NV ENERGY

PRINTED NAME

SOUTHWEST GAS CERTIFICATE:

A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO SOUTHWEST GAS WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIST THAT PARCEL WITHIN SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AND DO HEREBY RELINQUISH THE 25' PUBLIC UTILITY AND DRAINAGE EASEMENT GRANTED FOR PARCEL MAP 354886, SHOWN AS "RELINQUISHED HEREON."

SOUTHWEST GAS CORPORATION

PRINTED NAME

UTILITY COMPANIES CERTIFICATE:

THE PUBLIC UTILITY EASEMENTS ARE APPROVED BY THE RESPECTIVE PUBLIC UTILITIES GRANTED BELOW, AND DO HEREBY RELINQUISH THE 25' PUBLIC UTILITY AND DRAINAGE EASEMENT GRANTED FOR PARCEL MAP 354886, SHOWN AS "RELINQUISHED HEREON."

PRINTED NAME

BY:

SATVON BRIDGEMAN

BY:

NOTARY PUBLIC CERTIFICATE

STATE OF NEVADA
COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020.

BY: SATVON BRIDGEMAN, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO KNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC

NOTARY PUBLIC CERTIFICATE

STATE OF NEVADA
COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020.

BY: SOUTHWEST GAS CORPORATION, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO KNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC

NOTARY PUBLIC CERTIFICATE

STATE OF NEVADA
COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020.

BY: SATVON BRIDGEMAN, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, WHO KNOWLEDGED THAT THEY EXECUTED THE ABOVE INSTRUMENT.

NOTARY PUBLIC

FILE NO.
FILED AT THE REQUEST OF
SUMMIT ENGINEERING CORP.
DATE: _____, 2020
TIME: _____ M.

D. MIKE SMALES
ELKO COUNTY RECORDER

TENTATIVE PLAT
OF
RUBY MOUNTAIN PEAKS
SUBDIVISION

A DIVISION OF PARCELS 2 OF PARCEL MAP 354886
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8,
TOWNSHIP 24 NORTH, RANGE 25 EAST, N34E

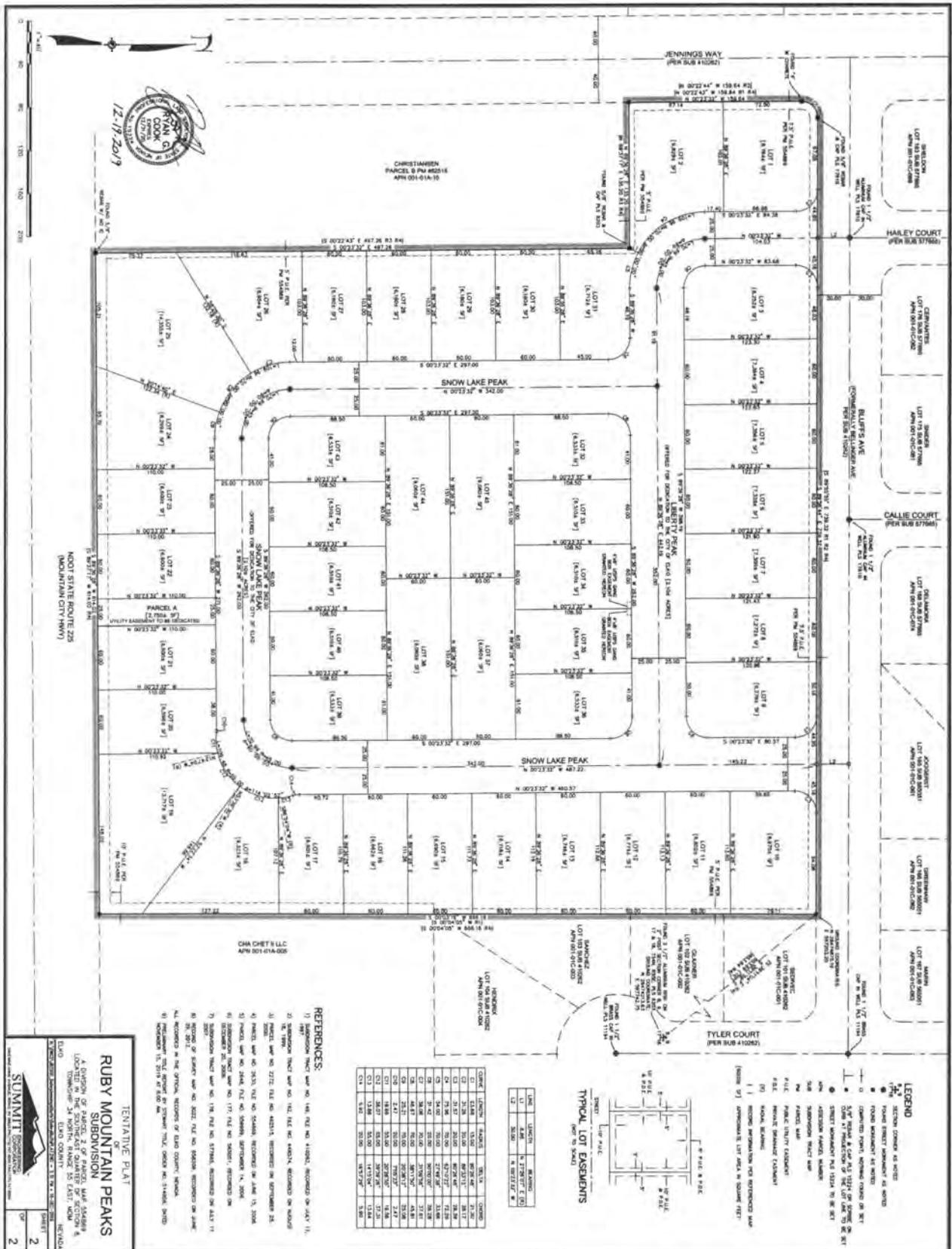
ELKO ELKO COUNTY NEVADA

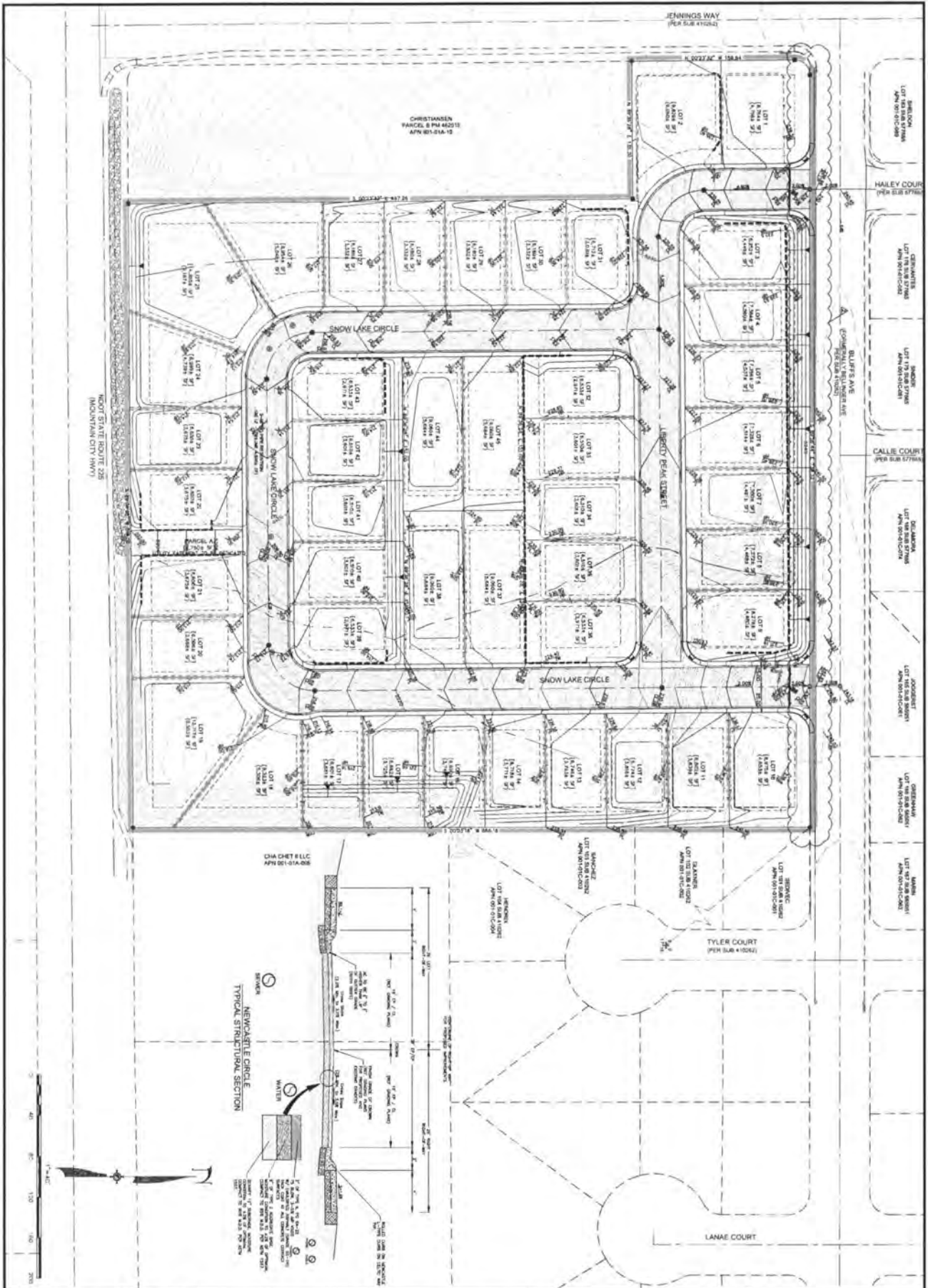
8 UNITS (AS) 1/4 SECTION 8, TOWNSHIP 24 NORTH, RANGE 25 EAST, N34E

SUMMIT ENGINEERING CORPORATION
2000 WEST 10TH STREET, SUITE 100, ELKO, NEVADA 89801

SHEET 1
OF 2

PRELIMINARY, FOR REVIEW ONLY





CIVIL IMPROVEMENT PLANS FOR
RUBY MOUNTAIN PEAKS SUBDIVISION
GRADING PLAN

ELKO ELKO COUNTY NEVADA

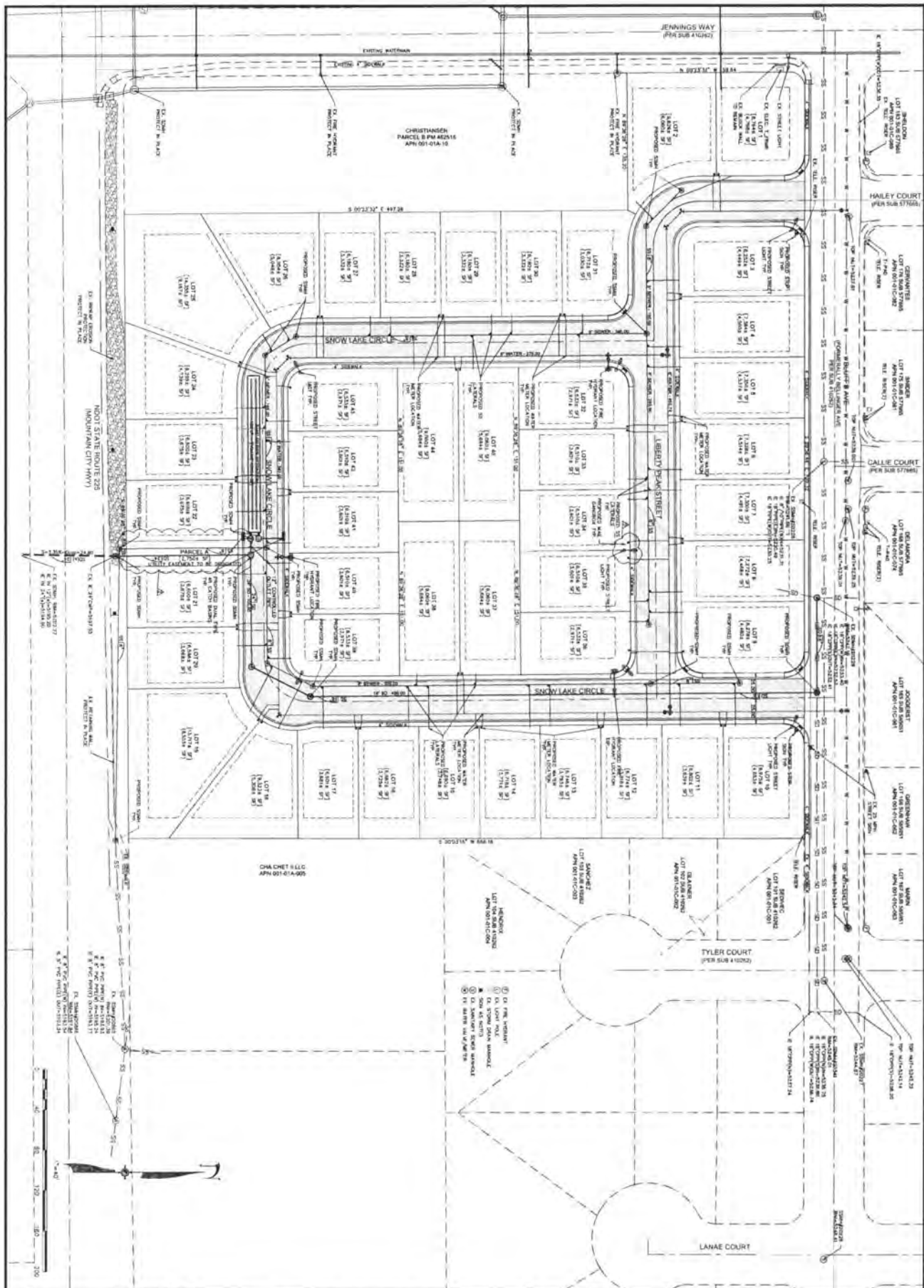
REV	DATE	DESCRIPTION	BY	APPD
1	11-10-10	CITY REVIEW COMMENTS 12-04-10		

SUMMIT ENGINEERING CORPORATION
 1181 LAMARLE HIGHWAY ELKO NV 89601
 PHONE (775) 738-8068 FAX (775) 747-8569

DESIGNED BY: NBS
 CHECKED BY: NBS
 SCALE: HORIZ. 1"=40'
 VERT. NONE
 JOB NO. 42500

SHEET 6
 G-1

PROFESSIONAL SEAL
 NBS
 CIVIL ENGINEER
 STATE OF NEVADA
 NO. 12345



DESIGNED BY: NIB
CHECKED BY: NIB
SCALE:
DATE:
JOB NO. 22500

CIVIL IMPROVEMENT PLANS FOR
RUBY MOUNTAIN PEAKS SUBDIVISION
UTILITY PLAN

ELKO ELKO COUNTY NEVADA

REV.	DATE	DESCRIPTION	BY	APPD.
1	11/15/11	CITY REVIEW COMMENTS 12/15/11		

SHEET
U-1
6

SEAL
Summit Engineering Corporation
1110 LAMOLLE HIGHWAY, SUITE 100, ELKO, NV 89801
PHONE: (775) 738-0058 FAX: (775) 747-8538

Summit Engineering Corporation
1110 LAMOLLE HIGHWAY, SUITE 100, ELKO, NV 89801
PHONE: (775) 738-0058 FAX: (775) 747-8538