

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

SS March 23, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, March 23, 2021. Due to the restrictions found in the State of Nevada Emergency Directive 006, the meeting was held in the council chambers, 1751 College Ave., Elko and via GoTo Meeting.

This meeting was called to order by Mayor Reece Keener. He stated the agenda for this meeting has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can participate in person, by phone, tablet, laptop, or computer by registering with the GoTo Meeting link provided in the agenda, or calling 775-777-0590. Questions can be sent to cityclerk@elkocitynv.gov.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Simons
Councilman Chip Stone
Councilman Bill Hance
Councilman Clair Morris

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Kelly Wooldridge, City Clerk
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Dennis Strickland, Public Works Director
Susie Shurtz, Human Resources Manager
Dale Johnson, Utilities Director
Mike Haddenham, WRF Supervisor
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Matt Griego, Fire Chief
Jack Snyder, Deputy Fire Chief
Ty Trouten, Police Chief
Jason Pepper, Police Lieutenant
Dave Stanton, City Attorney
Michele Rambo, Development Manager
James Wiley, Parks and Recreation Director
Bob Thibault, Civil Engineer
Jeff Ford, Building Official
Paul Willis, Computer Information Systems Coordinator
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.

APPROVAL OF MINUTES: March 9, 2021 Regular Session

The minutes were approved by general consent.

III. PERSONNEL

A. Employee Introductions:

1) James Riley, Fire Department, Firefighter

Present and introduced.

2) Martin Salas, Jr., Street Department, Equipment Operator I

Present and introduced

I. PRESENTATIONS

A. Review, consideration, and possible direction to Staff regarding the Fiscal Year FY 2021/2022 Budget, inclusive of all Enterprise Funds, and matters related thereto.
INFORMATION ONLY – NON ACTION ITEM

Jan Baum, Financial Services Director, gave a presentation (Exhibit “A”)

B. Presentation of the 2020 Annual Report by Police Chief Tyler Trouten, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Chief Trouten gave a presentation (included in packet).

II. CONSENT AGENDA

A. Review, consideration, and possible designation of the Civil Engineer as the Flood Plain Administrator and the Development Manager as the acting Flood Plain Administrator in the absence of the Civil Engineer, and matters related thereto.
FOR POSSIBLE ACTION

Chapter 3 Section 8-4 requires a designation of staff members for the administration of the flood plain ordinance by granting or denying floodplain development permits in accordance with the provision of the ordinance. SAW

- C. Review, consideration, and possible approval of the revised position description for Head Lifeguard/Assistant Pool Manager, and matters related thereto. **FOR POSSIBLE ACTION**

The Head Lifeguard/Assistant Pool Manager position description has been revised and updated to accurately reflect the duties of the position. SS

- D. Review, consideration, and possible approval of minor revisions to the position description for Seasonal Recreation Aide, and matters related thereto. **FOR POSSIBLE ACTION**

The Seasonal Recreation Aide position description and job title have been revised and updated to accurately reflect the duties of the position. SS

Scott Wilkinson, Assistant City Manager, said he thought Susie Shurtz had a revision to Item B.

Susie Shurtz, Human Resources Manager, asked to have Item B removed from the consent agenda.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve Consent Agenda Items A, C & D.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of minor revisions to the position description for Code Enforcement Officer, and matters related thereto. **FOR POSSIBLE ACTION**

The Code Enforcement Officer position description has been revised and updated to accurately reflect the duties of the position. We have updated the Title to Code Enforcement Officer, from Code Enforcement Official, and have removed some of the preferred certifications and license requirements. This is an entry level position. SS

Ms. Shurtz explained she made some changes to the job description. There was some language missing under Experience and Training. She explained the addition to the revised job description.

Mayor Keener said there is nothing on there about being able to operate a smart phone. Is there anything that pertains to use of technology?

Ms. Shurtz answered it is covered in the section that requires knowledge of computer applications and able to operate computer equipment.

Councilman Hance would like to see it be a full-time position eventually.

Dave Stanton, City Attorney, said the item needs to be read into the record.

Mayor Keener read the item into the record and asked if there was a motion.

**** A motion was made by Councilman Hance, seconded by Councilman Morris, to approve the revised Code Enforcement Official position description as presented.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 858, an ordinance amending Title 4, Chapter 6, Section 13 entitled Uses and Purposes of Transient Lodging Tax Proceeds, and matters related thereto. **FOR POSSIBLE ACTION**

On March 9, 2021, the City Council approved a request by the Elko Visitors and Convention Authority to initiate a change in how the room tax funds could be spent in order to give the ECVA some flexibility in their budget. KW

Kelly Wooldridge explained this is a simple change. We talked about it at the last Council Meeting. The changes are included in the packet.

Katie Neddenriep, Executive Director ECVA, said she had no other changes. She offered to answer questions if needed.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to conduct first reading of Ordinance 858, and direct staff to set the matter for Public Hearing, Second Reading and possible adoption.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS

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

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve the general warrants in the amount of \$304,207.52.**

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 Hance, seconded by Councilwoman Simons, to approve the Print 'N Copy warrants in the amount of \$115.04.**

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

- C. Review and possible ratification of General Hand-Cut Checks, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve the Hand-Cut checks in the amount of \$68,635.39.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible action to award a bid for the Alley Water Line Replacement between 4th and 5th and Commercial and Silver Street, and matters related thereto. **FOR POSSIBLE ACTION**

Council directed Staff to solicit bids for this project on January 12, 2021. Bids were opened on March 4, 2021. The low bidder was Great Basin Engineering in the amount of \$159,220.91. Bid tabulation sheet is provided. DJ

Dale Johnson, Utilities Director, explained there were 3 compliant bids. He recommended awarding the bid to Great Basin Engineering Contractors.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to award the contract for the Alley Water Line Replacement between 4th and 5th and Commercial and Silver Street to Great Basin Engineering Contractors in the amount of \$159,220.91.**

The motion passed unanimously. (5-0)

- E. Review, consideration and possible authorization for Staff to solicit bids for the Public Works Department Preventive Maintenance Project 2021, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

Micro Slurry Seal is a preventive maintenance treatment which will be applied to approximately 64,685 l.f. of selected city streets, plus the parking corridor between 8th Street and 11th Street, which were identified and adopted as part of the City of Elko street inventory. This work will be completed after July 1, 2021. DS

Dennis Strickland, Public Works Director, explained this is our annual preventive maintenance.

**** A motion was made by Councilman Hance, seconded by Councilman Morris, to authorize staff to solicit bids for the Public Works Department Preventive Maintenance Project 2021.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- A. Review, discussion, and possible adoption of the 2021 Street Inventory and the 2021 Construction Season Project List, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff conducted a street inventory in February. The purpose of this annual survey is to evaluate current road conditions and to recommend a list of maintenance projects for the upcoming construction season. Please find enclosed

for your review, in the supplemental agenda information, City staff's 2021 street inventory, and recommendations for the 2021 Construction Season Project List. DS

Mr. Strickland gave a presentation (included in packet).

**** A motion was made by Councilwoman Simons, seconded by Councilman Morris, to adopt the 2021 Street Inventory and the 2021 Construction Season Project List.**

The motion passed. (4-0 Councilman Stone abstained.)

BREAK

- B. Review, consideration, and possible action to initiate an amendment to Title 8 Chapter 21, Section 4 of the Elko City Code, entitled "Sidewalk Maintenance, Reconstruction, and Repair", and matters related thereto. **FOR POSSIBLE ACTION**

The proposed amendment consists of three components: 1) clarify decision-making authority for the reconstruction and/or repair of sidewalks, 2) require that all sidewalk construction, reconstruction, and/or repair comply with applicable federal laws including the Americans with Disabilities Act, and 3) minor adjustments to language for additional clarity. MR

Michele Rambo, Development Manager, explained the proposed changes.

Mayor Keener asked does this mean that property owners will have to hire an engineer any time they want to do a sidewalk repair.

Ms. Rambo answered not necessarily an engineer but perhaps a contractor.

Mayor Keener asked if he understood that the City does have the authority to tell someone to fix their sidewalk.

Ms. Rambo answered yes under certain circumstances.

Dennis Strickland, Public Works Director, said we have never gone out and made somebody repair our infrastructure.

**** A motion was made by Councilman Hance, seconded by Councilman Morris, to initiate an amendment to Title 8 Chapter 21, Section 4 of the Elko City Code, entitled "Sidewalk Maintenance, Reconstruction and Repair" as presented by staff.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of a Grant, Bargain and Sale Deed and Contract of Purchase and Sale of Vacant Land between the City of Elko and Parrado Partners, LP & Gloria E. Capps, as trustee of the Gloria E. Capps Revocable trust of 1989, as amended January 25, 2011 for the purchase and sale of

a parcel of land consisting of 2.223 acres referred to as APN 001-630-087 in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved the offer of \$175,000 for the purchase of this parcel at their March 9, 2021 meeting. The Contract of Purchase and Sale and Grant, Bargain and Sale Deed are required to open escrow. CL

Cathy Laughlin, City Planner, explained this is the final stage. We will take these documents to the realtor that has the property listed and direct Stewart Title to open up escrow. Council has already approved the purchase of this property.

**** A motion was made by Councilwoman Simons, seconded by Councilman Morris, to approve a Grant, Bargain and Sale Deed and Contract of Purchase and Sale of Vacant Land between the City of Elko and Parrado Partners, LP & Gloria E. Capps, as trustee of the Gloria E. Capps Revocable Trust of 1989, as amended January 25, 2011, for the purchase and sale of a parcel of land consisting of 2.223 acres.**

The motion passed. (4-0 Councilman Stone abstained.)

- D. Review and possible action to repeal the Elko City Council's March 18, 2020 Emergency Declaration, and matters related thereto. **FOR POSSIBLE ACTION**

After one (1) year of operating under various State of Nevada Emergency Directives, City Staff recommends repealing the March 18, 2020 Emergency Declaration made by the Elko City Council. CC

Curtis Calder, City Manager, explained this item is a housekeeping. The Staff never had the Council approve an actual declaration document that would need to be repealed. Council did take action on March 18 due to the shut-down that was ordered by the Governor. At that time City Staff thought that could cause a financial emergency and we prepared for such with our budget. Fortunately, that did not occur and we do not foresee any financial emergencies in the near future. We see no need to operate under an emergency declaration. This will not make the City immune to the Governor's directives or any actions in place. We will still have to comply to those directives. Elko County will be trying to obtain local control from the State of Nevada, but that may not happen until May. If Council chooses to repeal this, he asked that Council provide the same direction they did when they issued the declaration; the City Manager could have the flexibility in determining the different standards for the different City facilities.

**** A motion was made by Councilman Hance, seconded by Councilman Morris, to repeal the City Council action on March 18, 2020 declaring an emergency, at this time reserving the authority to the City Manager for compliance thereto.**

The motion passed unanimously. (5-0)

- E. Review, discussion, and possible action with regard to "Take Pride - Clean Up Green Up" event originally scheduled for April 24, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

Due to Statewide COVID-19 restrictions currently in place for large gatherings, City Staff has canceled the April 24, 2021 volunteer cleanup event. In addition to COVID restrictions, liability concerns prevent this event from occurring at this time. Free Landfill Day remains available on April 24, 2021.

Mayor Keener stated he had asked for this to be on the agenda. He heard from a number of the public that this has been canceled. Many asked why we can't have an outdoor event.

Curtis Calder, City Manager, said if you are going to have a large gathering you have to go through an application process with the State of Nevada. Second, on our worker's compensation policy, we have an allowance on it just for the volunteers. There are roughly 500 volunteers covered under our workmen's compensation policy for that day. If someone cut off their arm working at the Johnny Appleseed Park, they would be covered. The same would hold true if there was a major COVID outbreak. We could end up having a whole slew of workmen's comp claims that we would be dealing with in a legacy fashion for quite some time. He was not in favor of sponsoring a big volunteer clean-up effort at this time. The landfill component is fine. They can operate safely. People can still get together and clean up their neighborhood but the City cannot sponsor it.

Dennis Strickland, Public Works Director, added the NYTC kids will not be at the landfill to help unload the trash. They may not be there again. People need to expect to unload their own waste.

Councilman Stone asked if we could do the coupons to avoid the long lines; maybe spread it out.

Mr. Strickland wasn't sure how we would facilitate that. It was meant to inspire people to go out and help clean up a public area. If you had a group and you cleaned up some public area you got a voucher. Without that component he wasn't sure how they would do it.

Scott Wilkinson, Assistant City Manager, concurred with all the comments so far. It would be impossible to manage the different groups that go throughout the community. At this late stage, to try to pull it off in April or May, it would be problematic. We rely on donations to buy the shirts and such. He agreed we shouldn't do that component of the event but still offer the free landfill day.

Mayor Keener didn't know about the insurance part of that and he was sure the public didn't either.

Councilwoman Simons said he has had tons of questions about this. She looked it up and found out the event had been canceled. In the future, she would like there be an item on the agenda or something said during reports to let us know what is going on.

Mr. Calder said it is our goal to bring this back. It has really gotten big. The last one had over 700 volunteers.

NO ACTION

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration and possible approval of a variance, related to the expansion of an existing facility located at 355 West River Street, from Section 3-8-5 Subsection 3 of the Elko City Code which stipulates a lowest floor elevation requirement of two feet above the base flood elevation, and matters related thereto.
FOR POSSIBLE ACTION

The property owner is proposing an expansion of an existing warehouse located at 355 West River Street. The owner's engineer has filed a variance request allowing for a lower floor elevation of 1.1 feet above base flood elevation for both the existing structure and the expansion area. The variance request of 0.9 feet less than the required two feet above base flood elevation stipulated in the code. The basis for the request is to match the existing floor elevation which was approved for construction under different guidelines in effect at the time of development. BT

Bob Thibault, Civil Engineer, explained in the memo (Exhibit "B") included in the packet explaining the first finished floor had an elevation of 1.1 feet above the base flood elevation. That in itself is a factor of safety. Our Code has a more significant factor of safety requiring 2 feet above the base flood elevation. He had looked at other jurisdictions around northern Nevada. Wells has the same requirement of 2 feet above base flood elevation. Both Elko County and the City of Reno require 1 foot above the base flood elevation, which this proposed construction would comply with. The City of Winnemucca and the City of West Wendover require that you build at or above the base flood elevation. Our Code is on the more stringent side. FEMA recommends at or above. They want the jurisdictions to develop their own requirements. There is some factor of safety in this proposed construction. During the flood we had in February of 2017, this existing structure did not get flooded. There was flood water on the property but the building was not inundated with flood water. Also in the packet is a summarization from High Desert Engineering, Mr. Tom Ballew.

Tom Ballew, High Desert Engineering, said he didn't have anything to add but would answer questions. He thought the Code is a good Code and it does allow for these variances. Giving the construction, we are above base flood elevation, shows good reason to grant the variance.

Mayor Keener asked if it would present a hardship to have the new addition higher than the existing.

Mr. Ballew answered it would increase the costs. There would be areas of the building that are unusable. There was an exhibit that was prepared by the architect that would show that. It is a floorplan that was prepared by the architect.

Mayor Keener noted the client realizes there is risk associated with this and they are willing to take the risk.

Mr. Ballew answered they are. The bottom line is that they are still a foot higher than the base flood elevation.

Councilwoman Simons asked Dave Stanton if the City granted this variance, is there an exclusion of liability if this were to flood.

Dave Stanton, City Attorney, answered you are talking about granting a variance, which is a legislative act. As long as the Council considers different criteria in order to support its decision, it is a legislative decision and shouldn't be a decision that would expose the City to liability. It is within the scope of its legislative power.

**** A motion was made by Councilman Morris, seconded by Councilwoman Simons, to approve a variance related to the expansion of an existing facility located at 355 West River Street, from Section 3-8-5 Subsection 3 of the Elko City Code which stipulates a lowest floor elevation requirement of two feet above the base flood elevation, referencing the memo entitled Byington Variance Request Section 3-8-6 Paragraph B: Conditions for Variances and there are 6 of them.**

The motion passed unanimously. (5-0)

VIII. REPORTS

A. Mayor and City Council

Mayor Keener reported he met with SW Gas and talked about their gas pipeline going out to Spring Creek. They are still awaiting approval from BLM for easements through a few spots. They are also concerned with the Legislative Session. There are groups wanting to cancel natural gas into new construction. He had the privilege to meet with NGM and Anthem Broadband regarding the of fiber to every address within the City of Elko and Spring Creek and Lamoille.

Councilwoman Simons clarified at the last meeting she was asking about an item for a volunteer fire truck budget item. She thought the volunteer firefighters were being phased out but learned that was not the case. She learned more about what they do and the vital services they provide to the community.

Councilman Stone said he also met with SW Gas regarding the concern about the bill legislation coming out.

B. City Manager – Legislative Update; American Rescue Plan Act Update

Curtis Calder gave an update on the City Charter Bill AB311. It is scheduled for its first hearing on Thursday morning. He will be testifying. It will have to go through the assembly and the senate before the deadline.

Mayor Keener said he learned some things about AB311. Some people thought the City Council was looking to expand its reach and appoint an additional judge. He assured them that it is very difficult to make a change in our charter and it is something you want to make for many years in the future.

Dave Stanton added that AB311 will provide clarity as to how the municipal court will work. This should have been done a long time ago.

Mr. Calder reported the American Rescue Act has passed and there were allocations from congressional delegations sent out. The City has been working with the Nevada League of Cities. The City of Elko is scheduled to receive an \$18.35 million allocation. We do not know what the restrictions on it will be. Once we get the specifics he would like to schedule a City Council workshop to

decide about accepting the money and how to spend it. He hopes to have more information by the next meeting. There are federal bills being discussed right now such as an infrastructure bill of \$3-4 trillion. We may need to prioritize our spending based on infrastructure and non-infrastructure but still looking at capital related items. This isn't money that will be coming in every year and we shouldn't build our budget on it.

Mayor Keener said Elko will be hosting a post legislative retreat here in Elko in late June. He was hoping that all members of the board can attend that event.

Mr. Calder thought the event was scheduled for June 17 and 18.

Mayor Keener thought this will potentially would draw more attendees if he had content related to ideas of utilization of these funds that will be available.

Mr. Calder said there are a couple of things that will complicate our lives such as the timing of the receipt of the money. If we get the money tomorrow, we will bring an augmented budget. It will create an additional audit for us when we have our annual audit. If we get it July 1, we would have to augment our budget for next year.

C. Assistant City Manager

Scott Wilkinson said Union Pacific(UP) is looking at a target date of April 2 to complete a legal review of the purchase and sale agreement that we sent back with comment. Hopefully they meet that target. Then we move to the selection of an appraiser. He followed up with UP's consultant about the sound wall. They kicked it out to another individual at UP that he had not dealt with. He indicated that was tied to Amtrak funding which Amtrak was not funding the project. He didn't see how that sound wall was related to Amtrak. He reached out to someone else with UP to look into that.

D. Utilities Director

Mayor Keener asked regarding the budget, it said Well 96 was going to utilize and old generator from the WRF. Will that be the only well with backup power?

Dale Johnson answered that will be the only well with back-up power.

Curtis Calder asked if we still had the portable generator that could be moved around for emergencies.

Mr. Johnson answered it went to the SnoBowl. He has a meeting with MGM on Thursday and the architect but the new shop is coming along.

D. Public Works

Mayor Keener asked how the scales project is coming along.

Dennis Strickland answered they will be here on April 13. We will get the inbound ones done first and the other half in 4 to 6 weeks after that.

E. Airport Manager

Jim Foster reported the new deicing snowplow will arrive next Monday the 29th. That was AIP51 and he will bring that to Council for closeout.

G. City Attorney

H. Fire Chief

Chief Griego handed out a report of the last four years of incidents they responded to (Exhibit "C"). He wanted to get them caught up to where they were at since he has not reported in the last year or so. If they had any questions they could reach out to Deputy Chief Snyder or him. He thanked

Councilwoman Simons for coming out and speaking with the volunteers. He talked about the volunteer meetings and trainings. The Elko County COVID report shows us down to 40 active cases in the County with 3 in the hospital. We are making progress every week.

I. Police Chief

J. City Clerk

Kelly Wooldridge asked Chief Griego for a copy of his handout for the record.

K. City Planner

L. Development Manager

M. Financial Services Director

N. Parks and Recreation Director – Ruby View Golf Course Update

James Wiley reported the Golf Course is open and fully operational, including the bar and restaurant. Last week the bar and restaurant passed their final health inspection and they opened. He didn't have any golf play numbers yet for March. The weather forecast looks pretty good going forward. The golf community is happy.

Mayor Keener asked about the Sports Complex.

Mr. Wiley said he has been working with Curtis and we have a tentative ribbon cutting scheduled in May. They will nail down a specific date for that soon. They are getting closer to opening the complex for play. One field is struggling more than the other two.

O. Civil Engineer

Bob Thibault said a couple of construction projects will be starting up in the next couple of weeks. The Downtown Block Ends Project is scheduled to start April 5th. April 12th you will see work starting on the 5th Street Parking Lot Project.

P. Building Official

Jeff Ford reported the new inspector was able to obtain his Residential Building Inspector certification and he is prepping for his Commercial Building Inspector.

Mayor Keener asked if Cambridge Heights had any building permits yet.

Mr. Ford answered no.

III. PERSONNEL (Cont.)

B. Update regarding Labor Negotiations between the City of Elko and the Elko Fire Fighters Association, IAFF Local 2423, and matters related thereto.
INFORMATION ONLY – NON ACTION ITEM

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.

Mayor Keener asked for final public comment for anyone that may be on the phone or the GoToMeeting. He adjourned the meeting and went to a closed meeting. After adjourning the closed meeting, he reopened City Council Meeting.

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.

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

Mayor Reece Keener

Kelly Wooldridge, City Clerk



CITY OF ELKO FY 2021/2022

Budget Workshop Presentation

Enterprise Funds

FY 2022 – Looking Forward



Additional Positions

- Sewer Department
 - 1 – Admin Position
- Airport
 - 1 – Additional Airport Maintenance

COLA Increases

- COLA increase of 2.0% built into budget
- No COLA's given in FY 2021 except for non-supervisory Police bargaining unit

Water/Sewer Building Finished in June, 2021

Airport Fund – Grants included in FY22 Budget

- \$1.2 million - Cares Act Grant
- \$935,000 – Coronavirus Response and Relief Supplemental Appropriation Act (CRSSA) Grant
- \$550,000 - AIP Focused Study Grant

Golf Course Fund – Change in Golf Professional Contract

- February 1, 2021 - Duncan Management Group Contract
- Food & Beverage revenue and expense

Health Insurance Fund

- FY 2022 quote not received as of 3/22/21 – 15% increase used for presentation
- April 13, 2021 meeting will have more details on health insurance

Water Fund



Operating Revenue:

Water user fees	3,841,000
Other fees	75,000

Total **\$ 3,916,000**

Operating Costs:

Administration	501,337
Water Operations	2,240,679
Water Well Operations	959,428
Depreciation Expense	640,000

Total **\$ 4,341,443**

Operating Income/(Loss) **\$ (425,443)**

Estimated available cash at July 1, 2021	\$ 3,387,682
Estimated Outstanding Restrictions - deposits	(55,000)
Estimated unrestricted cash at June 30, 2021	\$ 3,332,682

Non-Operating Revenue:

Connection fees	350,000
Sale of Water Shop to General Fund	400,000
Interest revenue	15,000

Total **\$ 765,000**

Non-Operating Expenses:

4-12" Hydraulic Pack	8,750
Meter Truck Lease Payments	4,178
Install old WRF Generator at Well 96	225,000
Well 15 site improvement (Spruce)	227,713
Hospital second source - engineering	50,000
Engineering for water main relocation - North 5th	100,000
Well 12 Building & Electrical	200,000
Water main oversizing agreements	40,000

Total **\$ 855,641**

Non-Operating Income/(Loss) **\$ (90,641)**

Net Increase/(Decrease) in Cash	\$ 123,916
Estimated available cash at June 30, 2022	\$ 3,511,598
Estimated Outstanding Restrictions - deposits	(55,000)
Estimated unrestricted cash at June 30, 2022	\$ 3,456,598

(Note: Rate increased January, 2020 will continue at 5% increase each year for 3 years)

Sewer Fund



Operating Revenue

Sewer User Fees	2,800,000
Other Fees	294,282
Total	\$ 3,094,282

Operating Costs

Administration	722,018
Operating	366,306
Water Reclamation Facility *	3,189,278
Laboratory	262,085
Depreciation	1,654,991
Total	\$ 6,194,677

(* includes Biotower demolition special project - \$325,000)

Operating Income **\$ (3,100,395)**

Estimated available cash as of July 1, 2021 **\$ 14,780,121**

Non-Operating Revenue

Sewer Capital Improvement Fees	2,960,000
Connection Fees	310,000
Interest Income	55,000
Total	\$ 3,325,000

Non-Operating Expenses

ForkLift for New Shop	30,000
Small Jet Skid	40,000
Service Order Truck - Lease Payments	4,178
New 1/2 Ton Truck - Lease Payments	4,178
Gas Monitor Bump Station	15,000
Sewer Slip Lining	300,000
Sewer Oversize Agreements	40,000
Lab Roof & Fume Hood Ducting Replacement	200,000
WRF Secondary Digester Upgrades	750,000
WRF West Primary Clarifier	190,000
Replace Recycle Pumps (STM Components)	145,000
Total	\$ 1,718,356

Non-Operating Income/(Loss) **\$ 1,606,644**

Net Increase / (Decrease) in Cash **\$ 161,240**

Estimated available cash as of June 30, 2022 **\$ 14,941,362**

Landfill Fund



Operating Revenue:

Landfill User Fees	\$ 2,000,000
Other Fees	\$ 62,500
Total	\$ 2,062,500

Operating Costs:

Administration	\$ 189,275
Landfill Operations	\$ 1,731,719
Depreciation Expense	\$ 300,000
Total	\$ 2,220,993

Operating Income/(Loss)	\$ (158,493)
Estimated available cash at July 1, 2021	\$ 2,669,590

Non-Operating Revenue:

Interest revenue	\$ 11,000
Total	\$ 11,000

Non-Operating Expenses:

Litter Fence	\$ 65,000
Total	\$ 65,000

Non-Operating Income/(Loss)	\$ (54,000)
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Net Increase/(Decrease) in Cash	\$ 87,507
Estimated available cash at June 30, 2022	\$ 2,757,096

Airport Fund



Operating Revenue

Fuel Taxes	18,250
Landing Fees	70,000
Parking Fees	120,000
Passenger Facility Charges	40,000
Terminal Rental	122,500
Rental Car Concession	170,000
Land & Building Leases	300,500
Miscellaneous Revenue	8,600

Total \$ 849,850

Operating Costs

Administration	98,275
ARFF Fire Services	75,925
Airport Operations *	1,562,675
Airport Terminal	173,000
City Funded Depreciation	425,000

Total \$ 2,334,875

* Airport Operations include CRSSA & AIP Grant Spend

Operating Income/(Loss) \$ (1,485,026)

Before Transfers in Recreation Fund	324,571
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Total Operating Income \$ (1,160,455)

Estimated available cash June 1, 2021 \$ 1,658,870

Estimated Outstanding Bond Restrictions \$ (192,000)

Estimated Unrestricted Cash Balance \$ 1,466,870

Non-Operating Income

Interest Revenue	8,500
AIP Grant Revenue	550,000
CRSSA Grant Revenue	935,000
COVID-19 CARES Act Funding	1,219,898

Total \$ 2,713,398

Non-Operating Expenses

Lease Payments	7,381
Bond Payment	324,570
Mower	30,000
Towable Sweeper	35,000
COVID Grant Spend	1,154,898

Total \$ 1,551,849

Non-Operating Income/(Loss) \$ 1,161,549

Net Increase/(Decrease) in Cash \$ 426,094

Estimated available cash June 30, 2022 \$ 2,084,964

Estimated Outstanding Bond Restrictions \$ (192,000)

Estimated Unrestricted Cash Balance \$ 1,892,964

Note: FAA Funded Depreciation for FY 2021/2022 is estimated to be: \$ 2,286,935

Golf Course Fund



Operating Revenue		Non-Operating Revenue	
Golf User Fees	477,410	Interest Income	950
Cart Shed Rental	35,000		
Cart Path Usage Fees	46,750		
Cart Rental Fees	83,200		
Golf Food & Beverage	273,730		
Golf Merchandise & Rentals	26,225		
Range Fees	20,800		
Total	\$ 963,115	Total	\$ 950
Operating Costs		Non-Operating Costs	
Administration	48,829		
Golf Maintenance	532,358		
Golf Operations/Management Costs	508,788		
Depreciation Expense	103,400		
Operating Expenses	\$ 1,193,375	Non-Operating Expenses	\$ -
Operating Income/(Loss)-PreTransfer	\$ (230,260)	Non-Operating Income/(Loss)	\$ 950
Operating Transfers In			
Recreation Fund	25,000		
Total Operating Loss	\$ (205,260)		
Estimated Cash Balance July 1, 2021	\$ 758,305	Net Increase/(Decrease) in Cash	\$ (100,910)
		Estimated Cash Balance July 1, 2022	\$ 657,395

Health Insurance Fund



Revenue:

City Contributions for Employees	2,419,461
Employee Contributions for Dependents	336,402
Retiree Contributions	51,810
City Subsidy for Retirees & Dependents	100,000
Provider Reimbursements	100,000
Interest	11,000
Beginning Fund Balance	\$ 2,535,828

Total Available Resources \$ 5,554,501

Expenditures:

Medical Claims	1,727,500
Prescription Claims	172,500
Medical Premiums	763,400
Dental Premiums	169,050
Vision Premiums	48,960
Life Insurance Premiums	92,335
Health Insurance Adm Fees	58,000
Employee Cobra Premiums	2,100
Retiree Health Group	7,500
Total Expenses	\$ 3,041,345

Ending Fund Balance \$ 2,513,156

Assumes 176 people on health care plans

Estimated FY2022 Premiums not known - built in 15% health insurance premium increase



**CITY OF ELKO
ENGINEERING DEPARTMENT
1755 COLLEGE AVENUE
ELKO, NEVADA 89801
(775)777-7210
(775)777-7219 FAX**

Memorandum

To: Elko City Council
From: Bob Thibault, Civil Engineer
RE: 335 West River Street, Epiroc, Flood Plain Variance Request
Date: March 12, 2021
Cc: Thomas Ballew, P.E. High Desert Engineering

The findings below were developed in conjunction with input from Mr. Thomas Ballew, P.E., of High Desert Engineering. Refer to Mr. Thomas Ballew's submittal dated March 2, 2021 for additional information. Findings are presented below and identified with bold font.

Section 3-8-6 Variance Procedures - In passing upon requests for variances, the city council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:

- 1. Alterations of watercourses are not proposed.**
- 2. FIRM revision September 4, 2013 shows the existing structure is within a Special Flood Hazard Area (SFHA) zoned AE, with Base Flood Elevations determined.**
- 3. Elevation certificates are required for development or substantial improvements for the property.**
- 4. This entire parcel is located within this AE Special Flood Hazard zone, and the Base Flood Elevation varies across the parcel.**
- 5. The base flood elevation at the location of the proposed building expansion, based on the FEMA mapping and the FIS Flood Profile, is 5057.4 feet above mean sea level. The City code requires that the proposed lowest floor elevation be constructed 2.0' higher than the base flood elevation which would place the lowest floor elevation at 5059.4 feet above mean sea level. FEMA requires that the proposed lowest floor elevation be constructed at or above the base flood elevation which would require that the lowest floor elevation be constructed at or above 5057.4 feet above mean sea level. Epiroc requests that the lowest floor be constructed at an elevation of 5058.5 feet above mean sea level which is 1.1 feet higher than the base flood elevation. This would place the lowest floor elevation 1.1' higher than that required by FEMA and only 0.9' lower than that required by City of Elko codes.**
- 6. During the flood that occurred in February of 2017, flood waters did encroach onto this property, but did not reach any of the buildings**

3-8-6 B 1 (a) - The danger of materials being swept onto other lands and injuring others;

1. **The proposed lowest floor elevation is 0.9 feet lower than the minimum lowest floor elevation required under city code.**
2. **All materials stored within the building will be protected from being swept away due to the fact that the materials will be stored a minimum of 1.1 feet higher than the base flood elevation.**

3-8-6 B 1 (b) - The danger to life and property due to flooding or erosion damage;

1. **Because the existing building and the proposed addition are 1.1 feet higher than the BFE, the potential danger is reduced.**

3-8-6 B 1 (c) - The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;

1. **Because the proposed addition is 1.1' higher than the BFE, it would not be susceptible to the 1% chance flood, also known as the 100 year flood, but might be susceptible to more significant floods.**

3-8-6 B 1 (d) - The importance of the services provided by the proposed facility to the community;

1. **The company is a major supplier to the construction and mining industries in the area.**

3-8-6 B 1 (e) - The necessity to the facility of a waterfront location, where applicable;

1. NA

3-8-6 B 1 (f) - The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

1. **As discussed in the letter from Mr. Ballew, alternative locations for an expansion of the business have been discounted as impractical for the following reasons:**
 - a. **Creating a separate building on the same parcel is not practical due to the limited size of the property, the existing buildings on the property, and the need to maintain open areas for circulation of the large vehicles that frequent the property.**
 - b. **Splitting the warehousing function into two separate buildings would require additional staffing.**

3-8-6 B 1 (g) - The compatibility of the proposed use with existing and anticipated development;

1. **The proposed use of the building expansion will be identical to the existing use of the existing building.**

3-8-6 B 1 (h) - The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

- 1. The proposed use of the building is not changing with the building expansion, and will remain as a warehouse.**

3-8-6 B 1 (i) - The safety of access to the property in time of flood for ordinary and emergency vehicles;

- 1. Access to all of the buildings on the property will not be affected by this proposed building expansion.**

3-8-6 B 1 (j) - The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site;

- 1. The proposed variance will not result in increased flood elevations, velocities, duration, rate of raise, or transport of sediment.**

3-8-6 B 1 (k) - The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

- 1. The proposed variance has no effect on public utilities or public infrastructure.**
2. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage;
 - b. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the floodplain administrator in the office of the Elko County recorder and shall be recorded in a manner so that it appears as an exception on the title of the affected parcel of land.

The proposed expansion would not be below the base flood elevation.

3. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the federal insurance administration, federal emergency management agency.

C. Conditions for Variances:

1. Generally, variances may be issued for new construction, substantial improvements, and other proposed new development to be erected on a lot of one-half ($1/2$) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of sections [3-8-4](#), "Administration", and [3-8-5](#), "Provisions For Flood Hazard Reduction", of this chapter have been fully considered. As the lot size increases beyond one-half ($1/2$) acre, the technical justification required for issuing the variance increases.

The lot size is 3.33 acres. The technical justification presented by the developer's engineer relates to matching the proposed floor elevation to the existing floor elevation.

2. Variances may be issued for the repair or rehabilitation of "historic structures", as defined in section [3-8-2](#), "Definitions", of this chapter, upon a determination that the proposed repair or

rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

The structure is not a historical structure.

3. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

The proposed building expansion is not located in the floodway.

4. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this chapter. For example, in the case of variances to an elevation requirement, this means the city council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposed, but only to that elevation which the city council believes will both provide relief and preserve the integrity of the local ordinance.

The variance request to build at 1.1' above the base flood elevation meets "minimum necessary" standard.

5. Variances shall only be issued upon a:

- a. Showing of good and sufficient cause such as renovation, rehabilitation, or reconstruction. Variances issued for economic considerations, aesthetics, or because variances have been used in the past are not good and sufficient cause.

This project is an expansion of an existing warehouse. The added warehouse space will join the existing warehouse space without any separating walls or barriers. The floor elevations of the new and existing warehouse need to match to avoid operational and safety concerns related to arrangement and placement of product storage racks, movement of fork lifts and pallet jacks, and the movement of warehousemen with hand-held loads or hand carts.

- b. A determination that failure to grant the variance would result in exceptional "hardship", as defined in section [3-8-2](#), "Definitions", of this chapter, to the applicant.

Failure to grant this variance would force the Owner to abandon this site and building, or to build an addition that creates safety concerns. This project is an addition to an existing building in a previously developed industrial area. In addition to the extreme financial hardship that would occur if the Owner were not allowed to expand, joining new warehouse space at a different floor elevation than the existing warehouse space would have the effect of creating an unsafe workplace. Failure to grant this variance of 0.9 feet would result an exceptional hardship to the Owner.

- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance, as defined in section [3-8-2](#) of this chapter, cause fraud or victimization, as defined in section [3-8-2](#) of this chapter, of the public, or conflict with existing local laws or ordinances.

Because the proposed building expansion will be elevated 1.1 feet above the Base Flood Elevation, the granting of this variance will not result in increased flood heights, threats to public safety, public expense, or create a nuisance, or cause fraud or victimization.

6. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of subsections C1 through C5 of this section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

Provisions C1 through C5 are satisfied as documented.

7. Upon consideration of all the factors of subsection B, "Appeal Board", of this section and the purposes of this chapter, the city council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

No conditions are recommended.

8. The city council shall maintain the records of all appeal actions and report any variance to the federal emergency management agency upon request.

It is important to note that granting the variance will NOT violate the requirements of FEMA. FEMA requires that the lowest floor elevation be at or above the base flood elevation.

The variance is needed in order to satisfy the Elko City Code which requires that the lowest floor elevation be 2.0 feet above the base flood elevation. The variance will allow the lowest floor elevation to be 1.1 feet above the base flood elevation.

9. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 736, 6-14-2011)

The elevation of the lowest floor will not be below the base flood, but 1.1 feet above it.

Sincerely,

Bob Thibault, P.E., P.L.S.



City of Elko
Civil Engineer