

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, April 23, 2019 Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.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.elkocity.com, the State of Nevada's Public Notice Website,

https://notice.nv.gov in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801 Date: Time Posted: April 18, 2019 at 8:30 a.m.

ELKO COUNTY COURTHOUSE 571 Idaho Street, Elko, NV 89801 Date/Time Posted: April 18, 2019 at 8:40 a.m.

ELKO POLICE DEPARTMENT 1448 Silver, Elko NV 89801 Date/Time Posted: April 18, 2019 at 8:50 a.m.

ELKO COUNTY LIBRARY 720 Court Street, Elko, NV 89801 Date/Time Posted: April 18, 2019 at 9:00 a.m.

Posted by: Kim Wilkinson Administrative Assistant Kim Schusen

Name Title Signature

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at kwilkinson@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 18th day of April, 2019

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 Gollege Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

Scott Wilkinson, Assistant City Manager

CITY OF ELKO CITY COUNCIL AGENDA REGULAR MEETING

4:00 P.M., P.D.S.T., TUESDAY, APRIL 23, 2019 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

March 26, 2019

Special Session

April 9, 2019

Regular Session

I. PRESENTATIONS

- A. Presentation of a proclamation in recognition of National Arbor Day, and matters related thereto, **INFORMATION ITEM ONLY-NON ACTION ITEM**
- B. Presentation of the Year in Review, by Public Works Director, Dennis Strickland, and matters related thereto. **INFORMATION ITEM ONLY-NON ACTION ITEM**

II. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and authorization to solicit bids from qualified vendors to provide the custodial services at the airport terminal, and matters related thereto. **FOR POSSIBLE ACTION**

The current Custodial Service Contract with Royal Pane Janitorial will expire on June 13, 2019, and per the Contract the one year extension has already been exhausted. JF

C. Review, consideration, and possible approval from Art Spot Reno to participate in funding for the Elko Mural Expo 2019 up to an amount of \$10,000, and matters related thereto. **FOR POSSIBLE ACTION**

Council took action at its meeting on May 11, 2018 authorizing the Arts and Culture Advisory Board to collaborate with Art Spot Reno for a mural festival in 2019.

Art Spot Reno is organizing the Elko Mural Expo 2019 event. The event is scheduled to occur during September 26 through September 29, 2019. Art Spot Reno has submitted a sponsorship (funding) request in the amount of \$10,000. The estimated cost of the event is approximately \$82,000.

The City's Arts and Culture Advisory Board has taken action in support of the funding request from Art Spot Reno. SAW

III. UNFINISHED BUSINESS

A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. MR

IV. NEW BUSINESS

A Review, consideration, and possible approval of a request from Russell Mistretta, dba Ruby Mountain Hot Dogs for concession space at the Elko City Main Parks, and matters related thereto. **FOR POSSIBLE ACTION**

Mistretta would like to utilize Area 4 as a space of approximately 10' x 10' for his hot dog business. He holds an Elko City Business License and has provided the required insurance. KW

B. Review, consideration, and possible approval of a Grant of Easement with Stephen
 P. Dorsa and Susan E. Sandoz, and matters related thereto. FOR POSSIBLE ACTION

A twenty foot wide easement currently exists at 6553 E. Idaho Street. However, the existing water line is located outside of this easement. The owner is willing to

provide the city with an additional ten feet of easement to encompass the water line. RL

C. Review, consideration, and possible authorization to Amend No. One (1) to Contract Dated February 26, 2019 Between Jviation, Inc., and The City of Elko, Nevada, and matters related thereto. **FOR POSSIBLE ACTION**

This item is to amend the current contract between The City of Elko and Jviation, Inc. Jviation contract amendment #1 will cover fees associated with Airport Improvement project AIP 50 Pavement Preservation and Rehabilitation of Runway 6/24, Taxiway A, B and GA Ramp. JF

D. Review, consideration, and possible authorization for the Gold Diggers Motorcycle Club to host an off-road motorcycle race at the Elko Snobowl, and matters related thereto. **FOR POSSIBLE ACTION**

Gold Diggers M/C is requesting authorization to host an off-road motorcycle race at the Elko SnoBowl on June 29–30, 2019. In year's past, the club has hosted successful race events at SnoBowl when it was owned by Elko County. Most participants travel in RV's and stay at the race site throughout the event, overnight camping will need approval from the Council. The Club will conform with requirements listed within the Elko City Public Events in City Parks Application. JW

E. Review, consideration, and possible authorization for the Elko Relay for Life Organizers to accommodate the use of sleeping/resting tents for team participants, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Relay for Life Event is an overnight event spanning 18 hours on May 18–19, 2019 taking place in Area #10 of the Main City Park. As various teams and individuals participate in the event, some will take time to periodically sleep and rest. Organizers are requesting permission to allow the use of tents for this purpose. JW

F. Review, discussion, and possible approval of the sale of drug disposal unit for \$500.00 to Utah Department of Parole and Probation with a non-warranty bill of sale, and matters related thereto. **FOR POSSIBLE ACTION**

In 2009 the Police Department purchased a Drug Terminator to dispose of seized drugs. It was used at least twice a year for drug destruction. The Drug Terminator has not been used for several years because the amount of drugs we dispose of per year has increased significantly. Utah Parole and Probation has inquired about the possibility of acquiring the Drug Terminator. The Police Department is asking to sell the Drug Terminator to Utah Department of Parole and Probation. BR

V. PETITIONS, APPEALS, AND COMMUNICATIONS

A. Review, consideration, and possible action to rename the segment of 15th Street, south of Silver Street to the cul-de-sac, to Walters Court, and matters related thereto. **FOR POSSIBLE ACTION**

This request is from the City of Elko Police Department Honor Guard. The name "Walters" is referencing the Elko Police Department's only line of duty death to this date, Officer Clyde "Rusty" Walters. If the Council elects to move forward with the name change, the matter will be set for a public hearing on a future agenda. BT

B Review and consideration of a request from Mr. Scott MacRitchie to address Council regarding Business License Code, and matters related thereto. FOR POSSIBLE ACTION

On March 1, 2019, Mr. Wilkinson and I corresponded with Dave Stanton, City Attorney regarding business licenses for Development Companies and/or Subdividers. Mr. Stanton stated: The Code says: "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." Each limited-liability company is a "person" and if it is conducting business in the City, it needs a business license. It doesn't matter whether the LLC's are somehow interconnected or have common ownership -- a separate license is still required.

On March 7, 2019, the City Clerk's Office sent certified letters to four Developers/Subdividers regarding the need to obtain a business license per City Code 4-1. On April 1, 2109, Mr. MacRitchie sent an email to City Manager Curtis Calder stating "I have no objection to the fee, but the code is something we cannot meet. I cannot and will not discuss those issues until before Council." The City of Elko Code on Business Licensing is attached. KW

VI. 5:30 P.M. PUBLIC HEARINGS

A. Reconsideration and possible action to adopt Resolution No. 33-18, a resolution and order vacating approximately 751.83 feet of the westerly portion of P & H Drive Right-of-Way, filed and processed as Vacation No. 3-18 filed by Joy Global Surface Mining Inc., and matters related thereto. FOR POSSIBLE ACTION

Council accepted a petition for the subject vacation by Joy Global Surface Mining Inc., the then-current abutting property owner of APN 001-679-014, at its regular meeting of November 27, 2018 and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting December 4, 2018 and took action to forward a recommendation to Council to adopt a resolution which

conditionally approved Vacation No. 3-18 with findings in support of its recommendation. Council adopted Resolution No. 33-18 at its regular meeting January 8, 2019, directing the vacation of the property to Komatsu Equipment Co. However, prior to Council's adoption of the resolution, the abutting properties were transferred by deed to Joy Global Surface Mining Inc. Nevertheless, the approved resolution stated that the property was vacated to Komatsu Equipment Co. which, by virtue of the prior conveyance, was no longer the abutting property owner. Joy Global Surface Mining Inc. has provided a request for reconsideration of the resolution solely for the purpose of changing the name to reflect the current abutting property owner. CL

VII. 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. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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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,

Scott Wilkinson

Assistant City Manager

City of Elko)
County of Elko)
State of Nevada) SS March 26, 2019

The City Council of the City of Elko, State of Nevada met for a special meeting beginning at 3:00 p.m., Tuesday, March 26, 2019.

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

Ryan Limberg, Utilities Director Kelly Wooldridge, City Clerk Cathy Laughlin, City Planner

Candi Quilici, Accounting Manager Dennis Strickland, Public Works Director

Ben Reed Jr., Police Chief Ty Trouten, Police Captain

James Wiley, Parks and Recreation Director

Jim Foster, Airport Manager

Mike Haddenham, WRF Superintendent Darin Windous, Fleet Superintendent Karen Walther, Animal Shelter Manager Troy Poncin, Information Systems Manager

Matt Griego, Fire Chief

Jack Snyder, Deputy Fire Chief Dale Johnson, Water Department 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

I. FY 2019/2020 BUDGET WORKSHOP

A. Review, consideration, and direction to Staff regarding the Fiscal Year 2019/2020 Budget, inclusive of all Funds, and matters related thereto. **FOR POSSIBLE ACTION**

Curtis Calder gave a presentation (Exhibit "A").

Regarding the Capital Equipment Fund: Mayor Keener said he would be in favor of funding the full price of the fire truck rather than a medium term lease.

All Councilmembers agreed to fund the Fire Truck entirely in the next budget.

Mr. Calder said that it will be included in the tentative budget at the next meeting.

Regarding the Community Service Donation Requests: Council questioned the FISH donation request. It was noted that FISH no longer manages the homeless camp and they are rethinking their stance on the cold weather shelter. Council decided they would like to know more from FISH to substantiate their request before the request is included in the budget.

Regarding the Water Fund: Mr. Calder said they would like to perform a water study because the fund is operating at a loss. We need to increase the rates.

Councilman Schmidtlein wondered if the Combined Water/Sewer Shop needed to be scaled back. He felt the costs related to it were far too high.

Mayor Keener agreed it is a lot of money considering the loss in the Water operating fund.

Ryan Limberg, Utilities Director, handed out some paperwork regarding water rates in other areas (Exhibit "B"). Our last operating rate increase was done in 2007. There was an increase on the connection fee side in 2016. We don't want to match anyone else's rate; we want to cover our expenses. He also handed out a cost breakdown for the Water/Sewer Shop (Exhibit "C").

Regarding the Sewer Fund: This fund is operating at a loss but not like it is in the water. They are not proposing a sewer increase at this time.

COMMENTS BY THE GENERAL PUBLIC

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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 **County of Elko** State of Nevada SS April 9, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, April 9, 2019.

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

Ryan Limberg, Utilities Director

Troy Poncin, Information Systems Manager

Jeff Ford, Building Official

Karen Walthers, Animal Shelter Manager

Bob Thibault, Civil Engineer

Mike Haddenham, WRF Superintendent Mike Hess, Landfill Superintendent

Dale Johnson, Water/Sewer Superintendent Pete Dondero, Golf Course Superintendent Susie Shurtz, Human Resources Manager

Cathy Laughlin, City Planner

Candi Quilici, Accounting Manager

Dennis Strickland, Public Works Director

Ben Reed Jr., Police Chief Ty Trouten, Police Captain

Shelby Womack, Police Records Supervisor James Wiley, Parks and Recreation Director

Jim Foster, Airport Manager

Matt Griego, Fire Chief

Jack Snyder, Deputy Fire Chief

John Holmes, Fire Marshal

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 26, 2019

Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

A. Reading of a proclamation by the Mayor recognizing the month of April as Parkinson's Awareness Month, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Keener read the proclamation and gave a copy to representatives.

Karla Walker, Coordinator Parkinson's Support Group, spoke about the local group and what they do.

Jim Riley, 602 Spring Creek Parkway, said he has Parkinson's and was diagnosed in 2011. He is doing pretty well. He thinks the chemicals he was exposed to growing up on a farm are the cause of his Parkinson's. He recommended that everyone should wear his or her rubber gloves, respirators, don't smoke and don't drink.

B. Ready of a proclamation by the Mayor recognizing the week of April 14 – 20, 2019 as National Public Safety Telecommunicators Week, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Keener read the proclamation and gave a copy to Donna Holladay, Karrie Hunton and Kathleen Baker.

Karrie Hunton, Assistant Director, thanked Council for recognizing Central Dispatch and the work that they do. She thanked the dispatchers for all of their sacrifices.

C. Review and possible approval of the Fiscal Year 2019/2020 Tentative Budget, inclusive of all funds, and matters related thereto. FOR POSSIBLE ACTION

Staff will provide a revised budget presentation and will be requesting direction on key items, in preparation for tentative budget approval and submittal. CC

Curtis Calder, City Manager, gave a presentation (Exhibit "A"). It had not changed much since the last presentation. Regarding Community Service Donation Requests: Representatives from FISH were present to explain their donation request.

Rudy Garcia, FISH Board Chairman, explained the main reason their request went up from \$20,000 to \$40,000 was due to an increase of the support FISH gives the community. They have increased their services that include emergency food assistance, the soup kitchens, emergency shelter, case manager services, laundry facilities, emergency clothing and other services. Their biggest expenditure this year has been the cold weather shelter and resident services.

Councilwoman Simons asked if FISH plans on continuing with the cold weather shelter.

Mr. Garcia answered they are still discussing that with the board. They need more help from the City and the community. The MOU will have to be modified.

Mayor Keener asked what they are doing to stimulate fund raising.

Sherry Smith, FISH Director, said some of their programs are grant funded, such as the Samaritan House. They have started a fundraiser to sponsor a night. A business or family can sponsor a night for \$26 a night, and that covers for one person to stay at the Samaritan House. The food is mainly donated from local grocery stores. They depend upon grants, donations from the community, other grants and the FISH thrift store.

Mayor Keener asked what kind of funding they have received from the Newmont Legacy fund.

Ms. Smith answered last year it was over \$42,000. They were anticipating more this year but she is disappointed to hear that is going away.

Councilman Stone asked what the cold weather shelter costs.

Ms. Smith answered it is about \$390 a night. They were open 19 nights this last season. They are seeing an increase of the number of people using it from the previous year. She anticipates another increase next winter.

Councilman Stone asked if they will continue with the shelter with the additional funds.

Ms. Smith answered that is what the board has discussed. They want to make some improvements to the shelter first.

Mr. Calder continued with the presentation.

Ryan Limberg, Utilities Director, spoke about the proposed water/sewer shop and some of the options they have to lower the costs.

Councilman Schmidtlein said the shop will house equipment, etc. He doesn't think the building needs to be architecturally designed. Does it need the paving?

Mr. Limberg answered the paving is required by code.

Councilman Schmidtlein would like to see the total cost of the building be \$8 million, \$4 million for the Water Department and \$4 million for the Sewer Department.

Mayor Keener wasn't sure if that would be enough and wondered if they could compromise a little bit by adding the money they could possibly get for selling the old building (\$500,000) to the total to bring it up to \$8,500,000.

Mr. Calder said he could replace the estimate with a placeholder. He continued with the presentation. He recommended adopting the tentative budget with the changes noted in the tentative operating water fund.

** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to adopt the tentative budget, with the recommended changes to the Water and Sewer Funds.

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Employee Introductions:
 - 1) Michelle Rambo, Development Manager

Present and introduced.

B. Review, discussion, and possible approval of Human Resources Policy 7.1.1(1), a policy clarifying the group health insurance eligibility and benefits associated with elected officials employed by the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

Historically, the City of Elko Group Health Insurance Plan Document has allowed City elected officials to participate in the City's group health insurance plan. This policy reaffirms the practice and further defines the circumstances wherein City elected officials qualify for premium offsets, and the taxability thereof. A copy of the Human Resources Policy 7.1.1(1) has been enclosed in the agenda packet for review. SS

Councilwoman Simons and Councilman Hance both recused themselves from the discussion and left the room.

Curtis Calder, City Manager, explained they are recusing themselves because they do not have insurance through the City. If this new policy is adopted, and they apply for it, they could end up receiving a benefit from it.

Susie Shurtz, Human Resources Manager, explained it has always been past practice for Councilmembers eligibility to be included in the plan document. This policy would formalize and confirm the practice. There have been occasions in the past where councilmembers have not enrolled in benefits because they have outside coverage or they have coverage that does not allow them to enroll in a secondary coverage. This policy addresses those circumstances and would provide the option for councilmembers to apply for a stipend to offset their outside insurance premiums. The stipend amount will not exceed ½ of the City's per employee monthly

premium allocation. It is optional. They would have to apply for it. The policy addresses the taxability of the stipend as well.

Councilman Keener said they make so little as it is as councilmembers. The insurance benefit, for those that participate in it, is a significant amount of their compensation. This is more equitable for those that are not participating, to have the ability to offset the cost of their out-of-pocket coverage.

Mr. Calder added that a lot has happened with group health insurance plans. Many people have insurance through another provider but that provider may not allow double coverage. Out of fairness of those that cannot participate, and they still have to pay a premium, we felt this was the most equitable option.

** A motion was made by Councilman Schmidtlein, seconded by Councilman Stone, to approve Human Resources Policy 7.1.1(1), a policy clarifying the group health insurance eligibility and benefits associated with the Elected Officials employed by the City of Elko.

The motion passed. (3-0 Councilwoman Simons and Councilman Hance abstained.)

III. APPROPRIATIONS

- B. Review and possible approval of Print n Copy Warrants, and matters related thereto. FOR POSSIBLE ACTION
- ** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve the Print 'N Copy warrants.

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

- A. Review and possible approval of Warrants, and matters related thereto. FOR POSSIBLE ACTION
- ** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve the general warrants.

Councilman Schmidtlein asked about an expense at the Golf Course, for a reroute of a wash bay discharge line.

James Wiley, Parks and Recreation Director, explained that at the maintenance building they had a big wash pad where they would wash off equipment. It had a sump in it that was discharged into the effluent pond, which is not allowed. They had to reroute that into the sanitary sewer.

Curtis Calder, City Manager, stated in the current year budget, that was estimated to be a \$20,000 capital project, but it came in under that. Instead of it being a capital project, we charged it to the operating line item.

Councilman Schmidtlein asked about the municipal court, do we pay contractors directly?

Mr. Calder said only certain things are allowed for the Municipal Court Assessment Fund such as building renovation. This was for an HVAC system. They schedule the work and send the invoice over to us. We paid it on their behalf and reduced the account accordingly.

The motion passed unanimously. (5-0)

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. FOR POSSIBLE ACTION
- ** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the Great Basin Engineering warrants.

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

D. Review, consideration, and possible authorization for Staff to solicit bids for the Public Works Department Preventive Maintenance Project 2019, 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 44,470 l.f. of selected city streets, plus the parking corridor between 3rdth Street and 4th Street, which were identified and adopted as part of the City of Elko street inventory. This work will be completed after July 1, 2019. DS

Dennis Strickland, Public Works Director, explained the project and recommended approval.

** A motion was made by Councilman Schmidtlein, seconded by Councilman Hance, to authorize staff to solicit bids for the Public Works Department Street Maintenance Project 2019.

The motion passed unanimously. (5-0)

E. Review of the bids received and possible award of the Plantmix Bituminous Pavement materials to be used for the Year 2019 construction season, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. local time on Thursday, March 28, 2019.

Mr. Strickland explained they opened the bid and there were extensive increases. He reached out to Mr. Hunewill in Winnemucca to see what they are charging for the material. He also got some rates for trucking (Exhibit "B"). He went over the costs and said we can save the taxpayers some money by utilizing Hunewill instead of the local provider. The purchasing policy does allow them to go in another direction if they so choose. He recommends rejecting all the bids and going this route for a year and see how it goes.

Curtis Calder, City Manager, asked about paver availability.

Mr. Strickland said he has reached out and Ruby Dome will be accommodating with a paver, if/when needed. There is a good backup plan.

** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to reject the bid for the Plantmix Bituminous Pavement materials for the 2019 construction season.

The motion passed unanimously. (5-0)

F. Consideration and possible authorization for Staff to solicit bids for Airport Improvement Project No. 3-32-0005-050(AIP 50), Pavement Maintenance, and matters related thereto. **FOR POSSIBLE ACTION**

Council previously authorized Staff to apply for FAA Grant Application #AIP 50 on March 12, 2019. The purpose of this project is to preserve and rehabilitate the pavement on Runways 6/24 and 12/30, Taxiways A and B, blast pads, and all aprons, by crack sealing, major crack repair, seal coating, and re-striping. Cracks larger than one inch will need to be repaired. Major crack repair consists of milling two inches of asphalt and a minimum four feet wide. At the bottom of the milling, geogrid will be placed over the crack then paved over with asphalt to prevent reflective cracking. This rehabilitation is necessary to preserve the service life of the asphalt pavements. As a reminder the FAA awards grants based on bids. This project is estimated to cost a total of \$1,156,860.00. The Federal Share of 93.75% (\$1,068,830.00), combined with a Local Match of 6.25% (\$71,255), plus an additional \$16,775 which is not AIP eligible (for a total City contribution of \$88,030). JF

Jim Foster, Airport Manager, explained this does not include the apron for the commercial terminal.

** A motion was made by Councilman Stone, seconded by Councilman Hance, to authorize staff to solicit bids for the Airport Improvement Project 3-32-0005-050 (AIP50).

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to

forward a recommendation to Council to conditionally approve Final Plat 11-18. CL

** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to table.

The motion passed unanimously. (5-0)

V. NEW BUSINESS

A. Review, discussion, and possible adoption of the 2019 Street Inventory and the 2019 Construction Season Project List, and matters related thereto. **FOR POSSIBLE ACTION**

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 2019 Street Inventory, and recommendations for the 2019 Construction Season Project List.

City Staff conducted a Street Inventory in February. The purpose of his 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. DS

Dennis Strickland gave a presentation (Exhibit "C").

** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to adopt the 2019 Street Inventory and the 2019 Construction Season Project list.

The motion passed unanimously. (5-0)

B. Reconsideration and possible action to approve Revocable Permit No. 4-18, filed by Kraus Enterprises, LLC to occupy a portion of Silver Street Right-of-Way to accommodate landscaping, ADA ramp and patio, and matters related thereto.

FOR POSSIBLE ACTION

At the November 27, 2018 meeting, the City Council approved Revocable Permit 4-18 for landscaping, ADA ramps and patio in the Silver Street Right-of-Way for Kraus Enterprises LLC, subject to execution of a revocable license agreement. Since that time, the Permittee has determined that it must construct a larger ADA ramp than the one shown on the exhibits to the previously-approved license agreement. Accordingly, a new license agreement with revised exhibits reflecting the larger ADA ramp is submitted to the Council for approval. This license agreement is otherwise the same as the previously-approved license agreement. CL

Cathy Laughlin, City Planner, explained the permit and exhibits needed to be modified to meet ADA requirements for the ramp.

** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve Revocable Permit No. 4-18, for landscaping, ADA ramps and patio in the Silver Street Right-of-Way, with the revised Exhibits A and B, subject to the execution of the standard license agreement between the applicant and the City of Elko.

The motion passed unanimously. (5-0)

C. Review, consideration and possible approval of a Lease Agreement of T-Hangar D7 between the City of Elko and Silverado Land Management, LLC, and matters related thereto. FOR POSSIBLE ACTION

Silverado Land Management, LLC has recently purchased Hangar 7 from Robert Oeschger. A copy of the Lease Agreement has been included in the packet for your review. JF

Jim Foster explained this is a new lease. The T-Hanger was recently sold to Silverado Land Management.

** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve Hanger D-7 Agreement with Silverado Land Management LLC.

The motion passed unanimously. (5-0)

VI. REPORTS

A. Mayor and City Council

Councilman Schmidtlein reported he attended the RTC meeting last week. They are putting together a plan for bad weather and other emergencies going over the summit. They are looking at using message boards, nixle, social media and the radio to get emergency information out. Hopefully everyone learns from what happened up there.

Mayor Keener said he got to meet the new CEO of Communities in Schools. She is Las Vegas based but was in Elko today. They are doing good work here in the community.

B. City Manager-Legislative Update

Curtis Calder said there was a work session scheduled for AB242 today. Jim Foster said it moved out of committee to go to the next step. Curtis went on to explain there were some other legislative items that Kelly Wooldridge is tracking but she is at New World training. Good news, the Public Record bill was pulled.

- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney

H. Fire Chief

Chief Griego thanked Council for the budget considerations this year. He went over some of the things they will be working on this year. He would like feedback on the new Fire Department app that they should all have by now. It is still in the test phase. Mutual aid training is scheduled for Thursday at 10:30 a.m. at the Commercial.

I. Police Chief

Chief Reed reported on the "Chicken Caper." After a long search warrant, they have three in custody, 8.8 pounds of methamphetamine, \$13,000 cash, 248 cocks put down and 250 hens put down. Regarding the armed robbery series that occurred last week, excellent detective work and the main player was in custody within 48 hours. The Emergency Operations Center (EOC) is in the process of being outfitted with TV monitors and IT connections. Lt Palhegyi is in Quantico for training.

- J. City Clerk
- K. City Planner

Cathy Laughlin said they are getting close to the finalization of the land purchase from Lipparelli. There will be a RAC meeting on the 25th of April.

- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director Swimming Pool Repair Project Update

James Wiley reported on the swimming pool repairs. The wall has been demolished and the project is on schedule. Friday is the monthly Toast to Art. Saturday night is the team flashlight Easter Egg Hunt. Golf Course has been open for a couple of weeks but the weather hasn't been great yet. There was some winter damage on the turf but they are addressing it.

O. Civil Engineer

Bob Thibault reported his vacation went well and offered a picture slideshow that would only take about an hour or so.

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**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.	
Mayor Reece Keener	Kelly Wooldridge, City Clerk

2018 YEAR IN REVIEW

CITY OF ELKO

STREET DEPARTMENT



Left to right: Jeremy Rekward, Levi Bengoechea, Dennis Strickland, Steve Schroeder, Josh Delmore, Matthew Shirley, James Pauley, Paul Algerio, Doug Standley, Pat Flowers, Victor Garcia

PROJECTS

Extensive patching on West Sage Street - Westwood Drive to South 6th Street reconstruct - Wilson Street to Front Street Douglas Street reconstruct – 1st Street to 2nd Street **Dotta Drive** Extensive patching on Dotta Drive – West Sage Street to West **Ash Street**

Ruby Vista Drive – new construction along sidewalk Flagview Drive - new construction

8th & Elm – curb gutter and sidewalk installation

Centennial Park Project assistance Cedar Street Project Phase 2

MISCELLANEOUS PROJECTS

Leaf collection program = 9,920 bags

Christmas tree recycling program - 5 days

Striping high traffic areas - 16 days

Traffic markings - 11 days (stop bars, crosswalks, turn arrows, etc.) Swept entire City 6 times – Weather permitting, City sweepers run 8

to 10 months a year.

Extensive patching for 35 days plus 22 days of miscellaneous patching Alley Maintenance – 8 days, applied millings, trimmed trees, etc.

Crack sealed 8 days

Sign Maintenance - 23 days

Drainage maintenance - 26 days, which includes cleaning of drop inlets, culverts, open drainage, and retention dam maintenance

Weed abatement (burning, cutting, spraying) – 32 days

Special events – provided traffic control for 16 special

events/parades

MISCELLANEOUS PROJECTS

(continued)

Maintained gravel roads – 16 days

Applied Micro Slurry to approximately 7.66 miles of City streets

Maintained the fire line around the city

Snow and ice response – 20 snow events which included 17 call outs

Maintained City fencing – 8 days

Curb, gutter and sidewalk maintenance (cleaning ADA ramps, painting red curb, construction of new, etc.) – 22 days

Trimmed trees - 39 days

CONSTRUCT

Ruby Vista Drive portion

Flagview Drive

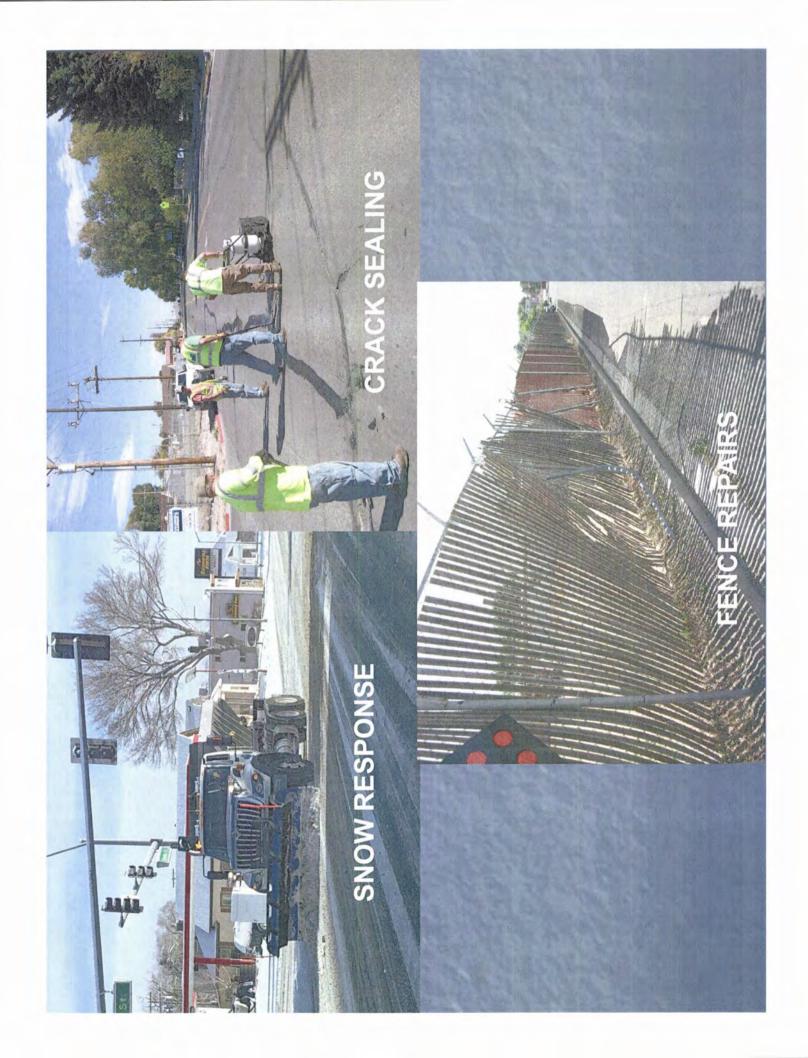
ONSTRUCT

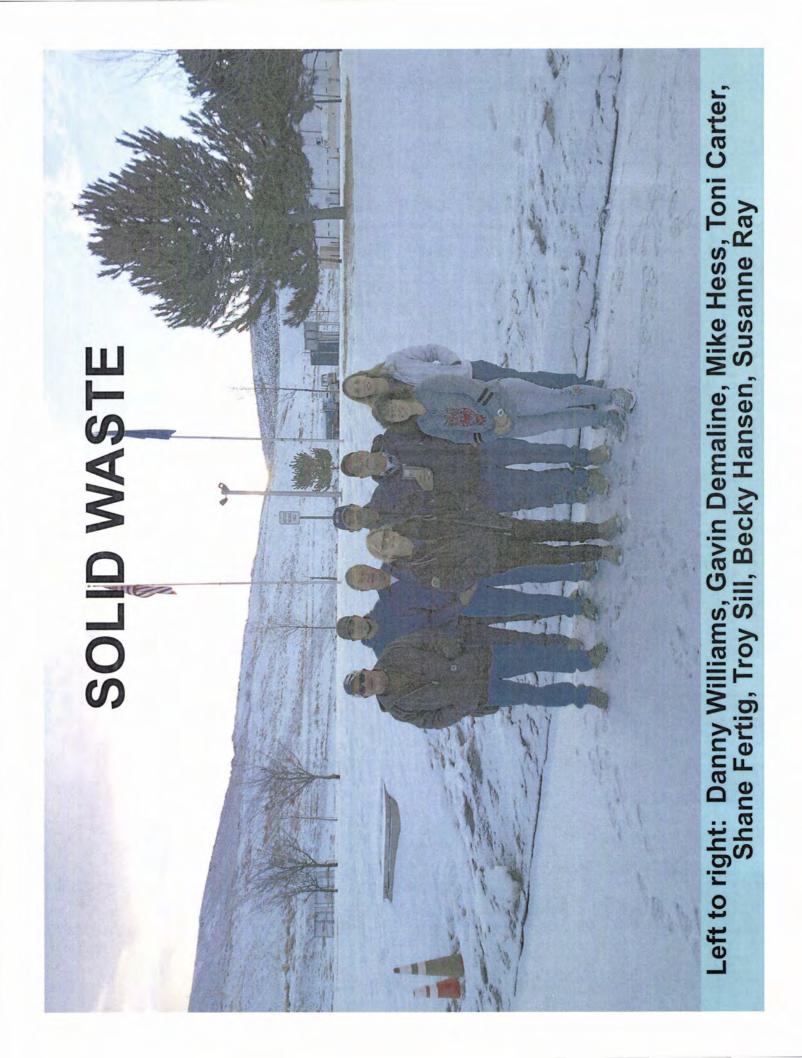
Douglas Street - 1st to 2nd

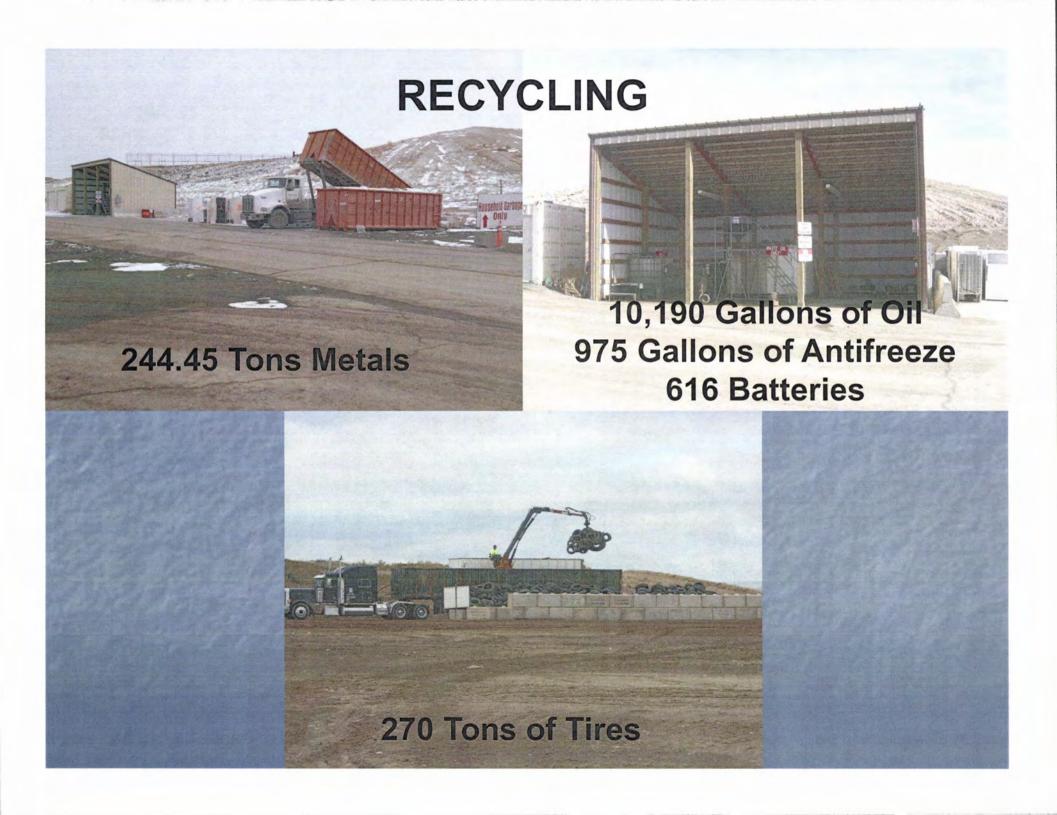
South 6th Street - Wilson to Front

Dotta Drive urb, Gutter & Side EXTENSIVE **Nest Sage Street**









MISCELLANEOUS

- Scale operator, Diane Armuth, retired after 25 years of service.
- Installed nine more litter fence panels.
- larger capacity to control water entering and leaving the facility as well as the Landfill being able to utilize the 'clean' in-fall water for In the process of updating two in-fall drainages on the southwest side of the facility. Once completed the onsite systems will have dust suppression.
- absorbed 100% of the cost of the engine rebuild on the D8N, and In early Spring, the 966 loader failed and had to be rebuilt. Also also did an outstanding job on the loader transmission rebuild. the engine of the D8N dozer failed. Cashman Equipment
- Acquired a 936E Caterpillar loader from the Street Department as a backup loader. Was used while the 966 loader was being repaired.
 - people from the City attended with Dennis Strickland, Mike Hess, In June, the Solid Waste Facility assisted in sponsoring a Solid Waste Association of America training seminar in Elko. Three and Shane Fertig all recertifying as Managers of Landfill Operations (MOLO).

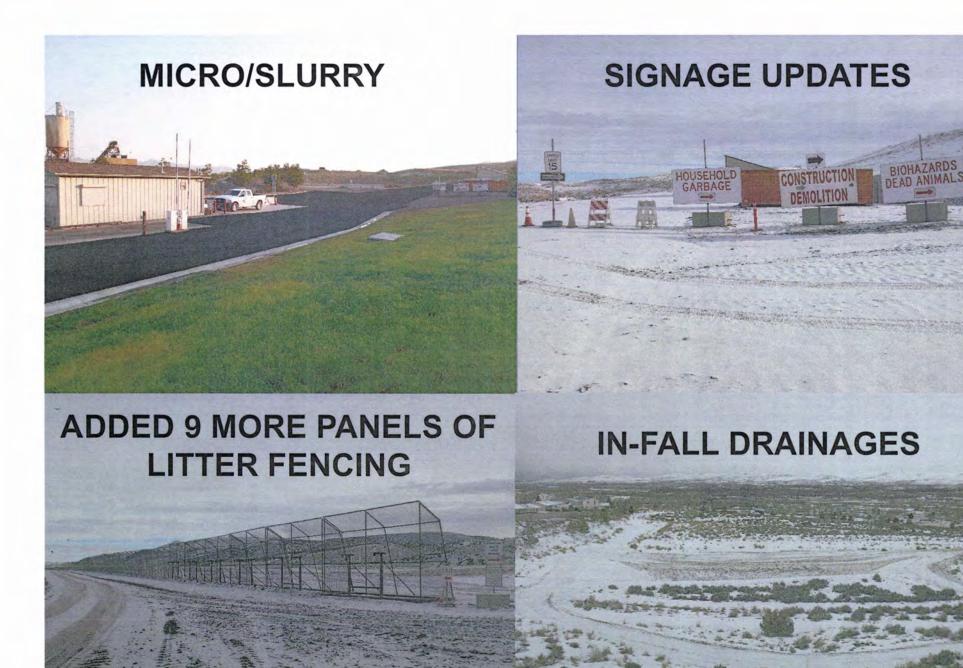
MISCELLANEOUS PROJECTS

(continued)

Bomag 772 compactor was down for over 5 weeks waiting on parts the machine back in service. Landfill was able to meet compliance from Germany. The seller and Smith Power were finally able to get With assistance from the Facilities Department, set up both shop n conjunction with the IT Department and Facilities Department, utilizing the Caterpillar 826 compactor that was kept as backup. Evacuated Freon from 771 units, up 6 units from previous year. **Continued the Downtown Corridor trash collection program.** buildings to run on generator power in the event of a power had security cameras installed in the recycling shed. Ongoing program to update signage at the Landfill. Spring and Fall Take Pride Days at the Landfill

Applied Micro/Slurry to the asphalt roads from the front gate to the

dirt road transition.



Took in 76,194 tons of waste. Up from 68,259 tons in 2017. An increase of 7,935 tons.



SPRING "TAKE PRIDE"
323.96 TONS RECEIVED
771 TIRES RECEIVED
783 VEHICLES IN/OUT OF
LANDFILL

FALL "CLEANUP"
TONS RECEIVED
TIRES RECEIVED
VEHICLES IN/OUT OF LANDFILI





PROJECTS

- Parks and Recreation building roof leak and water damage repair
- Animal Shelter kennel building roof refurbish
- Installed new brackets and hung DBA Banners
- Snow Bowl electrical and deep cleaning of the facility
- Old Airport Terminal cleanup in preparation for President Trump rally
- Traffic signal pole damaged by crash at East Jennings and Idaho Street
- NV Energy Power Shift Program with the installation of 27 smart thermostats with the City IT Department providing network communication support
- Upgrade of the 'Building Department' building lighting fixtures from old T12 fixtures to LED retrofits.
- Replace traffic cabinet and vehicle detection at 12th and Silver Street intersection

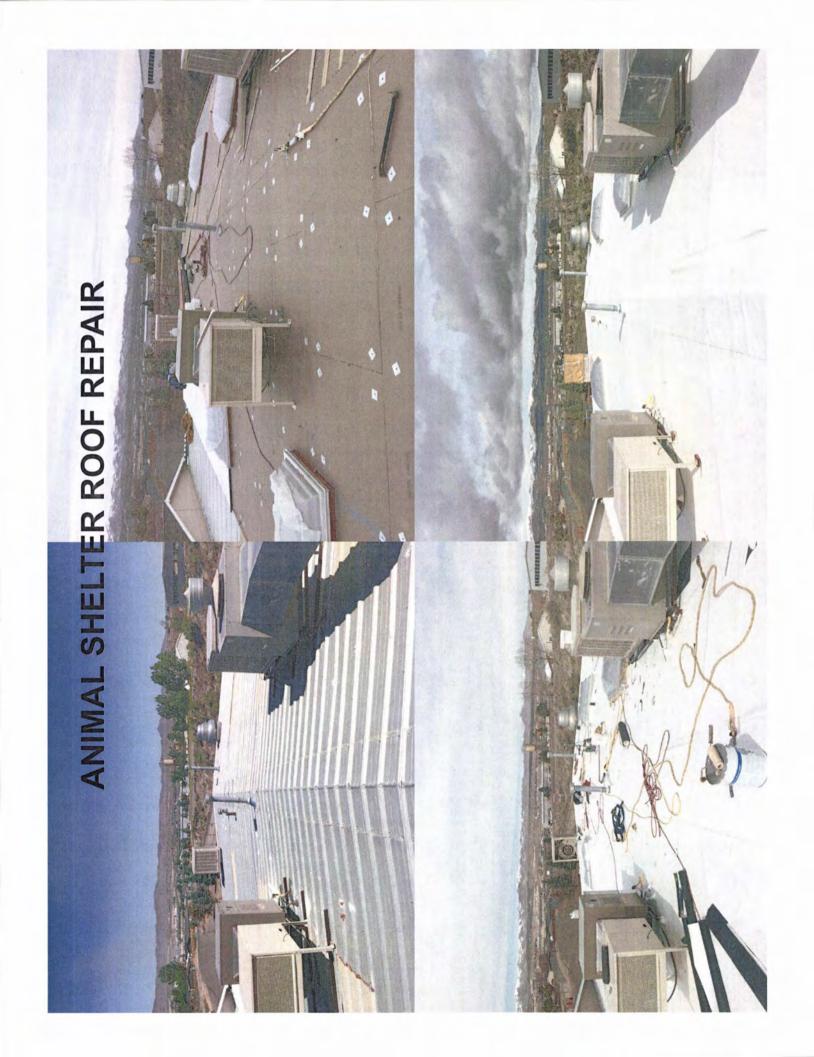
MISCELLANEOUS

- Completed 590 work orders (down from 687 in 2017) which included:
- score boards; lighting and lighting upgrades to power pedestals; assisting devices; transfer switches and standby generators; Parks Art Lights and troubleshooting-repairing-replacing and/or installing electrical outlets or 182 Electrical work orders including – re-lamping numerous fixtures, Airport personnel; and assisting at the newly acquired Snow Bowl
- fixtures to energy efficient LED, Flagpole lighting, repairing vandalized 68 Streetlight related work orders including – re-lamping, upgrading fixtures, and replacing old lighted street signs.
- 108 HVAC related work orders, including troubleshooting, repairing, installing, and upgrading various systems throughout the city.
- compliance; battery backup systems and beacon controlled pedestrian 130 Traffic related work orders including - Troubleshooting, repairing, upgrading, installing, and keeping 18 signalized intersections in crosswalks.

MISCELLANEOUS (continued)

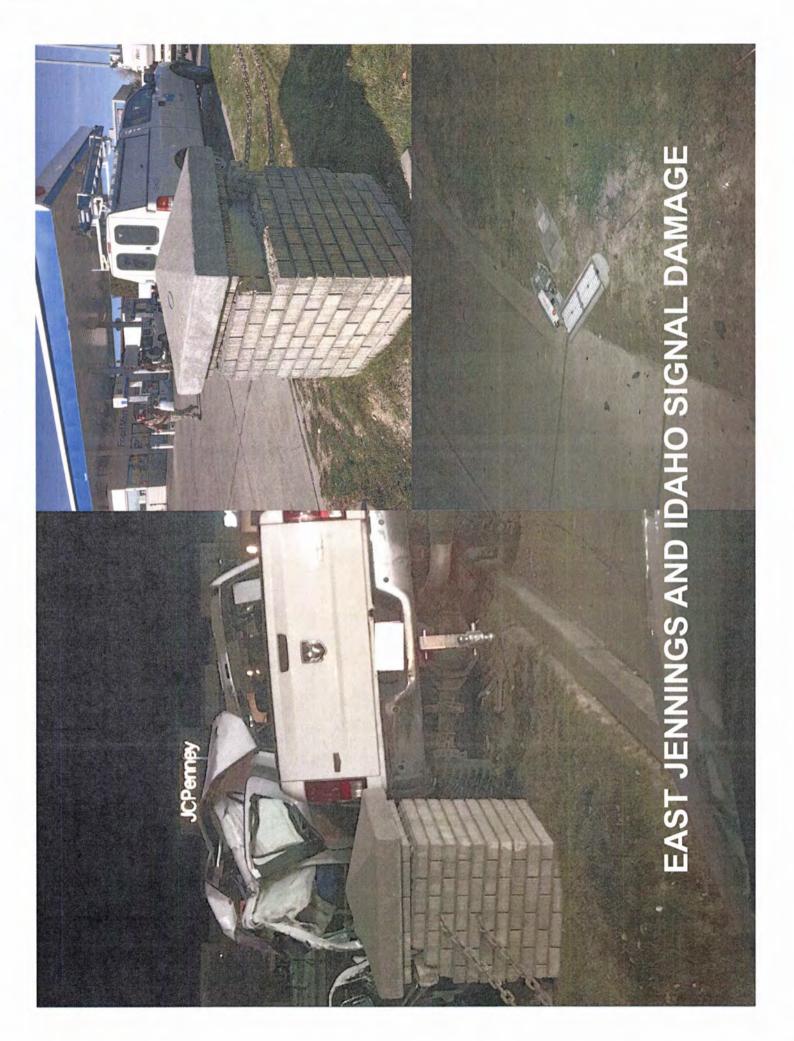
- 14 Vandalism repairs including broken windows, DBA electrical, streetlights, attempted break-ins, and power pedestals.
- 17 After hours call-ins, including Traffic signal malfunctions, vehicle crashes causing damage to traffic signals, and failed door locks.
 - 32 USAD locates and stopped one contractor from working without calling 811
- 39 Preventive Maintenance tasks including AC Filter changes and evaporative cooler seasonal startup/shut down and servicing.
 - Provide year-round custodial to: City offices, police department and various departments

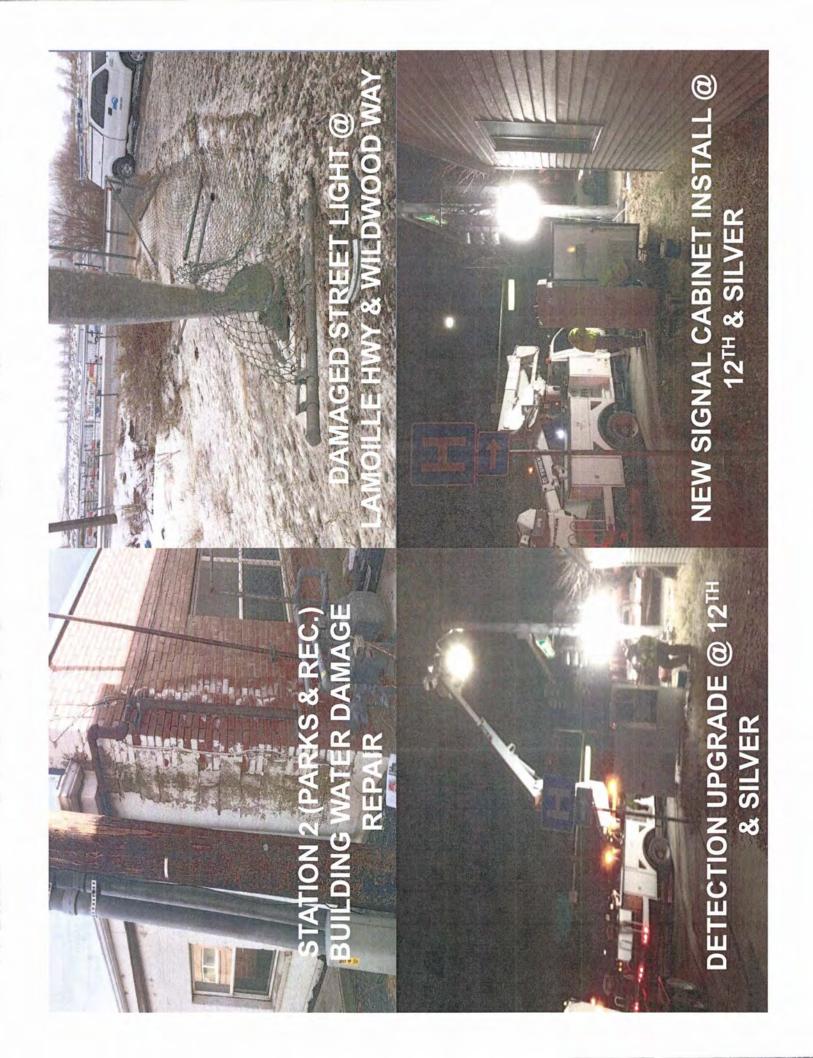
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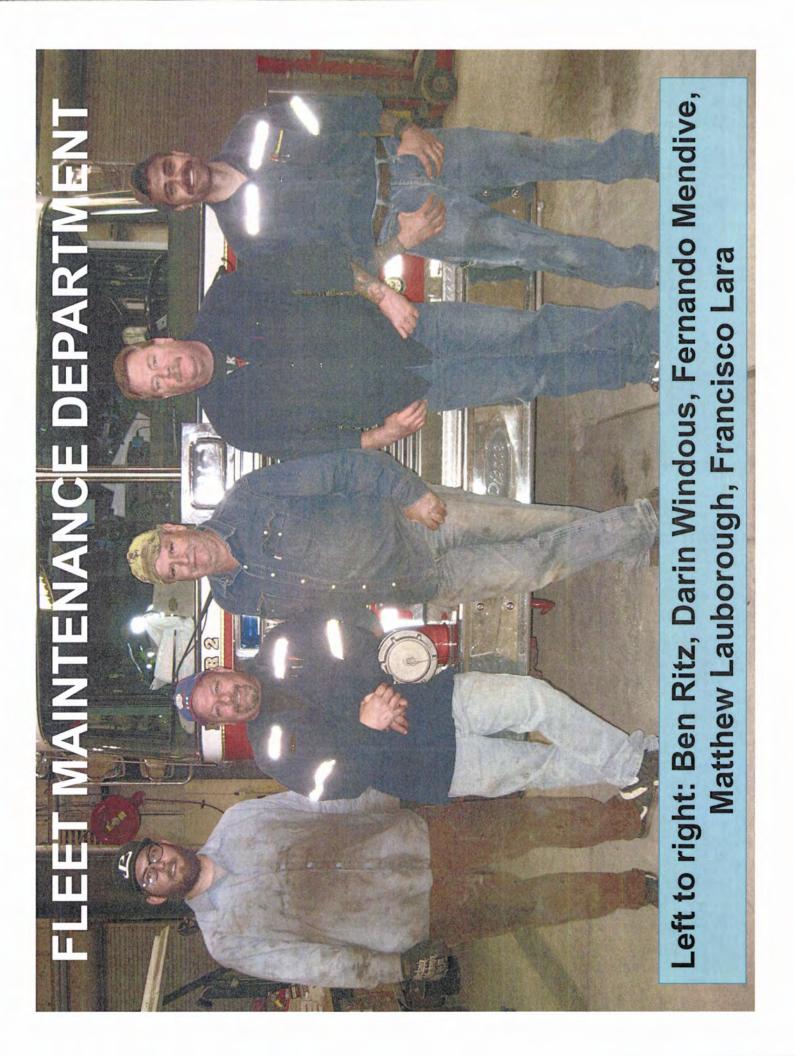




OLD TERMINAL BUILDING CLEANUP FOR PRESIDENT TRUMP'S VISIT







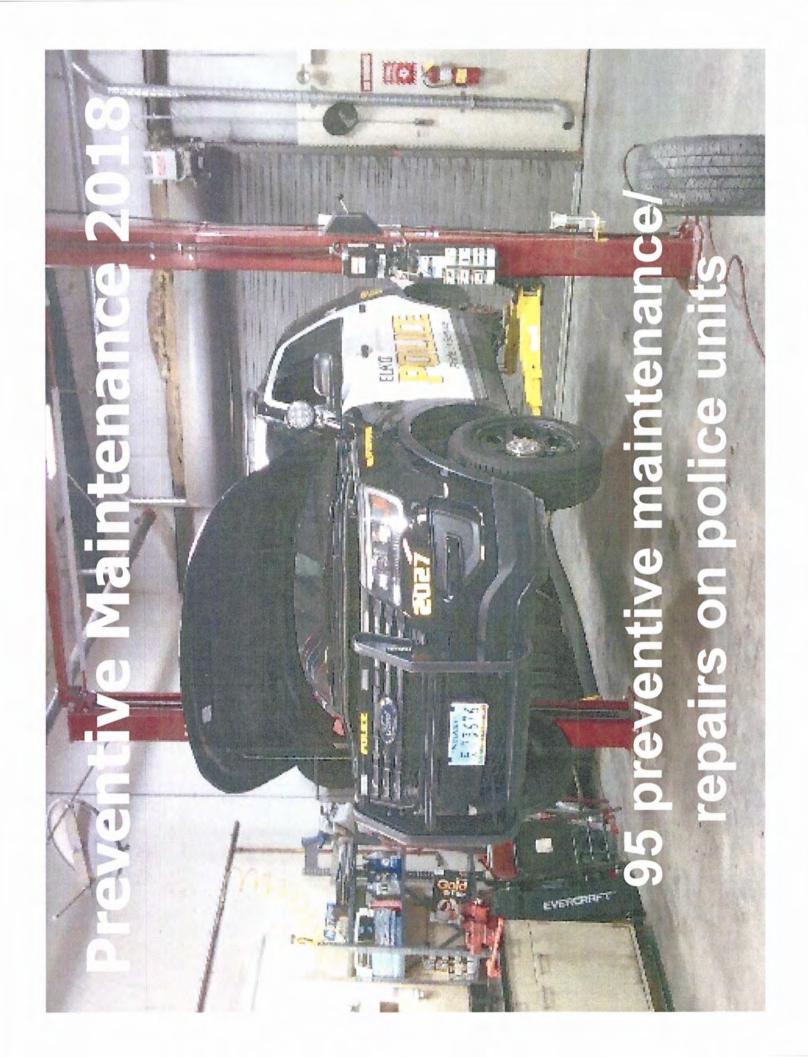
City Units

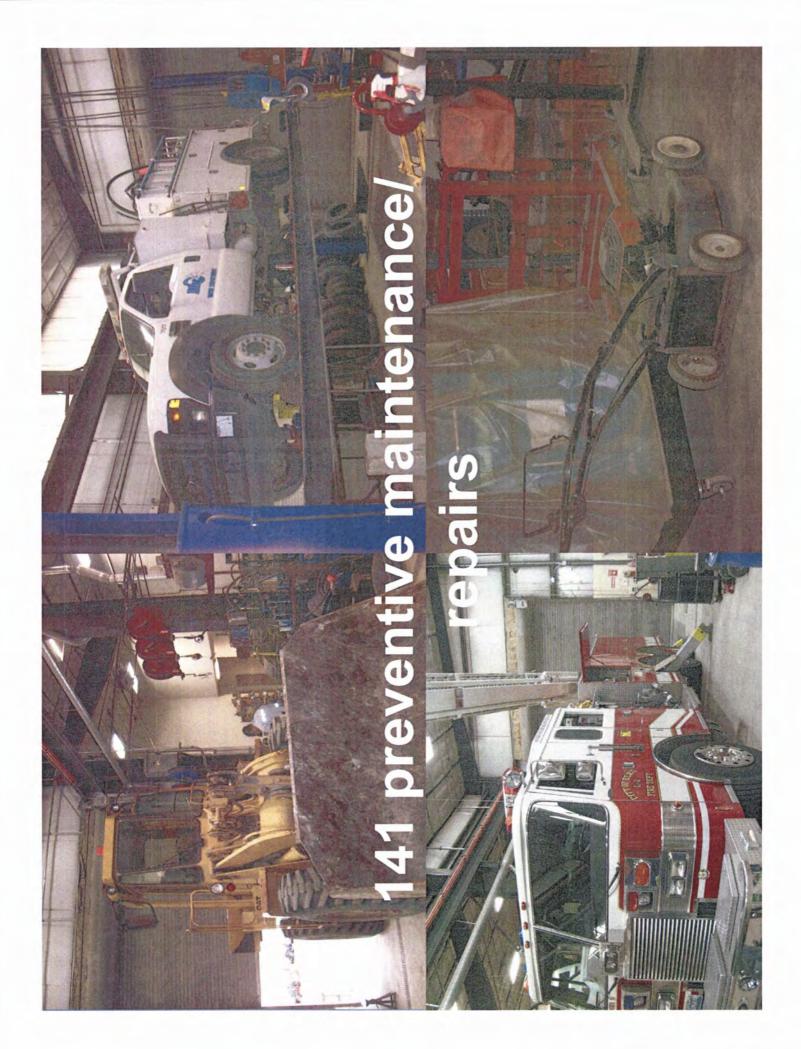
With 1 supervisor, 3 mechanics, and 1 welder the fleet department services, maintains & repairs:

- > 126 cars and pickups
- 30 pieces of heavy equipment
- > 15 Fire Trucks
- > 21 dump trucks
- 40 pieces of specialty equipment, and
- 194 pieces of misc. small support equipment.

Newly Purchased Eduipmen

- ↑ 1 new fire truck
- > 4 new police department units
- > 1 new forklift for the Street Department
- > 1 new pickup for the Parks Department
- > 1 new camera van for the Sewer Department
- All of which needed radios, decals, and equipment installed.





Elko City Council Agenda Action Sheet

- 1. Title: Review and authorization to solicit bids from qualified vendors to provide the custodial services at the airport terminal and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **APPROPRIATION**
- 4. Time Required: 2 Minutes
- 5. Background Information: The current Custodial Service Contract with Royal Pane Janitorial will expire on June 13, 2019, and per the Contract the one year extension has already been exhausted. JF
- 6. Budget Information: N/A

Appropriation Required:

Budget amount available: \$22,000.00

Fund name: Contract Services/Airport Enterprise Fund

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information:
- 9. Recommended Motion: Move to authorize Staff to solicit bids from qualified vendors to provide the custodial services at the airport terminal.
- 10. Prepared By: Jim Foster, Airport Manager
- 11. Committee/Other Agency Review: N/A
- 12. Council Action:
- 13. Agenda Distribution:

Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible approval from Art Spot Reno to participate in funding for the Elko Mural Expo 2019 up to an amount of \$10,000, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: **April 23, 2019**
- 3. Agenda Category: **APPROPRIATION**
- 4. Time Required: 15 Minutes
- 5. Background Information: Council took action at its meeting on May 11, 2018 authorizing the Arts and Culture Advisory Board to collaborate with Art Spot Reno for a mural festival in 2019.

Art Spot Reno is organizing the Elko Mural Expo 2019 event. The event is scheduled to occur during September 26 through September 29, 2019. Art Spot Reno has submitted a sponsorship (funding) request in the amount of \$10,000. The estimated cost of the event is approximately \$82,000.

The City's Arts and Culture Advisory Board has taken action in support of the funding request from Art Spot Reno. SAW

6. Budget Impact Statement:

Appropriation Required: TBD

Budget amount available: Unbudgeted at this time

Fund name: TBD

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: Request from Art Spot Reno and Elko Mural Expo 2019 event information.
- 9. Recommended Motion: Pleasure of the Council, with specific direction on the funding amount, the funding source and timing of funding (fiscal year).
- 10. Prepared By: Scott A. Wilkinson, Assistant City Manager
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution: Catherine Wines, Chairperson
 Arts and Culture Advisory Board
 catherine@r6studio.com



Projected Date: Sept. 26-29, 2019

What: A four-day mural Expo, featuring local, national and international artists.

Where: 26 walls in downtown Elko.

Why: Elko is a destination for the annual National Cowboy Poetry Gathering, the National Basque Festival, and is home to The Western Folklife Center and the Northeastern Nevada Museum. The city has a unique and authentic culture that is ready for a walkable, contemporary, downtown outdoor art gallery.

As Art Spot Reno nears its sixth year of operation, we see how the more than 200 murals in Reno have created community pride and made our streets cleaner and safer. Art Spot Reno has championed the vibrant street art scene and it's attraction for locals and tourists alike. By providing three monthly art tours around Reno, we have fostered community engagement and appreciation. The Elko Mural Expo will continue our determination to devise and carry out creative neighborhood-building programs.

We recognize the importance of public spaces being an agent for people coming together in creation and celebration of culture. The Elko Mural Expo will allow us to collaborate with local business owners and private residents to locate walls that once muraled will strengthen downtown. It has been shown in cities across the country that adding large-scale public art increases the sense of ownership, can spur confidence in a neighborhood's future, and encourage property investment. This, in turn, creates civic pride, resulting in a safer, more economically productive, and a healthy civic community.

This inaugural four-day event will bring beautiful art to public places. But more importantly, it will create collective identity and serve as a catalyst for continued revitalization, crossing economic, social and cultural boundaries. Along with community events such as the National Cowboy Gathering, this Expo adds another arts event to the season, providing opportunity to bring tourists to Elko both during and after the event.

Added Features: Along with the curated experience of painting 26 murals, this event will also allow:

- · educational benefits through artist lectures/film screening
- design and technique workshops
- · docent-led mural tours
- entertainment scheduled in local art, music and theater venues

A \$10,000 sponsorship from the City of Elko will support this community program and its positive effect on downtown revitalization. This transformative weekend of community engagement will be enjoyed by locals and provide an added reason to stop and experience Elko. Thanking you in advance for your support.

##

How:

Estimated event budget - \$81,850

Artist Stipend: \$36,000 15 walls @ \$1000: \$15,000 10 walls @ \$1500: \$15,000

1 wall @ \$6000 (Featured artist Sebas Velasco, Bilboa, Spain, http://sebasvelasco.com)

Paint: \$12,000

10 walls @ \$300: \$3,000 16 walls @ \$600: \$9,000

Scissor lift and scaffold rentals: \$5,000 Entire project, all walls where applicable

Insurance: \$2,500

Advertising/Marketing: \$3,000

Print and digital ads for Northern Nevada including Elko, Reno and Carson City.

Merchandise: \$1,700

200 T-shirts: \$1,200200 tote bags: \$500

Collateral: \$1,650

• 100 posters: \$50

• 10,000 postcards: \$250

1000 stickers: \$2751000 buttons: \$225

• 100 lanyards and badges for artists, volunteers & VIP: \$350

• Mural Signage - Artist, Title, Primary Sponsors: \$500

• Thank you cards to sponsors and donors: \$100

Housing for traveling artists: \$5,000

Transport for traveling artists: \$4,500

Web & design and management: \$1,500

Logo design: \$1,000

Administration: \$5,000

Documentation: Videographer, Photographer: \$3,000

Estimated Income:

2 Gold Sponsors at \$20,000: \$40,000

2 Silver Sponsors at \$10,000; \$20,000

2 Copper Sponsors at \$5,000: \$10,000

6 Community Supporters at \$1,000: \$6,000

Event Fundraising and Merchandise Revenue: \$5,850

Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: UNFINISHED BUSINESS
- 4. Time Required: 15 Minutes
- 5. Background Information: Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. 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 Final Plat No. 11-18 for the Great Basin Estates, Phase 3 subdivision subject to the conditions as recommended by the Planning Commission OR table item if Cease and Desist Order issued by NDEP is still in effect.
- 10. Prepared By: Michele Rambo, AICP, Development Manager
- 11. Committee/Other Agency Review: Planning Commission
- 12. Council Action:
- 13. Agenda Distribution: Parrado Partners, LP

Robert Capps-robertcapps@cappshomes.com

12257 Business Park Drive #1

Truckee, **CA** 96161



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 Special Meeting of September 6, 2018

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on September 6, 2018 pursuant to City Code Sections 3-3-6 (B)1 and (C) 2:

Final Plat No. 11-18, filed by Parrado Partners, LP, for the development of a subdivision entitled Great Basin Estates Phase 3 involving the proposed division of approximately 9.65 acres divided into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto.

The subject property is located generally at the extension of Village Parkway and Opal Drive. (001-633-030).

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to conditionally approve Final Plat No. 11-18 subject to the conditions in the City of Elko Staff Report dated August 23, 2018 listed as follows:

- 1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
- 2. The Performance Agreement shall be approved by the City Council.
- 3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
- 4. The Final Plat is approved for 38 single family residential lots.
- 5. The Utility Department will issue a Will Serve Letter for the subdivision.
- 6. State approval of the subdivision is required.
- 7. Conformance with Preliminary Plat conditions is required.
- 8. Civil improvements are to comply with Chapter 3-3 of City code.
- 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 Standard Specifications for Public Works. All Right —of-Way and utility improvements are to be certified by the Engineer of Record for the project.

- 10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.
- 11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

The Planning Commission's findings to support its recommendation are the Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Plat is in conformance with the Preliminary Plat. The proposed subdivision is in conformance with the Land Use Component of the Master Plat. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms with Sections 3-3-20 through 3-3-27 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of City Code. The Subdivider has submitted civil improvement plans in conformance with Section 3-3-41 of City Code. The plans have been approved by City Staff. 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 3-3-42 of City Code. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of City Code. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of City Code. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of City Code. Based on the modification of standards for lot dimensions granted under the preliminary plat application, 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. The proposed development is in conformance with Section 3-8 of City Code. The subdivision is in conformance with 3-8 Floodplain Management.

Attest:

Shelby Archuleta, Planning Technician

CC: Applicant

Kelly Wooldridge, City Clerk



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

CITY OF ELKO STAFF REPORT

DATE: August 23, 2018
PLANNING COMMISSION DATE: September 6, 2018

AGENDA ITEM NUMBER: 1.B.2

APPLICATION NUMBER: Final Plat 11-18

APPLICANT: Parrado Partners, LP

PROJECT DESCRIPTION: Great Basin Estates, Phase 3

A Final Map for the division of approximately 9.650 acres into 38 lots for single family residential development within an R (Single Family and Multiple Family Residential) Zoning District and one remaining lot.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE this item subject to findings of fact and conditions.

PROJECT INFORMATION

PARCEL NUMBERS:

001-633-030

PARCEL SIZE:

9.650 acres Phase 3, final phase of the subdivision

EXISTING ZONING:

(R) Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION:

(RES-MD) Residential Medium Density

EXISTING LAND USE:

Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

• Northwest: River corridor / Undeveloped

• Northeast: RMH- Residential Mobile Home / Developed

• Southwest: Single Family Residential (R) / Developed

• Southeast: Single Family Residential (R) and (RMH) / Developed

PROPERTY CHARACTERISTICS:

• The property is an undeveloped residential parcel.

• The area abuts the second phase the Great Basin Estates Subdivision.

• The parcel is generally flat.

MASTER PLAN, COORDINATING PLANS, and CITY CODE SECTIONS:

Applicable Master Plan Sections, Coordinating Plans, and City Code Sections are:

- 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 Chapter 3 Subdivisions
- City of Elko Zoning Section 3-2-3 General Provisions
- City of Elko Zoning Section 3-2-4 Zoning Districts
- City of Elko Zoning Section 3-2-5(E) Single-Family Residential District
- City of Elko Zoning Section 3-2-5(G) Residential Zoning Districts Area, Setback And Height Schedule For Principal Buildings
- City of Elko Zoning Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning Section 3-8 Flood Plain Management

BACKGROUND INFORMATION

- 1. The Final Plat for Great Basin Estates Phase 1B was recorded on June 29, 2017.
- 2. The Final Plat for Great Basin Estates Phase 2 was approved by City Council on August 14, 2018.
- 3. The Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
- 4. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Preliminary Plat on May 3, 2016.

- 5. The City Council conditionally approved the Preliminary Plat at its meeting on May 24, 2016.
- 6. Phasing was shown on the preliminary plat.
- 7. Under the conditional approval for the preliminary plat, a modification of standards was granted for all lot dimensions.
- 8. The subdivision is located on APN 001-633-030, shown as parcel E on Final Plat for Phase 2.
- 9. The proposed subdivision consists of 38 lots with no additional phases.
- 10. The total subdivided area is approximately 9.650 acres in size.
- 11. The proposed density is 5.09 units per acre.
- 12. Approximately 2.187 acres are offered for dedication for street development.
- 13. The area proposed for subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.
- 14. The property is located off Opal Drive and Clarkson Drive.

MASTER PLAN:

Land Use

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

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

Transportation

2. Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.

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

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property lies within the 20 year capture zone for the City of Elko.

The proposed subdivision is in conformance with the Wellhead Protection Program. The sanitary sewer will be connected to a programed sewer system and all street drainage will report to a storm sewer system.

SECTION 3-3-6 FINAL PLAT STAGE (STAGE III)

<u>Pre-submission Requirements (A)(1)</u> – The Final Plat is in conformance with the zone requirements. A modification of standards for the lot dimensions was granted with the conditional approval of the Preliminary Plat.

<u>Pre-submission Requirements (A)(2)</u> – The proposed final plat conforms to the preliminary plat.

<u>Pre-submission Requirements (A)(3)</u> – The Title Sheet includes an affidavit for public utilities and no objections were received from public utilities upon notification for the Preliminary Plat.

SECTION 3-3-8 INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL

- A. Form and Content-The final plat conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The subdivision map identified the subdivision, and provides its location by section, township, range and county.
 - 2. The subdivision map was prepared by a properly licensed surveyor.
 - 3. The subdivision map provides a scale, north point, and date of preparation.

C. Survey Data

- 1. The boundaries of the tract are fully balanced and closed.
- 2. All exceptions are noted on the plat.
- 3. The location and description of cardinal points are tied to a section corner.
- 4. The location and description of any physical encroachments upon the boundary of the tract are noted on the plat.

D. Descriptive Data

- 1. The name, right of way lines, courses, lengths and widths of all streets and easements are noted on the plat.
- 2. All drainage ways are noted on the plan.
- 3. All utility and public service easements are noted on the plat.
- 4. The location and dimensions of all lots, parcels and exceptions are shown on the plat.
- 5. All residential lots are numbered consecutively on the plat.
- 6. There are no sites dedicated to the public shown on the plat.
- 7. The location of adjoining subdivisions are noted on the plat 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 and certified by a notary public.

F. Additional Information

- 1. All centerline monuments for streets are noted as being set on the plat.
- 2. The centerline and width of each right of way is noted on the plat.
- 3. The plat 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 plat.
- 5. The city boundary adjoining the subdivision is not identified on the plat, as the plat is not adjoining a boundary.
- 6. The plat identifies the location of the section lines, and 1/16th section line adjoining the subdivision boundaries.

G. City Engineer to Check

- 1. The Engineer shall check the final map for accuracy of dimensions, placement of monuments, the establishment of survey records, and conformance with the preliminary map.
 - a) Closure calculations have been provided.

- b) Civil improvement plans have been provided, previous civil improvement plans have been approved for this subdivision.
- c) Civil improvement plans for drainage have been submitted.
- d) An engineer's estimate has **not** been provided.
- 2. It appears the lot closures are within the required tolerances.

H. Required certifications

- 1. The Owner's Certificate is shown on the final plat.
- 2. The Owner's Certificate offers for dedication all right of ways shown on the plat.
- 3. A Clerk Certificate is shown on the final plat, certifying the signature of the City Council.
- 4. The Owner's Certificate offers for dedication all easements shown on the plat.
- 5. A Surveyor's Certificate is shown on the plat and provides the required language.
- 6. The City Engineer's Certificate is listed on the plat.
- 7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
- 8. A copy of review by the state engineer is not available at this time.
- 9. A certificate from the Division of Water Resources is provided on the plat with the required language.
- 10. The civil improvement plans identify the required water meters for the subdivision.

SECTIONS 3-3-20 through 3-3-27 (inclusive)

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).

SECTION 3-3-40-RESPONSIBILITY FOR IMPROVEMENTS

The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.

SECTION 3-3-41-ENGINEERING PLANS

The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

SECTION 3-3-42-CONSTRUCTION AND INSPECTION

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 3-3-42 of city code.

SECTION 3-3-43-REQUIRED IMPROVEMENTS

The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.

Civil improvements include curb, gutter and sidewalk, paving and utilities within the Village Parkway, Village Green Circle, Nicole Court and Opal Drive right of ways.

SECTION 3-3-44-AGREEMENT TO INSTALL IMPROVEMENTS

The Subdivider will be required to enter into a Performance Agreement to address to conform to Section 3-3-44 of city code.

SECTION 3-3-45-PERFORMANCE GUARANTEE

The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.

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

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, 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.

SECTION 3-8-FLOODPLAIN MANAGEMENT

1. The proposed subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.

The proposed development is in conformance with Section 3-8 of city code.

FINDINGS

- 1. The Final Plat for Great Basin Estates Phase 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 Plat is in conformance with the Preliminary Plat.
- 3. The proposed subdivision is in conformance with the Land Use Component of the Master
- 4. The proposed subdivision is in conformance with Transportation Component of the Master Plan.
- 5. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).
- 6. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.
- 7. The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

- 8. 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 3-3-42 of city code.
- 9. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.
- 10. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of city code.
- 11. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.
- 12. Based on the modification of standards for lot dimensions granted under the preliminary plat application, 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.
- 13. The proposed development is in conformance with Section 3-8 of city code.
- 14. The subdivision is in conformance with 3-8 Floodplain Management.

RECOMMENDATION

Staff recommends approval of the subdivision based on the following conditions:

- 1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
- 2. The Performance Agreement shall be approved by the City Council.
- 3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
- 4. The Final Plat is approved for 38 single family residential lots.
- 5. The Utility Department will issue a Will Serve Letter for the subdivision.
- 6. State approval of the subdivision is required.
- 7. Conformance with Preliminary Plat conditions is required.
- 8. Civil improvements are to comply with Chapter 3-3 of City code.
- 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 Standard Specifications for Public Works. All Right —of-Way and utility improvements are to be certified by the Engineer of Record for the project.

- 10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.
- 11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

STAFF COMMENT FLOW SHEET

itle: Final Plat 11-18 Great Basin Estates Phase 3
pplicant(s): Parrado Partners, LP
te Location: Extension of Village Parkway + Opal Drive
urrent Zoning: Received: 8/15/18 Date Public Notice: 1/A
OMMENT: This is to Subdivide 9.65 acres into 38 Lots.
If additional space is needed please provide a separate memorandum
ssistant City Manager: Date: 8/24/18 - Recommend approval as presented by Staff
SAW
Initial ity Manager: Date: 8/24/18
Recommend approval based upon conditions listed in Staff Report
<u>u</u>
Initial



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 (775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR FINAL PLAT APPROVAL

APPLICANT(s):	Parrado Partners, LP		
MAILING ADDR			
PHONE NO (Ho	me) (Business) (530) 587-0740		
NAME OF PROPERTY OWNER (If different):			
(Property owne <u>r consent in writing must be provided)</u>			
MAILING ADDR			
	IPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):		
	PARCEL NO.: 001-633-030 Address Flagstone Dr/Granite Dr		
	, &Subdivision Lot E, Great Basin Estates Subdivision, Phase 2		
Or Parcel(s) & F			
PROJECT DESCRIPTION OR PURPOSE:			
APPLICANT'S REPRESENTATIVE OR ENGINEER: High Desert Engineering, LLC			

FILING REQUIREMENTS:

<u>Complete Application Form</u>: 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 final 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 ½" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
- 2. Pre-Submission Requirements:
 - a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
 - b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
 - c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
 - d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

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

RECEIVED

Revised 1/24/18

Page 1

Final Plat Checklist as per Elko City Code 3-3-8

	Final Plat Checklist as per Elko City Code 3-3-8
Identification D	
	Subdivision Name
	Location and Section, Township and Range
	Name, address and phone number of subdivider
	Name, address and phone number of engineer/surveyor
	Scale, North Point and Date of Preparation
	Location maps
Survey Data (Re	quired)
	Boundaries of the Tract fully balanced and closed
	Any exception within the plat boundaries
	The subdivision is to be tied to a section corner
	Location and description of all physical encroachments
Descriptive Data	a
	Street Layout, location, widths, easements
	All drainageways, designated as such
	All utility and public service easements
	Location and dimensions of all lots, parcels
	Residential Lots shall be numbered consecutively
	All sites to be dedicated to the public and proposed use
	Location of all adjoining subdivisions with name date, book and page
	Any private deed restrictions to be imposed upon the plat
Dedication and	Acknowledgment
	Statement of dedication for items to be dedicated
	Execution of dedication ackowledged by a notary public
Additional Infor	mation
	Street CL, and Monuments identified
	Street CL and width shown on map
	Location of mountments used to determine boudaries
	Each city boundary line crossing or adjoing the subdivision
	Section lines crossing the subdivision boundaries
City Engineer to	Check
	Closure report for each of the lots
<u> </u>	Civil Improvement plans
	Estimate of quantities required to complete the improvements
Required Certifi	cations
	All parties having record title in the land to be subdivided
	Offering for dedication
	Clerk of each approving governing body
	Easements
	Surveyor's Certificate
	City Engineer
	State Health division
	State Engineer
	Division of Water Resources
	City Council

Revised 1/24/18 Page 2

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 acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.
I have carefully read and completed all questions contained within this application to the best of my ability.
Applicant / Agent Robert E. Morley, P.L.S.
(Please print or type) Mailing Address 640 Idaho Street Street Address or P.O. Box
Elko, Nevada 89801
City, State, Zip Code
Phone Number: 775-738-4053
Email address: remorley@frontiernet.net
SIGNATURE: Lohnet T. Maly
FOR OFFICE USE ONLY 38 Lots × 25 3950 1750 =
File No.: 11-18 Date Filed: 8/15/18 Fee Paid: 700 CY 1504

RECEIVED

AUG 1 5 2018

Phase 3.txt

Parcel name: Lot 44

North: 28473550.8913 East: 612360.1426

Line Course: S 48-15-09 E Length: 59.00

North: 28473511.6062 East: 612404.1617

Line Course: S 41-44-51 W Length: 100.00

North: 28473436.9976 East: 612337.5768

Line Course: N 48-15-09 W Length: 74.00

North: 28473486.2704 East: 612282.3664

Line Course: N 41-44-51 E Length: 9.55

North: 28473493.3955 East: 612288.7253

Line Course: N 41-44-51 E Length: 75.45

North: 28473549.6878 East: 612338.9636

Curve Length: 23.56 Radius: 15.00

Delta: 90-00-00 Tangent: 15.00 Chord: 21.21 Course: N 86-44-51 E

Course In: S 48-15-09 E Course Out: N 41-44-51 E RP North: 28473539.7000 East: 612350.1549 End North: 28473550.8913 East: 612360.1426

Perimeter: 341.56 Area: 7,352 S.F. 0.169 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 341,560,000.00

Parcel name: Lot 45

North: 28473511.6062 East: 612404.1617

Line Course: S 48-15-09 E Length: 60.00

North: 28473471.6552 East: 612448.9269

Line Course: S 41-44-51 W Length: 100.00

North: 28473397.0466 East: 612382.3420

Line Course: N 48-15-09 W Length: 60.00

North: 28473436.9975 East: 612337.5768

Line Course: N 41-44-51 E Length: 100.00

North: 28473511.6062 East: 612404.1617

Line Course: S 21-04-39 W Length: 0.00

North: 28473511.6062 East: 612404.1617

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Page 1

Phase 3.txt

Precision 1: 320,000,000.00

Parcel name: Lot 46

Line Course: S 48-15-09 E Length: 60.00

Line Course: S 41-44-51 W Length: 100.00

North: 28473357.0956 East: 612427.1071

Line Course: N 48-15-09 W Length: 60.00

Line Course: N 41-44-51 E Length: 100.00

North: 28473471.6552 East: 612448.9268

Line Course: S 31-08-20 W Length: 0.00

North: 28473471.6552 East: 612448.9268

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Precision 1: 320,000,000.00

Parcel name: Lot 47

North: 28473431.7042 East: 612493.6920

Line Course: S 48-15-09 E Length: 60.00

North: 28473391.7532 East: 612538.4571

Line Course: S 41-44-51 W Length: 100.00

North: 28473317.1446 East: 612471.8722

Line Course: N 48-15-09 W Length: 60.00

Line Course: N 41-44-51 E Length: 100.00

North: 28473431.7042 East : 612493.6920

Line Course: S 44-32-56 W Length: 0.00

North: 28473431.7042 East: 612493.6920

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Phase 3.txt

Parcel name: Lot 48

North: 28473391.7532 East: 612538.4571

Line Course: S 48-15-09 E Length: 60.00

North: 28473351.8022 East: 612583.2223

Line Course: S 41-44-51 W Length: 100.00

North: 28473277.1936 East : 612516.6374

Line Course: N 48-15-09 W Length: 60.00

North: 28473317.1445 East: 612471.8722

Line Course: N 41-44-51 E Length: 100.00

North: 28473391.7532 East: 612538.4571

Line Course: S 46-10-09 W Length: 0.00

North: 28473391.7532 East: 612538.4571

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 49

North: 28473311.8512 East: 612627.9874

Line Course: N 48-15-09 W Length: 60.00

North: 28473351.8021 East: 612583.2222

Line Course: S 41-44-51 W Length: 100.00

North: 28473277.1935 East: 612516.6373

Line Course: S 48-15-09 E Length: 60.00

North: 28473237.2425 East: 612561.4025

Line Course: N 41-44-51 E Length: 100.00

North: 28473311.8512 East: 612627.9874

Line Course: S 36-17-33 W Length: 0.00

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 50

North: 28473307.5780 East: 612632.7754

Line Course: N 48-15-09 W Length: 6.42

North: 28473311.8528 East: 612627.9855

Page 3

Line Course: S 41-44-51 W Length: 100.00

North: 28473237.2442 East: 612561.4006

Line Course: S 48-15-09 E Length: 25.06

North: 28473220.5580 East: 612580.0975

Line Course: S 37-41-16 E Length: 43.58

North: 28473186.0708 East: 612606.7405

Line Course: N 41-45-12 E Length: 105.55

North: 28473264.8130 East: 612677.0289

Curve Length: 61.56 Radius: 775.00 Delta: 4-33-04 Tangent: 30.80

Chord: 61.54 Course: N 45-58-37 W

Course In: S 46-17-55 W Course Out: N 41-44-51 E RP North: 28472729.3656 East: 612116.7424

End North: 28473307.5826 East: 612632.7754

Line Course: S 01-47-24 E Length: 0.00

North: 28473307.5826 East: 612632.7754

Perimeter: 342.16 Area: 6,912 S.F. 0.159 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0045 Course: N 00-20-13 E

Error North: 0.00452 East: 0.00003

Precision 1: 76,037.78

Parcel name: Lot 51

North: 28473264.8082 East: 612677.0290

Curve Length: 74.85 Radius: 775.00 Delta: 5-32-02 Tangent: 37.45

Chord: 74.82 Course: S 40-56-04 E

Course In: S 46-17-55 W Course Out: N 51-49-57 E RP North: 28472729.3608 East: 612116.7425 End North: 28473208.2818 East: 612726.0533

Line Course: S 48-00-44 W Length: 108.30

Line Course: N 37-41-16 W Length: 63.48

Line Course: N 41-45-12 E Length: 105.55

Perimeter: 352.18 Area: 7,389 S.F. 0.170 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0058 Course: N 77-25-02 E

Error North: 0.00125 East: 0.00562

Precision 1: 60,720.69

Parcel name: Lot 52

East : 612726.0514

Delta: 5-32-01

Tangent: 37.45 Course: S 35-24-03 E Chord: 74.82 Course In: S 51-49-57 W Course Out: N 57-21-58 E RP North: 28472729.3631 East: 612116.7405 RF North: 28472729.3631 East: 612116.7405 End North: 28473147.2966 East: 612769.3940

Line Course: S 50-43-33 W Length: 111.20

North: 28473076.9034 East : 612683.3113

Line Course: N 32-39-03 W Length: 69.99

North: 28473135.8332 East : 612645.5504

Line Course: N 48-00-44 E Length: 108.30

North: 28473208.2829 East: 612726.0484

Perimeter: 364.34 Area: 7,935 S.F. 0.182 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0032 Course: S 67-29-22 W Error North: -0.00121 East: -0.00293

Precision 1: 113,856.25

Parcel name: Lot 53

North: 28473147.2961 East: 612769.3940
Curve Length: 74.85 Radius: 775.00
Delta: 5-32-01 Tangent: 37.45
Course: S 29-52-02 E Course In: S 57-21-58 W Course Out: N 62-53-59 E RP North: 28472729.3626 East: 612116.7410 End North: 28473082.4133 East: 612806.6542

Line Course: S 53-39-25 W Length: 107.04

North: 28473018.9794 East: 612720.4353

Line Course: N 32-39-03 W Length: 68.80

North: 28473076.9072 East: 612683.3165

Line Course: N 50-43-33 E Length: 111.20

North: 28473147.3003 East: 612769.3993

Line Course: S 90-00-00 E Length: 0.00

North: 28473147.3003 East: 612769.3993

Perimeter: 361.89 Area: 7,824 S.F. 0.180 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0063 Course: N 47-53-33 E

Error North: 0.00425 East : 0.00471

Precision 1: 57,442.86

Parcel name: Lot 54

North: 28473069.3312 East: 612868.4368
Curve Length: 63.52 Radius: 825.00
Delta: 4-24-42 Tangent: 31.78

Chord: 63.51 Course: N 26-32-30 W
Course In: S 65-39-51 W Course Out: N 61-15-09 E
RP North: 28472729.3617 East: 612116.7416
End North: 28473126.1459 East: 612840.0585

Line Course: N 63-48-49 E Length: 103.71

North: 28473171.9123 East: 612933.1240

Line Course: S 33-34-46 E Length: 76.31

North: 28473108.3370 East: 612975.3305

Line Course: S 68-46-47 W Length: 108.63

North: 28473069.0179 East: 612874.0661

Line Course: S 65-39-51 W Length: 5.00

North: 28473066.9574 East: 612869.5104

Line Course: N 24-20-09 W Length: 2.61

North: 28473069.3355 East: 612868.4349

Perimeter: 359.77 Area: 7,621 S.F. 0.175 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas) Error Closure: 0.0047 Course: N 24-54-01 W

Error North: 0.00429 East: -0.00199

Precision 1: 76,548.94

Parcel name: Lot 55

North: 28473126.1460 East: 612840.0584 Curve Length: 58.26 Radius: 825.00

Delta: 4-02-46 Tangent: 29.14

Chord: 58.25 Course: N 30-46-14 W
Course In: S 61-15-09 W Course Out: N 57-12-23 E
RP North: 28472729.3618 East: 612116.7416
End North: 28473176.1938 East: 612810.2588

Line Course: N 57-29-16 E Length: 100.01

Line Course: S 33-34-46 E Length: 69.66

North: 28473171.9120 East: 612933.1234

Line Course: S 63-48-49 W Length: 103.71

North: 28473126.1455 East: 612840.0578

Perimeter: 331.63 Area: 6,473 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0008 Course: S 50-47-13 W

Precision 1: 414,550.00

Parcel name: Lot 56

North: 28473176.1939 East: 612810.2587 Curve Length: 70.23

Delta: 4-52-39 Tangent: 35.14 Chord: 70.21 Course: N 35-13-56 W Course In: S 57-12-23 W Course Out: N 52-19-44 E

East : 612116.7414 RP North: 28472729.3620 End North: 28473233.5426 East: 612769.7552

Curve Length: 22.40 Radius: 15.00 Delta: 85-33-39 Tangent: 13.88

Chord: 20.38 Course: N 05-06-33 E Course Out: N 42-06-37 W Course In: N 52-19-44 E

Line Course: N 47-53-23 E Length: 75.24

North: 28473304.2903 East: 612827.3869

Line Course: S 42-06-44 E Length: 100.22

North: 28473229.9438 East: 612894.5930

Line Course: S 57-29-16 W Length: 100.01

North: 28473176.1904 East : 612810.2569

Line Course: N 90-00-00 W Length: 0.00

North: 28473176.1904 East: 612810.2569

Perimeter: 368.09 Area: 8,568 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas) Error Closure: 0.0039 Course: S 28-20-56 W Error North: -0.00347 East: -0.00187

Precision 1: 94,384.62

Parcel name: Lot 57

East: 612827.3875 North: 28473304.2895

Line Course: N 47-53-23 E Length: 60.35

North: 28473344.7578 East: 612872.1584

Curve Length: 21.47 Radius: 15.00 Delta: 82-00-04 Tangent: 13.04

Chord: 19.68 Course: N 88-53-25 E Course In: S 42-06-37 E Course Out: N 39-53-27 E End North: 28473345.1390 East : 612882.2168

Line Course: S 50-06-33 E Length: 84.57

North: 28473290.9020 East: 612956.7246 Length: 17.45 Radius: 20.00 Delta: 49-59-41 Tangent: 9.33 Curve Length: 17.45

Chord: 16.90 Course: S 25-06-43 E
Course In: S 39-53-27 W Course Out: N 89-53-08 E
RP North: 28473275.5566 East: 612943.8980
End North: 28473275.5965 East: 612963.8980

Line Course: S 56-37-37 W Length: 82.99

North: 28473229.9447 East: 612894.5925

Line Course: N 42-06-44 W Length: 100.22

North: 28473304.2912 East: 612827.3865

Line Course: N 90-00-00 W Length: 0.00

Perimeter: 367.04 Area: 8,586 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas) Error Closure: 0.0020 Course: N 29-41-16 W

Error North: 0.00171 East: -0.00098

Precision 1: 183,525.00

Parcel name: Lot 58

North: 28473275.5971 East: 612963.8968

Curve Length: 81.11 Radius: 50.00 Delta: 92-56-48 Tangent: 52.64

Chord: 72.51 Course: S 46-35-16 E
Course In: N 89-53-08 E
RP North: 28473275.6970 East: 613013.8967
End North: 28473225.7683 East: 613016.5668

Line Course: S 03-03-40 E Length: 99.50

Line Course: S 68-46-47 W Length: 49.94

North: 28473108.3343 East: 612975.3263

Line Course: N 33-34-46 W Length: 76.31

North: 28473171.9097 East: 612933.1198

Line Course: N 33-34-46 W Length: 69.66

Line Course: N 56-37-37 E Length: 82.99

North: 28473275.5966 East: 612963.8969

Line Course: S 90-00-00 E Length: 0.00

North: 28473275.5966 East: 612963.8969

Perimeter: 459.51 Area: 11,758 S.F. 0.270 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0005 Course: S 06-41-40 E

Error North: -0.00053 East: 0.00006

Precision 1: 919,020.00

Parcel name: Lot 59

East: 613016.5668 North: 28473225.7683

Radius: 50.00 Curve Length: 62.48 Delta: 71-36-03 Tangent: 36.06

Course: N 51-08-19 E Chord: 58.50 Course In: N 03-03-40 W Course Out: S 74-39-43 E RP North: 28473275.6970 East: 613013.8968

End North: 28473262.4713 East: 613062.1159

Line Course: S 74-39-43 E Length: 262.30

North: 28473193.0894 East: 613315.0733

Line Course: S 80-27-31 W Length: 217.18

North: 28473157.0896 East : 613100.8977

Course: S 68-46-47 W Length: 84.76 Line

> North: 28473126.4104 East: 613021.8848

Line Course: N 03-03-40 W Length: 99.50

North: 28473225.7684 East: 613016.5714

Perimeter: 726.22 Area: 18,725 S.F. 0.430 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Course: N 89-24-51 E Error Closure: 0.0046

Error North: 0.00005 East : 0.00455

Precision 1: 157,873.91

Parcel name: Lot 60

East: 613042.8083

North: 28473316.4906 Curve Length: 61.10 Radius: 50.00 Delta: 70-00-42

Tangent: 35.02 Chord: 57.37 Course: S 19-40-04 E Course In: S 35-19-35 W Course Out: S 74-39-43 E RP North: 28473275.6970 East: 613013.8967

End North: 28473262.4714 East: 613062.1157

Line Course: S 74-39-43 E Length: 262.30

North: 28473193.0894 East: 613315.0731

Line Course: N 46-55-41 W Length: 204.73

North: 28473332.9029 East : 613165.5185

Course: N 54-33-09 W Length: 90.62 Line

> North: 28473385.4585 East : 613091.6952

Line Course: S 35-19-35 W Length: 84.54

North: 28473316.4848 East: 613042.8113

Perimeter: 703.28 Area: 19,445 S.F. 0.446 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0066 Course: S 27-18-00 E

Error North: -0.00584 East : 0.00301

Precision 1: 106,559.09

Parcel name: Lot 61

North: 28473329.2660 East: 612988.7897

Line Course: N 50-06-33 W Length: 34.90

Line Course: N 37-00-20 E Length: 102.79

North: 28473433.7340 East: 613023.8806

Line Course: S 54-33-09 E Length: 83.24

North: 28473385.4584 East: 613091.6918

Line Course: S 35-19-35 W Length: 84.54

Curve Length: 39.65 Radius: 50.00

Delta: 45-25-49 Tangent: 20.93

Chord: 38.61 Course: N 77-23-20 W
Course In: S 35-19-35 W Course Out: N 10-06-14 W
RP North: 28473275.6911 East: 613013.8963
End North: 28473324.9157 East: 613005.1246

Curve Length: 17.45 Radius: 20.00 Delta: 49-59-41 Tangent: 9.33

Chord: 16.90 Course: N 75-06-24 W Course In: N 10-06-14 W Course Out: S 39-53-27 W RP North: 28473344.6055 East: 613001.6159

Perimeter: 362.57 Area: 8,289 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0059 Course: S 02-53-31 W

Error North: -0.00584 East: -0.00030

Precision 1: 61,452.54

Parcel name: Lot 62

North: 28473407.8278 East: 612910.4311

Line Course: N 37-00-20 E Length: 86.93

North: 28473477.2481 East: 612962.7536

Line Course: S 54-33-09 E Length: 75.03

North: 28473433.7339 East: 613023.8766

Line Course: S 37-00-20 W Length: 102.79

Line Course: N 50-06-33 W Length: 35.20

Curve Length: 10.93 Radius: 20.00 Delta: 31-18-01 Tangent: 5.60

Course In: N 39-53-27 E Course Out: S 71-11-28 W

Curve Length: 31.36 Radius: 50.00

Delta: 35-56-09 Tangent: 16.22

Chord: 30.85 Course: N 36-46-36 W
Course In: S 71-11-28 W Course Out: N 35-15-19 E
RP North: 28473366.9994 East: 612881.5648
End North: 28473407.8288 East: 612910.4259

Line Course: N 08-52-50 E Length: 0.00

North: 28473407.8288 East: 612910.4259

Perimeter: 342.23 Area: 7,239 S.F. 0.166 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0053 Course: N 79-03-06 W

Precision 1: 64,573.58

Parcel name: Lot 63

Line Course: N 07-35-56 W Length: 146.26

Line Course: S 54-33-09 E Length: 142.02

North: 28473477.2516 East: 612962.7553

Line Course: S 37-00-20 W Length: 86.93

Curve Length: 46.18 Radius: 50.00

Delta: 52-55-02 Tangent: 24.88

Chord: 44.56 Course: N 81-12-12 W
Course In: S 35-15-19 W Course Out: N 17-39-43 W
RP North: 28473367.0019 East: 612881.5718

End North: 28473414.6450 East: 612866.4018

Perimeter: 421.39 Area: 9,139 S.F. 0.210 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0039 Course: N 25-04-50 E

Error North: 0.00353 East: 0.00165

Precision 1: 108,048.72

Parcel name: Lot 64

Line Course: N 41-44-40 E Length: 136.10

North: 28473559.6170 East: 612847.0601

Line Course: S 07-35-56 E Length: 146.26

North: 28473414.6414 East: 612866.4011

Curve Length: 48.65 Radius: 50.00

Delta: 55-44-56 Tangent: 26.45

Chord: 46.75 Course: S 44-27-49 W Course In: S 17-39-43 E Course Out: N 73-24-39 W RP North: 28473366.9983 East : 612881.5711 End North: 28473381.2736 East: 612833.6522

Line Course: N 45-09-12 W Length: 108.90

North: 28473458.0712 East: 612756.4425

Line Course: S 08-52-50 E Length: 0.00

North: 28473458.0712 East: 612756.4425

Perimeter: 439.91 Area: 9,913 S.F. 0.228 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0017 Course: N 32-10-58 W Error North: 0.00141 East : -0.00089

Precision 1: 258,770.59

Parcel name: Lot 65

North: 28473398.3800 East : 612703.1787

Line Course: N 41-44-40 E Length: 80.00

East: 612756.4435 North: 28473458.0697

Line Course: S 45-09-12 E Length: 108.90

North: 28473381.2722 East: 612833.6532

Curve Length: 10.93 Radius: 20.00 Delta: 31-18-02 Tangent: 5.60

Chord: 10.79 Course: S 32-14-22 W Course In: N 73-24-39 W Course Out: S 42-06-37 E

RP North: 28473386.9823 East: 612814.4856 End North: 28473372.1452 East: 612827.8968

Line Course: S 47-53-23 W Length: 63.83

North: 28473329.3434 East: 612780.5442

Line Course: N 48-15-17 W Length: 103.69

North: 28473398.3823 East : 612703.1798

Line Course: N 90-00-00 W Length: 0.00

North: 28473398.3823 East: 612703.1798

Perimeter: 367.34 Area: 8,290 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Course: N 26-06-30 E Error Closure: 0.0025

East : 0.00112 Error North: 0.00228

Precision 1: 146,940.00

Parcel name: Lot 66

North: 28473398.3800 East: 612703.1787

Line Course: S 48-15-17 E Length: 103.69

North: 28473329.3411 East: 612780.5431

Course: S 47-53-23 W Length: 54.90 Line

North: 28473292.5274 East: 612739.8152

Radius: 15.00 Curve Length: 23.29

Delta: 88-58-41 Tangent: 14.73

Course: N 87-37-17 W Chord: 21.02 Course In: N 42-06-37 W Course Out: S 46-52-04 W

RP North: 28473303.6552 East: 612729.7568 End North: 28473293.3999 East: 612718.8102

Curve Length: 73.73 Radius: 825.00

Delta: 5-07-13 Tangent: 36.89 Chord: 73.70 Course: N 45-41-33 W

Course In: S 46-52-04 W Course Out: N 41-44-51 E RP North: 28472729.3604 East: 612116.7434 East: 612666.0689

End North: 28473344.8817 Line Course: N 48-15-09 W Length: 7.93

North: 28473350.1619 East: 612660.1524

Line Course: N 41-44-40 E Length: 64.62

> North: 28473398.3763 East : 612703.1770

Line Course: S 90-00-00 E Length: 0.00

North: 28473398.3763 East: 612703.1770

Perimeter: 328.16 Area: 6,570 S.F. 0.151 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Course: S 24-14-30 W Error Closure: 0.0041

Error North: -0.00371 East: -0.00167

Precision 1: 80,039.02

Parcel name: Lot 67

North: 28473350.1625 East : 612660.1514

Line Course: N 48-15-09 W Length: 88.68

North: 28473409.2100 East: 612593.9885

Radius: 15.00 Curve Length: 23.56

Delta: 90-00-00 Tangent: 15.00

Chord: 21.21 Course: N 03-15-09 W Course In: N 41-44-51 E Course Out: N 48-15-09 W East : 612603.9762 RP North: 28473420.4013

End North: 28473430.3890 East: 612592.7849

Line Course: N 41-44-51 E Length: 49.62

North: 28473467.4099 East: 612625.8244

Line Course: S 48-15-17 E Length: 103.67

North: 28473398.3843 East: 612703.1738

Line Course: S 41-44-40 W Length: 64.62

North: 28473350.1699 East: 612660.1492

Line Course: N 30-41-59 E Length: 0.00

North: 28473350.1699 East: 612660.1492

Perimeter: 330.16 Area: 6,651 S.F. 0.153 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Course: N 16-43-22 W Error Closure: 0.0077

East : -0.00221 Error North: 0.00736

Precision 1: 42,876.62

Parcel name: Lot 68

North: 28473467.4083 East : 612625.8264

Line Course: S 48-15-17 E Length: 103.67

North: 28473398.3827 East: 612703.1758

Course: N 41-44-40 E Length: 80.00 Line

> North: 28473458.0724 East: 612756.4406

Line Course: N 48-15-19 W Length: 80.37

North: 28473511.5838 East: 612696.4750

Curve Length: 56.70 Radius: 50.00

Delta: 64-58-12 Tangent: 31.84

Chord: 53.71 Course: S 59-15-27 W

Course In: N 63-13-39 W Course Out: S 01-44-33 W RP North: 28473534.1063 East : 612651.8349

End North: 28473484.1294 East: 612650.3145 Radius: 20.00 Curve Length: 17.45

Delta: 49-59-42 Tangent: 9.33

Chord: 16.90 Course: S 66-44-42 W

Course In: S 01-44-33 W Course Out: N 48-15-09 W

RP North: 28473464.1386 East: 612649.7064 End North: 28473477.4556 East: 612634.7846

Line Course: S 41-44-51 W Length: 13.46

North: 28473467.4133 East: 612625.8223

Line Course: S 90-00-00 E Length: 0.00

North: 28473467.4133 East: 612625.8223

Perimeter: 351.65 Area: 7,196 S.F. 0.165 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Course: N 38-48-39 W Error Closure: 0.0065

Error North: 0.00505 East: -0.00406

Precision 1: 54,100.00

Parcel name: Lot 69

North: 28473511.5796 East: 612696.4796

Radius: 50.00 Length: 64.43 Curve Delta: 73-50-06 Tangent: 37.56

Chord: 60.07 Course: N 10-08-42 W

Course In: N 63-13-39 W Course Out: N 42-56-15 E

RP North: 28473534.1020 East: 612651.8395

End North: 28473570.7069 East: 612685.8995

Line Course: N 42-56-15 E Length: 85.16

North: 28473633.0523 East : 612743.9105

Line Course: S 54-33-09 E Length: 126.62

North: 28473559.6182 East: 612847.0611

Line Course: S 41-44-40 W Length: 136.10

North: 28473458.0710 East: 612756.4445

Line Course: N 48-15-19 W Length: 80.37

North: 28473511.5824 East : 612696.4789

Line Course: N 03-34-35 W Length: 0.00

North: 28473511.5824 East: 612696.4789

Perimeter: 492.68 Area: 15,110 S.F. 0.347 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0029 Course: N 13-24-13 W

Error North: 0.00278 East: -0.00066

Precision 1: 169,889.66

Parcel name: Lot 70

Line Course: N 48-15-19 W Length: 88.98

North: 28473640.7518 East: 612569.5537

Line Course: N 46-08-47 E Length: 96.52

North: 28473707.6226 East: 612639.1554

Line Course: S 54-33-09 E Length: 128.59

North: 28473633.0460 East : 612743.9109

Line Course: S 42-56-15 W Length: 85.16

North: 28473570.7006 East: 612685.8999

Curve Length: 53.65 Radius: 50.00

Delta: 61-28-29 Tangent: 29.73

Chord: 51.11 Course: N 77-48-00 W

Course In: S 42-56-15 W Course Out: N 18-32-14 W RP North: 28473534.0957 East: 612651.8399

Line Course: S 43-37-31 E Length: 0.00

Perimeter: 452.90 Area: 12,635 S.F. 0.290 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0062 Course: S 05-10-00 E

Precision 1: 73,048.39

Parcel name: Lot 71

North: 28473581.8964 East: 612517.0211

Line Course: S 48-30-52 E Length: 107.41

Curve Length: 17.45 Radius: 20.00 Delta: 49-59-41 Tangent: 9.33

Chord: 16.90 Course: N 16-45-01 E
Course In: N 48-15-09 W Course Out: N 81-45-10 E

Curve Length: 69.56 Radius: 50.00 Delta: 79-42-36 Tangent: 41.74

Chord: 64.08 Course: N 31-36-28 E
Course In: N 81-45-10 E Course Out: N 18-32-14 W
RP North: 28473534.1028 East : 612651.8387

End North: 28473581.5087 East: 612635.9427

Line Course: N 48-15-19 W Length: 88.98

North: 28473640.7527 East: 612569.5531

Line Course: S 41-44-51 W Length: 78.89

Perimeter: 362.30 Area: 7,099 S.F. 0.163 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0040 Course: S 51-25-09 E

Error North: -0.00249 East: 0.00312

Precision 1: 90,572.50

Parcel name: Lot 72

North: 28473581.8964 East: 612517.0211

Line Course: S 48-30-52 E Length: 107.41

Line Course: S 41-44-51 W Length: 63.08

Curve Length: 23.56 Radius: 15.00

Delta: 90-00-00 Tangent: 15.00

Chord: 21.21 Course: S 86-44-51 W
Course In: N 48-15-09 W Course Out: S 41-44-51 W
RP North: 28473473.6693 East: 612544.2913

Line Course: N 48-15-09 W Length: 92.41

Line Course: N 41-44-51 E Length: 77.59

North: 28473581.8980 East: 612517.0210

Perimeter: 364.05 Area: 8,312 S.F. 0.191 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0015

Course: N 05-02-22 W

Error North: 0.00153 Ea

East : -0.00014

Precision 1: 242,700.00

Parcel name: Lot 73

North: 28473588.1956 East: 612393.4351

Line Course: S 48-15-09 E Length: 96.40

North: 28473524.0077 East: 612465.3579

Line Course: N 41-44-51 E Length: 77.59

North: 28473581.8966 East: 612517.0211

Line Course: N 48-15-09 W Length: 111.40

North: 28473656.0722 East: 612433.9071

Line Course: S 41-44-51 W Length: 62.59

North: 28473609.3746 East: 612392.2316

Curve Length: 23.56 Radius: 15.00 Delta: 90-00-00 Tangent: 15.00

Chord: 21.21 Course: S 03-15-09 E
Course In: S 48-15-09 E Course Out: S 41-44-51 W
RP North: 28473599.3869 East : 612403.4229

End North: 28473588.1956 East: 612393.4351

Perimeter: 371.54 Area: 8,595 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: N 00-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 371,540,000.00

Parcel name: Lot 74

Line Course: N 41-44-51 E Length: 78.89

Line Course: S 48-15-09 E Length: 111.40

North: 28473640.7553 East: 612569.5500

Line Course: S 41-44-51 W Length: 78.89

North: 28473581.8965 East: 612517.0212

Line Course: N 48-15-09 W Length: 111.40

Line Course: N 42-11-04 W Length: 0.00

Perimeter: 380.58 Area: 8,788 S.F. 0.202 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
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Error Closure: 0.0000

Error North: 0.00000

Precision 1: 380,580,000.00

Course: S 90-00-00 E

East : 0.00000

Parcel name: Lot 75

North: 28473714.9308 East: 612486.4361

Line Course: S 48-15-09 E Length: 111.40

North: 28473640.7552 East: 612569.5501

Line Course: N 46-08-47 E Length: 96.52

North: 28473707.6260 East: 612639.1519

Line Course: N 54-33-09 W Length: 105.44

North: 28473768.7767 East: 612553.2554

Line Course: N 48-15-09 W Length: 14.00

North: 28473778.0986 East: 612542.8102

Line Course: S 41-44-51 W Length: 84.67

North: 28473714.9274 East: 612486.4328

Line Course: S 43-28-06 E Length: 0.00

North: 28473714.9274 East: 612486.4328

Perimeter: 412.03 Area: 10,309 S.F. 0.237 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0047 Course: S 44-02-34 W

Error North: -0.00339 East: -0.00328

Precision 1: 87,665.96

Parcel name: Lot 76

North: 28473875.3134 East: 612433.8827

Line Course: N 48-15-09 W Length: 25.00

North: 28473891.9596 East: 612415.2306

Line Course: S 41-44-51 W Length: 63.60

Line Course: S 48-15-09 E Length: 111.00

North: 28473770.5992 East: 612455.6982

Line Course: N 41-44-51 E Length: 63.60

Line Course: N 48-15-09 W Length: 86.00

North: 28473875.3134 East: 612433.8827

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 349,200,000.00

Parcel name: Lot 77

North: 28473844.5086 East: 612372.8825

Line Course: S 48-15-09 E Length: 111.00

North: 28473770.5993 East: 612455.6981

Line Course: S 41-44-51 W Length: 63.60

Line Course: N 48-15-09 W Length: 111.00

North: 28473797.0575 East: 612330.5345

Line Course: N 41-44-51 E Length: 63.60

North: 28473844.5086 East: 612372.8825

Line Course: N 32-00-19 W Length: 0.00

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 349,200,000.00

Parcel name: Lot 78

North: 28473797.0575 East: 612330.5345

Line Course: S 48-15-09 E Length: 111.00

North: 28473723.1483 East: 612413.3501

Line Course: S 41-44-51 W Length: 63.60

North: 28473675.6972 East: 612371.0021

Line Course: N 48-15-09 W Length: 111.00

North: 28473749.6064 East: 612288.1865

Line Course: N 41-44-51 E Length: 63.60

North: 28473797.0575 East: 612330.5345

Line Course: N 01-47-24 W Length: 0.00

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 349,200,000.00

والمراجع والم

Parcel name: Lot 79

North: 28473749.6065 East: 612288.1864

Line Course: S 48-15-09 E Length: 111.00

North: 28473675.6972 East: 612371.0020

Line Course: S 41-44-51 W Length: 63.60

Line Course: N 48-15-09 W Length: 111.00

North: 28473702.1554 East: 612245.8384

Line Course: N 41-44-51 E Length: 63.60

North: 28473749.6065 East: 612288.1864

Line Course: N 90-00-00 W Length: 0.00

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000

Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 349,200,000.00

Parcel name: Lot 80

North: 28473702.1554 East: 612245.8384

Line Course: S 48-15-09 E Length: 111.00

Line Course: S 41-44-51 W Length: 63.60

Line Course: N 48-15-09 W Length: 111.00

North: 28473654.7043 East: 612203.4903

Line Course: N 41-44-51 E Length: 63.60

North: 28473702.1554 East: 612245.8384

Line Course: N 29-21-28 E Length: 0.00

North: 28473702.1554 East: 612245.8384

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000

Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 349,200,000.00

Parcel name: Lot 81

North: 28473654.7044 East: 612203.4903

Line Course: S 41-44-51 W Length: 63.60

North: 28473607.2533 East: 612161.1423

Line Course: S 48-15-09 E Length: 111.00

North: 28473533.3440 East: 612243.9579

Line Course: N 41-44-51 E Length: 63.60

North: 28473580.7951 East: 612286.3059

Line Course: N 48-15-09 W Length: 111.00

North: 28473654.7044 East: 612203.4903

Line Course: N 48-21-59 W Length: 0.00

North: 28473654.7044 East: 612203.4903

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East: 0.00000

Precision 1: 349,200,000.00

Parcel name: Street Dedication

North: 28472369.4166 East: 613949.2330

Line Course: S 48-15-09 E Length: 60.00

North: 28472329.4656 East: 613993.9982

Line Course: S 41-44-51 W Length: 226.15

Curve Length: 23.56 Radius: 15.00

Delta: 90-00-00 Tangent: 15.00

Chord: 21.21 Course: S 03-15-09 E Course In: S 48-15-09 E Course Out: S 41-44-51 W

Line Course: S 48-15-09 E Length: 188.81

North: 28472013.8402 East: 613985.4886

Curve Length: 23.56 Radius: 15.00

Delta: 90-00-00 Tangent: 15.00

Chord: 21.21 Course: N 86-44-51 E

Course In: N 41-44-51 E Course Out: S 48-15-09 E RP North: 28472025.0315 East: 613995.4763

End North: 28472025.0315 East: 613995.4763 End North: 28472015.0437 East: 614006.6676

Line Course: N 41-44-51 E Length: 63.08

North: 28472062.1069 East: 614048.6694

Curve Length: 17.45 Radius: 20.00

Delta: 49-59-41 Tangent: 9.33

Chord: 16.90 Course: N 16-45-01 E Course In: N 48-15-09 W Course Out: N 81-45-10 E

RP North: 28472075.4239 East: 614033.7476

Delta: 279-59-23 Radius: 50.00 Tangent: 41.96

Chord: 64.29 Course: S 48-15-09 E
Course In: N 81-45-10 E Course Out: S 01-44-33 W

```
Phase 3.txt
Curve Length: 17.45
                                    Radius: 20.00
        Delta: 49-59-42
                                   Tangent: 9.33
        Chord: 16.90
                                    Course: S 66-44-42 W
    Course In: S 01-44-33 W
                                Course Out: N 48-15-09 W
    RP North: 28472015.4973
                                     East: 614100.8952
    End North: 28472028.8143
                                     East: 614085.9734
Line Course: S 41-44-51 W Length: 63.08
        North: 28471981.7512
                                     East: 614043.9717
Curve Length: 23.56
                                    Radius: 15.00
        Delta: 90-00-00
                                   Tangent: 15.00
        Chord: 21.21
                                    Course: S 03-15-09 E
    Course In: S 48-15-09 E
                                Course Out: S 41-44-51 W
    RP North: 28471971.7635
                                     East: 614055.1630
    End North: 28471960.5722
                                     East: 614045.1752
      Course: S 48-15-09 E Length: 96.61
        North: 28471896.2445
                                     East: 614117.2547
Curve Length: 73.73
                                    Radius: 825.00
        Delta: 5-07-13
                                   Tangent: 36.89
        Chord: 73,70
                                    Course: S 45-41-33 E
    Course In: S 41-44-51 W
                                Course Out: N 46-52-04 E
    RP North: 28471280.7232
                                     East: 613567.9291
    End North: 28471844.7627
                                     East: 614169.9959
Curve Length: 23.29
                                    Radius: 15.00
        Delta: 88-58-41
                                   Tangent: 14.73
        Chord: 21.02
                                    Course: S 87-37-17 E
    Course In: N 46-52-04 E
                                Course Out: S 42-06-37 E
    RP North: 28471855.0180
                                     East: 614180.9426
    End North: 28471843.8902
                                     East: 614191.0010
      Course: N 47-53-23 E Length: 118.73
        North: 28471923.5057
                                    East: 614279.0815
Curve Length: 10.93
                                    Radius: 20.00
        Delta: 31-18-02
                                   Tangent: 5.60
        Chord: 10.79
                                    Course: N 32-14-22 E
    Course In: N 42-06-37 W
                                Course Out: S 73-24-39 E
    RP North: 28471938.3428
                                    East: 614265.6703
    End North: 28471932.6327
                                     East: 614284.8378
Curve Length: 126.19
                                    Radius: 50.00
                                   Tangent: 156.68
        Delta: 144-36-07
        Chord: 95.27
                                    Course: N 88-53-25 E
    Course In: S 73-24-39 E
                                Course Out: N 71-11-28 E
        North: 28471918.3573
                                     East: 614332.7566
    End North: 28471934.4779
                                     East : 614380.0866
Curve Length: 10.93
                                    Radius: 20.00
        Delta: 31-18-01
                                   Tangent: 5.60
        Chord: 10.79
                                    Course: S 34-27-33 E
    Course In: N 71-11-28 E
                                Course Out: S 39-53-27 W
    RP North: 28471940.9262
                                     East: 614399.0186
    End North: 28471925.5808
                                     East: 614386.1921
Line Course: S 50-06-33 E Length: 70.10
        North: 28471880.6238
                                    East: 614439.9775
Curve Length: 17.45
                                    Radius: 20.00
        Delta: 49-59-41
                                   Tangent: 9.33
        Chord: 16.90
                                   Course: S 75-06-24 E
                                   Page 22
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Phase 3.txt
    Course In: N 39-53-27 E
                                Course Out: S 10-06-14 E
       North: 28471895.9692
                                     East: 614452.8041
    End North: 28471876.2794
                                     East: 614456.3127
      Length: 244.34
                                    Radius: 50.00
Curve
        Delta: 279-59-22
                                   Tangent: 41.96
        Chord: 64.29
                                    Course: S 39-53-27 W
                                Course Out: S 89-53-08 W
    Course In: S 10-06-14 E
    RP North: 28471827.0548
                                    East: 614465.0844
    End North: 28471826.9549
                                     East: 614415.0845
       Length: 17.45
                                    Radius: 20.00
Curve
        Delta: 49-59-41
                                   Tangent: 9.33
        Chord: 16.90
                                    Course: N 25-06-43 W
    Course In: S 89-53-08 W
                                Course Out: N 39-53-27 E
    RP North: 28471826.9150
                                     East: 614395.0845
    End North: 28471842.2603
                                     East : 614407.9111
      Course: N 50-06-33 W Length: 84.57
        North: 28471896.4973
                                     East: 614343.0233
       Length: 21.47
                                    Radius: 15.00
Curve
        Delta: 82-00-04
                                   Tangent: 13.04
        Chord: 19.68
                                    Course: S 88-53-25 W
    Course In: S 39-53-27 W
                                Course Out: N 42-06-37 W
       North: 28471884.9883
                                     East: 614333.4033
    End North: 28471896.1162
                                     East: 614323.3450
Line Course: S 47-53-23 W Length: 135.59
        North: 28471805.1950
                                     East: 614222.7568
Curve Length: 22.40
                                    Radius: 15.00
        Delta: 85-33-39
                                   Tangent: 13.88
        Chord: 20.38
                                    Course: S 05-06-33 W
    Course In: S 42-06-37 E
                                Course Out: S 52-19-44 W
       North: 28471794.0671
                                     East: 614232.8152
    End North: 28471784.9002
                                     East: 614220.9422
Curve Length: 192.01
                                    Radius: 825.00
        Delta: 13-20-07
                                   Tangent: 96.44
        Chord: 191.58
                                    Course: S 31-00-12 E
    Course In: S 52-19-44 W
                                Course Out: N 65-39-51 E
       North: 28471280.7196
                                     East: 613567.9285
    End North: 28471620.6891
                                     East: 614319.6237
Line Course: S 24-20-09 E Length: 2.61
        North: 28471618.3110
                                     East: 614320.6992
      Course: S 65-39-51 W Length: 50.00
Line
        North: 28471597.7068
                                     East: 614275.1420
      Course: N 24-20-09 W Length: 2.61
Line
       North: 28471600.0849
                                     East: 614274.0664
Curve Length: 323.50
                                    Radius: 775.00
                                   Tangent: 164.14
        Delta: 23-55-00
        Chord: 321.16
                                    Course: N 36-17-39 W
    Course In: S 65-39-51 W
                                Course Out: N 41-44-51 E
    RP North: 28471280.7196
                                    East: 613567.9285
                                    East: 614083.9615
    End North: 28471858.9366
     Course: N 48-15-09 W Length: 365.42
       North: 28472102.2512
                                    East: 613811.3266
                                    Radius: 15.00
Curve Length: 23.56
        Delta: 90-00-00
                                   Tangent: 15.00
                                  Page 23
```

Chord: 21.21 Course: S 86-44-51 W
Course In: S 41-44-51 W Course Out: N 48-15-09 W
RP North: 28472091.0599 East: 613801.3389
End North: 28472101.0476 East: 613790.1476

Line Course: S 41-44-51 W Length: 75.45

North: 28472044.7554 East: 613739.9093

Line Course: N 48-15-09 W Length: 60.00

North: 28472084.7063 East: 613695.1441

Line Course: N 41-44-51 E Length: 381.60

North: 28472369.4129 East: 613949.2321

Line Course: S 32-00-19 E Length: 0.00

North: 28472369.4129 East: 613949.2321

Perimeter: 3501.57 Area: 95,280 S.F. 2.187 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas) Error Closure: 0.0038 Course: S 13-46-59 W

Precision 1: 921,468.42

Parcel name: Total Area

North: 28472443.3259 East: 613866.4175

Line Course: S 48-15-09 E Length: 185.00

North: 28472320.1438 East : 614004.4435

Line Course: S 54-33-09 E Length: 751.56

North: 28471884.2716 East: 614616.6998

Line Course: S 46-55-41 E Length: 204.73

Line Course: S 80-27-31 W Length: 217.18

North: 28471708.4584 East: 614552.0789

Line Course: S 68-46-47 W Length: 243.33

North: 28471620.3840 East: 614325.2477

Line Course: S 65-39-51 W Length: 55.00

North: 28471597.7193 East: 614275.1346

Line Course: N 24-20-09 W Length: 2.61

North: 28471600.0974 East: 614274.0591

Curve Length: 37.39 Radius: 775.00

Delta: 2-45-52 Tangent: 18.70

Chord: 37.39 Course: N 25-43-05 W Course In: S 65-39-51 W Course Out: N 62-53-59 E

Line Course: S 53-39-25 W Length: 107.04

North: 28471570.3489 East: 614171.6155

Line Course: N 32-39-03 W Length: 138.79

North: 28471687.2064 East: 614096.7357

Line Course: N 37-41-16 W Length: 107.06

North: 28471771.9288 East: 614031.2837

Line Course: N 48-15-09 W Length: 399.06

North: 28472037.6426 East: 613733.5505

Line Course: N 41-44-51 E Length: 9.55

North: 28472044.7677 East: 613739.9093

Line Course: N 48-15-09 W Length: 171.00

North: 28472158.6279 East: 613612.3286

Line Course: N 41-44-51 E Length: 381.60

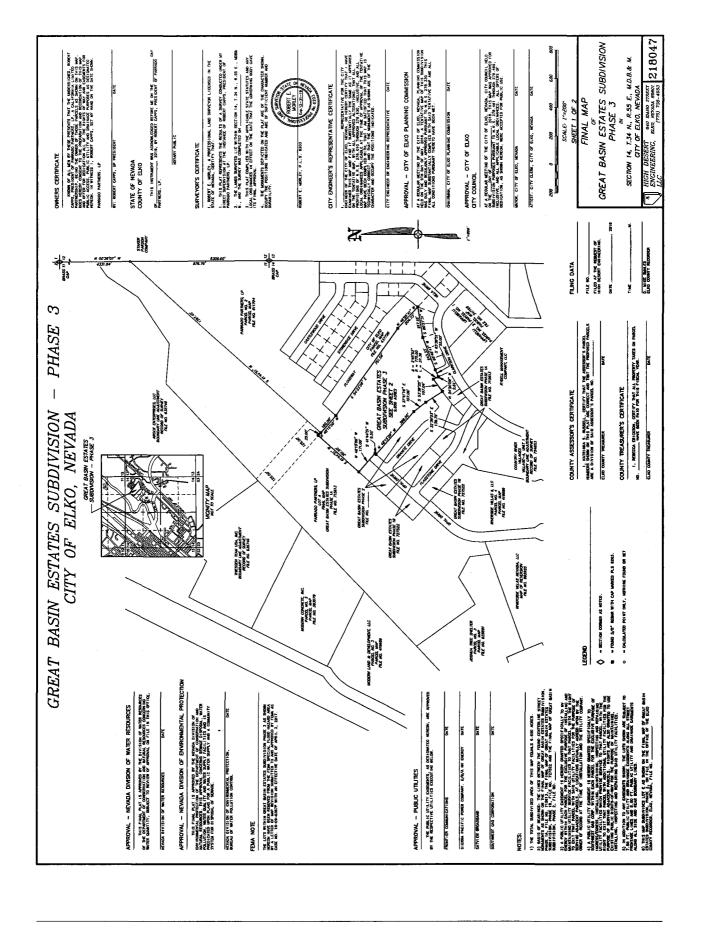
Perimeter: 3010.90 Area: 420,362 S.F. 9.650 ACRES

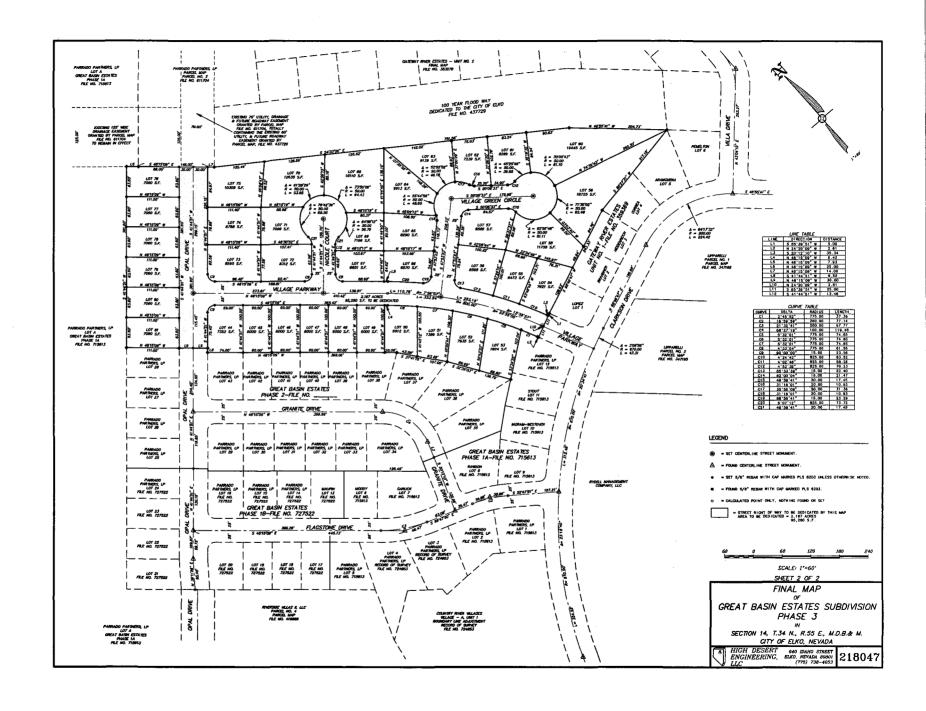
Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086 Course: N 06-12-57 W

Error North: 0.00852 East: -0.00093

Precision 1: 350,104.65





Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible approval of a request from Russell Mistretta, dba Ruby Mountain Hot Dogs for concession space at the Elko City Main Park, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: **April 23, 2019**
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 10 Minutes
- 5. Background Information: Mr. Mistretta would like to utilize Area 4 as a space of approximately 10' X 10' for his hot dog business. He holds an Elko City Business License and has provided the required insurance. KW
- 6. Budget Impact Statement:

Appropriation Required: N/A Budget amount available: N/A

Fund name: NA

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: Application, Lease Agreement, Insurance
- 9. Recommended Motion: Pleasure of the Council
- 10. Prepared By: Kelly Wooldridge, City Clerk
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution: Russell Mistretta

rubymtnhotdogs@yahoo.com

ELKO CITY MAIN PARK CONCESSION APPLICATION

1751 College Avenue Elko, Nevada

Phone: 775-777-7126 Fax: 775-777-7129

The City of Elko allows use of designated portions of the Main City Park for certain types of businesses with approval from the Elko City Council. The fees for the use of park space are based on the amount of space requested. An Elko City Business License is required along with a \$1 million dollar insurance policy with the City listed as additional insured. Interested person(s) must complete the application and return it to the Elko City Clerk's Department. The Elko City Manager/City Clerk shall review the application to determine eligibility, fees, and space availability. If eligible, a draft agreement will be presented to the City Council for approval. Once the agreement is approved, signed and insurance provided your business may commence in the designated area.

the designated area.	
Name of Applicant(s): Russell E Mistnetto	
Company Name: Ruby Mountain Hut Dogs rubyman holdogs Byahoo. G	וס
Mailing Address: 697 Boyd DA EIKO NV 8980 / Street or P.O. Box . City State Zip	
Business License Number: 11202	
Area of Park requested:	
(Space Number or General Area)	
Total square footage required: 10x 10	
Type of food service proposed: Hot Dogs chip such ste.	
Type of recreation service proposed:	
Proposed operational hours: From: 9AM (a.m. p.m. To: 10:00 a.m. 6.m.) (circle one)	
Days of operations (circle all that apply): Monday Tuesday Wednesday Thursday Friday, Saturday, Sunday	
Months of use (circle all that apply): January February, March, April May June, July August, September October, November December	
Under penalties of perjury, the undersigned declares that he/she is the applicant/authorized agent of the applicant in the foregoing application for license and knows the contents thereof; that those items contained in the application are true of his/her own knowledge except as to those matters stated on information and belief and as to such matters he/she believes it to be true.	

Printed Name: Russell E MISHREHA

Date: 4-10-2019



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/08/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

iMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

	rms and conditions of the policy, ce artificate holder in lieu of such endors						allent on the	s cerunicate does not o	omer i	giles to the
PRODUCER				CONTACT FLIP Program Support						
Veracity Insurance Solutions, LLC.				PHONE (844)-520-6992 (A/C, No);						
	60 South 2500 West, Suite 303				PHONE (844)-520-6992 FAX (A/C, No): E-MAIL ADDRESS: info@fliprogram.com					
F	leasant Grove	Ú.	Г	84062		WS		DING COVERAGE		NAIC#
				T ₁	MSUREF	Gract /		nce Insurance Co.	1	26832
INSL	RED	•••••	····		NSUREF	RB:				
F	tusseli Mistretta, DBA Ruby Mountain I	lot D	ogs	Γ	MSUREF					
2375 Wildwood way			1			MSURER D:				
,		9801		MSURER E:						
				r						
CO	NSURER F: NSURER F: COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:									
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.										
INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER		POLICY EFF	POLICY EXP	LIMIT	8	
	GENERAL LIABILITY		1					EACH OCCURRENCE	5	1,000,000
	X COMMERCIAL GENERAL LIABILITY				1			DAMAGE TO RENTED PREMISES (Ea occurrence)	5	300,000
١.	CLAIMS-MADE X OCCUR	×	1		l			MED EXP (Any one person)	\$	5,000
Α			1	PL1744427-F048806>	x	06/12/2018	06/12/2019	PERSONAL & ADV INJURY	\$	1,000,000
				į	-			GENERAL AGGREGATE	\$	2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:		l		Ì			PRODUCTS - COMP/OP AGG	s	2,000,000
	X POLICY PRO LOC		[ANIMAL BAILEE	<u>.</u> s	2,000,000
	AUTOMOBILE MARKLITY	_						COMBINED SINGLE LIMIT (Es socident)		
		1	J L j					(Es socident) BODILY INJURY (Per person)	\$	
	ANY AUTO ALL OWNED SCHEDULED	1	Ì		Į			BODILY INJURY (Per accident)	s	
	AUTOS AUTOS		1		ļ				\$	
	HIRED AUTOS AUTOS		ĺ		1			PROPERTY DAMAGE (Per accident)	\$	
-	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	-	_				 			
	UMBRELLA LIAB CCCUR	1						EACH OCCURRENCE	5	
	EXCESS LIAS CLAIMS-MADE	-	1					AGGREGATE	\$	
_	DED RETENTION \$ WORKERS COMPENSATION	├					 	WC STATIL I JOTH	\$	
l	AND EMPLOYERS' LIABILITY YAN	ļ					1	WC STATU- OTH- TORY LIMITS ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDED?	N/A						E.L. EACH ACCIDENT	\$	
	(Mandatory in Mil)							E.L. DISEASE - EA EMPLOYEE	\$	
_	If yee, describe under DESCRIPTION OF OPERATIONS below	 	↓	 				E.L. DISEASE - POLICY LIMIT	8	
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_		L.	<u> </u>	<u> </u>		L	L	<u> </u>		
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Altach ACORD 101, Additional Remarks Schedule, if more space is required) Certificate holder had been added as additional insured regarding the above mentioned policy per attached Additional Insured - Designated Person or Organization (CG 20 26, ED, 04 13)										
CERTIFICATE HOLDER CANCELLATION										
City Of Elko 1751 College Avenue, Elko Nv City of Elko Nv, NV 89801					SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
				AUTHORIZED REPRESENTATIVE						

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CITY OF ELKO

LICENSE AND CONCESSIONAIRE AGREEMENT

THIS AGREEMENT is made and entered into as of this _	day of	, 20	by and
between Russell Mistretta dba Ruby Mountain Hot Dog			
(hereinafter referred to as "Concessionaire") and THE C	CITY OF ELKO,	Owner and L	icenser
(hereinafter referred to as the "City").			

- 1. <u>PURPOSE AND TERM.</u> Concessionaire is hereby given privilege and license to use the approximately 10' by 10', known as <u>Area 4</u> and depicted on Exhibit "A" to conduct and operate a food concession business subject to the conditions contained herein.
- 3. SALE OF FOOD AND BEVERAGES.
 Subject to paragraph 3.B. below, Concessionaire shall have the right to sell any food and nonalcoholic beverages or refreshments of any kind as indicated on applicable permits and licenses from the City of Elko, Elko Fire Marshal and the State Health Department.
 Concessionaire shall submit proof to City of acquisition of all required permits which may be required by law to conduct operations. Concessionaire shall pay any licenses and taxes which may be assessed in conjunction with the concession operation.
- 4. <u>CARE OF PREMISES AND EQUIPMENT.</u> Concessionaire will keep all stands, fixtures and equipment in a clean, sanitary and orderly condition at all times and conduct the food concession in accordance with all federal, state and local health department rules, regulations, statutes and ordinances.
- 5. **PERMANENT FIXTURES.** Concessionaire shall not install any permanent fixtures or structures to the property. All equipment must be mobile.
- 6. JANITORIAL SERVICES. Concessionaire, at its own expense, shall provide trash receptacles and trash removal on a daily basis and shall keep all areas used by it, including the common area utilized by the Concessionaire and the general public, in a clean condition and good state of repair. It is expressly understood that the entire premises are open to inspection by authorized representatives of the City at all times.
- 7. Rent is payable by the Concessionaire to the City in the amount of \$50.00 per month.
- 8. <u>UTILITIES.</u> No Utility connections will be made available to the Concessionaire by the City.
- 9. DAYS AND HOURS OF OPERATION. Concessionaire shall have exclusive right to the use of Area 2 as depicted in Exhibit "A" Every day, all months, the hours of 9:00 a.m. to 10:00 p.m. At times when the Concessionaire is not utilizing such area, the public may utilize the area for general recreational uses.

- 10. NOT A CONTRACT FOR EMPLOYMENT OR LEASE. It is understood and agreed that this contract is not a contract of employment, in the sense that Concessionaire or the Concessionaire's employees are not employees of the City. Concessionaire at all times shall be deemed to be an independent contractor. Concessionaire is not authorized to bind the City to any contracts or other obligations. The City shall not be liable for acts of the Concessionaire or its assistants or employees in performing the duties described herein.
- 11. <u>DEFAULT OF CONCESSIONAIRE.</u> The City shall have the right to terminate the agreement after fifteen (15) days written notice served on Concessionaire personally or by certified mail, in the event that default shall be made by Concessionaire of any of the covenants hereby agreed to be performed by Concessionaire, or if Concessionaire violates any of the ordinances of the City of Elko, State of Nevada, or federal government, or for dishonesty, incompetence, negligence, inattention or irresponsibility. If after receiving written notice of default herein provided, Concessionaire cures all defaults or violations to the satisfaction of the Recreation Coordinator or representative within fifteen (15) days, its default may considered cured and this agreement shall remain in full force and effect until it is terminated. In the event the agreement is terminated after the 15-day default notice, it will be lawful for the City to immediately thereafter remove all property from the premises owned by Concessionaire.
- 12. LIABILITY INSURANCE. Concessionaire shall save and hold harmless, defend and indemnify the City, its successors and assigns, from and against all loss or damage to property, injury to or death of persons resulting in any manner whatsoever, directly or indirectly, by reason of the use or occupancy of the concessions for any purpose whatsoever by reason of the rights, licenses and privileges herein granted. In partial performance of such obligation, Concessionaire shall file with the City Manager evidence of public liability insurance coverage satisfactory to City insuring the liability of City, of its officers, agents and employees and Concessionaire for any and all activities covered by the terms of this agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00) single limit liability for bodily injury death or property damage. Said policy shall not be canceled until the City shall have at least thirty (30) days notice in writing of such cancellation. A certified true copy of the policy with endorsement must be furnished to the City Manager within ten (10) days from the date of execution of this agreement. The policy must include the following endorsements: "IT IS A CONDITION OF THIS POLICY THAT THE INSURANCE COMPANY MUST FURNISH WRITTEN NOTICE TO THE CITY OF ELKO PARKS DEPARTMENT THIRTY (30) DAYS IN ADVANCE OF THE EFFECTIVE DATE OF ANY REDUCTION IN OR CANCELLATION OF THIS POLICY." Such cancellation shall terminate the Concessionaire's agreement for the facility.
- 12. <u>NOTICES.</u> Any notice to Concessionaire herein may be served personally or by mail addressed to Russell Mistretta, 697 Boyd Dr Elko, NV 89801.. Any notice given by Concessionaire to City shall be deemed properly served upon the City if the same is delivered to the City Manager of the City of Elko or deposited in the post office, postage prepaid, addressed to the City Manager, 1751 College Avenue, Elko, Nevada 89801.

- 13. <u>ASSIGNMENT AND SUBLETTING PROHIBITED.</u> This agreement may not be assigned to any other person or persons, in whole or in part, nor shall any portion of the premises hereby licensed to **Concessionaire** be sublet in any manner whatsoever. This agreement shall terminate if, in the opinion of the City Manager, the **Concessionaire**, by reason of incapacity or otherwise, is unable to perform its duties for a period exceeding **thirty (30)** consecutive days.
- 14. <u>TERMINATION OF LEASE</u>. It is hereby agreed that both the City and Concessionaire shall have the option to terminate the remaining term of this agreement upon a 15 day written notice.
- 15. **ENTIRE AGREEMENT.** This Agreement shall be deemed and construed as the entire agreement of the parties hereto and there are not prior or contemporaneous oral agreements between the parties which would or will alter the terms of this agreement in any particular whatsoever. Any subsequent amendment to this agreement shall be in writing.

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

CITY OF ELKO

ATTEST:	CITTOF LENG.
	BY: REECE KEENER, MAYOR
KELLY WOOLDRIDGE, CITY CLERK	
CONCESSIONAIRE:	
BY: RUSSELL MISTRETTA	

Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible approval of a Grant of Easement with Stephen P. Dorsa and Susan E. Sandoz, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: **April 23, 2019**
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 3 Minutes
- 5. Background Information: A twenty foot wide easement currently exists at 6553 E. Idaho St.; however, the existing water line is located outside of this easement. The owner is willing to provide the city with an additional ten feet of easement to encompass the water line. RL
- 6. Budget Impact Statement:

Appropriation Required: N/A Budget amount available: N/A

Fund name: N/A

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: Grant of Easement Documents
- 9. Recommended Motion: Move to approve
- 10. Prepared By: Ryan Limberg, Utilities Director
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution:

APN: 006-32H-007

After Recordation Return To:

City of Elko City Planner 1751 College Avenue Elko, Nevada 89801

GRANT OF EASEMENT (Public Utilities, Access and Drainage)

THIS GRANT OF EASEMENT is entered into this ____ day of ______,
2019 by and between STEPHEN P. DORSA, an unmarried man, and SUSAN E. SANDOZ,
a married woman as her sole and separate property (both being hereinafter referred to as
"Grantor") and the CITY OF ELKO, a political subdivision of the State of Nevada ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property situate in the County of Elko, State of Nevada, more particularly described at Exhibit "A" and shown on the map at "Exhibit B," Exhibits "A" and "B" being attached hereto and by this reference made a part hereof, the foregoing property collectively referred to as the "Easement Property," and

WHEREAS, Grantor desires to grant a permanent public utility installation, maintenance, access and drainage easement, together with associated drainage rights, to Grantee and its successors and assigns over the Easement Property for the purposes of and on the terms and conditions set forth herein.

NOW THEREFORE, Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does here by agree as follows:

- 1. Grant of Utility Easement. Grantor hereby grants to Grantee and its successors, assigns, licensees, contractors, invitees and agents, a permanent non-exclusive easement and right-of-way, over, across, upon, under and through that portion of the Easement Property delineated on the description attached hereto at Exhibit "A" and depicted on the map attached hereto at Exhibit "B" and made a part hereof, for ingress and egress for the purpose of installation, construction, grading, excavation, operation, repair and maintenance of public utilities.
- 2. Grant of Drainage Easement. Grantor hereby grants to Grantee and its

GOICOECHEA, DI GRAZIA, COYLE & STANTON, LTD.
Attorneys at Law
530 Idaho Street, P.O. Box 1358
Elko, Nevada 89801 • (775) 738-8091

successors, assigns, licensees, contractors, invitees and agents, a permanent non-exclusive easement and right-of-way, over, across, upon, under and through that portion of the Grantor's Property described as the Easement Property delineated on the description attached hereto at Exhibit "A" and depicted on the map attached hereto at Exhibit "B" and made a part hereof, for the purpose of providing drainage of surface water, and for ingress and egress for the purpose of installation, construction, grading, excavation, operation, repair and maintenance of drainage facilities.

3. <u>Access: Use.</u> Except as provided in Sections 1 and 2, above, Grantee shall not traverse, trespass on or disturb other portions of the Grantor's Property or other real property owned by Grantor without the prior written consent of Grantor.

THIS GRANT OF EASEMENT and the terms contained herein shall run with the land and become and be a burden on the Grantor's Property and shall be binding upon and shall inure to the benefit of Grantor and Grantee, and the successors, agents and assigns of Grantor and Grantee, and all the rights herein granted may be assigned.

TO HAVE AND TO HOLD all the singular the said premises, granted together with the appurtenances, unto said Grantee their successors, agents, contractors, licensees and assigns forever.

IN WITNESS WHEREOF, Grantor and Grantee have caused these presents duly to be executed the day and year first above written.

GRANTOR:	GRANTEE:
STEPHENP. DORSA	CITY OF ELKO, a political subdivision of the State of Nevada
SUSAN E. SANDOZ	By: REECE KEENER Mayor, City of Elko

STATE OF NEVADA)	
COUNTY OF ELKO	: ss.)	
	nowledged before me on thisday of of Elko Mayor, on behalf of said entity, as	therein named.
	NOTARY PUBLIC	
STATE OF NEVADA) : ss.	
COUNTY OF ELKO)	
This instrument was ac 2019, by Stephen P. Dorsa.	nowledged before me on this 15th day of	April
STATE OF NEVADA	NOTARY PUBLICATION	ELIZABETH HIGGINS NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF ELKO	: ss.	Elko County · Nevada CERTIFICATE # 15-1068-6 APPT. EXP. OCT. 24, 2022
This instrument was ac 2019, by Susan E. Sandoz.	nowledged before me on this 15th day of	April,
	Wingleth Higgins NOTARY PUBLIS	ELIZABETH HIGGINS NOTARY PUBLIC - STATE OI NEVADA Elko County · Nevada CERTIFICATE # 15-1068-6 APPT. EXP. OCT. 24, 2022

LEGAL DESCRIPTION TO ACCOMPANY A GRANT OF EASEMENT

An area of land within the north half of Section 30, Township 35 North, Range 56 East, which is a portion of Parcel No. 2, as shown on the Parcel Map for Donald D. Grock & Karen F. Grock, recorded in the office of the Elko County Recorder as file no. 385457, on May 17, 1996. Said portion of Parcel No. 2 is further described as follows;

Beginning at the easterly most corner of the 20' wide public utility and access easement granted by said Parcel Map for Donald D. Grock & Karen F. Grock, recorded in the office of the Elko County Recorder as file no. 385457, which lies along the northwesterly right-of-way of East Idaho Street, and bears North 30°11'14" East, a distance of 20.00 feet from the southerly most corner of said Parcel No. 2, as shown on the Parcel Map for Donald D. Grock & Karen F. Grock;

Thence, along the northeasterly boundary of said 20' wide public utility and access easement granted by the Parcel Map for Donald D. Grock & Karen F. Grock, North 59*48'46" West, a distance of 153.52 feet, more or less, to the southeasterly boundary of Parcel No. 1 as shown on the Parcel Map for Donald D. Grock & Karen F. Grock, recorded in the office of the Elko County Recorder as file no. 385457;

Thence, along said southeasterly boundary of said Parcel No. 1, North 30°11'14" East, a distance of 10.00 feet;

Thence, South 59°48'46" East, a distance of 153.52 feet, more or less, to the northwesterly right-of-way of East Idaho Street;

Thence, along said northwesterly right-of-way of East Idaho Street, South 30°11'14" West, a distance of 10.00 feet, more or less, to the point of beginning.

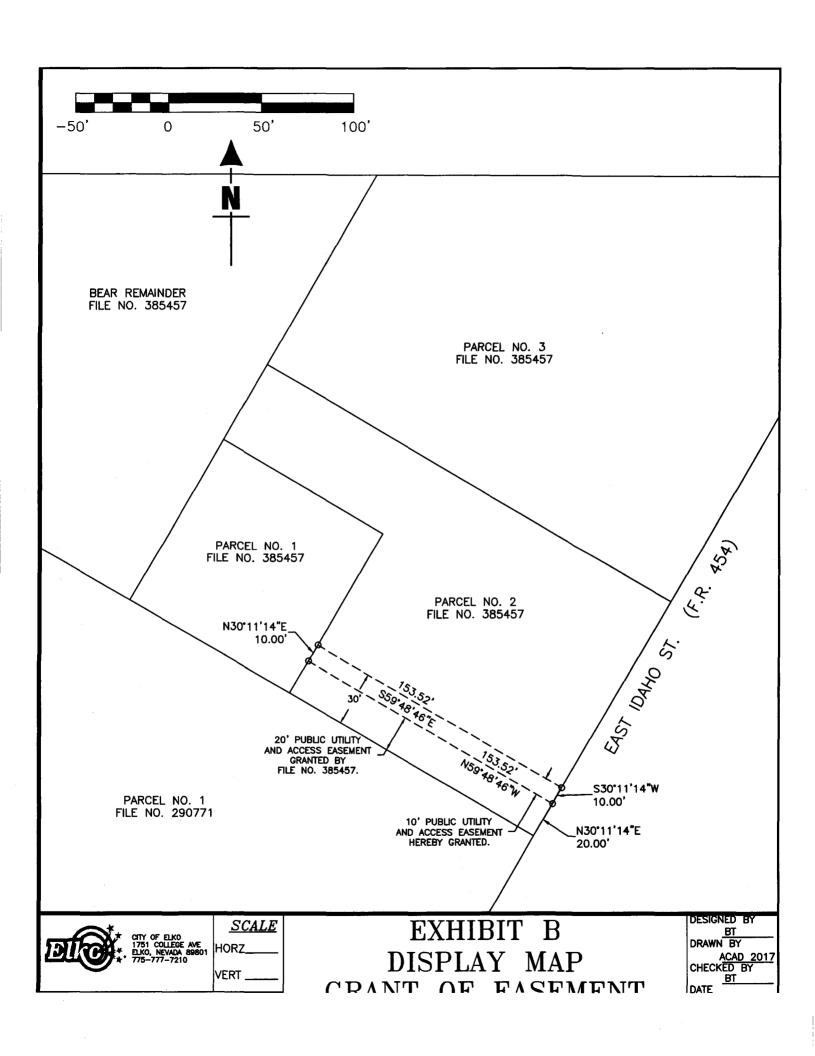
This area of land contains a total of ±1,535 square feet.

The Basis of bearings for this description is the Parcel Map for Donald D. Grock & Karen F. Grock, recorded in the office of the Elko County Recorder as file no. 385457, on May 17, 1996.

Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko



Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible authorization to Amend No. One (1) to Contract Dated February 26, 2019 Between Jviation, INC and The City of Elko, Nevada, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: **April 23, 2019**
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 5 Minutes
- 5. Background Information: This item is to amend the current contract between The City of Elko and Jviation, Inc. Jviation contract amendment #1 will cover fees associated with Airport Improvement project AIP 50 Pavement Preservation and Rehabilitation of Runway 6/24, Taxiway A, B and GA Ramp. JF
- 6. Budget Impact Statement:

Appropriation Required: N/A Budget amount available: N/A

Fund name: N/A

- 7. Business Impact Statement: Required/Not Required
- 8. Supplemental Agenda Information: Amendment #1 to Jviation's contract with The City of Elko and supporting documents.
- 9. Recommended Motion: Move to accept Amendment number one (1) to the contract between Jviation and The City of Elko, Nevada.
- 10. Prepared By: Jim Foster, Airport Manager
- 11. Committee/Other Agency Review: N/A
- 12. Council Action:
- 13. Council Agenda Distribution: Kirk Nielsen

Kirk.nielsen@jviation

AMENDMENT NO. ONE (1) TO CONTRACT DATED FEBRUARY 26, 2019 BETWEEN JVIATION, INC. AND THE CITY OF ELKO, NEVADA

The Sponsor and the Engineer agree to amend their contract for improvements to the City of Elko, Nevada to include fees for engineering services. The improvement Item No. 1 is included in the Scope of Work of the original contract. The item covered by this amendment is described as follows:

• Pavement Maintenance

The Sponsor agrees to pay the Engineer for the services listed under Section 2 of the original contract in the following manner, and within the time constraints outlined in the AIP development schedule.

PART A - BASIC SERVICES

DESIGN

Preliminary Design Design	Lump sum of \$19,752.00 Lump sum of \$38,273.00
BIDDING	
Bidding	Lump sum of \$20,682.00
TOTAL BASIC SERVICES	Lump sum of \$78,707.00
Method of payment shall be as follows:	

Interim payments based on work performed by the Engineer and detailed in a report submitted to the Sponsor with the request for payment. A retainer of ten percent of the total contract amount to be paid upon Notice to Proceed for construction, or, in the event the Sponsor does not elect to proceed with construction, the remaining ten percent to be paid upon receipt of request for payment from the Engineer.

PART B - SPECIAL SERVICES (SOILS AND PAVEMENT INVESTIGATIONS/TOPOGRAPHIC SURVEYS/HYDROLOGIC STUDIES/CONSTRUCTION ADMINISTRATION AND FIELD ENGINEERING)

The maximum estimated SPECIAL SERVICES engineering is as follows:

ACCEPTANCE TESTING (FOR CONSTRUCTION)

Acceptance Testing	Time and Materials of \$2,500.00
TOTAL SUBCONSULTANT SERVICES	Lump sum of \$2,500.00

If work is abandoned, or terminated, after obtaining approval by the Sponsor and the FAA of the final construction plans and specifications, the Sponsor shall reimburse up to 100 percent of the total lump

sum as listed under PART A, and 100 percent of the invoiced costs for soils and pavement investigations, topographic surveys, and hydrological studies, or other studies as listed under PART B.

CONSTRUCTION ADMINISTRATION AND FIELD ENGINEERING

The estimated maximum for CONSTRUCTION ADMINISTRATION and FIELD ENGINEERING is:

Construction Administration	Lump Sum of \$19,082.00
Pre-Construction Coordination	♣
Construction Coordination	<u>-</u>
Post Construction	Lump Sum of \$17,832.00

REIMBURSABLE COSTS

Reimbursable Costs During Construction Coordination	\$8,691.00
TOTAL CONSTRUCTION SERVICES	\$118,617.64
TOTAL SPECIAL SERVICES	\$121,117.64
ΤΩΤΑΙ	¢100 924 64

Method of payment shall be as follows:

For services rendered under PART B - SPECIAL SERVICES, the Sponsor agrees to make monthly payments based upon the work performed by the Engineer, up to 90 percent of the total contract. The final ten percent of the fee shall be due and payable when the project final inspection and the construction report have been completed, and when reproducible Record Drawings have been submitted to the Sponsor and when the revised Airport Layout Plan has been approved by the FAA or when the construction work has terminated. The Record Drawings and Construction Report shall be submitted within a period of 90 days from end of construction period. This Amendment shall be considered concurrent with completion of audit.

PART C - ADDITIONAL PROVISIONS

NEVADA LAW NRS 332.065 - NO BOYCOTT OF ISRAEL

As required by NRS § 332.065, Engineer certifies it is not currently engaged in a boycott of Israel and will not engage in a boycott of Israel during the term of this Agreement.

[Signature Page Follows]

All other terms and conditions of the origina	l contract shall remain in effect.	
IN WITNESS WHEREOF, the parties heret 2019.	o have affixed their signatures this	day of
SPONSOR: The City of Elko, Nevada	ATTEST:	
Ву:	· · · · · · · · · · · · · · · · · · ·	
Name:		
Title:		
ENGINEER: Jviation, Inc. Mach Mich		
Ву:		
Name: Kirk Nielsen, PE		
Title: Office Manager		

SCOPE OF WORK FOR ELKO REGIONAL AIRPORT

Elko, Nevada AIP Project No. 3-32-0005-0050 Pavement Maintenance

This is an Appendix attached to, made a part of and incorporated by reference with the Consulting Contract dated February 26, 2019 between the City of Elko and Jviation, Inc. for providing professional services. For the remainder of this scope Elko Regional Airport is indicated as "Sponsor" and Jviation, Inc. is indicated as "Engineer". The estimated construction cost of this project is approximately \$800,000.

This project will consist of preparing Construction Plans, Contract Documents, Technical Specifications, and Engineer's Design Report, along with Bidding, Survey, Construction Administration, Pre-Construction, Post Construction, and On-Site Construction for the project Pavement Rehabilitation. This scope of work is for the design services provided by the Engineer for the Sponsor. See Exhibit No. 1 below for the project location.



EXHIBIT NO. 1

DESCRIPTION

The purpose of this project is to preserve and rehabilitate the pavement on Runways 6/24 and 12/30, Taxiways A and B, blast pads, and all aprons, by crack sealing, major crack repair, seal coating, and re-striping. Cracks larger than one inch will need to be repaired. Major crack repair consists of milling two inches of asphalt and a minimum four feet wide. At the bottom of the milling, geogrid will be placed over the crack then paved over with asphalt to prevent reflective cracking. This rehabilitation is necessary to preserve the service life of the asphalt pavements.

The engineering fees for this project will be broken into two parts, Part A-Basic Services; 1) Preliminary Design Phase, 2) Design Phase, 3) Bidding Phase and Reimbursable Costs during Design and Bidding, and Part B-Special Services; 4) Construction Administration Phase, 5) Pre-Construction Phase, 6) Post

Construction Phase, 7) On-Site Construction Coordination Phase or Field Engineering, and Reimbursable Costs during Construction. Additional design services that will be completed by sub-consultants to the Engineer including the proposed geotechnical investigation which will be included in **Part B-Special Services**. Quality Assurance (QA) testing verification during the construction phase of the project will also be included on a not-to-exceed basis under **Part B-Special Services**. Parts A and B and the seven phases are described in more detail below.

PART A - BASIC SERVICES will consist of the preliminary design phase, design phase and bidding phase, all invoiced on a Lump Sum Basis.

1.0 Preliminary Design Phase

- 1.1 Coordinate and Attend Meetings with the Sponsor and FAA. Meetings with the Sponsor and the FAA will take place to determine critical dates, establish the proposed design schedule, AIP development schedule and scope meeting schedule, and determine the feasibility of the proposed project and to establish the need for topographical surveying and pavement investigation/geotechnical testing. Various meetings during the design phase will also be conducted to review the progress of the design and discuss construction details, proposed time frame of the construction, and special requirements of the project. It is anticipated that there will be a minimum of two meetings with the Sponsor and/or the FAA throughout the course of the project.
- **1.2 Prepare Project Scope of Work and Contract.** This task includes establishing the scope of work through meetings with the Sponsor and the FAA. This also includes drafting the contract for the work to be completed by the Engineer for the Sponsor.
- 1.3 Provide Project Design Coordination. The Engineer provides project management and coordination services to ensure the completion of the design. These duties include items such as:
 - The Engineer will utilize the project budget to determine the appropriate staffing required to complete the design.
 - The Engineer will analyze the budget bi-monthly to ensure budget and staffing are on track to meet design schedules within budget.
 - Providing project instructions to staff to complete the design.
 - → Prepare and submit monthly invoicing.

The Engineer will conduct the following tasks:

- Provide the Sponsor with a monthly Project Status Report (PSR), in writing, reporting on Engineer's progress and any problems in performing the work of which the Engineer becomes aware. The PSR shall include an update of the project schedule as described in this section, when schedule changes are expected.
- The Engineer shall submit for acceptance and maintain, a design schedule detailing the Engineer's scheduled performance of the work.
- The Engineer shall create and maintain a Quality Control Checklist (QCC) for the project. The QCC shall include personnel, project milestone checking and peer review procedures at each phase of the project.
- 1.4 Review Existing Documents. The Engineer will gather and review existing available documentation that might be relevant to this project including but not limited to: record drawings (as-builts), design reports, final reports, utility reports/maps, and previous surveys. The Engineer may use relevant information from this review to coordinate design and survey for the project.
- 1.5 Prepare/Update the Airport's Capital Improvement Plan (CIP). The Engineer will update the Sponsor's Capital Improvement Plan (CIP) and exhibit(s) for presentation to the FAA. The task includes

meeting with the Sponsor to discuss and update the CIP. The Engineer will also attend a CIP meeting with the Sponsor, FAA and State Aeronautics to discuss the CIP and provide technical assistance to the Sponsor during the CIP meeting.

- 1.6 Prepare Federal Grant Application. This task consists of preparing the federal grant application. The application will be submitted during the initial portion of the project. Preparation of the application will include the following:
 - → Prepare Federal 424 form
 - → Prepare Project Funding Summary
 - Prepare Program Narrative, discussing the Purpose and Need of the work and the Method of Accomplishment
 - → Project Sketch (11"x17")
 - → Prepare Preliminary Cost Estimate
 - → Include the existing Exhibit "A" Property Map
 - → Environmental Checklist (CATEX See Item 1.8 below)
 - → Prepare the Sponsors Certifications
 - Attach the current Grant Assurances
 - → Include DOT Title VI Assurances
 - → Include Certification for Contract, Grants, and Cooperative Agreements
 - → Include Title VI Pre-Award Checklist

The Engineer will submit the grant application to the Sponsor for approval and signatures. After obtaining the necessary signatures, the Engineer will forward a copy of the signed application to the FAA for further processing.

1.7 Prepare Environmental Checklist. The FAA determined that a Categorical Exclusion (CATEX) applies to the proposed project according to FAA orders 1050.1F and 5050.4B. The proposed project was environmentally approved on December 10, 2018 through a simple written CATEX. The environmental conditions and scope of project have not changed since the approval.

TAS	TASK 1 DELIVERABLES:		TO SPONSOR
1.1	Project checklist, agenda, meeting minutes from Pre-Design Meeting	1	1
1.2	Scope of Work and Contract		1
1.3	Prepare design schedule, monthly invoice, monthly PSR		V
1.5	Updated CIP	1	1
1.6	Prepare Federal Grant Application	1	V
1.7	Prepare Environmental Checklist for simple written CATEX	V	¥

2.0 Design Phase

2.1 Prepare Preliminary Contract Documents. This task will include preparing the preliminary Contract Documents including Contract Proposal, Bid Bond, Contractor Information Sheet, Subcontractor/Material Supplier List, Disadvantaged Business Utilization Commitment, DBE Participation Form, Certification of Non-Segregated Facilities, Equal Employment Opportunity Report Statement, Buy America Certification, Buy America Waiver Request, Buy America Conformance Listing, Certification Statement Regarding Undocumented Individuals, Bid Proposal, Contract, Payment Bond, Performance Bond, Notice of Award, Notice to Proceed, Notice of Contractor's Settlement, General Provisions, Operational Safety on Airports During Construction Advisory Circular, and Wage Rates. The wage rates will be updated at the time of advertisement to reflect the most current wage rates for the project. Preparation will include establishing the location for the bid opening, dates for advertisement, and description of the work schedule. Also included in

the Preliminary Contract Documents and covered in separate tasks below are the Construction Safety and Phasing Plan (CSPP), Technical Specifications, and Special Provisions. Preliminary Contract Documents will be prepared as early as possible during the design phase and submitted to the Sponsor for review.

- 2.2 Prepare Construction Safety and Phasing Plan (CSPP). This task involves meeting with the Sponsor to discuss the operations of the airport to help determine how the construction phasing of the project will affect these operations. From these meetings, a complete Construction Safety and Phasing Plan (CSPP) will be developed to ensure safety compliance when coordinating construction activities and airport operations. The CSPP will be developed in accordance with the requirements of FAA Advisory Circular (AC) 150/5370-2G "Operational Safety on Airports during Construction." A construction phasing plan that meets the requirements of the AC and operational needs of the airport will be developed as part of the CSPP and included in the Contract Documents for bidding. The CSPP will thoroughly discuss the operations of the airport and safety requirements during the project. This plan will also identify any nighttime work, continuous working times, or other unusual conditions that could affect the Contractor's normal progress on the project. The draft CSPP will be submitted at 30% complete for review and at 95% complete for ADO review, and upon approval from the ADO, through OE/AAA for coordination.
- **2.3 Prepare Preliminary Plans.** The following is a list of anticipated construction plans for the project. Additional plans may be added during the design phase if required:
 - → Cover Sheet (1 Sheet) Project title, project/grant numbers, funding agencies.
 - Index of Drawings, Summary of Approximate Quantities, and General Notes (1 Sheet) Lists all the drawings in the plan set, approximate quantities, general notes and legends where applicable.
 - Construction Layout Plan (1 Sheet) Depicts the overall airport layout and schematically identifies key project elements including Contractor access, storage and staging areas.
 - → Survey Control Plan (1 Sheet) Depicts survey control for the project.
 - Safety Plan (1 Sheet) Identifies the safety procedures for the project.
 - Construction Phasing/Operations Plan (8 Sheets) Identifies to the Contractor the phasing requirements and operating procedures for the project.
 - Pavement Markings and Detail Sheets (13 Sheets) Depicts the locations and markings for the project.

PLAN SET TOTALING 26 SHEETS

- **2.4 Prepare Preliminary Technical Specifications.** This task includes assembling the technical specifications necessary for the intended work. Standard FAA specifications will be utilized where possible; with the guidance from the current edition of the FAA Advisory Circular 150/5370-10H, Standards for Specifying Construction of Airports. Additional specifications will be prepared to address work items for materials that are not covered by the standard FAA specifications. The standard specifications to be utilized will include, but not be limited to, the following:
 - → Item C-105 Mobilization
 - → Item P-403 Asphalt Mix Pavement
 - → Item P-603 Emulsified Asphalt Tack Coat
 - → Item P-608 Emulsified Asphalt Seal Coat
 - → Item P-620 Runway and Taxiway Markings

The added specifications will include, but not be limited to, the following items:

- → Item P-222 Soil Sterilization
- → Item P-315 Asphalt Reinforcement Grid Tack Film Mesh
- → Item P-601 Crack Repair with Major Crack Repair

- 2.5 Prepare Preliminary Special Provisions. This task includes preparing the preliminary Special Provisions to address, or expound on, conditions that require additional clarification. They will include, but are not be limited to Haul Roads, Airport Security, Radio Communications, Work Schedule, Sequencing of the Work, Closure of Air Operations Areas, Accident Prevention, Underground Cables/Utilities, Insurance, Indemnification, Sales and Use Taxes, Permits and Compliance with Laws, Executed Contracts, Subletting or Assigning of Contracts, Qualification of Disadvantaged Business Enterprises, and Liquidated Damages.
- 2.6 Compile/Submit FAA Form 7460. This task includes preparing and submitting the required FAA Form 7460 on the Sponsor's behalf. Construction will require an FAA Form 7460 to be sent to the FAA a minimum of 45 days prior to the start of construction for approval. The Engineer will prepare exhibits to illustrate the haul routes, staging area, project limits, and equipment areas.
- 2.7 Calculate Estimated Quantities. This task includes calculating all necessary quantities for the various work items. Quantities will be consistent with the specifications and acceptable quantity calculation practices. It is anticipated that there will be one trip to the airport to verify quantities and existing markings at the airport.
- 2.8 Prepare Estimate of Probable Construction Cost. Using the final quantities calculated following the completion of the plans and specifications, the Engineer will prepare the construction cost estimate. The estimate will be based on information obtained from previous projects, contractors, material suppliers, and other databases available.
- 2.9 Prepare Engineer's Design Report and Modification of Standards. During the preparation of the plans and specifications, an Engineer's design report will be prepared according to the current FAA Western Region Design Report guidelines. The Engineer's design report will include a detailed summary of the project, photographs and descriptions of existing site conditions, estimate of project costs, and a schedule for the completion of the design, bidding and construction.

The design report will include an analysis of the existing pavement sections of Runway 12/30 and Taxiway B. There are a few areas of distress showing in these pavement areas that will require removal and replacement. The pavement section that is installed in these areas will mirror the surrounding pavement sections.

- 2.10 Review Plans at 90% Complete. During various stages of completion of the design, the Engineer will submit a set of Contract Documents, Special Provisions, Specifications, Construction Plans, Engineer's Report and Cost Estimate to the Sponsor for their review. Meetings will be scheduled for periodic reviews, including a 90% plans-in-hand review. The project will be reviewed with the FAA to obtain their concurrence with the design.
- 2.11 Provide In-House Quality Control. The Engineer has an established quality control program that will provide both experienced and thorough reviews of all project submittals, and will also provide engineering guidance to the design team throughout design development from an experienced senior-level Professional Engineer.

Prior to each review set of Construction Plans, Specifications and Contract Documents being submitted to the Sponsor and FAA, a thorough in-house quality control review of the documents will be conducted. This process will include an independent review of the Construction Plans, Specifications and Contract Documents being submitted, by a licensed Professional Engineer, other than the Engineer whom performed the design of the project, comments offered by the Engineer that performed the review and revisions to the Construction Plans, Specifications and Contract Documents accordingly.

In addition to the 90% review of all plans, specifications, and Engineer's design reports, the Engineer in-house quality control program also provides engineering guidance to the design team throughout the project design in attempt to steer the project in a manner that provides the best sound engineering judgment.

2.12 Prepare and Submit Final Plans and Specifications. A final set of Construction Plans (11" x 17"), Technical Specifications, Contract Documents and Engineer's Design Report will be prepared and submitted to the Sponsor and FAA. These documents will incorporate all revisions, modifications and corrections determined during the Sponsor and FAA final review.

TASK 2 DELIVERABLES:	TO FAA	TO SPONSOR
2.1 Submit Preliminary Contract Documents for Sponsor's Review		/
2.2 Submit CSPP at 30% and 95%	1	V
2.6 Submit FAA Form 7460	V	/
2.10 Submit 90% Contract Documents, Special Provisions, Specifications, Plans, Engineers Design Report, Cost Estimate and Project Review meeting minutes.	1	~
2.12 Submit Final Contract Documents, Special Provisions, Specifications, Cost Estimate, Plans, Engineers Design Report, and CSPP for Bidding	1	V

3.0 Bidding Phase

- 3.1 Provide Bid Assistance. The Engineer will assist the Sponsor, as needed, with any required bidding documents such as project advertisement in the Elko Daily Free Press to solicit for bids to potential contractors and plan rooms.
- 3.2 Prepare/Conduct Pre-Bid Meeting. The Engineer will conduct the pre-bid meeting and pre-bid site visit in concert with the Sponsor's requirements.
- 3.3 Prepare Addenda. Any necessary addenda will be issued to clarify and modify the project, as required, based on questions or comments that may arise from potential contractors during the bidding process. Any necessary addenda will be reviewed with the Sponsor and FAA prior to being issued. The addenda will meet all design and construction standards, as required.
- 3.4 Consult with Prospective Bidders. During the bidding process, the Engineer will be available, if needed, to clarify bidding issues with contractors and suppliers, and for consultation with the various entities associated with the project.
- 3.5 Attend Bid Opening. The Engineer will attend the bid opening for the project, which will be run by the Sponsor.
- 3.6 Review Bid Proposals. Upon the opening of submitted bid proposals by the Sponsor, the Engineer will review all the bid proposals submitted. An analysis of the bid prices will be tabulated and the Contractor's qualification for the work including review of Suspension and Debarment rules on the www.Sam.gov website, verification of proposed DBE Subcontractors, inclusion of bid guarantee, addenda acknowledged, and licensure in Nevada will be completed.
- **3.7 Prepare Recommendation of Award.** The Engineer will prepare a Recommendation of Award for the Sponsor to accept or reject the bids, as submitted. If rejection is recommended, the Engineer will supply an explanation for their recommendation and possible alternative actions the Sponsor can pursue to complete the project.

TAS	SK 3 DELIVERABLES:	TO FAA	TO SPONSOR
3.1	Provide Required Bidding Documents	1	V
3.2	Prepare Pre-Bid Meeting Agenda, Pre-Bid Meeting Minutes		1
3.3	Prepare Addenda	1	/
3.6	Prepare Bid Tabulations	1	/
3.7	Prepare Recommendation of Award	1	/

EX Reimbutsable Costs during Design

This section includes reimbursable items such as auto rental, mileage, lodging and per diem, travel and other miscellaneous costs incurred in order to complete Part A – Basic Services.

PART B - SPECIAL SERVICES Will consist of the construction administration phase, pre-construction coordination phase, post-construction coordination phase (invoiced on a lump sum basis) and on-site construction coordination phase (invoiced on a cost plus fixed fee basis).

4.0 Construction Administration Phase

- 4.1 Provide Project Construction Coordination. The Engineer provides project management and coordination services to ensure the completion of construction. These duties include items such as:
 - The Engineer will prepare a project budget determining appropriate staffing to complete the construction administration.
 - The Engineer will analyze the budget bi-monthly to ensure budget and staffing are on track to meet schedules within budget.
 - Providing project instructions to staff.
 - → Prepare and submit the monthly invoicing.

The Engineer will conduct the following tasks:

- Provide the Sponsor with a monthly Project Status Report (PSR), in writing, reporting on Engineer's progress and any problems in performing the work of which the Engineer becomes aware. The PSR includes an update of the project schedule as described in this section, when schedule changes are expected.
- The Engineer will submit for acceptance and maintain, a schedule detailing the Engineer's scheduled performance of the work.
- The Engineer will create and maintain a Quality Control Checklist (QCC) for the project. The QCC includes personnel, project milestone checking and peer review procedures at each phase of the project.
- **4.2 Prepare Construction Contract and Documents.** This item accounts for the efforts during and immediately prior to project construction. In agreement with the FAA, the Engineer will prepare the Notice of Award, Notice to Proceed and Contract Agreements for the Sponsor's approval and signatures. Appropriate copies will be submitted to the successful Contractor(s) for their signatures. The Engineer will make five copies of the plans and specifications for the Contractor's use during construction.
- **4.3 Prepare Request for Reimbursement.** A request for reimbursement will be submitted with all supporting documentation (administrative costs, engineering, construction periodic estimates, any miscellaneous costs) to the Sponsor for review and approval prior to the Sponsor requesting reimbursement from the appropriate agency. The Sponsor does participate in the FAA's electronic transfer of funds program; however, these forms are completed to ensure that the proper amount of funding is being requested.
- 4.4 Prepare Weekly/Monthly Reports. The Project Manager will review progress reports weekly and monthly.
- 4.5 Prepare Material Submittal Review. Material submittal data will be reviewed and approved by the Construction Manager/Field Engineer(s) or office personnel, if the Construction Manager/Field Engineer(s) are unable to make final determination of compliance.

4.6 Prepare Change Orders/Supplemental Agreements. Clerical and drafting personnel will assist with change orders and supplemental agreements as necessary. All change orders and supplemental agreements will be coordinated with the Sponsor and FAA staff prior to execution. In addition, all change orders and supplemental agreements will be prepared in accordance with the FAA Standard Operating Procedure (SOP), Airport Improvement Program Construction Project Change Orders.

TAS	K 4 DELIVERABLES:	TO FAA	TO SPONSOR
4.2	Prepare Construction Contract and Documents	/	1
4.3	Prepare Pay Request Review Documentation	1	1
4.4	Prepare Weekly/Monthly Reports	V	1
4.6	Prepare Change Orders/Supplemental Agreements	/	√

5.0 Pre-Construction Coordination Phase

- **5.1 Prepare Project Files.** This task is to assure the construction contracts are in order, the bonds have been completed, and the Contractor has been provided with adequate copies of the Construction Plans, Specifications and Contract Documents, which will be updated to include all addenda items issued during bidding. Clerical staff will prepare the quantity sheet, testing sheets, construction report format, etc.
- 5.2 Prepare/Conduct Pre-Construction Meeting. This task is to assure the pre-construction meeting has been scheduled and all necessary parties have been informed. The Engineer will conduct a pre-construction meeting to review FAA requirements as required per FAA Advisory Circular (AC) 150/5370-12B Quality Management for Federally Funded Airport Construction Projects, prior to commencing construction. The meeting will be held at the airport and will include the Sponsor, FAA (if possible), Contractor, Subcontractors, and Airport Tenants affected by the project.
- 5.3 Review Contractor's Safety Plan Compliance Document. This task includes the review and to comment on the Contractor's Safety Plan Compliance Document (SPCD) as required per FAA Advisory Circular (AC) 150/5370-2G, Operation Safety on Airports during Construction. The Engineer will review to ensure that all applicable construction safety items are addressed and meet the requirements of AC 150/5370-2G and the Contract's Construction Safety and Phasing Plan (CSPP). The bid documents will address the requirement for the Contractor to submit a SPCD. The intent of the SPCD is to detail how the Contractor will comply with the CSPP. Following award of the project to the successful Contractor and prior to the issuance of the Notice to Proceed, the Engineer will review the SPCD and provide comments and ultimately approval of the document. It is anticipated that the document will require at least one re-submittal by the Contractor to address any missing information. The SPCD will be submitted to the Engineer for approval at least 14 days prior to the issuance of the Notice to Proceed to the Contractor. An approved copy of the SPCD will be provided to the FAA.

TASK 5 DELIVERABLES:	TO FAA	TO SPONSOR
5.1 Provide Construction Plans, Specifications, and Contract Documents	V	V
5.2 Prepare Pre-Construction Agenda and Meeting Minutes	1	/
5.3 Review and Approval of SPCD and Final SPCD	1	

6.0 Post Construction Coordination Phase

This phase will consist of project close out and site cleanup.

6.1 Conduct Final Inspection. The Engineer, along with the Sponsor and FAA (if available), will conduct the final inspection. The acceptance test summary report must be accepted by the FAA prior to final inspection.

- **6.2 Prepare Clean-up Item List.** The Engineer will assure the Contractor has removed all construction equipment and construction debris from the airport, that all access points have been re-secured (fences repaired, gates closed and locked, keys returned, etc.) and the site is clean.
- 6.3 Prepare Final Testing Report. The Engineer will submit the QA testing summary report which will include narrative of tests taken, verification minimum number of tests, discussion of problems and tests necessary, table including the actual number of tests taken for each specification to the FAA for review/approval.
- **6.4 Prepare Engineering Record Drawings**. The Engineer will prepare the record drawings indicating modifications made during construction.
- **6.5 Prepare Final Construction Report.** The Engineer will prepare the final construction report to meet the FAA closeout checklist requirements.
- **6.6 Prepare DBE Uniform Report.** This task will also include completing and submitting the Uniform Report of DBE Awards or Commitments and Payments (DBE Uniform Report) for the Sponsor.
- **6.7 Summarize Project Costs.** The Engineer will be required to obtain all administrative expenses, engineering fees and costs, testing costs, and construction costs associated with project and assemble a total project summary. The summary will be compared with available funding.

TAS	SK 6 DELIVERABLES:	TO FAA	TO SPONSOR
6.1	Prepare Punchlists	1	/
6.2	Prepare Clean-up List		/
6.3	Prepare Final Testing Report	V	V
6.4	Prepare Record Drawings	V	V
6.5	Prepare Final Construction Report	/	/
6.6	Prepare DBE Uniform Report	√	V
6.7	Prepare Project Cost Summary	V	V

7.0 On-Site Construction Coordination Phase

This phase will consist of providing one full time Construction Manager. It will be the responsibility of the Construction Manager to facilitate sufficient on-site construction coordination to ensure that the project is completed according to good construction practice and is consistent with the Project Manager's direction. It is estimated that it will take 33 working days to complete construction of the project.

- 7.1 Provide Field Inspection/Coordination. The Project Manager will make on-site visits, as required, to deal with construction issues as necessary for the duration of the project. As of now, it is estimated that the Project Manager will be required to make a minimum of two site visits to the project.
- 7.2 Provide Office Assistance. Office engineering staff, CAD personnel, and clerical staff will be required to assist the Construction Manager/Field Engineer(s) as necessary during construction. Specific items to be accomplished include compiling and sending additional information requested from the office to the project site, providing secondary engineering opinions on issues arising during construction, maintaining project files as necessary (field files are mirrored in the office for continuity) and various other items necessary in the day-to-day operations.
- 7.3 Provide Resident Engineering. The Construction Manager will work approximately 12 hours per day. It is assumed that the Construction Manager will be able to complete all daily project documentation in the

course of their shift. It is assumed that the Contractor will work six (6) days a week during the construction period resulting in 33 working days.

- 7.4 Review Construction Submittals. This task consists of reviewing and approving the plans and material submittal data received from the Contractor. Engineering field personnel will also review copies of the Contractor's survey data and other construction items for general compliance with the construction documents.
- 7.5 Review Requests for Information (RFI). The Engineer will coordinate, review and provide a response to construction and general project RFI's.
- 7.6 Review Contractor Payroll Forms. Engineering field personnel will be required to conduct employee interviews and review Contractor's and Subcontractor's weekly payroll records as required by the FAA. As part of this effort, all payrolls will be reviewed and logged when received. A log identifying current status of reviews, and any action taken to correct noted discrepancies, will be provided for Sponsor review at time of Request for Reimbursement (RFR) processing as appropriate.
- 7.7 Review QA/QC Results Provided by Contractor. Engineering field personnel will review and coordinate revisions by the Contractor for quality control and the acceptance testing firm submittals performed as part of the acceptance testing required by FAA Standard Specifications. This will occur on a weekly basis and at project completion prior to submittal to the FAA.
- 7.8 Calculate Construction Quantities. Engineering field personnel will maintain record of the progress and will review the quantity records with the Contractor on a periodic basis.
- 7.9 Prepare Periodic Cost Estimates. Engineering field personnel will prepare the periodic cost estimates and review the quantities with the Contractor. The Engineer, Sponsor, and Contractor will resolve discrepancies or disagreements with the Contractor's records. The periodic cost estimate will also include all other costs associated with the project (administrative costs, engineering, any miscellaneous costs). After compiling all costs, the Engineer will then submit the periodic cost estimate to the Sponsor for payment.
- 7.10 Prepare Daily Reports. Engineering field personnel will maintain daily logs of the construction activities for the duration of time on site which includes the "Construction Project Daily Inspection Checklist" as required by the Construction Safety and Phasing Plan (CSPP) and SPCD.
- 7.11 Prepare/Submit Weekly Reports. Engineering field personnel will prepare a weekly status report using the FAA's standard form. The report will be submitted to the Sponsor, the FAA, and the office following the week of actual construction activities performed.

TASK 7 DELIVERABLES:	TOFAA	TO SPONSOR
7.4 Coordinate Submittal Reviews		/
7.5 Coordinate RFI's	1	V
7.6 Perform Payroll Reviews		1
7.9 Prepare Periodic Cost Estimates	V	1
7.11 Prepare Weekly Reports	V	1

EX Reimbursable Costs during Construction This section includes reimbursable items such as auto rental, mileage, lodging and per diem, travel and other miscellaneous costs incurred in order to complete Part B – Special Services. (Sections 4, 5, and 6 Reimbursables are invoiced on a lump sum basis, and Section 7 Reimbursables are invoiced on a cost plus fixed fee Basis)

Assumptions

The scope of services described in the foregoing is based on several assumptions of responsibilities by the Engineer and Sponsor.

- 1. It is anticipated there will be a minimum number of trips and site visits to the airport to facilitate the completion of the various phases listed in this scope. Each trip is anticipated to be a two-day trip, and the number of trips for each phase are as follows:
 - → Preliminary Design Phase: One (1) Trip
 - → Design Phase: One (1) Trip
 - → Bidding Phase: Two (2) Trips
 - Construction Administration Phase: Four (4) Trips
 - → Pre-Construction Coordination Phase: One (1) Trip
 - Post Construction Coordination Phase: One (1) Trip
- 2. The Sponsor will furnish escorts as needed for the Engineer to conduct field work.
- 3. The Sponsor will coordinate with tenants as required to facilitate field evaluations and construction.
- 4. All engineering work will be performed using accepted engineering principles and practices and provide quality products that meet or exceed industry standards. Dimensional criteria will be in accordance with FAA Advisory Circular 150/5300-13A Airport Design and related circulars. Construction specifications will be in accordance with AC 150/5370-10H Standards Specifications for Construction of Airports and related circulars. Project planning, design, and construction will further conform to all applicable standards including all applicable current FAA Advisory Circulars and Orders required for use in AIP funded and PFC approved projects, and other national, state, or local regulations and standards as identified and relevant to an airfield design and construction project.
- 5. The Engineer will utilize the following computer software in the project:
 - → AutoCAD Civil 3D
 - → Microsoft Office Suite
- 6. The Engineer will utilize the following plan standards in the project:
 - Plan will be prepared using the Engineer's standards unless the Sponsor provides its own standards upon Notice to Proceed.
 - Plan elevations will be vertical datum NAVD 88 derived from the existing control network.
 - Plan coordinates will be based on horizontal datum NAD 83/2007 State Plane Coordinates derived from the existing control network. Plan coordinates will be provided in Runway 6/24 station and offset format.
 - All plans will be stamped and signed by a registered Nevada Professional Engineer, or professional land surveyor as required.
 - Plans prepared by subconsultants will be prepared using the same base maps, the same coordinate systems, and the same plan layout and format as plans prepared by the Engineer.
- 7. The Engineer will utilize the following assumptions when preparing the project manual for bidding
 Page 11 of 12

and construction of the project:

- The project manual contract documents will be developed jointly by the Sponsor and the Engineer.
- The Engineer is responsible for developing the contents of the document and including the Front End documents which will be supplied by the Sponsor.
- The project will be bid Race-Neutral. DBE forms will be included for tracking purposes.
- FAA General Provisions and required contract language will be used.
- 8. The Engineer will maintain records of design analyses and calculations consistent with typical industry standards as required by the FAA for a period of three years after the project is closed by the FAA. These will be included in the Engineer's Design Report.
- 9. The Engineer may reasonably rely upon the accuracy of data furnished by the Sponsor, or any other project participant not under contractual responsibility to the Engineer pursuant to the project and upon which the Engineer will base the services provided hereunder.
- 10. Because the Engineer has no control over the cost of construction-related labor, materials, or equipment, the Engineer's opinions of probable construction costs will be made on the basis of experience and qualifications as a practitioner of its profession. The Engineer does not guarantee that proposals for construction, construction bids, or actual project construction costs will not vary from Engineer's estimates of construction cost.

AIRPORT: ELKO REGIONAL AIRPORT LOCATION: ELKO, NEVADA

PROJECT NUMBER: 03-32-0005-050-2019 DATE: April 9, 2019

PROJECT DESCRIPTION: PAVEMENT MAINTANENCE, CRACK SEAL, SEAL COAT AND PAINT

	BADTA BASIC SUBVICES A FAIR STAR										Phase Fee	ŀ	Costs		Total Cost	In	dependent Fee Analysis		Negotiated Fee
1.0	PART A - BASIC SERVICES (LUMP SUM) Preliminary Design Phase (Lump Sum)	_		_		_		_		4	18,990.00	\$	762.00	5	19,752.00	6		\$	
2.0	Design Phase (Limp Sum)										36,975.00		1,298.00		38.273.00				
3.0	Bidding Phase (Lump Sum)									5	19,920.00		762.00	5	20,682.00				
	AL PART A BASIC SERVICES									5	75,885.00		2,822.00	5	78,707.00			5	
	PART B - SPECIAL SERVICES																		
UB I	Quality Assurance Testing - Subconsultant TBD													5	2,500.00				
LB-TOT														5	2,500.00			_	
	PART B - SPECIAL SERVICES (LUMP SUM)																		
4.0	Construction Administration Phase (Lump Sum)									5	17,680.00	5	1,402.00	5	19,082.00	\$	-	5	-
5.0	Pre-Construction Coordination Phase (Lump Sum)									5	9,070.00	5	1,402.00	5	10,472.00	\$		5	
6.0	Post Construction Coordination Phase (Launp Sum)									5	16,430.00	5	1,402.00	5	17,832.00	5	4	\$	
UB-TOT.	AL.									5	43,180.00	5	4,206.00	5	47,386.00	5	-	5	-
		Dir	ect Labor Cost		erhead (% of irect Labor Cost)		al Labor Cost		ed Fee (% of otal Labor Cost)		Subtotal				Total Cost				
	PART B - SPECIAL SERVICES (COST PLUS FIXED FEE)				180.20%				20.00%										
7.0	On-Site Construction Coordination Phase (Based on 33 Calendar Days)	8	18,600.00	5	33,517.20	2	52,117:20	5	10,423 44	2	62,540.64			2	62,540.64			2	
EX	Reunbursable Costs During Construction (Cost Plus Fixed Fee)	- 5	8,691.00							5	8,691.00			5	8,691.00		14	5	
UB-TOT.	AL PART B SPECIAL SERVICES	8	27,291.00	\$	33,517.20	\$	52,117.20	5	10,423.44	\$	71,231,64			\$	71,231.64	\$		5	
	INGINEERING FEES														199,824.64	16			

PART A - BASIC SERVICES (LUMP SUM)

Item No.			Project Manager V	Project Manager I	Associate Engineer III	Associate Engineer I	CADD Tesh I	Proper Combinator I	Places II	Total House	Cost	Same
1.0	Preliminary Design Phase (Lump Sum)		\$220.00	\$155.00	\$120.00	\$105.00	\$85.00	\$80.00	\$135.00			
11	Coordante and Attend Meetings with the Sportior and FAA		8	.8	ă			1		28	5	4,280.0
1.2	Perpare Project Scope of Work and Contract		- 6	+	.6					26	\$	3,540.0
13	Provide Project Design Coordination		12		12:			12		36	5	5,040.0
1.4	Renew Existing Documentation			2	.6					8	5	1,030.00
1.5	Prepare Update the Aspost's Capital Improvement Plan (CIP)		4	2	2		4			12	5	1,770.0
1.6	Perpare Federal Grant Application		2	2	4			4		12	5	1,550.0
17	Prepare Environmental Checklot		1		+				8	13	5	1,780.00
	Estimated Total Man-hours		33	18	41	0	4	28	8	135	5	18,990.00
		Summary Costs	\$7,260.00	\$2,790.00	\$5,280.00	\$0.00	\$340.00	\$2,240.00	\$1,080.00			
									Total Prelim	inary Design Pha	ie S	18,990.00

Item No		Project Manager V	Proper Manager I	Avantate Engineer II	Asserte Engeleer I	CADD Telv1	Proper Coordinates I	Planer II	Total Hours	Cost	Somero
2.0	Design Phase (Lamp Sum)	\$220.60	\$155.00	\$120.00	\$105.00	\$85.00	\$50.00	\$135.00			
2.1	Prepare Preferancy Contract Distancests	2	4	16					22	5	2,980 0
3.3	Prepair Construction Safety and Planing Plan (CSPP)		2	8		4			14	5	1,6101
23	Prepare Prelaturary Plans										
	Cover Sheet (L'Sheet)		. 1						3	5	325.0
	Index of Drawings, Summary of Quantities, General Notes, Manter Legend & Aldrewstroen (5 Sheet)		1			4			5	5	495 (
	Construction Layout Plan (1 Sheet)		1			4			5	5	495.0
	Safety Plan and Notes (L'Sheet)		1			4			5.	5	495.0
	Construction Planing: Operations Plan (i Sheets)	1	2			10			13	5	1,380 (
	Demolston Plan (12 Sheets)	4	12	2		2.4			42	- 5	5,020.1
	Pavenuent Maintenance Plan and Notes (5 Sheets)	1	- 8			10			19	5	2,310
	Pavement Markings Slicets (12 Sheets)	1	12			20			33	5	3,780 (
	Parement Makings Details and Notes (5 Shorts)	1	5	4		12			22	5	2,495.0
2.4	Prepare Prelimanary Technical Specifications		4	16					20	5	2,540.0
25	Prepare Parlaminary Special Provisions		2	4					6	- 5	790.0
26	Compile/Submit FAA Fours 7460		2	4					6	5	790.0
27	Calculate Estimated Quantities	2	4						.14	5	2,020.0
2.8	Purpase Estimate of Probable Construction Con-	1	2	4					7	5	1,010.0
2.9	Piepare Ergonee's Design Report and Modification of Standards	2	- 8	.34					34	5	4,560 (
2.10	Review Plans at 90% Complete	.2		2					4	.5	630.0
241	Purvide In House Quality Control								. 8	5	1,760.0
2.12	Preprint and Submit Final Plans and Specifications		4	4		4			12	5	1,440
	Estimated Total Man-hours	25	75	96	0	98	0	0	294	5	36,975.0
	Summary Costs	\$5,500.00	\$11,623.00	\$11,520.00	\$0.00	\$8,330.00	\$0.00	\$0.00			
									Total Design Pha	se \$	36,975.0

PART A - BASIC SERVICES (LUMP SUM CONT.)

Item No.			Project Manages V	Project Manager I	Associate Engineer II	Associate Engineer I	CADD Tel-1	Purper Coordinator 1	Planes II	Total House	Crist	Samma
3.0	Bidding Phase (Lump Sum)		\$220.00	\$155.00	\$120.00	\$105.00	\$85.00	\$80.00	\$13500			
5.1	Passide Bid Assistance		-4	4	- (12	5	1,980 0
3.2	Perpane/Conduct Par-Bid Meeting		16	10						32.	5	6,000.00
3.3	Prepare Addenda		2	4	4		4			14	\$	1,880.0
3.4	Consult with Prospective Biddess		2	2						12	5	1,710.00
35	Arterul Bel Opening		16	16	4					36	5	6,480.00
3.6	Review Bid Proposide		1	2	2			4		9	5	1,090.00
3.	Prepare Reconstrendation of Award		1		2			- 1			.5	780.00
	Estimated Total Man-hours		42	44	24	0	4	8	0	122	4	19,920.00
		Summary Costs	\$9,240.00	\$6,820.00	\$2,880.00	\$0.00	\$340,00	\$640.00	\$0,00			
										Total Bidding Phas	r 3	19,920.00

EX	Reimbursable Costs During Design (Lump Sum)			Piele	many De	sign		Design			Bulding			
			Rate	Item		Total	Dem		Total	Itan		Total		
	Milrage	5	0.580	300 Mi	5	464.00	0 M.	-5		800 Mi	1	464.00		
	Ledging and Per Diem - Survey (Includes \$94 Ledging, \$55 Media & Inc. Exp.)	5	149.00	2 Days	5	298 00	2 Days	5	298.00	2 D.gs	- 5	298.00		
	Travel and Aidisse Costs	5	500.00	0 Tops	5		2 Tops	5	1,000 00	0 Trqo	5			
	Macellanessa	5												
	Sul	btotals			5	762.00		\$	1.298.00		1	762.00		
												Total Par	rt A Reimbursables 4	2,8

TOTAL PART A - BASIC SERVICES \$ 78,707.00

PART B - SPECIAL SERVICES (LUMP SUM)

Dem No.			Peopert Manager V	Project Managor I	Construction Manager II	Associate Engineer I	CADD Tech I	Project Coordinator	Planes II	Total Houn	Cost	Stereog
4.0	Construction Administration Phase (Lump Sum)		\$220.00	\$155.00	\$140.00	\$105.00	\$85.00	\$80.00	\$115.00			
41	Provide Project Construction Coordination		24	16	16			16		72	5	11,289.00
41	Prepare Construction Contract and Documents		2		2			4		8	5	1,040 00
4.2	Purpose Request for Reambousement		4.		4			8		19	5	2,080.00
45	Perpair Weekly/Monthly Reports		2		4					- 6	. 5	1,000 00
4.4	Perpare Material Submittal Review		2		8					10	5	1,560.00
45	Perpair Closing Orders/Supplemental Agreements		2		2					4	5	720.00
	Estimated Total Man-hours		36	16.	36	0	0	28	0	44		17,680.00
		Summary Costs	\$7,920.00	\$2,480.00	\$5,040.00	\$0,00	\$0.00	\$2,240.00	\$0.00			
								- 1	utal Construction Ads	ninistration Ph.	AIR S	17,680.00

Item No			Paget Marger V	Project Manager I	Communition Manager	Associate Engineer I	CADD Tech 1	Project Coordinator I	Planer II	Total House	Cost	Summe
5.0	Pre-Construction Coordination Phase (Lump Sum)		\$220.00	\$155.00	\$140.00	\$105.00	\$85.00	\$80.00	\$135.00			
5.1	Perpare Projects Edes				2			.4		6	5	600,00
5.2	Prepare / Conduct Pre-Construction Meeting		8	16	16					40	\$	6,480.00
53	Review Contractor's Safety Plan Compliance Document			2	12					14	9	1,990.00
		Estimated Total Man-hours		18	30	0	-0	4		60	.5	9,070.00
		Summary Custs	\$1,760.00	\$2,790.00	\$4,200.00	\$0.00	\$0.00	\$320.00	\$0.00			
								Total	Pre-Construction	Coordination Pha	se S	9,070.00

Dan No.			Propert Manager V	Perpet Managar I	Contraction Manager	Assente Engwert I	CADD Ted:1	Project Coordinates I	Plauer II	Total House	Cost	Surana
6.0	Past Construction Coordination Phase (Lump Sum)		\$220.00	\$155.00	\$140.00	\$105.00	\$85.00	\$80.00	\$135.00			
6.1	Conduct Final Inspection			12	12					24	5	3,540.00
62	Perpare Clean up Item Last				2					2	5	280 00
6.3	Prepare Final Testing Report			2	4	_				fe .	5.	879.00
6.5	Purpore Engineering Record Durwings		1	2	. 8		- 8			19	5	2,330 00
6.4	Prepare Final Construction Report		1	16	40					57	5	8,300.00
6.5	Perpute DRE Unitous Report			2				4		6	5	640.00
6.6	Summing Project Coats			2			2			4	5	480 00
		Estimated Total Man-hours	2	36	66.	0	10	4	0	118	5	16,430.00
		Summary Costs	\$440.00	\$5,580.00	\$9,240.00	\$0.00	\$850.00	\$320.00	\$0.00			
									Total Post	Construction Pha	10 5	16,430.00

EX	Reimbursable Costs During Construction (Lump Sum)			Constructi	on Admass	texhos	Pre-Comite	ction Coop	dination	Post Combpi	etton Con	dission	
			Rite	Direct		Total	Item		Total	Item		Total	
	Auto Rental	5	20.00	2 Days	5	140.00	2 Days	5	149.00	2 Days	- 5	140.00	
	Milesge	5	0.580	#30 Mc	5	464.00	800 Mc	5	464.00	800 Mc	- 5	464.00	
	Lodging and Per Diany. Survey (Inchales \$94 Lodging, \$55 Meals & Inc. Exp.)	3	149.00	2 Days	5	298.00	2 Days	- 5	298.00	2Dys	5	298.00	
	Turvel and Audine Crists	5	500.00	1 Tops	5	500.00	1 Tops	5	500.00	1 Tups	5	500.00	
	Marri Lande	5											
	Su	htotals			1	1,402.00		- 5	1,402.00		5	1,402.00	
			- '									Total Par	rt B Reimhursables \$

TOTAL PART B - SPECIAL SERVICES (LUMP SUM) \$ 47,386.00

PART B - SPECIAL SERVICES (COST PLUS FIXED FEE)

Item No			Project Manager V	Project Manager II	Construction Manager	Associate Engineer I	CADD Tech I	Project Consdicator	I Ienem	Total House	Cost	Sorana
7.0	On-Site Construction Coordination Phase (Based on 33 Calend	ar Days)	\$66.00	\$48.00	\$40.00	\$27.00	\$23.00	\$21.00	\$18.00			
3.1	Provide Field Impection/Coordination		16							16	- 5	1,056.00
7.2	Provide Office Assistance			16		16		16		48	5	1,536.00
-33	Provide Resident Engineering				288					288	. 5	11,520 00
7.4	Review Construction Submittala				16					16	5	640.00
7.5	Review Requests for Information (RFI)				8					8	5	320.00
7.6	Review Contractor Payroll Forms				10			8		18	5	568 00
7.5	Review QA/QC Residts Provided by Contractor				10					10	5	400.00
	Csleulate Construction Quantities				18					18-	5	T20.00
8	Prepare Penodic Cost Estimates				46					16	5	640.00
7.9	Perpair Daly Reports				30					30	5	1,200.00
7.10	Prepare/Submit Weekly Reports:									0	5	
	Estir	nated Total Man-hours	16	16	396	16	0	24	0	468	5	18,600.00
		Summary Costs	\$1,056.00	\$768.00	\$15,840.00	\$432.00	\$0.00	\$504.00	\$0.00			
									Total Construction	Coordination Pha	se 5	15,600.00

Reimbursable Costs During Construction (Cost Plus Fixed Fee)			Cuntuid	ten Cocul	HEINTON		
		Rate	Items		Total		
Auto Rental	5	70,00	Al Days	5	2,310.00		
Micago	5	0.580	800 Mc	.5	464 (iii)		
Ladging and Per Diem	5	149.00	33 Days	5	4,917.00		
Terril and Adine Costs	5	500.00	2 Tops	5	1,000.00		
Macellanous	5			_			
	Subtotals			5	9.691.00		

TOTAL PART B - SPECIAL SERVICES (COST PLUS FIXED FEE) \$ 27,291.00

Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible authorization for the Gold Diggers Motorcycle Club to host an off-road motorcycle race at the Elko Snobowl, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: **April 23, 2019**
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 5 Minutes
- 5. Background Information: Gold Diggers M/C is requesting authorization to host an off-road motorcycle race at the Elko SnoBowl on June 29 30,2019. In year's past, the club has hosted successful race events at SnoBowl when it was owned by Elko County. Most participants travel in RV's and stay at the race site throughout the event, overnight camping will need approval from the Council. The Club will conform with requirements listed within the Elko City Public Events in City Parks Application. JW
- 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: Elko City Public Events in City Parks Application
- 9. Recommended Motion: Authorize the Gold Diggers M/C to host an off-road motorcycle race at the Elko SnoBowl on June 29 -30, 2019, conforming with the requirements found within the Elko Public Events in City Parks Application and allow participants the use of self-contained RV's for overnight camping.
- 10. Prepared By: James Wiley, Parks and Recreation Director
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Agenda Distribution:

ELKO CITY PUBLIC EVENTS IN CITY PARKS APPLICATION

(Only for park property events with vendors or entry fees)
1751 COLLEGE AVENUE

ELKO, NV 89801 PHONE: 775-777-7138 FAX: 775-777-7129

EMAIL: www.buslic@elkocitynv.gov

<u>A Public Event</u> is any event, function, sporting event or other gathering sponsored by an organization to which the general public is invited, and held on park property owned by the City. Any event held on City park property to which the general public is invited to attend, either through the sale of tickets or other means of entry, will be considered a "Public Event" so long as there are no restrictions on the allowed attendees.

<u>Park Property</u> includes all property owned by the City, including but not limited to, all sports complexes, playing fields, (excluding Ruby View Golf Course), HARP, Main City Park, Angel Park, Mountain View Park, Riverview/Southside Park, 5th Street Park, Greenbelt Park, Peace Park, and other facilities and all park equipment owned by the City, which shall have fees established by the City Council for the use of such city owned park property.

Every organizer/sponsor of a public event on City park property that will include vendors or entry fees must complete the attached Special Event Vendor Application at least two weeks prior to the event. This application includes signatures which must be obtained by the applicant. The Parks/Recreation Department's signature should be obtained first to reserve the park property. The applicant is required to submit to the Business License Department an insurance certificate for \$1,000,000 with Elko City listed as additional insured.

If there are no vendors or entry fees the only requirement is to reserve the park property with the Elko Parks/Recreation Department.

It will be the City Clerk's discretion to have a background check completed by the Elko Police Department before an event will be allowed or a vendor will be permitted.

If you are planning to use temporary signage for the event, you must contact the Elko Planning Department at 775-777-7160.

All Park Property hours are from 6:00 a.m. until 12:00 midnight.

IT IS THE RESPONSIBILITY OF THE EVENT ORGANIZER/SPONSOR TO PROVIDE FOR THE SANITATION AND DISPOSAL NEEDS AS IDENTIFIED THROUGH THE APPLICATION PROCESS TO INSURE THE HEALTH AND SAFETY OF THE PARTICIPANTS AND CITIZENS. THE EVENT ORGANIZER/SPONSOR WILL BE RESPONSIBLE FOR ANY AND ALL REPAIRS NEEDED AS A RESULT OF THE EVENT.

THERE WILL BE NO OVERNIGHT CAMPING ALLOWED ON CITY PROPERTY UNLESS PREAPPROVED BY THE ELKO CITY COUNCIL!!!

ELKO CITY PARK USE POLICY

PURPOSE

To define the City's policy as it applies to the use of parks for "Public Events" or personal use.

PROVISIONS

It is the policy of the City of Elko to extend the use of the City parks to its citizens in every reasonable way. It has been recognized that these parks can enhance the quality of life for all residents of the City when utilized appropriately. To secure the highest quality and availability the City must commit enormous resources into the maintenance and upkeep of its parks.

PUBLIC EVENTS

- All plans, set-ups and displays must be submitted and pre-approved through the Park Reservation process.
- To hold a "Public Event," which includes vendors or entry fees, within the park area, all license requirements must be complied with through the Elko City Business License Department.
- One support team and security team will be required per event.
- The Event sponsor will be responsible for any and all repairs needed as a result of the event.

CAMPING

- Tents and sleeping bags will be allowed only upon approval by the City Council, not to exceed two (2) nights, in an approved area set by the Parks Department.
- One RV/Camper which is associated with a "Public Event" will be allowed per event and only in a designated area as set by the Park Superintendent. At no time will septage dumping be allowed within the parks.

VEHICLES

- The only vehicles allowed on lawn surfaces at any time are:
 - 1. Park maintenance and improvements vehicles
 - 2. Emergency vehicles
 - 3. Approved "Public Events" that are vehicle oriented
 - 4. Temporary loading & unloading for "Public Events" to be removed immediately upon completion (less than 10,000 lbs.)

CARNIVALS

• No carnivals will be allowed within the public park area or associated right-of-way.

ALCOHOLIC BEVERAGES

• No alcoholic beverages are allowed within the park except in designated areas.

GLASS CONTAINERS

• It is unlawful for any person to use or physically possess any container for liquids made of glass, or a mixture of glass, to be used for personal consumption. The Police Department may confiscate any in container in violation.



723 Railroad St. 775/777-7260

CITY OF ELKO SPECIAL EVENT VENDOR PERMIT FOR CITY PARKS 1751 COLLEGE AVENUE - ELKO, NEVADA 89801

PHONE: 775-777-7138 FAX: 775-777-7129

EMAIL: buslic@elkocitynv.gov

If you are the organizer/sponsor of an event to be held in an Elko City Park which includes vendors or fees for entry the organizer/sponsor must complete this form. This application includes the signatures the sponsor/organizer will be required to provide before a permit shall be issued. It is important that the sponsor contact the Parks Department first to reserve their park space. The City recognizes that the organizer/sponsor of the event has all control and authority over the decision to allow or refuse participation by any individual vendor.

The sponsor of the event is also responsible for contacting the Nevada Department of Taxation in Reno to ensure compliance with their regulations. At the bottom of the page is Taxation contact information. The City must receive verification that the sponsor has complied with Taxation. This verification may be provided in writing, via fax, email, or phone from the Department of Taxation. A permit will not be issued until the verification has been received by the City.

The Event Vendor Permit is non-transferable. The City reserves the right to require a police investigation if it appears that the applicant has failed to truthfully provide all information required or that the holding of the proposed special event is in violation of any ordinance or law of the city, state or federal government.

Please complete the application, obtain the required signatures and return it and all required fees to the office location shown above.

Pursuant to Elko City Code Section 4-1-16 and Resolution #1-04, the undersigned hereby applies for an Event Vendor

Permit.	
Name of Event:	
Organizer/Sponsor:	
Location of Event:	
Date(s) & Time of Event:	Total number of days:
Fees: Total number of vendors requiring a license	Total number of days: x \$34.50 each (public property) Total fee paid:
foregoing application for license and knows the contents	clares that he/she is the applicant/authorized agent of the applicant in the sthereof; that those items contained in the application are true of his/her own ion and belief and as to such matters he/she believes it to be true. Mailing Address & Phone Number
Property Owner Signature	Date
City Clerk/Deputy Clerk	Elko City Fire Department 775-777-7347 911 Idaho St. Elko, NV Reno Department of Taxation:
Nevada State Health Dept. (for food vendors) 1020 Ruby Vista Dr. Ste 103 775-753-1138	Phone: 775-687-9999 Fax: 775-688-1303 Website: www.tax.state.nv.us Email: renoevents@tax.state.nv.us
Elko Parks & Recreation Department	Type of verification provided from Taxation

EVENT VENDOR LIST

Please list all vendors whether or not a fee is charged for the vendor. Indicate if they have a City License for a business physically located in the City or if they are non-profit.

NAME	ADDRESS	PRODUCT SOLD	CITY LICENSE #
1			
			3
3			
6			
	·		
19			
20			
Attach addition	inal sheets it necessary.		

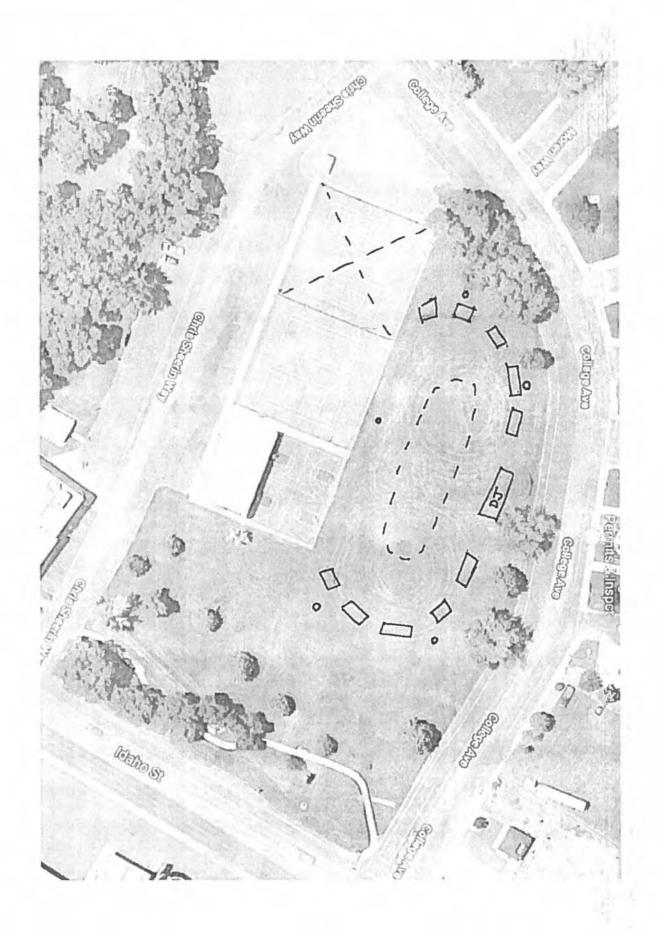
Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible authorization for the Elko Relay for Life Organizers to accommodate the use of sleeping/resting tents for team participants, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 5 Minutes
- 5. Background Information: The Elko Relay for Life Event is an overnight event spanning 18 hours on May 18–19, 2019 taking place in Area #10 of the Main City Park. As various teams and individuals participate in the event, some will take time to periodically sleep and rest. Organizers are requesting permission to allow the use of tents for this purpose. JW
- 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: Elko Relay for Life Map
- 9. Recommended Motion: Authorize the Elko Relay for Life Organizers to accommodate the use tents for the purpose of sleeping and resting throughout the event.
- 10. Prepared By: James Wiley, Parks and Recreation Director
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Agenda Distribution:



Elko City Council Agenda Action Sheet

- 1. Title: Review, discussion, and possible approval of the sale of drug disposal unit for \$500.00 to Utah Department of Parole and Probation with a non-warranty bill of sale, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **NEW BUSINESS**
- 4. Time Required: 10 Minutes
- 5. Background Information: In 2009 the Police Department purchased a Drug Terminator to dispose of seized drugs. It was used at least twice a year for drug destruction. The Drug Terminator has not been used for several years because the amount of drugs we dispose of per year has increased significantly. Utah Parole and Probation has inquired about the possibility of acquiring the Drug Terminator. The Police Department is asking to sell the Drug Terminator to Utah Department of Parole and Probation. BR
- 6. Budget Impact Statement:

Appropriation Required: N/A Budget amount available: N/A

Fund name: N/A

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: Non-Warranty Bill of Sale
- 9. Recommended Motion: Approve sale of the Drug Terminator to Utah Department of Parole and Probation for \$500.00 with a non-warranty bill of sale.
- 10. Prepared By: Shelby Womack, Records Supervisor, Elko Police Department
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution:

NON-WARRANTY BILL OF SALE

KNOW ALL BY THESE PRESENTS:

That the CITY OF ELKO, NEVADA, a municipal corporation and political subdivision of the State of Nevada, as Seller, in consideration of FIVE HUNDRED DOLLARS (\$500.00) lawful money of the United States of America, paid by the UTAH DEPARTMENT OF PAROLE AND PROBATION, a political subdivision of the State of Utah, Buyer, hereby sells, assigns, conveys and delivers to the Buyer, and the successors and assigns of the Buyer, forever, the following personal property:

Drug Terminator
Manufacturer: Elastec Marine
Serial Number SAT07119P072371
(including barrel)

presently located at the Elko Police Station, Elko, Nevada.

Seller warrants, covenants and agrees that Seller is the lawful owner of all of the property hereby transferred; that said property is free and clear of all liens, encumbrances and security interests except accruing taxes; as herein specifically provided:

THE AFOREMENTIONED PERSONAL PROPERTY IS SOLD WITH ALL FAULTS, AS-IS AND WHERE-IS, AND WITHOUT ANY WARRANTY WHATSOEVER. THE PARTIES AGREE THAT THERE IS NO IMPLIED WARRANTY WITH REGARD TO DEFECTS WHICH AN EXAMINATION OUGHT IN THE CIRCUMSTANCES TO HAVE REVEALED TO THE BUYER. SELLER HEREBY DISCLAIMS, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OR MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

This Bill of Sale hereby replaces all prior agreements or understandings between the parties with respect to the transaction herein described and shall operate as a completion novation of any such agreements or understandings. Any disputes arising between the parties with respect to the transaction herein contemplated shall be resolved under the laws of the State of Nevada and in the State Courts of Elko County, State of Nevada, and in the event of any such dispute, the prevailing party shall be entitled to an award of reasonable attorney fees and costs.

IN WITNESS WHEREOF, the Seller has executed this Bill of Sale on the day of April, 2019.				
	SELLER:			
	CITY OF ELKO, NEVADA			
	By:			
Subscribed and sworn to before me this day of me or satisfactorily proven to be the person whose name is su	, 2019, by Reece Keener, who is known to bscribed to the within instrument.			

NOTARY PUBLIC - STATE OF NEVADA

ACCEPTANCE BY BUYER:

Buyer hereby accepts the terms and conditions above-stated.

UTAH DEPARTMENT OF PAROLE AND PROBATION

	Ву:	
	lts:	
	Date:	, 2019
Subscribed and sworn to before me this day of, who is known to me scribed to the within instrument.	, 2019, by	y e the person whose name is
	NOTARY PUBLIC - S'	TATE OF





Elko City Council Agenda Action Sheet

- 1. Title: Review, consideration, and possible action to rename the segment of 15th Street, south of Silver Street to the cul-de-sac, to Walters Court, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **PETITION, APPEALS, AND COMMUNICATIONS**
- 4. Time Required: 5 Minutes
- 5. Background Information: This request is from the City of Elko Police Department Honor Guard. The name "Walters" is referencing the Elko Police Department's only line of duty death to this date, Officer Clyde "Rusty" Walters. If the Council elects to move forward with the name change, the matter will be set for a public hearing on a future agenda. BT
- 6. Budget Impact Statement:

Appropriation Required: NA Budget amount available: NA

Fund name: NA

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: A request letter from the Elko Police Department and a display map are included in the agenda packet.
- 9. Recommended Motion: Accept the petition to change the name of 15th Street to Walters Court, and direct Staff to set the matter for a public hearing.
- 10. Prepared By: Bob Thibault, Civil Engineer
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution:





ELKO POLICE DEPARTMENT

1448 Silver Street Elko, Nevada 89801 775.777.7310 775.738.1415 Fax www.elkocity.com

To Whom It May Concern,

I am requesting on behalf of the Elko Police Department Honor Guard that the City of Elko consider changing the name of 15th Street. The Elko Police Department would like to have the street changed to Walters Court.

The name "Walters" is referencing the Elko Police Department's one and only line of duty death to this date, Officer Clyde "Rusty" Walters. The Walters family and the Elko Police Department would like to honor Rusty by having 15th Street renamed to Walters Court.

There is currently no businesses on 15th St. A map showing the street that we would like to have renamed has been attached to this letter for your review.

Sincerely,

Elko Police Department Honor Guard



ELKO POLICE DEPARTMENT

1448 Silver Street Elko, Nevada 89801 775.777.7310 775.738.1415 Fax www.elkocity.com



Elko City Council Agenda Action Sheet

- 1. Title: Review and consideration of a request by Mr. Scott MacRitchie of Jordanelle 3rd Mortgage, LLC to address Council regarding Business License Code, and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **PETITIONS, APPEALS, AND COMMUNICATIONS**
- 4. Time Required: 15 Minutes
- 5. Background Information: On March 1, 2019, Mr. Wilkinson and I corresponded with Dave Stanton, City Attorney regarding business licenses for Development Companies and/or Subdividers. Mr. Stanton stated: The Code says: "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." Each limited-liability company is a "person" and if it is conducting business in the City, it needs a business license. It doesn't matter whether the LLC's are somehow interconnected or have common ownership -- a separate license is still required.

On March 7, 2019, the City Clerk's Office sent certified letters to four Developers/Subdividers regarding the need to obtain a business license per City Code 4-1. On April 1, 2019, Mr. MacRitchie sent an email to City Manager Curtis Calder stating "I have no objection to the fee, but the code is something we cannot meet. I cannot and will not discuss those issues until before Council." The City of Elko Code on Business Licensing is attached. KW

6. Budget Impact Statement:

Appropriation Required: N/A Budget amount available: N/A

Fund name: N/A

- 7. Business Impact Statement: Not Required
- 8. Supplemental Agenda Information: City of Elko Code 4-1 Business Regulations
- 9. Recommended Motion: Pleasure of Council
- 10. Prepared By: Kelly Wooldridge, City Clerk
- 11. Committee/Other Agency Review:
- 12. Council Action:
- 13. Council Agenda Distribution: Mr. Scott MacRitchie

Jordanelle 3rd Mortgage, LLC

scott@macritchie.com

	4-1	-1:	SH	ORT	TITL	E:
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4-1-2: DEFINITIONS:

4-1-3: LICENSE REQUIRED:

4-1-4: LICENSE APPLICATION:

4-1-5: APPROVAL, DENIAL OF APPLICATION; ISSUANCE OF LICENSE BY CITY CLERK:

4-1-6: TRANSFER OF LICENSE:

4-1-7: EXEMPTIONS FROM LICENSES AND LICENSE FEES:

4-1-8: ESTABLISHMENT OF LICENSE FEES:

4-1-9: PAYMENT OF LICENSE FEES:

4-1-10: RENEWAL OF LICENSE:

4-1-11: RECORD OF LICENSE:

4-1-12: DUTIES OF LICENSEE AND INSPECTION AUTHORITY OF CITY

PERSONNEL:

4-1-13: GROUNDS FOR SUSPENSION, CANCELLATION OR REVOCATION OF LICENSE:

4-1-14: PROCEDURE FOR SUSPENSION, CANCELLATION OR REVOCATION OF LICENSE:

4-1-14-1: PENALTY:

4-1-15: SOLICITORS, TEMPORARY MERCHANTS AND PEDDLERS LICENSE:

4-1-16: SPECIAL EVENT VENDOR BUSINESS LICENSE:

4-1-17: AUCTION:

4-1-18: BANKS, SAVINGS AND LOAN ASSOCIATIONS AND OTHER BANKING:

4-1-19: TRAVELING SHOW:

4-1-20: HOME OCCUPATIONS:

4-1-1: SHORT TITLE: TITLE:

This chapter shall be known and may be cited as the *ELKO BUSINESS LICENSE CODE*. (Ord. 507, 5-26-1998)

4-1-2: DEFINITIONS: 4

For the purpose of this chapter, unless the context otherwise requires, the following words shall have the meanings set forth in this chapter:

AUCTION SALE: A sale of property by public outcry to the highest bidder.

AUCTIONEERS: Any person who shall by public outcry, sell or offer to sell to the highest bidder at public offering, any goods, merchandise, livestock, real estate or interest in real estate, security or any personal property at any place within the City where any and all persons who choose to do so are permitted to attend and offer bids; or any person who shall advertise or in any other manner hold himself out as an auctioneer for public patronage.

BUSINESS: Any commercial enterprise, trade, occupation, calling, profession, vocation or activity conducted by any person, or the person's agent or employee, for the purpose of gain, benefit or advantage, either direct or indirect.

CITY: City of Elko.

CITY COUNCIL: Elko City Council.

COMMERCIAL RENTAL PROPERTY: Any rented or leased nonresidential unit or units of commercial or industrial property.

COMMERCIAL TRAVELER: Any person traveling either by foot, motor vehicle, or any other type of conveyance, from business to business, taking or attempting to take orders for the sale of goods for future delivery to said business for their use or resale by them in the normal course of their business.

COMMUNICATION/UTILITY COMPANY: Any business that provides gas, geothermal and/or electric power, telecommunication services, broadband access and/or services, cable television communication services or telephone/telegraph communication services.

EMPLOYEE: A person in the service of another under any appointment or contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.

ESTABLISHMENT: Any business conducted in or upon any premises, including any buildings, improvements, equipment and facilities used or maintained in connection with such business.

FARMER'S MARKET: A special event that primarily features booths, tables or stands where vendors sell unprocessed fruits, vegetables, meats, dairy products and non-alcoholic beverages.

FARMER'S MARKET VENDOR: A business that operates a physical retail market featuring foods sold directly to consumers at a farmer's market.

FIXED PLACE OF BUSINESS: The premises within the City limits where a business is conducted from day to day and regularly kept open for the purpose of conducting business. The term "regular place of business", as used in this chapter, has the same meaning as "fixed place of business".

GOODS: Personal property that can be sold, including merchandise and wares.

GROSS REVENUES: The total amount of revenues received in the business of offering any service.

GROSS SALES RECEIPTS: A. The total amount received from the sale of goods within the Municipal boundaries of the City, regardless of the destination of the goods; and

B. The total amount charged or received for the performance of any act, service or employment of any nature, whether or not such service, act or employment is performed as part of or in connection with the sale of goods.

HOME OCCUPATION: A business customarily carried on in a business establishment that is permitted to be carried out in a residence as long as the use as a business is incidental to the primary residential purpose and the residential character of the property is not changed.

HOME SALES PARTY: A party or social gathering held at a residence for the purpose of selling

merchandise to the attendees.

INDEPENDENT CONTRACTOR: A person who provides service to another for remuneration, is conclusively presumed to be an "independent contractor" for State wage and hour purposes pursuant to Nevada Revised Statutes 608.0155 and is not an "employee" as that term is defined in this section.

LICENSE FEE: Any monies required by law to be paid to obtain or renew a business license.

PERSON: Except where otherwise indicated, a natural person, any form of business or social organization and any other nongovernmental legal entity including, but not limited to, a sole proprietorship, limited liability company, corporation, partnership, association, trust or unincorporated organization, or a government, governmental agency or political subdivision of a government.

RESIDENTIAL RENTAL PROPERTY: Any rented or leased residential unit or units, excluding commercial or industrial property. Residential rental houses, duplexes, triplexes, apartment houses, hotels, boarding and rooming houses are all included within this definition.

RETAIL BUSINESS: Every business conducted for the purpose of selling or offering for sale any goods, other than as a part of a "wholesale business", as defined in this section.

SOLICITOR OR PEDDLER: Any person traveling either by foot, motor vehicle, or any other type of conveyance, from place to place, or from house to house, or from street to street, taking or attempting to take orders for the sale of goods of any nature whatsoever for future delivery, or for services to be furnished or performed in the future; or carrying, conveying or transporting goods, offering and exposing the same for sale.

SPECIAL EVENT: An organized event, whether indoor or outdoor: a) that is held on public property or streets, non-profit organization property, or non-residential private property; b) that can reasonably be expected to cause a public gathering; c) where two (2) or more vendors are present or where the public is charged admission for entry; and d) that is not part of the normal course of business at the location.

TEMPORARY MERCHANT: Any person who engages in a temporary business of selling and delivering goods or providing services; and who may, in furtherance of such purposes, hire, lease, use or occupy any building, structure, tent, room in a hotel, shop or other place for the exhibition and sale of such goods or the provision of such services, either privately or at public auction.

TRAVELING SHOW: Any circus, carnival, concert, exhibition or any show intending to exhibit in the open air or under a tent, in a public or private hall, club room, assembly hall or theater where moveable scenery, theatrical equipment or props are used in a performance or exhibition.

UNIT: A unit of commercial or residential rental property is any separate rental space (whether within a building or ground space) of commercial, industrial or residential property.

VENDOR: Any person offering goods and/or services for sale to the public.

WHOLESALE BUSINESS: Every business conducted solely for the purpose of selling goods in wholesale lots to retail merchants for resale. (Ord. 831, 6-26-2018)

4-1-3: LICENSE REQUIRED: 4

- A. Required: 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.
- B. Fixed Place Of Business Required; Exception: A business license shall be issued only if the applicant has a fixed place of business from which the business will be conducted, unless specifically stated otherwise in this title. Once the license is issued, the licensee shall not engage in business from any other premises other than the one for which the license was issued, excluding "service oriented" professionals.
- C. Responsibility For Compliance: The agents or other representatives of any absentee person who is doing business in the City shall be personally responsible for the compliance of their principals and of the business they represent within this chapter, without relieving their principal of such responsibility.
- D. Business License Types:
- 1. Regular Business License: All businesses not defined below shall require a regular business license.
- Apartment Business License: Every person in the business of conducting an apartment house shall obtain a business license.
- Hotel, Motel, Boarding And Rooming House Business License: Every person in the business of conducting the business of renting rooms shall obtain an annual business license.
- 4. Mobile Home Park, Trailer Park Business License: Every person in the business of conducting the business of renting spaces for mobile homes and/or trailers shall obtain an annual business license.
- 5. Childcare License: Every person in the business of providing childcare services, including, but not limited to, those operating a childcare facility, childcare center or childcare group home as defined by Nevada Revised Statutes, shall obtain an annual business license.
- 6. Residential Facility For Groups License: Every person in the business of providing a residential facility that furnishes food, shelter, assistance and limited supervision to any aged, infirm, mentally retarded or handicapped person as defined in Nevada Revised Statutes section 449.017 shall obtain an annual business license.
- Communication/Utility Company Business License: Every person in the business of selling gas and/or electric power, cable television services or telephone communication services shall obtain an annual business license. (Ord. 517, 9-8-1998)
- 8. Residential Rentals Property: Every person, firm, corporation, or association in the business of renting or leasing of three (3) or more residential rental units shall obtain an annual business license.

9. Commercial Rentals Property: Every person, firm, company, corporation or association in the business of renting or leasing of two (2) or more commercial rental units shall obtain an annual business license. (Ord. 531, 8-24-1999)

4-1-4: LICENSE APPLICATION: C

Every person required to procure a business license under the provisions of this chapter shall submit an application to the City Clerk or his/her designee.

A. Information Required: The application shall require, at least, the following information:

- 1. The name of the person to whom the license is to be issued.
- 2. The location for which the license is sought.
- 3. The type or kind of business to be conducted under this license.
- 4. The dates when the license is proposed to become effective.
- 5. The signature of the owner of the property, if other than the applicant.
- 6. Supplemental child support information as required by the State.
- 7. Proof of licensing and/or certification of the state permitting the business, where applicable.
- 8. Proof of an approved inspection by the State Health Department, where applicable.
- 9. Proof of approval to conduct business by the State Department of Taxation.
- 10. Verification by the following City departments that the fixed place of business has met all applicable Building and Fire Codes and has met all applicable zoning requirements:
- a. Building Department;
- b. Fire Marshal:
- c. Planning Department.
 - B. State License Required: No license to conduct any business or occupation in the City which is regulated and/or licensed under any provision of the Nevada Revised Statutes shall be issued unless and until the appropriate State licenses have been obtained.
 - C. Confidentiality: All business license applications filed pursuant to the provisions of this section shall be confidential and shall not be subject to public inspection. It shall be the duty of the City Clerk to preserve and keep the applications so that the contents thereof may not become known except to the person charged with the administration of this chapter. (Ord. 507, 5-26-1998)

4-1-5: APPROVAL, DENIAL OF APPLICATION; ISSUANCE OF LICENSE BY CITY CLERK:

The City Clerk shall have the right and power to approve or deny all applications for a business license.

- A. Conditions For Denial: An application for a business license shall be denied if the City Clerk determines that any one or more of the following exists:
- 1. The application contains false, fraudulent or misleading material statement or information; or
- 2. The business for which the license is applied for is unlawful under any ordinance, code, rule or law of the City, State or Federal government; or
- 3. The business for which the license is applied for involves any act, the commission of which is made unlawful or is prohibited by any ordinance, rule, code or law of the City, State or Federal government; or
- 4. The applicant is indebted to the City for any unpaid license fee.
 - B. Notification Of Denial: Upon any denial of an application for a business license, the City Clerk or his/her designee shall notify the applicant in writing and state the reason(s) for the denial. Such notification shall be delivered to the applicant personally or by mail at the address indicated on the application.
 - C. Approval; Fee, Issuance: Upon approval of an application for a business license, the City Clerk or his/her designee shall collect the appropriate business license fee and issue the business license.
 - D. Appeal: Every applicant denied a business license by the City Clerk shall have the right to appeal the decision to the City Council. (Ord. 517, 9-8-1998)

4-1-6: TRANSFER OF LICENSE: TE

- A. Validity: No license shall be valid except for the location and owner for which the original application therefor was made and the license issued.
- B. New Business Location: In such cases that a business changes location, however does not change the ownership or character of the business, the licensee may apply to transfer the existing business license to the new location. Verification by the following City departments that the new place of business has met all applicable Building and Fire Codes and has met all applicable zoning requirements is required prior to approval:
- 1. Building Department;
- 2. Fire Marshal:

- 3. Planning Department.
 - C. New Business Owner: In such cases that a business is sold to or assumed by a new owner, the new owner must make application for a business license. (Ord. 517, 9-8-1998)

4-1-7: EXEMPTIONS FROM LICENSES AND LICENSE FEES: ©

- A. Charitable Organization: No business license fee shall be required of any institution, corporation, organization or association organized for charitable civic purposes.
- B. Nonprofit Organization: No business license fee shall be required of any nonprofit organization so registered with the Secretary of State of the State of Nevada.
- C. Commercial Traveler: No business license shall be required of any "commercial traveler", as defined in section 4-1-2 of this chapter.
- D. Home Sales Parties: No business license shall be required of any person hosting a "home sales party", as defined in section 4-1-2 of this chapter.
- E. Residential And Commercial Rentals: No business license is required for a person who owns a residential or commercial rental if the rental is managed by a person who holds a City business license as a State licensed property manager.
- F. Farmer's Market Vendors: No business license fee shall be required for a farmer's market vendor at a farmer's market. (Ord. 831, 6-26-2018)

4-1-8: ESTABLISHMENT OF LICENSE FEES: 4

A. Regular Business License Fees; Examples:

- 1. Rates Established: Unless exempted by the provisions of section 4-1-7 of this chapter, the rates or amounts of business license fees for all businesses and professions shall be established by resolution of the City Council. The rates shall be established based on the yearly gross sales receipts or revenues of the business or profession, unless the rate is established by some other method as set forth in this chapter. In the case of businesses making sales and rendering services, the gross revenue from both sales and services shall be considered the equivalent of gross sales.
- 2. Examples: The following are examples of businesses and professions whose business license fees shall be established based on yearly gross sales or revenues; however, the list is for elaboration purposes only and is not intended to be an all inclusive list. The list of examples is as follows:

Accountant Amusement machines Amusement park Animal kennels

Appraisers

Architects

Arts

Attorneys

Automobile, bicycles sales and repairs/rentals

Bail bond broker

Barbershops

Beauty parlors

Bond securities

Bookstores

Bricks and adobe sale and manufacturing

Building and loan associations

Building maintenance

Building supplies

Buses

Business machines and supplies

Cabinet or carpentry shops

Car wash

Childcare

Chiropodist

Chiropractor

Clothing stores

Coin operated amusement machines

Collection, finance and insurance agencies

Computer sales and services

Concrete and cement products

Consultants

Contractors

Convalescent homes

Cosmetologist

Crafts/hobby shops

Dairies and ice cream parlors

Dance teachers

Dealer in gasoline, motor fuel and/or oil

Delivering

Dental laboratories

Dentist

Department stores

Detective service

Diesel/motor vehicle fuel sales

Doctor

Drive-up

Eating establishments

Engineer

Engineers, civil

Engineers, mining

Entrepreneur

Equipment leasing

Equipment rentals

Express companies

Exterminator

Fabric shops

Finance companies

Florist

Fuel oil sales

Funeral homes and cemeteries

Furniture stores

Garage (auto repair and supplies)

General repair shop

Gift and novelty shop

Grocery store/food products

Grooming shops (animal)

Hardware stores

Health studios

Hospital supplies and clinics

Hospitals

Hotel dining rooms

Hypnotist

Ironworks

Janitorial service

Jewelry stores

Jukeboxes

Junk dealers

Laundries and laundromats

Leather goods and services

Linen rental services

Loan agent

Machine shops

Massage parlors

Medical facilities

Medical labs

Microfilming

Mobile food vendors

Mortician

Motion picture production

Music machines

Music teachers

New/used shops

Newspapers/publishers

Nonresident

Paint store

Pawnshops

Pest control

Pet shops

Petroleum products

Photographers and studios

Physicians

Public transportation

Recycling companies

Residential facility for groups

Restaurants

Sales

Sales of musical instruments

Sales, repairs and rental

Service machines

Service stations (auto) Shoe stores and repair shops Skating rink Slot machines sales and repairs Soft drink sales and bottling plants Spas Sporting goods store Stage lines Stockbroker Subcontractors Surgeons Tailoring and dressmaking **Taxies** Teachers Television sales and services Upholstery shops Vending machines Veterinarians Wedding chapels Welding shops

Yard maintenance

- B. New Business; No Gross Established: If, at the time of filing an application for a business license, no sales or services have been made or performed by the applicants, the applicant shall pay the minimum fee established by resolution of the city council.
- C. Apartment Business License Fees: The business license fee shall be established by resolution of the city council and shall be based upon the number of apartment units, whether or not the person conducting such business is a resident of the city.
- D. Hotel, Motel, Boarding And Rooming House Business License Fees: The business license fee shall be established by resolution of the city council and shall be based upon the number of rooms.
- E. Mobile Home Park, Trailer Park Business License Fees: The business license fee shall be established by resolution of the city council and shall be based upon the number of spaces.
- F. Utility Business License Fees: The business license fee shall be established by resolution of the city council and shall be based on gross sales, but shall include a maximum fee. (Ord. 517, 9-8-1998)
- G. Residential Rental Property License Fee: The business license fee for residential rental property shall be established by resolution of the city council and shall be based upon the number of residential rental units.

H. Commercial Rental Property License Fee: The business license fee for commercial rental property shall be established by resolution of the city council and shall be based upon the yearly gross receipts or revenues of the commercial rental property units. (Ord. 531, 8-24-1999)

4-1-9: PAYMENT OF LICENSE FEES: 🕶 🖃

- A. When Payable: All regular business license fees shall be paid in full in advance upon the original issuance of the business license and annually thereafter at the office of the city clerk in legal currency of the United States.
- B. Daily License: Daily licenses provided in this chapter shall be due and payable in advance. The daily license shall cover a period of twelve o'clock (12:00) midnight to twelve o'clock (12:00) midnight of the next day.
- C. Penalty:
- 1. If any license provided for by this chapter is unpaid for more than thirty (30) days after the due date, a penalty of twenty five percent (25%) of the annual fee shall be added and collected by the city clerk or his/her designee.
- 2. If any license provided for by this chapter is unpaid for more than sixty (60) days after the due date, a penalty of fifty percent (50%) of the annual fee shall be added and collected by the city clerk or his/her designee.
 - D. City Attorney To Bring Suit For Delinquent License: The city council may at any time direct the city attorney to bring a civil action in the name of the city for the recovery of the applicable business license fee against any person who engages in, conducts or carries on any business, game, profession or exhibition for which a license is required by the provisions of this chapter without procuring such license and paying the prescribed license tax.
 - E. Refunds: All licenses shall be issued for the period of time set forth in this chapter and no licensee shall be entitled to a refund of any portion of the fee paid by reason of the termination of the licensed activity prior to the expiration of the time for which the license was issued. (Ord. 540, 10-5-2000)

4-1-10: RENEWAL OF LICENSE: 4-1-10: RENEWAL OF LICENSE:

A. Application For Renewal: One month before the expiration date of any business license, the city clerk or his/her designee shall send a business license renewal application to all businesses licensed in the city. The application and appropriate business license fee must be returned to the city clerk's office prior to the expiration date of the business license. Failure to notify any licensed business shall not be held to waive the requirement to file a renewal application or pay the license fee, and the actual receipt of such notice is in no way required.

- B. Second Notice: One month after the expiration date of any license, the city clerk or his/her designee shall send a second notice and include an assessment of the twenty five percent (25%) penalty on the reported gross revenues.
- C. Third, Final Notice: Two (2) months after the expiration date of any license, the city clerk or his/her designee shall send a third and final notice and include an assessment of the fifty percent (50%) penalty.
- D. Expiration Beyond Sixty Days: All expired licenses in excess of sixty (60) days' delinquency shall be served with a notice of such penalty and intent of city to publish in the local newspaper as operating without a business license in accordance with the provisions set forth in this chapter.
- E. Service Of Notice: A notice of delinquency shall be served upon a licensee by delivery to the person at the business premises licensed, if the person is present. If the person is not present, service may be made by delivery to the person in actual charge of the premises at the time of service. If the business is closed, service may be made by mailing by certified mail with return receipt requested, the same to the person at the mailing address for the business as the same is shown on the current business license and by posting upon the front door. Delivery is effective upon a date of delivery or posting and mailing, as the case may be.

F. Report Of Gross Revenues Of The Business Required:

- Where the license fee for a renewed business license is calculated upon the gross revenues of the business, the applicant must state, under oath, the amount of business in terms of gross revenues which he did in the preceding year.
- In the case of business making sales and rendering services, the gross revenue from both sales and services shall be considered the equivalent of gross sales.
- The city clerk or his/her designee may examine or cause to be examined, the books and accounts of any business required to file a renewal application for the purpose of verifying the amount of gross receipts reported for such business.
- 4. Any person who wilfully files a false statement of gross sales/receipts shall be guilty of a misdemeanor and punishable as hereinafter in this code provided.
 - G. Issuance Of Business License By City Clerk: Upon approval of the application for renewal of a business license, and upon collection of the appropriate business license fee, the city clerk or his/her designee shall issue the business license to the applicant. (Ord. 540, 10-5-2000)

4-1-11: RECORD OF LICENSE: 4

The city clerk shall keep in his/her office, a record of all licenses issued with the name or names of all parties to whom the license was issued, the business name, the type, trade or profession license, the date for which said license was issued, the date of its expiration, and the amount of license fee received. (Ord. 540, 10-5-2000)

4-1-12: DUTIES OF LICENSEE AND INSPECTION AUTHORITY OF CITY PERSONNEL:

A. Duties Of Licensee: Every licensee under this chapter shall:

- Ascertain and at all times comply with all federal, state, county and/or municipal laws, ordinances and regulations applicable to such licensed business.
- 2. Prominently display the business license in licensee's place of business.
- Permit all reasonable inspections of his business and examination of his books by public authorities so authorized by law.
- 4. Avoid all unlawful, improper or unnecessary acts, practices or conditions in the conduct of his business which do or may affect the public health, morals or welfare or constitute a public nuisance.
- 5. Refrain from operating the licensed business in the city after expiration of the license or in such cases where the license is revoked, canceled or suspended.
 - B. Enforcement Duties: The city clerk, chief of police, city attorney, and the regularly appointed police officers of the city shall enforce compliance with this chapter.
- 1. Chief Of Police Additional Duties: In addition to any other duties set out herein, the chief of police and his authorized representative may enter any place of business, trucks, vehicles or other conveyances used for any business purpose to ascertain whether or not the proper license has been issued and paid for allowing the person to engage in business in the city.
- 2. City Clerk Additional Duties: In addition to any other duties prescribed in this chapter, the city clerk or his/her designee shall:
- a. Make diligent inquiry and examination as to all person required to obtain a business license and pay a fee therefor; and
- b. Maintain a city license register, in which shall be entered the names of all persons to whom licenses are issued, the business, trade or profession licensed, the time for which the license is valid, the date of its issue, the date of its expiration, and the fee therefor; and
- c. Request city council permission for an audit of any person or business in the city, said audit to be performed by a qualified certified public accountant to be appointed by the city; and
- d. Make a written report of all persons who have failed to obtain a license and pay the fee prescribed therefor, as provided in this chapter, and issue a delinquency notice for a penalty; and
- e. Report to the city attorney the name of the delinquent person or persons if the fee and penalty are not paid within thirty (30) days from the date of the notice.
- 3. City Attorney Additional Duties: In addition to any other duties prescribed in this chapter, the city attorney may institute an action against all persons operating without a valid business license under title 1, chapter 3 of this code.

- C. Inspection Authority Of City Personnel: The city clerk, building official, fire marshal, city planner and the chief of police, and their respective designees, are authorized to make all investigations reasonably necessary for the enforcement of this chapter and shall have the authority to inspect licensees, their business records or premises to determine and enforce compliance with this chapter. All persons authorized herein to inspect licensees and businesses shall have the authority to enter, with or without a search warrant, at all reasonable times, the following premises:
- 1. Those for which a license is required.
- 2. Those for which a license was issued and which, at the time of inspections, are operating under said license.
- 3. Those for which the license has been revoked, canceled or suspended. (Ord. 540, 10-5-2000)

4-1-13: GROUNDS FOR SUSPENSION, CANCELLATION OR REVOCATION OF LICENSE:

- A. Authority: Any business license issued pursuant to the provisions of this chapter may be suspended, canceled or revoked for good cause by the city council.
- B. Included Cause: Good cause for such suspension, cancellation or revocation shall include, but is not limited to:
- 1. The existence of unsanitary conditions, noise, disturbances or other conditions at, near or in the premises which causes or tends to create a public nuisance or which may injuriously affect the public health, safety or welfare.
- 2. The commission of, or permitting or causing the commission of, any act in the operation of the business which is prohibited by any ordinances, rule or law of the city, state or federal government.
- 3. Fraudulent practices and misrepresentation in the operation of the business.
- 4. Concealment or misrepresentation in procuring the business license.
- 5. The business for which the license has been issued is unlawful or is prohibited by any ordinance, code, rule or law of the city, state or federal government.
- 6. The license was issued by mistake or is in violation of any of the provisions of this chapter.
- 7. The premises used to conduct said business has been condemned, declared a fire hazard or declared unsafe for business occupancy pursuant to applicable building and fire codes.
- 8. The use of the premises for the business license violates the zoning ordinances or regulations of the city. (Ord. 507, 5-26-1998)

4-1-14: PROCEDURE FOR SUSPENSION, CANCELLATION OR REVOCATION OF LICENSE:

Any business license issued pursuant to the provisions of this chapter may be suspended, canceled or revoked in the manner provided in this section.

- A. Authority: The city clerk may reject any application or cancel or, after notice to the licensee, may revoke any license of a person who operates or maintains a place of business in violation of any ordinance of the city or violation of any state or federal law, or who does not first secure any required federal state or city license.
- B. Notice: Notice of the proposed suspension, revocation or cancellation shall be made to the licensee not less than five (5) days prior to the effective date of the suspension, revocation or cancellation. Such notice shall be served as provided in subsection <u>4-1-10</u>E of this chapter, and shall include the reason for the action and shall provide for a hearing before the city manager, at which time, the proposed action to suspend, revoke or cancel shall be approved or denied.
- C. Appeal Hearing: The licensee may submit a letter of appeal of the city manager's action to suspend, revoke or cancel a business license to the city council within ten (10) days of the action at which time the city council shall proceed as follows:
- 1. The city council may, on its own motion or initiative, or upon complaint of any person, institute proceedings to suspend, cancel or revoke a business license.
- 2. Notice of intent to suspend, cancel or revoke said license shall be mailed to the person holding the business license at the last address as shown on the application or on any supplemental application.
- Such notice shall set forth the alleged reasons for the proposed suspension, cancellation or revocation.
- 4. The licensee shall, within ten (10) days of the date of mailing of the notice of intent, or within ten (10) days of a decision by the city manager to suspend, revoke or cancel a license, file with the city clerk a written answer to the notice or a written notice of appeal.
- 5. After receipt of the written answer from the licensee, or written notice of appeal, the city council shall fix a day and time for a hearing at which the licensee shall be given an opportunity to be heard. (Ord. 540, 10-5-2000)

4-1-14-1: PENALTY:

- A. A criminal action shall be governed by title 1, chapter 3 of this code.
- B. Each day a business is operated without a license shall constitute a separate offense for which criminal liability may be imposed. Notwithstanding any grace periods or notice requirements of this chapter, the city may prosecute an action for violation of this chapter at any time if a business owner is operating without properly paid for and issued business license. (Ord. 540, 10-5-2000)

4-1-18: BANKS, SAVINGS AND LOAN ASSOCIATIONS AND OTHER BANKING:

- A. License Required: Every person or firm engaged in the banking business or savings and loan association business must obtain a business license from the City Clerk.
- B. Application: The application must be made on a form provided by the City Clerk.
- C. Business License Fee:
- 1. Every bank, savings and loan institution and each branch thereof shall pay a license fee as established by a resolution of the City Council.
- 2. At the beginning of each annual licensing period, each bank, savings and loan institution, and each branch thereof, will submit with their application a tabulation setting forth total deposits in the particular bank, association or branch on the last day of each of the previous four (4) calendar year quarters. The license fee will be based on the average of these quarterly totals. (Ord. 507, 5-26-1998)

4-1-20: HOME OCCUPATIONS: 4

- A. Home Occupation Defined: A home occupation is a business customarily carried on in a business establishment, that is permitted to be carried out in a residence as long as the use as a business is incidental to the primary residential purpose and the residential character of the property is not changed. Every person permitted to carry on a home occupation shall obtain an annual business license.
- B. License Required: Every person having a "home occupation", as defined in section 4-1-2 of this chapter, shall obtain a business license from the City Clerk.
- C. Approval Required: The City Clerk shall require approval by the Planning Department prior to issuance of a home occupation business license.
- D. License Fees: The business license fee shall be established by resolution of the City Council. The rates shall be established based on the yearly gross sales receipts or revenues of the business or profession unless the rate is established by some other method as set forth in this chapter. In the case of business making sales and rendering services, the gross revenue from both sales and services shall be considered the equivalent of gross sales.
- E. Limitation On Service Locations: No home occupation may conduct business upon any street, public right-of-way within the City or public property owned by the City without prior permission from the City. (Ord. 818, 4-25-2017)

Elko City Council Agenda Action Sheet

- 1. Title: Reconsideration and possible action to adopt Resolution No. 33-18, a resolution and order vacating approximately 751.83 feet of the westerly portion of P & H Drive Right-of-Way, filed and processed as Vacation No. 3-18 filed by Joy Global Surface Mining Inc., and matters related thereto. FOR POSSIBLE ACTION
- 2. Meeting Date: April 23, 2019
- 3. Agenda Category: **PUBLIC HEARING**
- 4. Time Required: 10 Minutes
- 5. Background Information: Council accepted a petition for the subject vacation by Joy Global Surface Mining Inc., the then-current abutting property owner of APN 001-679-014, at its regular meeting of November 27, 2018 and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting December 4, 2018 and took action to forward a recommendation to Council to adopt a resolution which conditionally approved Vacation No. 3-18 with findings in support of its recommendation. Council adopted Resolution No. 33-18 at its regular meeting January 8, 2019, directing the vacation of the property to Komatsu Equipment Co. However, prior to Council's adoption of the resolution, the abutting properties were transferred by deed to Joy Global Surface Mining Inc. Nevertheless, the approved resolution stated that the property was vacated to Komatsu Equipment Co. which, by virtue of the prior conveyance, was no longer the abutting property owner. Joy Global Surface Mining Inc. has provided a request for reconsideration of the resolution solely for the purpose of changing the name to reflect the current abutting property owner. 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: Letter from Joy Global Surface Mining Inc., Resolution, P.C. action report, Staff report, application and related materials
- 9. Recommended Motion: Adopt Resolution No. 33-18, which contains conditions as recommended by the Planning Commission with the corrected name of Joy Global Surface Mining Inc.
- 10. Prepared By: Cathy Laughlin, City Planner
- 11. Committee/Other Agency Review: Planning Commission and required local utility companies

Agenda Item VI.A.

- 12. Council Action:
- 13. Agenda Distribution: Michael McClanahan

Joy Global Surfacing Mining Inc. 4400 West National Avenue

Milwaukee, WI 53214

michael.mcclanahan@mining.komatsu

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RECEIVED

MAR 2 7 2019

Komatsu Mining Corp. Group Joy Global Surface Mining Inc 4400 West National Avenue Milwaukee, Wisconsin, United States Phone: +1 414 670 8915

Michael L McClanahan Vice President - Finance

March 6, 2019

City of Elko
Attention Cathy Laughlin, City Planner
1751 College Avenue
Elko, NV 89801
(775)777-7160 ph
(775)777-7219 fax
claughlin@elkocitynv.gov

VIA FEDEX AND ELECTRONIC MAIL

Dear Ms. Laughlin,

I am Vice President, Finance, for Joy Global Surface Mining Inc, part of Komatsu Mining Corp. Group. Komatsu requests reconsideration of the most recent Order vacating P & H Drive solely to correct the name of the abutting property owner from I.E. Komatsu Equipment Co. to Joy Global Surface Mining Inc.

We appreciate your consideration of the above request. Please contact me or our counsel, Sara Francis (sfrancis@komatsuna.com) if you require further information to carry out the name change.

Yours Truly,

Michael McClannahan

CITY OF ELKO RESOLUTION NO. 33-18

A RESOLUTION AND ORDER VACATING A PORTION OF THE P&H DRIVE RIGHT-OF-WAY CONSISTING OF APPROXIMATELY 1.38 ACRES AND ABUTTING APNs 001-679-014, 001-679-015, AND 001-679-016, LOCATED WITHIN THE CITY OF ELKO, NEVADA, TO THE ABUTTING PROPERTY OWNER, JOY GLOBAL SURFACE MINING INC.

Upon introduction and n	notion by Councilman	and seconded
by Councilman	, the following Resolut	ion and Order was passed
and adopted:		

WHEREAS, the Elko City Council, at a regular meeting held on November 27, 2018, unanimously voted to accept the submitted petition for vacation and further directed City Staff to continue with the vacation process by referring the matter to the Planning Commission for a report of findings and recommendation to be prepared and submitted to the City Council; and,

WHEREAS, the Elko City Planning Commission, at its regular meeting of December 4, 2018, voted to forward a recommendation of approval for the subject vacation; and,

WHEREAS, the Elko City Council finds that a Notice of Intent to vacate a portion of the P&H Drive right-of-way was published and mailed by priority mail with confirmation of delivery to all affected property owners, as required by law, as more fully appears from the Affidavit of Publication and Mailing Confirmation(s) on file in the Clerk's Office of the City of Elko; and,

WHEREAS, at the time and place set in the Notice, to-wit: the hour of 5:30 p.m. on January 8, 2019 in the City Hall Council Chambers, Elko, Nevada, a hearing before the Elko City Council was duly held and no persons having appeared to object to the proposed vacation and the City Council having deemed it for the best interests of the City and the public that the area be vacated and that no person or persons would be materially injured thereby; and,

WHEREAS, it appearing to the satisfaction of the Elko City Council that the portion of P&H Drive right-of-way approximately 1.38 acres situate in the City of Elko, Nevada, located generally on the west end of P&H Drive adjacent to Assessor's Parcel No. 001-679-014, 001-679-015, and 001-679-016 is no longer required for public use and convenience and that vacation thereof will inure to the benefit of the City of Elko and be for the best interest of the City and the public, and that neither the public nor any person will be materially injured thereby; the legal description is set forth in Exhibit A with the map as Exhibit B, each attached hereto, incorporated herein by reference and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO CITY COUNCIL as follows:

That the portion of P&H Drive right-of-way situate in the City of Elko, Nevada, described and shown on Exhibits A and B each attached hereto, be, and the same is hereby vacated upon fulfillment of the following conditions:

- 1. The applicant is responsible for all costs associated with the recordation of this vacation.
- 2. A deed of dedication must be approved by City Council for the cul-de-sac turnaround radius before recordation of this vacation.
- 3. A parcel map to merge the parcels must be approved and recorded prior to the recordation of this vacation.
- 4. Written response(s) from all non-City utilities must be on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

That, subject to the conditions set forth in this Resolution, all right, title interest and estate of the City of Elko in that portion of P&H Drive right-of-way located in the City of Elko as described and shown on Exhibits A and B shall be vacated and title vested in **Joy Global Surface Mining Inc.**, a **Delaware Corporation**, as owner of the parcels abutting the property being vacated, provided further that this vacation and the title of the abutting owner received pursuant thereto, shall be subject to all poles, lines, cables, pipes, drains, utility installations and easements now existing.

II.

That the City of Elko and the Elko City Council, officers and employees thereof, make no warranties, covenants, representations, or guarantees as to the validity of this vacation procedure, or as to the right, title, interest or estate, if any, any person or entity may acquire as the result thereof.

III.

That the City Clerk of the City of Elko shall certify the copy of this Resolution and Order, and this Resolution and Order shall be recorded upon fulfillment of the above noted conditions, in the Office of the County Recorder of Elko County, Nevada, and be endorsed upon the proper map or plat on file in the Office of said County Recorder, so as to clearly indicate thereon the vacation of a portion of P&H Drive right-of-way as described and shown on Exhibits A and B attached hereto, situate in the City of Elko, Elko County, Nevada.

IT IS FURTHER RESOLVED AND ORDERED that this Resolution shall not be signed and recorded until the conditions are satisfied.

IT IS FURTHER RESOLVED AND ORDERED that upon the above conditions being complied with that this Resolution shall be signed by the Mayor and attested to by the City Clerk.

PASSED AND ADOPTED this	_ day of	_, 2019.
	CITY OF ELKO	
	D.	
	By:REECE KEENER, MAY	OR
ATTEST:		
KELLY C. WOOLDRIDGE, CITY CLERK	-	
VOTE:		
AYES:		
NAYS:		
ABSENT:		

ABSTAIN:

RECEIVED

NOV 09 2018

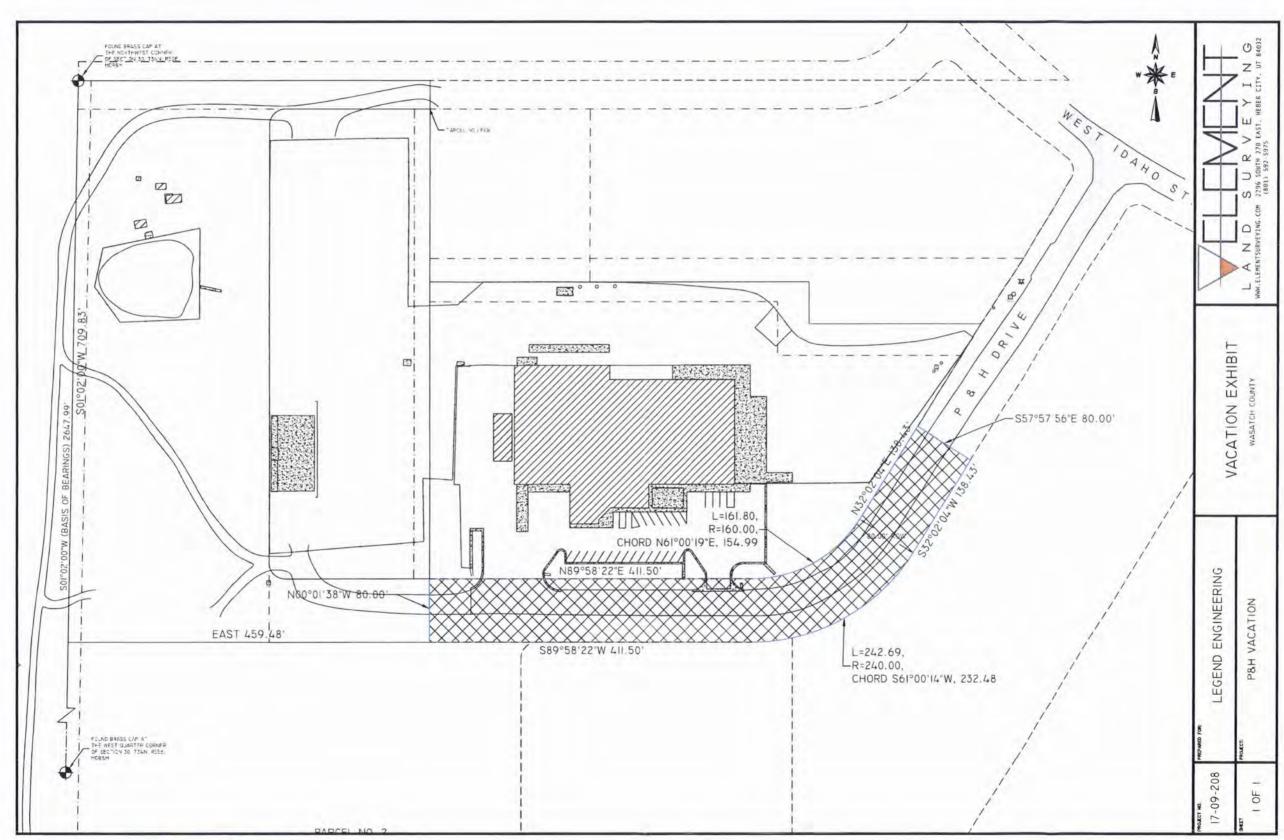


Exhibit A

PORTION OF P&H DRIVE VACATION

A PARCEL OF LAND SITUATED IN SECTION 30, TOWNSHIP 34 NORTH, RANGE 55 EAST, M.D.B.&M., ELKO COUNTY, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 709.83 FEET S01°02′00″W ALONG THE SECTION LINE AND 459.48 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 55 EAST, MOUNT DIABLO BASE AND MERIDIAN, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF P&H DRIVE AS DEDICATED BY PARCEL MAP FILE NO. 452341; AND RUNNING THENCE N00°01′38″W ALONG THE WESTERLY RIGHT-OF-WAY OF SAID P&H DRIVE; THENCE ALONG SAID NORTHERLY AND NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID P&H DRIVE; THENCE ALONG SAID NORTHERLY AND NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; (1) N89°58′22″E 411.50 FEET TO A POINT ON A 160.00 FOOT RADIUS CURVE TO THE LEFT; (2) THENCE ALONG SAID CURVE 161.80 FEET (CHORD BEARS N61°00′19″E 154.99 FEET); (3) THENCE N32°02′04″E 138.43 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S57°57′56″E 80.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID P&H DRIVE; THENCE ALONG SAID SOUTHEASTERLY AND SOUTHERLY RIGHT OF WAY THE FOLLOWING THREE (3) COURSES: (1) S32°02′04″W 138.43 FEET TO A POINT ON A 240.00 FOOT RADIUS CURVE TO THE RIGHT; (2) THENCE ALONG SAID CURVE 242.69 FEET (CHORD BEARS S61°00′14″W 232.48 FEET); (3) THENCE S89°58′22″W 411.50 FEET TO THE POINT OF BEGINNING.



RECEIVED

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NOTICE OF INTENT OF THE CITY OF ELKO TO VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY LOCATED GENERALLY ON THE WEST END OF P&H DRRIVE, ADJACENT TO APNs 001-679-014, 001-679-015, & 001-679-016 ALL WITHIN THE CITY OF ELKO, STATE OF NEVADA

NOTICE IS HEREBY GIVEN that the City Council of the City of Elko intends to vacate a portion of the public right-of-way located generally on the west end of P&H Drive, adjacent to APNs 001-679-014, 001-679-015, & 001-679-016 situated in the City of Elko, Nevada, and cause title to revert to the owner of the abutting property; i.e. Joy Global Surface Mining Inc. The portion of the public right-of-way to be vacated is more particularly described as follows:

A parcel of land situated in Section 30, Township 34 North, Range 55 East, M.D.B.&M., Elko County, State of Nevada, described as follows:

Beginning at a point 709.83 feet S01°02'00"W along the section line and 459.48 feet east from the northwest corner of Section 30, Township 34 North, Range 55 East, Mount Diablo Base and Meridian, said point being on the southerly right-of-way line of P&H Drive as dedicated by Parcel Map File No. 452341; and running thence N00°01'38"W along the westerly right-of-way of said P&H Drive 80.00 feet to the northerly right-of-way line the following three (3) courses; (1) N89°58'22"E 411.50 feet to a point on a 160.00 foot radius curve to the left; (2) Thence along said curve 161.80 feet (chord bears N61°00'19"E 154.99 feet); (3) Thence N32°02'04"E 138.43 feet, thence leaving said right-of-way S57°57'56"E 80.00 feet to a point on the southeasterly right-of-way of said P&H Drive; thence along said southeasterly and southerly right-of-way the following three (3) courses: (1) S32°02'04"W 138.43 feet to a point on a 240.00 foot radius curve to the right; (2) Thence along said curve 242.69 feet (Chord bears S61°00'14"W 232.48 feet); (3) Thence S89°58'22"W 411.50 feet to the point of beginning.

AND that the Elko City Council shall further consider the advisability of the vacation of the public right-of-way, and the adoption of a Resolution and Order vacating the same with the reversion of title as above stated at a meeting of said Council to be held in the Council Chambers at Elko City Hall, 1751 College Avenue, Elko, Nevada, on April 23, 2019 at 5:30 p.m. All interested persons may appear at the meeting of the Council and be heard.

DATED this 4th day of April 2019.

Kelly G. wooldridge, City Clerk

PUBLISH: April 9, 2019



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 December 4, 2018

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on December 4, 2018 pursuant to Section 8-7-3 B. of City Code:

Vacation No. 3-18, filed by Joy Global Surface Mining, Inc., for the vacation of a portion of P&H Drive right-of-way on the west end of P&H Drive, consisting of an area approximately 1.38 acres, and matters related thereto.

The subject property is located generally on the west end of P&H Drive.

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 3-18 subject to the conditions listed in the City of Elko Staff Report dated November 20, 2018, listed as follows:

- 1. The applicant is responsible for all costs associated with the recordation of the vacation.
- 2. A deed of dedication be approved by City Council for the cul-de-sac turnaround radius before recordation of the vacation.
- 3. A parcel map to merge the parcels must be approved and recorded prior to the recordation of the vacation.
- 4. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

The Planning Commission's findings to support its recommendation are the proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive. The proposed vacation is in conformance with the Land Use Component of the Master Plan. The proposed vacation is in conformance with the City of Elko Master Plan Transportation Component. The area proposed for vacation is not located within the Redevelopment Area. The proposed vacation is in conformance with Section 3-2-4 of City Code. The proposed vacation is in conformance with Section 3-2-5 of City Code. The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City Code. The proposed vacation will not materially injure the public and is in the best interest of the City.

Attest:

Shelby Archuleta, Planning Technician

CC:

Applicant Kelly Wooldridge, City Clerk

STAFF COMMENT FLOW SHEET PLANNING COMMISSION AGENDA DATE: **Do not use pencil or red pen, they do not reproduce**

itle: Vacation No. 3-18	
pplicant(s): Joyalobal Surface Mining, Inc.	
ite Location: Westerly Portion of Pt H Drive.	
urrent Zoning: L Date Received: 11/9/18 Date Public Notice: N/A	
OMMENT: This is to vacate the westerry 750' of 74H	
Drive.	
If additional space is needed please provide a separate memorandum	
ssistant City Manager: Date: 11/26/18 Recommend approval as presented by 5taff	
51	<u> </u>
Ini	tial
ity Manager: Date: ///28/18	
No comments/concerns.	
<u>e</u>	
Initia	al



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

CITY OF ELKO STAFF REPORT

REPORT DATE: November 20, 2018
PLANNING COMMISSION DATE: December 4, 2018

AGENDA ITEM NUMBER: I.B.4

APPLICATION NUMBER: Vacation 3-18

APPLICANT: Joy Global Surface Mining Inc.

PROJECT DESCRIPTION: 4450 P & H Drive

Vacation of a portion P & H Drive in conjunction with a parcel map to combine parcels.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact, conditions and waivers.

PROJECT INFORMATION

PARCEL NUMBER:

001-679-014, 001-679-016 & 001-679-015

PARCEL SIZE:

30.857 acres.

EXISTING ZONING:

(LI) Light Industrial

MASTER PLAN DESIGNATION:

(IND-BS PARK) Industrial Business Park

EXISTING LAND USE:

Developed on 001-679-014 and proposed

development on 001-679-016 & 001-679-015 is in

the permitting process with the City of Elko

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

North: Light Industrial / Developed

East: General Agriculture / Undeveloped South: General Agriculture / Undeveloped West: Elko County Property / Undeveloped

PROPERTY CHARACTERISTICS:

1. The property is partially developed on APN 001-679-014 and undeveloped on 001-679-015 & 016

2. The property can be accessed from P & H Drive as well as West Idaho Street.

MASTER PLAN AND CITY CODE SECTIONS:

Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive

City of Elko Master Plan – Land Use Component

City of Elko Master Plan – Transportation Component

City of Elko Redevelopment Plan

City of Elko Code – Section 3-2-4 Establishment of Zoning Districts

City of Elko Code – Section 3-2-12 Light Industrial Zoning District

City of Elko Code – Section 8-7 Street Vacation Procedures

BACKGROUND:

- 1. All three parcels were annexed into the City of Elko by Ordinance 830 on May 8, 2018.
- 2. Joy Global Surface Mining parent company, Harnischfeger Corporation, purchased APN 001-679-014 on December 6, 1999.
- 3. APN's 001-679-015 & 016 were purchased by Komatsu Equipment Company on September 28, 2018. They are in the process of deeding the property to the parent company, Harnischfeger Corporation, in order to merge the parcels.
- 4. All three parcels were rezoned to Light Industrial concurrent with the annexation.
- 5. APN 001-679-014 has been developed as an industrial use.

- 6. A new industrial use facility is proposed and is currently under the permitting process. The new facility would be located on APNs 001-679-015 & 016.
- 7. As a condition for approval of the proposed development, the parcels will be merged. As a result, the dedicated right-of-way to serve multiple parcels has been reduced.
- 8. The property owner has presented a deed of dedication to the City of Elko for the cul-desac turnaround proposed at the end of the dedicated right-of-way for proper vehicular circulation.
- 9. The City Council accepted the petition for vacation at their meeting November 27, 2018.

NRS 278.479 to 278.480 inclusive

- 1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, shall, not less than 10 business days before the public hearing described in subsection 5.
- 2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.
- 3. Per NRS 278.480(6) Public utility companies have been notified of the vacation on November 19, 2018.
- 4. It does not appear that there are any City utilities located within the area proposed to be vacated.

MASTER PLAN - Land Use:

- 1. The Master Plan Land Use Atlas shows the area as Industrial Business Park.
- 2. Supporting zone districts for Industrial Business Park are Industrial Business Park, Light Industrial and Industrial Commercial.
- 3. Objective 7: Promote high quality and visually appealing industrial uses, where appropriate, to promote economic sustainability and strengthen the community's image.
- 4. Objective 8: Encourage new development that 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.

The proposed vacation is in conformance with the Land Use Component of the Master Plan.

MASTER PLAN - Transportation:

- 1. The area will be accessed from West Idaho Street and P & H Drive.
- 2. West Idaho Street is classified as a Minor Collector.
- 3. P & H Drive is not classified but functions as a Commercial / Industrial Collector.
- 4. The area is near the Exit 298 and I-80 interchange.
- 5. The property owner is proposing a vehicular turnaround at the end of P & H Drive. This will require additional area for the development of the circular cul-de-sac to be dedicated to the City of Elko.

The proposed vacation is in conformance with the Transportation Component of the Master Plan.

REDEVELOPMENT PLAN

The area proposed for vacation is located outside the Redevelopment Area.

ELKO CITY CODE SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS

The area proposed for vacation will be merged with the adjacent property. The existing zone district, LI – Light Industrial, does not stipulate a minimum lot area requirement. The vacation will add area to the parcels of record.

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

ELKO CITY CODE SECTION 3-2-12 LI, GI INDUSTRIAL ZONING DISTRICTS

1. The area proposed for vacation will be merged with the adjacent property. The merged areas meet all the area and dimensions stipulated in code.

The proposed vacation is in conformance with Section 3-2-12 of City code.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. The proposed vacation is being processed independent of the proposed parcel map, deed of dedication and proposed development of the property.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

FINDINGS

- 1. The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- 2. The proposed vacation is in conformance with the Land Use Component of the Master Plan.
- 3. The proposed vacation is in conformance with the Transportation Component of the Master Plan.
- 4. The area proposed for vacation is not located within the Redevelopment Area.
- 5. The proposed vacation is in conformance with Section 3-2-4 of City code.
- 6. The proposed vacation is in conformance with Section 3-2-5 of City code.
- 7. The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.
- 8. The proposed vacation will not materially injure the public and is in the best interest of the City.

VACATION 3-18 Joy Global Surface Mining APN: 001-679-014

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

- 1. The applicant is responsible for all costs associated with the recordation of the vacation.
- 2. A deed of dedication be approved by City Council for the cul-de-sac turnaround radius before recordation of the vacation.
- 3. A parcel map to merge the parcels must be approved and recorded prior to the recordation of the vacation.
- 4. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.



CITY OF ELKO

Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

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April 10, 2019

005510900 USA C/O BLM-SUPPORT SERVICES AP 3900 E IDAHO ST ELKO NV 89801-4692

Re: Vacation No. 3-18/Joy Global Surface Mining, Inc.

Enclosed please find a copy of the Notice of Intent of Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way abutting APNs 001-679-014, 001-679-015, & 001-679-016, consisting of an area of approximately 1.38 acres, located on the west end of P&H Drive, and a map depicting the property.

Please read this notice carefully. The date that has been set for this hearing is Tuesday, April 23, 2019 at 5:30 P.M., in Elko City Hall at 1751 College Avenue, Elko, Nevada.

If you have any questions regarding this matter, please do not hesitate to contact the City of Elko Planning Department at 777-7160.

Sincerely,

Shelby Archuleta Planning Technician

Enclosures

USPS TRACKING # & CUSTOMER RECEIPT 9114 9023 0722 4027 0140 20 For Tracking or inquiries go to USPS.com or call 1-800-222-1811.

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April 15, 2019, 10:03 am

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ELKO, NV 89801

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April 13, 2019, 8:10 am

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April 13, 2019, 7:51 amOut for Delivery
ELKO, NV 89801

April 13, 2019, 7:41 am Sorting Complete ELKO, NV 89801

April 13, 2019, 5:20 am Arrived at Post Office ELKO, NV 89801

April 12, 2019, 3:41 pm
Departed USPS Regional Facility
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April 11, 2019, 11:03 pm

Arrived at USPS Regional Facility

SALT LAKE CITY UT NETWORK DISTRIBUTION CENTER

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April 10, 2019

00609N008 PINNACLE INVESTMENTS PART ET AL 20 S SANTA CRUZ AVE STE 320 LOS GATOS CA 95030-6834

Re: Vacation No. 3-18/Joy Global Surface Mining, Inc.

Enclosed please find a copy of the Notice of Intent of Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way abutting APNs 001-679-014, 001-679-015, & 001-679-016, consisting of an area of approximately 1.38 acres, located on the west end of P&H Drive, and a map depicting the property.

Please read this notice carefully. The date that has been set for this hearing is Tuesday, April 23, 2019 at 5:30 P.M., in Elko City Hall at 1751 College Avenue, Elko, Nevada.

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Sincerely,

Shelby Archuleta Planning Technician

Enclosures

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MONDAY

15 APRIL 2019 (i)

by

8:00pm (i)

⊘ Delivered

April 15, 2019 at 11:49 am Delivered, In/At Mailbox LOS GATOS, CA 95030

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April 15, 2019, 11:49 am

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LOS GATOS, CA 95030

Your item was delivered in or at the mailbox at 11:49 am on April 15, 2019 in LOS GATOS, CA 95030.

Out for Delivery LOS GATOS, CA 95030

April 15, 2019, 8:37 am Sorting Complete LOS GATOS, CA 95030

April 15, 2019, 6:45 am Arrived at Post Office LOS GATOS, CA 95030

April 14, 2019
In Transit to Next Facility

April 13, 2019, 6:52 pm
Departed USPS Regional Facility
SAN JOSE CA DISTRIBUTION CENTER

April 13, 2019, 10:36 am

Arrived at USPS Regional Facility
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April 12, 2019, 1:12 am
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April 11, 2019, 11:03 pm
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Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

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April 10, 2019

001679004 MILLER, BRUCE & SIDNIE TR PO BOX 1478 ELKO NV 89803-1478

Re: Vacation No. 3-18/Joy Global Surface Mining, Inc.

Enclosed please find a copy of the Notice of Intent of Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way abutting APNs 001-679-014, 001-679-015, & 001-679-016, consisting of an area of approximately 1.38 acres, located on the west end of P&H Drive, and a map depicting the property.

Please read this notice carefully. The date that has been set for this hearing is Tuesday, April 23, 2019 at 5:30 P.M., in Elko City Hall at 1751 College Avenue, Elko, Nevada.

If you have any questions regarding this matter, please do not hesitate to contact the City of Elko Planning Department at 777-7160.

Sincerely,

Shelby Archuleta Planning Technician

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Enclosures

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⊘ Delivered

April 13, 2019 at 9:53 am Delivered, PO Box ELKO, NV 89803

Get Updates ✓

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April 13, 2019, 9:53 am

Delivered, PO Box

ELKO, NV 89803

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April 13, 2019, 9:46 am Arrived at Post Office ELKO, NV 89801 April 12, 2019, 3:41 pm

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April 11, 2019, 11:03 pm

Arrived at USPS Regional Facility

SALT LAKE CITY UT NETWORK DISTRIBUTION CENTER

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April 10, 2019

001679010 ELKO INC C/O COACH USA INC 4105 W IDAHO ST ELKO NV 89801-9410

Re: Vacation No. 3-18/Joy Global Surface Mining, Inc.

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Sincerely,

Shelby Archuleta Planning Technician

Enclosures

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Expected Delivery on

FRIDAY

12 APRIL 2019 (i) 8

by

8:00pm (i)

Oblivered

April 12, 2019 at 12:45 pm Delivered, In/At Mailbox ELKO, NV 89801

Get Updates ✓

Text & Email Updates

V

Tracking History

April 12, 2019, 12:45 pm Delivered, In/At Mailbox ELKO, NV 89801

Your item was delivered in or at the mailbox at 12:45 pm on April 12, 2019 in ELKO, NV 89801.

April 12, 2019, 6:28 am Arrived at Post Office ELKO, NV 89801

April 12, 2019, 1:12 am

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April 11, 2019, 11:03 pm

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Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

1751 College Avenue · Elko, Nevada 89801 · (775) 777-7160 · Fax (775) 777-7119

April 10, 2019

001679008 BAR L RANCH ET AL PO BOX 1478 ELKO NV 89803-1478

Re: Vacation No. 3-18/Joy Global Surface Mining, Inc.

Enclosed please find a copy of the Notice of Intent of Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way abutting APNs 001-679-014, 001-679-015, & 001-679-016, consisting of an area of approximately 1.38 acres, located on the west end of P&H Drive, and a map depicting the property.

Please read this notice carefully. The date that has been set for this hearing is Tuesday, April 23, 2019 at 5:30 P.M., in Elko City Hall at 1751 College Avenue, Elko, Nevada.

If you have any questions regarding this matter, please do not hesitate to contact the City of Elko Planning Department at 777-7160.

Sincerely,

Shelby Archuleta Planning Technician

Enclosures

USPS TRACKING # & CUSTOMER RECEIPT

9114 9023 0722 4027 0140 68 For Tracking or inquiries go to USPS.com or call 1-800-222-1811.

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Tracking Number: 9114902307224027014068

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Your item has been delivered and is available at a PO Box at 9:53 am on April 13, 2019 in ELKO, NV 89803.

Oblivered

April 13, 2019 at 9:53 am Delivered, PO Box ELKO, NV 89803

Get Updates ✓

reedbac

Text & Email Updates



Tracking History



April 13, 2019, 9:53 am

Delivered, PO Box

ELKO, NV 89803

Your item has been delivered and is available at a PO Box at 9:53 am on April 13, 2019 in ELKO, NV 89803.

April 13, 2019, 9:46 am Arrived at Post Office

ELKO, NV 89801

April 12, 2019, 3:41 pm

Departed USPS Regional Facility
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April 11, 2019, 11:01 pm
Arrived at USPS Regional Facility

SALT LAKE CITY UT NETWORK DISTRIBUTION CENTER

Product Information



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Go to our FAQs section to find answers to your tracking questions.

FAQs (https://www.usps.com/faqs/uspstracking-faqs.htm)

Feedbacl

Shelby Archuleta

Vacation 3-18 Joy Global

From:

Seana Chapman < SChapman@elkodaily.com>

Sent:

Thursday, April 4, 2019 8:53 AM

To:

Shelby Archuleta

Subject:

RE: Notice of Intent

Shelby

Your legal ad has been received and processed and is set to run: April 9, 2019 The cost billed was: \$137.04

Thank you for your business
Seana K. Chapman
Legal Clerk/Online
Employment and Classifieds Specialist
775-748-2738

Elho Daily Free Press

- *Affidavit of publication will be mailed out within 5 to 7 BUSINESS days
- * Legals deadline is 72 hours
- * Credits will only be issued to canceled legal notices if they are cancelled 48 hours before first publication
- * Please include your account number on all legal requests The Elko Daily Free Press reaches over 21,000 readers

PER DAY with both our print & digital products!





www.miningquarterly.com

From: Shelby Archuleta [mailto:sarchuleta@elkocitynv.gov]

Sent: Thursday, April 04, 2019 8:18 AM

To: ELK Legals

Subject: Notice of Intent

Good Morning,

Attached is a notice of intent to be published on April 9th. Please let me know if you have any questions.

Thank you!

Shelby Archaleta
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219

NOTICE OF INTENT OF THE CITY OF ELKO TO VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY LOCATED GENERALLY ON THE WEST END OF P&H DRRIVE, ADJACENT TO APNs 001-679014, 001-679-015, & 001-679-016 ALL WITHIN THE CITY OF ELKO, STATE OF NEVADA

NOTICE IS HEREBY GIVEN that the City Council of the City of Elko intends to vacate a portion of the public right-of-way located generally on the west end of P&H Drive, adjacent to APNs 001-679-014, 001-679-015, & 001-679-016 situated in the City of Elko, Nevada, and cause title to revert to the owner of the abutting property; i.e. Joy Global Surface Mining Inc. The portion of the public right-of-way to be vacated is more particularly described as follows:

A parcel of land situated in Section 30, Township 34 North, Range 55 East, M.D.B.&M., Elko County, State of Nevada, described as follows:

Beginning at a point 709.83 feet S01°02'00"W along the section line and 459.48 feet east from the northwest corner of Section 30, Township 34 North, Range 55 East, Mount Diablo Base and Meridian, said point being on the southerly right-of-way line of P&H Drive as dedicated by Parcel Map File No. 452341; and running thence N00°01'38"W along the westerly right-of-way of said P&H Drive 80.00 feet to the northerly right-of-way line the following three (3) courses; (1) N89°58'22"E 411.50 feet to a point on a 160.00 foot radius curve to the left; (2) Thence along said curve 161.80 feet (chord bears N61°00'19"E 154.99 feet); (3) Thence N32°02'04"E 138.43 feet, thence leaving said right-of-way S57°57'56"E 80.00 feet to a point on the southeasterly right-of-way of said P&H Drive; thence along said southeasterly and southerly right-of-way the following three (3) courses: (1) S32°02'04"W 138.43 feet to a point on a 240.00 foot radius curve to the right; (2) Thence along said curve 242.69 feet (Chord bears S61°00'14"W 232.48 feet); (3) Thence S89°58'22"W 411.50 feet to the point of beginning.

AND that the Elko City Council shall further consider the advisability of the vacation of the public right-of-way, and the adoption of a Resolution and Order vacating the same with the reversion of title as above stated at a meeting of said Council to be held in the Council Chambers at Elko City Hall, 1751 College Avenue, Elko, Nevada, on April 23, 2019 at 5:30 p.m. All interested persons may appear at the meeting of the Council and be heard.

DATED this 4th day of April 2019.

Kelly C. Wooldridge, City Clerk

PUBLISH: April 9, 2019

ELKO DAILY FREE PRESS

3720 Idaho St.

Elko, Nev. 89801

(775) 738-3118

Affidavit of Publication

I, Seana K. Chapman, Legal Clerk of the *Elko Daily Free Press*, published daily at Elko, Nevada, do solemnly swear that a copy of **NOTICE OF INTENT/APNs 001-679-014**, **001-679-015 & 001-679-016**, as per clipping attached, was published on **April 9, 2019**, in the regular and entire issue of the above said newspaper, with general circulation of Elko and Lander counties, and not in any supplement thereof, for **ONE** (1) week commencing with the issue dated **April 9, 2019**, and ending with the issue dated as **April 9, 2019**, with no subsequent publications being made.

Seana K. Chapman

Subscribed and sworn to before me, of

well Mot

2019.

Notary Public

State of Nevada

County of Elko



NOTICE OF INTENT OF THE CITY OF ELKO TO VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY LOCATED GENERALLY ON THE WEST END OF P&H DRRIVE, ADJACENT TO APNS 001-679-014, 001-679-015, & 001-679-016 ALL WITHIN THE CITY OF ELKO, STATE OF NEVADA

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A parcel of land situated in Section 30, Township 34 North, Range 55 East, M.D.B.&M., Elko County, State of

A parcel of land situated in Section 30, Township 34 North, Range 55 East, M.D.B.&M., Elko County, State of Nevada, described as follows:
Beglining at a point 709 83 feet 801°02'00"W along the section line and 459.48 feet east from the northwest corner of Section 30, Township 34 North, Range 55 East, Mount Diablo Base and Meridian, said point being on the southerly right-of-way line of P&H Drive as dedicated by Parcel Map File No. 452341; and rouning thence N00°01'38"W along the westerly right-of-way of said P&H Drive 80.00 feet to the northerly right-of-way line the following three (3) courses; (1) N89°58'22"E 411.50 feet to a point on a 160.00 foot radius curve to the left; (2) Thence along said curve 161.80 feet (chord bears N61°00'19"E 154.99 feet); (3) Thence N32°02'04"E 138.43 feet, thence leaving said right-of-way S57°57'56"E 80.00 feet to a point on the southeasterly right-of-way of said P&H Drive; thence along said southeasterly and southerly right-of-way the following three (3) courses: (1) S32°02'04"W 138.43 feet to a point on a 240.00 foot radius curve to the right; (2) Thence along said curve 242.69 feet (Chord bears S61°00'14"W 232.48 feet); (3) Thence S89°58'22"W 411.50 feet to the point of bedinning. point of beginning.

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DATED this 4th day of April 2019.

Kelly C. Wooldridge City Clerk

April 9

Shelby Archuleta

From:

Tariq Ahmad <taroil@yahoo.com>

Sent:

Thursday, January 10, 2019 12:41 PM

То:

Shelby Archuleta

Subject:

Re: Proposed Vacation 2-18 and 3-18

Follow Up Flag:

Follow up

Flag Status:

Flagged

We have no objection to vacating No. 3-18. We are checking the 2-18

Tariq I. Ahmad SPEC PH 775 333 6626 FAX 775 333 0225

Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please, virus check, all attachments to prevent widespread contamination and corruption of files and operating systems. The unauthorized access, use, disclosure, or distribution of this e-mail may constitute a violation of the Federal Electronic Communications Privacy Act of 1986 and similar state laws. The communication does not reflect an intention of the sender or the sender's client or principal to conduct a transaction or make an agreement by electronic means. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures Global and National Commerce Act, any version of the Uniform Electronic Transaction Act or any other statute governing electronic transactions.

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>

To: "taroil@yahoo.com" <taroil@yahoo.com> Sent: Thursday, January 10, 2019 9:35 AM Subject: Proposed Vacation 2-18 and 3-18

Good Morning,

We have still not received a response to the letters dated November 14, 2018 and November 19, 2018, attached. Per NRS 278.480(6) we are required to receive and maintain all records of all responses from all local utilities. We are eager to get this vacation wrapped up. If you have any questions please contact myself or Cathy Laughlin, City Planner.

Thank you I look forward to receiving a response.

Shelby Archuleta Planning Technician City of Elko



Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

Satview Broadband Mr. Tariq Ahmad PO Box 18148 Reno, NV 89511

And VIA EMAIL: taroil@yahoo.com

SUBJECT: Proposed Vacation No. 3-18

Dear Mr. Ahmad:

Please be advised that the City of Elko Planning Department is processing a request filed Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6). The Planning Commission will consider this item on December 4, 2018. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

sarchuleta@elkocitynv.gov

Shelley borcher litter

Enclosures



November 28, 2018

Shelby Archuleta City of Elko Planning Department 1751 College Avenue Elko, Nevada 89801

RE: Proposed Vacation No. 3-18

Dear Ms. Archuleta:

Per your request in the letter dated November 19, 2018 regarding the proposed vacation of a portion of P&H Drive right-of-way located generally on the west end of P&H Drive. NV Energy has facilities near the north side of P&H Drive. If these facilities are within the area to be vacated, we request an easement 10 feet in width, centered on the existing facilities.

If you have any questions/concerns please feel free to contact me at 775-834-3097 or at jakejohnson@nvenergy.com

Sincerely,

Jake Johnson NV Energy RECEIVED

JAN 1 1 2019



Planning Department

Website: www.elkocity.com
Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

NV Energy Mr. Jake Johnson 6100 Neil Road Reno, NV 89511

SUBJECT: Proposed Vacation No. 3-18

Dear Mr. Johnson:

Please be advised that the City of Elko Planning Department is processing a request filed by Joy Global Surface Mining Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6). The Planning Commission will consider this item on December 4, 2018. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Mozbrawlotes

Sincerely,

Shelby Archuleta Planning Technician

sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From:

Amanda Marcucci < Amanda. Marcucci@swgas.com>

Sent:

Monday, January 14, 2019 12:39 PM

To:

Shelby Archuleta

Subject: Attachments:

Vacation 3-18
Vac 3-18 SW Gas Notification.pdf; Vac 3-18 Exhibits.pdf

Hi Shelby,

Southwest Gas does not have any objections to this vacation. You may want them to update the figure, as the location is not Wasatch County.

Amanda



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

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Southwest Gas Corporation does not guarantee the privacy or security of information transmitted by facsimile (fax) or other unsecure electronic means (including email). By choosing to send or receive information, including confidential or personal identifying information, via fax or unencrypted e-mail, you consent to accept any associated risk.

I nank you for your cooperation.	
******************	*****
******************	*****



Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

Southwest Gas Corporation

Engineering Department
PO Box 1190

Carson City, NV 89702-1190

SUBJECT: Proposed Vacation No. 3-18

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Joy Global Surface Mining Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6). The Planning Commission will consider this item on December 4, 2018. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

sarchuleta@elkocitynv.gov

Snelly Dorchetta

Enclosures

Shelby Archuleta

From:

Poole, John <john.g.poole@ftr.com>

Sent:

Tuesday, February 19, 2019 3:06 PM

To: Cc: Shelby Archuleta

- · · ·

Whitaker, William

Subject:

Re: Proposed Easement Vacation Review

HI Shelby;

My outlook email is up temporary, so yes these all are clear by Frontier to abandon Easements along with last two off Industrial Way you sent by mail. Doc # 744502.

Thanks, John

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>

Sent: Monday, February 11, 2019 12:11 PM

To: Poole, John

Subject: Proposed Easement Vacation Review

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Good Afternoon Mr. Poole,

I was informed this morning from Mr. Whitaker that you are now the person that will be reviewing vacation proposals.

I have attached four vacation proposals that were sent to Mr. Whitaker as far back as November.

Currently Vacation 2-18 and Vacation 3-18 have been approved by our City Council and are just waiting for a response from a Frontier representative.

Vacation 4-18 will be considered at tomorrow nights City Council meeting and after that it will be ready to go.

Vacation 1-19 will be considered at the City Council meeting on Feb 26th.

At this time Vacation 2-18 and 3-18 are priority and we will need these reviews as soon as possible.

Please let me know if you have any questions and I will do my best to answer them.

Thank you!

Shelby Archuleta
Planning Technician
City of Elka
Planning Department
Ph (775) 777-7160
FY (775) 777-7219

This communication is confidential. Frontier only sends and receives email on the basis of the terms set out at $http://www.frontier.com/email_disclaimer$.



Planning Department

Website: www.elkocity.com Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

Frontier Communication Mr. William Whitaker 111 W. Front Street Elko, NV 89801

SUBJECT: Proposed Vacation No. 3-18

Dear Mr. Whitaker:

Please be advised that the City of Elko Planning Department is processing a request filed by Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6). The Planning Commission will consider this item on December 4, 2018. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta Planning Technician

sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From:

Stephen Lifferth <stephen@beehive.net>

Sent:

Thursday, January 10, 2019 9:51 AM

To:

Shelby Archuleta

Cc:

Cathy Laughlin

Subject:

Re: [EXT] Proposed Vacations 2-18 and 3-18

I apologize about the delay. Beehive Broadband has no interest in both of these affected areas.

Thanks,



Stephen Lifferth

Beehive Broadband

EEHIVE &

435.837.6140 [o]

801.473.3975 [c]

www.BeehiveBroadband.com

On 1/10/19 10:42 AM, Shelby Archuleta wrote:

Good Morning,

We have still not received a response to the letters dated November 14, 2018 and November 19, 2018, attached. Per NRS 278.480(6) we are required to receive and maintain all records of all responses from all local utilities. We are eager to get this vacation wrapped up. If you have any questions please contact myself or Cathy Laughlin, City Planner.

Thank you I look forward to receiving a response.

Shelby Archuleta Planning Technician City of Elko Planning Department Ph (775) 777-7160 FX (775) 777-7219



Planning Department

Website: www.elkocity.com
Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

Beehive Broadband 2000 N. Sunset Road Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 3-18

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6). The Planning Commission will consider this item on December 4, 2018. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Planning Technician

sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From:

Teresa Gust <teresa.e@canyonconstructionco.com>

Sent:

Friday, December 7, 2018 10:39 AM

To:

Shelby Archuleta

Subject:

Proposed Vacation No. 3-18

Shelby, please be advised that Michael W. Lattin, VP-Field Operations, has reviewed your letter of November 19, 2018, Re: Proposed Vacation No. 3-18 and has determined that Elko Heat Company has no present or future interests in the area stated. This email complies with NRS 278.480(6).

Thank you
Teresa Gust
Accounting Clerk
Canyon Construction &
Elko Heat Co.

Phone: (775) 738-2210 ext 107

Fax: (775) 753-8049

teresa.e@canyonconstructionco.com



Planning Department

Website: www.elkocity.com
Email: planning@ci.elko.nv.us

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7119

November 19, 2018

Elko Heat P.O. Box 2347 Elko, NV 89803

SUBJECT: Proposed Vacation No. 3-18

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Joy Global Surface Mining, Inc. to vacate a portion of the P&H Drive right-of-way located generally on the west end of P&H Drive. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

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If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta Planning Technician

sarchuleta@elkocitynv.gov

Enclosures



CITY OF ELKO PLAN. IG DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 * (775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): Joy Global Surface Mining Inc.	
MAILING ADDRESS: 4400 West National Avenue, Milwaukee, WI 53214 PHONE NO (office) (414) 670-8915	RECEIVED
NAME OF PROPERTY OWNER (If different):	NOV 09 2018
(Property owner's consent in writing must be provided.) WAILING ADDRESS:	
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVI	ED (Attach if necessary):
ASSESSOR'S PARCEL NO.: Address	
Lot(s), Block(s), &Subdivision	
Or Parcel(s) & File No. 001-679-014, 001-679-015, 001-679-016, &	001-679-005

FILING REQUIREMENTS:

<u>Complete Application Form</u>: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A \$600.00 non-refundable fee.

<u>Plot Plan</u>: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

<u>Legal Description</u>: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" 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.

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

Revised 12/04/15 Page 1

<u>0\</u>	WNER(S) OF THE PROPERTY ABU	TTING THE AREA BEING K_QUESTED FOR VACATION
Jo	by Global Surface Mining Inc.,	440 W. National Ave., Milwaukee WI 53214
	(Name)	(Address)
<u>OV</u>	<u> VNER(S) OF THE PROPERTY ABU</u>	TTING THE AREA BEING REQUESTED FOR VACATION
	(Name)	(Address)
1.		We have the common ownership of parcels:
	001-679-014, 001-679-015, 0	001-679-016, and 001-679-005, and are
	currently in process consoli	dating them into one parcel, and after said
	consolidation this/our parce	el will both abut and surround much of the
	current P&H Drive ROW. We	propose that the westerly 751.83 feet of P&H
	Drive be vacated to the surrou	inding ownership. This would facilitate the use
	of our property rather than ha	ve a public ROW running thru the middle of it.
2.	Describe any utilities currently locate	ed in the area proposed for vacation, and if any are present
	how they will be addressed: The c	urrent power and telephone facilities that
		ay outside ROW area. New water, sewer,
	drainage, power, and comm	nunication utilities will be constructed as
	part of our proposed project	t, which is currently under review for
	construction approval.	

Use additional pages if necessary

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By My Signature below:				
I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection 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 effect 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 Michael McClanahan				
(Please print or type)				
Mailing Address 4400 W. National Ave.				
Street Address or P.O. Box				
Milwaukee, WI 53214				
City, State, Zip Code				
Phone Number: (414) 670-8915				
michael.mcclanahan@mining.komatsu Email address:				
SIGNATURE: Market Maket				
FOR OFFICE USE ONLY				
File No.: 3-18 Date Filed: 11/9/18 Fee Paid: 400 CL# 7462				