

CITY OF ELKO
REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
3:00 P.M., P.D.S.T., TUESDAY, APRIL 27, 2021
ELKO CITY HALL, COUNCIL CHAMBERS
1751 COLLEGE AVENUE, ELKO, NEVADA
<https://global.gotomeeting.com/join/367209517>

CALL TO ORDER

The meeting was called to order by Reece Keener, Chairman of the City of Elko Redevelopment Agency (RDA).

ROLL CALL

Present: Mayor Reece Keener
Councilwoman Mandy Simons
Councilman Chip Stone
Councilman Bill Hance
Councilman Clair Morris

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Cathy Laughlin, City Planner
Dennis Strickland, Public Works Director
Jeff Ford, Building Official
Paul Willis, Computer IS Coordinator
Shelby Knopp, Planning Technician

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

APPROVAL OF MINUTES

March 23, 2021 – Regular Meeting **FOR POSSIBLE ACTION**

The minutes were approved by general consent.

I. NEW BUSINESS

- A.** Review, consideration, and possible action on the 2021 Storefront Improvement Grant Recipients and amounts allocated, and matters related thereto. **FOR POSSIBLE ACTION**

The 2021 Storefront improvement grant applications were received from January 1, 2021 to March 31, 2021. The RDA has allocated \$50,000 each year for 5 years for storefront improvement grants. The Redevelopment Advisory Council did not review the applications as their April meeting was canceled due to COVID-19. Staff has completed the review of the applications and has included the information in the staff memo.

Cathy Laughlin, City Planner, explained that normally RAC would do the rating sheets, since they are not meeting at this time, she did the reviews and the sheets were included in the agenda packet. There is one new finding since the review. It was sent out to the members this morning, as an email from the Elko County Assessor's Office that the Lamoille Power Building would be paying property taxes. It wouldn't be normal for the City to have access to someone's records if they ask for a waiver for their property taxes, so staff goes off what the County Assessor's page states. At the time the application was received, the Assessor's page stated that the Tedesco Foundation was not paying any property taxes for 2020/2021. In the staff memo, Ms. Laughlin stated that they were ineligible because of that. She retracted that comment and added that they were eligible. She wanted to go through the applications. The Star Hotel application was complete, they have not submitted for a Building Permit, and they have not started construction. The Lostra Enterprises application was complete, at the time of the memo, no construction had begun, but as of today, they had started some demo. The Tedesco Foundation application was complete; Ms. Laughlin changed her memo to state that they were eligible. Her concern with this project was that the project was permitted several months ago. The vestibule structure that is part of the grant application was part of the original permit. It was permitted, and they have started the construction, not necessarily on the vestibule, but they have prepped the area. One way to correct that is a condition that the vestibule be pulled out and permitted separately, or make a finding that no work had been done on that particular area. The Warren Building application was complete, they have not applied for a building permit, and they are not under construction. They did permit the Idaho Street frontage and the interior remodel. Many of the applicants are in the audience if there are any questions.

Mayor Reece Keener asked if any of the applicants, or representatives, had any comments.

Catherine Wines, 421 Railroad Street, representing the Tedesco Foundation as their Architect. She wanted to give a little background on the Tedesco Foundation. She stated that John Tedesco purchased the Lamoille Power Building. He lives south of the Bay Area in California. His background is in theatrical lighting. He toured with the Rolling Stones, lit Ronald Reagan when they rededicated the Statue of Liberty, and has been all over the world lighting things up. He also has an extensive historic lighting collection. He was driving through Elko in the fall of 2019 and saw the Lamoille Power Building and he thought it would be a great place to put his lighting collection. He purchased the building. It has been a long process, because Mr. Tedesco hasn't been able to travel that much. They have replaced windows and put in a new floor. Nothing that is under the building permit has been started, because of the grant. Ms. Wines told the contractor that they couldn't start until after the meeting. Mr. Tedesco is going to make a huge contribution to the community. He has already spent close to \$800,000. The project is in neighborhood of \$2 Million. That is an incredible gift to the community. Ms. Wines stated that she was upset at what had transpired over the last 24 hours. Apparently, they were told that they were going to be denied for the grant yesterday in kind of a nasty email. The tax thing wasn't true. A phone call or an email would have cleared that up weeks ago. The construction part, they have not started, and

there are several other projects that have started that were recommended. The really awful thing is the way the City of Elko has treated Mr. Tedesco, when he is giving an amazing gift.

Mayor Keener explained that staff has guidelines; they don't have the flexibility to make these decisions. They have to implement the policy that has been put in place by the Board. However, this Board can have flexibility.

Ms. Wines said an email a couple weeks ago would have been great, instead of sending it yesterday.

Mayor Keener thought all the Board members supported the projects that were in front of them. As Mayor Keener saw it, the decision they had to make, within the limited time, was if they should dip into the bank to fund them all at 100%, which would be \$25,000 each, or scale back the funding to fit within the \$50,000 budgeted amount.

Councilman Bill Hance believed they had enough that they could do all four. He thought they could afford the \$25,000 to get things going in the downtown area. The ones that have done this years prior have been a great improvement and he thought it was a good use of the money.

Councilman Clair Morris thought all four applications were warranted to go forward. He thought it was doable to do all four.

*****A motion was made by Councilwoman Mandy Simons, seconded by Councilman Clair Morris to approve \$25,000 grants for Scott Ygoa, Lostra Enterprises, LLC, Tedesco Foundation, and Dr. Todd and Marin Wendell. Noting that they were exceeding the \$50,000 previously approved this year for the Storefront Grant Program.**

**Motion passed unanimously. (5-0)*

- B.** Review, consideration, and possible approval or denial of Sign Permit 21-137 to be located at 225 6th St., and matters related thereto. **FOR POSSIBLE ACTION**

All building permits within the RDA area are required to have RDA approval. City staff does not feel that the sign meets the intent and purposes of the sign code nor the Redevelopment Plan and therefore denied the sign. The RDA must consider and approve or deny the sign as presented with testimony from the applicant.

Ms. Laughlin explained that the justification was listed in the staff memo. The applicant is present and would probably like to give testimony on their reasoning on why the sign is presented as it is.

Mike Lostra, Lostra Engineering, 930 College Ave, explained that he prepared a letter to the Agency, but in the essence of time, he said he would paraphrase what the letter stated. Mr. Lostra stated that they didn't believe that they were in violation of the Signage Code. They believed that their sign did meet the intent of the Code, even though City Staff has denied it. In an email from Ms. Laughlin to Gordy Rogers on April 12th, it was stated that a much smaller sign would be approved. The signs size, the proximity, and signaled intersections as vehicles are slowing down

were all concerns with the sign in which it had been presented by the permit applicant. Mr. Lostra pointed out that under the current adopted Sign Code there is no reference to a size of sign attached to a building. The current sign that they presented is painted letters on the side of a building. He wanted to reiterate that there was a large frontage. There are not a lot of properties in the area that have 150 feet of frontage. It is very unique in that respect and that was why they chose to go with what they presented. The other premise of that statement was that they said they felt like it was too big. They took the time and liberty to look at the total area, because in the Sign Code there is no reference to size of signs that are attached to buildings. In an email, that Mr. Lostra wrote to Ms. Laughlin he talked about the size of signage. The size of the signs that they presented on the application had a total square footage of 237 square feet. If they were to use the freestanding sign code, they would be allowed 300 square feet due to the frontage being so large. That was their argument towards the size of the sign and the proximity. They are half a City block away from the nearest signal. The sign that was proposed was painted lettering; it is not bright; it's plain; and it wouldn't impede the traffic in their opinion, due to other signage in the area. That was their argument as to why they presented it the way they did, and their justification for the size of the sign that they've presented. They feel that it meets the intent of the Code based on the different sections. He wanted to go through the sections and purpose. Sections B & C of 3-9-3, Mr. Lostra lumped together because he thought they were important. They state "B. To protect and enhance property values and create an attractive economic and business climate." and "C. To protect and enhance the physical beauty and appearance of the community." As you can see from the package, it is a dilapidated building. They are trying to upgrade it and make it better. All of that is going to enhance their surroundings. Mr. Lostra didn't think that the sign impeded on that. They didn't think Section 'E' applied to them, because it is referring to a freestanding sign. They also didn't believe section 'D' applied either.

Ms. Laughlin explained there were several staff members who denied the permit. It wasn't just the Planning and Zoning Department. The interpretation of the code is opinion, but signs can be visual clutter and they can enhance or distract from the property. Staff took the 40' long by 7' high proposed sign and implemented it on the modular building in the back. The sign takes up over 60% of the building. It is very large. It is opinion when staff is reading the Vision code, the RDA plan, and the City code when they are evaluating all the applications within the Redevelopment Area. That is why it is in front of the Agency for their decision.

Mayor Keener said he had a chance to look at the application and Mr. Lostra's letter. It is not forbidden in the way that Mayor Keener read the guidelines. As far as he was concerned, it was a lot better than what they've been looking at for a generation down there. Mayor Keener stated that his position was in favor of the application. He wanted to hear from the other board members

Councilwoman Simons said she didn't care if Mr. Lostra painted the name of his business on his building, she thought that was a perfectly appropriate thing to do.

Councilman Chip Stone asked if the letters would be lit. (No) He said he saw why there was a conflict, but he said he would rather look at the sign than peeling paint.

Councilman Morris thought it would look a lot better than what it looks like now, and it would be an improvement.

*****A motion was made by Councilwoman Mandy Simons, seconded by Councilman Chip Stone to approve Sign Permit 21-137 to be located at 225 6th Street.**

**Motion passed unanimously. (5-0)*

- C. Review, consideration, and possible direction to staff to deduct the plaza areas from the current Block Ends Project contract, pending a redesign of those areas dedicating them to art display use only, and matters related thereto. **FOR POSSIBLE ACTION**

The RDA, at the May 21, 2019 meeting, moved to approve the design of Phase 1, Project 3 Block Ends Project and to have an added alternate for hardscaping areas on 4th & 6th Street with raised concrete pedestals. Staff did not have any information for minimum design standards necessary to include an added alternate in the proposed contract, currently under construction. Staff presented the current design with plaza areas consistent with the approved 30% design and to be utilized as potential public gathering areas consistent with the goals and objectives presented in the RDA and Vision plans. Staff believes the plaza areas could be converted to art display areas when additional information supporting the appropriate pedestal design is available. As an example, the latest art piece installed at the airport has a footing that is reinforced and 8' deep.

Ms. Laughlin explained that staff brought this to the Agency originally in 2019. The design was worked on for over year, and the Agency saw it a few times throughout the design process. The Agency approved the project as designed, the project went out to bid, it was awarded, and now it is under construction. It was brought to City to have a change in the scope of work to add the art pedestals. The reason it wasn't in the original design was that staff didn't have information on the art that would be installed. There is not an agreement with the Burning Man Art at this time. Ms. Wines has been in communication with them, and we are hoping to have some type of an agreement to bring to City Council. When staff was getting approval on the plans and putting the project out to bid, they didn't have that information. Therefore, the project was bid without the art pedestals. The project is currently under construction as designed without the art pedestals. If we were to come back and add that at this point, staff believes that it would be a material amendment. We don't have unit pricing on the current bid from MKD Construction for an 18" high solid concrete pedestal. Once a public works project has been awarded, we can't go in and change the scope of work on a project. This wouldn't be considered a change order. A change order would be if a storm drain under 4th Street needed to be replaced. It would be a material amendment to design something for the art pieces, come in, and build them. What staff is proposing and recommending is that the project continues as designed. There will be a savings of \$7,500 if it is deducted. Staff is recommending that we do not deduct that and the project continues as designed, the plaza areas are built, add the benches, and see if anyone uses them. We can utilize the space until we have an agreement with Burning Man Art and have answers to the questions. Some of the questions staff has are: Who is going to pay for the art to be transferred to Elko; who is going to install it; who is liable for the art once it's installed. There are a lot of questions about the specifics of the art work. It is a great concept, but nothing in front of us has been approved. Once there is an agreement and some of the questions are answered then, we can design and build the pedestals. Let's not stop, or delay the project now.

Ms. Wines stated that there was no conversation. There is an Arts and Culture Advisory Board. There were originally pedestals in the design and then all of the sudden there are no pedestals. There was no communication at all with the Arts and Culture Board, which is dumb because that's what the Board is for. Ms. Wines explained that she didn't realize there weren't pedestals until she was driving down Railroad Street and she spoke to Mr. Thibault. He explained that they were just plazas. That doesn't work for any art. They were told that the boots would be strong enough and they weren't. The boots were only \$1,500; the stuff we would be getting from Burning Man, the cheapest piece is around \$40,000. We can't take that kind of risk. The reason there is no parameters for a specific design is that the idea would be that the art is changed out all the time. There won't just be one piece for 20 years. There are many art pieces available. There are a couple different companies willing to throw the pieces on a truck if there is space. There was just no communication about all of this. Ms. Wines understood that staff didn't want to stop the project now. To build plazas right now would be dumb. If you have to leave something out, just leave the whole thing out. To do the plazas, come back in a year and tear them out would be a waste of money. If we don't have things ready to go today, just leave the whole thing out. It would be ideal to raise the entire half circle up and have that as a place to put any number of pieces of art that will be switched out. They will all mount differently. Ms. Wines stated that she had several conversations with the people that are in the art department at Burning Man. All of the pieces are on a rotation in Reno, Fernley, and Fallon. Burning Man has been trying to get Elko involved for about five years. The notion that no one knows what's going on had Ms. Wines thinking that no one was listening. Her suggestion was if they couldn't do the pedestals now then leave them out, because it would be waist to put in the plazas and tear them out. She stated that they would be happy to work with staff on what the design of the pedestals should be.

Councilwoman Simons thought that when the design was first presented that there would just be a generic pedestal and the art would just have to fit on it. They would have to find pieces that would fit on the pedestals to rotate. She asked if it was possible to build a generic pedestal.

Ms. Wines explained that not all of the art pieces would fit on what was proposed. They would have to find a piece that would fit.

Mayor Keener asked how high the proposed pedestal would be.

Ms. Wines thought 18", because it would provide a place to sit. The Psychology of protecting art is if it is raised then that says don't cross. If it were on ground level, it wouldn't meet ADA Code. If it is raised then it doesn't impede on travel, and it gives an unwritten rule not to cross.

Councilman Stone asked if there was a cost for the art.

Ms. Wines said she found out a couple days ago that it wouldn't be a contract with Burning Man; it would be a contract with the individual artists. The costs would be up to the artists. Some of them do it for free, and some would charge to lease it. Burning Man recommends a two-year lease or a two-year agreement, because Elko is a little further away.

Councilman Stone asked if the City would be responsible if the art is lost, stolen, or defaced.

Ms. Wines thought that the artist should have their own insurance. Those deals can also be worked out. The Convention Center and the ECVA has expressed interest in helping to pay, if there is a cost.

Scott Wilkinson, Assistant City Manager, thought they were finding out with this discussion that the agreement was not going to be with Burning Man and it would be with individual artists and other things. He thought they would be looking at different agreements with each individual artist, which would take time. Back to what we are going to build. We don't really know what the minimum would be. He thought there would have to be some rebar to hold a monolithic pour together. He thought there would also need to be some additional rebar depending on the minimum weight that needed to be supported. They will need to be anchored. Mr. Wilkinson thought more important than anything was that there would need to be agreements going to the City Council on who is responsible for what. There are a lot of moving parts to considering this. In the meantime, if the plazas are built the cost is minimal, it provides a public space, and depending on how this shakes out you might have one or two pieces of art in place within 6 months or a year. There may be additional pieces that are installed the following year. If the pieces are to be rotated out, we will be going through an agreement process with every artists, which may or may not shake out over time. Mr. Wilkinson thought it was something for the RDA to consider to keep moving forward. If the work isn't done, there will be a bare spot, because there won't be any landscaping due to the irrigation being designed around the current design. Then there will be weeds growing in there and we will have complaints about the weeds. Mr. Wilkinson thought Ms. Laughlin had a good recommendation to continue forward with the project until we get into the details on what we're going to do. This is all very cool stuff, we should pursue it, but Mr. Wilkinson thought they needed a little time to do it.

Mayor Keener asked Mr. Thibault what the ballpark cost would be to put an 18" pedestal in each plaza area.

Bob Thibault, Civil Engineer, said he had never priced anything like that, but he had run some rough numbers and thought it would cost around \$50,000 to add the pedestals to the current contract. He thought they might be \$5,000 to \$10,000 each, but then again he didn't know what they were trying to design. That was the problem from the start. He said his first time hearing of the rotating art was a couple of weeks ago when he ran into Ms. Wines. His first thought was that he didn't know what the pieces of art were, so he couldn't design anything. He suggested putting in a concrete sidewalk, which is the least expensive thing that could be done, as a placeholder. Assuming they would have to pour in a foundation and remove some concrete to put in whatever is needed for each individual piece of art.

Mayor Keener asked if the way the existing work was being formed if it was in a circle now. So if in the future they wanted to put in a pedestal that it could be easily dismantled without having to cut concrete.

Mr. Thibault explained that what is proposed right now is a semi-circle of 4" thick concrete, which is fairly easy to remove.

Mr. Wilkinson added that the other question that comes up is, depending on the type of structure, whether a building permit will need to be pulled. We don't know the answer to that today. That

may be something that might come up in the future depending on the specifications of the pedestals.

Councilman Stone stated that he loved the idea of art, but he was on board with what Ms. Laughlin was recommending. We are at this point now, finish it, get it done, the public will enjoy it, and as the details are worked out install the pedestals later.

Councilwoman Simons said she was fine with that, but she thought they needed to go forward with this plan, because that was what they approved. It's fine if they want to finish this, but then they needed to start the process of adding the pedestals.

Councilman Stone said they could start figuring out what the pedestal would be.

Councilwoman Simons thought there was a standard from other cities. Then the art pieces will have to work with the pedestals that are installed.

Mayor Keener asked if Councilwoman Simons wanted to go forward with the existing design.

Councilwoman Simons said yes, but know that we will be back soon to install the pedestals.

Councilman Morris agreed with Councilwoman Simons. He thought they needed to follow what staff has recommended and get the project done, and then they could go from there.

*****A motion was made by Councilman Chip Stone, seconded by Councilman Clair Morris to continue the Block Ends Project as is, with the caveat that as it is finished instruct staff to move on with looking at the other options of the raised pedestals.**

**Motion passed unanimously. (5-0)*

After the motion, but before the vote Mike Lostra commented that a lot of the art pieces already have engineering. They have designed them before, where they already had them. That might speed the process up with the foundations.

***** The board then voted on the motion.**

II. REPORTS

A. Budget

Ms. Laughlin went over the budget report in the packet.

B. NV Energy Lighting in Corridor

Ms. Laughlin wanted to report on the grant program for undergrounding the power lines on the 400 Block. Staff has been working with NV Energy on this for some time. The last meeting they had was in November of 2020. At that time they stated that they needed an easement from Stockmen's for the parking lot portion to finalize it. A couple transformers needed to be on an easement. After that, they would be getting contracts and getting the

project underway. Staff was hoping to be under construction at the same time the water and sewer project was happening, but we haven't heard anything. Ms. Laughlin reached out to NV Energy again last week. It refreshed their memory and they immediately got ahold of Stockmen's and got the easements signed. An email from Mr. Carson this morning stated with the UMP program being new and the City's project being amongst the first to go in in Northern Nevada, they experienced a delay in updating the contract language. They have been working closely with their legal team on the correct language. This is in the final step of resolution and we expect to have a contract out to you by the end of the week. I will keep you updated with any changes, in addition the easement was signed by Stockmen's and returned to the Lands Department. Their Lands Department just has to finalize the design, the City will have to get some bids on it, and install the conduit. The City is responsible for all the new meters on all the buildings. We are anxious to find out on the contract how much they are going to give us in the grant. We don't have a dollar amount yet. From that scope of work then we will be able to put some engineer's estimates on what the City's cost for the project will be.

Mayor Keener asked where things were at with the water line project on the 400 block.

Ms. Laughlin explained that the project would be starting May 10th and should be done by June 10th. Great Basin Engineering was awarded the contract.

Mayor Keener asked what the latest was on the lighting in the downtown corridor.

Ms. Laughlin stated that she reached out to Dave again. He stated that if the City felt like it wasn't adequate that they would attempt to take down a few of the lenses to see if that would improve the lighting. He was also going to get a cost estimate on a lens replacement.

Dennis Strickland, Public Works Director, said there was a light that got ran into. The whole light pole standard got hit and they discovered that the lens covers were plastic. That is part of the problem. Mr. Strickland said his department had been trying to do some legwork for NV Energy to see if they can find a replacement head. There is nothing, they are totally obsolete.

There was further discussion on the lens covers for the lights in the corridor.

Mayor Keener asked Mr. Thibault what the status was on engaging with Yesco on the repair of the LEDs on the Centennial tower.

Mr. Thibault explained that they had all been repaired.

COMMENTS BY THE GENERAL PUBLIC

There were no public comments made at this time.

NOTE: The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time. Additionally, the Redevelopment Agency 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

There being no further business, the meeting was adjourned.



[Reece Keener \(Aug 24, 2021 10:49 PDT\)](#)

Mayor Reece Keener, Chairman
Redevelopment Agency






04-27-21 PC Minutes

Final Audit Report

2021-08-24

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