



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 28, 2020
at 4:00 P.M., P.D.T. utilizing **GoToWebinar.com**
<https://attendee.gotowebinar.com/register/4771406981460102671>

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>, and in the following locations:

ELKO CITY HALL
1751 College Avenue, Elko, NV 89801
Date: Time Posted: Thursday, April 23, 2020 at 8:30 a.m.

Posted by: Kim Wilkinson **Administrative Assistant** *Kim Wilkinson*

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 on the City website at **<http://www.elkocity.com>**

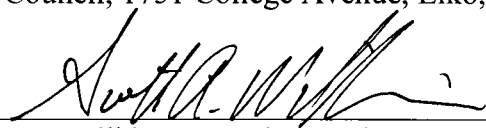
The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering. Public Comment and questions can also be received by calling (775) 777-0590 or by emailing: **cityclerk@elkocitynv.gov**. Please register for the Elko City Council Regular Meeting on April 14, 2020, 4:00 P.M., P.D.T. at:
<https://attendee.gotowebinar.com/register/4771406981460102671>

After registering, you will receive an email confirmation containing information about joining the webinar. For information regarding GoToWebinar, please visit the following link:
<https://support.goto.com/webinar/how-to-join-attendees> Members of the public that require assistance may contact the City Clerk at 775-777-7126.

Dated this 23rd day of April, 2020

NOTICE TO PERSONS WITH DISABILITIES

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



Scott Wilkinson, Assistant City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, APRIL 28, 2020
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA
GoToWebinar.com
<https://attendee.gotowebinar.com/register/4771406981460102671>

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering at the link above.

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. Comments may be made through GoToWebinar.com, or by calling (775) 777-0590, or email comments to: cityclerk@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES:	April 7, 2020	Special Session
	April 14, 2020	Regular Session

I. PRESENTATIONS

- A. Presentation by Assemblyman John Ellison regarding COVID-19 Unemployment Insurance Claims and the State of Nevada Department of Employment, Training, and Rehabilitation, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**
- B. Report by County Manager Robert Stokes, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

II. CONSENT AGENDA

- A. Review, consideration, and possible appointment of Elko County Family Court Master Andrew Mierins as a Disciplinary Appeal Hearing Officer for the express purpose of conducting a disciplinary appeal hearing, pursuant to the City of Elko Human Resources Policy Manual, and matters related thereto. **FOR POSSIBLE ACTION**

- B. Review, consideration, and possible approval for the Elko Police Department to apply for a Services-Training-Officers-Prosecutors (STOP) Grant in the amount of thirty thousand dollars (\$30,000), to assist with costs associated with the part-time Domestic Violence Services Advocate (DVSA) position, and matters related thereto. **FOR POSSIBLE ACTION**

The DVSA works with victims, officers and the District Attorney's office to assist domestic violence victims through the criminal process. Since January 1, 2020, the Elko Police Department has received 239 domestic violence related calls, and filed 72 cases with the District Attorney's Office. The STOP Grant requires a cash match. TT

- C. Review, consideration, and possible approval of the Elko Police Chief applying for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the Elko Combined Narcotics Unit (ECNU), and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department would like to apply for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the operations of the Elko Combined Narcotics Unit (ECNU); OCJA requires no cost-match. TT

- D. Review, consideration, and possible approval of the Elko Police Chief to apply for an Office of Criminal Justice Assistance (OCJA) Grant. The grant, valued at eighty-seven thousand, eight hundred and eighty-two dollars (\$87,882.00) would be used to replace three Elko Police Department, Bomb Squad explosive resistant suits including helmets, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department would like to apply for an OCJA Grant for the replacement of three Elko Police Department, Bomb Squad explosive resistant suits including helmets.

The explosive resistant suits and helmets are necessary for the Bomb Squad members to safely and effectively place equipment and/or manipulate suspected explosive devices. These suits, like the ballistic vests, have a five-year shelf life and the three we currently own are all expired. Each suit is twenty-nine thousand, two hundred and ninety-four dollars (\$29,294.00). We are seeking to replace the three expired suits for a total cost of eighty-seven thousand, eight hundred and eighty-two dollars \$87,882.00 dollars. There are no matching fund requirements. TT

- E. Review, consideration, and possible approval for the Fire Department to apply for Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the Department of Homeland Security to continue the Volunteer Retention and Recruitment Position, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department Fire Department would like to apply for the 2019 FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant. The application would apply for a Volunteer Retention and Recruitment Coordinator position. The current grant that has lasted four years will be expiring in November of 2020. This position has been a great success to increasing our volunteer firefighting force, while certifying all individuals to national standards. There is no match by the City for this grant. JS

- F. Review and possible extension of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting May 1, 2020 through May 16, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

Due to Governor Sisolak’s extension of the statewide business shutdown beyond April 30, 2020, the City of Elko needs a mechanism to keep affected full-time employees in a pay status through May 16, 2020. CC

III. PERSONNEL

- A. Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Family and Medical Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Family and Medical Leave Expansion Act (EFMLEA) provides up to 12 weeks of FMLA Leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. The EFMLEA is available for any eligible employee who is unable to work or telework, due to a need for leave to care for his/her child whose school or place of care has been closed, or childcare provider is unavailable for reasons related to COVID-19. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Family and Medical Leave eligibility, and use. SS

- B. Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Paid Sick Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Paid Sick Leave (EPSLA) provides 2 weeks (up to 80 hours) of paid sick leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Paid Sick Leave eligibility, and use. SS

IV. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review, consideration, and possible action to award a bid for the WRF East Primary Clarifier Recoating Project 2020, and matters related thereto. **FOR POSSIBLE ACTION**

This is a yearly maintenance project, which rotates between five (5) clarifiers. Bids were opened on February 19, 2020, and Council rejected all bids for noncompliance on March 10, 2020. Staff was directed to rebid the project, and bids were opened on April 20, 2020. A Bid Tally Sheet is included as supplemental agenda information with Staff findings. DJ

V. NEW BUSINESS

- A. Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and Beehive Broadband LLC, amending Section 2 of the agreement, granting a revocable license to pull communications cable in underground conduit owned by the City of Elko located within City Rights-of-Way and amending Section 10 of the agreement, allowing for a reduction in Franchise Fees by resolution of the City Council, and matters related thereto. **FOR POSSIBLE ACTION**

Council has recently approved Non-Exclusive Franchise Agreements including a provision granting a revocable permit for occupancy of City owned conduit. Additionally, Council passed Resolution No. 4-20 on February 11, 2020 waiving Franchise Fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter, the telecommunication carrier shall pay the Franchise Fee as stipulated in the agreement. The proposed amendment addresses the issues referenced above. SAW

- B. Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and White Cloud Communications, Incorporated, amending Section 2.1 of the agreement, allowing for a reduction in franchise fees by resolution of the City Council, and matters related thereto. **FOR POSSIBLE ACTION**

Council passed Resolution No. 4-20 on February 11, 2020, waiving franchise fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter the telecommunication carrier shall pay the franchise fee as stipulated in the agreement. SAW

- C. Review and possible approval of the Skywest Landing and Lease Deferral Policy, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will provide the Skywest Landing and Lease Deferral Policy for City Council consideration. JB

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review and consideration of a request from Becky Tyree to consider amending the Elko City Code 5-3-1 changing the number of laying hens not used for commercial purposes allowed in private residences, and matters related thereto. **FOR POSSIBLE ACTION**

The City received email correspondence requesting to amend City Code 5-3-1 that allows two laying hens not used for commercial purposes in private residences. The email is in the agenda packet. KW

- B. Review, consideration, and possible action to accept a petition for a slope easement of approximately .75 acres along the southern portion of approved Tentative Map 14-19 (Mountain View Townhomes), filed by Koinonia Development, LP, and matters related thereto. **FOR POSSIBLE ACTION**

Due to the existing topography of the development site, the applicant's engineer is proposing off-site grading onto City of Elko-owned property (a portion of Mountain View Park). A condition of approval of the Tentative Map was that a slope easement be granted to allow for this off-site grading. SAW

- C. Review, consideration, and possible action pertaining to a request to purchase approximately 2,800 sq. ft. of City owned parcel referred to as APN 001-01R-001, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved a petition to sell or lease approximately 900 sq. ft. to the applicant at their February 11, 2020 meeting. The applicant has since requested a larger parcel, 70x40, and has submitted a new application.

Pursuant to NRS 268.063, the City Council may adopt a resolution which triggers an "economic development" exception, finding that it is in the best interest of the public to sell the property without offering the property to the public. SAW

- D. Review, consideration, and possible action to accept a petition requesting that the City of Elko provide 1 buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko a buffer of the same liner feet within the city, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko approved a non-exclusive franchise agreement with the CC Communications on February 11, 2020. The non-exclusive franchise agreement

does not provide for the use of City owned fiber. CC Communications is requesting the City consider allowing CC Communication use of the existing fiber in exchange for an equivalent city use of CC Communications fiber. A separate agreement between the parties would be required. SAW

VII. PUBLIC HEARINGS

- A. Review, consideration, and possible adoption of Emergency Ordinance No. EO-001, an emergency ordinance deferring certain utility fees, penalties, and charges to assist businesses adversely affected by the COVID-19 Pandemic, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the proposed emergency ordinance has been included in the agenda packet for review. CC

VIII. REPORTS

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

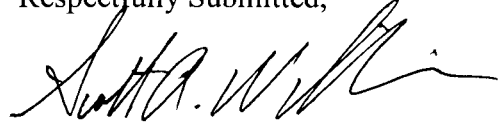
COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. Comments may be made through GoToWebinar.com, or by calling (775) 777-0590, or email comments to: cityclerk@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

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

ADJOURNMENT

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott A. Wilkinson", written in a cursive style.

Scott Wilkinson
Assistant City Manager

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

SS April 7, 2020

The City Council of the City of Elko, State of Nevada met for a special meeting beginning at 4:00 p.m., Tuesday, April 7, 2020. Due to the COVID-19 pandemic the meeting was held via GoTo Webinar.

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 Schmidlein
 Councilman Chip Stone
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Dale Johnson, Utilities Director
 Kelly Wooldridge, City Clerk
 Candi Quilici, Accounting Manager
 Jan Baum, Financial Services Director
 Mike Haddenham, WRF Superintendent
 Dennis Strickland, Public Works Director
 Bob Thibault, Civil Engineer
 James Wiley, Parks and Recreation Director
 Cathy Laughlin, City Planner
 Jim Foster, Airport Manager
 Matt Griego, Fire Chief
 Dave Stanton, City Attorney
 Ty Trouten, Police Chief

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. Comments may be made through

GoToWebinar.com or by emailing kwooldridge@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

Mr. Chris Johnson 123 Woods Court stated he was interested to see how the Goto Webinar worked and he feels this is a great way to go and appreciates the opportunity for the public to participate.

Mayor Reece Keener did a public service announcement reminding everyone to follow the CDC protocols and use social distancing, eliminate the number of trips you take each day and just do what is absolutely necessary.

Mayor Keener noted the agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view the virtual meeting on a computer, laptop, tablet or smart phone. The agenda was also posted at www.elkocity.com under government/agenda.

APPROVAL OF MINUTES: March 10, 2020 Regular Session

**** A motion was made by Councilman Chip Stone, seconded by Councilman Robert Schmidlein, to approve the minutes of March 10, 2020.**

The motion passed unanimously. (5-0)

I. PRESENTATIONS

- A. Review, discussion, and possible adoption of the 2020 Street Inventory and the 2020 Construction Season Project List, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff conducted a street inventory in February. The purpose of this annual survey is to evaluate current road conditions and to recommend a list of maintenance projects for the upcoming construction season. Please find enclosed for your review, in the supplemental agenda information, City Staff's 2020 Street Inventory, and recommendations for the 2020 Construction Season Project List. DS

Dennis Strickland, Public Works Director, presented the Street Inventory power point document.

Mayor Reece Keener called for public comment without a response.

**** A motion was made by Councilman Robert Schmidlein, seconded by Councilwoman Mandy Simons, to adopt the 2020 street inventory and the 2020 construction season project list.**

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Review and possible approval of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting April 11, 2020 and until April 30, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

During the March 18, 2020 Emergency Meeting, the City Council amended the City of Elko Sick Leave Policy to allow full-time City employees to use accrued Sick Leave if sent home pursuant to the Governor’s shutdown order, with the intention of keeping full-time City employees in a pay status. Employees without adequate sick leave accruals were eligible for Sick Leave donations. A total of 3,202 hours were donated by City employees to cover the deficit through April 10, 2020.

Due to Governor Sisolak’s Emergency Directive 010, effectively extending the statewide business shutdown until April 30, 2020, the City of Elko needs a mechanism to keep affected full-time employees in a pay status beyond April 10, 2020. CC

City Manager Curtis Calder explained the Governor ordered a 30-day business shutdown on March 17, 2020 to begin by noon on March 18, 2020; leaving about 18 hours to determine what the City would do. The City suspended most services and reduced staff by about 1/3. The sick leave policy was amended to allow full time employees to use sick leave when on leave pursuant to the shutdown order. The sick leave policy can be used for public health requirements. Part-time and seasonal employees have also been sent home, but they are without pay. A total of 4,465 hours of sick leave has been used since April 4, 2020. Approximately 1000 hours were donated by senior leaders at the City. The Governor extended the stay-at-home order until April 30, 2020 in Emergency Directive 010. Our goal is to have full-time employees remain in a pay status. Mr. Calder’s recommendation is to transfer to administrative leave with pay beginning April 11, 2020. Council approval is needed to do this because the City’s HR Policy only allows administrative leave with pay for disciplinary proceedings. This will sunset on April 30, 2020 and will require further fiscal analysis if there are further shutdown orders by the Governor.

Mayor Keener discussed letting individuals utilize their sick time until it is completely depleted and then letting them go into a negative balance, however Mr. Calder explained the City’s payroll program does not have the functionality needed to do this.

Councilman Schmidtlein stated he is on the fence about this. He asked how many days of sick leave have employees used so far.

Mr. Calder explained they have used from March 18 – April 10, 2020 so far. We have used all of the donations and people have exhausted most of their sick leave.

Councilman Schmidtlein asked if we have enough reserves to cover the administrative leave.

Mr. Calder answered yes, right now the City is well positioned to cover this for now. A typical two week payroll period for the City is about \$300,000. The reserve fund is fully funded, as is the contingency fund. There is also ending fund balance from the last year. However, at the next council meeting we will be discussing the tentative budget and we are projecting a loss of about four million dollars for this time period. The budget presentation will be much different than the one 3 weeks ago due to the declining revenues.

Councilman Stone asked to clarify that we do have the funds to cover until April 30, 2020 but what will happen after the 30th?

Mr. Calder stated it would be a policy decision at this point. The money will be there but the Council will need to set priorities regarding other expenses. For example, a week ago we paid two bonds and had a cash flow issue. If the Governor states the stay-at-home order is extend until May, we will have to do further fiscal analysis.

Councilman Hance stated he felt this is the best option for now.

Mayor Keener stated the best course of action will be to limit it to April 30, 2020.

All members of the Council thanked the employees that donated their time.

**** *A motion was made by Councilwoman Mandy Simons, seconded by Councilman Chip Stone, to approve the administrative leave with pay for full-time employees sent home pursuant to Governor Sisolak's stay-at-home order from April 11 – April 30, 2020.***

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

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

**** *A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the general warrants.***

The motion passed unanimously. (5-0)

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

**** *A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the Print N' Copy warrants.***

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

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Mandy Simons, seconded by Councilman Bill Hance, to approve the Great Basin Engineering warrants.**

The motion passed (4-0 Councilman Robert Schmittlein abstained.)

D. Review, consideration, and possible award of the bid for the Cedar Street Reconstruction Project Phase 3, and matters related thereto, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on March 19, 2020. This item has been approved and budgeted for in the 2019/20 Fiscal Year Budget, Capital Construction Fund. DS

Dennis Strickland, Public Works Director, pointed out the low bid was from Great Basin Engineering Construction Company at \$1,992,039.19. He stated there is approximately \$2.2 million dollars available in capital construction for this project. He pointed out the bid includes all of the added alternates including alternate number three the work on behalf of the Elko County School District on an adjacent street in the amount of \$275,274.33. He read a letter into the record on behalf of the school district approving the work. There is also a current MOU depicting the school district is responsible for their portion of the project. This leaves the City responsible for \$1,853,154.86.

Councilmember Mandy Simons asked if the School District is still prepared to follow through with this given the current budget situation due to COVID-19.

Mr. Strickland stated the letter was dated April 6, 2020.

Mayor Keener felt we should be able to complete all of the alternates. He called for public comment without a response.

**** A motion was made by Councilmember Chip Stone, seconded Councilmember Mandy Simons, to award the Cedar Street Construction project phase three to Great Basin Engineering, in the amount of \$1,992,039.19, to include the additive alternates one two and three.**

The motion passed (4-0 Councilmember Robert Schmittlein abstained.)

D. Review, consideration, and possible approval to enter into a Professional Services Agreement with Carter Engineering for the administration of quality control and quality assurance for the Cedar Street Reconstruction Project Phase 3 in the amount of \$146,390.00, and matters related thereto. **FOR POSSIBLE ACTION**

City Council is scheduled to award the contract for the Cedar Street Reconstruction Project Phase 3 on April 14, 2020. The quality control and quality assurance would include surveying, testing, field meetings, inspections and as-builts, etc. as described in the attached proposal from Carter Engineering. DS

Dennis Strickland reported Carter Engineering has done a great job on the first two phases and brought the project in under budget both times. Lana Carter was available for comment.

Councilman Bill Hance asked about the \$146,390.00, wondering if we needed to add the alternate for the school district.

Ms. Carter stated she would contract directly with school district so this does not need to be added.

**** A motion was made by Councilmember Roberts Schmidtlein, seconded by Councilmember Mandy Simons, to enter into a Professional Services Agreement with Carter Engineering in the amount \$146,390.00 for the administration, quality control and assurance of the Cedar Street Reconstruction Phase Three.**

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 2020 construction season, and matters related thereto.
FOR POSSIBLE ACTION

Bids were received until 3:00 p.m. local time on Thursday, April 2, 2020. DS

Dennis Strickland explained no bids were received. We will take no action on this item. Both vendors have reached out to him. Q & D has concerns with other jobs in Northern Nevada being halted by NDOT. Staker Parsons has concern with volatility of the cost of oil. We will work with the City of Elko Purchasing Policy and apply the sole source to do the job.

No action was taken on this item.

IV. NEW BUSINESS

- A. Review, consideration and possible action to approve the City of Elko as the Nevada Department of Transportation Permittee for a Flashing Pedestrian Crossing and related upgrades to be located on Mountain City Highway at the intersection of Terminal Way, and matters related thereto. **FOR POSSIBLE ACTION**

Nevada Gold Mines has requested that the Nevada Department of Transportation (NDOT) consider permitting upgrades to the pedestrian crossing at the intersection on Mountain City Highway and Terminal Way. The NDOT, City Staff and representatives for Nevada Gold Mines have discussed the merits of the project, along with the responsibility for design, construction and maintenance of the project. The NDOT has agreed to design and construction of the infrastructure and requested the City to be the permittee responsible for the maintenance of the infrastructure. All parties discussed the potential of a separate agreement between the City and Nevada Gold Mines addressing the maintenance of the infrastructure. It is not customary for the City to have a separate agreement with a private party for maintenance of infrastructure under a NDOT permit. Additionally, the City has permitted and benefitted from substantial development in immediate vicinity. The Assistant City Manager has communicated, to the NDOT and Nevada Gold Mines, that a separate maintenance agreement would not be consistent with past practice and present practical administrative difficulties under those types of agreements. Nevada Gold Mines concurs that there should not be a separate maintenance

agreement. Nevada Gold Mines has requested City Council support of the project and commitment by the City to maintain the infrastructure as the NDOT permittee.
SAW

Scott Wilkinson, Assistant City Manager, stated the NDOT Carson City office determined this project is warranted and wants the City of Elko to be the permittee. He does not feel we should look at a third party agreement. The letter from Nevada Gold Mines is in the packet. Mr. Wilkinson stated if the City is not interested in being the permittee he does not think the project will move forward.

Mayor Keener stated this project is important due to the pedestrian traffic in this area and this should be done proactively before there is an accident.

Councilmember Schmidtlein said he drives through this intersection five days a week and sees quite a bit of pedestrian traffic to the airport and the Nevada Gold Mine employees walking across. He has seen the highway patrol flash the emergency lights to let drivers know there are pedestrians on rainy or foggy days. He stated the crosswalk at Aspen way is not adequate. He asked if we are just doing the maintenance.

Mr. Wilkinson stated this is correct. There is little expectation of maintenance costs the first few years after the infrastructure is put in. The City has a lot of permits with NDOT throughout the City with the City as the permittee. We have been meeting with NDOT working on older ones in which the City is not the permittee to fix these.

Mayor Keener feels this is worthy of consideration and there is limited risk to take on the maintenance. Nevada Gold Mines is a good community partner and it is nice to have the opportunity to give back to them.

Councilman Schmidtlein asked if the intention is for Nevada Gold Mines to continue parking at the airport as well as Gold Dust West.

Mr. Wilkinson doesn't think the two issues are related. There is a lot of foot traffic in the area due to development.

Curtis Calder, City Manager, stated he has no reason to believe NGM will cancel the lease they have at the airport. This is a pedestrian safety issue.

Councilman Chip Stone stated he sees quite a bit of foot traffic in this area and it helps NGM employees as well as others in the community.

Dennis Strickland stated we have signal agreements with every signal that correlates with NDOT. This will be very similar to the agreement we have for the signal by Home Depot. All the agreements state that the City partners with NDOT and our maintenance has been minimal.

**** A motion was made by Councilmember Mandy Simon, seconded by Councilmember Robert Schmidtlein, to approve the City of Elko as a Nevada Department of Transportation**

permittee for a flashing pedestrian crossing and related upgrades located on Mountain City Highway at the intersection of Terminal Way, conditioned on NDOT designing and installing the upgrades at no cost to the City and the City accepting the responsibility for the maintenance of the infrastructure.

The motion passed unanimously (5-0)

V. REPORTS

A. Mayor and City Council

Councilman Stone reported the Clerk's Office started a City Facebook page called "The City of Elko" and we have had a lot of positive response. It is a good source for the public to get information.

Mayor Keener reported there are great things happening in the community with a lot of people doing things to help each other. We are thankful for our local medical providers. He asks that the public observe the CDC guidelines for social distancing and everyone do their part to stay safe so we can get past this time more quickly. We are blessed to be living in Elko versus a large metropolis and we have a low number of cases of the COVID infection.

B. City Manager – Report on Overall City Operations

Curtis Calder stated it has been a different type of time for the City because we are not interfacing as much with the public so employees have had to adapt and have done a great job. He appreciates all of the employee's flexibility. Hopefully the citizens have not felt that big of a reduction in service. The Parks Department is pretty much shut down. Public Safety (police and fire) are at full capacity. The Building Department is short staffed but still doing plan review, permitting and inspections. We plan to do more of this to keep contractors working. Public Works is at a reduced capacity but at the ready to deal with any emergencies. The Airport is at about half capacity and SkyWest cut the morning and evening flights. City Hall has finance, HR and IT working because we are in the middle of budget season. The State has not given municipalities any extensions of budget deadlines. We would have liked to have had an extension so we could have more information as to the effects of the shutdown. You will see the tentative budget on April 14th and will need to take action so we can submit it on April 15th. Hopefully we will be getting back to normal in May and we will not need to make many changes to this tentative budget. However, if the shutdown lasts any longer we will need to amend the tentative budget. We are getting a high volume of calls and emails and we are trying to answer questions the best we can with the uncertainty in the public. The virtual meetings will probably be the way we need to interact for the near future.

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

Cathy Laughlin reported we had a great response in the RDA grant applications due on March 30th. We had way more requests than we had budgeted and will hopefully be able to have a RDA meeting soon.

- L. Development Manager
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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

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 14, 2020

The City Council of the City of Elko, State of Nevada met for a special meeting beginning at 4:00 p.m., Tuesday, April 14, 2020. Due to the COVID-19 pandemic the meeting was held via GoTo Webinar.

This meeting was called to order by Mayor Reece Keener. He stated the agenda for this meeting has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can participate by phone, tablet, lap top, or computer by registering with the Goto Webinar link provided in the agenda. Questions can be sent to cityclerk@elkocitynv.gov.

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
Dale Johnson, Utilities Director
Kelly Wooldridge, City Clerk
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Dennis Strickland, Public Works Director
Bob Thibault, Civil Engineer
James Wiley, Parks and Recreation Director
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Matt Griego, Fire Chief
Dave Stanton, City Attorney
Ty Trouten, Police Chief

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. Comments may be made through GoToWebinar.com or by emailing kwooldridge@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

Kelly Wooldridge, City Clerk announced to the public that if they are having trouble participating on the GoTo Webinar they can call 775-777-7126 to make any public comments.

Mr. Felix Ike, 1949 Circle Way, Elko, stated he has been a resident since 1947 and is a member of the Te-Moak Tribe. He would like to thank the City of Elko leaders for allowing him to talk. He stated we are very disappointed to find out the dispensary is opening this weekend, as no one in the community was made aware. Regardless of what Chairman Gonzales and Vice Chair Arevelo stated in their letter to the editor, this was not good communication or consultation. The other issue is law enforcement. There are not protocols. Non-tribal members cannot be prosecuted in the tribal court area. The tribe may draft and submit an ordinance for review to the Secretary of the Interior. Nobody knows how the federal law enforcement will handle the opening of the cannabis shop. Substance abuse is an epidemic on the Elko Indian Colony. There is no family on the Colony that has been untouched by this issue. The most serious crimes on the Colony are drug related to include homicide and arson. The sad reality is most of these addictions start when the tribal members are young. As an example last summer almost half of the applicants to the Nevada Gold Youth Employment Program were disqualified because they tested positive for drugs. In Tribal Council meetings the drug and alcohol programs have a lack of funding and are overwhelmed with members in need. As an enrolled member, I am disgusted the Chairmans would attempt to use cannabis enterprise as referring to tribal cultural practices. These individuals cannot speak on traditional Shoshone practices. Many of the tribal elders were very upset the word Newe was used in the name of this enterprise. This is a Shoshone word. It implies we are in support of marijuana and we are not. There is nobody sitting on the Council that speaks Shoshone. This is cultural exploitation. Marijuana is not a part of our culture or religious beliefs. A preliminary injunction to halt the shop was denied but a full hearing will be held May 28, 2020 to review the minutes of the tribal court. They have worked with the Pace Coalition and sent a letter to the Governor. Mr. Ike indicated the article in the Free Press was incorrect when they stated the Elko Band is separate from the Tribal Council. He stated this is false that the Tribal Council is over the Elko Band.

Mayor Keener thanked him for the update and stated he is surprised they are opening up during a global pandemic. He encouraged Mr. Ike to continue his activism on this issue.

APPROVAL OF MINUTES: March 18, 2020 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Review and possible approval of the Fiscal Year 2020/2021 Tentative Budget, inclusive of all funds, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will provide a revised budget presentation and will be requesting tentative budget approval. JB

Curtis Calder, City Manager, stated that since March 10, 2020, when the budget was first presented, there have been significant changes due to the COVID-19 emergency. This budget is based on the best information we have to date; that the shutdown will be over April, 30, 2020. This is truly a tentative budget and there may be significant changes in this budget when it is final in May.

Jan Baum, Finance Director, reviewed the power point presentation.

Councilmember Mandy Simons asked about removing the request for the 2% room tax increase.

Ms. Baum replied that right now, the hotels are taking a substantial hit in revenue and we didn't feel that right now is the time to increase this. The 2% was intended for a new pool and that is off the table for now.

Councilmember Chip Stone asked about the \$450,000 pool repair.

Ms. Baum stated this is the roof repair and the plaster re-coating.

Councilmember Mandy Simons asked who we have received letters from for donations.

Ms. Baum stated we have letters from the Senior Center, the Nevada Rural RSVP, Elko Area Transit, Nevada Outdoor School, and the Elko High School Homecoming.

Councilmember Simons asked if the Elko Area Transit goes under the County, will that affect this request.

Ms. Baum stated she will look into this and report back for the final budget.

Dennis Strickland, Public Works Director, stated that he sits on RTC and believes Elko Area Transit will still need this funding even if they go under the County.

Councilmember Simons wants the City to focus on the groups that have submitted letters and not assume those that did not send in a letter still need the funding.

Curtis Calder, City Manager, recommended we leave this as it is for tentative budget.

Mayor Keener asked Ms. Baum to review all of the list. He asked that staff reach out to entities we have not received letters from.

Councilman Schmidlein asked about the redevelopment fund. He stated several people have applied for the storefront program and would like to know if this can be increased since there are more candidates than grant money. He does not want to discourage development.

Scott Wilkinson, Assistant City Manager, stated the RDA has taken the action to limit the program at \$50,000. They have taken action in the past to expend more, so when the RDA meets they could make that decision.

Mayor Keener asked about the implications of putting off the pool roof for another year.

Curtis Calder, City Manager, stated if the pool is going to be open, the roof needs to be re-constructed and is critical.

Mayor Keener asked about the plastering project.

Mr. Calder stated this is not as critical but unless City Council is looking at closing the pool indefinitely, these two projects need to occur.

Mayor Keener would like to keep the repairs in the budget for now.

***** A motion was made by Councilmember Robert Schmidlein, seconded by Councilmember Chip Stone, to approve the fiscal year 2020/21 tentative budget and remove or eliminate from the budget the public drop off area transfer station, the wheel loader, the waste compacter, and the water truck from the land fill fund.***

The motion passed unanimously (5-0)

II. APPROPRIATIONS

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

***** A motion was made by Councilmember Chip Stone, seconded by Councilmember Bill Hance, to approve the warrants.***

The motion passed unanimously (5-0)

- B. Review, consideration, and possible authorization for Staff to solicit bids for the Public Works Department Preventive Maintenance Project 2020, 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 61,408 lf. of selected city streets, plus the parking corridor between 7th Street and 8th Street, which were identified and adopted as part of the City of Elko Street Inventory. This work will be completed after July 1, 2020. DS

Dennis Strickland, Public Works Director, reminded Council that \$350,000 of this funding is from the Elko County Infrastructure tax that can only be used for road construction. The other \$200,000 will come from the services and supplies budget in the Street Department. He is in favor of protecting what we have rather than putting new roadway down. We will be conservative and

mindful of the budget moving forward to fund this work as it is important. This will extend the service life of the roads.

Mayor Keener asked if we anticipate having more than one bidder, Sierra Nevada Construction.

Mr. Strickland stated we usually have two or three contractors bid this work and he expects more bidders due to low oil prices. We also have a caveat in the contract that will allow us to increase or decrease the amount by 25% which is \$120,000 we could eliminate if we needed to.

**** A motion was made by Councilmember Robert Schmidtlein, seconded by Councilmember Mandy Simons, to solicit bids for the Public Works Street Maintenance Program for 2020.**

The motion passed unanimously (5-0).

- C. Review, consideration, and possible issuance of final acceptance for the WRF RBC Removal Project, and matters related thereto. **FOR POSSIBLE ACTION**

Great Basin Engineering Contractors has completed the work. Staff recommends the issuance of final acceptance. There was one change order for \$786.00 for the repair of WRF RBC SCADA line. DJ

Councilmember Robert Schmidtlein abstained from the discussion due to a conflict with his partners in Canyon Construction owning Great Basin Engineering Contractors.

Dale Johnson, Utilities Director, stated we are asking for final acceptance for the RBC project at the WRF.

Mayor Keener asked if everything was completed to the City's satisfactions.

Mr. Johnson replied that is correct.

**** A motion was made by Councilmember Chip Stone, seconded by Councilmember Mandy Simons, to issue final acceptance of the WRF RBC Removal Project.**

The motion passed (4-0 Councilmember Robert Schmidtlein abstained.)

- D. Review, consideration, and possible issuance of final acceptance for the 18" Water Line Relocation Project, and matters related thereto. **FOR POSSIBLE ACTION**

Ruby Dome, Inc. has completed the work. Staff recommends the issuance of final acceptance. There was one change order for \$4,693.00 for additional excavation and pumping costs. DJ

Dale Johnson, Water Director, stated we are asking for final acceptance for this project. It was completed to the City's satisfaction.

**** A motion was made by Councilmember Chip Stone, seconded by Councilmember Mandy Simons, to issue final acceptance of the Ruby Dome 18" Waterline Project with the one change order.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible approval of a Professional Services Agreement with ZGA Architects for Construction Administration of the new Combined Water/Sewer/WRF Shop, and matters related thereto. **FOR POSSIBLE ACTION**

At the March 10, 2020 meeting, Council awarded the bid to MGM Construction for the Water and Water Reclamation Facility (WRF) Shop. This PSA includes services and fees for the Design Team's Construction Administration (CA) during the 14-month construction schedule. DJ

Dale Johnson, Utilities Director, stated we are asking for construction administration for the new WRF facility in the amount of \$183,000 for oversight of the construction.

Mayor Keener asked if ZGA has previously done projects for the City.

Mr. Johnson stated they designed the shop.

Mr. Calder, City Manager, stated he is unaware if they have done other projects but they were the successful bidder for the shop project.

Councilmember Robert Schmidlein asked if we are hiring somebody to do quality assurance and compliance above and beyond this agreement.

Mr. Johnson stated Summit will be doing the quality assurance and compliance to include structural steel inspections and compaction testing etc.

**** A motion was made by Councilmember Bill Hance, seconded by Councilmember Mandy Simons, to approve the Professional Services Agreement, in the amount of \$183,000, for Construction Administration to ZGA Architects.**

Mayor Keener called for public comment without a response.

The motion passed unanimously. (5-0)

- F. Consideration and possible authorization for Staff to solicit bids for Airport Improvement Project No. 3-32-0005-051 (AIP 51), Snow Removal Equipment (SRE), and matters related thereto. **FOR POSSIBLE ACTION**

Council previously authorized Staff to apply for FAA Grant Application #AIP 51 on January 28, 2020. The project consists of acquiring new Snow Removal Equipment (SRE), i.e., truck, plow, and sander. The purpose of the project is to replace old equipment that has exceeded its useful life with newer equipment. The

project will benefit the Airport by supporting or improving operational levels by providing SRE that will replace less-reliable and difficult-to-maintain equipment. This project is estimated to cost a total of \$ 472,812.5. It is anticipated that this grant will be fully funded without match. In addition, the FAA will issue this grant based on bids. JF

Jim Foster, Airport Manager, stated the date on this is a little different. March 12, 2019 was changed to January 8, 2020. He found out this morning the application will be fully funded from the FAA with no match from the City to purchase the equipment.

Councilmember Mandy Simons asked why they are not requiring the match.

Mr. Foster explained this is part of the new CARES Act enacted recently by Congress. One of the provisions of the act is the 2020 grant applications will not have an associated match. Mr. Foster stated this will save us approximately \$27,000.00.

**** *A motion was made by Councilmember Mandy Simons, seconded by Councilmember Chip Stone, to authorize staff to solicit bids for Airport Improvement Project 3-32-0005-051(AIP 51).***

The motion passed unanimously (5-0)

III. NEW BUSINESS

- A. Review, consideration, and possible approval of the First Amendment to the Agreement to Install Improvements and Provide Maintenance Guaranty with Parrado Partners, LP for Phase 3 of the Great Basin Estates Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

As required by Elko City Code 3-3-21, the City and Parrado Partners, LP entered into an agreement to install improvements for Phase 3 of the Great Basin Estates Subdivision on June 25, 2019. Parrado Partners, LP has completed the majority of the improvements with the exception of the final repairs required after an inspection on December 19, 2019. The developer is now requesting to post a performance guaranty in accordance with Elko City Code 3-3-22 and the approved performance agreement to cover the cost of the repairs. To accomplish this, Staff has determined that the City and the developer need to revise language in the agreement to install improvements to allow the posting of a performance guaranty for the remaining work. SAW

Scott Wilkinson, Assistant City Manager, stated there are some pavement issues with the sealcoat that the contractor will manage. We are in agreement the bonding amount should be \$20,599.00 in addition to the 10% maintenance bond. If this is approved, the effective date should be changed to the date the parties sign the agreement.

Mayor Keener asked if the amount stipulated in the performance agreement is correct.

Mr. Wilkinson stated the performance agreement includes the 10% maintenance amount so the total amount in the agreement is \$100,295.83. Once the sealcoat is done we can release the \$20,599.00 and upon the final acceptance by the City Council we can release the remainder of the 10% contingency \$77,936.93.

Mayor Keener called for public comment without a response.

Councilmember Robert Schmidlein asked if Parrado Partners, LP are okay with this agreement.

Mr. Wilkinson stated yes, Mr. Capps was in agreement.

**** A motion was made by Councilmember Mandy Simons, seconded by Councilmember Bill Hance, to approve the First Amendment to the Agreement to Install Improvements and Provide Maintenance Guaranty with Parrado Partners, LP for Phase 3 of the Great Basin Estates Subdivision on condition the effective date is changed to when all parties sign the agreement.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval to utilize targeted grazing as a means of managing noxious and invasive plant species within the Humboldt River Area Recreation Project (HARP), and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko is currently under contract for targeted grazing services on various designated park properties including SnoBowl, and drainage off of Copper Street. Additionally, Staff is seeking authorization to utilize grazing as part of program to manage noxious and invasive plant species along the Humboldt River Corridor within the designated HARP boundaries. JW

James Wiley, Parks and Recreation Director, was not available due to technical difficulties.

Mayor Keener stated we have had the grazing goats before at the SnoBowl.

Curtis Calder, City Manager, stated we do need authorization for this because it is in the HARP boundary in the Humboldt River corridor.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilmember Mandy Simons, seconded by Councilmember Bill Hance, to include the Humboldt River Area Recreation Project as a part of the City of Elko's targeted grazing program as a means of managing noxious and invasive plant species.**

The motion passed unanimously (5-0)

- C. Review, consideration, and possible authorization to allow the City of Elko's contracted goat herder to camp overnight along the HARP Trail for the purpose of

providing security and oversight, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko is currently under contract with Old School Rodeo for grazing services for the management of noxious and invasive plant species. The contractor is requesting permission to camp overnight along the HARP Trail to provide security and oversight for his herd. JW

James Wiley, Parks and Recreation Director, stated that along the river there is a lot of public interaction and it is necessary for the goat herder to stay with the goats.

Mayor Keener asked if it is a tent or an RV. Due to technical difficulties Mr. Wiley could not answer. Mayor Keener added the City should give the goat herder a sign stating this camping is authorized by the City as the last time we allowed camping on the river it created a lot of controversy.

Curtis Calder, City Manager, stated adding signage will not be a problem.

**** A motion was made by Councilmember Chip Stone, seconded by Councilmember Bill Hance, to allow the contracted goat herder to camp overnight along the HARP Trail for the purpose of providing security and oversight of the herd, as well as, adding the City will provide a sign approving the camping.**

The motion passed unanimously (5-0)

- D. Review, consideration, and possible final acceptance of AIP 46 Master Plan Update and accept final completion of the contracts associated with this grant at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

On February 10, 2016, Elko City Council awarded the bid for AIP 46 Master Plan Update to Jviation, Inc. The airport layout plan has been an issue and will be finalized within the next few weeks. Staff and the FAA are asking to close out this out knowing that the final ALP will be accepted by the FAA at a later Date. Jviation, FAA and staff have been working on a Modification to Standard to complete the ALP. Final draw down and all payments have been completed. Total price for this grant was \$511,425.00. JF

Jim Foster, Airport Manager, stated we are coming to the end of the grant cycle. One of the sticking points has been the ALP, which is being reviewed with the FAA right now. The FAA has asked us to begin the closing process knowing the final hurdle for this is the ALP. There are some things at the end of the runway the FAA is looking into and we have asked for a modification of standards. This request has been with the FAA for over 30 days. The final meeting on it was supposed to have been yesterday but we have not received the outcome. The master plan has tentatively been approved.

**** A motion was made by Councilmember Bill Hance, seconded by Councilmember Mandy Simons, to approve final acceptance of AIP 46 and allow staff to begin the close out process.**

The motion passed unanimously (5-0)

- E. Amendment No. Two (2) 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 #2 will cover fees associated with Airport Improvement project AIP 51 acquire snow removal equipment. JF

Jim Foster, Airport Manager, stated this is just an amendment to the standard contract and master agreement for Jviation to acquire snow removal equipment under AIP-51. This also will not have a match.

**** A motion was made by Councilmember Bill Hance, seconded by Councilmember Mandy Simons, to accept Amendment Number Two (2) to the contract between the City of Elko and Jviation to acquire snow removal equipment.**

The motion passed unanimously (5-0)

VI. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 850, an ordinance amending Title 8, Chapter 18 of the Elko City Code entitled "Public Improvement Standards", and matters related thereto. **FOR POSSIBLE ACTION**

First reading of Ordinance No. 850 was conducted on March 10, 2020. SAW

Councilmember Mandy Simons had technical difficulties.

Scott Wilkinson, Assistant City Manager, stated this is second reading of Ordinance No. 850 and will allow us to create a detail that we can allow for micro-trenching within the City of Elko.

Mayor Keener called for public comment and asked the clerk to repeat the email address for comments cityclerk@elkocitynv.gov. No comments were received.

**** A motion was made by Councilmember Robert Schmidlein, seconded by Councilmember Chip Stone, to approve second reading and adoption of Ordinance No. 850.**

The motion passed (4-0 Councilmember Mandy Simons abstained.)

III. NEW BUSINESS

- F. Review and possible approval of the Rental Car Concessionaire Deferral Policy, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will provide the Rental Car Concessionaire Deferral Policy for City Council consideration. JB

Jan Baum, Finance Director, stated we had requests from concessionaires of the car rentals at the airport asking if we could defer March, April, and May facility charges and fees. This policy will allow a deferment of 90 days after the due date, a \$25 fee for administration and a little interest to keep us in compliance with the FAA. It will be between \$30,000-\$38,000 if all of the rental agencies ask to defer.

Mayor Keener asked if this was factored into the tentative budget.

Ms. Baum replied that one of the reasons we are asking the concessionaires to still report the fees is because this is an enterprise fund so we will recognize the revenue in March, April and May and report a receivable. The deferred revenue will be recognized in 2020.

Mayor Keener called for public comment.

Councilmember Stone asked if there have been any problems with them paying these fees in the past.

Ms. Baum stated no, and the original request came from Enterprise Rental Company.

**** *A motion was made by Councilmember Chip Stone, seconded by Councilmember Bill Hance, to approve the Rental Car Concessionaire Deferral Policy.***

The motion passed unanimously (5-0)

IV. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible adoption of Resolution No. 08-20, a Resolution Adopting a Hazard Mitigation Plan, and matters related thereto. **FOR POSSIBLE ACTION**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended by the Disaster Mitigation Act of 2000, provides the legal basis for state, local, tribal, and territory governments to undertake risk-based approaches to reducing natural hazard risks through mitigation planning. Also, the Stafford Act requires state, local, tribal, and territorial governments to develop and adopt FEMA-approved hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects. Jurisdictions must update their hazard mitigation plans and re-submit them for FEMA approval every five years to maintain eligibility. The Elko County Office of Emergency Management prepared a Multi-Jurisdictional Hazard Mitigation Plan (HMP) encompassing Elko County and the Cities of Elko, Carlin, Wells and West Wendover that was adopted in 2008, then updated in 2013 and 2019. However, the 2013 update was not adopted by the Elko City Council. Adoption of the 2019 HMP Update does not obligate the City of Elko to pursue disaster assistance, grants or

any other type of funding, and implementation and management of the 2019 HMP Update will be left to the discretion of the Elko City Council. MG

Matt Griego, Fire Chief, stated the City worked closely with the County to amend the hazardous mitigation plan and change some of the language. We are just asking for the City to ratify it. The County has already ratified it. Once this is done, it can be submitted to FEMA and will make all of the participants eligible for grants and mitigation projects.

Mayor Keener called for public comment without a response.

**** *A motion was made by Councilmember Mandy Simons, seconded by Councilmember Bill Hance, to adopt Resolution 8-20, a resolution adopting a hazardous mitigation plan.***

The motion passed unanimously (5-0)

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition requesting the sale of City owned property pursuant to NRS 268.062, approximately 3,073 sq. ft. parcel, referred to as APN 001-013-018, located generally east of Sewell Drive, south of Walnut Street and north of West Sage Street, at public auction, and authorize Staff to obtain the required appraisal, and matters related thereto. **FOR POSSIBLE ACTION**

Two adjacent neighbors have petitioned the City of Elko to sell a city owned parcel formerly Well 16 parcel. If Council accepts the petition, an appraisal will be obtained and Council will hold a meeting on the fair market value of the property and adopt a resolution declaring its intention to sell the property at public auction. SAW

Scott Wilkinson, Assistant City Manager, stated he has updated the recommended motion and provided it to Council today. We need to make this contingent on the revision of the City of Elko Land Inventory and identify the property as disposal rather than reserved for a City facility such as utilities. We abandoned this well recently. In the Planning Commission meeting next month, we can get the land inventory on the agenda. We can then get it back to the Council in May to process the petition to sell this property.

Mayor Keener asked if there is access other than the alley.

Mr. Wilkinson stated the only access is off the alley. He stated it would make sense for one of those properties next to it to buy it but it has to go to auction.

Mayor Keener asked if this was purchased by a third party could a house be developed on the property.

Mr. Wilkinson stated this certainly is a possibility but the access would be limited off the alley. If we choose not to dispose of it, it is a vacant piece of property the City would have to maintain. The neighbors do encroach on the property sometimes.

Mayor Keener stated it makes sense to dispose of it at this time. He called for public comment. Mr. Mike Smales, 229 Pine Street, Elko, stated this well site has been in our back yard for 56 years and we are looking forward to improvements and interested in purchasing the property.

Mayor Keener confirmed the address as Pine Street.

Mr. Smales indicated the property in question is his parents' house. They are lifelong citizens of Elko.

***** A motion was made by Councilmember Robert Schmidtlein, seconded by Councilmember Chip Stone, to accept the petition to sell APN 001-013-018 pursuant to NRS 268.062 at public auction and authorize staff to obtain the required appraisal contingent to the revision of the City of Elko Land Inventory identifying the property available for disposal rather than reserved for a City facility/utility.***

The motion passed unanimously (5-0).

- B. Review, consideration, and possible action to accept a petition requesting the lease of City owned property pursuant to NRS 268.062, approximately 8.69 acres, identified as APN 006-09G-027, at public auction, and authorize Staff to obtain the required appraisal, and matters related thereto. **FOR POSSIBLE ACTION**

ESM2, LLC has petitioned the City of Elko to lease a city parcel identified as APN 006-09G-027. If Council accepts the petition, an appraisal will be obtained and Council will hold a meeting on the fair market value of the property and adopt a resolution declaring its intention to lease the property at public auction. SAW

Councilmember Robert Schmidtlein abstained from this item due to a conflict. His partners in Canyon Construction own ESM2, LLC.

Scott Wilkinson, Assistant City Manager, stated staff has a recommended motion to move forward with this lease on the condition the lease and the resolution identify the restricted access to State Route 535 also known as West Idaho Street. An appraiser could take this into consideration and if any other party besides the petitioner were interested in the property they would know the limitations with access. This is a flag shaped lot and the parcel image gives the impression there is a driveway to the State Route.

Mayor Keener asked if this is no longer a legal access at the West end of this parcel.

Mr. Wilkinson stated that according to NDOT there is no legal access there.

Mayor Keener called for public comment.

Ms. Pamela Lattin indicated the land has little value if there is no access and this property is landlocked.

Mayor Keener stated having heard this item once before that we understand the issues. It makes sense to him what was laid out in the presentation.

Councilmember Hance stated he does not believe NDOT can take away the access since the property has been deeded. This cannot be done arbitrarily.

Mr. Wilkinson stated if the Council is not in agreement with moving forward with the restricted access in the resolution and lease they certainly could reconsider the recommended motion and we can lease the property without the restriction. This would give us time to try to resolve this with NDOT.

Mayor Keener stated we are under a time restriction and waiting for NDOT to come up with a decision would take us into late summer or early fall and the lease will have been expired. The way it is worded we could utilize the access points to the East of the property.

Mr. Wilkinson replied that whomever leases the property will have to arrange the access. For example, if Nevada Gold who is adjacent to property were to lease the property as expanded parking area and they were to consider participating in the public auction, they could access the property from their driveway. It would allow the use of the property. Other than that, it is limited. If somebody were to obtain the lease they would have to work with the other property owners to gain access to the property.

Mayor Keener asked if NDOT put it in writing banning the access point.

Mr. Wilkinson stated they have sent two separate emails stating it is a safety concern and illegal access. They requested the City resolve this issue as the property owner.

Mayor Keener stated he is good with the suggest motion. He has concerns the lease expires in the end of June and we would wait longer than until the end of June if we have to wait on NDOT.

Councilmember Hance stated he agreed but does not want NDOT to arbitrarily say the access has been there since the property was acquired but now it is no longer legal and the City must improve it. He thinks NDOT needs to look at it and tell us what we need to do to get access. He does not want the City to limit themselves with getting things squared with NDOT.

Mayor Keener stated it should be incumbent on the appraiser to understanding the access issues and resolving this during the appraisal process.

Curtis Calder, City Manager, stated this should be taken into consideration on the pricing.

**** *A motion was made by Councilmember Chip Stone, seconded by Councilmember Mandy Simons, to accept the petition to sell APN 006-09G-027 pursuant to NRS 268.062 at public auction, authorize Staff to obtain the required appraisal, direct staff to consult with the FAA on any required approvals for leasing the property and condition the resolution and lease with restricted access to State Route 535 also known as West Idaho Street.***

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

Later in the meeting Mayor Keener was advised by Mr. Wilkinson there was a problem with this motion and it needed to be redone. This item was reopened.

Councilman Schmidtlein recused himself.

**** A motion was made by Councilmember Simons, seconded by Councilmember Bill Hance, to reconsider agenda item 5B.**

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

Mayor Keener asked if anyone had gotten in touch with Mrs. Lattin regarding re-opening the item.

Mr. Wilkinson stated he sent an e-mail and left a voice message. He also stated there was an error on the motion. The motion stated to accept the petition to sell, where the intent is to lease the property.

**** A motion was made by Councilmember Chip Stone, seconded by Councilmember Mandy Simons, to accept the petition to lease APN 006-09G-027 pursuant to NRS 268.062 at public auction, authorize Staff to obtain the required appraisal, direct staff to consult with the FAA on any required approvals for leasing the property and condition the resolution and lease with restricted access to State Route 535 also known as West Idaho Street.**

Councilman Hance asked if we are going to have a public auction for the lease of the property by getting it appraised, starting from the price on the appraisal and going to auction.

Mayor Keener replied yes.

Kelly Wooldridge, City Clerk let the Council know she spoke to Mrs. Lattin and she was okay with changing the words from sell to lease.

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

- B. Review, consideration, and possible action regarding multiple requests for financial relief for lodging businesses, specific to water/sewer bills and/or transient lodging tax, and matters related thereto. **FOR POSSIBLE ACTION**

Due to the COVID 19 Government 30-Day shutdown, many lodging businesses have experienced reduced occupancy. Numerous letters have been submitted for City Council review and consideration. SAW

Mayor Keener stated that in the packet there are letters from at least one dozen hoteliers describing their business situation running at about 30% lower than previously.

Curtis Calder, City Manager, stated this is not unexpected they are asking for relief. He does not think there is flexibility with transient lodging tax, as the hotelier is the pass through taking the money on behalf of the city from the customer. Lower occupancy results in lower transient lodging taxes due. As to the water request, he stated most of the hoteliers are flat rate customers so they have to pay the same rate no matter what the occupancy numbers. This issue was reviewed with the City Attorney who indicated the water fund is an enterprise fund and does not allow for the waiver of fees and we would need to change the code. Perhaps we could do a policy to defer the fees.

David Stanton, City Attorney stated transient lodging tax is statutory and there is not a lot of wiggle room in what we can do. Also, keep in mind that other entities receive this funding, for example the ECVA. In terms of the water code, the requirements in code are mandatory. There is a requirement for delinquency and to send notices. There is a timeline set out in the code. The Elko City Charter contains provision that permit City Council to modify code in the event of an emergency and this is one. If the City Council were so inclined to grant relief to a class of businesses, there is a mechanism to write an ordinance. It would probably not be a waiver in fees entirely, rather a waiver in the timeline on taking action on delinquent fees. He stated even though the request from hotels and motels, the Council has to have a rationale for granting relief. Hotels and Motels do fall into an identifiable class of businesses that may be entitled to relief exclusively and the Council would need to make findings of this. Otherwise, other businesses are similarly effected we may want to consider even though they did not write letters. The rationale for this equal protection.

Mayor Keener stated the hoteliers are being hit particularly hard as a part of the tourism industry. The SBA has a number of different aide rescue programs designed to help businesses. He is concerned that if we open it up we need to entertain all sorts of other deferral requests from other industries.

Mayor Keener called for public comment.

Pranav Bhatka, Travelers Motel, stated he knows a lot of the transient tax goes to other projects. He stated he is paying almost \$1500 a month and has ten rooms out of 48 occupied. He is barely surviving. He has applied for SBA but stated it will be three to four months to get funding. He stated there are other hoteliers with only one or two occupants.

Mayor Keener thanked him for the comment.

Katie Neddenrip, ECVA stated she has followed the logic of the legal counsel with regard to transient lodging tax which is a 100% pass through and it goes to a lot of organizations, the ECVA included. ECVA is also suffering from a lack of occupancy so any changes or deferral of transient lodging tax would have a significant impact. We have fourteen employees so anything she can do to salvage any portion of revenue she will fight for it at this time.

Mr. Pete Patel, the Budget Inn, stated the reason behind this is our industry has been hit very hard. Our flat rate is very high and we have no other way to get other funds to stay in business. We are asking this be temporary.

Mayor Keener asked Mr. Stanton about the requests and the City's mechanism or authority to do this. Mr. Stanton said the only way is to enact some sort of emergency ordinance.

Mayor Keener stated realistically we are looking at deferrals. He stated they are looking 2-3 months out for the SBA aid package. He asked Mr. Stanton that if we did go this direction would it be prudent to include other classes of businesses.

Mr. Stanton stated this is correct. He stated that in order to make a decision like this there has to be a rational reason to give to one class of business over another class of business in an identical situation.

Councilman Hance stated he has concern for any business that has been shut down that have had to completely close their doors. We need to look at relief across the board because other businesses have no income at all. There does not seem to be an easy way around this.

Councilwoman Mandy Simons asked if all businesses are on a flat rate.

Councilman Schmedtlein responded that a lot of the bigger/newer hotels are on meters which is why they didn't come forward with complaints. Most of the complaints sent to us are the flat rate users.

Councilwoman Simons feels we need to make flat rate a part of the criteria.

Councilman Stone stated three months to get the SBA loan seems like a long time. He stated he wasn't told three months for his businesses. We need to be fair across the board.

Councilwoman Simons stated she does not think a decision can be made tonight. We need to ask legal to go back and look at it and bring us an emergency ordinance.

Councilman Stone stated we are into this four weeks now and we need more data to measure the effects of this crisis.

Mayor Keener stated we need to direct staff to put together some type of application businesses could apply for a deferral.

Mr. Calder stated there are a couple of ways we could stretch the policy or devise the policy similar to the airport concessionaire, or by occupancy reports. We would need to work with legal and bring something back to Council in two weeks.

Mayor Keener stated in two weeks we should have a better idea about the money from the SBA program.

Dave Stanton stated we could look at the Paycheck Protection (SBA) program and take a cue from the process they have developed for participation. He stated that unlike the Airport Deferment, which is a contract, the City Council has the authority to waive a contract requirement. This would

actually have to be an emergency ordinance. You don't have to do a first and second meeting when it is an emergency ordinance according to Charter.

Mayor Keener feels this is a good way to proceed on this.

Councilman Schmedtlein stated he agrees and recommends City staff bring something back to us at the next meeting. He stated not to do any water shut-off.

Mr. Stanton replied we do not have the authority to do that.

Mr. Calder reminded Council that in the Emergency meeting on March 18, 2020 we gave a 45 day extension on water shut off.

**** A motion was made by Councilmember Simons, seconded by Councilmember Schmedtlein, to direct staff to work with legal counsel to develop an emergency ordinance and bring it back to Council at the next meeting.**

Mayor Keener called for any further public comment without a response.

The motion pass unanimously (5-0)

VII. REPORTS

A. Mayor and City Council

Mayor Keener thanked everyone for their assistance with the virtual meeting process. We will work on the audio for future meetings. He thanked Kim Wilkinson for assistance with the agenda packet binders. He went on to State all of the Council members have been speaking with various constituents about concerns. He spoke to Senator Goicoechea over the weekend. He asked Mayor Keener on behalf of the City to devise a re-opening plan. There are fears the shutdown will go into May. He will be asking for a regional plan that will not be 100% capacity but will get businesses re-opened. The plans will be submitted to the Governor within the next week.

Councilman Chip Stone stated a lot of people have contacted him and discussed a safe way to re-open. He stated Elko is doing well and getting through this together.

B. City Manager

Mr. Calder stated we are still operating at about 2/3 capacity. We have people coming in intermittently to deal with things like payroll, building permits, financial things, and some maintenance issues. This is stressful for the citizens as well as the employees. It appears the public is cooperating with the shutdowns as we don't have the time to police it. No employees have been diagnosed with COVID-19. We just hope by April 30, 2020 we are able to come back to some sense of normalcy.

C. Assistant City Manager

D. Utilities Director

- E. Public Works
- F. Airport Manager

Jim Foster noted the numbers for March are down about 50% and we are down to one flight a day so numbers will drop significantly. The CARES Act allocated \$10 million to airports around the Country. Today they released how they will distribute funding and Elko is eligible to receive assistance for non-construction expenses. It is based on previous year's enplanements. They want all of the money allocated by April 21, 2020. We will be coming back for acceptance of an additional grant.

Mayor Keener asked about donating a banner for some safety signs at the airport regarding the CDC guidelines.

Mr. Foster stated the only signage we have right now is what the TSA and SkyWest has put out. He will send this information to Mayor Keener.

- G. City Attorney
- H. Fire Chief

Chief Griego gave an update on COVID-19 Emergency Management stating we are working with the County and public health to ensure testing is getting out. We will have some rapid testing coming to the area, as well as testing for antibodies. Dr. Putnam is getting an Abbot rapid tester so we can test locally and not have to send tests to Carson City. There are still plenty of tests in the community. The hospital is testing about 30 a day. There has not been a large increase in Elko County. They are working on protocols to keep first responders safe, although there has been a net decrease in emergency calls for service. Both the volunteer and faith based organizations are working to ensure we are getting food out to those who need it. Law enforcement is working hard to make sure their responders are safe and they prescreen a lot of the calls fire responds to. The Sherriff is working to ensure the jail is safe and new prisoners are isolated before being put into the general population. The gold mines have donated money for foods and transportation to pick up food for FISH to distribute. We are well into the response phase and it is time to start moving into the recovery phase to come up with a plan to start short-term recovery. Making sure businesses are aware of resources, what housing is available and continuing with food. Unlike most natural disasters, the biggest challenge moving forward will be the economic recovery.

Councilman Stone asked about the vandalism done to the Senior Center Food delivery vehicle and if they have been able to get the food out the seniors. Chief Griego stated he will look into it. We received delivery of Brush Three so both brush rigs will be ready to go for wildland fire season. Pictures of the new vehicle were displayed.

- I. Police Chief

Chief Trouten stated we were called into do the officer involved shooting in Winnemucca. This has been completed. We have had some extensions for grant submissions so we will have some grants for approval at next City Council. He does not have any information about the vandalism to the Meals on Wheels truck but will look into it.

Mayor Keener stated a citizen called asking why the school resource officers are patrolling. When school is out, the Officers that are members of the Elko Police Department will be back out on the street.

Chief Trouten stated it has been nice having them back to cover.

- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

Mayor Keener stated great job to the citizens of Elko. We have followed guidelines and we have a low number of cases.

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

Mayor Reece Keener

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Presentation by Assemblyman John Ellison regarding COVID-19 Unemployment Insurance Claims and the State of Nevada Department of Employment, Training, and Rehabilitation, and matters related thereto. INFORMATION ONLY – NON-ACTION ITEM**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PRESENTATION**
4. Time Required: **20 Minutes**
5. Background Information:
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:
9. Recommended Motion: **INFORMATION ITEM ONLY – NO ACTION WILL BE TAKEN**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Report by County Manager Robert Stokes, and matters related thereto. INFORMATION ONLY – NON-ACTION ITEM**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PRESENTATION**
4. Time Required: **20 Minutes**
5. Background Information:
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:
9. Recommended Motion: **INFORMATION ITEM ONLY – NO ACTION WILL BE TAKEN**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible appointment of Elko County Family Court Master Andrew Mierins as a Disciplinary Appeal Hearing Officer for the express purpose of conducting a disciplinary appeal hearing, pursuant to the City of Elko Human Resources Policy Manual, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT**
4. Time Required: **5 Minutes**
5. Background Information:
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **NA**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Appointment of Elko County Family Court Master Andrew Mierins as a Disciplinary Appeal Hearing Officer for the express purpose of conducting a disciplinary appeal hearing, pursuant to the City of Elko Human Resources Policy Manual**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Elko Family Court Master Andrew Mierins**

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval for the Elko Police Department to apply for a Services-Training-Officers-Prosecutors (STOP) Grant in the amount of thirty thousand dollars (\$30,000), to assist with costs associated with the part-time Domestic Violence Services Advocate (DVSA) position, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT ITEM**
4. Time Required: **5 Minutes**
5. Background Information: **The DVSA works with victims, officers and the District Attorney's office to assist domestic violence victims through the criminal process. Since January 1, 2020, the Elko Police Department has received 239 domestic violence related calls, and filed 72 cases with the District Attorneys Office. The STOP Grant requires a cash match. TT**
6. Budget Information:

Appropriation Required: **\$10,000.00**
Budget amount available: **TBD**
Fund name: **General Fund**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Approval for the Elko Police Department to apply for a Services-Training-Officers-Prosecutors (STOP) Grant in the amount of thirty thousand dollars (\$30,000), to assist with costs associated with the part-time Domestic Violence Services Advocate (DVSA) position.**
10. Prepared By: **Police Chief Ty Trouten**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Agenda Distribution: **N/A**

Elko City Council
Agenda Action Sheet

1. Title: **Review, consideration, and possible approval of the Elko Police Chief applying for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the Elko Combined Narcotics Unit (ECNU), and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT ITEM**
4. Time Required: **5 Minutes**
5. Background Information: **The Elko Police Department would like to apply for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the operations of the Elko Combined Narcotics Unit (ECNU). OCJA requires no cost-match. TT**
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:
9. Recommended Motion: **Approval of the Elko Police Chief's action to apply for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000).**
10. Prepared By: **Police Chief Ty Trouten**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

Elko City Council
Agenda Action Sheet

1. Title: **Review, consideration, and possible approval of the Elko Police Chief to apply for an Office of Criminal Justice Assistance (OCJA) Grant. The grant, valued at eighty-seven thousand, eight hundred and eighty-two dollars (\$87,882.00) would be used to replace three Elko Police Department, Bomb Squad explosive resistant suits including helmets, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT ITEM**
4. Time Required: **5 Minutes**
5. Background Information: **The Elko Police Department would like to apply for an OCJA grant for the replacement of three Elko Police Department, Bomb Squad explosive resistant suits including helmets.**

The explosive resistant suits and helmets are necessary for the Bomb Squad members to safely and effectively place equipment and/or manipulate suspected explosive devices. These suits, like the ballistic vests, have a five-year shelf life and the three we currently own are all expired. Each suit is twenty-nine thousand, two hundred and ninety-four dollars (\$29,294.00). We are seeking to replace the three expired suits for a total cost of eighty-seven thousand, eight hundred and eighty-two dollars \$87,882.00 dollars. There are no matching fund requirements. TT
6. Budget Information:

Appropriation Required: **NA**
Budget amount available: **NA**
Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Approve the Elko Police Chief's action to apply for an Office of Criminal Justice Assistance Grant valued at eighty-seven thousand, eight hundred and eighty-two dollars (\$87,882.00).**
10. Prepared By: **Police Chief Ty Trouten**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval for the Fire Department to apply for Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the Department of Homeland Security to continue the Volunteer Retention and Recruitment Position, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT AGENDA**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire Department Fire Department would like to apply for the 2019 FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant. The application would apply for a Volunteer Retention and Recruitment Coordinator position. The current grant that has lasted four years will be expiring in November of 2020. This position has been a great success to increasing our volunteer firefighting force, while certifying all individuals to national standards. There is no match by the City for this grant. JS**
6. Budget Information:

Appropriation Required: **\$0**

Budget amount available: **\$0**

Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Jack Snyder, Deputy Fire Chief**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and possible extension of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting May 1, 2020 through May 16, 2020, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **CONSENT**
4. Time Required: **5 Minutes**
5. Background Information: **Due to Governor Sisolak’s extension of the statewide business shutdown beyond April 30, 2020, the City of Elko needs a mechanism to keep affected full-time employees in a pay status through May 16, 2020. CC**
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:
9. Recommended Motion: **Approve an extension of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting May 1, 2020 through May 16, 2020**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Family and Medical Leave Policy, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PERSONNEL**
4. Time Required: **5 Minutes**
5. Background Information: **The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Family and Medical Leave Expansion Act (EFMLEA) provides up to 12 weeks of FMLA leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. The EFMLEA is available for any eligible employee who is unable to work or telework due to a need for leave to care for his/her child whose school or place of care has been closed, or childcare provider is unavailable for reasons related to COVID-19. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Family and Medical Leave eligibility, and use. SS**
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: **Copy of proposed Policy**
9. Recommended Motion: **Approve the City of Elko Human Resources Emergency Family and Medical Leave Policy as presented effective April 28, 2020.**
10. Prepared By: **Susie Shurtz, Human Resources Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

City of Elko

6.14 Emergency Family and Medical Leave (EFML)

1. Policy

This policy complies with the Families First Coronavirus Response Act (FFCRA) to grant eligible employees protected leave for qualified reasons, and will be administered pursuant to FFCRA.

Public employers are covered under the Emergency Family and Medical Leave Expansion Act (EFMLEA) and will comply with the requirements of the EFMLEA and advise employees if they meet the eligibility requirement.

Employers are required to post and keep posted Form WH-1422: Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.

This policy is effective at 12:01 a.m. on April 1, 2020, and will remain in effect until 12:00 p.m. on December 31, 2020. It does not apply retroactively.

2. Eligibility

With exceptions, employees who have been employed by the employer for 30-calendar days are eligible for EFML leave. All employees meeting the above qualification qualify for EFML, regardless of their seasonal, temporary, or part-time status.

Emergency responders may be excluded from the provision of this policy. Each emergency responder's eligibility will be individually assessed. To minimize the spread of the virus associated with COVID-19, employer will be judicious when exempting emergency responders from the provisions of the FFCRA.

3. Duration of Leave

Any eligible employee, as defined above, may be granted a total of 12 weeks of FMLA leave, including EFML leave during a 12-month period. This period is measured backward from the date an employee uses any FMLA leave, including EFML leave. A "week" is defined as a calendar week, regardless of the number of days the employee normally works. Twelve weeks does not entitle a part-time employee working three days a week to 60-leave days, but rather 12 weeks.

4. Reasons for Leave

EFML may be granted for the following reason:

The employee is unable to work or telework due to a need for leave to care for his/her son or daughter whose school or place of care has been closed, or the childcare provider is unavailable, for reasons related to COVID-19 only if no other suitable person is available to care for the son or daughter during the period of such leave.

5. Compensation During Leave

The first two weeks of EFML leave will be unpaid leave unless the employee has accrued paid leave and is otherwise eligible to use the leave. Employees who are eligible for Emergency Paid Sick Leave (EPSL, see Human Resources Policy 6.13) may elect to use EPSL during the first two weeks.

Weeks 3 through 12 of EFML leave will be compensated at 2/3 the employee's regular rate of pay, up to \$200 a day and \$10,000 in the aggregate. Employees are required to substitute paid sick leave, annual leave or compensatory time for the pay not covered by EFML.

When substituting accrued paid leave for the pay not covered by EFMLEA, the employee must comply with the employer's procedural requirements, terms, and conditions of the paid leave policy as appropriate; once accrued leave is depleted, the remainder of the leave period will then consist of unpaid leave for the pay not covered by EFMLEA.

6. Intermittent Leave

Employees may take EFML leave intermittently while working at the regular worksite or teleworking, and leave may be taken in any increments agreed upon by the employer and employee. Intermittent leave may be taken in 15 minute increments.

7. Notice of Leave

An employee intending to take EFML leave shall give notice as soon as practicable.

8. Certification of Leave

Employees requesting leave under this policy are required to provide the following supporting documentation:

- The employee's name,
- The date(s) for which leave is requested,
- Qualifying reason for requesting leave, and
- Statement that the employee is unable to work, including telework, for that reason,
- The name of the Son or Daughter being cared for;
- The name of the school, place of care, or childcare provider that has closed or become unavailable; and
- A representation that no other suitable person will be caring for the child during the period for which the employee takes EFML leave.

9. Benefits Coverage During Leave

During a period of EFML leave, an employee will be retained on the employer's health plan under the same conditions that would apply if the employee was not on EFML leave. To continue health coverage, the employee must continue to make any contributions that s/he would otherwise be required to make. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.

If the employee fails to return to work after the expiration of the EFML leave, the employee may be required to reimburse the employer for payment of health insurance premiums during the leave, unless

the reason the employee cannot return is due to circumstances beyond the employee's control. The definition of "beyond the employee's control" includes a large variety of situations such as: the employee being subject to layoff; continuation, recurrence, or the onset of an FMLA-qualifying event; or the employee's spouse's unexpected worksite relocation of more than 75 miles from the current worksite.

Employees will accrue sick and annual paid leave for each regularly scheduled hour on paid leave.

10. Anti-Retaliation

An employee shall not be retaliated against for utilizing the leave described in this section. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the EEO Officer or alternative EEO Officer. The employer will promptly investigate and deal appropriately with any allegation of retaliation. In the event retaliation is substantiated, disciplinary action up to and including termination may be taken.

11. Interaction with FMLA

All provisions included in Policy 6.4 "Family and Medical Leave" not covered in this policy apply.

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Paid Sick Leave Policy, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PERSONNEL**
4. Time Required: **5 Minutes**
5. Background Information: **The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Paid Sick Leave (EPSLA) provides 2 weeks (up to 80 hours) of paid sick leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Paid Sick Leave eligibility, and use. SS**
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: **Copy of proposed Policy**
9. Recommended Motion: **Approve the City of Elko Human Resources Emergency Paid Sick Leave Policy as presented effective April 28, 2020.**
10. Prepared By: **Susie Shurtz, Human Resources Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

City of Elko

6.13 Emergency Paid Sick Leave (EPSL)

1. Policy

This policy complies with the Families First Coronavirus Response Act (FFCRA) to grant eligible employees protected leave for qualified reasons, and will be administered pursuant to FFCRA.

Public employers are covered under the Emergency Paid Sick Leave Act (EPSLA) and will comply with the requirements of the EPSLA and advise employees if they meet the eligibility requirement.

Employers are required to post and keep posted Form WH-1422: Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.

This policy is effective at 12:01 a.m. on April 1, 2020, and will remain in effect until 12:00 p.m. on December 31, 2020. It does not apply retroactively.

2. Eligibility

With exceptions, all employees are eligible for EPSL, regardless of their seasonal, temporary, or part-time status. There is no length of service requirement.

Emergency responders may be excluded from the provision of this policy. Each emergency responder's eligibility will be individually assessed. To minimize the spread of the virus associated with COVID-19, employer will be judicious when exempting emergency responders from the provisions of the FFCRA.

3. Reasons for Leave

EPSL leave may be granted to an employee who is unable to work (or telework) due to a need for leave for any of the following reasons:

1. The employee is subject to a federal, state, or local quarantine or isolation related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.
4. The employee is caring for an individual who is subject to an order of federal, state, or local quarantine or isolation related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
5. The employee is caring for a minor child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar situation specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and Secretary of Labor.

4. Leave Allotment

Full-time employees will receive up to 80 hours (10 days) of paid sick leave.

Part-time employees will receive the number of hours equal to the number of hours s/he works on average over two weeks. If a part-time, seasonal, casual, or temporary employee works varying hours to

such an extent that the employer is unable to determine with certainty the number of hours the employee would have worked if leave had not been taken, the employer will look at the average number of hours the employee was scheduled over the past six months; or if the employee had not worked the past six months, the employer will use the reasonable expectation of the number of hours the employee would normally be scheduled to work.

5. One-time Use

Employees are limited to a total of 80 hours (10 days) Paid Sick Leave. An Employee who has taken all EPSL leave and then changes employers is not entitled to additional EPSL leave from his/her new employer. An employee who has taken some, but fewer than 80 hours (10 days) of EPSL leave, and then changes employers is entitled only to the remaining portion of such leave from his/her new employer and only if his/her new employer is covered by the EPSLA. Such an employee's EPSL leave would expire upon reaching 80 hours (10 days) of EPSL leave total, regardless of the employer providing it, or when the employee reaches the number of hours of EPSL leave to which s/he is entitled based on a part-time schedule with the new employer.

6. Compensation During Leave

Employees will receive 100% of their regular rate of pay for reasons related to the employee's own quarantine, isolation, or symptoms of COVID-19 (reasons 1-3 above) up to a maximum of \$511 per day.

Employees will be compensated at 2/3 of their regular rate of pay for reasons related to the employee's need to care for an individual who is isolated or quarantined, or to care for a minor child due to a school/childcare closure, or the employee is experiencing any other substantially similar situation (reasons 4-6 above) up to a maximum of \$200 per day.

Employees may elect to substitute accrued paid sick leave, annual leave or compensatory time for the pay not covered by the EPSLA, but employers are prohibited from requiring this substitution. When substituting accrued paid leave for the pay not covered by EPSL, the employee must comply with the employer's procedural requirements, terms, and conditions of the Sick Leave policy (Human Resources Policy 6.3) as appropriate; once accrued leave is depleted, the remainder of the leave period will then consist of unpaid leave for the pay not covered by EPSLA.

7. Intermittent Leave

Employees may be able to take EPSL intermittently under the following conditions:

- **Working at regular worksite:** Employees may take EPSL leave intermittently while working at his/her regular worksite. The qualifying reason is solely because s/he is caring for a minor child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions. Leave may be taken in any increments agreed upon by the employer and employee. Intermittent leave may be taken 15 minute increments.
- **Working remotely:** Employees may take EPSL leave intermittently while teleworking if the employee is unable to work their telework schedule due to any qualified reason for EPSL. Leave may be taken in any increments agreed upon by the employer and employee. Intermittent leave may be taken in 15 minute increments.

Intermittent leave is not permitted for employees working at his/her regular worksite if the need for EPSL includes any of the other five qualifying reasons involving the employee's own quarantine, isolation, or symptoms of COVID-19 or the employee's need to care for an individual who is isolated or quarantined, or the employee is experiencing any other substantially similar situation. An employee who has begun EPSL leave for one or more of these five qualifying reasons must continue to take paid sick leave each day until the employee (1) exhausts the full amount of EPSL or (2) the qualifying reason for taking EPSL leave no longer exists.

8. Notice of Leave

Employees needing leave under this policy shall complete the Emergency Paid Sick Leave Application Form as soon as practicable and submit to Human Resources.

9. Certification of Leave

Employees requesting leave under this policy may be required to provide the following supporting documentation:

- The employee's name,
- The date(s) for which leave is requested,
- Qualifying reason for requesting leave, and
- Statement that the employee is unable to work, including telework, for that reason.

The employee must provide the following additional information to support specified reasons for leave:

- Reason 1: The name of the government entity that issued the Quarantine or Isolation Order.
- Reason 2: The name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
- Reason 4: Either the name of the government entity that issued the Quarantine or Isolation Order to which the individual being care for is subject; or the name of the health care provider who advised the individual being cared for to self- quarantine due to concerns related to COVID-19.
- Reason 5: The name of the Son or Daughter being cared for; the name of the school, place of care, or childcare provider that has closed or become unavailable; and a representation that no other suitable person will be caring for the child during the period for which the employee takes EPSL leave.

10. Continuation of EPSL Leave

After the first workday (or portion thereof) an employee receives EPSL leave under this policy, employer may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

11. Anti-Retaliation

An employee shall not be retaliated against for utilizing the leave described in this section. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the EEO Officer or alternative EEO Officer. The employer will promptly investigate and deal appropriately with any allegation of retaliation. In the event retaliation is substantiated, disciplinary action up to and including termination (select one: may or will) be taken.

12. Interaction with Human Resources Sick Leave Policy 6.3

All provisions included in Policy 6.3 Sick Leave not covered in this policy apply.

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to award a bid for the WRF East Primary Clarifier Recoating Project 2020, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Min**
5. Background Information: **This is a yearly maintenance project, which rotates between 5 clarifiers. Bids were opened on February 19, 2020 and council rejected all bids for noncompliance on March 10, 2020. Staff was directed to rebid the project and bids were opened on April 20, 2020. A Bid Tally Sheet is included as supplemental agenda information with staff findings. DJ**
6. Budget Information:

Appropriation Required: \$96,155.00
Budget amount available: **144,000**
Fund name: **WRF/Sewer**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Bid Talley Sheet is provided**
9. Recommended Motion: **Move to award a bid for the WRF East Primary Clarifier Recoating Project 2020 Project to MMI & Industrial Services in the amount of \$96,155.00.**
10. Prepared By: **Dale Johnson, Utilities Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: *(Please list the name, email address, fax number or mailing address for anyone needing to receive a copy of this agenda)*

**CITY OF ELKO
BID TABULATION
FOR
WRF- CLARIFIER REHABILITATION PROJECT 2020 - REBID
4/20/20 at 3:00 PM**

				Name MM & Industrial Services		Name Roe Painting of Elko		Name National Coating & Lighting		Name The Gateway Co.		Name Rena-Tip Top		Name Olympus & Associates	
				Address City State Phone No.		Address City State Phone No.		Address City State Phone No.		Address City State Phone No.		Address City State Phone No.		Address City State Phone No.	
				3240 S. 37th Ave Phoenix, AZ 85009 602-343-6740		650 1/2 River St Elko, NV 89801 775-388-7667		26713 Madison Ave Muneta, CA 92562 951-471-3388		1617 Chicago St Salt Lake City UT 84116-1326 801-532-2500		4665 Manzanita Ln Elko, NV 89801 775-778-0640		405 Lovitt Lane Reno, NV 89506 775-322-0288	
No.	Bid Item Description	Quantity	Unit	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	Mobilization & Demobilization Labor, Equipment, and Materials to and from the Project Site @: Per Lump Sum Amount	1	LS	\$ 7,500.00	\$7,500.00	\$2,840.00	\$2,840.00	\$12,340.00	\$12,340.00	\$10,000.00	\$10,000.00	\$3,006.00	\$3,006.00	\$7,500.00	\$7,500.00
2	The Contractor shall Clean all Clarifier Surfaces to be coated prior to sand blasting the surfaces using high pressure water jetting equipment, or similar methods @: Per Lump Sum Amount	1	LS	\$ 5,000.00	\$5,000.00	\$2,185.00	\$2,185.00	\$3,490.00	\$3,490.00	\$4,500.00	\$4,500.00	\$1,920.00	\$1,920.00	\$10,000.00	\$10,000.00
3	Provide and Perform Abrasive Sand Blast Cleaning meeting SSPC-SP10/NACE 2 "Near White Blast Cleaning" of all Clarifier Submerged Metal Surfaces @: Per Square Foot of Surface Area.	2000	SF	\$ 12.23	\$24,460.00	\$4.86	\$9,720.00	\$11.48	\$22,960.00	\$23.00	\$46,000.00	\$5.16	\$10,300.00	\$15.00	\$30,000.00
4	Provide and Perform Abrasive Sand Blast Cleaning meeting SSPC-SP6/NACE 3 "Commercial Blast Cleaning" of the Metal Bridge Surfaces located above the High Water Level @: Per Square Foot of Surface Area.	500	SF	\$ 20.00	\$10,000.00	\$3.12	\$1,560.00	\$24.75	\$12,395.00	\$18.00	\$9,000.00	\$2.72	\$1,360.00	\$15.00	\$7,500.00
5	Provide Materials, Labor & Equipment to coat/paint all metal surfaces of the East Primary Clarifier, as specified, @: Per Square Foot of Surface Area.	2500	SF	\$ 5.62	\$14,050.00	\$24.36	\$60,900.00	\$11.65	\$29,125.00	\$10.00	\$25,000.00	\$25.60	\$64,000.00	\$15.00	\$37,500.00
6	Third Party Paint/Coating mil thickness Tests & Test Report, as specified in Section E, on Page 79 in the Project Technical Specifications @: Per Lump Sum Amount.	1	LS	\$ 8,500.00	\$8,500.00	\$1,721.00	\$1,721.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$2,150.93	\$2,150.93	\$5,000.00	\$5,000.00
7	Project Cleanup - Provide all Materials, Labor and Equipment required to clean up the Jobsite after completion of the work - see @: Per Lump Sum Amount	1	LS	\$ 4,515.00	\$4,515.00	\$15,954.00	\$15,954.00	\$3,640.00	\$3,640.00	\$6,000.00	\$6,000.00	\$16,883.44	\$16,883.44	\$7,500.00	\$7,500.00
Alternate Bid Items				Total Base Bid	\$74,425.00	Total Base Bid	\$94,885.00	Total Base Bid	\$86,450.00	Total Base Bid	\$102,500.00	Total Base Bid	\$99,620.37	Total Base Bid	\$105,000.00
8A	Remove the Existing Aluminum Handrail and Grating and Clean the Metal Surfaces of the West Secondary Clarifier Bridge Structure by high pressure washing prior to sand blasting @: Per Lump Sum Amount	1	LS	\$4,800.00	\$4,800.00	\$1,265.00	\$1,265.00	\$6,855.00	\$6,855.00	\$2,000.00	\$2,000.00	\$1,921.32	\$1,921.32	\$7,500.00	\$7,500.00
9A	Sand Blast the West Secondary Clarifier Bridge Structure in accordance with Standard SSPC-SP6/NACE 3 - "Commercial Blast Cleaning" @: Per Square Foot of Surface Area.	350	SF	\$25.50	\$8,925.00	\$4.20	\$1,470.00	\$21.94	\$7,679.00	\$24.00	\$8,400.00	\$3.88	\$1,358.00	\$15.00	\$5,250.00
10A	Provide all Materials, Labor & Equipment to coat / paint all metal surfaces of the West Secondary Clarifier Bridge (above the high water level), as specified @: Per Square Foot of Surface Area.	350	SF	\$14.30	\$5,005.00	\$21.38	\$7,483.00	\$38.92	\$13,622.00	\$12.00	\$4,200.00	\$40.37	\$14,129.50	\$15.00	\$5,250.00
11A	Secondary Bridge Cleanup - Provide all Labor, Materials and Equipment required to cleanup the West Secondary Clarifier, and Bridge Structure, and Bolt the existing aluminum handrail and grating in place @: Per Lump Sum.	1	LS	\$3,000.00	\$3,000.00	\$4,885.00	\$4,885.00	\$6,230.00	\$6,230.00	\$4,800.00	\$4,800.00	\$5,627.81	\$5,627.81	\$7,500.00	\$7,500.00
				Total Alternates	\$21,730.00	Total Alternates	\$15,103.00	Total Alternates	\$34,386.00	Total Alternates	\$19,400.00	Total Alternates	\$23,036.83	Total Alternates	\$25,500.00
				Total Base Bid	\$74,425.00	Total Base Bid	\$94,885.00	Total Base Bid	\$86,450.00	Total Base Bid	\$102,500.00	Total Base Bid	\$99,620.37	Total Base Bid	\$105,000.00
				Total Alternates	\$21,730.00	Total Alternates	\$15,103.00	Total Alternates	\$34,386.00	Total Alternates	\$19,400.00	Total Alternates	\$23,036.83	Total Alternates	\$25,500.00
				Total Bid with Alternates	\$96,155.00	Total Bid with Alternates	\$109,988.00	Total Bid with Alternates	\$120,836.00	Total Bid with Alternates	\$121,900.00	Total Bid with Alternates	\$122,657.00	Total Bid with Alternates	\$130,500.00

1st

2nd

3rd

4th

5th

6th

NOTES:
Boycott of Israel not
Included

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and Beehive Broadband LLC, amending Section 2 of the agreement, granting a revocable license to pull communications cable in underground conduit owned by the City of Elko located within City Rights-of-Way and amending Section 10 of the agreement, allowing for a reduction in Franchise Fees by resolution of the City Council, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **Council has recently approved Non-Exclusive Franchise Agreements including a provision granting a revocable permit for occupancy of City owned conduit. Additionally, Council passed Resolution No. 4-20 on February 11, 2020 waiving Franchise Fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter, the telecommunication carrier shall pay the Franchise Fee as stipulated in the agreement. The proposed amendment addresses the issues referenced above. SAW**
6. Budget Information:
 Appropriation Required: **NA**
 Budget amount available: **NA**
 Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Proposed Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and Beehive Broadband LLC.**
9. Recommended Motion: **Move to approve the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and Beehive Broadband LLC, amending Section 2 of the agreement, granting a revocable license to pull communications cable in underground conduit owned by the City of Elko located within City Rights-of-Way and amending Section 10 of the agreement, allowing for a reduction in Franchise Fees by resolution of the Council.**
10. Prepared By: **Scott A. Wilkinson, City of Elko Assistant City Manager**
11. Committee/Other Agency Review: **Legal**
12. Council Action:
13. Agenda Distribution: **Greg Stevens; greg.stevens@beehive.net**

**SECOND AMENDMENT TO NONEXCLUSIVE FRANCHISE AGREEMENT
FOR PURPOSE OF CONVEYING DATA COMMUNICATIONS OVER, UNDER, IN,
ALONG AND ACROSS PUBLIC ROADS OF THE CITY**

Between

THE CITY OF ELKO, NEVADA

and

**BEEHIVE BROADBAND, LLC
a Utah Corporation**

_____, 2020

**SECOND AMENDMENT TO FRANCHISE AGREEMENT BETWEEN THE CITY OF
ELKO AND BEEHIVE BROADBAND, LLC**

THIS SECOND AMENDMENT TO THE FRANCHISE AGREEMENT (hereinafter “First Amendment”) is entered into as of the ____ day of _____, 2020 by and between the City of Elko, Nevada, a municipal corporation and political subdivision of the State of Nevada (hereinafter the “City”), and Beehive Broadband, LLC, a Utah Corporation, with offices at 2000 N. Sunset Road, Lake Point, UT 884074 (hereinafter the “Grantee”).

WITNESSETH:

WHEREAS, on May 10, 2013, the City and Grantee entered into a Nonexclusive Franchise Agreement for Purpose of Conveying Data Communications Over, Under, In, Along and Across Public Roads of the City (“Franchise Agreement”);

WHEREAS, on June 9, 2015, the City and Grantee entered into a First Amendment to the Agreement, amending Section 3 (“Term of Franchise”);

WHEREAS, the Franchise Agreement permits the Grantee to provide telecommunication services (“Telecommunication Services”) within the City and in connection therewith to establish a telecommunication services network in, under, along, over, and across present and future rights-of-way and other property of the City, consisting of telecommunication services lines, conduit, fiber, cables, manholes, handholes, and all other necessary appurtenances (“System” or “Telecommunication Services Network”);

WHEREAS, the City owns conduit buried underground in rights-of-way that is suitable for the Grantee’s fiber optic cable;

WHEREAS, the Grantee desires to pull cable in the City’s buried conduit in connection with the establishment and operation of its telecommunication services network without the requirement for additional licenses or permits;

WHEREAS, the City desires to grant a revocable license to the Grantee to pull fiber optic cable in the City’s buried conduit so long as there is sufficient capacity;

WHEREAS, the City Council passed Resolution 4-20 on February 11, 2020 waiving the requirement that telecommunications carriers pay compensation to the City for property rights granted pursuant to Elko City Code Section 8-12-25, without regard to whether a telecommunications franchise agreement is then in effect;

WHEREAS, pursuant to Resolution 4-20, commencing on June 30, 2025 and continuing thereafter, every telecommunications carrier providing telecommunications services to any person or area in the City shall pay to the City compensation for the property rights granted by the City to the extent required by a franchise agreement that is then in effect.

NOW THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, and for other good and valuable consideration, the City and the Grantee agree as follows:

1. Section 2 (Grant of Franchise of Nonexclusive Authority) of the Franchise Agreement shall be amended to read as follows:

Grantee is hereby granted the franchise right and privilege to lay, construct, install and operate fiber lines and associated facilities, and other structures for the purpose of conveying data communications over, under, in and along and across public roads of the city. The franchise, right, privilege and permission hereby granted is not an exclusive franchise or right, and the right of the City to grant like franchises, rights, privileges or permissions is hereby reserved; provided, that such a grant of like franchises, rights, privileges or permissions shall not interfere with the reasonable use of franchise right, privilege and permission hereby granted to grantee, its successors and assigns, and said franchise, right, privilege and permission is granted subject to all of the ordinances and regulations of the City council and the laws of the state governing such application and privilege for franchise now existing or hereafter to be made, enacted or passed. As part of the foregoing franchise, the Grantee is hereby given a revocable license to pull fiber optic cable in underground conduit owned by the City within City rights-of-way, so long as (i) the conduit is not occupied by City-owned fiber and (ii) the conduit is no less than one and one half (1 ½) inches in diameter, subject to the City's prior approval; provided, the foregoing license shall only be given if the conduit has sufficient capacity; further provided, the foregoing license is revocable by the City for any reason upon ninety (90) days' prior written notice to the Grantee. Notwithstanding any other provision contained herein, the revocable permit given hereby shall be automatically revoked if the Grantee fails to provide telecommunications services to at least one person or area in the City within ninety (90) days of installation of the fiber in the City-owned conduit

2. Section 10 (Franchise Fees and Compensation) of the Franchise Agreement shall be amended to add the following provision:

E. Notwithstanding any other provision contained in this Section 10, the City Council may, by resolution, reduce the compensation to be paid for the franchise to an amount less than stated in this agreement for a set period of time, upon the expiration of which the compensation shall return to the amount stated herein.

3. Except as modified by this Second Amendment, the Franchise Agreement and prior amendments shall remain in full force and effect, and the Franchise Agreement and First Amendment, as modified by this Second Amendment, are hereby ratified and confirmed by the parties. In the event of a conflict between the terms of this Second Amendment and the terms of the Franchise Agreement or the First Amendment, the terms of this Second Amendment shall control. Defined terms used in this Second Amendment which are not defined herein shall have

the meanings set forth in the Franchise Agreement. This instrument may be executed in counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument.

CITY OF ELKO:

By: _____
REECE KEENER
MAYOR

ATTEST:

By: _____
KELLY WOOLDRIDGE
CITY CLERK

GRANTEE:

BEEHIVE BROADBAND, LLC

By: _____

Its: _____

Elko City Council
Agenda Action Sheet

1. Title: **Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and White Cloud Communications, Incorporated, amending Section 2.1 of the agreement, allowing for a reduction in franchise fees by resolution of the City Council, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **Council passed Resolution No. 4-20 on February 11, 2020, waiving franchise fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter the telecommunication carrier shall pay the franchise fee as stipulated in the agreement. SAW**
6. Budget Information:

Appropriation Required: **NA**
Budget amount available: **NA**
Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Proposed Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and White Cloud Communications Incorporated.**
9. Recommended Motion: **Move to approve the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and White Cloud Communications Incorporated, amending Section 2.1 of the agreement, allowing for a reduction in franchise fees by resolution of the City Council.**
10. Prepared By: **Scott A. Wilkinson, City of Elko Assistant City Manager**
11. Committee/Other Agency Review: **Legal**
12. Council Action:
13. Agenda Distribution: **David Skinner**
dskinner@whitecloudcom.com

**SECOND AMENDMENT TO NONEXCLUSIVE FRANCHISE AGREEMENT
FOR PURPOSE OF CONVEYING DATA COMMUNICATIONS OVER, UNDER, IN,
ALONG AND ACROSS PUBLIC ROADS OF THE CITY**

Between

THE CITY OF ELKO, NEVADA

and

**WHITE CLOUD COMMUNICATIONS INCORPORATED
an Idaho Corporation**

_____, 2020

**SECOND AMENDMENT TO FRANCHISE AGREEMENT BETWEEN THE CITY OF
ELKO AND WHITE CLOUD COMMUNICATIONS INCORPORATED**

THIS SECOND AMENDMENT TO THE FRANCHISE AGREEMENT (hereinafter "Second Amendment") is entered into as of the ____ day of _____, 2020 by and between the City of Elko, Nevada, a municipal corporation and political subdivision of the State of Nevada (hereinafter the "City"), and White Cloud Communications Incorporated, an Idaho Corporation, with offices at 633 Main Avenue East, Twin Falls, Idaho 83301(hereinafter the "Grantee").

WITNESSETH:

WHEREAS, on December 10, 2019, the City and Grantee entered into a Nonexclusive Franchise Agreement for Purpose of Conveying Data Communications Over, Under, In, Along and Across Public Roads of the City (hereinafter the "Franchise Agreement");

WHEREAS, on January 14, 2020, the City and Grantee entered into a First Amendment of the Agreement, amending Section 1 (Grant of Franchise);

WHEREAS, the Franchise Agreement permits the Grantee to provide telecommunication services ("Telecommunication Services") within the City and in connection therewith to establish a telecommunication services network in, under, along, over, and across present and future rights-of-way and other property of the City, consisting of telecommunication services lines, conduit, fiber, cables, manholes, handholes, and all other necessary appurtenances ("System" or "Telecommunication Services Network");

WHEREAS, the City Council passed Resolution 4-20 on February 11, 2020 waiving the requirement that telecommunications carriers pay compensation to the City for property rights granted pursuant to Elko City Code Section 8-12-25, without regard to whether a telecommunications franchise agreement is then in effect;

WHEREAS, pursuant to Resolution 4-20, commencing on June 30, 2025 and continuing thereafter, every telecommunications carrier providing telecommunications services to any person or area in the City shall pay to the City compensation for the property rights granted by the City to the extent required by a franchise agreement that is then in effect.

NOW THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, and for other good and valuable consideration, the City and the Grantee agree as follows:

1. Section 2.1 (Franchise Fee) of the Franchise Agreement shall be amended to read as follows:

2.1 Franchise Fee. For and in consideration of the Franchise granted hereunder, the Grantee agrees to pay to the City 5% of Grantee's gross revenues actually collected from

customers located within the corporate limits of the City (the "Franchise Fee"). Such gross revenues shall exclude: (1) long distance access charges; (2) emergency 911 fees and surcharges; (3) equipment and other non-tariffed items which may be provided to the customers; and (4) any other franchise fees, permit fees, business fees, or taxes payable by the Grantee by reason of its engaging in the business of furnishing Telecommunication Services in the City. Such payments shall be made quarterly, within sixty (60) days after the expiration of each calendar quarter or portion thereof, during which the Franchise granted hereunder is in effect. The Franchise Fee shall be calculated based on revenues, as detailed above, generated by Grantee during the applicable quarter of the calendar year. The Grantee shall not be required to provide a performance bond, deposit, or other financial security in return for the Franchise granted herein.

Nothing in this Agreement shall relieve the Grantee of the obligation to obtain such City business and other licenses and permits as are then required for the furnishing, sale or distribution of fiber optic services or otherwise conducting activities within the City; provided, however, the amount of annual gross receipts or revenues used to calculate any Franchise Fee established by resolution of the City Council shall be reduced by the amount of the annual business license or permit fee paid by the Grantee to the City for engaging in the business of the furnishing, sale or distribution of fiber optic services to the inhabitants of the City and if in any year the business license or permit fee shall exceed the said business license or permit fee, the Franchise Fee shall not be payable to the City for that year. This paragraph shall not be interpreted as a waiver of Grantee's right to challenge a City licensing or permitting requirement through the appropriate legal process.

Notwithstanding any other provision contained in this Section 2.1, the City Council may, by resolution, reduce the compensation to be paid for the franchise to an amount less than stated in this agreement for a set period of time, upon the expiration of which the compensation shall return to the amount stated herein.

2. Except as modified by this Second Amendment, the Franchise Agreement and prior amendments shall remain in full force and effect, and the Franchise Agreement and First Amendment, as modified by this Second Amendment, are hereby ratified and confirmed by the parties. In the event of a conflict between the terms of this Second Amendment and the terms of the Franchise Agreement or First Amendment, the terms of this Second Amendment shall control. Defined terms used in this Second Amendment which are not defined herein shall have the meanings set forth in the Franchise Agreement. This instrument may be executed in counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument.

CITY OF ELKO:

By: _____
REECE KEENER
MAYOR

ATTEST:

By: _____
KELLY WOOLDRIDGE
CITY CLERK

GRANTEE:

**WHITE CLOUD COMMUNICATIONS
INCORPORATED**

By: _____

Its: _____

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and possible approval of the Skywest Landing and Lease Deferral Policy, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **Staff will provide the Skywest Landing and Lease Deferral Policy for City Council consideration. JB**
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: **Request from Enterprise Holdings for deferral of March, April and May 2020 Rent and Concession Fees due to hardship relating to COVID-19 Emergency.**
9. Recommended Motion: **Approve the Skywest Landing and Lease Deferral Policy**
10. Prepared By: **Jan Baum, Financial Services Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

Skywest Landing and Lease Deferral Policy

PURPOSE

To define the City's policy as it applies to extending a one-time deferral of the Skywest Airline Landing Fee Charges and Terminal Building Lease at the City of Elko Airport due to the COVID-19 Emergency.

PROVISIONS

Due to the COVID-19 Emergency the City of Elko will authorize a one-time deferral of the Skywest Airline Landing Fee Charges and Terminal Building Lease at the City of Elko Airport.

The current agreements are as follows:

- **Landing Fee Charges**
 - Airline shall pay the City by the Twentieth (20th) day of the month following the end of each calendar month, landing fee charges for landings for the preceding month...
- **Terminal Building Lease**
 - Airline shall pay to City in advance, on the first day of each month, rentals for Airline's exclusive use space at the rate in the amounts calculated...

The proposed deferrals are as follows:

- **Landing Fee Charges**
 - Defer April, May and June landing fees 5 months from the due date, waiving all late fees, with the payments due no later than December 31, 2020. In the event payments are not received by December 31, 2020 all deferred fees will be subject to late fees as outlined in Section 6.6 of the Signatory Airline Operating Agreement & Terminal Building Lease.
- **Terminal Building Lease**
 - Defer May, June and July lease payments 5 months from the due date, waiving all late fees, with the payments due no later than December 31, 2020. In the event payments are not received by December 31, 2020 all deferred fees will be subject to late fees as outlined in Section 6.6 of the Signatory Airline Operating Agreement & Terminal Building Lease.

Skywest Landing and Lease Payment Deferral Procedure:

If Skywest Airlines chooses to take advantage of the 5-month deferral mentioned above notification must be given to the City of Elko Finance Department (contact information below) by the due date of the monthly payment electing to defer. This notification must include the amount of Landing Fee Charges and/or Terminal Building Lease being deferred. In order to comply with the FAA primary goal of statutory sustainability principle to keep the airport solvent to ensure that the airport can remain open and operate safely, the City of Elko must charge interest on the 5-month deferral based on current Treasury Note interest rates. To cover this interest charge as well as cover the administrative costs, the City of Elko will charge a \$25 minimum charge for each monthly Landing and/or Terminal Lease payment being deferred.

City of Elko Finance
Attention Jan Baum
1751 College Avenue
Elko, NV 89801
775-777-7140
jbaum@elkocitynv.gov

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and consideration of a request from Becky Tyree to consider amending the Elko City Code 5-3-1 changing the number of laying hens not used for commercial purposes allowed in private residences, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PETITION, APPEAL, AND COMMUNICATIONS**
4. Time Required: **10 Minutes**
5. Background Information: **The City received email correspondence requesting to amend City Code 5-3-1 that allows two laying hens not used for commercial purposes in private residences. The email is in the agenda packet. KW**
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: **Email correspondence from Becky Tyree**
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:

Re: Let's talk about chickens.

Curtis Calder <ccalder@elkocitynv.gov>

Mon 4/13/2020 10:23 AM

To: Becky Tyree <eckyty@gmail.com>

Cc: Kelly C. Wooldridge <kwooldridge@elkocitynv.gov>

Hi Becky,

Thank you for your email....I was unaware that City residents were acquiring additional chickens for the purpose(s) outlined below. Currently, the City of Elko allows 2 or less laying hens in a secured chicken coop for non-commercial purposes.

Due to the variety of lot sizes within the City of Elko, it may be difficult to increase that number. Certainly, there are some parcels where more chickens would not pose a problem, but others may be of concern to neighboring property owners. How many chickens are you suggesting?

It takes quite a bit of lead time to amend City Code, so I'm copying our City Clerk, Kelly Wooldridge. Once we've defined the scope of the ordinance, we can give you a better idea of what is going to be involved.

Thanks!

Curtis

From: Becky Tyree <eckyty@gmail.com>

Sent: Saturday, April 11, 2020 10:10 AM

To: Curtis Calder <ccalder@elkocitynv.gov>

Subject: Let's talk about chickens.

Good morning,

I hope in this stressful and confusing time you find yourself well.

I would like to discuss our current ordinance regarding chicken keeping within city limits. Currently it states 2 laying hens per lot. I'd like to make you aware, if you are not already, about the current situation in that hatcheries are selling out of chicks at an alarming rate. As well as feed stores! Soon there will be several Elko community members living with more chickens in their backyards than the city allows. People are purchasing these birds to ensure their families are taken care of and have a sense of security in these trying times.

What would it take for the city of Elko to consider an amendment to our current ordinance? Myself and many others do not simply want but need the number allowed to be raised.

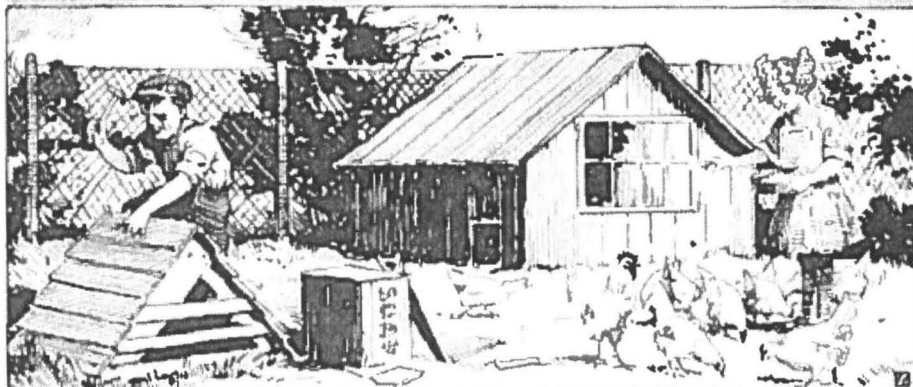
Thank you for your time.

Rebecca Tyree

209-404-2793

Sent from my iPhone

Uncle Sam Expects You To Keep Hens and Raise Chickens



Two Hens in the Back Yard for Each Person in the House Will Keep a Family In Fresh Eggs

EVEN the smallest back yard has room for a flock large enough to supply the house with eggs. The cost of maintaining such a flock is small. Table and kitchen waste provide much of the feed for the hens. They require little attention—only a few minutes a day.

An interested child, old enough to take a little responsibility, can care for a few fowls as well as a grown person.

Every back yard in the United States should contribute its share to a bumper crop of poultry and eggs in 1918.

**In Time of Peace a Profitable Recreation
In Time of War a Patriotic Duty**

For information about methods of Back-Yard Poultry Keeping suited to your location and conditions, write

**Your State Agricultural College
or
The United States Department of Agriculture
Washington, D. C.**

This Space Donated by the Publisher

> On Apr 13, 2020, at 12:58 PM, Becky Tyree <eckyty@gmail.com> wrote:

>

> Curtis,

> Thank you for responding so quickly. I absolutely understand the size in lots varies greatly and that maybe a set number wouldn't be the best solution to this problem. Perhaps a number that would be per lot square footage? Chickens require approximately 10 square feet per bird in the run (outside area) and approximately 4 square feet per bird in the coop (housing area).

> Additionally, I don't think roosters are up for negotiation, as they are noisy and make breeding a possibility.

> Seemingly we've got nothing but time right now and I'm willing to do the work to get a proposition in front of those able to make a change.

> Our country used to say that in times of peace it was a profitable and healthy recreation and in times of war, a patriotic duty. Unfortunately, we find ourselves in an uncertain time and both of these duties seem to be fitting.

> Again, thank you for getting back to me. I appreciate your time and consideration.

> Rebecca Tyree

> <image2.png>

>

>

> Sent from my iPhone

>

>> On Apr 13, 2020, at 10:23 AM, Curtis Calder <ccalder@elkocitynv.gov> wrote:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to accept a petition for a slope easement of approximately .75 acres along the southern portion of approved Tentative Map 14-19 (Mountain View Townhomes), filed by Koinonia Development, LP, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **Due to the existing topography of the development site, the applicant's engineer is proposing off-site grading onto City of Elko-owned property (a portion of Mountain View Park). A condition of approval of the Tentative Map was that a slope easement be granted to allow for this off-site grading. SAW**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Slope easement legal description and map**
9. Recommended Motion: **Accept the petition for a slope easement and direct Staff to refer the matter to the Planning Commission.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review:
12. Council Action:
11. Agenda Distribution: **Koinonia Development, LP**
Attn: John Smales
207 Brookwood Drive
Elko, NV 89801
johnskoinonia@gmail.com

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

EXHIBIT "A"

Slope Easement

City of Elko, Nevada

March 17, 2020

A slope easement located within Section 9, Township 34 North, Range 55 East, M.D.B. & M., City of Elko, Elko County, Nevada, more particularly described as follows:

Commencing at the monument located at the intersection of North Fifth Street and Tasha Way as shown on the Boundary Line Adjustment Record of Survey for Koinonia Development, LP, and the City of Elko, Nevada, filed in the office of the Elko County Recorder, Elko, Nevada, as document number 765673; thence South 32°09'14" West, a distance of 40.00 feet to the most easterly corner of Adjusted Parcel No. 1 as shown on said Boundary Line Adjustment Record of Survey; thence South 32°09'14" West, along the southeast boundary of said Adjusted Parcel No. 1, a distance of 125.00 feet to the most southerly corner of said Adjusted Parcel No. 1, being Corner No. 1, the True Point of Beginning;

thence South 32°09'14" West, a distance of 43.00 feet to Corner No. 2;

thence North 57°50'46" West, a distance of 298.00 feet to Corner No. 3;

thence South 72°09'14" West, a distance of 84.85 feet to Corner No. 4;

thence North 57°50'46" West, a distance of 484.21 feet to Corner No. 5;

thence North 32°09'14" East, a distance of 33.00 feet to Corner No. 6, being the most westerly corner of Parcel No. 4 as shown on said Boundary Line Adjustment Record of Survey;

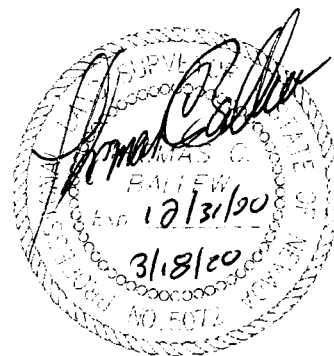
thence South 57°50'46" East, along the southwesterly boundaries of said Parcel No. 4 and Adjusted Parcels No. 3 and No. 2 as shown on said Boundary Line Adjustment Record of Survey, a distance of 455.77 feet to Corner No. 7;

thence North 72°09'14" East, along the southerly boundary of said Adjusted Parcel No. 2, a distance of 97.91 feet to Corner No. 8;

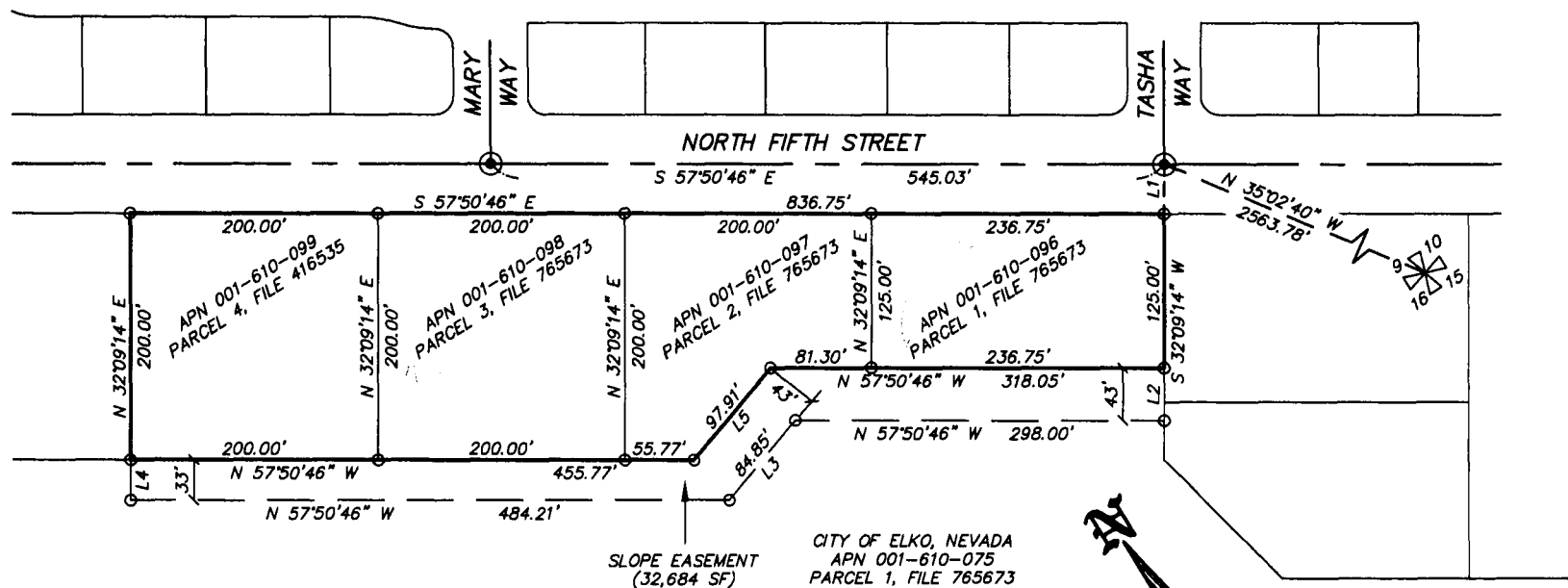
thence South 57°50'46" East, along the southwesterly boundaries of said Adjusted Parcels No. 2 and No. 1, 318.05 feet to Corner No. 1, the Point of Beginning, containing an area of 32,684 square feet, more or less.

Reference is hereby made to Exhibit "B", City of Elko, Nevada, Public Utility & Drainage Easement in Section 9, T. 34 N., R. 55 E., M.D.B. & M., attached hereto and made a part hereof.

HIGH DESERT Engineering, LLC
Thomas C. Ballew
Nevada P.L.S. 5072

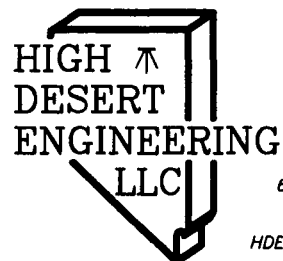


640 Idaho Street
Elko, NV 89801
(775) 738-4053



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 32°09'14" W	40.00'
L2	S 32°09'14" W	43.00'
L3	S 72°09'14" W	84.85'
L4	N 32°09'14" E	33.00'
L5	N 72°09'14" E	97.91'

150' 0 150'
SCALE: 1"=150'



640 IDAHO STREET
ELKO, NV 89801
(775) 738-4053
HDENG@FRONTIERNET.NET

EXHIBIT "B" CITY OF ELKO, NEVADA SLOPE EASEMENT

IN

SECTION 9, T.34 N., R.55 E., M.D.B. & M.

**Elko City Council
Agenda Action Sheet**

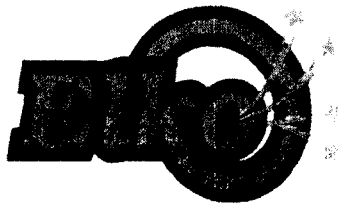
1. Title: **Review, consideration, and possible action pertaining to a request to purchase approximately 2,800 sq. ft. of City owned parcel referred to as APN 001-01R-001, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **City Council approved a petition to sell or lease approximately 900 sq. ft. to the applicant at their February 11, 2020 meeting. The applicant has since requested a larger parcel, 70x40, and has submitted a new application.**

Pursuant to NRS 268.063, the City Council may adopt a resolution which triggers an “economic development” exception, finding that it is in the best interest of the public to sell the property without offering the property to the public. SAW

6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**

7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application**
9. Recommended Motion: **Move to authorize Staff to obtain the required appraisal for the proposed sale of a 2,800 sq. ft. portion of APN 001-01R-001 and proceed with the statutory process for selling the parcel pursuant to NRS 268.063, subject to the Council accepting the appraisal.**
10. Prepared By: **Scott Wilkinson, Assistant City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Safelink Internet Services
Attn: Michael Ricks
906 S. Oneida Street
Rupert, ID 83350**



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

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

APPLICATION FOR SALE OR LEASE OF CITY OWNED LAND

APPLICANT(s): Safelink Internet LLC

ADDRESS: 906 S Oneida St, Rupert, Idaho, 83350

PHONE NO (Home) 208-677-8000 (Business) 208-431-6560 (Fax) _____

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

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

Buy a 70x40 section of property for communications infrastructure at GPS Coordinates 40.82846 -115.75780

this property is located on the cul de sac of Front Street below 227 next to the Humboldt River.

(Attach a small site plan)

FILING REQUIREMENTS:

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

APPLICANT'S SIGNATURE: _____

APPLICANT'S PRINTED NAME: Jasen Herr

OFFICE USE ONLY

File No.: _____ Date Filed: _____ Deposit Paid: _____

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to accept a petition requesting that the City of Elko provide 1 buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko a buffer of the same liner feet within the city, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PETITION**
4. Time Required: **15 Minutes**
5. Background Information: **The City of Elko approved a non-exclusive franchise agreement with the CC Communications on February 11, 2020. The non-exclusive franchise agreement does not provide for the use of City owned fiber. CC Communications is requesting the City consider allowing CC Communication use of the existing fiber in exchange for an equivalent city use of CC Communications fiber. A separate agreement between the parties would be required. SAW**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **CC Communication email dated April 9, 2020.**
9. Recommended Motion: **Pleasure of the Council.**
10. Prepared By: **Scott A. Wilkinson, Assistant City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

Mark Feest, GM CC Communications; mark.feest@cccomm.co

Scott A. Wilkinson

From: Mark Feest <mark.feest@cccomm.co>
Sent: Thursday, April 9, 2020 4:27 PM
To: Scott A. Wilkinson
Subject: Request Pursuant to NRS 277.050

Scott,

CC Communications requests that the Elko City Council consider and approve providing 1 buffer tube of fiber in existing City of Elko fiber paths to Churchill County Telephone, DBA CC Communications, in exchange for CC Communications providing the City a buffer of the same liner feet within the City of Elko. Upon approval, CC Communications will be constructing, at a minimum, a path from a point on the City of Elko's existing fiber to Spring Creek. CC Communications will negotiate in good faith with City staff, so that the newly constructed path is designed to both meet our needs, as well as passing near addresses that are important to the City of Elko for its network needs.

Best Regards,

Mark Feest, GM
CC Communications

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible adoption of Emergency Ordinance No. EO-001, an emergency ordinance deferring certain utility fees, penalties, and charges to assist businesses adversely affected by the COVID-19 Pandemic, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **April 28, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **5 Minutes**
5. Background Information: **A copy of the proposed emergency ordinance has been included in the agenda packet for review. CC**
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: **A copy of Emergency Ordinance No. EO-001**
9. Recommended Motion: **INFORMATION ITEM ONLY – NO ACTION WILL BE TAKEN**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

ORDINANCE 851

AN EMERGENCY ORDINANCE DEFERRING PAYMENT OF CERTAIN UTILITY FEES, PENALTIES AND CHARGES TO ASSIST BUSINESSES ADVERSELY AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, on March 12, 2020, the Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic;

WHEREAS, on March 17, 2020, the Governor ordered a 30-Day statewide shutdown of "nonessential" businesses, effective at 12:00 noon on March 18, 2020, to contain the spread of the coronavirus;

WHEREAS, the Governor has, by Directive, defined "essential" and "nonessential" businesses and the restrictions applicable thereto while the statewide shutdown is in effect;

WHEREAS, on March 18, 2020, the Elko City Council met in Emergency Session and took several actions related to the Governor's coronavirus containment action, to include declaring an emergency based upon the Governor's 30-Day statewide shutdown of "nonessential" businesses (the "Emergency Order"), suspending most in-person services at City of Elko departments and/or facilities, and deferring water service shutoffs for 45-Days;

WHEREAS, a number of businesses have indicated that the COVID-19 pandemic and the Governor's containment action have resulted in a substantial loss of revenue;

WHEREAS, the Governor has extended the shutdown until there is a "consistent and sustainable downward trajectory of COVID-19 cases and hospitalizations over a 14-day period measured by a decrease in the trend of COVID-19 hospitalizations and a decline in the percentage of people testing positive," and may extend the shutdown further depending upon the spread of the coronavirus in the State;

WHEREAS, utility fees and charges are assessed pursuant to the following City Code provisions:

1. Water Service Fees: Section 9-1-29(B);
2. Sewer User Charges: Section 9-5-31(A); and
3. Stormwater Management Fees: Section 9-6-19(A); and
4. Streetlight Utility Charges: Section 9-5-31(E).

WHEREAS, the City Council desires to provide temporary emergency relief to businesses adversely affected by the COVID-19 pandemic by deferring payment of Water Service Fees and Sewer User Charges (other than for metered service), Storm Water Management Utility

Fees and Street Light Utility Charges, together with associated penalties, until August 31, 2020;

WHEREAS, pursuant to Sections 2.060 and 2.110 of the Elko City Charter, the City Council is authorized, by unanimous consent, to take final action to immediately enact ordinances in cases of emergency, subject to the provisions of Chapter 241 of NRS;

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

Section 1: That Title 9, Chapters 1, 5 and 6 of the Elko City Code are amended as follows:

A. A business that is not on a metered service for water may apply to the City Water & Sewer Department (the "Department") for an Emergency Deferment of Water Service Fees, Sewer User Charges, and/or Street Light Utility Charges a form provided by the City. Any business, regardless of the Class of Service for water, may apply to the Department for an Emergency Deferment of Stormwater Management Fees. As used in this Ordinance, the term "Emergency Deferment" shall refer to a deferment of any or all fee(s) or charge(s) permitted herein.

B. An Emergency Deferment of Water Service Fees, Sewer User Charges, Stormwater Management Fees and/or Street Light Utility Charges may be given to a business satisfying all of the following criteria and meeting all of the following requirements, except where otherwise indicated:

1. The business holds a City of Elko Business License;
2. For a deferment of Water Service Fees, the business receives a Class of Service other than Residential pursuant to Elko City Code Section 9-1-29(B), and the business's water service is not subject to a metered rate;
3. For a deferment of Sewer User Charges or Street Light Utility Charges, the business is assessed a Commercial rate based on sewer fixture units pursuant to Elko City Code Section 9-5-31, and the business's sewer service is not charged a rate based on the percentage of the metered quantity of water consumed;
4. The business owner or an authorized agent attests under oath and subject to penalties of perjury on a form provided by the City that the business (a) is a nonessential business or (b) is an essential business that has suffered a reduction in gross receipts of thirty percent (30%) or more since March 12, 2020 due to the COVID-19 pandemic and associated mandatory shutdowns;

5. The business submits documentation showing that either (a) it has applied for and has not received available financial assistance from a governmental entity related to the COVID-19 pandemic, to include a Paycheck Protection Program loan from the Small Business Administration or (b) it is ineligible for financial assistance from a governmental entity related to the COVID-19 pandemic, to include a Paycheck Protection Program loan from the Small Business Administration;

6. The business's combined Water Service Fees and Sewer User Charges for the calendar month prior to the filing of the application was \$250.00 or more; and

7. The business pays a nonrefundable application fee to the City in the amount of \$50.00.

C. In the event an Emergency Deferment is granted by the Department, the business shall receive the following benefits and shall be subject to the following conditions and requirements:

1. So long as the Emergency Deferment is in effect, the business shall not be required to pay monthly Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges;

2. The City will not bill the business for Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges while the Emergency Deferment is in effect;

3. While the Emergency Deferment is in effect, the City may send a statement to the business indicating the amount of the Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges that would otherwise be due;

4. The Emergency Deferment shall only apply to Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges and accrued penalties, and shall not apply to other charges assessed under Title 9, Chapters 1, 5 and 6 of the Elko City Code;

5. The City will not terminate water and/or sewer service to any business granted an Emergency Deferment that complies with the requirements of this Emergency Ordinance;

6. Penalties will continue to accrue on the full amount of the unpaid balance of Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or

Street Light Utility Charges during the Emergency Deferment, but shall not be due or payable to the City except as otherwise provided in this Emergency Ordinance;

7. The City may, in its discretion and irrespective of Emergency Deferments granted, perfect liens against properties served by water and/or sewer services if the full amount of any bill for water and/or sewer services is delinquent for a period of forty-five (45) or more days after the date of mailing of any water and/or sewer bill. The foregoing lien rights shall apply to the full amount of delinquent water and/or sewer fees, penalties and other charges permitted by Title 9, Chapters 1, 5 and 6 of the Elko City Code, without regard to the deferral of payments permitted by an Emergency Deferment. The City shall not commence an action for foreclosure against such property so long as (a) the Emergency Deferment is in effect and (b) the business complies with the requirements of this Emergency Ordinance. It is the intent of this Subsection of the Emergency Ordinance to preserve the City's right to perfect its lien rights for the full amount of delinquent fees, penalties and other chargers for Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges that accrue during the time this Emergency Ordinance is in effect and to enable the City to enforce those lien rights in the event the business fails to comply with the terms and conditions set forth herein; and

8. The business shall permit the City to review its books and records at reasonable times to the extent needed to determine the business's compliance with this Emergency Ordinance, to include verifying that an essential business receiving an Emergency Deferment actually suffered a reduction in gross receipts of thirty percent (30%) or more since March 12, 2020 due to the COVID-19 pandemic and associated mandatory shutdowns.

D. All Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges , penalties and other charges established under the Elko City Code shall continue to accrue while the Emergency Order is in effect and shall be due and payable in full on August 31, 2020; provided, accrued penalties for nonpayment of Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges will be waived if the full amount of all accrued Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges and other charges is paid on or before August 31, 2020.

E. An Emergency Deferment shall not apply retroactively and shall not be interpreted as a waiver of any requirements arising under the City Code other than the obligation to pay Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges prior to August 31, 2020 and (b) the aforementioned accrued penalties upon payment in full of all deferred amounts on or before August 31, 2020.

F. The Department may, upon five (5) business days' prior written notice to the business, revoke an Emergency Deferment for failure of the business to comply with the requirements of this Emergency Ordinance.

G. A business that fails to pay all accrued Water Service Fees, Sewer User Charges, Stormwater Management Utility Fees and/or Street Light Utility Charges and other charges on or before August 31, 2020 shall thereafter be subject to all accrued penalties ordinarily assessed under the Elko City Code, include those specified in Title 9, Chapters 1, 5 and 6 of the Elko City Code, and the City may thereafter take all enforcement actions permitted by the Elko City Code, to include, without limitation, disconnection of water and/or sewer service and the enforcement of lien rights where applicable.

H. Any person aggrieved by a decision of the Department pursuant to this Emergency Ordinance, to include the denial or revocation of an Emergency Deferment, may appeal the Department's decision to the City Council by submitting a Notice of Appeal to the City Clerk within ten (10) business days of the date of the Department's decision. The Notice of Appeal shall specify the date of the Department's decision, shall state the decision being appealed and shall describe the reasons why the decision should be reversed. The appeal shall be heard at a public hearing during a regular meeting of the City Council and shall be decided by a majority vote. The City Council may affirm, modify, or reverse the Department's decision; provided, the City Council's decision shall be consistent with the requirements of this Emergency Ordinance.

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

Section 3: If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid, unenforceable, or unconstitutional by a court of competent jurisdiction, the invalidity, unenforceability, or provision shall not affect any remaining provisions of this ordinance.

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

Section 5: This Ordinance shall be effective upon the publication mentioned in Section 4.

Section 6: This Ordinance shall terminate at midnight on August 31, 2020.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this ____ day of _____ 2020.

CITY OF ELKO

BY: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk