

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

SS June 11, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 11, 2019.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons *left at 5:36 p.m.*
 Councilman Chip Stone
 Councilman Bill Hance

Council Absent: Councilman Robert Schmidlein

City Staff Present: Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Kelly Wooldridge, City Clerk
 Michele Rambo, Development Manager
 Jeff Ford, Building Official
 Bob Thibault, Civil Engineer
 Candi Quilici, Accounting Manager
 Dennis Strickland, Public Works Director
 Ty Trouten, Police Captain
 James Wiley, Parks and Recreation Director
 Jim Foster, Airport Manager
 John Holmes, Fire Marshal
 Cathy Laughlin, City Planner
 Dave Stanton, City Attorney
 Tom Coyle, Deputy City Attorney
 Jack Snyder, Fire Department
 Matt Griego, Fire Chief
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

APPROVAL OF MINUTES: May 28, 2019 **Regular Session**

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY2019/2020 Funds in the amount of \$464,971.41, and matters related thereto.
FOR POSSIBLE ACTION

As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.

Your agenda packet includes an overview of coverage offered for the following fiscal year. The City of Elko's total program costs for FY 2019/2020 are \$464,971.41, representing a 9.09% increase over FY 2018/2019. CC

John Smales, LP Insurance, 555 5th Street, offered to do an overview workshop to explain the program and then went over the premium increase.

Mike Rebaleati, CEO POOL/PACT, spoke about the insurance policy and gave a presentation (Exhibit "A").

Councilwoman Simons thought a workshop would be helpful to explain the program in more detail, especially for the new council members.

Mayor Keener agreed.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the renewal proposal from Nevada Public Agency Insurance POOL and approve invoice for payment from Fiscal Year 2019/2020, in the amount of \$464,971.41.**

The motion passed unanimously. (4-0)

- B. Presentation by the Nevada Rural Housing Authority, and matters related thereto.
INFORMATION ITEM ONLY – NON ACTION ITEM

Diane Arviza, Nevada Rural Housing Authority, said this is their annual request for the unused private activity bond cap. She talked about what they have done for the City of Elko local homebuyers through the Home At Last Program and other programs they manage.

II. PERSONNEL

- A. Employee Introductions:

- 1.) Aaron Gallegos, Golf Course Laborer, Parks and Recreation Department
Present and introduced.

III. APPROPRIATIONS

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

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

The motion passed unanimously. (4-0)

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

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

The motion passed. (3-0 Mayor Keener abstained.)

- C. Review, consideration, and possible award of the Public Works Department Preventive Maintenance Project 2019, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their April 9, 2019, meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2019. Bids were received until 3:00 p.m., on May 30, 2019. DS

Dennis Strickland, Public Works Director, said the bid tab was in the packet. There were two bids. He felt they were both great bids but recommended Sierra Nevada Construction.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to award the bid to Sierra Nevada Construction for the Public Works Department Street Maintenance Project 2019, in the amount of \$404,007.00.**

The motion passed unanimously. (4-0)

- D. Review and possible award for the custodial services at the airport terminal, and matters related thereto. **FOR POSSIBLE ACTION**

Bids for the Terminal Custodial Services were opened on Friday, May 31, 2019. Staff received one (1) bid from Royal Pane Janitorial who is the current Custodian at the airport terminal. Staff would recommend signing a Two (2) Year Contract with the provision of a One (1) Year Contract Extension should both parties agree for a total of Three (3) Years. JF

Jim Foster, Airport Manager, explained they received one bid. It did come in a bit higher than the previous contract with the addition of the IT Building and some additional work in the terminal.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to award a Two-Year Custodial Contract for Custodial Services at the Airport Terminal to Royal Pane Janitorial, at an annual cost of \$20,400, with the provision of a one-year extension, should both parties agree.**

The motion passed unanimously. (4-0)

IV. UNFINISHED BUSINESS

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

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

Michele Rambo, Development Manager, explained the remaining issue that NDEP had with the site was inspected by Ryan Limberg, Utilities Director, and found to have been done correctly. Now it is a matter of showing that proof to NDEP and getting them to lift the cease and desist order.

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

The motion passed unanimously. (4-0)

V. NEW BUSINESS

- A. Review, consideration, and possible initiation to amend Title 2, Chapter 13 of the Elko City Code entitled "Sidewalks, Curbs, Gutters" and to recodify it as Title 8, Chapter 21, and matters related thereto. **FOR POSSIBLE ACTION**

The section of the City Municipal Code regulating the installation of curb, gutter, and sidewalk is currently located within the City's Building code. With the replacement of the current code with the adoption of the 2018 IBC, this curb, gutter, and sidewalk section needs to be placed elsewhere in the City Code to continue to be enforced.

Concurrently with this change in location, some updates to the language are proposed. The most significant change is the addition of standard enforcement language located in other sections of the City Code. Smaller changes include rewording existing language and correcting typos. MR

Ms. Rambo gave a presentation (included in packet) and recommended this initiation of code changes. They will not be changing any of the regulations, just moving them.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to initiate to amend Title 2, Chapter 13 of the Elko City Code, entitled “Sidewalks, Curbs, Gutters” and to recodify it at Title 8, Chapter 21, as presented by staff and approved by the City Attorney.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible action to initiate the deletion of Title 2, Chapter 1, Section 15 of the Elko City Code entitled “Exemptions for Existing Buildings, Structures and Building Service Equipment Systems”, and matters related thereto **FOR POSSIBLE ACTION**

This chapter needs to be deleted as the City will be adopting the 2018 International Building Codes that includes the exemptions for existing buildings in ordinance 839. KW

Kelly Wooldridge, City Clerk, explained this is a housekeeping item. If Ordinance 839 passes tonight, we will need to delete this section of code.

Mayor Keener thought the motion should be subject to the adoption of the ordinance.

Ms. Wooldridge said this item is just to initiate the change. If for some reason Ordinance 839 didn't pass tonight, we would not initiate this ordinance.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to initiate the deletion of Title 2, Chapter 1, Section 15 of the Elko City Code entitled, “Exemptions for Existing Buildings, Structures and Building Service Equipment Systems,” upon adoption of the new 2018 International Building Codes.**

The motion passed unanimously. (4-0)

- C. Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Shilo Inn, and matters related thereto. **FOR POSSIBLE ACTION**

The Shilo Inn is routinely delinquent in its payment of transient lodging taxes. On March 28, 2019, the City Attorney recorded a Notice of Tax Lien for August, October and November 2018 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled

\$30,983.65. Shilo Inn subsequently paid \$12,282.28 for the August 2018 delinquent taxes and that portion of the lien was released. However, \$18,701.37, together with penalties and interest, remains unpaid for October 2018 and November 2018 taxes. On May 9, 2019, the City Attorney recorded another Notice of Tax Lien in the amount of \$5,548.07 for unpaid transient lodging taxes for January 2019, including penalty and interest. That amount has not been paid. Transient lodging taxes for April 2019 are also delinquent, but a lien has not yet been recorded for that month. The City has several options, to include commencing a civil action to foreclose on the property pursuant to NRS 268.095(7)(b) for the amounts stated in the recorded liens; commencing a proceeding before the City Council to terminate, suspend or revoke the Shilo Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commencing a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW

Ms. Wooldridge explained she has been in touch with their new CEO. He sent her an email explaining the difficulties they have been experiencing with their finances. He is proposing a payment plan and that all taxes will be current by July 15, 2019. There was a wire transfer received today for about \$7,000 but about \$2,000 of that went to their water payment because they were scheduled for water shut-off today. The remainder was applied to transient lodging taxes. She went over the lien history for this property. Shilo Inn room tax has been a struggle over the last several years. After a google search, she found that Shilo Inn has other room tax issues with other cities and pending lawsuits.

Matt McCarty, 598 Flowing Wells Creek, Spring Creek, said he participated in the room tax change as a hotelier and a member of ECVA. He is no longer a hotelier and was not speaking on behalf of the ECVA board. For a number of years it was apparent there was no consistency with room tax payments. A number of hoteliers came together to work with City staff to develop a more well defined code with stronger repercussions, specifically so that everyone was on a level playing field. In meetings with the Lodging Committee, the current code received wide, nearly unanimous support. Businesses must have faith that if they are playing by the rules they will not be disadvantaged. He does not want to see businesses closed, though, if they are not playing by rules there must be consequences. The community looks to City Council to ensure that Elko is a good place to live, to visit and to conduct business. The City of Elko, ECVA, along with a number of other entities, depend on prompt and proper payment of taxes. He urged Council to enforce the code as it is written, as that is what the lodging community intended in supporting the code.

Mayor Keener said there was no one present from the lodging community. This property has a history of being a deadbeat. He thought there would be more interest in the lodging community membership to attend this hearing.

Mr. McCarty said they tend to keep to themselves. There is an unspoken rule to not go after your competition directly because it creates more issues. He thought maybe they were not present tonight to avoid having a target put on them.

Katie Neddenriep, Executive Director ECVA, said this was brought up at the last Lodging Committee Meeting but at the time, the specific properties in default were not named. The hotelier community is concerned that if these properties are not held accountable per laws and regulations that are in place, are they going to get off from paying their taxes? They would like to see that the laws that are in place are applied and held accountable. Those doing business properly and in a timely manner continue to be recognized for that rather than penalized.

Mr. McCarty said he received a text saying, “they (hotelier community) are watching (the live feed).”

Councilman Stone asked Kelly Wooldridge what they owe exactly.

Ms. Wooldridge answered she did. Right now they owe \$27,037.29 and Shilo Inn says it will be paid off by July 15.

Mayor Keener asked if she had received any assurances that they will keep it current going forward.

Ms. Wooldridge answered that is their plan according to their email. She wasn’t sure if there was an agreement she could have them sign off on or not.

Dave Stanton, City Attorney, thought they could sign an agreement but it may not give us anything more than we have right now. He went over the available options per code.

Tom Coyle, Deputy City Attorney, spoke about the option of civil litigation.

Council deliberated and the delinquent water bill was also discussed.

Mayor Keener said from his perspective there should be no mercy for further transgressions going forward.

Councilman Hance thought the past due taxes were overboard and they needed to get caught up. If they do not get caught up by July 15th, we should take away their business license.

Councilwoman Simons thought if we worked with them, we would have a better chance of getting our money faster.

Mr. Stanton spoke about the process of terminating, revoking or suspending a business license. He can be instructed to initiate the process as part of the motion tonight.

Mr. McCarty said the amount Shilo Inn is in arrears, if it was strict room tax, that is \$193,000 in revenue that they have collected. At a 77% occupancy, that is \$2,508 a day if they are perfectly full. With the Mine Expo just ending they should have money. It is a significant issue.

**** A motion was made by Councilman Hance to approve going forward with a business license hearing for the Shilo Inn for the delinquent transient lodging tax, currently in the amount of \$27,037.29, plus the amount for May and June that will be coming due, and initiate a business license revocation under City Code 4-1-14.**

After the motion and before the vote, Mayor Keener clarified that if they pay, we will abandon the disciplinary process.

Councilman Stone seconded the motion.

The motion passed unanimously. (4-0)

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading and possible adoption of Ordinance No. 839, an ordinance amending Title 2, Chapters 2, 3, 4, 5, 6, 7, 8 & 13 of the Elko City Code entitled “Building Regulations” by adding 2018 International Code, and corresponding amendments, and matters related thereto. **FOR POSSIBLE ACTION**

On January 9, 2018, Council directed Staff to initiate the adoptions of the 2018 International Building Codes and initiate a Business Impact Statement. On May 14, 2019 Council found that Ordinance No. 839 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019, Council approved first reading of Ordinance No. 839. KW

Kelly Wooldridge, City Clerk, said this is second reading and there have been no changes made since the Business Impact Statement.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve the second reading and adoption of Ordinance No. 839.**

The motion passed unanimously. (4-0)

- B. Second reading and possible adoption of Ordinance No. 840, an ordinance amending Title 6, Chapter 1, of the Elko City Code entitled “Fire Code”, and other matters related thereto. **FOR POSSIBLE ACTION**

On February 26, 2019, Council approved the initiation on Ordinance No. 840 and directed Staff to complete a Business Impact Statement. On May 14, 2019, Council found that Ordinance No. 840 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019 Council approved first reading of Ordinance No. 840. KW

Ms. Wooldridge said this is the same ordinance presented for the business impact statement and there have been no changes made.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the second reading and adoption of Ordinance No. 840.**

The motion passed unanimously. (4-0)

Councilwoman Simons left at 5:36 p.m.

V. NEW BUSINESS (Cont.)

- D. Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Thunderbird Inn, owned by Elko 345, LLC., and matters related thereto. **FOR POSSIBLE ACTION**

Elko 345, LLC, the owner of the Thunderbird Inn, owes for delinquent transient lodging taxes for February, March and April 2019. On May 13, 2019, the City Attorney recorded a Notice of Tax Lien for December 2018 and January 2019 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled \$6,289.10. Elko 345, LLC has also failed to provide a number of Transient Lodging Tax Returns, which are required under Elko City Code Section 4-6-9 and 4-6-15(B). Elko 345, LLC does not own the property on which the Thunderbird Inn is located, but instead has only a leasehold interest. Therefore, a foreclosure action may not be cost-effective, since the leasehold interest is unlikely to have value. The City may also commence a proceeding before the City Council to terminate, suspend or revoke the Thunderbird Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commence a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW

Ms. Wooldridge updated Council the Thunderbird has made some payments, some checks have cleared and the lien has been dropped. They have also paid January, February and March room taxes but she is waiting for those checks to clear the bank. They still owe April. Part of the problem she was having with this property is that they were not turning in what they owe. They finally did give us four returns on May 29th. Their manager has expressed that they have had problems paying their water bill. Their occupancy rate appears to be lower than last year.

Mayor Keener said he heard a suspicion about the Thunderbird under-reporting occupancy because their utilities are not matching up.

Ms. Wooldridge said she heard complaints that their water bill was high in April but their occupancy rate was really low. Their water usage was the highest it had been. The water department spoke to the manager about not having any leaking toilets and such, and he claims there are not any leaks.

Mayor Keener felt skeptical about their occupancy and thought there might be a bigger issue. He asked about the procedure for initiating an audit.

Ms. Wooldridge went over the audit process.

Dave Stanton, City Attorney, said he would discuss this option with the City Clerk.

NO ACTION

VI. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 9-19, a Resolution providing for the transfer of the City's 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 9-19 have been enclosed in the agenda packet for review. CC

Diane Arvizo, Nevada Rural Housing Authority, said the Private Activity Bond Cap is not actually on the City's budget line. It is allocated from the Treasury. If there is no project for it, it reverts back to the State. By transferring it to the Nevada Rural Housing Authority, they can follow the pooling process to benefit future homeowners.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to approve Resolution No. 9-19, to transfer the City's 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority, for the amount of \$1,102,370.26.**

The motion passed unanimously. (3-0 Councilwoman Simons was absent.)

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of approximately 900 square feet of the northeasterly portion of 3rd Street, filed by David and Juliane Ernst and processed as Vacation No. 3-19, and matters related thereto. **FOR POSSIBLE ACTION**

Third Street, as it exists today, is an 80' wide Right-of-Way. The applicant is asking for a vacation of the excess right-of-way. CL

Cathy Laughlin, City Planner, explained this is a dilapidated residence at the top of the 3rd Street hill that just changed ownership. They plan to make some major renovations. They submitted an application to vacate 9 feet of the 3rd Street portion of the right-of-way. They are proposing to pull the sidewalk out a ways, as there is a main power line that runs up 3rd Street. They will not be allowed to increase their setback requirement on that. This petition is for Council's

consideration. If approved, it will be with a referral to Planning Commission for their recommendation.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to accept the petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (3-0 Councilwoman Simons was absent.)

- B. Review, consideration, and possible action concerning an appeal from AM Engineering to not require a full forensic and structural analysis as a condition for the tenant improvement to the old terminal building and the City allow the appellant to mitigate any remaining issues concerning the additional roof structure under 2009 IBC, Chapter 34, Section 3412, and matters related thereto. **FOR POSSIBLE ACTION**

The City entered into a lease agreement with Elko Leasing Company. AM Engineering is managing the tenant improvement for Elko Leasing Company. Recent activities associated with the tenant improvements have resulted in the discovery that an additional roof structure was constructed over the original roof by the City. The additional roof structure was not considered in the tenant improvement design and submittals to the City. The appellant is in the process of finalizing permitting to address revisions to the initial tenant improvement and is requesting relief from a possible requirement to complete a forensic and structural analysis on this portion of the structure. SAW

Scott Wilkinson, Assistant City Manager, said he received a request to table this item until the next meeting. Some years ago, there was a reroof project on the old terminal building. The Building and Fire Department, along with the developer and staff, met today and talked about some of the issues. It was decided to table this and allow staff and the consultant to work with the developer to try to resolve the issues. There may be some changes to the tenant improvements. We aren't certain of the outcome but they are trying to resolve the issues.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to table Item VII.B. until the next scheduled council meeting.**

The motion passed unanimously. (3-0 Councilwoman Simons was absent.)

BREAK

IX. REPORTS

- A. Mayor and City Council

Councilman Stone stated the ECVA will be meeting tomorrow morning. The California Trail is looking for help.

Mayor Keener announced the Animal Shelter will have their Animal Adoption days this Friday and Saturday. Friday he will be meeting with Southwest Gas and asked the other councilmembers to join him at the Elko office at 1:30 pm. Scott Wilkinson suggested that Kelly Wooldridge attend.

The Nevada League of Cities will be held in Winnemucca this year and he thought the new members should attend.

B. City Manager

C. Assistant City Manager

Scott Wilkinson reported on the status of the flood litigation. There was a case management hearing on June 4th that went fairly well. The trial is set for August 4, 2020. The trial will be bifurcated, meaning the jury trial will address liability only. If liability is found the damages would be determined by a special master, who would be agreed to by both parties.

D. Utilities Director

Ryan Limberg reported they purchased a pump from CH Spencer for \$46,000. At the time of the purchase order they didn't know the freight amount. The freight bill was \$4,500. It exceeds the \$50,000 limit but they were not aware of the freight at the time.

E. Public Works

Mayor Keener reported for Dennis Strickland who said they are watching the river and the numbers are going down.

F. Airport Manager

Jim Foster reported bill 242 passed but there was no funding for it. The commission will be established to help small or rural airports get commercial air service. They are assisting with Reno to apply for a small community air service development grant. They are waiting for AIP 50 funding. They won't know for another 2 weeks if there will be funding for it. He went to the Western Pacific FAA Regional Conference. He thought that would be a good conference for council to go to next year.

G. City Attorney

H. Fire Chief

I. Police Chief

Mayor Keener said he heard a rumor that 403 Pine Street was being sold to someone that wants to scrape it off and rebuild. Ty Trouten said that is the same rumor he heard. Mike Palhegyi graduated from the National Academy and they are looking forward to his return. Their K9 officers got their yearly recertification, which includes their two new handlers. That brings them up to four patrol K9's. They got notice of the grant application for the domestic violence advocate.

J. City Clerk

Kelly Wooldridge gave a status on the OHV Ordinance Workgroup. It got a little delayed with schedules. There will be a meeting when Curtis returns. She is hoping that this is taken care of in July. The legislation session is over. She prepared a spreadsheet that had bills that seemed to affect the city operations. Mayor Keener stated he would like something agenized regarding a Thunderbird audit. Dave Stanton said he will work with Kelly on this subject.

K. City Planner

L. Development Manager

M. Administrative Services Director

N. Parks and Recreation Director

James Wiley reported the Pool Project is pretty much wrapped up. They are finishing up a punch list before they open on Monday. This weekend we are hosting a youth baseball tournament. The next weekend is an adult softball tournament. There is a motorcycle race at the Snobowl at the end of June. He also reported about mosquito spraying.

O. Civil Engineer

Bob Thibault reported construction on the Sports Complex will begin again on Monday, June 17, 2019. They were scheduled to start June 3rd but the ground water was still too high.

P. Building Official

Jeff Ford thanked those that helped with the code adoption process.

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



NEVADA PUBLIC AGENCY INSURANCE POOL MEMBER COVERAGE SUMMARY

Prepared For:

Elko, City of

Prepared By:

LP Insurance Services, Inc.

This summary is intended for reference only. For specific terms, conditions, limitations and exclusions, please refer to the POOL Coverage Form edition July 1, 2019.

Dear POOL Member:

Thank you for your renewed commitment to the Nevada Public Agency Insurance Pool (POOL). In 1987, four Nevada counties formed their own risk sharing pool and now over thirty years later, the vast majority of Nevada's rural public entities remain committed to each other and the mission of their risk pool organization.

We are pleased to provide this Member Coverage Summary for your review. We continue to excel and provide an unparalleled level of service to our members. Our mission seeks to help members manage their risks so they can serve the public effectively.

The POOL Board is comprised of dedicated, hardworking, and ethical Member leaders focused on public risk management. They continue to do a superb job of representing the interests of the Member-owners of POOL.

Our members continue to see great value in being part of the POOL because of the extensive services, thus membership retention remains strong. We encourage you to discuss the services we offer with your insurance agent, a valued partner in the POOL program. Details on the financial performance and the services we offer are available on our website at www.poolpact.com.

If you have any questions, please call us at (775) 885-7475.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Carlson', with a stylized, flowing script.

Wayne Carlson
Executive Director
Nevada Public Agency Insurance Pool

NEVADA PUBLIC AGENCY INSURANCE POOL (POOL) COVERAGE SUMMARY

RENEWAL PROPOSAL	COVERAGE PERIOD	NAMED ASSURED	MAINTENANCE DEDUCTIBLE
	07/01/2019 – 07/01/2020 Standard Time	Elko, City of	\$5,000

PROPERTY LIMITS

Blanket Limit per schedule of locations on file with POOL subject to a maximum limit of \$300,000,000 per loss.

The following sub-limits apply to Section V. C. Extensions of Property Coverage:

Accounts Receivable	\$5,000,000 per loss
Arson Reward	10% up to \$25,000 per loss
Earthquake	\$150,000,000 aggregate
Flood	\$150,000,000 aggregate \$25,000,000 aggregate - Flood Zone A
Equipment Breakdown	\$100,000,000 per loss
<ul style="list-style-type: none"> • Loss of Income & Extra Expense 	included
<ul style="list-style-type: none"> • Hazardous Substance Coverage 	\$250,000 per loss
<ul style="list-style-type: none"> • Spoilage Coverage 	\$250,000 per loss
<ul style="list-style-type: none"> • Data Restoration 	\$100,000 per loss
Expediting Expenses	\$25,000 per loss
Unintentional Errors and Omissions	\$5,000,000 per loss
Money and Securities	\$500,000 per loss
Transmission Facilities	\$100,000 per loss
Vehicle Replacement	Per Attachment E, if applicable

LIABILITY LIMITS

The Limits of Liability are as follows:

Combined Single Limit	\$10,000,000	Each Event/Each Member
Each Member Annual Aggregate Limit: \$10,000,000		
Liability Limits are subject to sub-limits		
Includes Auto Liability, General Liability, Personal Injury Liability, Employment Practices Liability, Law Enforcement Liability and Wrongful Acts Liability		

CYBER SECURITY EVENT AND PRIVACY RESPONSE EXPENSE COVERAGE LIMITS

The Limits of Liability are as follows:

Per Cyber Security Event including Privacy Response Expense	\$3,000,000	Each Member/Annual Aggregate
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ENVIRONMENTAL LIABILITY COVERAGE

The Limits of Liability are as follows:

Coverage A	Third Party Claims for Bodily Injury, Property Damage or Remediation Expense
Coverage B	First Party Remediation Expense
Coverage C	Emergency Response Expense
Coverage D	Business Interruption

COVERAGE	DEDUCTIBLE	EACH INCIDENT LIMIT	AGGREGATE LIMIT
A,B,C	\$25,000	\$2,000,000	\$10,000,000

COVERAGE	DEDUCTIBLE	BUSINESS INTERRUPTION LIMIT (Days)	BUSINESS INTERRUPTION LIMIT (\$)
D	3 Days	365	\$2,000,000

MEMBER CONTRIBUTION:

TOTAL COST:	\$427,086.69
AGENT COMPENSATION:	\$29,884.72
TOTAL PROGRAM COST INCLUDING ALL SERVICES:	\$456,971.41

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Programs and Services available to POOL/PACT Members:

RISK MANAGEMENT

Training

POOL/PACT provides extensive E-Learning and other training. Here are some samples, but check out www.poolpact.com for more: Safe Driving Techniques • Blood Borne Pathogens • Ethics • Nevada Open Meeting Law • POOL/PACT 101 • Positive Governance

Risk Management On-Site Programs

Risk Control Program Analysis • Infrared Thermography (IRT) • Safety Policies and Procedures Review • Site Surveys • OSHA Compliance Assistance • Safety and Loss Control Committees Review and Development • Traffic Safety Cones • Improved Security Systems • On-site Respirator Fit and Fire Extinguisher Training • Swimming Pool Safety Training and Inspections • School and Bus Safety Training. • Accident Investigation Claims Analysis • Hazard Communication Program Review and Development

Law Enforcement and Fire Protection

On-line Law Enforcement training, policies, and best practices from the Legal Liability Risk Management Institute • Fire and EMS training, policies, and best practices from TargetSolutions.

Risk Management Grant Program

Grant applications online for innovative and effective grants to mitigate or eliminate risk to employees and citizens • Five, \$2,000 risk management grants are available to each member each year.

24-7-365 Workers Comp Nurse Triage Program

PACT members are eligible to use our innovative and streamed lined WC information and reporting system for non-life threatening on-the-job injuries.

Cyber-Security Assessments

Passive Network Assessments, training, and best practices.

MSDSonline

OSHA and state compliance with safety data sheet management and updates are available online.

For additional information contact Marshall Smith, POOL/PACT Risk Manager, (775) 885-7475

email: marshallsmith@poolpact.com website: www.poolpact.com

Programs and Services available to POOL/PACT Members: ***HUMAN RESOURCES***

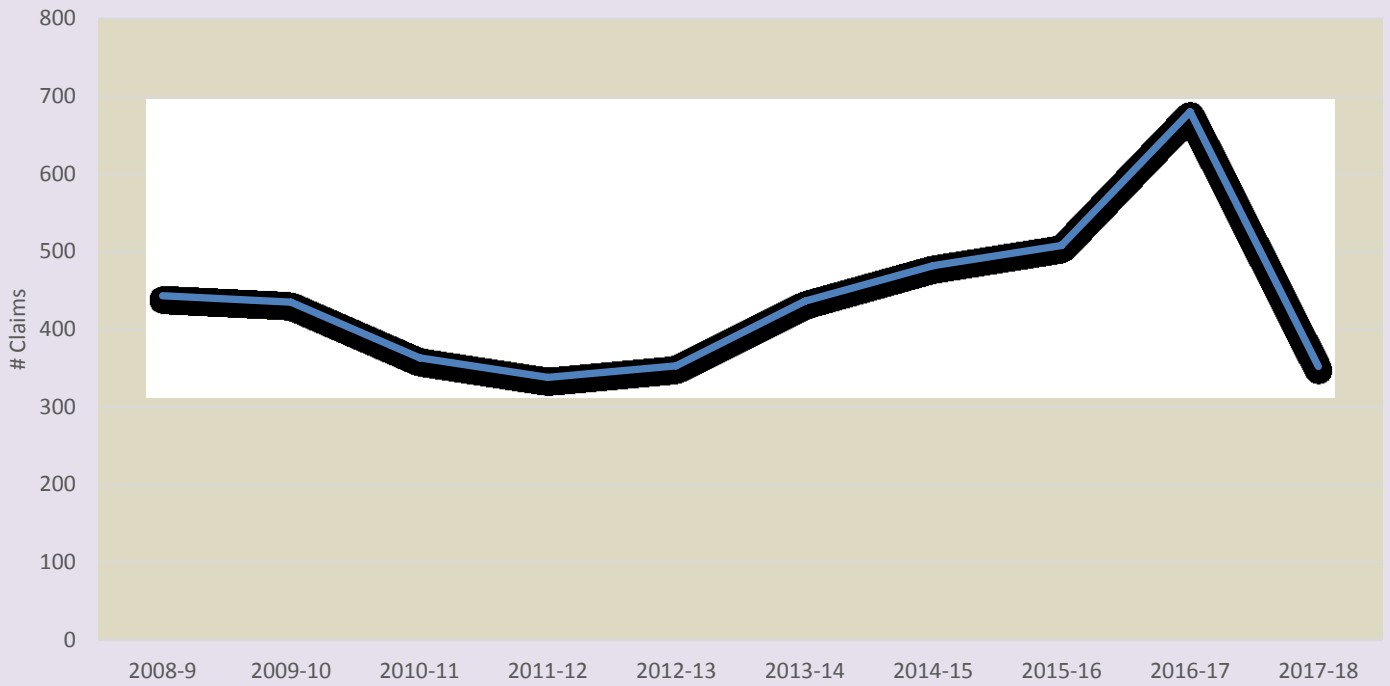
A variety of services are offered through POOL/PACT HR. We work with each member individually to address their specific HR-related needs and to reduce liability. Basic services include:

- Consultation with members to manage and resolve critical employment-related issues to include identifying options, providing step-by-step guidance, monitoring progress, and answering questions.
- Instructor-led training courses and workshops such as: Essential Management Skills; Anti-Bullying and Harassment; Dealing with Irrate Customers, Effective Communication Skills
- On-line training courses
- On-site assessment of member's HR practices with recommendations.
- Communication issued as "Alerts" to notify members when a significant HR-related law or practice has changed.
- On-site HR Briefings tailored to specific needs/requests of members.
- Sample personnel policies which may be adopted for use by members.
- Over 200 sample job descriptions and numerous HR forms that can be tailored for use by members.
- Legislative Updates after each Legislative Session and changes to sample HR policies
- Quarterly webinars in partnership with Resources for Living, employee assistance program (EAP).
- HR Scholarships to assist member HR representatives in attaining nationally recognized HR certifications.
- Annual HR Seminar providing HR representatives and CEOs valuable information on communication, leadership, and legal updates.

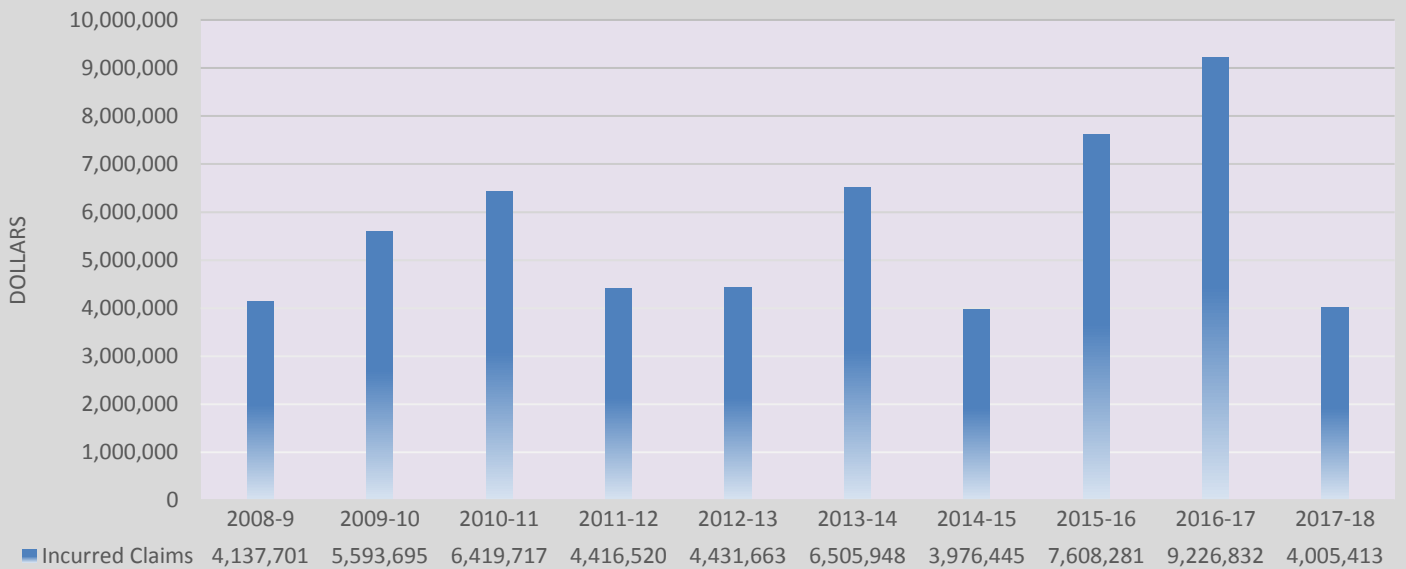
For additional information contact Stacy Norbeck, POOL/PACT Human Resources Manager, (775) 885-7475 email: stacynorbeck@poolpact.com website: www.poolpact.com

10 YEARS OF POOL CLAIMS EXPERIENCE

FREQUENCY TOTAL BY YEAR



SEVERITY TOTAL BY YEAR



NPAIP Membership

Counties:

Churchill County
Douglas County
Elko County
Esmeralda County
Eureka County
Humboldt County
Lander County
Lincoln County
Lyon County
Mineral County
Nye County
Pershing County
Storey County
White Pine County

Towns:

Town of Gardnerville
Town of Genoa
Town of Minden
Town of Pahump
Town of Round Mountain
Town of Tonopah

School Districts:

Carson City School District
Churchill County School District
Douglas County School District
Elko County School District
Esmeralda County School District
Eureka County School District
Humboldt County School District
Lander County School District
Lincoln County School District
Lyon County School District
Mineral County School District
Nye County School District
Pershing County School District
Storey County School District

Cities:

Boulder City
City of Caliente
City of Carlin
City of Elko
City of Ely
City of Fernley
City of Lovelock
City of Wells
City of West Wendover
City of Winnemucca
City of Yerington

Fire Districts:

Mt. Charleston Fire Protection District
North Lake Tahoe Fire Protection District
North Lyon County Fire Protection District
Pahranagat Valley Fire District
Tahoe Douglas Fire Protection District
Washoe County Fire Suppression
White Pine Fire District

Others:

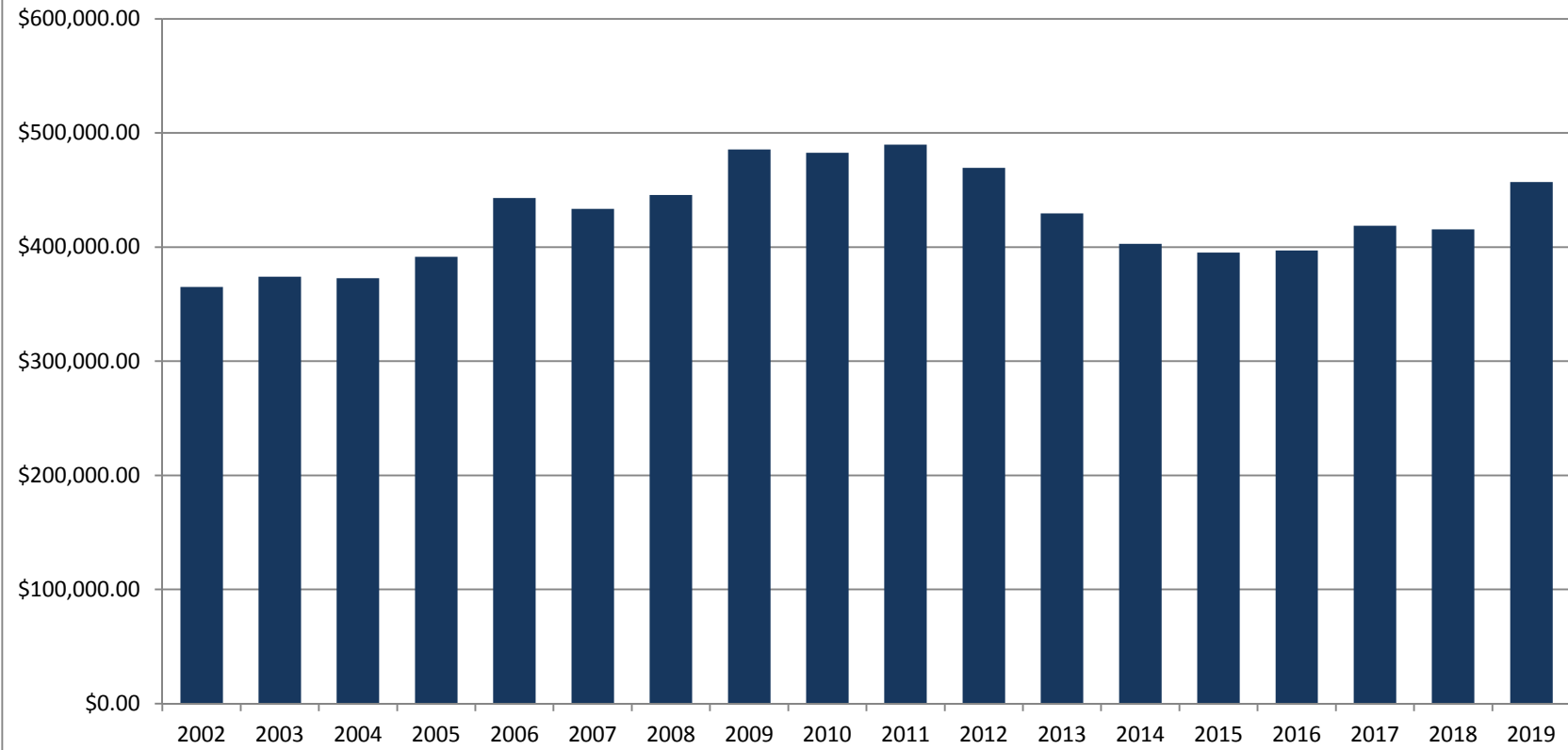
Central Nevada Historical Society
Central Nevada Regional Water Authority
County Fiscal Officers Association of Nevada
Douglas County Redevelopment Agency
Elko Central Dispatch
Elko Convention & Visitors Authority
Humboldt River Basin Water Authority
Mineral County Housing Authority
Nevada Association of Counties
Nevada Commission for the Reconstruction of the V & T Railway
Nevada League of Cities
Nevada Risk Pooling, Inc.
Nevada Rural Housing Authority
Regional Transportation Commission of Washoe County
Truckee Meadows Regional Planning Agency
U.S. Board of Water Commissioners
Virginia City Tourism Convention
Western Nevada Regional Youth Center
White Pine County Tourism

Special Districts:

Alamo Water & Sewer District
Amargosa Library District
Beatty Library District
Beatty Water & Sanitation District
Canyon General Improvement District
Carson-Truckee Water Conservancy District
Carson Water Subconservancy District
Churchill County Mosquito, Vector and Weed Control District
Coyote Springs General Improvement District
Douglas County Mosquito District
Douglas County Sewer
East Fork Swimming Pool District
Elko County Agricultural Association
Elko TV District
Fernley Swimming Pool District
Gardnerville Ranchos General Improvement District
Gerlach General Improvement District
Humboldt General Hospital
Incline Village General Improvement District
Indian Hills General Improvement District
Kingsbury General Improvement District
Lakeridge General Improvement District
Lincoln County Water District
Logan Creek Estates General Improvement District
Lovelock Meadows Water District
Marla Bay General Improvement District
Mason Valley Swimming Pool District
Minden Gardnerville Sanitation District
Moapa Valley Water District
Nevada Association of Conservation Districts
Nevada Tahoe Conservation District
Northern Nye County Hospital District
Pahrump Library District
Palomino Valley General Improvement District
Pershing County Water Conservation District
Sierra Estates General Improvement District
Silver Springs General Improvement District
Silver Springs Stagecoach Hospital
Skyland General Improvement District
Smoky Valley Library District
Southern Nevada Area Communication Council
Southern Nevada Health District
Stagecoach General Improvement District
Sun Valley General Improvement District
Tahoe Douglas District
Topaz Ranch General Improvement District
Tahoe Reno Industrial General Improvement District
Tonopah Library District
Walker Basin Conservancy
Walker River Irrigation District
Washoe County Water Conservation District
West Wendover Recreation District
Western Nevada Development District
White Pine Television District #1
Zephyr Cove General Improvement District

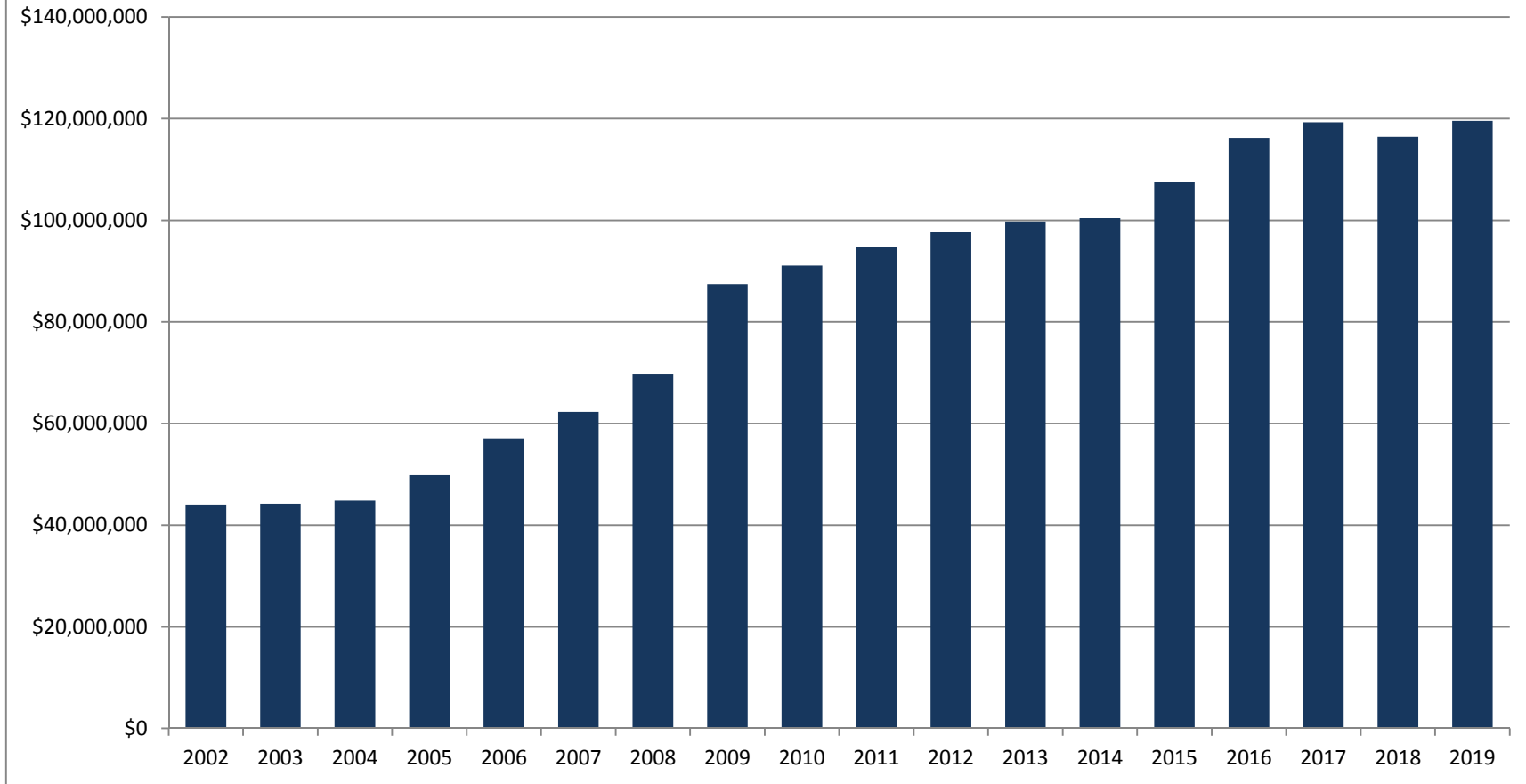
CITY OF ELKO

2019 NPAIP Total Program Cost



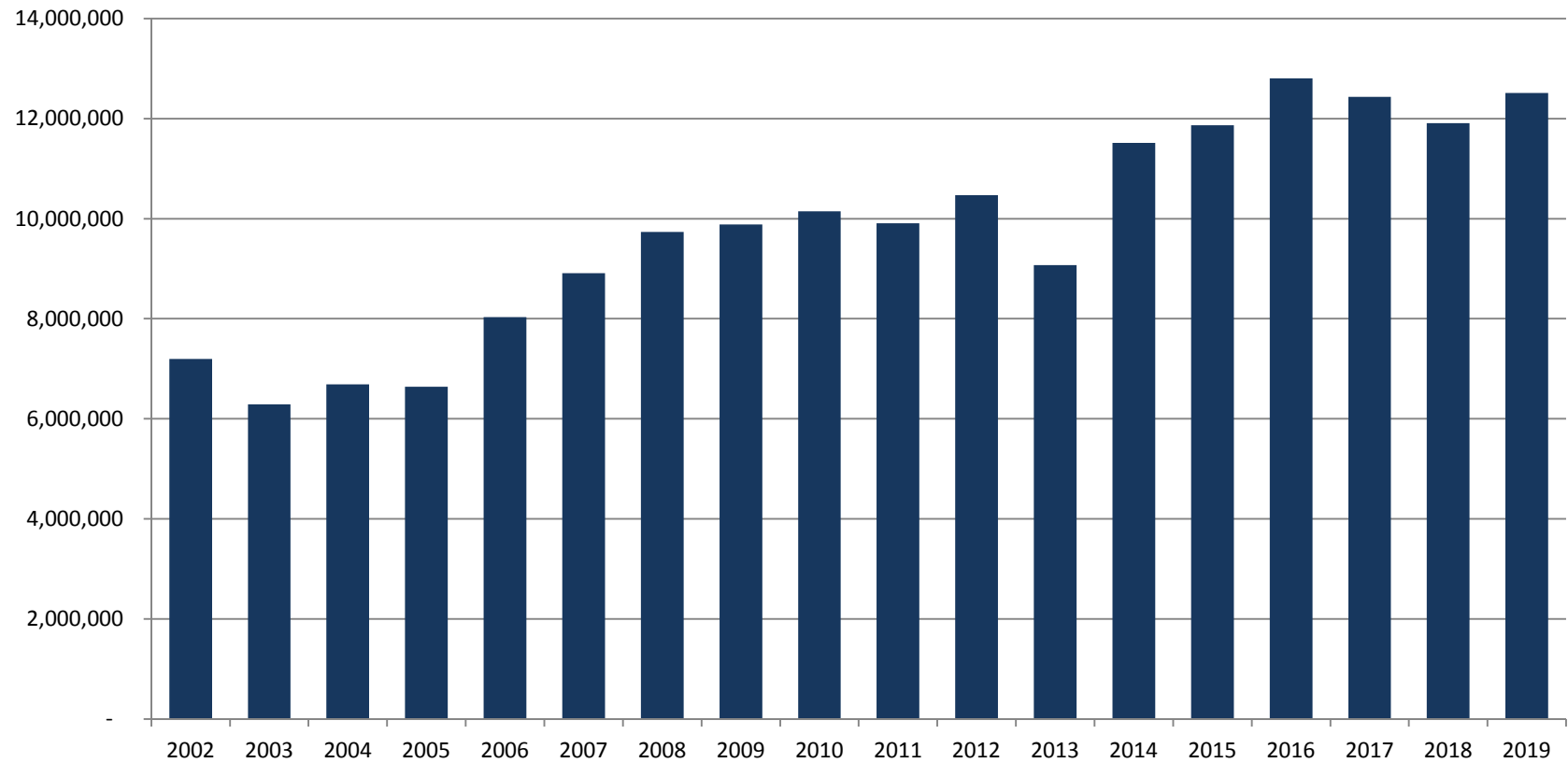
CITY OF ELKO

2019 Total Insured Values



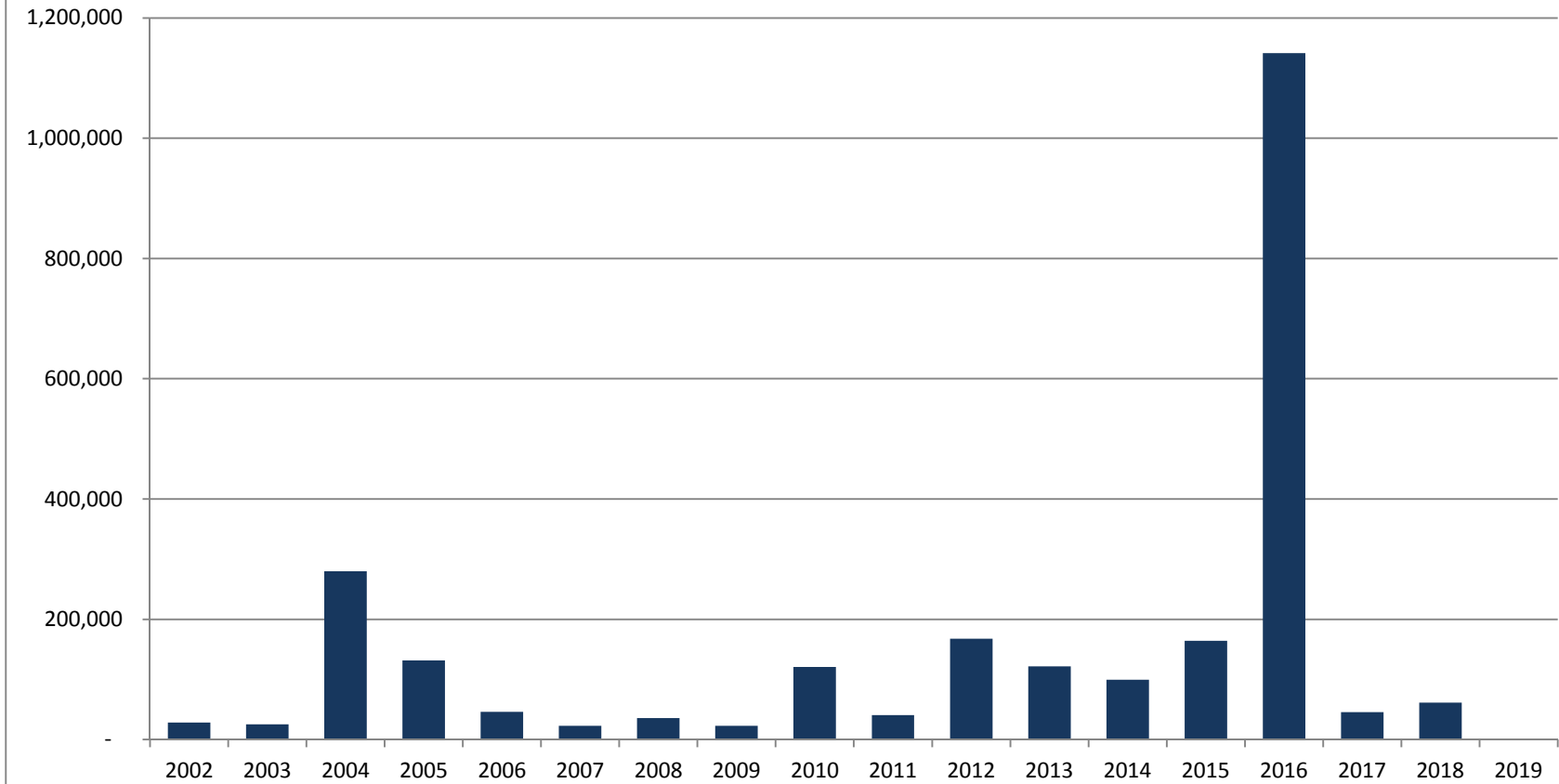
CITY OF ELKO

2019 Total Payroll



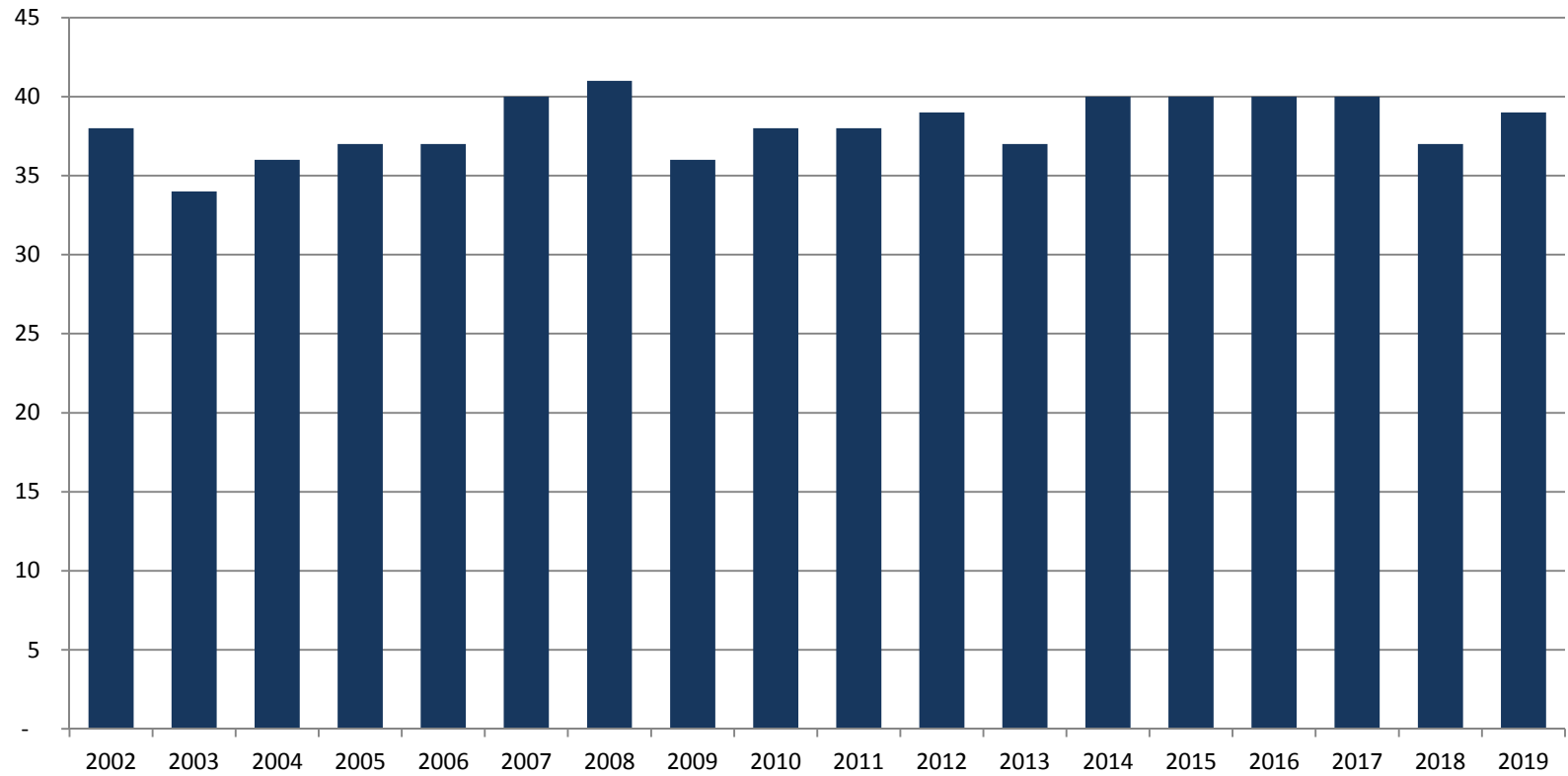
CITY OF ELKO

2019 Total Incurred



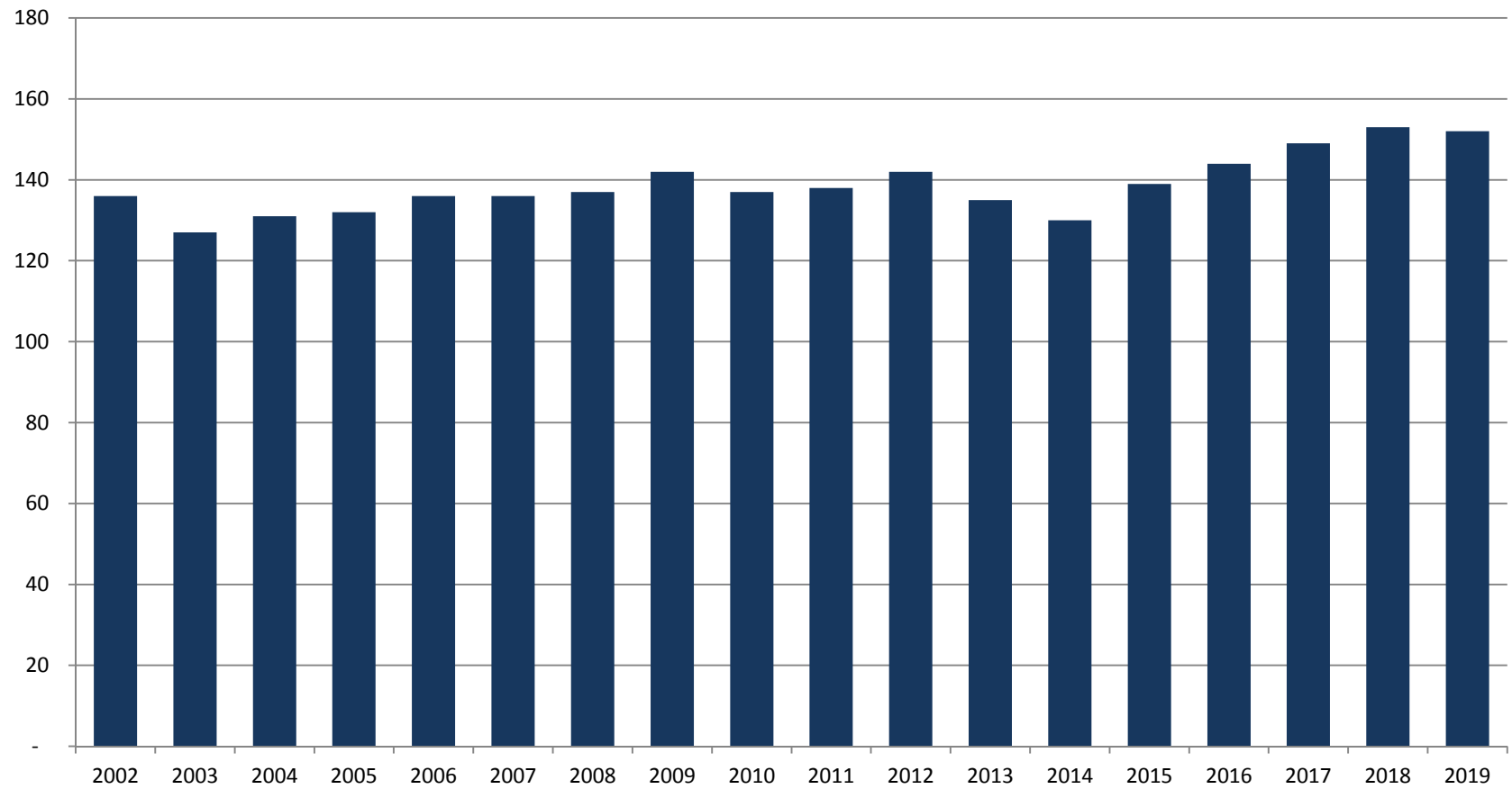
CITY OF ELKO

2019 Officer Count



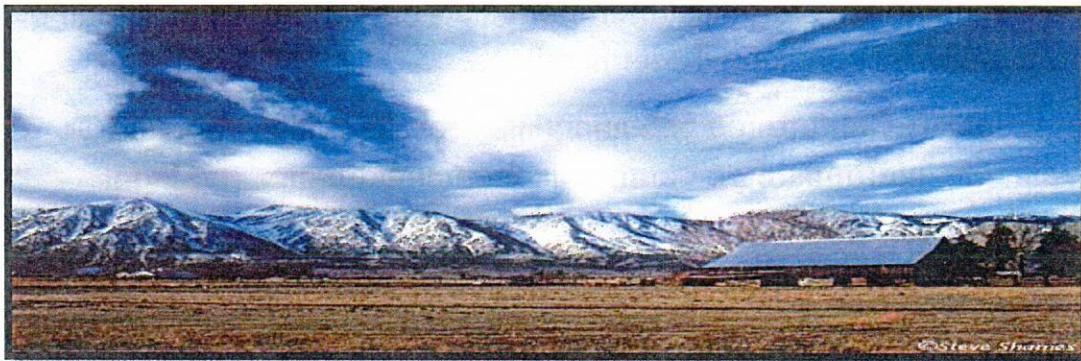
CITY OF ELKO

2019 Auto Count





201 South Roop Street, Suite 103
Carson City, NV 89701
(775) 887-2240
Toll Free: (866) 773-0433
Fax: 775.887.2581
www.poolpact.com



POOL/PACT HUMAN RESOURCES MEMBER SERVICES

A variety of services are offered through POOL/PACT HR. We work with each member individually to address their specific HR-related needs and reduce liability. The basic services include:

- Consultation with members to manage and resolve critical employment-related issues to include identifying options, providing step-by-step guidance, monitoring progress, and answering questions.
- Instructor-led training courses and workshops.
- On-line training courses.
- On-site assessments of members' HR practices with recommendations.
- Communication issued as "Alerts" to notify members when a significant
- HR-related law or practice has changed.

POOL/PACT HUMAN RESOURCES MEMBER SERVICES (Cont.)

- On-site HR Briefings tailored to specific needs/requests of members.
- Sample personnel policies which may be adopted for use by members.
- Sample job description templates and numerous HR forms that can be tailored for use by members.
- Webinars on HR topics and in partnership with Resources for Living, Employee Assistance Program (EAP).
- HR Scholarships to assist member HR representatives in attaining nationally recognized HR certifications.
- Annual HR Conference providing HR representatives and CEOs valuable information on communication, leadership, and legal compliance.

POOL/PACT HR TRAINING VALUE

REGIONAL COURSE/PROGRAM since inception	# of Employees		Estimated cost if training provided by outside entity (\$300 for full day; \$150 for half day)
	completed	currently enrolled	
4 day EMS	1311	14	\$ 1,590,000
2 day AEMS	281	0	\$ 168,600
5 day HRR	231	0	\$ 346,500
2 day AHRR	59	0	\$ 35,400
2 day HR Seminar	385	0	\$ 231,000
CLASSES GIVEN ON-SITE since July 1, 2016			
A Perfect Storm	0	0	\$ -
Avoiding Litigation Landmines	91	0	\$ 13,650
Bullying in the Workplace	471	0	\$ 70,650
Dealing with theirate Customer	678	0	\$ 101,700
Dear HR: Toughest Supervisor Challenges	43	0	\$ 6,450
Discovering Values/Creating Ground Rules	151	0	\$ 22,650
Drugs/Alcohol	1516	0	\$ 227,400
Employee from Hell	12	0	\$ 1,800
Ethics in the Workplace	52	0	\$ 7,800
FRISK® Documentation Model	623	0	\$ 112,140
Great Customer Service	651	0	\$ 97,650
Harassment/Discrimination	2620	0	\$ 393,000
Interviewing Techniques	82	0	\$ 12,300
Manager-as-Mediator (MAM)	55	0	\$ 28,600
Misconduct	2288	0	\$ 343,200
Miss Communication/Miss Understanding	274	0	\$ 41,100
Performance Management Part I	18	0	\$ 2,700
Performance Management Part II	20	0	\$ 3,000
So, You Think You Want to be a Supervisor?	121	0	\$ 36,300
Taking Control of Conflict	620	0	\$ 93,000
The Good, The Bad, and The Ugly	26	0	\$ 3,900
Workplace Violence	31	0	\$ 4,650
COMPLIANCE TRAINING USING OUTSIDE LEGAL COUNSEL since July 1, 2016			
ADA	34	0	\$ 5,100
Boundaries	36	0	\$ 5,400
Negotiations	39	0	\$ 11,700
ELEARNING COURSES since July 1, 2016			Estimated cost if training provided by outside entity \$25 per course
Bullying	3105	0	\$ 77,625
Drugs/Alcohol	1396	0	\$ 34,900
Due Process	7	0	\$ 175
Harassment/Discrimination	4064	0	\$ 101,600
Misconduct	1463	0	\$ 36,575
Workplace Violence	984	0	\$ 24,600
ADDITONAL BENEFITS since inception			Estimated phase I \$2,000; Phase II \$3,000; Scholarships \$1,550
Phase I Assessment Program	44	4	\$ 96,000
Phase II Assessment Program	16	5	\$ 63,000
Scholarship Program	28	0	\$ 43,400
TOTAL ESTIMATED SAVINGS			\$ 4,495,215



HR ONLINE COMPLIANCE TRAINING

- **Cost Effective**

- ◊ No additional fees for on-line trainings.
- ◊ Eliminates travel expenses and time away from the office.

- **Flexible**

- ◊ Available online 24 hours per day, 7 days per week.
- ◊ Supervisors can schedule convenient times for employees to complete assignments.

- **Assists in Compliance**

- ◊ Helps employers ensure employees receive necessary compliance training and information on policy and procedures.
- ◊ Provides comprehensive Learning Management System which assists employers in monitoring utilization and running reports.

◊ Courses recommended to be completed within 30 days of hire:

- Bullying in the Workplace
- Nevada Anti-Harassment Training for Employees
- Nevada Anti-Harassment Training for Supervisors
- Safe and Sober Workplace for Employees
- Safe and Sober Workplace for Supervisors
- Workplace Violence Awareness

To enroll employees,
contact;

Mike Van Houten:

(775) 885-7475 x101

elarning@poolpact.com

Other HR courses available:

- Due Process
- You Can Protect Our Children (School District Employees)

All courses are approximately 20 minutes in length and can be accessed to registered users at www.elarning.poolpact.com.



October 17 & 18, 2019

Atlantis Casino Resort Spa ✧ Reno, NV

Join us for our 7th annual HR leadership conference:
NAVIGATING TODAY'S CHALLENGES IN PUBLIC-SECTOR EMPLOYMENT

- ✧ Foster connections with other HR and organizational leaders at the Roundtable Discussion Groups and the Thursday evening reception.
- ✧ Demystify the legal process by witnessing a Mock Trial.
- ✧ Learn the latest in strategic leadership and legal updates with our lineup of guest speakers.

Thursday, October 17

Balanced Leaders and the People Who Follow Them
Gerry Preciado, 34th Street Consulting

Round Table Discussion Groups

Strategies for Success in Rural Recruitment
Melissa Asher, CPS HR Consulting

New Developments in Case Law
Anthony Hall, Simons Hall Johnston PC
Dora Lane, Holland & Hart LLP

Evening Reception
For hotel information, please call
(775) 887-2240

Friday, October 18

Controlling the Chaos: 5 Strategies for Managing Your Time More Effectively
Karyn Jensen, The Human Resource Connection, Ltd.

2019 Legislative Updates
Becky Bruch, Erickson, Thorpe & Swainston

Mock Trial
Ann Alexander and Charity Felts,
Erickson, Thorpe & Swainston



POOL/PACT RISK MANAGEMENT

201 South Roop Street, Suite 102
Carson City, Nevada 89701
(775) 887-7475
www.poolpact.com



POOL/PACT'S RISK MANAGEMENT TOOLS AND PROGRAMS

***INCREASING EMPLOYEE SAFETY AND ENGAGEMENT
THROUGH PREVENTION OF INJURY AND
EFFECTIVE RISK MANAGEMENT***

POOL/PACT provides its members with a substantial array of risk management tools, policies, procedures, training, and information. The following information is designed to inform all members in general, and safety directors specifically, about the risk management programs which are designed to reduce and/or eliminate risks to the public, members, and their employees.

POOL/PACT Loss Control Committee

The Loss Control Committee is responsible identifying risks and developing, administering, and supervising risk management policy, procedure, and planning as well as developing and administering risk control techniques to reduce the frequency and severity of losses. The Committee also administers the Risk Management Grant Program.

POOL/PACT Risk Management Grant Program

POOL/PACT provides funding for various risk reduction/mitigation programs.

- Risk Management Educational Grants: The Educational Grant program may be applied for any time of the year. Funds may be used to attend a risk management seminar or conference such as AGRIP, PRIMA, PARMA, SHRM, or ASSE. These funds may also be used to host risk management-centered training at the member's location or attending web-based trainings.
- Risk Management Grants are available for general risk management/reduction projects such as purchasing equipment that promotes employee or premises safety, purchase of equipment or materials that facilitate OSHA or other regulatory compliance.
- Applications and further information may be found at <http://www.poolpact.com/risk-grant.asp>.

Additional Programs and Services

- On-Line E-Learning Safety Courses
- Wellness/Health Education and Training - Fit for Retirement Program
- 24/7/365 WC Triage Health Services Program. (PACT)
- Swimming Pool Safety Policies, Inspections, and Training
- Law Enforcement Training and Policies/Jail Audit Program
- Fire Department Training: *TargetSolutions*
- Cyber Security Training and Policies
- MSDSonline (Safety Data Sheet Management System)

- School District Emergency Operations Plans, Training, and Policies
- Site Safety Inspections, Training, and Audits:
Playground & Parks Safety Surveys, Workstation Ergonomic Evaluations, Confined Space Risk Assessments, Facility Surveys, Fire Extinguisher Education, Respirator Fit Testing and Education, CPR/First Aid/AED Education and Training, Infrared (IR) thermal, Back Safety and Lifting, Defensive and Distracted Driver Education, Workplace Violence, Personal Protective Equipment, Emergency Preparedness/Planning, Safety Plan/Committee Development.

For additional information (775) 885-7475

Wayne Carlson, Executive Director waynecarson@poolpact.com
 Mike Rebaleati, Chief Operations Officer mikeRebaleati@poolpact.com
 Alan Kalt, Chief Financial Officer akalt@poolpact.com
 Mike Van Houten, Webmaster elarning@poolpact.com
 Marshall Smith, Risk Manager, marshallsmith@poolpact.com Website:
www.poolpact.com