



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, August 10, 2021
at 4:00 P.M., P.D.T. at the Elko City Hall, 1751 College Avenue, Elko, Nevada,

and by utilizing <https://global.gotomeeting.com/join/380452133>

Please join the meeting from your computer, tablet or smartphone.

[GoToMeeting.com](https://global.gotomeeting.com/join/380452133)

<https://global.gotomeeting.com/join/380452133>

You can also dial in using your phone **+1 (872) 240-3311** Access Code: **380-452-133**

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.elkocitynv.gov> the State of Nevada's Public Notice Website,

<https://notice.nv.gov> and in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, Nevada 89801

Date & Time Posted: Thursday, August 5, 2021 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 at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

Dated this 5th day of August, 2021

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.

Curtis Calder
Curtis Calder, City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.S.T., TUESDAY, AUGUST 10, 2021
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA
<https://global.gotomeeting.com/join/380452133>

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

APPROVAL OF MINUTES: July 27, 2021 Regular Session

I. PERSONNEL

A. Employee Introductions:

1.) Tyler Hudspeth, Mechanic I, Fleet Maintenance Department

B. Review, consideration, and possible appointment of a City Council member, and matters related thereto. **FOR POSSIBLE ACTION**

Due the death of Councilman Bill Hance on July 14, 2021, the City Council has 30 days to fill the vacancy. On July 27, the City approved the application package to fill the unexpired term. The application was listed on the City of Elko Website and advertised in the Elko Daily Free Press. KW

C. Review, discussion, and evaluation of Appointed Official job performance for Fiscal Year 2020/2021, including the possible award of merit pay increases, and reappointment for the following eligible Appointed Officials: 1) Curtis Calder, City Manager; 2) Ty Trouten, Police Chief; 3) Matt Griego, Fire Chief; and 4) Kelly Wooldridge, City Clerk, and matters related thereto. **FOR POSSIBLE ACTION**

Current City policy requires performance reviews to be completed for each Appointed Official during the month of July each year. All Appointed Officials,

who are considered employees, shall be evaluated by the Council on years that end in an odd number. Prior to any reappointment of an Appointed Official, a performance evaluation shall be completed. In addition, Council determination is required for reappointment of each Appointed Official, and merit increases for those eligible. A copy of the job performance ratings is included in the agenda packet for review. SS

II. 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 and possible approval of Ruby Mountain Lock & Safe Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review and possible ratification of General Hand-Cut Checks, and matters related thereto. **FOR POSSIBLE ACTION**
- E. Review, consideration, and possible award of a contract for the VFW Drive Improvements, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m., on August 6, 2021. This item has been approved and budgeted for construction in the current fiscal year budget. A bid tabulation is provided in the agenda packet. BT

- F. Review, consideration, and possible approval of the Elko Police Department to purchase a Leica Scanner Kit, training and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2021/22 budgeting process to purchase a Leica Scanner Kit, training and related equipment. The cost of a Leica Scanner Kit, training and related equipment is \$19,077. TT

- G. Review, consideration, and possible approval of the Elko Police Department to purchase a Law Enforcement Firearms Training System, and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department received \$150,000 (one hundred and fifty thousand dollars) in donations. The department is looking to purchase a Law Enforcement Firearms Training System, and related equipment. The cost of a Training System and related equipment is \$163,272.30 (one hundred and sixty-three thousand, two hundred seventy-two dollars and thirty cents). There is an additional donation coming from Kinross Gold Corporation for \$10,000 (ten thousand dollars), to assist in covering a portion of the cost. TT

- H. Review, discussion, and possible approval for the Fire Department to purchase radio microwaves and associated hardware for the final phase of the Fire Department Radio Repeater Project for the amount not to exceed \$156,704, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like the approval to purchase radio microwaves and associated hardware to complete the final phase of the radio system upgrade. Phase 2 will tie both the repeater sites together allowing for responders to get the strongest signal from the repeater system anywhere in the City. In Addition, this will complete the system to be P-25 digital compliant. The system will be purchased and installed by Sierra Electronics, at the price not to exceed \$156,704. The benefits to the final phase is that it enhances communications by allowing personnel to not have to change channels depending on where they are in the city. In addition, it will take an analog system and become digital allowing for clearer communications. JS

III. SUBDIVISIONS

- A. Review, consideration, and possible action to conditionally approve Division of Large Parcels No. 1-21, filed by Section Five Associates, LLC, for the division of approximately 590.258 acres of property into eight lots for future development, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located at the northern terminus of North 5th Street and consists of two existing parcels. APN 001-01D-001 consists of 314.652 acres in an A (General Agriculture) Zoning District within the City of Elko. APN 006-09L-002 consists of 275.60 acres within Elko County. Council will only be considering the area of land within the City limits, while Elko County will be reviewing the portion within their jurisdiction.

The Planning Commission considered this item on August 3, 2021, and took action to forward a recommendation to conditionally approve Division of Large Parcels No. 1-21. MR

IV. RESOLUTIONS AND ORDINANCES

- A. First reading of proposed Ordinance No. 864 amending Title 3, Chapter 2, Section (Traffic, Access, Parking, and Loading Regulations) of the Elko City Code, and matters related thereto. **FOR POSSIBLE ACTION**

A long-standing policy of Staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. This conforms to the policies of other cities within the State of Nevada. However, this requirement was never added to the City Code. With housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, Staff took the opportunity to update and/or modify other portions of this Section. These changes include adding additional uses to the parking

requirement table, matching zoning regulations with the Master Plan, and adjusting parking requirements for mixed-use buildings within the Central Business District. The Planning Commission initiated these changes at their meeting on July 6, 2021 and recommended that the Council approve Ordinance No. 864 at their meeting on August 3, 2021. MR

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Deerfield Way Right-of-Way consisting of an area approximately 2,740 sq. ft., filed by Kenneth R. Moores Revocable Living Trust and processed as Vacation No. 5-21, and matters related thereto. **FOR POSSIBLE ACTION**

The area requesting to be vacated was dedicated to the City of Elko with Tower Hill Unit 1 subdivision. It was intended originally as a pull out area for the local mailboxes but the design was later changed during construction. It is not being used for any purpose at this time. CL

VI. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5th Street (397 5th Street), and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

The Planning Commission considered the subject variance on July 6, 2021 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. CL

VII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner

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

COMMENTS BY THE GENERAL PUBLIC

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

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager

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

SS July 27, 2021

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, July 27, 2021. The meeting was held in the council chambers, 1751 College Ave., Elko and via GoTo Meeting.

This meeting was called to order by Mayor Reece Keener. The public can participate in person, by phone, tablet, laptop, or computer by registering with the GoTo Meeting link provided in the agenda. Questions can be sent to cityclerk@elkocitynv.gov.

CALL TO ORDER

ROLL CALL

Council Present: Mayor Reece Keener
Councilman Chip Stone
Councilman Clair Morris

Council Absent: Councilwoman Simons
Vacant

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Kelly Wooldridge, City Clerk
Candi Quilici, Accounting Manager
Jan Baum, Financial Services Director
Susie Shurtz, Human Resources Manager
Dennis Strickland, Public Works Director
Mike Haddenham, WRF Superintendent
Cathy Laughlin, City Planner
Jim Foster, Airport Manager
Matt Griego, Fire Chief
Ty Trouten, Police Chief
Dave Stanton, City Attorney
Bob Thibault, Civil Engineer
Michele Rambo, Development Manager
James Wiley, Parks and Recreation Director
DJ Smith, Computer Information Systems Coordinator
Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

Mayor Keener expressed sorrow for Councilman Bill Hance's passing. Bill was a dedicated person and he will be missed greatly.

Councilman Stone agreed that Councilman Hance was a great man and was very involved in civil service and volunteering. He was very involved in Relay For Life, which will be held this weekend.

Councilman Morris confessed he had not been able to work very long on the Council with Councilman Hance but he did spend time with him working with Ducks Unlimited. He will be missed.

Curtis Calder, City Manager, said in addition to Bill being a City Councilman, but he also served as the At-Large member for the Central Dispatch Administrative Authority Executive Board. Mr. Calder is also on that board and has worked with Bill for 20 plus years on the dispatch side. Because of Bill's technical expertise with radios, mountain tops, IT and all of those things, he was able to help keep the Dispatch Center operational on multiple occasions. He may also have been involved in the initial construction of the facility when he worked for the State.

Chief Trouten spoke about National Night Out August 3rd from 5:00pm to 8:00pm. All first responders will be there for the community to come out and ask questions. There will be hot dogs and hamburgers.

Catherine Wines, 421 Railroad Street, Arts and Culture Advisory Board, echoed what the board said about Councilman Hance. Next Wednesday, the Arts and Culture Advisory Board will have a presentation of the Mayor's Arts Awards for years 2020 and 2021. Also, the Arts and Culture Advisory Board is helping put on the Elko Art Festival, which will be September 9-12. She thanked City Council for their support in the festival.

Christy Armbruster, 1409 Clover Hills Dr., said she and some others were trying to attend both City Council Meeting and the School Board Meeting that night. For Item IV.J., she wanted to say that CC Communications is doing a great job. She had seen their work being done around town. She thanked Council for their letter to the Governor.

Nicole Sirotek, 855 Country Club Drive, made known she was looking at the budget and didn't see a breakdown for the CARES Act Funding and how it was spent. She wanted to see that itemized breakdown.

Jan Baum, Financial Services Director, noted there was a lot of reporting done and it was sent to the State. She has a detailed accounting of that and Ms. Sirotek can request that from the Clerk's Office. It will also be placed on the City website.

Curtis Calder, City Manager, said the audit from last fiscal year was online and the audit document contained information regarding how money is expended.

Misty Atkins, 388 Cedar Street, asked for an agenda item to be put on the next Council Agenda. There is a conflict between the City Council Meeting and Elko County School District meetings and she wants that addressed and resolved. She spoke favorably about CC Communications.

Mayor Keener stated he has been accommodative with items heard out of order so people wanting to attend both meetings can.

APPROVAL OF MINUTES: July 13, 2021 **Regular Session**

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Presentation by the Nevada Rural Housing Authority (NRHA), and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

Diane Arvizo, Director Home Ownership Programs with NRHA, expressed her condolences with the passing of Councilman Hance. She spoke about the home ownership programs NRHA offers.

- B. Review, consideration of information concerning softball tournament play, and matters related thereto. **FOR POSSIBLE ACTION**

At the Council meeting on July 13, 2021, members of the softball community expressed concerns with tournament play and the relationship with the City during prior years. Comments from the Council indicated the City would consider the concerns expressed during the public comment. The City Manager reported that Staff would present information concerning the matter at a future meeting. SAW

Curtis Calder, City Manager, gave a presentation (Exhibit "A").

Mayor Keener asked why no proceeds were collected in 2019 from EAS.

Mr. Calder answered he believed it was because they changed who was doing their accounting. He wasn't sure if it was anything nefarious but tournaments were held and the split to the City was not received.

Councilman Stone thanked Mr. Calder for putting that information out there. That was how he remembered it all. The stuff on social media and the way they treated the law enforcement officers was out of line and inappropriate.

Councilman Morris agreed it is good to get both sides of the story.

II. PERSONNEL

A. Employee Introductions:

1.) Samuel Cook, WRF Technician Trainee

Present and introduced.

B. Review, consideration, and possible approval of the application, and application process to fill the unexpired term of Councilman Bill Hance, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko was notified of Councilman Bill Hance's death on July 15, 2021. Elko City Code 1.060 states: "A vacancy in the city council must be filled by a majority vote of the members of the city council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the city council before the vacancy occurs. In such a case, each member of the city council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the city council pursuant to this section. The appointee must have the same qualifications as are required of the elective official." The Council needs to make a decision regarding the contents of the application, application process and approve the timeline. In the past the Council has required a letter of interest, a resume, and answers to a list of questions.
KW

Kelly Wooldridge, City Clerk, said we are on a tight timeline. Council needs to approve what will be in the application so she can get it advertised in the paper. She would put it on the City website and Facebook tomorrow. The applications will need to be due by 5:00 pm next Wednesday in order for us to post it on the next agenda.

Mayor Keener thought it was all appropriate.

Councilmen Stone and Morris agreed.

Mayor Keener said he reached out to Councilwoman Simons and she indicated that she appreciated Bill's insightfulness and everything he contributed. She noted her sorrow and that he will be missed by everyone.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the application to fill Councilman Bill Hance's position, due to the City by August 4th, to include a resume, questions as stated, an affidavit of Elko residency and a letter of interest.**

The motion passed unanimously. (3-0)

III. APPROPRIATIONS

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

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the general warrants in the amount of \$526,476.32.**

The motion passed unanimously. (3-0)

- B. Review and possible approval of Ruby Mountain Lock & Safe Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Ruby Mountain Lock & Safe warrants in the amount of \$252.98.**

The motion passed unanimously. (3-0)

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

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the general hand-cut checks in the amount of \$618,953.88.**

The motion passed unanimously. (3-0)

- D. Review, consideration, and possible approval of the Elko Police Department to purchase nine (9) Tasers and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2021/22 budgeting process to purchase new Tasers. The cost of nine (9) Tasers, eight (8) Taser magazines, and nine (9) Taser holsters is \$11,962.75. TT

Chief Trouten explained why they wish to purchase these tasers.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to authorize the Elko City Police Department to purchase nine (9) tasers and related equipment.**

The motion passed unanimously. (3-0)

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible approval of a letter addressed to Governor Sisolak concerning COVID related issues, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council took action at its meeting on July 13, 2021 directing Staff to draft a letter to Governor Sisolak concerning several COVID related issues expressed by members of the community. SAW

Scott Wilkinson, Assistant City Manager, explained a draft letter was included in the packet. He thought the letter covered topics of discussion.

Mayor Keener asked if there was a copy of the letter without the track changes. (no) He was at the County Commission meeting when they came up with their resolution. It is something he supports and has no qualms having a letter of endorsement. It is appropriate that the County lead with this since they have the oversight for the County Health Department.

Councilmembers Stone and Morris spoke in support of the letter and asked that the letter be signed by all board members.

Christy Armbruster, 1409 Clover Hills Dr., spoke in favor of the letter.

Lee Hoffman, 1085 Barrington, thanked Council for considering this item and agreed the letter needed to come from the City Council and not just from the Mayor.

Janine Hansen, Nevada Families for Freedom, thanked council for pursuing the issue and working to protect our civil liberties.

Misty Atkins, 388 Cedar Street, Parents of Elko County, thanked the Council for writing the letter.

Councilman Stone and Mayor Keener discussed some minor changes to the letter and asked Kelly Wooldridge to make the changes before they sign it.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the letter to Governor Sisolak as written with the changes Mayor Keener just stated, "with our board and citizens" added to, as well as, "from the Elko City Council," and we also have the opportunity for all Council Members to sign as they see fit.**

The motion passed unanimously. (3-0)

IV. NEW BUSINESS

- J. Review, consideration and possible selection of a provider or providers of fixed broadband service to apply, in partnership with the City, for grant funding from the National Telecommunication and Information Administration (NTIA), and matters related thereto. **FOR POSSIBLE ACTION**

The City Council took action at its meeting on July 13, 2021 directing Staff to solicit proposals from fixed broadband service providers for consideration in partnering with the City in applying for grant funding from the National

Telecommunication and Information Administration (NTIA) for development of broadband service in the City. To be eligible, the City must enter into a qualifying agreement with a provider of fixed broadband service. A covered partnership may include more than one provider of fixed broadband service as part of its application. Applications are due not later than August 17, 2021. Proposals were required to be submitted by the end of the business day on July 20, 2021. Two proposals were submitted, one from CC Communications and the other from Anthem. SAW

Scott Wilkinson, Assistant City Manager, recapped the work that has been done to date. Due to the protest that was submitted by White Cloud Communications, he recommends no action.

Mayor Keener reported he took some time over the weekend to look at the packet. He felt that if we move forward with choosing a partner, that would be controversial. He felt we are better off just sitting on this.

Councilman Stone agreed to no action.

Councilman Morris said he had some concerns with the timeline in the beginning.

David Kirkham, Co-Chair of Broadband Action Committee, said the committee didn't agree with submitting this application at this time. The timeline was way too short. This grant was nationwide but there is another funding opportunity coming through next year that will fund almost the same amount of money just for the state of Nevada. We will have a better chance of getting the funding then.

Mark Feest, CC Communications, said if there is an opportunity to get a grant, of course they would like to get that grant. He didn't see how there was enough time to get all the applications thoroughly evaluated. There are grants in the future. In 2009, he sat on a panel for VTOP and NTIA gave that money out. Money was given out and providers did not build out like they promised to and those areas were ineligible for more federal funding when grants came available again. He suggested including all providers so no one feels left out.

Attorney David Lockie, representing White Cloud, related he was the one that sent the letter regarding to concerns about not enough time for this to be looked at fully and allow a good competitive process to happen. He appreciated the sentiment expressed and echoed what had been said previously. White Cloud has been in the community for 5 years now.

Jason Herr, Anthem Broadband, thanked Council for the consideration. They just want to make sure the community gets connected and they didn't care how it happened. If there is money out there, they will want to go after it. If we don't take it, someone else will.

R. Jeff Williams, 538 Bullwacker Drive, expressed his condolences for the loss Bill Hance and his friends and family. He questioned whether or not Anthem was going to actually put fiber in the ground in Elko or if it was just a dream. They seem to have dazzled their way to this point by talking to the right people at the right time. CC Communications was just left to keep their nose in the trench and work hard to try to get things done and actually produce, rather than just dazzle.

He thought the decision to wait and include all providers was the best decision to make at this time.

Mr. Kirkham spoke about how the committee's relationship with Anthem developed. We need to support all the providers because without competition we will end up in the same boat we are in right now with Frontier.

Glenn Crisler, 1896 Ruby View Drive, former State Manager for CP National and Alltel, reported he has seen a lot of improvements in the City of Elko. We need to be concerned with fiber maintenance and repair if it ever goes down, and perhaps have someone in town with the expertise that can take care of it.

NO ACTION

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution 19-21, a resolution and order vacating a portion of 15th Street Right-of-Way consisting of an area approximately 6,800 square feet abutting APN 001-375-001 to the property owner (The Igloo, Inc.), and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021 and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of July 6, 2021 and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 3-21 with findings in support of its recommendation. This is item 4 of 5 related to the possible vacation of a portion of 15th Street. MR

Michele Rambo, Development Manager, explained they had planned for items 1-3 to go before this one but the order doesn't matter. This is the Resolution to vacate half the right-of-way of 15th Street to Igloo.

Scott Wilkinson, Assistant City Manager, recommended adding some wording that it be conditioned on items IV. C, D and E being approved.

Mayor Keener said he spoke to Matt at the Igloo and he said he was favorable to this. He called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to adopt Resolution No. 19-21, with findings and conditions as recommended by the Planning Commission, conditional upon items IV. C, D and E being approved.**

The motion passed unanimously. (3-0)

- B. Review, consideration, and possible action to adopt Resolution 20-21, a resolution and order vacating a portion of 15th Street Right-of-Way consisting of an area approximately 6,800 square feet abutting APN 001-373-001 to the property owner (Flyers Energy, LLC), and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021 and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of July 6, 2021 and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 4-21 with findings in support of its recommendation. This is item 5 of 5 related to the possible vacation of a portion of 15th Street. MR

Ms. Rambo explained this is for the opposite side of the street for Flyers.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to adopt Resolution No. 20-21, with findings and conditions as recommended by the Planning Commission, and conditional upon approval of items IV. C, D and E.**

The motion passed unanimously. (3-0)

- C. Review, consideration, and possible action to adopt Resolution No. 21-21, a resolution and order vacating a portion of Golf Course Road Right-of-Way, consisting of an area approximately 1,842 sq. ft. abutting APN 001-200-002, which is located within the City of Elko, Nevada, to the abutting property owner Elko County, filed and processed as Vacation No. 1-21, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of July 6, 2021, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-21 with findings in support of its recommendation. CL

Cathy Laughlin, City Planner, explained this is similar to the previous items but it is regarding Golf Course Road and the Child Advocacy Center.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to adopt Resolution No. 21-21, a Resolution and Order vacating a portion of Golf Course Road right-of-way, consisting of an area approximately 1,842 sq. ft. abutting APN 001-200-002, which is**

located within the City of Elko, Nevada, to the abutting property owner Elko County, filed and processed as Vacation No. 1-21, conditioned on approval of item IV. A.

The motion passed unanimously. (3-0)

- D. Review, consideration, and possible action to adopt Resolution No. 22-21, a resolution and order vacating a portion of Golf Course Road Right-of-Way, consisting of an area approximately 210 sq. ft. abutting APN 001-200-009, which is located within the City of Elko, Nevada, to the abutting property owner Nevada Health Centers, filed and processed as Vacation No. 2-21, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of July 6, 2021, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 2-21 with findings in support of its recommendation. CL

Ms. Laughlin explained this will be vacated to Nevada Health Centers. It is also part of Golf Course Road.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to adopt Resolution No. 22-21, which contains conditions and recommendations approved by the Planning Commission, conditional upon approval of item IV.B.**

The motion passed unanimously. (3-0)

- E. Review, consideration, and possible action to conditionally approve Tentative Map No. 3-21, filed by Bailey and Associates, LLC, for the development of a subdivision entitled Cedar Estates Phase 3, involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located at the northern terminus of both Primrose Lane and Daisy Drive (APN 001-926-111). The Planning Commission considered this item on July 6, 2021, and took action to forward a recommendation to conditionally approve Tentative Map 3-21. MR

Michele Rambo, Development Manager, explained the development. Because of the design of the project, there is a modification of standards needed for several lots. Planning Commission recommended the modification of standards be approved. She recommended conditional approval.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to conditionally approve Tentative Map No. 3-21, for the Cedar Estates Phase 3 subdivision, subject to the findings and conditions recommended by the Planning Commission, with the modification of standards to lots numbered 4, 5, 13, 14, 21, 22, 23 and 25, to allow for shorter than required lot widths. The City Council determines that the property can be divided based upon the findings required in section 3-3-5-E-2 of the municipal code.**

The motion passed unanimously. (3-0)

- F. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5th Street (397 5th Street), and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

The Planning Commission considered the subject variance on July 6, 2021 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. CL

Cathy Laughlin, City Planner, explained there was a letter from the applicant requesting this item be tabled.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to table agenda item VII.F. to the next regularly scheduled Elko City Council Meeting.**

The motion passed unanimously. (3-0)

Mayor Keener noticed some VFW members present in the audience and asked what they were present for.

Mike Musgrove, 666 Thistle Lane, Spring Creek, said he received a letter regarding the vacation of the Golf Course Road property. They are trying to stay abreast of everything because they still use the storage building there. The property went to the County for the advocacy center but they are still not sure what will happen with that section of property.

Cathy Laughlin offered to help him and gave him her phone number.

IV. NEW BUSINESS (Cont.)

- A. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-200-002, offered from Elko County to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council has on this same agenda Resolution No. 21-21 to vacate a portion of Golf Course Road Right-of-Way to the adjacent parcel owned by Elko County. There are existing public utilities located in the area proposed to be vacated and would require an easement. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. CL

Ms. Laughlin explained the easement request.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Grant of Easement for Public Utilities and Drainage as presented.**

The motion passed unanimously. (3-0)

- B. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-200-009, offered from Nevada Health Centers Inc. to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council has on this same agenda Resolution No. 22-21 to vacate a portion of Golf Course Road Right-of-Way to the adjacent parcel owned by Nevada Health Centers Inc. There are existing public utilities located in the area proposed to be vacated and would require an easement. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. CL

Ms. Laughlin explained the easement request and recommended approval.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Grant of Easement for Public Utilities and Drainage as presented.**

The motion passed unanimously. (3-0)

- C. Review, consideration, and possible approval for the City of Elko to enter into a Reciprocal Access Agreement with the owners of APNs 001-375-001 and 001-373-001 for the purpose of providing all parties with the ability to access a portion of 15th Street proposed to be vacated, and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as

a shared private driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street and the City will need to access these from time to time for maintenance. The proposed agreement allows all three parties to access this new private driveway. This is item 1 of 5 related to the possible vacation of a portion of 15th Street. MR

Michele Rambo, Development Manager, explained they have been working with the property owners and they are in agreement with this. She recommended approval.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Reciprocal Access Agreement as presented.**

The motion passed unanimously. (3-0)

- D. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-375-001 (The Igloo Inc.), and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as a shared driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street and drainage will continue to flow through this area. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. This is item 2 of 5 related to the possible vacation of a portion of 15th Street. MR

Ms. Rambo explained this is part of the 15th Street vacation process. This will give us an easement for public utilities and drainage.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Grant of Easement for Public Utilities and Drainage as presented.**

The motion passed unanimously. (3-0)

- E. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-373-001 (Flyers Energy, LLC.), and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as a shared driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street and drainage will continue to flow through this area. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities

and drainage. This is item 3 of 5 related to the possible vacation of a portion of 15th Street. MR

Ms. Rambo explained this is the final document for the vacation. It is an easement for the opposite side of the street.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Grant of Easement for Public Utilities and Drainage as presented.**

The motion passed unanimously. (3-0)

- F. Review, consideration, and possible approval of the Second Addendum to the School Resource Officer Cooperative Agreement between the Elko County School District, the County of Elko, and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The original Cooperative Agreement was entered into by all three parties in January 2015, and the Program has been very successful. The Elko County School District has agreed to provide 100% funding of salary and benefits for two SRO positions for the 2021/22 school year. All parties have met, conferred, and agreed to the conditions set forth in the Second Addendum to the Cooperative Agreement. TT

Chief Trouten explained the original agreement was for 2 officers at 80% funding for salaries and benefits. Two years ago there was a state grant that enabled us to attach one more from the Elko Police Department and one more from the County Sheriff's Office at 100% funding for salaries and benefits. That grant expired on June 30th of this year and does not exist anymore. The School District has agreed to pay 100% for the salaries and benefits and keep the SROs. It still needs to go before the School Board and the County for their approval.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve the Elko Police Department to enter into a Second Addendum to the School Resource Officer Cooperative Agreement between the Elko County School District, the County of Elko and the City of Elko.**

The motion passed unanimously. (3-0)

- G. Review, consideration, and possible action to approve a Revocable Agreement with Bird Rides, Inc. for a stand up electric scooter business throughout the community, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved the concept of scooter service in Elko and authorized Staff to come back with a revocable license agreement at their July 13, 2021 meeting. CL

Cathy Laughlin, City Planner, explained a revocable agreement was included in the packet. It is for 18 months and we can revoke it at any time. There are stipulations based on their business plan, such as no riding on sidewalks and things like that. Once we enter into this agreement, we

will work with Bird Rides to create a map on areas that contain no-ride zones. Bird Rides has approved the agreement. The operating zone we are showing on the map is just the City limits. This does not include County areas or Indian Colony areas. Bird Rides will have to make their own agreement with those entities.

Councilman Morris said he read through the packet it and it said that helmets would be required. Who will supply the helmets?

Ms. Laughlin answered that is their requirement and it actually says that it is recommended.

Councilman Stone asked for some wording changes when it came to the helmets. Make them recommended and not required.

Mayor Keener said he is in favor of this and trying it out. If there are problems, they will be evident early on. He called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to approve the Revocable Agreement with Bird Rides, Inc., for a trial period of 18 months with an amendment to the words for helmets to be recommended rather than required.**

The motion passed unanimously. (3-0)

- H. Review, consideration, and discussion for the appointment of (3) three new members to the Parks and Recreation Advisory Board, and matters related thereto.
FOR POSSIBLE ACTION

Council authorized Staff to advertise for open positions on the Parks and Recreation Advisory Board at a previous meeting on June 22, 2021. Since then, Staff has received five (5) letters of interest from Katie Neddenriep, Spring Robinson, Leslie Creel, Nick Claerbout, and Ashlyn Greener expressing a desire to serve as members on the Board. Two (2) appointments will be for the remainder of the term through June 30, 2023. One (1) appointment will be for a four (4) term through June 30, 2025. JW

James Wiley, Parks and Recreation Director, explained how they got to three open positions on the board. All of the letters of interest were included in the packet. There was one applicant present in the audience.

Mayor Keener asked that applicant to come up and introduce herself.

Spring Robinson stated she had only been in Elko just shy of 3 years. She is very interested in becoming more involved in the community and thought Parks and Recreation was a great fit for her.

Mayor Keener recommended that we appoint Ms. Robinson. There was a letter placed on the dais from Katie Neddenriep (Exhibit "B") stating she had a conflict with tonight's meeting. He wanted

to see Katie Neddenriep on the board because what she does at the ECVA has a link with Parks and Recreation.

Councilman Stone thought Ashlyn Greener would be good on the board.

**** A motion was made by Councilman Stone, seconded by Councilman Morris, to appoint Katie Neddenriep to a 2-year term and Spring Robinson to a 2-year term and Ashlyn Greener to a 4-year term.**

The motion passed unanimously. (3-0)

- I. Review, consideration, and discussion for the re-appointment of four (4) members to the Parks and Recreation Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

The terms for five (5) members serving on the Parks and Recreation Advisory Board expired on June 30, 2021. Colby Curtis, Harmony Stahl, Jim Conner, and Andrew Storla are seeking reappointment for another four (4) year term. Fred Beitia is not seeking another term on the Board. JW

Mr. Wiley explained this is simpler. All 4 of these members have expressed an interest in serving another 4-year term. He recommended reappointing all 4 members.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to reappoint Colby Curtis, Harmony Stahl, Jim Conner and Andrew Storla to another 4-year term on the Parks and Recreation Advisory Board.**

The motion passed unanimously. (3-0)

V. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 23-21, a Resolution providing for the transfer of the City's 2021 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. 23-21 have been enclosed in the agenda packet for review. CC

Curtis Calder, City Manager, explained this is similar to previous years. This is the Private Activity Bond Cap transfer. We have no plans for this funding and he recommended approval.

**** A motion was made by Councilman Morris, seconded by Councilman Stone, to approve Resolution No. 23-21, providing for the transfer of the City's 2021 Private Activity Bond Cap to the Nevada Rural Housing Authority.**

The motion passed unanimously. (3-0)

VIII. REPORTS

A. Mayor and City Council

Mayor Keener reported National Night Out is Tuesday and then The Mayor Arts Awards on the 4th. The Nevada League of Cities Meeting will be in Sparks beginning the 25th at the Nugget.

Curtis Calder asked Councilmembers to let Kim know if they want to attend.

Councilman Stone reported the Relay for Life is Saturday (weather pending). The Chamber of Commerce Sherman Dinner is Saturday also.

B. City Manager

Curtis Calder said there is a new emergency directive beginning Friday, requiring all individuals to wear a mask, whether vaccinated or not, in all public indoor spaces. It's an emergency directive that is considered law. He was going to hand out legal opinion memos Robert Salyer wrote for the School District for Council to read. He will be analyzing the emergency directive tomorrow and will get the information out to the employees. We may need to consider doing our next Council Meeting virtually.

Mayor Keener asked about reaching out to ECVA about availability.

Mr. Calder answered there is nothing about social distancing so the space size will not matter. It sounded to him that if you are in an indoor public facility, you will need to wear a mask.

Councilman Stone preferred meeting in person.

C. Assistant City Manager

Mayor Keener asked Scott about Union Pacific Railroad.

Scott Wilkinson stated there is a review completed by Dave Stanton on the PSA that he needs to get back to Union Pacific (UP). He expects acquiring the right-of-way to move quickly. UP has made a proposal to share the expenses on the sound wall. They have a quote from a contractor on the repairs. UP claims there doesn't appear to be an agreement about who takes care of the infrastructure but the City said there was an agreement that UP maintain the infrastructure.

Mayor Keener thanked Scott for his hard work on the NTIA grant application.

D. Utilities Director

E. Public Works

Dennis Strickland reported Micro Slurry begins Monday. Those roads are typically open by this time of day. The work will be going on for a couple of weeks and we ask folks to not move the cones and obey traffic signs. Hopefully the weather will hold out.

F. Airport Manager

G. City Attorney

Dave Stanton said the emergency directive took him by surprise and will be looking over a copy of it and will work with Curtis to see what they need to do.

H. Fire Chief

Chief Griego extended the Fire Department's condolences to Bill Hance's family and friends. He has been working closely with Elko County Fire to get on local fires within the immediate area of the City and keep them very small.

Mayor Keener asked if the NV Energy crew has been helpful with the wildland fires.

Chief Griego answered they have been very helpful.

I. Police Chief

Chief Trouten echoed Chief Griego's sentiments about Bill Hance. They are looking at a change pursuant to a CAD update at Dispatch that necessitates a change to our RMS system. He is looking for help at National Night Out.

J. City Clerk

K. City Planner

L. Development Manager

M. Financial Services Director

Susie Shurtz, Human Resources Manager, reminded Council they needed to complete their Appointed Officials annual reviews and get them back to her in time for the next meeting.

N. Parks and Recreation Director

Mayor Keener asked how the Newmont Field is going.

James Wiley answered it is not at the playable stage yet. There is progress but there is at least 4-6 more weeks for work needed before the field is playable.

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**

Randy Ridgeway, 154 West Maple, said he knew Bill Hance very well and worked with him on Ducks Unlimited. He wanted to come and see what these meetings were all about before he threw his name in the hat for the Council vacancy.

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: **Review, consideration, and possible appointment of a City Council member, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **PERSONNEL**
4. Time Required: **15 Minutes**
5. Background Information: **Due the death of Councilman Bill Hance on July 14, 2021, the City Council has 30 days to fill the vacancy. On July 27, the City approved the application package to fill the unexpired term. The application was listed on the City of Elko Website and advertised in the Elko Daily Free Press. 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: **Applications Received**
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: **All Applicants**

August 3, 2021

Dear Elko City Council,

My name is Tammie Cracraft Dickenson and I am writing to express interest in the Elko City Council position that is currently vacant. I am a longtime resident of Elko, having moved here in 1984. I attended Elko schools, graduating from Elko High School in 1997. I attended college at BYU and UNR (graduating with a degree in Political Science) before returning to Elko. I have worked for Elko County as a property appraiser for almost 14 years. I currently serve as a trustee for the county's library board and prior to that I served as a trustee for the Elko County School District.

I am a strong candidate for this position because I am passionate about serving my community. I love Elko and raising my children here. I was a liked and well-respected school district trustee, and I am proud to have a reputation for being pragmatic, communicative and transparent. I made it a practice to be well researched before making decisions, seeking out information from a variety of sources to ensure I was as prepared as possible prior to votes. I believe in being proactive, and I am willing to work hard to help my community thrive.

My experience, passion and enthusiasm will serve me well in this position.

I appreciate your time and attention in looking over my qualifications and if you have any questions or would like to speak with me further, I can be reached at 775-397-8573. I look forward to speaking with you soon.

Sincerely,

T. Dickenson

Tammie Cracraft Dickenson

Tammie Cracraft Dickenson

190 Walnut St. Elko, NV 89801 tlcracraft@yahoo.com 775-397-8573

Education

BA IN POLITICAL SCIENCE, 2003, UNIVERSITY OF NEVADA, RENO

Experience

REAL/PERSONAL PROPERTY APPRAISER, ELKO CO ASSESSOR'S OFFICE, ELKO, NV 8/2012-PRESENT

- Perform a variety of assessment and appraisal duties to determine the value of, and assess taxes on, improved and unimproved properties in Elko County while maintaining compliance with Nevada Revised Statutes. Create, maintain and update accurate property records. Assist the public and other government entities with queries regarding property, property records and taxation.

ELKO COUNTY SCHOOL BOARD MEMBER, DISTRICT 2 SEAT ELKO, NV 10/2016-12/2020

- Initiate or contribute to education policy creation, fiscal and strategic planning, and decision making for staffing. Work collaboratively on a 7- member board to manage top level staff, including the Superintendent. Serve on a variety of committees including STARS and Superintendent Advisory. Facilitate communication between stakeholders and the district.

PERSONAL PROPERTY APPRAISER, ELKO COUNTY ASSESSOR'S OFFICE, ELKO, NV 12/2007-8/2012

- Perform a variety of assessment and appraisal duties to determine the value of, and assess taxes on, unsecured property (manufactured homes specifically) in Elko County. Assist taxpayers with titling homes and seize/auction delinquent property.

ACCOUNT SERVICES PROVIDER, GREAT BASIN BANK, ELKO, NV 2/2006-12/2007

- Perform duties relating to all manner of accounts in a bank setting. Open and close accounts, process and approve personal loan applications and lines of credit. Also handle collections and teller services.

Professional Achievements

- Certified as a Real and Personal Property Appraiser by the Department of Taxation for the State of Nevada
- Pursuing Certified Public Official designation through University of Nevada, Reno
- Currently serving as a library trustee for the Elko-Lander-Eureka County Library System

Tammie Cracraft Dickenson

190 Walnut St
Elko, NV 89801
775-397-8573
tlcracraft@yahoo.com

REFERENCES:

Kristin Birdzell
EHS teacher
Elko Co School District
Elko, NV
775-385-8134
kbirdzell@ecsdnv.net

Brian Zeiszler
Dept Chair, Teacher Education
Great Basin College
Elko, NV
775-934-8491
bzeiszle@ecsdnv.net

Teresa Dastrup
ECSD School Board trustee
Elko Co School District
Elko, NV
775-299-8955
tdastrup@ecsdnv.net

Answers

1. I am able to dedicate the necessary time to the position of councilperson. Having served as a school district trustee, I am familiar with the amount of time these positions require. I do work an 8-5 job with Elko County, and I keep several weeks of vacation time on the books to devote to public service engagements.
2. My chief contribution to the council would be that I am enthusiastic and passionate about Elko. I have lived here for most of my life, and I choose to raise my children here because it is a great community. I am not new to public service, my service as a school board trustee gave me a valuable education in governance and community outreach. I have had the opportunity to form and foster relationships across the county and state and have learned the value of these partnerships in furthering growth and building community relations. I am experienced with open meeting laws and the legal constraints that government entities often find themselves within. I have experience in using social media as a marketing tool and have completed coursework in public relations and public administration. I maintain an active online presence to disseminate information pertinent to the county and city. One of my best traits is that I do well in situations that require working with diverse opinions and personalities and I genuinely enjoy the process of finding common ground. This would serve the citizens of Elko well in that I already have a working knowledge of the balance between expectation and reality of public service. I make myself accessible and I am direct with constituents, which I think is appreciated.
3. I am politically moderate and pragmatic in temperament, this shapes how I vote on issues. My conscience is not necessarily the will of the people, so I speak with as many people as possible from a broad swath of backgrounds to get a feel for what the public is thinking. I do not consider myself to be an authority on anything, and I love having my own opinions and beliefs challenged so that I might develop a richer understanding of any issue. I seek out guidance from those qualified to address the issue I am working on, and I read up on statute and consult legal counsel if appropriate. Sometimes it's not possible to vote based on opinion or the will of the majority, because those things might not be in line with current laws or mandates. I am not afraid to make an unpopular vote and I am always willing to discuss why I voted a particular way.
4. There are several pressing issues for the City of Elko right now. The mask mandate/vaccine roll out is probably the most time sensitive in need of being addressed. The city missed opportunities last year to gain community buy in with addressing the long-term implications of the pandemic. The public could have been better educated on why things were happening the way they were, and a hardline approach could've been adopted by the city council to help mitigate community divisiveness. No one was going to be happy, and there was no legal standing to fight the mandates. I think adopting a policy of waiving attorney/client privilege on any legal opinions regarding mask mandates/vaccines and making those opinions available to the public immediately would help our city move forward. If I were a councilperson, I would push to launch a comprehensive public education campaign to correct course. I'd also like to see the city develop a more comprehensive crisis management communication plan to address emergencies such as this. I think not having a solid blueprint to navigate the pandemic caused

the public to quickly lose trust in local leadership. Aside from the matters brought on by Covid, I think another issue I would like to work on is a reimagining of the "Shop Local" initiative. I think the campaign could be reenergized by emphasizing that by shopping locally, Elkoans would increase their independence, both in terms of local control and local funds. By framing the initiative as a civic duty with the benefit of making Elko more self-sufficient, I think we would see a renewed interest in the initiative. I think we also need to better educate and empower our local businesses to help them thrive. We could explore a partnership with GBC so that classes on small business operations could be offered at nominal cost and we could develop a program where long-term business owners could be recruited to mentor new business owners.

5. I currently serve as a trustee for the Elko-Lander-Eureka County Library system. I was appointed to that board in January of 2021. Prior to that, I served as an Elko County School District trustee for four years. I serve as a judge for local speech and debate tournaments and volunteer for any school events where I might be needed. When my kids were younger most of my community involvement was based on attending or volunteering at their activities- Girl Scouts, Basque dancing, Little League, etc. As a family, we try to attend as many local events as possible to support them, our favorites include Art in the Park, National Night Out, the Cowboy Color Chase and the Festival of Trees. We also participate in many of the events held by the Nevada Outdoor School, the Elko Parks Department, and the DBA. I try to be very supportive of events across the county, from attending a community forum in W Wendover to engaging in a water fight in Carlin. We live in an awesome part of the country, and I try to take advantage of that as much as possible.

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, Tammie Cracraft Dickenson, do swear (or affirm) that I reside at 190 Walnut St (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

Tammie Cracraft Dickenson
Printed Name

T. Dickenson
Signature

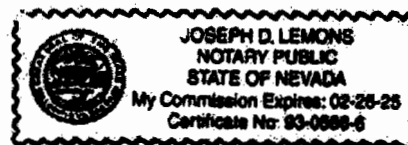
Subscribed and sworn to me this 4th day August, 2021

Joseph D. Lemons

NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)

My Commission Expires: 26 Feb 2025



ELKO CITY COUNCIL OPEN POSITION

LETTER OF INTEREST

I am, Dennis Petersen and I am expressing my interest to fill the vacant seat on the Elko City Council for the remainder of the current position term.

I am a lifelong resident of the City of Elko, 72 years, so I am invested in the community and its well being and health. I have a desire to maintain and provide its citizens with a clean and safe community through a responsive, transparent and financially sound municipal government.

I believe by serving on the Elko City Council I can be beneficial in insuring the City of Elko will balance its resources and responsibilities to provide quality municipal services, maintain public infrastructure while encouraging responsible development and growth.

I'd like to be a part of the team that provides and efficient city government that is open to dialog from the public and other entities.

Thank you for the opportunity to apply for this open position.

Sincerely,



Dennis E. Petersen

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

Dennis E. Petersen
655 Pine Street
Elko, Nevada 89801
(775) 738-5668
e-mail dpetersen@frontier.com

August 2021

Objective: Fill a vacant seat on the Elko City Council

Qualifications:

- Construction Technician for 4 years with the Department of Interior, Bureau of Land Management performing technical work assisting the Bureau's Construction Manager with on site construction administrative/inspection activities on large complex facilities. Working with engineers, architects, testing services and contractors in the implementation of design intent through on-site construction inspection, administrative oversight and quality control.
- Building Official for 33 years; reviewing plans and inspecting all disciplines of the construction trades.
- Certified by the International Conference of Building Officials and International Code Conference as a Building Inspector.
- Licensed as an "Inspector of Structures", # 0075, by the State of Nevada Department of Business and Industry, Real Estate Division.
- Ability to work with multi-agencies to complete major tasks.
- Ability to work with engineers, architects, contractors, subcontractors to complete major tasks.
- Familiar the requirements of the American with Disabilities Act.

Construction projects during my employment with the Department of the Interior, Bureau of Land Management:

- California National Historic Trail Interpretive Center, 17,000 square foot visitor center and 18,000 square foot exhibit plaza. State of Nevada approved water well and 30,000 gallon water storage and septic field.
- Red Rock Conservation Area, 1200 square foot contact station, 7000 square foot visitor arrival structure, 40,000 square foot outdoor exhibit plaza and alterations to the existing visitor center into administrative offices.
- Ruby Mountain Fire Facilities, 2 -10 bedroom crew quarter structures and infrastructure.
- Acted as Contract Officers Representative administering the contract with the water provider used for construction and dust control at the Red Rock Conservation Area.

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

Construction projects completed during my administration of the City of Elko Building Department:

- Red Lion Hotel and Casino, 60,000 sq. ft. of casino and dining with 223 hotel rooms.
- Elko Convention Center, 25,000 sq. ft with a theatre containing 923 seats.
- Northeastern Nevada Regional Hospital, full service facility with 75 beds.
- Two additions to the Northeastern Nevada Museum totaling 25,000 sq. ft.
- Eight hotel / motel developments totaling 680 rooms, most with pools and dining.
- Elko Senior Citizens Center.
- Committee Against Domestic Violence shelter.
- Five large multi-family developments totaling more than 450 units.
- Retail developments greater the 35,000 sq. ft. (K-Mart, WalMart, Ernst Home Center (Builders Mart), Franklin Lumber, Smith's Foods, Raley's Supermarket, Good Morning Furniture, Gallagher Ford Dealership, Dale White Motors, Riverton Motors).
- Seven new bank buildings and credit unions.
- Many retail "build to lease" developments.
- Greater than 600 single family dwellings.

Work Experience

August 2006 to August 2010

Department of the Interior, Bureau of Land Management, Nat'l Operations Center Duty Station, 3900 Idaho Street, Elko, NV 89801, Bob Hart, BLM Chief, Branch of AE Services; Tom Busch, BLM Supervisory Architect, Branch of AE Services (775) 303-236-1160

Construction Control Technician, GS 09-04

- Performing technical work assisting the Bureau's Contracting Officer and Contracting Officer's Representative with on site construction administrative and inspection activities on large complex facilities. I worked with engineers, architects, testing services and contractors in the implementation of design intent through on-site construction inspection, administrative oversight and quality control.
- Interpreted construction documents to insure the construction project is completed in accordance with the design intent.
- Reviewed and determined the materials and methods incorporated into the construction project were the materials and methods submitted, approved and properly erected / installed in accordance with the construction documents.
- Conducted wage surveys on site to insure the wages paid to construction personnel was in compliance with Davis-Bacon wage determinations.
- Reviewed and recommended approval or disapproval of monthly contractor "pay requests" to determine if the request was consistent with work and material actually incorporated in the contract.

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

- Reviewed with the COR and contractor on a regular basis the construction schedule to insure the project was completed on schedule.
- Present at the time of materials testing (soils, concrete) by the approved agency to insure the tests were properly performed and authorize the approvals and continuation of work.
- Communicate on a daily basis with COR, contractor and subcontractors acting as a liaison between the Bureau's construction team and the contractor.
- I completed "daily construction reports" documenting work completed, concerns, job site conditions and personnel on site. They are forwarded to the Contracting Officer and Contracting Officer's Representative and become a part of the construction documents.
- Participated in the architects and engineers periodic site visits, final inspections and final project approvals.
- Insured the contractor implemented proper safety procedures, provided safety training, complied with OSHA and EPA regulations (safety, site dust control, surface water drainage controls).

Hours per week and salary: 40 hours per week @ \$25.00 / hour.

April 2005 to February 2008

City of Wells, NV 1279 Clover Ave, Wells, NV 89835, Jolene Supp, City Manager, (775) 752- 3120

Part-Time Building Inspector:

- Accept plans for residential, commercial and industrial construction projects. Review plans and specifications for residential, commercial and industrial construction projects for compliance with building codes (1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, 1996 National Electrical Code) and local ordinances relating to construction and development within the City of Wells, NV.
- Calculate permit fees.
- Inspect new commercial, industrial and residential construction and existing structures at all phases of the construction project for compliance to local codes (1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, 1996 National Electrical Code) and adopted ordinances relating to construction and development within the City of Wells, NV.
- Assist with development and adoption of ICC building codes.
- Respond to inquiries from contractors and general public regarding methods, materials and code requirements as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.
- Demonstrate on the construction site with tools and equipment or by diagrams and plans the proper construction and installation methods of building materials as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.

Hours per week and salary: Approximately 8 hours per week @ \$16.50 per hour.

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(775) 738-5668, (775) 397-5880 (cell)

July 2005 to August 2006

**Elko County Nevada, 569 Court Street, Elko, NV 89801, Thomas Ingersoll,
Building Official, (775)738-2266**

Part-Time Building Inspector:

- Inspect new commercial, industrial and residential construction and existing structures at all phases of the construction project for compliance to local codes (1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, 1996 National Electrical Code) and adopted ordinances relating to construction and development within the Elko County, NV.
- Respond to inquiries from contractors and general public regarding methods, materials and code requirements as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.
- Demonstrate on the construction site with tools and equipment or by diagrams and plans the proper construction and installation methods of building materials as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.

Hours per week and salary: Approximately 16 hours per week @ \$16.00 per hour.

February 1974 to November 2004

City of Elko, 1751 College Avenue, Elko NV. 89801, Elko City Council, (775) 777-7220

Building Official.

- Accept plans for residential, commercial and industrial construction projects. Review plans and specifications for residential, commercial and industrial construction projects for compliance with building codes (1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, 1996 National Electrical Code) and local ordinances relating to construction and development within the City of Elko, NV.
- Calculate permit fees.
- Inspect new commercial, industrial and residential construction and existing structures at all phases of the construction project for compliance to local codes (1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, 1996 National Electrical Code) and adopted ordinances relating to construction and development within the City of Elko, NV.
- Respond to inquiries from contractors and general public regarding methods, materials and code requirements as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.
- Demonstrate on the construction site with tools and equipment or by diagrams and plans the proper construction and installation methods of building materials as they relate to building construction, electrical construction, plumbing construction, mechanical construction and excavation and grading.
- I was responsible for development and administration of the Building Department operating budget.

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- I was the primary presenter and provided justification to the Elko City Council for the adoption of 1976 Uniform Codes, 1979 Uniform Codes, 1982 Uniform Codes, 1985 Uniform Codes, 1988 Uniform Codes, 1991 Uniform Codes, 1994 Uniform Codes, 1997 Uniform Codes (Uniform codes includes the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code).
- I made a presentation to the State of Nevada Tax Commission justifying the need to increase the building permit fee structure adopted by the City of Elko.
- I responded to customers regarding all aspects of construction, development and complaints concerning City of Elko's policy and procedures.
- I assisted with development and City Councils adoption of the City of Elko's Safety Manual and policies.
- Americans with Disabilities Act (ADA) compliance and enforcement officer. Oversaw the self-evaluation and implementation of the ADA for all City owned buildings. Reviewed plans and advised developers and contractors of the regulations to comply with the ADA Act for multifamily, commercial and industrial developments. Inspected the completed developments for compliance.
- Worked closely with the local fire department, Nevada State Fire Marshall and Nevada State Health Department on the approval and inspections of new construction and existing structures that may be in need of maintenance, vacation, or demolition under the Uniform Code for the Abatement of Dangerous Buildings.
- Aided the Engineering Department with various surveying & design projects (the projects included: grading design, surveying and mapping water and sewer lines, surveying property boundaries and designing and creating specifications for municipal structures.

Hours per week and salary: Approximately 50 hours per week @ \$1175.00 per week.
You may contact Curtis Calder, City Manager @ (775) 777-7110.

1988 to February 2001

Department of Housing and Urban Development, Plaza Four, Suite 800 Park Blvd., Boise ID 83712-7743

FHA Fee Inspector.

Inspected FHA insured homes for compliance with the approved construction documents and HUD minimum property standards. Completed and filed inspection reports on FHA "compliance inspection report" forms. I maintained a legible file of reports that were open to inspection by HUD supervisors.

Supervisor was the Chief of Valuation Branch.

Hours per week varied with the case load, an average 3 hours per week with average of 4 inspections per week at beginning at \$50.00 per inspection and ending at \$75.00 per inspection plus mileage.

Supervisor: Phillip Birch, (208) 334-1990

1986 to February 2001

Department of Housing and Urban Development, 257 East 200 South State Street, Suite 550, 257 Tower Coordinated Financial Center, Salt Lake City, Utah 84111

Dennis E. Petersen

655 Pine Street, Elko, NV 89801

(775) 738-5668, (775) 397-5880 (cell)

FHA Fee Inspector.

Inspect FHA insured homes for compliance with the approved construction documents and HUD minimum property standards. Completed and filed inspection reports on FHA "compliance inspection report" forms. I maintained a legible file of reports that were open to inspection by HUD supervisors.

Supervisor was the Chief of Valuation Branch.

Hours per week varied with the case load, an average 3 hours per week with average of 4 inspections per week at beginning at \$50.00 per inspection and ending at \$75.00 per inspection plus mileage.

Supervisor: Dwight Peterson, Former supervisor not available (801) 524-6070

1978 to February 2001

American Federal Savings & Loan (formerly Eagle Service Corp.) P.O. Box 2607, Reno, Nevada.

Completion Inspector.

Inspect projects for American Federal Savings & Loan for percentage of completion and report to American Savings & Loan (Eagle Service Corp.), Voucher Control, insuring the percentage of funds provided to the project did not exceed the materials and labor actually completed on the project.

Supervisor: Sonja Ekert

Salary was dependent upon the complexities of the project, average \$65.00 per inspection with average of 2-3 inspections a week.

1975 to February 2001 and January 2005 to present

Department of Housing & Urban Development, 1575 DeLucchi Lane Suite 114, Reno Nevada 89502-6581.

F.H.A Fee Inspector.

Inspect FHA insured homes for compliance with the approved construction documents and HUD minimum property standards. Completed and filed inspection reports on FHA "compliance inspection report" forms. I maintained a legible file of reports that were open to inspection by HUD supervisors.

Supervisor was the Chief of Valuation Branch.

Hours per week varied with the case load, an average 3 hours per week with average of 4 inspections per week at beginning at \$50.00 per inspection and ending at \$75.00 per inspection plus mileage.

Supervisors: Andrew Whitten, William Garrett, William Graham; (775) 784-5383

October 1972 to February 1974

Newmont Mining Company, Carlin Gold Mine, Carlin, Nevada.

Laboratory Assayer.

Sample various ores for gold and silver content. Sample gold for fineness from the refinery before shipping. I pulverized the ore samples, dried the sample, measured specified amounts to be fire assayed, fired the samples, poured the fired content into cast iron holders, after cooling removed the slag, heated the sample to burn off the silver, recovered the gold and weighed it to determine the ounces per ton at the location the sample came from. All steps were exacting.

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Reason for leaving employment: limited field for advancement and to accept position as Building Inspector with the City of Elko.

April 1972 to October 1972

Max Riggs Construction

Laborer.

Worked as a laborer on 4 bridges on I-80 for the completion of the I-80 system through Elko County. Worked on highway 225 as a "ginny-hopper" and laborer.

On I-80 I assisted with the installation concrete forms, placed reinforcing steel in the bridge deck, placed concrete using a crane and bucket for a post-tensioned bridge system. As a laborer and "ginny-hopper" I worked with a motor grader guiding the operator as to cut and fill of the road base from the dirt grade through the installation of the gravel base for a 13 mile length of two lane roadway. As a laborer I placed, chinked, placed concrete and swept the concrete to form the "rip-rap".

Max Riggs Construction merged with another company or went out of the highway construction business. I do not remember my supervisors.

June 1969 to January 1972

U.S. Army

Enlisted as a trouble-shooter for the Nike-Hercules missile computer guidance system. Transferred to Germany as an instrument and computer repairman for the M-60 and M60A1 armored tanks. Last ten months as re-enlistment N.C.O. for my company. Operated 6 X 6 personal carrier, tractor trailer transport, welders, small hand tools, overhead crane, fork lift, ½ ton vehicles, ¾ ton vehicles. Last rank was Sgt. E-5, Honorable Discharge, 1972.

June 1966 to September / October 1968 (summer seasonal)

Bureau of Land Management, Elko, Nevada.

Summertime jobs in fire control.

I operated: power hand tools, cutting torch, welder, grinder, forklift, loader, water pumps, chain saws, 350 gallon fire pumper truck, 950 gallon fire pumper truck, dump truck, ½ ton trucks, ¾ ton trucks.

40 hours per week plus overtime when range fires occurred.

Supervisor: Bob Hess (deceased) Shop Foreman & Jerry Reynolds, Fire Control Officer.

Note: When I performed FHA inspections, Elko was serviced by Reno, NV., Salt Lake City, UT., Boise, ID. It is presently served by the Santa Ana Processing Center. Although there are still regional offices in the cities mentioned, my contact is with Santa Ana.

Santa Ana Field Office

Santa Ana Federal Building, Room 7015

34 Civic Center Plaza

Santa Ana, CA. 92701

(714) 796-5577

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

Personal

Graduated Elko High School, 1967.

Two years at Dixie College, St. George, Utah, studying architectural design.

Did not graduate, completed approximately 38 quarter hours.

31 ~ years, Building Official, City of Elko, Nevada

Past Certified Building Inspector, International Conference of Building Officials

Past Certified Building Inspector, International Code Council

Past member of NOBO, Nevada Organization of Building Officials

Past President, Nevada Chapter, International Association of Electrical Inspectors

Past member International Association Plumbing and Mechanical Officials

Past member and Education Committee Member of the Intermountain Chapter of the International Conference of Building Officials

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

ELKO CITY COUNCIL OPEN POSITION

QUESTIONS AND ANSWERS

Questions:

1. Will you be able to dedicate the time required to participate in all meetings, workshops and events, and do you have any constraints that may limit your participation on the City Council?
2. What special qualities, talents or interests can you bring to the City Council and how will they benefit the citizens of the City of Elko?
3. If appointed to the City Council, will you make decisions and vote according to your own conscience, or will you vote based on popular opinion? If the later, how will you determine what the popular opinion is?
4. What do you see as the most pressing issue facing the City of Elko and what recommendations would you make to solve it?
5. Give a brief overview of your community involvement within the City of Elko and explain how that involvement may be of benefit to you as a member of the City Council?

Answers:

1. I am available to dedicate the time necessary to prepare and participate in all meetings, workshops and events. I do not foresee any constraints that may limit my participation at any level of city government.
2. The qualities, talents and interests that will assist and guide me to occupy the vacant position on the City Council are:
 - a. My experience; I served 31 years as an official in the City of Elko government, over 20 of those years as an appointed official serving at the pleasure of the City Council.

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

- b. I understand the function and service city government provides to its citizens through the varied city departments (Administration, Public Safety, Public Works, Recreation.....)
 - c. I was involved in the development of the City of Elko Zoning Ordinance and the City of Elko Master Plan while I was the acting Planning and Development Coordinator and also in my primary position as City of Elko Building Official. These required many workshops and public hearings before being adopted and codified into the Elko City Code. It was very satisfying working with the public and to experience the governmental process to get this accomplished.
 - d. I was involved in the budgeting process that allows the city to function effectively while being frugal with the tax payers monies.
 - e. My interests; after being retired for 15 years I would like to be a position to be able to help guide the city in a positive direction regarding future growth and expansion.
3. Any decisions I would make will be based upon my own conscience and what I believe will be most beneficial for the citizens of the City of Elko.
4. Issues facing the city are many and varied. The areas I see in need of addressing are; traffic, the condition of the downtown, recreational needs and general maintenance. I'd like to address these pressing issues through planning, collaboration and possible staffing.
5. My involvement within the City of Elko has been as member of Lions Club, Little League Baseball, Ruby View Mens Golf Association and family and children activities. That involvement included social networking to determine needs to resolve and address those needs through group and individual participation. The benefits of that networking instilled a sense of community and involvement to accomplish a task or goal.

Dennis E. Petersen
655 Pine Street, Elko, NV 89801
(775) 738-5668, (775) 397-5880 (cell)

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, Dennis E. Petersen, do swear (or affirm) that I reside at 655 Pine (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

Dennis E. Petersen
Printed Name

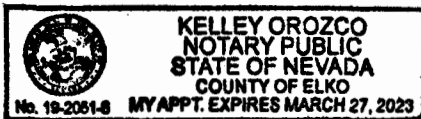
[Signature]
Signature

Subscribed and sworn to me this 31st day July, 2021

Kelley Orozco
NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)

My Commission Expires: March 27, 2023



City of Elko Commissioners
1751 College Ave.
Elko, NV 89801

Gratton Miller
503 Pine St.
Elko, NV 89801

Greetings to the City of Elko Board of Commissioners:

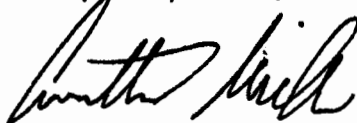
I am writing to inform you of my intent to be considered for the appointed position to the City of Elko Board of Commissioners. I believe that I have the necessary background and current positions throughout the City to bring new ideas that can help Elko diversify its economy and alleviate traffic issues throughout the downtown corridor. I also believe that by currently sitting on the City of Elko Planning Commission I will be able to step into this position with little help from city staff, as I am informed of most decisions and controversies that are currently taking up much of the board's time.

I am currently employed with Farr West Engineering. I have various duties including, but not limited to: Accounts Payable and Receivable, Billing, Human Resources, Surveying, Design, and I am a Certified Water Operator for the State of Nevada. These experiences and knowledge will help ensure that the City of Elko is remaining fiscally responsible as well as being responsive to the constituencies needs and desires. I have previously worked with former Senator Dean Heller, specifically his rural representative to nine of Nevada's seventeen counties. During my time with the former Senator I worked on land's bills, down winder issues, worked closely with the DOE, BLM, FAA, USFS, and other federal bureaucracies. I also worked with interest groups, specifically Friends of Nevada Wilderness, Sierra Club, Trout Unlimited, Nevada Mining Association, and other lobbying groups that have policy goals at a federal level. Essentially, I have the knowledge to help Elko get the deliverables that the city requires to continue to grow.

I believe that I have the ideas, desire, and knowledge to be a benefit to the City and the constituency as Elko continues to grow. However, the most pressing issue facing Elko in the next decade is to find a reliable alternative to mining, not to cut out mining but to do mining adjacent industries (such as geothermal energy production) to ensure that when Elko's mines do start to reclaim the city will not be in a situation of losing population and tax base. I also believe that as we are able to bring new digital infrastructure into place, we should have programs that encourage people to work from home, similar to the City of Tulsa's Tulsa Remote program that can be modified for a more rural type of person.

I look forward to discussing my qualifications and previous experience with Board of Commissioners at their earliest convenience. Please feel free to contact me with any questions or clarifications that you may have regarding my experience, policy ideas, or qualifications.

Thank you for your time,

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

Gratton Miller

Gratton G. Miller
503 Pine St.
Elko, NV 89801
775-934-0702
gratton_m@yahoo.com

Education

Paralegal Certificate
Great Basin College, Elko, NV, Dec. 2016

B.A. Political Science, minor in American History
University of Nevada, Reno, Dec. 2012

Work History

Farr West Engineering
January 2018 – Present
Administrator III

421 Court St.
Elko, NV 89801
775-738-2121

- Entering Accounts Payable and Accounts Receivable.
- Billing
- Reconciliation of all Main Bank and Credit Card Accounts throughout the company.
- Certified Water Operator in Distribution & Treatment throughout Northeastern Nevada.
- Bid Binding, and formatting of both Word and Excel documents.
- Formulation of company policy.
- Design work with mining claims and low-level infrastructure.

Senator Dean Heller
May 2016 – December 2016
Regional Representative

400 S. Virginia St.
Reno, NV 89501
775-686-5770

- Answering phones, communicating with the public and interest groups alike (including Friends of Nevada Wilderness, American Engineering and Mining Association, Bighorns Anonymous, and Nevada Geological Society)
- Including legislatures at the various levels of government (county, local, and state), and Federal Bureaucratic groups such as the National Forest Service, Bureau of Land Management, and the Department of Energy.
- Relaying this information to Washington D.C. was imperative for the formulation of public policy.
- Multiple policy areas including, land use plans (in particular, Pershing County Economic and Conservation Bill and the initial process of the Washoe County Lands Bill).
- I have also worked with the private sector when they have issues with an agency for permitting, down-winder issues, and disputes with any of the federal agencies that I had contact with.

Applied Business Solutions
April 2014 – November 2015
Laborer / Contract Processing / Customer Service

890 East Patriot Boulevard, Suite E
Reno, NV 89511
775-398-5137

- Worked as a laborer, contract processor, and a customer service representative.
- While working as a laborer at Hidden Valley golf course, I mowed greens, basic landscaping, cut cups, and other duties as required.
- While working at Arvato, I was ensuring that the paperwork given from the client was accurate and had all the required information to create a purchase order. I also created the purchase orders for the client.
- While working for Henry Schein as a customer service agent it was common for me to talk people through their order history and statement balances.

-Duties included navigating different menus while helping customers make payments, giving information as requested by the customer, and transferring them to the correct department to ensure that they have gotten to the right area of the company to ensure customer satisfaction.

-There were also times where handling disgruntled customers was a necessity. It was essential to be able to communicate effectively and efficiently even when under stress from the customers.

References

Barbara Gallagher
790 Commercial St.
Elko, NV 89801
barbara@kidwellgallagher.com
775-738-0888

Corey Rice
571 Idaho St
Elko, NV 89801
crice@elkocountynv.net
775-738-6816 ext. 214

Volunteer

City of Elko Planning Commission
March 2019 to present
Commissioner

1751 College Ave.
Elko, NV 89801
775-777-7100

- Evaluate and debate new projects in the county to ensure compliance with residents and ordinances.

California Trail Heritage Alliance
June 2017 to present
Secretary

1 Trail Center Way
Elko, NV 89801
775-738-1849

- Helping in the direction of the non-profit entity.

- Also, assisting in helping with re-writing the organization's bylaws.

Elko County Planning and Zoning Department
March 2017 to September 2017
Intern

571 Idaho St.
Elko, NV 89801
775-738-6816 ext. 214

- Helping update the County Master Plan.

- Helping with Boundary Line Adjustments, scanning maps, and building inspections.

Ron Knecht's Controller Campaign
April 2014 to November 2014
Campaign Internship

James Smack, Campaign Manager
james@nevadagop.org
775-338-4643

- Meeting with members of the Republican party base to hopefully gain their votes for the upcoming elections in November.

- Essentially, getting Mr. Knecht's name out to the public to gain votes through either meet and greets or through distributing fliers explaining Mr. Knecht's policies.

Nevada State Assembly
April 2013 to June 2013
Internship, Assemblyman John Ellison

401 S. Carson St.
Carson City, NV 89701
775-684-8533

-Tracking legislation through Committee, Assembly and Senate, to ensure that the legislation he was in support of could be supported in its respective place throughout the legislative process.

- Helped the Assemblyman stay up to date with the news from his constituency.

Answers to Questions:

1. Will you be able to dedicate the time required to participate in all meetings, workshops and events, and do you have any constraints that may limit your participation on the City Council?

Yes, I will be able to dedicate the time required to participate in the numerous activities that Commissioners of the Elko City Council must dedicate to be successful. I do not have any external constraints that would limit my participation on the Elko City Council.

2. What special qualities, talents or interests can you bring to the City Council and how will they benefit the citizens of the City of Elko?

I am open to robust debate regarding just about any issue. One of my favorite hobbies to learn about public policy at all levels of government and try to chart the short term and long term fall out of the policy; simply because there are always unforeseen consequences to every policy. This will benefit the citizenry by ensuring that the board itself has a robust and lively debate to ensure that all aspects of the constituencies thinking is being considered. This will allow the constituents to see that the City of Elko commission is not one sided and seriously considering other solutions to problems or concerns.

3. If appointed to the City Council, will you make decisions and vote according to your own conscience, or will you vote based on popular opinion? If the later, how will you determine what the popular opinion is?

I will make decisions that mostly align with my own conscience, similar to how most commissioners make decisions currently. As I have witnessed commissioners claiming that they have talked with folks throughout the community on important policy issues, but those folks refused to be part of the official record. As it is more important, in my opinion, to listen to the constituency on the record and to make a decision based on testimony and evidence than to use off the record comments and opinions of dubious value.

4. 4. What do you see as the most pressing issue facing the City of Elko and what recommendations would you make to solve it?

The most pressing issue to the City of Elko is diversifying the economy. I believe that a viable option for the City of Elko is to create a program resembling how the City of Tulsa has implemented its Tulsa Remote program. Which could help draw people that want to live in rural areas but maintain their current employment. This can be done by following the road map that has already had the groundwork done by a different community that we can change to fit the City of Elko's culture.

Other options could be for drone testing or warehousing to help leverage the City of Elko airport to get more options when flying out of the city. The two later options could be done with the help of Sheldon Mudd as well as contacting our federal representatives to help drone testing and new businesses find Elko as a regional hub for other industries.

Another Issue that is facing the City is to have another access road to Spring Creek. There are currently too many people commuting through only one roadway to the summit and Spring Creek. By finishing Errecart Blvd. there would be a new roadway that will help alleviate the downtown traffic bottleneck

that occurs during the mining shift changes, while also creating more commercial zoning that is currently in short supply as a whole in the City of Elko.

5. Give a brief overview of your community involvement within the City of Elko and explain how that involvement may be of benefit to you as a member of the City Council?

I currently sit as Secretary of the California Trails Heritage Alliance. This has given me an outlet to help bring family friendly activities to the Elko area through the Trail Days events, MET mapping events (this is about mapping exactly where the trails are to preserve them for future generations), and also helping with the National OCTA Convention. This is a perfect source of historical tourism that has been ignored far too often in this community. With some buy-in from local officials we can bring in tourism that isn't as interested in the adult activities that can only be found in Elko.

I also currently sit on the City of Elko Planning Commission. This has allowed me to be knowledgeable of the long-term plans for the city and what the various boards are doing for the improvement of the City of Elko. This current position has given me the background to be knowledgeable of what the Commission is currently doing to ensure that I can take the mantle of Commissioner without a large amount of background research or learning curve.

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, Graetson Miller, do swear (or affirm) that I reside at 503 Pine St. (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

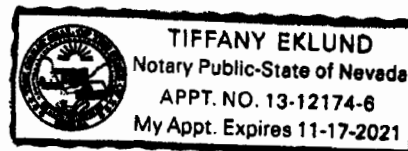
Graetson Miller
Printed Name

[Signature]
Signature

Subscribed and sworn to me this 3rd day August, 2021

[Signature]
NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)
My Commission Expires: 11-17-21



To Elko City Council,
Mayor Reece Keener,
Councilmember Simons,
Councilmember Stone,
Councilmember Morris,

My name is Giovanni Puccinelli and I currently live on 544 Skyline Dr., Elko, Nv. I am writing this letter to express my interest and pleasure in applying for the vacant position on Elko City Council.

I was born and raised in the Elko area, moving away in 1983 to attend college and play college baseball at Yavapai Jr. College in Prescott, Arizona and Nevada Reno from 1984 to 1986. In 1994 I moved back to Elko area with the company I am currently working for the past 26 years, Western Nevada Supply. Western is a family owned business opening in 1963 and serving the Elko area since 1981. We are a wholesale company serving the underground waterworks, plumbing, heating, irrigation, hydronic, solar, and mining industries. I have had honor and learning experience of serving on the Elko Planning Commission for the past 1-1/2 years. I have also served on the Elko County Fair Board for the past 8 years, 2 years as Elko Men's Golf Association President, and umpired or refereed high school baseball and basketball for the 25 years.

Being raised and living in Elko most of my life, the community has provided a wonderful environment for my wife and I as well as our friends to bring up our families. Working for Western, I have had the opportunity to work and manage different branches for our company plus reside in those areas. None of those communities offer the same possibilities or opportunities Elko provides, so I personally feel it is time that I start to give back to the city that has given me so much to be thankful for.

I want to say thank you to everyone for their time and consideration for this position.

Best regards,

Giovanni Puccinelli



775-340-8768

gpuccinelli@gobluesteamcom

08/02/21

Giovanni Puccinelli

775-340-8768 | gpuccinelli@goblueatteam.com | Elko, Nv. 88901

PROFESSIONAL SUMMARY

I have worked for 27 plus years for Western Nevada Supply in various roles and different locations from Bishop, CA., to Pocatello, Id, and back to Elko in both management and sales duties. At the branch level, you assume all roles at every level to make the customer experience exceed their expectations of service. Out thinking at Western is the customer has a choice to come to us or our competition, and I want them to make us their first and only choice.

SKILLS

- Sales and people skills
- Inventory management
- Contracts and negotiations
- Budgeting and goal setting,
- Purchasing and biding of material for large jobs,
- Managing and Communicating branch needs
- Training employees in all roles for the branches.

EXPERIENCE

Various – Western Nevada Supply

March '94-Current

- Manager 4 Branches (Bishop, Winnemucca, Pocatello, Elko) - Duties include inventory management, contract negotiations, contract pring, conduct monthly communication and safety meetings, continuous training, sales, budgeting, setting and implementing the personal and group goals for each team member and branch, interviewing and hiring all prospects, oversee all aspects of the branch with between 5 to 30 employees.
- Inside and Outside Sales – Bidding projects, submit quotes and submittal packages to customer, assisting customers on the phone and at the counter, purchasing material in a timely manner, ordering material correctly to get proper billing, sales calls throughout area, bin stock set up, delivery of material when needed. My goal is to make each customer feel like they are the only customer.

EDUCATION

Accounting Degree (3 years not completed)
University of Nevada – Reno

1984-1986

General Studies
Yavapai Jr College – Prescott, Az

1983

COMMUNITY WORK

- | | |
|--|-----------|
| • Elko County Fair Board – Vice Chair | June 2013 |
| • Elko Planning Commission – Vice Chair | Jan. 2020 |
| • Elko Men's Golf Association - President | Jan. 2020 |
| • NENOA High School Official – Baseball & Basketball | Oct. 1997 |

Giovanni Puccinelli

8/3/21

Question #1:

Yes, I will be able dedicate the time to filling the seat on the Elko City Council. Western Nevada has been an absolute pleasure to work for 26 plus years. Their involvement in the community over the years is second to none. As a high school official for the last 20 plus years, I have had numerous occasions that require the officials to leave early from work to make game assignments out of town. Western allowed me to take this time, no questions asked. I work a lot of hours by choice to make sure all my responsibilities are complete so I can officiate these games. Sure, I do understand that I will most like have to give up some or most of the games throughout the week, but it is something I am willing to sacrifice to dedicate myself to this position on the council, if given the opportunity.

Question #2:

Special qualities? Well, best explained as I was born and raised in Elko. I have a lot of pride in the city and the opportunities given me, my family, and friends. Elko has given us a wonderful place to raise our families, live our lives, work the jobs that make us happy. To me Elko is unique due to being close to big cities if you desire go, but close enough to some of the most beautiful country in Nevada on your back doorstep. So, I guess would say I have a stake and interest in this city. Another quality I feel I have is my ability to listen to people with an open mind, take all the information given to me and make good, well thought out decision. As a manager at Western I have discovered that my way is not always the best or only way to solve problems. Sometimes the least likely person that you would expect will surprise you with a wonderful thought or idea. I always try to make the decision with the big picture in mind not with tunnel vision.

Question #3:

I think you should vote your conscience or own feelings, but that should also go along with what you feel is best for Elko in the big picture. You can't always make everyone happy, but do what is best and right. I am sure that sometimes it will seem that you are voting with popular opinion, but again it goes back to what you feel is best for Elko. You truly have to look at all that is presented to you, give it some thought, and make the informed decision with what you are given.

Question #4:

This is a tough question since I feel there more than just one. Our streets are a big deal to me. Our street department is doing a decent job, but maybe they could do better. Is it money or other issues? The relationship or attitude people in the city have towards the council, why do they feel that way? Can this be improved and or worked on through communication? Probably the most pressing to me is drugs in out community. Looking through the paper's arrest page, it depresses me seeing the drug use and arrests that are made weekly, and I'm just saying not small quantities which also leads to other crime. I will be the first to admit, I am real naïve when it comes to this, but I would love to sit with city officials to see if there is more we could do or is it something we must deal with living on I-80 and trafficking. I feel

first get educated then try to help solve that problem. Not sure this can ever truly go away, but even a little can help.

Question #5:

Working with the fair board, I have been running the paramutuels and I worked closely with Sheriff's Department scheduling security and the State Gaming Control Board dealing with the racing licensing side and betting. I have developed a very trusting and good working relationship with both groups through communicating both our and their needs or expectations. My service with Elko Planning Commission has been a learning experience dealing the city master plan and codes that determine or influences what can and can not be accomplished. These rules and regulations very complex, but the city staff does a great job explaining what part of the codes apply where and how. To me things are basically things are black and white in the decision making process on the board. The staff's facts and findings influence our vote and can only be changed by facts and findings. Where the city council can have their conscience or feeling help influence their vote not just the facts and finding by staff. Learning this process within the city has been very enjoyable. With the officiating, I have been and assigner in both basketball and baseball where I am a firm believer in you want your strongest officials on your biggest games. You earn the games you get, it's not your turn in line. In doing so, you can anger the officials that think they are stronger then they are, but you have to be honest with them and inform them why. People take if different ways, some pout about it and other work their tail off and earn the big games. Those are the people you wan to be out there with in the big game.

Thank you so very much for your time and consideration in this process of filling the vacate City Council seat.

Giovanni Puccinelli

A handwritten signature in black ink, appearing to read 'Giovanni Puccinelli', written in a cursive style.

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, GIOVANNI PUCCINELLI, do swear (or affirm) that I reside at 544 SKYLINE DR. (Street), in the City of Elko, mailing address (if different) S/A; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

GIOVANNI PUCCINELLI

Printed Name

[Signature]

Signature

Subscribed and sworn to me this 4th day August, 2021

Kelley Orozco

NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)

My Commission Expires: March 27, 2023



Elko City Council:

My name is Jeff Dalling, and I'm applying for the vacated Elko City Council seat by the late Bill Hance. I have been on the Planning Commission for six years, and I've been the Chairman for the last two and half years. I'm also a member of the Redevelopment Advisory Council, where I've served for over seven years. Additionally, I was the DBA's community member on the Elko Centennial Committee — together, we created the Elko Centennial Tower. I would like to think that I'm a very involved member of my community, especially Elko's historic downtown. I also own property and businesses in the downtown corridor because I believe in Elko.

I served my state and my country in the USAF Nevada Air National Guard for 12 years. During that time, I was deployed to Karshi Khanabad Airbase, Uzbekistan, for six months in 2004 and four months in Morón Air Base near Sevilla, Spain. I believe my continued service to my community has prepared me well for the Elko City Council. I understand the coding, the regulations, and the procedures. I know I will hit the ground running as a city councilman. I also have a good working relationship with most of the city staff and the council members.

Thank you for your consideration of this important appointment; I appreciate your time.

Sincerely,

Jeff Dalling

Jeff Dalling

Business Owner & Entrepreneur

EXPERIENCE

President, Coffee Mug, Elko, NV — Nov. 2009 to Present

Sales/Marketing, Accellence Home Medical, Reno, NV — Jun. 2004 to Dec. 2009

Technical Sergeant, USAF Nevada Air National Guard, Reno, NV — Jan. 2001 to 2012

ALS of Nevada, Board Member, 2017-2019

City of Elko Planning Commission (Chair Jan. 2019)

Elko Centennial Committee

Redevelopment Advisory Council

Downtown Business Association – Past Board Member

EDUCATION

University of Nevada, Reno — Bachelor of Arts in History and Political Science, 2005

Community College of the Air Force— AA in Logistics, 2004

Truckee Meadows Community College— AA, 2003

SKILLS

Leadership, team building, problem solving, business management, customer relationship management, and contract management

**3022 Callie Court, Elko, NV, 89801 775-287-4529
jcdalling@hotmail.com**

1. I will be able to dedicate the required time to participate in all meetings, workshops, and events. I do not have any time constraints that may limit my participation on the City Council.
2. I have been a member of plenty of City boards and committees that have helped me understand the complexities and intricacies of how the City works and functions. Those experiences have allowed me to exhibit the skills of leadership, teamwork, and efficiency.
3. If appointed by the City Council, I will make decisions with my conscience. Last month at the Planning Commission meeting, I thanked the Commissioners for voting with the code and not their hearts.
4. The most pressing issue facing the City of Elko is maintaining a strong economy considering the overreach of our Government in Carson City and Washington, D.C. I believe we need a strong, united voice against them to ensure our way of life continues to flourish in Elko. I do not feel it is within the appropriate scope of the government to infringe upon the livelihoods of our citizens through mask mandates and closures.
5. I have been on the Planning Commission for the last six years and the Chairman for two and a half years. I have been on the RAC for the last seven years, and I was also on the Centennial Committee. I was also formerly a board member on the DBA. I have been very involved with the City, and I have tried hard to make all meetings and give my all.

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, JEFF DALLINS, do swear (or affirm) that I reside at 3022 CALLIE CT. (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

JEFF DALLINS

Printed Name

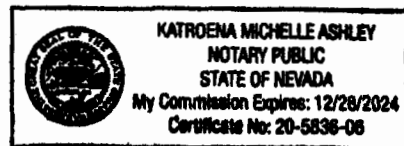
Jeff Dallins
Signature

Subscribed and sworn to me this 3rd day AUGUST, 2021

Katroena Ashley
NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)

My Commission Expires: 12/28/24





BLACH DISTRIBUTING COMPANY

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131 MAIN STREET
ELKO, NEVADA 89801

PHONE (775) 738-7111
FAX (775) 738-6731

TOLL FREE (888) 812-5224
WEB www.blachdistributing.com

August 2, 2021

City of Elko
Attn: City Clerk
1751 College Avenue
Elko, NV. 89801
cityclerk@elkocitynv.gov

To Whom it May Concern:

I am submitting this letter of interest for the open seat on the Elko City Council. I have resided in Elko over 90% of my life and feel that I would be a good candidate for the open position. I welcome the opportunity to make a difference in a place I was raised and call home.

As for personal qualifications I served on the City Parks and Recreation Advisory Board as one of first members. I have been heavily involved in events throughout the community for children and young adults. I have spent a number of years volunteering my time with Youth athletics and the Police leagues, coaching and holding various board positions. I am a current Board member of the Elko Boys and Girls Club as well as the Elko Area Chamber of Commerce and hold a seat on the Government Affairs Committee.

I have raised my family in this community and have enjoyed all opportunities that the City of Elko offers. As an employee of Blach Distributing Company for the past 16 years I have been heavily involved in events that take place for the community in general and even for events for the City of Elko.

I can be reached via email at randy.ridgway@blachdistributing.com or by cell at (775) 397-5986 for any additional information or questions you may have.

Sincerely,

Randy Ridgway

Randy P. Ridgway

131 Main Street
Elko, NV. 89801
775-738-7111

randy.ridgway@blachdistributing.com

154 W. Maple St.
Elko, NV. 89801
775-738-1305

Objective	I am looking to be more involved in the community by sharing my knowledge and abilities that I have gained throughout the years.
Profile	<ul style="list-style-type: none">• Nearly 30 years experience in sales, account, warehouse management and customer relations, including 20 years in sales management.• Ability to manage operational functions, personnel, and material resources.• Goal-oriented individual with strong leadership capabilities.• Organized, highly motivated, and detail-directed problem solver.• Proven ability to work in unison with staff and customers.
Education	Elko High School, Elko, NV. Lassen Junior College, Susanville, CA. University Of Nevada Reno, Reno, NV.

Relevant Experience & Accomplishments

- Extensive training in sales and personnel management.
- Budgeting and forecasting experience in beverage and transportation fields.
- Numerous training classes in regulatory requirements, time management, logistics and distribution management.
- Designed service development plans and conducted operation assessments.
- Formulated, updated, and implemented operation and employee manuals.
- Business owner of Flyaway Café in the Elko Airport

Management/Supervision

- Management of Sales Department for Blach Distributing Company and Silver State Liquor & Wine
- Trained, supervised, and evaluated staff, coached improvement management skills.
- Supervisory/Management skills in Customer Service, Inventory Management, and Logistics.
- Successfully refined and implemented new projects.
- Managed operation of multi-million-dollar distribution facility.

Employment

GM/Sales Manager/Successor Manager, Blach Distributing Company Manage BDC Elko Sales department, Blach Distributing Distribution Facility in Susanville, CA and Blach Beverage Company in Redding, CA. Work closely with EAM, RSM, and local staff in goal setting and operational procedures for local markets. Monitor, implement, and track programs associated with Impact Excellence, market planning, sales incentives, price promotions, pricing strategies, and related duties associated with Blach Distributing and Anheuser-Busch procedures. Participate in state, regional, and national sales and communication meetings and seminars.	4/05-present
Account Manager, Silver State Liquor and Wine, Elko, NV. Management of accounts in the purchase, inventory control, promotions, and placement of liquor and wine products. Manage and promote wine lists and wait staff training.	3/99-4/05
Sales Supervisor, Silver State Liquor and Wine, Elko, NV. Managed point of sale inventory and placement. Responsible for implementing shelf sets in Chain accounts in local market. Handled responsibilities associated with sales in absence of General Manager.	
Terminal and Sales Manager, Anderson and Sons Trucking, Elko, NV. Management of daily operation of freight and cargo shipments, as well as contract negotiations of shipping rates and contract services.	8/98-3/99
Warehouse Supervisor, Komatsu Equipment Co., Elko, NV. Supervised daily operations, including shipping, receiving, staff scheduling, inventory management, and vehicle maintenance.	1/97-8/98

Warehouse Manager, Keefe Supply Co., Reno, NV.

9/92-1/97

Manage daily operation of 100,000 sq. ft warehouse in shipping, receiving, purchasing, inventory control, and negotiating shipping rates and carriers.

Account Representative, Keefe Supply Co., Reno, NV.

Prior to managing warehouse operations, performed duties of sales representative with customers in specific western states in correctional facilities.

Customer Service Representative, America West Airlines, Reno, NV.

11/89-4/93

Utilized extensive customer service skills in performance of duties including ticketing, gate service, ramp operation, and weight and balance for flight safety.

Relief Supervisor, America West Airlines, Reno, NV.

Fulfilled responsibilities of Supervisor's during vacation and training. Handled all responsibilities for safe gate arrival and departure of up to 20 flights a shift.

**Community
Involvement**

Boys and Girls Club of Elko, Board Member

Elko Chamber of Commerce, Board Member, Seat on Government Affairs Committee

Elko County Babe Ruth, League Vice President, Team Manager

Elko Parks and Recreation Advisory Board, General Member

Elko Boys Little League, Past President, League Umpire and Team Manager

Elko Chapter Ducks Unlimited, Committee Member

Elko Gold Baseball Club, Team Manager of Traveling Club

Police Athletic League, League Official and Team Coach



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City Council Questions and answers.

Will you be able to dedicate the time required to participate in all meetings, workshops and events and do you have any constraints that may limit your participation on the City Council?

- 1) Yes, for the most part I will be available for every meeting, workshop, or event. There may be certain instances where I am out of town job related, but in most cases be available via GoToMeeting.

What special qualities, talents or interests can you bring to the City Council and how will they benefit the citizens of the City of Elko?

- 2) I was born and raised in Elko, NV. I am passionate about Elko and it being the best place to live and raise family. I am an avid outdoorsman who enjoys utilizing the Golf Course, Ball Fields, Parks, City Streets, Bike Paths and Trails. Seeing the change from 40 years ago to present day and working in three different cities, it gives me the ability to bring new ideas and things of interest to the board that could be beneficial to the City of Elko. My current job gives me accessibility to work, know and converse with a of number of people in this community.

If appointed to the City Council, will you make decisions and vote according to your own conscience, or will you vote based on popular opinion? If the later, how will you determine what the popular opinion is?

- 3) If I were approved by the City Council, I would be my own person and vote in the best interest of the situation. I am not a follower, I will take all matters and legalities into account and cast my vote based on how it best benefits the City of Elko within the laws and directives of this City.

What do you see as the most pressing issue facing the City of Elko and what recommendations would you make to solve it?

- 4) As with every city and town right now the most pressing issue is Covid, with ever changing scenarios and circumstances this unfortunately will be an ongoing situation for some time. Recommendations will be changing all the time based on the directives and orders that come from our State Government. Therefore, it is even more vital that City and County officials work in conjunction with each other to see that the decisions are made in the best interest of the residence of Elko County. As for non-Covid issues, continuing to improve our City Parks, Ball Fields, Bike Trails and Golf Course for the enjoyment of all residents and visitors to the City of Elko.

Give a brief overview of your community involvement within the City of Elko and explain how that involvement may be of benefit to you as a member of the City Council?

- 5) I will continue to stay personally involved with the community as much as do with my current career. Blach Distributing is very involved with events put on by the DBA, Elko Chamber of Commerce, Police and Sheriff Departments, Boys and Girls Club of Elko, Elko High School and The Snow Bowl, along with Clubs and Organizations that use our Fairgrounds. I am also involved with these events from my Board positions on both the Elko Chamber of Commerce and the Boys and Girls Club of Elko. I believe that being a Council member will provide people of these events a new set of ears to bring questions, suggestions, or opportunities to help better the City of Elko.

**AFFIDAVIT OF
RESIDENCY**

**For the vacated Office of
ELKO CITY COUNCIL**

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, Randy Ridgway, do swear (or affirm) that I reside at 154 W. Maple St. (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

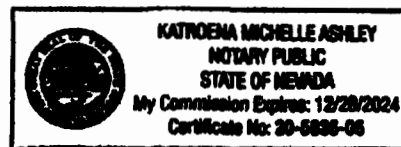
Randy Ridgway
Printed Name

Randy Ridgway
Signature

Subscribed and sworn to me this 3 day August, 2021

Katroena Ashley
NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)
My Commission Expires: 12/28/24



Elko City Council
August 02 2021

I, Rowena Smith, would like to apply for the open position left by Bill Hance, as a council member.

Resume:

Illinois (1996- 1997) P.T.A. Member. Lions club member.

Wisconsin (1998 -2005) President Of Oxford Library board, Interim Oxford City Council member.

Las Vegas Nevada (2005 - 2013) Union Delegate for California Nurses Association, Interim Steward for SEIU. Church Youth group organizer, Womens retreat program. K9 rescue team.

Elko Nevada. (2013 - Present) Health Fair Committee member for NNRH, 1st Aid classes provided for the Girl Scouts, VIP volunteer at Sheriff Jail. Central Committee member of Elko Republican Party, Privately Volunteer to homebound Seniors. K9 rescue team, Active member of the Church of Jesus Christ of Latter Day Saints, Elko 1st ward.

2018, 2020- Campaigned for Elko City Council Seat.

Reply To Questions:

#1 Yes I will be able to fully participate in all meetings, workshops and events required of a council member. No I do not have any constraints that would limit my participation in the City Council..

#2 I am a passionate advocate of human rights and community enhancement. Raised in a military and law enforcement family, I deeply respect and advocate for law and order..

#3 If I am appointed to City Council, I will make decisions and vote according to my own conscience.

#4 The most important issue that I see is the preservation of our local economy. Along with this is the safety and well-being of our citizens. I would discuss with my council members ways to bring in state and federal resources for local business, and utilize every marketing sources to motivate consumers in investing in our local businesses.

#5 As I stated in my resume I have been very active in every community I have resided in. I try my best to improve the lives of others as it is in my nature to be compassionate and help others. Having owned 2 nursing homes in the past, has provided me with the insight in how to run a business. Having been raised in a strict yet loving military family I can appreciate this great nation and the hard work one must accomplish to achieve their full potential.

Addendum:

Councilman Chip Stone, Clare Morris, Councilwoman Andy Simon, and Mayor Reese Keener ~

If I am chosen to fill Bill Hance's seat, I will do my utmost best to be a good civil servant.

I will use my decision-making skills as a critical care nurse of 35 yrs, former business owner, union delegate negotiator, and parent of 2 strong-willed sons, to perform ~~in~~ my duties as a council member.

Please allow me the opportunity to do so.

Sincerely,
R.D. Smith

AFFIDAVIT OF RESIDENCY

For the vacated Office of ELKO CITY COUNCIL

For the purpose of having my name considered as an applicant to fill the vacancy of the Elko City Council (term not to extend beyond the first Monday in January after the next municipal election), I, the undersigned, Rowena Smith, do swear (or affirm) that I reside at 569 1/2 Ash St (Street), in the City of Elko, mailing address (if different) _____; County of Elko, State of Nevada; that I am a qualified elector within the City of Elko; that my actual, as distinguished from constructive, residence in the City of Elko began on a date two years or more prior to the date of the appointment; that if appointed to fill the vacated seat, I will accept such appointment and not withdraw; that I will qualify for the office if appointed thereto.

Rowena Smith

Printed Name

Rowena Smith

Signature

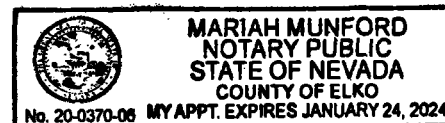
Subscribed and sworn to me this 4th day August, 2021

[Signature]

NOTARY PUBLIC

(or Other Person Authorized to Administer an Oath)

My Commission Expires: 01/24/2024



**Elko City Council
Agenda Action Sheet**

1. Title: **Review, discussion, and evaluation of Appointed Official job performance for Fiscal Year 2020/2021, including the possible award of merit pay increases, and reappointment for the following eligible Appointed Officials: 1) Curtis Calder, City Manager; 2) Ty Trouten, Police Chief; 3) Matt Griego, Fire Chief; and 4) Kelly Wooldridge, City Clerk, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **PERSONNEL**
4. Time Required: **15 Minutes**
5. Background Information: **Current City policy requires performance reviews to be completed for each Appointed Official during the month of July each year. All Appointed Officials, who are considered employees, shall be evaluated by the Council on years that end in an odd number. Prior to any reappointment of an Appointed Official, a performance evaluation shall be completed. In addition, Council determination is required for reappointment of each Appointed Official, and merit increases for those eligible. A copy of the job performance ratings is included in the agenda packet for review. 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: **Evaluation Score Sheets**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Susie Shurtz, Human Resources 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 award of a contract for the VFW Drive Improvements, and matters related thereto. FOR POSSIBLE ACTION**
2. **Meeting Date: August 10, 2021**
3. **Agenda Category: APPROPRIATION**
4. **Time Required: 5 Minutes**
5. **Background Information: Bids were received until 3:00 p.m., on August 6, 2021. This item has been approved and budgeted for construction in the current fiscal year budget. A bid tabulation is provided in the agenda packet. BT**
6. **Budget Information:**

Appropriation Required: Bid Tabulation will be presented at the meeting
Budget amount available: \$550,000
Fund name: Capital Construction Fund
7. **Business Impact Statement: Not Required**
8. **Supplemental Agenda Information: Bid Tabulation**
9. **Recommended Motion: A recommended motion will be provided at the meeting.**
10. **Prepared by: Bob Thibault, Civil Engineer**
11. **Committee/Other Agency Review:**
12. **Council Action:**
13. **Agenda Distribution: None**

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the Elko Police Department to purchase a Leica Scanner Kit, training and related equipment. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Elko Police Department was approved in the FY2021/22 budgeting process to purchase a Leica Scanner Kit, training and related equipment. The cost of a Leica Scanner Kit, training and related equipment is \$19,077. TT**
6. Budget Information:

Appropriation Required: \$19,077.00
Budget amount available: \$19,000.00
Fund name: Capital Equipment
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **KR quote and City of Elko Purchase Order No. 7963.**
9. Recommended Motion: **Authorize the Elko Police Department to purchase a Leica Scanner Kit, training and related equipment.**
10. Prepared by: **Ty Trouten, Captain, Elko Police Department**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

CITY OF ELKO

1751 COLLEGE AVE. | ELKO, NV 89801
775.777.7144

PO# 7963

PURCHASE ORDER

VENDOR KR SHIP TO CITY OF ELKO
NAME _____ DEPARTMENT Elko Police Dept
ADDRESS 2712 S 3600 W Suite G ADDRESS 1448 Silver St
CITY Salt Lake ST UT ZIP 84119 CITY Elko ST NV ZIP 89801
PHONE 208-317-7497 PHONE 775-777-7310

OUR ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, AND CORRESPONDENCE

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	Leica Scanner Kit	19,077	19,077
2	Lithium Batteries	179	358
1	Tripod	83	83
1	Tripod adapter	180	180
1	Case	175	175
1	Banner insert	199	199
1	Case lid organizer	39.50	39.5
1	Map 360 Standard	1990	1990
1	Map 360 SWM Inr	500	500
1	Cyclone Subscription	60	60
1	PSG SMART plan	1400	1400
1	Cyclone Publisher TOTAL	1800	1800
NOTES 1	OMNI 6 Piece Scanner Sphere	804	804
1	Training	1000	1000
			27,665.5

DEPARTMENT HEAD _____ DATE _____

APPOINTED OFFICIAL _____ DATE _____

ALL CITY DEPARTMENTS MUST FOLLOW THE CITY'S APPROVED PURCHASING POLICY

Leica BLK360

Quotation



KR

A TRADITION IN PRECISION
Since 1925

Remit To:
2712 S 3600 W Suite G
Salt lake City, UT 84119, USA
Tel: 208-317-7497 | Fax: 425-774-7538
sales@krinc.net | www.krinc.net | Toll Free: 1-800-454-1310

Date	Order No.
05/21/21	Quote

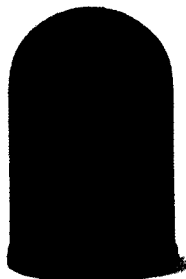
Elko City Police
1448 Silver St.
Elko, NV 89801
ATTN: Bryan Drake

Hardware

- when it has to be right



Cust. Acct. No.	Contact	Cell Phone	Terms		
	Peyton Hatch	(208)317-7497	NET 30		
Ordered	Unit	Item #	Catalog No. / Description	Unit Price	Extension
1.00	ea	6016036	Leica BLK360 Scanner Kit Serial # 3502129	19,077.00	\$ 19,077.00
		Includes: 1 GEB212 battery, GLK312 Charger, Plastic BLK Case, 12 months Reg360 BLK, 1yr CCP			
2.00	ea	772806	GEB212 Lithium-Ion Battery	179.00	\$ 358.00
1.00	ea	794963	LEICA TRI70 ADJUSTABLE TRIPOD	83.00	\$ 83.00
1.00	ea	853639	LEICA BLK360 TRIPOD ADAPTER	180.00	\$ 180.00
1.00	ea	SKB 3I-2011-8BE	CASE, EMPTY BLACK, NO WHEELS	175.00	\$ 175.00
1.00	ea	HHBL-1987	BAUER CUSTOM FOAM INSERT FOR BLK360	199.00	\$ 199.00
1.00	ea	PC1519	PELICAN CASE LID ORGANIZER	39.50	\$ 39.50
1.00	ea	4150-00	OMNI 6 Piece Scanner Sphere w/ Hard Case	804.00	\$ 804.00
Quote is good until 6/21/2021			SUBTOTAL	Training	TAX NA
			26,665.50		0.00
			TOTAL		
			\$ 27,665.50		



Accepted By: _____

Date: _____

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the Elko Police Department to purchase a Law Enforcement Firearms Training System, and related equipment, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **10 Minutes**
5. Background Information: **Elko Police Department received \$150,000 (one hundred and fifty thousand dollars) in donations. The department is looking to purchase a Law Enforcement Firearms Training System, and related equipment. The cost of a Training System and related equipment is \$163,272.30 (one hundred and sixty-three thousand, two hundred seventy-two dollars and thirty cents). There is an additional donation coming from Kinross Gold Corporation for \$10,000 (ten thousand dollars), to assist in covering a portion of the cost. TT**
6. Budget Information:
 Appropriation Required: **\$163,272.30**
 Budget amount available: **\$160,000.00**
 Fund name: **Capital Equipment - Donations**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **InVeris quote and City of Elko Purchase Order #7964**
9. Recommended Motion: **Authorize the Elko Police Department to purchase a Law Enforcement Training System, and related equipment.**
10. Prepared by: **Police Chief, Ty Trouten**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

1751 COLLEGE AVE. | ELKO, NV 89801
775.777.7144

PO#

VENDOR		SHIP TO		CITY OF ELKO	
NAME <u>InVeris Training Solutions Inc.</u>		DEPARTMENT <u>Police</u>			
ADDRESS <u>296 Brogdon Road</u>		ADDRESS			
CITY <u>Suwanee</u> ST <u>GA</u> ZIP <u>30024</u>		CITY		ST	ZIP
PHONE <u>678-288-1090</u>		PHONE			

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	Firearms Simulator		163,272.
	see attached		150,000.79
			163,272. ³⁸
	TOTAL		150,000.79

NOTES Capital- donations

DEPARTMENT HEAD _____ DATE _____

APPOINTED OFFICIAL _____ DATE _____



DATE: 4-Aug-2021
SUBMITTED TO: Elko Police Department
 Attn: Commander Jason Pepper
 1448 Silver Street
 Elko, NV 89801
 775-388-8468
jpepper@elkocitynv.gov

QUOTE NUMBER: MTS19USL4642 Rev 7
RE: FATS® 300LE Virtual Law Enforcement Training System
OFFER TYPE: GSA and Open Market

InVeris Training Solutions (InVeris) is pleased to submit the following quotation for your consideration. Please free to contact your InVeris POC listed below should you have any questions. Thank you for the opportunity to submit a quotation.

BASE QUOTATION						
GSA / OPEN MARKET (MKT)	PART NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
GSA	V-SYS-300LE-USG HW1	FATS® 300LE 5-Screen Law Enforcement System. Allows multiple students to train in Judgmental (Video) and 1-5 trainees in Advanced Individual Marksmanship. Use less than lethal force techniques with escalation- de-escalation throughout the entire force continuum in Judgmental. Supports up to (20) BlueFire® weapons. Price includes: system, 5.1 audio system, borderless 16 x 9 screens, installation, two (2) days of operator training CONUS and one (1) year warranty on up to five (5) weapons. Domestic installation included, weapon simulators and software must be purchased separately.	1	EA	\$ 90,000.00	\$ 90,000.00
GSA	V-SW-300LE-USG GE	FATS® 300LE Generic Law Enforcement Software Package. Includes Advanced Judgmental (Video) applications and Advanced Individual Marksmanship (Lanes); LE Courses of Fire; Law Enforcement Judgmental video scenarios for decision making judgment, and force escalation and de-escalation. Software package includes Advanced Marksmanship Authoring to create custom courses of fire. Software only, 300LE hardware and weapons must be purchased separately.	1	EA	\$ 30,000.00	\$ 30,000.00

GSA	SA-TASER-X26P-BF-50	Virtual TASER-X26P. FATS® BlueFire® weapon simulator uses Bluetooth technology to communicate with the system and provide sensor data feedback to control station. Simulation kit includes (1) X26P Blue Handle, (1) BlueFire® Smart Cartridge and charging cable and communication dongle. Taser now includes one (1) spare Cartridge. If spare is not needed, discount of \$2050 offered to GSA Customers.	2	EA	\$ 6,650.78	\$ 13,301.56
GSA	SA-17-BF-51-NS	Glock, Model 17 - BlueFire® - with Night Sights - weapon simulator	4	EA	\$ 7,540.81	\$ 30,163.24
GSA	RF-M4-BF-AU-FT-RA	FATS® SRS® Carbine Rifle-BlueFire®-Auto-Removable Carrying Handle-Picatinny Handguard - Weapon simulator	2	EA	\$ 9,976.17	\$ 19,952.34
GSA	SA-SPRAY-BF-51	Chemical Spray. BlueFire® Chemical Spray Device - Weapon Simulator	2	EA	\$ 2,347.33	\$ 4,694.66
GSA	V-ACC-FLASH-M300V	SureFire M300V Flashlight (qty. 1). To be used when converting any individual Marksmanship (Lanes) or Judgmental (Video) scenario from daylight to one requiring flashlight usage. Requires purchase/ installation of Flashlight Option.	1	EA	\$ 695.10	\$ 695.10
GSA	V-ACC-FLASH-X300V	SureFire X300V Flashlight (qty. 1). To be used when converting any individual Marksmanship (Lanes) or Judgmental (Video) scenario from daylight to one requiring flashlight usage. Requires purchase/ installation of Flashlight Option.	1	EA	\$ 695.10	\$ 695.10
GSA	V-ACC-FLASH	Flashlight Option with Cables (for FATS 300LE System)	1	EA	\$ 12,199.95	\$ 12,199.95
GSA	BF-FS-03	BlueFire® Fill Station with initial BlueFire® Weapon Magazine Adapter for: Glock 17	1	EA	\$ 1,868.09	\$ 1,868.09
GSA	BF-FS-L-01-SYS	Compressed Air Bottle Assembly to be used with BlueFire® Fill Station. InVeris Supplied Tank.	1	EA	\$ 422.52	\$ 422.52
GSA	BF-FS-MAG	Fill Station Magazine Adapter for: M4	1	EA	\$ 97.81	\$ 97.81
OPN-MKT	WRTY-24Month	24 Month Warranty: 12 Month Warranty included with System Price and an additional 12 Months included at NO COST. <i>(Valid through 8/31/2021)</i>	1	LOT	INCLUDED	INCLUDED
OPN-MKT	FREIGHT	CONUS Freight FOB Jobsite (Elko, NV) in accordance to INCOTERMS® 2000.	1	LOT	INCLUDED	INCLUDED
SUBTOTAL						\$ 204,090.37
One Time 20% CUSTOMER DISCOUNT (Valid through 8/31/2021)						-\$ 40,818.07
TOTAL QUOTATION PRICE USD						\$ 163,272.30

SPECIAL NOTES:

NOTE 1: Please reference MTS19USL4642 Rev 7 on on your Purchase Order to expedite order processing.

NOTE 2: Orders may be faxed or emailed to: 678.288.1515 | ITS-ContractsMailUsers@InVerisTraining.com

NOTE 3: All items listed are GSA OR Open Market as specified. All subsequent GSA Purchase Orders / Contracts will be placed under GSA Contract GS-00F-113DA.

NOTE 4: COVID-19: Supplier (InVeris) shall not be liable to Purchaser if and for so long as it is unable to deliver because Supplier's (InVeris') production is suspended, or it cannot obtain necessary materials, or it cannot make delivery arrangements, due to the COVID-19 pandemic.

NOTE 5: Pricing Includes:

- Freight: Freight & Delivery shall be FOB Destination (Elko, NV) in accordance with Incoterms® 2000.
- Installation & Training: 2 Days. Up to 5 Trainees per Simulator.
- Warranty: 24 Month Warranty
(One Month included with System purchase and an additional 12 Months included at no additional cost.)

NOTE 6: InVeris assumes the buyer will be purchasing the items / services listed herein with GSA funds. If purchase will be made with non-GSA funds, pricing will be adjusted to commercial rates accordingly.

NOTE 7: Pricing assumes that the customer will perform all required facility preparation work prior to the agreed upon date of installation.

NOTE 8: InVeris reserves the right to make modifications in the design of its products without prior notification.

NOTE 9: Extended Warranty pricing is based on the items and quantities listed above in the base offer (options not included). If an extended warranty is needed and actual items or quantities purchased vary from those offered herein, revised extended warranty pricing will need to be requested and provided before it can be purchased. Non-InVeris products such as, but not limited to Dvorak Laser Inserts are not covered under the extended warranty pricing.

DELIVERY: Delivery on all items is 90 - 180 days after receipt and acceptance of order; receipt End User Certificate, and any required United States State Dept. or Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) licensing, whichever occurs last, unless otherwise noted.

- Delivery time frame is subject to availability of weapons from the manufacturer.
- Heavy Weapons: Delivery is 6 months ARO and subject to availability from the manufacturer.
- Virtual SA-TASER™-X26P-BF-50: Delivery subject to availability from the manufacturer

VALIDITY: One Time 20% Customer Discount valid through August 31, 2021.

CONTRACTOR: InVeris Training Solutions (InVeris)
296 Brogdon Road
Suwanee, GA 30024
Tel: 678-288-1090
Fax: 678-288-1515

PAYMENT TERMS: 100% NET 30 Days
Payment address: InVeris Training Solutions, Inc.
296 Brogdon Road
Suwanee, GA 30024

TERMS AND CONDITIONS: GSA Terms and Conditions will apply to all items listed as "GSA". OPEN MARKET: Standard Terms & Conditions [ITSI-DOM-006_8-19-2020] incorporated by reference herein shall apply to all Open Market Items. If the Seller is awarded the contract/purchase order by the Buyer, the Seller presumes that the buying agency has followed all required competition justification. The Terms & Conditions can be provided upon request.☐

COVID-19 FORCE MAJEURE CLAUSE UPDATE:

Neither party shall be in default of its obligations under this Agreement by reason of delay or failure to perform if such delay or failure arises out of causes beyond the reasonable control and without the fault or negligence of the party including, but not restricted to, acts of God, acts of governments, fires, floods, epidemics, pandemics, quarantine restrictions, terrorism, war, labor unrest and unusually severe weather ("Excusable Delay"). The party experiencing the Excusable Delay shall give prompt written notice to the other party upon such party becoming aware of any circumstance or event which may reasonably be anticipated to cause or constitute an Excusable Delay as described herein. Such notice shall contain a description of the delay and of the affected portion of the Work. In the event that InVeris is the party experiencing the Excusable Delay, InVeris, in its discretion, may delay delivery, cancel delivery, make price adjustments and/or allocate delivery among customers as necessary due to such unexpected event and during the period of such Excusable Delay. If the Excusable Delay continues for a period of 90 days, the party not experiencing the Excusable Delay may terminate this Agreement with no cost or liabilities accruing to either party.

PLEASE SUBMIT PURCHASE ORDERS TO:

EMAIL: ITS-ContractsMailUsers@inveristraining.com

FAX: 678.288.1515

MAIL: Attn: Contracts Dept.

InVeris Training Solutions, Inc.
296 Brogdon Road
Suwanee, GA 30024

GSA SCHEDULE: GS-00F-113DA

VENDOR INFO: InVeris Training Solutions, Inc.
Contract Administration Source:
Business Size: Large
CAGE Code: 087W6
TIN: 58-2272995

InVeris POC:

InVeris POC: Juan Carlos Barillas
Law Enforcement Virtual Sales
InVeris Training Solutions, Inc.
296 Brogdon Road
Suwanee, GA 30024
470-266-8379
juan.barillas@InVerisTraining.com

PREPARED BY: Melissa Boltz
Proposal Manager

USE & DISCLOSURE OF DATA:

Any and all information and data contained herein is the property of InVeris Training Solutions (InVeris); and shall not for any reason, whether tangible or intangible, be disclosed, duplicated, or used, in whole or in part, for any reason other than to evaluate this proposal. If, however, a contract is awarded to InVeris as a result of, or in connection with, the submission of this proposal, the recipient (Buyer) shall have the right to duplicate, use, or disclose the information and data contained herein to the extent provided in the resulting contract. These restrictions do not limit Buyer's right to use information or if it is obtained from another, legitimate source without restriction.

DESTINATION CONTROL STATEMENT:

This document contains Technical Data that is subject to the Export Administration Regulations (EAR99). Diversion contrary to U.S. Law is prohibited.

END USER CERTIFICATE:

This product may only be sold to an authorized entity that must be authorized to receive such equipment. The order must be accompanied with an End User Certificate and the end user must be listed on the purchase order/contract.

InVeris Training Solutions, Inc.
296 Brogdon Road
Suwanee, GA 30024

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, discussion, and possible approval for the Fire Department to purchase radio microwaves and associated hardware for the final phase of the Fire Department Radio Repeater Project for the amount not to exceed \$156,704, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire Department would like the approval to purchase radio microwaves and associated hardware to complete the final phase of the radio system upgrade. Phase 2 will tie both the repeater sites together allowing for responders to get the strongest signal from the repeater system anywhere in the City. In Addition, this will complete the system to be P-25 digital compliant. The system will be purchased and installed by Sierra Electronics, at the price not to exceed \$156,704. The benefits to the final phase is that it enhances communications by allowing personnel to not have to change channels depending on where they are in the city. In addition, it will take an analog system and become digital allowing for clearer communications. JS**
6. Budget Information:

Appropriation Required: \$156,704
Budget amount available: \$ 156,704
Fund name: Capitol Equipment
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Recommend approval for the Fire Department to complete phase 2 of the Repeater Project from Sierra Electronics for the amount not to exceed \$156,704.**
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, consideration, and possible action to conditionally approve Division of Large Parcels No. 1-21, filed by Section Five Associates, LLC, for the division of approximately 590.258 acres of property into eight lots for future development, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **SUBDIVISION**
4. Time Required: **15 Minutes**
5. Background Information: **The subject property is located at the northern terminus of North 5th Street and consists of two existing parcels. APN 001-01D-001 consists of 314.652 acres in an A (General Agriculture) Zoning District within the City of Elko. APN 006-09L-002 consists of 275.60 acres within Elko County. Council will only be considering the area of land within the City limits, while Elko County will be reviewing the portion within their jurisdiction.**

The Planning Commission considered this item on August 3, 2021, and took action to forward a recommendation to conditionally approve Division of Large Parcels No. 1-21. MR
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. Action Report, Staff Reports, and related correspondence.**
9. Recommended Motion: **Conditionally approve Division of Large Parcels No. 1-21, subject to the findings and conditions as recommended by the Planning Commission.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Section Five Associates, LLC
Attn: Mark Paris
215 Bluffs Avenue, Suite 300
Elko, NV 89801**

**High Desert Engineering, LLC
Attn: Robert Morley
640 Idaho Street
Elko, NV 89801**



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of August 3, 2021

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on August 3, 2021 pursuant to NRS 278.4713:

Division of Large Parcels 1-21, a Tentative Map filed by Section Five Associates, LLC for the division of approximately 590.258 acres of property into eight lots for future development. Approximately 314.652 acres fall within an A (General Agriculture) Zoning District in the City of Elko and approximately 275.60 acres of property fall within Elko County.

Subject property is located at the northern terminus of North 5th Street. (APNs 001-01D-001 and 006-09L-002)

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwarded a recommendation to City Council to conditionally approve Division of Large Parcels 1-21 based on facts, findings, and conditions as presented in the Staff Report dated July 16, 2021, listed as follows:

Development Department:

1. Approval from Elko County shall be obtained.
2. The divider is to comply with all provisions of the NAC and NRS pertaining to the proposed division.
3. Tentative Map approval constitutes authorization for the divider to proceed with preparation of the Final Map.
4. Tentative Map approval does not constitute authorization to proceed with development of areas within city limits.
5. The applicant must submit an application for Final Map within a period of one (1) year in accordance with NRS.278.472(2)(b). Approval of the Tentative Map will automatically lapse at that time.
6. All applicable permits and fees shall be received from and paid to the City and Elko County.

Engineering Department:

7. Prior to consideration by the City Council, add dimensions to the start of the slope easement line and to the centerline of the roadway easement along the easterly line of Lot 5.

The Planning Commission's findings to support its recommendation are the proposed division is in conformance with both the Land Use and Transportation Components of the Master Plan. The proposed division does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; the Wellhead Protection Program; or applicable sections of the Elko City Code. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan.



Scott Wilkinson, Assistant City Manager

Attest:



Shelby Knopp, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 8/3

Do not use pencil or red pen, they do not reproduce

Title: Division of Large Parcels 1-21
Applicant(s): Section Five Associates, LLC
Site Location: Northern Terminus of N. 5th Street
Current Zoning: Misc Date Received: 6/16/21 Date Public Notice: N/A
COMMENT: This is to divide \approx 590.258 acres into 8 lots
for future development.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 7/28/21
Recommend approval as presented by
staff

SAW

Initial

City Manager: Date: 7/28/21
No comments/concerns.

cc

Initial



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

CITY OF ELKO STAFF REPORT

REPORT DATE:	July 16, 2021
PLANNING COMMISSION DATE:	August 3, 2021
AGENDA ITEM NUMBER:	
APPLICATION NUMBER:	Division of Large Parcels 1-21
APPLICANT:	Section Five Associates, LLC
PROJECT DESCRIPTION:	N. 5th Street Large Parcels Tentative Map

A Tentative Map for the proposed division of approximately 590.258 acres of property into eight lots for future development. Approximately 314.652 acres fall within an A (General Agriculture) Zoning District in the City of Elko and approximately 275.60 acres of property fall within Elko County.



STAFF RECOMMENDATION:

RECOMMEND CONDITIONAL APPROVAL, subject to findings of fact and conditions as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-01D-001 (City of Elko)
006-09L-002 (Elko County)

PARCEL SIZE: 314.65 Acres (City of Elko)
275.60 Acres (Elko County)

EXISTING ZONING: (A) General Agriculture (City of Elko)
(OS) Open Space (Elko County)

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density (City of Elko)
(RES-LD) Residential Low Density (Elko County)

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: Un-zoned BLM land / Vacant
- South: Un-zoned BLM land / Vacant
Scattered Residential Agriculture (AR) / Developed (Elko County)
- East: General Agriculture (A) / Vacant (City of Elko)
Un-zoned BLM land / Vacant
- West: Un-zoned BLM land / Vacant

PROPERTY CHARACTERISTICS:

- The property is an undeveloped parcel.
- The site abuts vacant properties to the north, east, and west. Scattered residential development exists to the south.
- The parcel includes many different slopes and grade changes, but the area generally slopes to the southeast. No development is proposed with this map, so the slopes will remain until the lots are developed in the future.
- The property will be accessed by North 5th Street.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-3 General Provisions

- City of Elko Zoning – Section 3-2-4 Establishment of Zoning Districts
- City of Elko Zoning – Section 3-2-13 General Agriculture District
- City of Elko Zoning – Section 3-3-14 Easement Planning
- City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND:

1. The property owner and applicant is Section Five Associates, LLC.
2. The division is located on APNs 001-01D-001 and 006-09L-002.
3. The property is undeveloped.
4. The proposed division consists of eight lots, all at least 40 acres in size. Two of these lots are located within current city boundaries.
5. The total divided area is approximately 590.258 acres, of which 314.652 acres are located within the City of Elko.
6. No phasing is proposed as part of this division.
7. Right-of-way for North 5th Street already exists through the property.
8. An easement for the extension of Jennings Way is being provided as part of the proposed division.
9. The property is located at the northern end of North 5th Street.
10. Current City of Elko Code does not include provisions for Division into Large Parcels maps, so many of the items normally required on Parcel Maps or subdivision maps cannot be required.
11. Analysis of the proposed division in the following sections is done only for the portion of the map located within the City of Elko boundary. Elko County will be reviewing the portion of the map within their jurisdiction for compliance with their regulations.

MASTER PLAN

Land Use:

1. The land use for the parcel is shown as Residential Medium Density. Residential Medium Density is intended for residential development at a density between four and eight units per acre. Future development would be required to comply with this density requirement.
2. The zoning for the parcel is shown as General Agriculture, which is not listed in the Master Plan as a corresponding district within the Residential Medium Density land use designation. Prior to any development occurring on these new lots (other than those allowed in the General Agriculture zoning district), a Change of Zone will be required.
3. The listed Goal of the Land Use Component states: "Promote orderly, sustainable growth and efficient land use to improve quality of life and ensure new development meets the needs of all residents and visitors."
4. Objective 1 under the Land Use component of the Master Plan states: "Promote a diverse mix of housing options to meet the needs of a variety of lifestyles, incomes, and age groups."
 - a. Best Practice 1.1 – The proposed division meets several of the methods described to achieve a diverse mix of housing types in the community.
 - b. Best Practice 1.3 – The location of the proposed division appears to support the City striving for a blended community by providing a mix of housing types in the neighborhood and is supported by existing infrastructure.
5. Objective 8 of the Land Use component of the Master Plan states: "Ensure that new development does not negatively impact County-wide natural systems or public/federal lands such as waterways, wetlands, drainages, floodplains, etc. or pose a danger to human

health and safety.” As development occurs, any potential impacts will be evaluated and mitigated as needed.

The proposed division is in conformance with the Land Use component of the Master Plan upon approval of a Change of Zone as described above. A condition of approval has been added requiring this amendment to be in effect prior to any future construction activity.

Transportation:

1. This area of land is accessed by North 5th Street.
2. When developed, this portion of North 5th Street is identified as a Minor Arterial in the Master Plan.
3. The Master Plan requires Minor Arterial streets to have 80 feet of right-of-way.
4. The current right-of-way for North 5th Street in this area is 80 feet. No further dedications are required along the parcel frontages when the parcels develop.
5. A small piece of needed right-of-way is missing to the southeast of this area. It is believed that there is a prescriptive right through the Bureau of Land Management. City staff will work with the BLM to confirm at an appropriate time.
6. The map includes the creation of an easement for the future extension of Jennings Way as shown on Atlas Map 12 (Future Roadway Network) within the Master Plan. As future development occurs, that easement area will be required to be dedicated to the City.
7. Until development occurs, there is no way to estimate the amount of traffic generated by this division. Upon development, the traffic impact will be analyzed to determine if a traffic study is needed.

The proposed division is in conformance with the Transportation component of the Master Plan.

ELKO AIRPORT MASTER PLAN:

The proposed subdivision and development does not conflict with the Airport Master Plan.

CITY OF ELKO DEVELOPMENT FEASIBILITY, LAND USE, WATER INFRASTRUCTURE, SANITARY SEWER INFRASTRUCTURE, TRANSPORTATION INFRASTRUCTURE, AND ANNEXATION POTENTIAL REPORT – NOVEMBER 2012:

The proposed subdivision does not conflict with the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012.

ELKO REDEVELOPMENT PLAN:

The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

The property is not located within any capture zone for City of Elko wells. Development of the site is required to be connected to a programmed sewer system and all street drainage will be directed to a storm sewer system.

SECTION 3-3-14 EASEMENT PLANNING:

- A. Utility Easements: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels.
- B. Underground Utilities: N/A
- C. Lots Facing Curvilinear Streets: N/A
- D. Public Drainage Easement: The applicant is proposing the typical utility and drainage easements along property lines on individual parcels.
- E. Easement Land Not Considered and Considered in Minimum Lot Area Calculation: N/A
- F. Lots Backing Onto Arterial Streets: N/A
- G. Water and Sewer Lines: The applicant is proposing the typical utility easements along the frontage of each parcel.

The proposed subdivision is in conformance with Section 3-3-14 of City code.

SECTION 3-2-3 GENERAL PROVISIONS:

Section 3-2-3(C)(1) of City code specifies use restrictions. The following use restrictions shall apply:

Principal Uses: Only those uses and groups of uses specifically designated as “principal uses permitted” in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses.

Accessory Uses: Uses normally accessory and incidental to permitted principal or conditional uses may be permitted as hereinafter specified.

Other uses may apply under certain conditions with application to the City.

Section 3-2-3(D) states that: “No land may be used or structure erected where the land is held by the planning commission to be unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low bearing strength, erosion susceptibility, or any other features likely to be harmful to the health, safety, and general welfare of the community. The planning commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based. The applicant shall have the right to present evidence contesting such determination to the city council if he or she so desires, whereupon the city council may affirm, modify, or withdraw the determination of unsuitability.”

The proposed division is in conformance with Section 3-2-3 of City code.

SECTION 3-2-4 ESTABLISHMENT OF ZONING DISTRICTS:

1. Section 3-2-4(B) Required Conformity to District Regulations: The regulations set forth in this chapter for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in this subsection.

2. Section 3-2-4(B)(4) stipulates that no yard or lot existing on the effective date hereof shall be reduced in dimension or area below the minimum requirements set forth in this title.

The proposed division is in conformance with Section 3-2-4 of City code.

SECTION 3-2-13 (A) GENERAL AGRICULTURE DISTRICT:

Section 3-2-13 Principal Uses Permitted:

1. General agriculture on parcels not less than five (5) contiguous acres in area
2. Commercial breeding, raising, training, and feeding principally by grazing of horses, cattle, sheep, goats, and hogs; provided that pens, buildings, corrals, and yards other than open pastures are not closer than five hundred feet (500') to any residence, except the residence of the property owner.
3. Dairies, poultry and egg farms, fur farms, public stable; provided that pens, buildings, and enclosures other than open pastures are not closer than five hundred feet (500') to any residence, except the residence of the property owner.
4. Oil wells
5. Soil crops
6. Guest ranches on parcels having an area not less than ten (10) acres; provided that pens, buildings, and yards other than open pastures used for keeping of livestock are not closer than one hundred feet (100') to any street, highway, or residential district
7. Veterinary clinic or animal hospital

The proposed division is in conformance with Section 3-2-5(E). It is anticipated that Change of Zone applications will be submitted for the proposed parcels. Conformance with those ultimate zoning districts will be required as development occurs.

SECTION 3-8 FLOOD PLAIN MANAGEMENT:

The proposed subdivision and development is not located in a designated special flood hazard area and is in conformance with Section 3-8 of City Code.

FINDINGS

1. The proposed division is in conformance with both the Land Use and Transportation components of the Master Plan as previously discussed in this report.
2. The proposed division does not conflict with the Airport Master Plan; the City of Elko Development Feasibility, Land Use, Water Infrastructure, Sanitary Sewer Infrastructure, Transportation Infrastructure, and Annexation Potential Report – November 2012; the Wellhead Protection Program; or applicable sections of the Elko City Code.
3. The property is not located within the Redevelopment Area. Therefore, there is no conflict with the Redevelopment Plan.

STAFF RECOMMENDATION:

Staff recommends this item be **conditionally approved** with the following conditions:

Development Department:

1. Approval from Elko County shall be obtained.
2. The divider is to comply with all provisions of the NAC and NRS pertaining to the proposed division.
3. Tentative Map approval constitutes authorization for the divider to proceed with preparation of the Final Map.
4. Tentative Map approval does not constitute authorization to proceed with development of areas within city limits.
5. The applicant must submit an application for Final Map within a period of one (1) year in accordance with NRS.278.472(2)(b). Approval of the Tentative Map will automatically lapse at that time.
6. All applicable permits and fees shall be received from and paid to the City and Elko County.

Engineering Department:

7. Prior to consideration by the City Council, add dimensions to the start of the slope easement line and to the centerline of the roadway easement along the easterly line of Lot 5.

AFFIDAVIT

THE UNDERSIGNED HEREBY AGREES TO MAKE PROVISION FOR THE PAYMENT OF THE TAX IMPOSED BY CHAPTER 375 OF NEVADA REVISED STATUTE AND AGREES TO COMPLY WITH THE DISCLOSURE AND RECORDING REQUIREMENTS OF SUBSECTION 5 OF NEVADA REVISED STATUTE 598.0923, IF APPLICABLE, AS REQUIRED BY NEVADA REVISED STATUTE 278.4713 SUBSECTION 1(B) IN CONJUNCTION WITH THE FILING OF THE TENTATIVE MAP OF DIVISION INTO LARGE PARCELS FOR SECTION FIVE ASSOCIATES, LLC LOCATED IN SECTION 5, T.34 N., R.55 E., M.D.B. & M., PORTIONS OF WHICH LIE WITHIN THE CITY OF ELKO, NEVADA AND THE COUNTY OF ELKO, NEVADA.

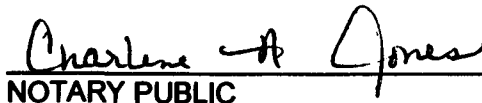
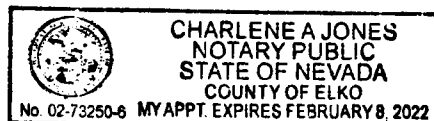
SECTION FIVE ASSOCIATES, LLC



By: MARK PARIS, MANAGER

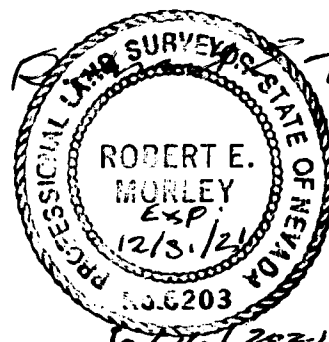
STATE OF NEVADA
COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 16th DAY OF June, 2021, BY MARK PARIS, MANAGER OF SECTION FIVE ASSOCIATES, LLC.


NOTARY PUBLIC

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page 1



Project: Carter Section 5 Associates North 5th
2021

6/16/2021
Wed June 16 11:28:52

Parcel Map Check

Parcel name: LOT 1

North: 15589.8038	East : 4542.4732
Line Course: S 89-29-07 E Length: 1986.93	
North: 15571.9543	East : 6529.3230
Line Course: S 34-14-01 W Length: 1677.09	
North: 14185.4189	East : 5585.8451
Line Course: N 55-45-59 W Length: 1242.14	
North: 14884.2077	East : 4558.9049
Line Course: N 01-20-03 W Length: 705.79	
North: 15589.8064	East : 4542.4717

Perimeter: 5611.95 Area: 1,742,400 sq.ft. 40.000 acres

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

Error Closure: 0.0030 Course: N 30-07-32 W

Error North: 0.00259 East : -0.00150

Precision 1: 1,870,650.00

Parcel name: LOT 2

North: 15571.9575	East : 6529.3244
Line Course: S 89-29-07 E Length: 670.66	
North: 15565.9327	East : 7199.9573
Line Course: S 89-29-24 E Length: 391.66	
North: 15562.4465	East : 7591.6018
Line Course: S 34-14-01 W Length: 2266.84	
North: 13688.3349	East : 6316.3491
Line Course: N 55-45-59 W Length: 883.59	
North: 14185.4148	East : 5585.8404
Line Course: N 34-14-01 E Length: 1677.09	
North: 15571.9501	East : 6529.3184

Perimeter: 5889.84 Area: 1,742,400 sq.ft. 40.000 acres

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

Error Closure: 0.0095 Course: S 38-56-50 W

Error North: -0.00740 East : -0.00598

Precision 1: 619,983.16

Parcel name: LOT 3

North: 15562.4480 East : 7591.6055
Line Course: S 89-29-24 E Length: 903.20
 North: 15554.4085 East : 8494.7697
Line Course: S 36-27-42 W Length: 2774.19
 North: 13323.2533 East : 6846.1106
Curve Length: 195.99 Radius: 5040.00
 Delta: 2-13-41 Tangent: 98.00
 Chord: 195.97 Course: N 54-39-09 W

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page 2

Project: Carter Section 5 Associates North 5th
2021

Wed June 16 11:28:52

Parcel Map Check

Course In: S 36-27-42 W Course Out: N 34-14-01 E
RP North: 9269.8099 East : 3850.9151
End North: 13436.6335 East : 6686.2601
Line Course: N 55-45-59 W Length: 447.43
 North: 13688.3435 East : 6316.3471
Line Course: N 34-14-01 E Length: 2266.84
 North: 15562.4550 East : 7591.5998

Perimeter: 6587.64 Area: 1,742,400 sq.ft. 40.000 acres

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

Error Closure: 0.0091 Course: N 38-57-11 W
Error North: 0.00707 East : -0.00572
Precision 1: 723,917.58

Parcel name: LOT 4

North: 15554.4094 East : 8494.7684
Line Course: S 89-29-24 E Length: 779.30
 North: 15547.4728 East : 9274.0375
Line Course: S 38-09-50 W Length: 3246.81
 North: 12994.6798 East : 7267.7915
Line Course: N 51-50-10 W Length: 384.86
 North: 13232.4898 East : 6965.1966
Curve Length: 149.74 Radius: 5040.00
 Delta: 1-42-08 Tangent: 74.87
 Chord: 149.73 Course: N 52-41-14 W
Course In: S 38-09-50 W Course Out: N 36-27-42 E

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RP North: 9269.8075 East : 3850.9152
End North: 13323.2509 East : 6846.1108
Line Course: N 36-27-42 E Length: 2774.19
North: 15554.4061 East : 8494.7699

Perimeter: 7334.89 Area: 1,742,400 sq.ft. 40.000 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0036 Course: S 24-02-27 E
Error North: -0.00333 East : 0.00149
Precision 1: 2,037,472.22

Parcel name: LOT 5

North: 15547.4736 East : 9274.0355
Line Course: S 89-29-24 E Length: 593.30
North: 15542.1926 East : 9867.3119
Line Course: S 01-20-13 E Length: 993.12
North: 14549.3429 East : 9890.4834
Line Course: S 53-47-27 W Length: 2952.06
North: 12805.4585 East : 7508.5671
Line Course: N 51-50-10 W Length: 306.23
North: 12994.6820 East : 7267.7948
Line Course: N 38-09-50 E Length: 3246.81
North: 15547.4749 East : 9274.0409

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page 3

Project: Carter Section 5 Associates North 5th
2021

Wed June 16 11:28:52

Parcel Map Check

Perimeter: 8091.52 Area: 2,517,826 sq.ft. 57.801 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0056 Course: N 75-58-24 E
Error North: 0.00136 East : 0.00543
Precision 1: 1,444,914.29

Parcel name: LOT 6

North: 14549.3439 East : 9890.4846
Line Course: S 53-47-27 W Length: 2952.06
North: 12805.4595 East : 7508.5683
Line Course: S 51-50-10 E Length: 173.96

Page 3

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North: 12697.9673	East : 7645.3437
Curve Length: 132.31	Radius: 3040.00
Delta: 2-29-37	Tangent: 66.16
Chord: 132.29	Course: S 50-35-22 E
Course In: S 38-09-50 W	Course Out: N 40-39-27 E
RP North: 10307.7780	East : 5766.8883
End North: 12613.9762	East : 7747.5573
Line Course: N 89-08-59 E	Length: 2187.58
North: 12646.4390	East : 9934.8964
Line Course: N 01-20-13 W	Length: 1903.42
North: 14549.3408	East : 9890.4859

Perimeter: 7349.33 Area: 2,517,986 sq.ft. 57.805 acres

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

Error Closure: 0.0034	Course: S 23-05-55 E
Error North: -0.00309	East : 0.00132

Precision 1: 2,161,567.65

Parcel name: LOT 7

North: 12613.9755	East : 7747.5566
Line Course: N 89-08-59 E	Length: 2187.58
North: 12646.4383	East : 9934.8957
Line Course: S 01-24-03 E	Length: 2288.69
North: 10358.4323	East : 9990.8466
Curve Length: 117.28	Radius: 2540.00
Delta: 2-38-44	Tangent: 58.65
Chord: 117.27	Course: N 43-23-29 W
Course In: S 47-55-53 W	Course Out: N 45-17-09 E
RP North: 8656.5814	East : 8105.2954
End North: 10443.6503	East : 9910.2842
Line Course: N 44-42-51 W	Length: 2818.60
North: 12446.6194	East : 7927.2006
Curve Length: 245.57	Radius: 3040.00
Delta: 4-37-42	Tangent: 122.86
Chord: 245.51	Course: N 47-01-42 W
Course In: S 45-17-09 W	Course Out: N 40-39-27 E
RP North: 10307.7653	East : 5766.8990

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page 4

Project: Carter Section 5 Associates North 5th
2021

Wed June 16 11:28:52

Parcel Map Check

End North: 12613.9635	East : 7747.5680
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Perimeter: 7657.73 Area: 2,484,067 sq.ft. 57.026 acres

Page 4

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Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0166 Course: S 43-51-49 E
Error North: -0.01194 East : 0.01147
Precision 1: 461,308.43

Parcel name: LOT 8

North: 12511.3726 East : 4614.1692
Line Course: N 88-39-57 E Length: 3047.74
North: 12582.3346 East : 7661.0829
Curve Length: 284.10 Radius: 2960.00
Delta: 5-29-57 Tangent: 142.16
Chord: 283.99 Course: S 47-27-49 E
Course In: S 39-47-12 W Course Out: N 45-17-09 E
RP North: 10307.7745 East : 5766.8875
End North: 12390.3430 East : 7870.3391
Line Course: S 44-42-51 E Length: 2818.60
North: 10387.3739 East : 9853.4227
Curve Length: 170.87 Radius: 2460.00
Delta: 3-58-47 Tangent: 85.47
Chord: 170.83 Course: S 42-43-28 E
Course In: S 45-17-09 W Course Out: N 49-15-56 E
RP North: 8656.5906 East : 8105.2839
End North: 10261.8736 East : 9969.3296
Line Course: S 40-44-04 E Length: 37.65
North: 10233.3446 East : 9993.8983
Line Course: S 01-24-03 E Length: 263.88
North: 9969.5434 East : 10000.3493
Line Course: S 89-47-00 W Length: 2663.28
North: 9959.4722 East : 7337.0883
Line Course: S 89-47-00 W Length: 2663.28
North: 9949.4009 East : 4673.8274
Line Course: N 01-20-03 W Length: 2562.67
North: 12511.3761 East : 4614.1595

Perimeter: 14512.06 Area: 11,222,200 sq.ft. 257.626 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0103 Course: N 69-53-00 W
Error North: 0.00356 East : -0.00972
Precision 1: 1,408,938.83

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**Elko City Council
Agenda Action Sheet**

1. Title: **First reading of proposed Ordinance No. 864 amending Title 3, Chapter 2, Section (Traffic, Access, Parking, and Loading Regulations) of the Elko City Code, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **ORDINANCE**
4. Time Required: **15 Minutes**
5. Background Information: **A long-standing policy of Staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. This conforms to the policies of other cities within the State of Nevada. However, this requirement was never added to the City Code. With housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, Staff took the opportunity to update and/or modify other portions of this Section. These changes include adding additional uses to the parking requirement table, matching zoning regulations with the Master Plan, and adjusting parking requirements for mixed-use buildings within the Central Business District.**

The Planning Commission initiated these changes at their meeting on July 6, 2021 and recommended that the City Council approve Ordinance No. 864 at their meeting on August 3, 2021. MR
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Copy of Ordinance No. 864, Planning Commission Action Report**
9. Recommended Motion: **Conduct first reading of Ordinance No. 864 and direct Staff to set the matter for second reading, public hearing, and possible adoption.**
10. Prepared by: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Department, Public Works Department, Engineering Department, City Attorney, Planning Commission**
12. Council Action:
13. Agenda Distribution:



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of August 3, 2021

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on August 3, 2021 under Public Hearing format, in accordance with notification requirements contained in Section 3-2-21(B)(1) of the City Code:

Zoning Ordinance Amendment 3-21, Ordinance No. 864, an amendment to the City Zoning Ordinance, specifically Title 3, Chapter 2, Section 17 (Traffic, Access, Parking, and Loading Regulations), and matters related thereto.

At the July 6, 2021 meeting, Planning Commission took action to initiate an amendment to the City Zoning Ordinance Section 3-2-17.

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwarded a recommendation to City Council to adopt an ordinance, which approves Zoning Ordinance Amendment No. 3-21 of the Elko City Code, specifically Title 3, Chapter 2, Section 17 (Traffic, Access, Parking, and Loading Regulations).

Scott Wilkinson, Assistant City Manager

Attest:

Shelby Knopp, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk

ORDINANCE 864

AN ORDINANCE AMENDING ELKO CITY CODE TITLE 3, CHAPTER 2, SECTION 17 (TRAFFIC, ACCESS, PARKING, AND LOADING REGULATIONS) TO CREATE FORMAL STANDARDS FOR RESIDENTIAL DRIVEWAYS, ADD USES TO THE PARKING TABLE, AND OTHER MINOR CLARIFICATIONS

WHEREAS, recent issues with driveways have necessitated the review of the Section of Elko City Code mentioned above; and

WHEREAS, several regulations were found to need clarification and updating in addition to the driveway regulations; and

WHEREAS, the Planning Commission initiated Ordinance 864 at its meeting of July 6, 2021.

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

Section 1: Title 3, Chapter 2, Section 17 of the Elko City Code is hereby amended to read as follows:

3-2-17: TRAFFIC, ACCESS, PARKING AND LOADING REGULATIONS:

It is the intent of this ~~e~~Chapter to secure optimum coordination and interaction between land use and transportation facilities. Preservation and improvement of the traffic function of abutting streets, and of the major street system as a whole, are essential considerations in the project planning stage of land development. It is the purpose of this section to establish the regulations necessary to assure that every land use will be so located and planned as to minimize traffic congestion, hazards, and vehicular pedestrian conflicts. ~~It is the further purpose to~~ This Chapter also places upon the property owner the primary responsibility for ~~relieving public streets of the burden of on~~ reducing street parking on property owners and ~~to provide~~ contains the regulations and minimum standards essential to the planning and development of adequate off street parking.

A. Property Owner Responsibility: It shall be the duty and responsibility of ~~the~~ each property owner to plan and develop his or her property in such a way that:

1. On-street space will ~~never~~ not be required to satisfy parking or loading space needs;
2. Points of access from ~~the~~ adjacent public streets s will be minimized; ~~and~~
3. Driveway openings will be ~~so~~ located and dimensioned ~~as~~ to minimize ~~the~~ disruption ~~of~~ to passing traffic and the creation of traffic hazards; and

4 Driveways will be located to provide direct access from driveway openings to any required off-street parking.

B. Regulations Pertaining ~~To~~ Traffic: Every use of land shall conform to the following general standards, in addition to the special standards for certain specific uses of land as set forth in this ~~e~~Chapter:

1. Traffic Visibility: No obstructions to visibility at any street intersection that interfere with the ability of motorists to observe traffic signs, vehicles, and pedestrians, including, but not limited to, structures, signs, parked vehicles, or vegetation, shall be allowed or permitted to remain in any zoning district between the heights of two and one-half feet (2½') and eight feet (8') above the ground.
2. Driveways Openings: "Driveway openings" means the transition area from a public road or public street within a right-of-way or easement extending to a private property line for the purpose of allowing ingress and egress of vehicular traffic. With the exception of driveway openings that were in conformance with this Code at the time of their installation or modification and are permitted to continue as legal nonconforming uses, All driveways openings that are installed, altered, changed, replaced, or extended ~~after the effective date hereof shall be subject to the approval of~~ shall comply with the requirements set forth in this Chapter and be approved by the City prior to installation or modification. the city engineer or duly authorized representative, and shall comply with standards set forth in this chapter, including All driveway openings subject to this section shall satisfy the following requirements:

- a. Pedestrian or Vehicular Traffic Hazards.

Driveway openings which contribute to or result in the creation of pedestrian or vehicular traffic hazards ~~may~~ shall not be approved absent extenuating circumstances. Factors or circumstances which may represent a hazardous situation include the following: The following factors shall be considered in determining whether a condition creates a pedestrian or vehicular traffic hazard:

- ~~{1.}~~ Obstructions to visibility at the intersection of a public street and proposed driveway.
- ~~{2.}~~ Traffic congestion and the risk of vehicular pedestrian conflicts at the intersection of a public street and proposed driveway.
- ~~{3.}~~ Multiple proposed driveway openings or added driveway openings combined with existing driveway openings which increase vehicular traffic conflict points in the public street.

- b. Single-Family Residential Driveway Openings.

1. Driveway openings shall not exceed:

- a. Twenty (20) feet in width at single-family residences for off-street parking pertaining to accessory uses in conformance with Section 3-2-5.
- b. The width of the garage or carport for covered parking (such as detached garage or carport).
- c. Thirty (30) feet (30') in width or the width of the garage or carport, whichever is greater, for attached parking, as measured at the street line, exclusive of curb returns or tapers, except as otherwise provided herein provided, no driveway opening shall conflict with the requirements set forth in Section B(3)(c), below.

2. Driveways shall be designed with a minimum slope of 0.5% and a maximum slope of 14%. Slopes between 10% and 14%, inclusive, may be allowed under unique circumstances only if the developer/contractor can demonstrate a hardship which would make a slope less than 10% impractical.

- c. For commercial and industrial uses, driveway openings shall not exceed forty-four feet (44') in width measured at the street line, exclusive of curb returns or tapers. However, ~~in special circumstances where, based upon facts presented to the city engineer's office, the city engineer determines there is a need in the interest of~~ in the event the City determines that public safety would best be served for by a multiple lane driveway opening configuration, the ~~City engineer or duly authorized representative~~ City may approve a driveway openings greater than the maximum width prescribed in this section.
- d. Driveway openings for ~~V~~vehicular entrances and exits to drive-in theaters, stadiums, racetracks, funeral homes and similar uses generating very heavy, periodic traffic conflicts, shall be located not closer than two hundred feet (200') to any intersection or any pedestrian entrance or exit to or from a school, college, university, church, hospital, public emergency shelter or other place of public assembly.

3. Access:

- a. Roadway Classifications: All roadway classifications shall be determined in accordance with the ~~Transportation~~ component of the ~~City of Elko~~ City of Elko ~~Master~~ Plan.
- b. Private Access: No direct private access shall be permitted to ~~the~~ an existing or proposed right of way of any freeway, interstate highway, expressway, or controlled access arterial street without the ~~express~~ written permission of the ~~City~~ City or other governmental entity having jurisdiction over the location where the access is proposed.
- c. Public ~~Or~~ Private Access: Direct public or private access shall meet the minimum standards set forth in this section based on the applicable roadway classifications; provided: (1) the Nevada ~~Department of~~ Department of ~~Transportation~~ (NDOT) shall be granted access through existing NDOT rights of way; and (2) NDOT may be granted access through property owned by the ~~City~~ City; further provided, the ~~City~~ City may, in its discretion, modify the minimum standards set forth in this section ~~under circumstances in which~~ if the property owner demonstrates that physical site conditions and/or the location of existing rights-of-way render strict compliance impractical or impossible. Except as otherwise provided in this subsection, the following access standards shall ~~apply~~ be based on the applicable roadway classification:
 - (1) The City may grant a ~~P~~private property owners ~~may be granted~~ access from a principal/or major arterial streets if there is no other reasonable access to the parcel, in which event access shall be restricted to right turns only and shall be located no less than three hundred fifty feet (350') from all other intersections and points of access. Access from principal/~~or~~ or major arterial streets shall be shared with adjacent properties where feasible.

- (2) Access from minor arterial streets shall be permitted, ~~provided so long as~~ it is located no less than two hundred fifty feet (250') from intersections and other points of access. Access from minor arterial streets shall be shared with adjacent properties where feasible.
 - (3) Access to collector streets from residential parcels shall be permitted, ~~provided so long as~~ the design does not force or encourage vehicles to back into streets, further provided the access is located no less than seventy five feet (75') from intersections and twenty five feet (25') from other points of access.
 - (4) Access to collector streets from nonresidential parcels shall be permitted, ~~provided so long as~~ the access is located no less than one hundred fifty feet (~~100'150'~~) from intersections and other points of access.
 - (5) Access to local streets from residential parcels shall be permitted, ~~provided so long as~~ the access is located no less than thirty feet (30') from all other intersections and no less than ten feet (10') from other points of access.
 - (6) Access to local streets from nonresidential parcels shall be permitted, ~~provided so long as~~ the access is located no less than fifty feet (50') from intersections and thirty feet (30') from all other points of access.
- d. Points of Access, Driveways, And Parking Spaces: Except for single-family dwellings and two-family dwellings, point of access, driveway, and parking space location and design shall include a paved turning area ~~allowing that allows~~ vehicles to turn around and head travel into a public street. Except as provided above, under no circumstance shall any off street parking lot be so arranged or designed as to necessitate backing a vehicle into a public street.
 - e. Civil Improvements Required: All civil improvements required pursuant to ~~this code~~ the City Code (to include, without limitation, ~~§Title 8, cChapter 18, "Public Improvement Standards", of this code~~) shall be completed on the full frontage of the lot, parcel, or tract of real property prior to the granting of access to any ~~cCity~~ right-of-way or easement from the lot, parcel, or tract. Civil improvements shall ~~be consistent with~~ satisfy the public improvements standards and requirements identified set forth in ~~cChapters 3 or and~~ 5 of this ~~§Title~~ which ever is as applicable, and shall satisfy all other applicable requirements of ~~this code~~ the City Code. All civil improvements ~~are to~~ must be approved by the ~~cCity, of Elko~~ and constructed by a properly licensed contractor, and certified by a properly licensed engineer.
 - f. Revocation Of Access: Permission to A ~~access to cCity of Elko~~ rights-of-way or easements may be revoked if conditions identified in the approval of the civil improvement plans are not satisfied or if a person attempts to ~~access to cCity of Elko~~ rights-of-way or easements ~~is taken that has not been approved through~~ without prior approval by the City following the submittal of civil improvement plans.
4. Traffic Counts: All developers shall provide calculations in accordance with the Institute ~~Of~~ Traffic Engineers (ITE) "Traffic Generation Manual" for the anticipated traffic load created by the

development. In the event the eCity determines that a proposed development is likely to create a traffic load exceeding one thousand (1,000) vehicles per day (vpd), or if the eCity determines that the resulting increase in traffic from a proposed development will likely decrease the level of service (LOS) of a roadway based on the current traffic counts on that roadway to an LOS of D or worse as determined in accordance with the "Highway Capacity Manual" and the AASHTO publication entitled "Geometric Design Of Highways ~~A~~and Streets", the developer shall complete and submit to the eCity a traffic study prior to submitting plans for civil improvements. The eCity may take the traffic study into consideration in approving or rejecting any civil improvement plans related to the proposed development.

- C. General Off-Street Parking Regulations: In all zoning districts, off-street parking ~~facilities~~ areas must be provided in accordance with the provisions of this section for: 1) new buildings, establishments, or uses of land ~~established after the effective date of this amendment, i.e., June 12, 2002~~; and 2) existing buildings, establishments, or uses of land which are extended, enlarged or altered ~~after the effective date of this amendment~~.
1. Buildings, establishments, or uses of land established and in operation prior to ~~the effective date of this amendment June 12, 2002 that were in compliance with this Chapter on that date~~ shall be exempt from the requirements of this section; provided, however, that whenever such buildings, establishments, or uses of land are extended, enlarged, modified, increased, or altered, off-street parking facilities shall be provided for the extended, enlarged, modified, increased or altered area ~~or increased floor area in accordance with the provisions of this section in accordance with the provisions of this section; further provided, any extension, enlargement, modification, increase, or alteration of a building, establishment, or use of land shall be subject to any additional parking requirements contained in this Title or required by the City in accordance with the City Code, to include, without limitation, additional parking requirements contained in a conditional use permit.~~
2. ~~The owner or occupant of any building, establishment or use of land subject to~~ No person required to provide off-street parking ~~requirements~~ under this section ~~shall not may~~ discontinue ~~nor~~ reduce any existing required parking without first ~~having established other~~ providing replacement parking in accordance with provisions of this section.
3. Except as otherwise provided in Subsection 4, below, required ~~Off-street parking spaces of~~ used in connection with any establishment or business which are located within any public street or right of way and thus, nonconforming with the requirements of this section, ~~must shall~~ be deemed ~~be abandoned or relocated in accordance with provisions of this section~~ within ninety (90) days upon the automatic termination of the legal nonconforming use of parking caused by any one of the following events:
 - a. A change in use of any building or land owned, leased, or used by ~~an~~ the establishment or business;
 - b. Any enlargement, expansion, or addition to any building owned, leased, or used by ~~an~~ the establishment or business that is in excess of four hundred (400) square feet of gross floor area; or

- c. The occupancy by ~~any~~ the establishment or business of a building that has not been occupied or used for a period of at least ~~nine (9) out of~~ twelve (12) consecutive months.

4. ~~The only way an establishment or business can prevent the automatic abandonment of the use of the p~~Parking spaces used in connection with an establishment or business that are located within any public street or right of way shall be automatically deemed abandoned unless as set forth above is for the establishment or business ~~to~~ obtain a revocable permit for use of the parking spaces from the ~~e~~City ~~e~~Council. In order to obtain any such revocable permit, the applicant must first ~~appear before~~ present an application for a revocable permit to the ~~p~~Planning ~~e~~Commission for consideration. The recommendation of the ~~p~~Planning ~~e~~Commission must then be submitted to the ~~e~~City ~~e~~Council. If the ~~e~~City ~~e~~Council grants any such revocable permit, it may be granted subject to any terms or conditions required by the ~~e~~City ~~e~~Council which the ~~e~~City ~~e~~Council deems to be in the best interest of the ~~e~~City.

D. Location ~~A~~and Placement ~~O~~of Required Off-Street Parking:

1. General: Every part of every off-street parking facility shall be set back from every lot line a sufficient distance to assure that no part of any parked vehicle ~~will~~ can project over the lot line.
2. Residential Uses:
 - a. In any residential zoning district other than the RMH-1 district, no required off-street parking space shall be located in a required front yard or ~~interior~~ side yard.
 - b. Required off-street parking shall be located on the same lot or parcel as the use it is intended to serve; provided, however, that:
 - (1) Parking for cooperative or condominium type multi-family dwellings, fraternities, sororities and rooming houses, may be provided in a parking lot not farther than two hundred feet (200') from the entrance to the dwelling unit it is intended to serve.
 - (2) Required parking for ~~any~~ multi-family dwellings, in excess of one space per dwelling unit, may be located on a separate, abutting lot or parcel in a parking lot not more than three hundred feet (300') from the dwelling units it is intended to serve.
3. Nonresidential Uses:
 - a. Required off-street parking shall be located within three hundred feet (300') of the ~~building or use~~ real property it is intended to serve, ~~the distance being as~~ measured along the sidewalk from the nearest point of the building or ~~use~~ structure to the nearest point of the parking lot; provided, however, that parking facilities for a stadium, auditorium, outdoor sports arena, or similar use, may be located not farther than one thousand three hundred feet (1,300') from the nearest point of such building or ~~use~~ structure.
 - b. Every nonresidential parking lot abutting a residential district ~~on the same side of the street in the same block~~ shall be set back a distance not less than the minimum required setback for abutting principal residential buildings in ~~the same block~~ that residential district; for

example, the parking lot setback must be equal to or greater than the interior side yard setback if abutting an interior side yard.

4. Documentation Required: Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of an occupancy certificate satisfactory assurance that the separate lot or parcel is permanently committed to parking use by deed restriction or other enforceable legal measure.
- E. Methods ~~Of~~ Providing Required Off-Street Parking: Required off-street parking may be provided by any one or combination of the following methods:
1. By providing the required parking space on the same lot as the building or use being served.
 2. By the collective provision of required parking for two (2) or more buildings or uses, whereupon the total of such parking shall be not less than the sum of the requirements for the several buildings or uses computed separately; provided, however, that if two (2) or more such buildings or uses have operating hours which do not overlap, the ~~p~~Planning ~~e~~Commission, upon appeal, may grant a reduction of the collective requirement based upon the special circumstances involved. A written agreement for joint use of such facilities shall be executed between the parties concerned and a copy shall be filed with the ~~building inspector~~ Planning Department and recorded with the County Recorder's Office.
 3. By securing the consent to use off-street parking facilities under another's ownership which are not otherwise used during the principal operating hours of the building or use in question; provided, however, that such consent shall be in written form and a copy shall be filed with the ~~building inspector~~ Planning Department and recorded with the County Recorder's Office.
 4. In any zoning district and for cause shown, the ~~p~~Planning ~~e~~Commission may waive all or any portion of an off-street parking requirement, provided such waiver does not conflict with the purpose and intent of this chapter. In conjunction with the review and consideration of a parking waiver, the ~~e~~City shall notify all adjacent property owners as listed on the ~~e~~County ~~a~~Assessor's records not less than ten (10) days prior to the date of the ~~p~~Planning ~~e~~Commission meeting. Any decision of the ~~p~~Planning ~~e~~Commission associated with a request to waive an off-street parking requirement may be appealed to the ~~e~~City ~~e~~Council. Application for parking waiver shall be filed with the ~~p~~Planning ~~d~~Department on a form provided for such purpose and shall include payment of a filing fee in an amount established by resolution of the ~~e~~City ~~e~~Council.
- F. Schedule ~~Of~~ Required Off-Street Parking: The minimum number of off-street parking spaces required for specific uses shall be determined according to the following schedule. Requirements for a specific use not listed shall be the same as those for the most similar use listed, or as required by the ~~p~~Planning ~~e~~Commission or the ~~e~~City ~~e~~Council.

Use	Minimum Spaces Required	
Commercial recreation:		
	Billiard parlors	1 per 2 billiard tables, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>

	Bowling alleys	4 per bowling lane, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>
	Gymnasiums, health studios, <u>private golf clubs, swimming pools, tennis clubs, and similar uses</u>	1 per 400 square feet of usable floor area, plus 1 per each employee on the largest shift <u>with the most employees</u>
	Private golf clubs, swimming clubs, tennis clubs and similar uses	1 per 2 member families or individuals
	Skating rinks, dance halls, dance studios	1 per 3 persons of maximum capacity permitted by fire regulations <u>Building Code</u>
Commercial sales and services:		
	<u>Automobile/truck, mobile home, RV, boat, or trailer sales and service</u>	<u>1 per each 800 square feet of sales area for first 4,000 square feet, plus 1 per additional 2,000 square feet</u>
	<u>Banks, credit unions</u>	<u>1 per 300 square feet of usable floor area</u>
	Barbershops, beauty shops	2 per service chair
	Bus depot	1 per 150 square feet of waiting room space, plus requirements for auxiliary commercial uses as elsewhere listed
	Car wash/wash line	1 per each employee on the largest shift, plus reservoir spaces equal to 5 times the capacity
	<u>Casino, gaming</u>	<u>1 per every 200 square feet of usable floor area, plus 1 space per employee</u>
	Childcare center	1 per every 10 students based on licensed occupancy, plus 1 per each employee on the largest shift <u>with the most employees</u> , plus 1 per each facility vehicle
	Drive-through facility (bank, fast food, retail)	Requirements for uses elsewhere specified herein, plus stacking capacity for 5 vehicles. Drive-through lanes must be independent of access lanes required for parking space backup area and for general and emergency vehicle circulation
	Furniture and appliance stores, household equipment and apparel repair services <u>(sales and repairs)</u>	1 per 800 square feet of usable floor area
	<u>Gas stations</u>	<u>1 per employee on the shift with the most employees</u>
	Gas convenience stations <u>with convenience stores</u>	1 per 2 gasoline pumps
	<u>General Retail</u>	<u>1 per 300 square feet of usable floor area</u>
	<u>Greenhouse, garden center</u>	<u>1 per 500 square feet of sales area for first 2,000 square feet, plus 1 per additional 2,000 square feet</u>

	Leasable spaces	1 per 175 square feet of usable floor area
	<u>Large machinery/equipment sales or rental</u>	<u>1 per 800 square feet of gross area</u>
	Mortuaries, funeral homes	1 per 3 fixed chapel seats, or 1 per 50 square feet of assembly area, whichever is greater, plus 1 per employee, plus 1 per commercial funeral vehicle
	Motor vehicle and machinery sales, auto repair shops	1 per 800 square feet of gross area
	Open air business	1 per 500 square feet of sales area for first 2,000 square feet, plus 1 per additional 2,000 square feet
	Planned shopping centers under unified control	Requirements for all uses elsewhere specified herein, plus 1 per 150 square feet of remaining usable floor area
	Restaurants, bars, cocktail lounges	1 per 100 square feet of usable floor area, plus 1 per each employee on the largest shift <u>with the most employees</u>
	Self-service laundries and dry cleaners	1 per 4 machines
	Supermarkets, drugstores	1 per 300 square feet of usable floor area
	Used car lots	1 per each 1,000 square feet of sales area for first 4,000 square feet, plus 1 per additional 2,000 square feet
Hotels, motels:		
	For a Auxiliary uses, i.e., restaurants	1 per 100 square feet of usable floor area of dining room, bar, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>
	For c Commercial accessory use	1 per 400 square feet of usable floor area
	For o Overnight guests	1 per guestroom, or suite, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>
	For places of public assembly <u>Convention/meeting rooms</u>	1 per 6 fixed seats or 1 per 24 square feet of unfixed seating space
Institutional uses:		
	Hospitals	1 per 2 beds, plus 1 per each employee on the largest shift <u>with the most employees</u> , plus 1 per 225 square feet of auxiliary medical office floor area
	Sanatoriums, children's homes	1 per 5 beds, plus 1 per each employee on the largest shift <u>with the most employees</u>
Manufacturing and industrial uses		1 per 500 square feet of gross floor area, or 1 per each employee on the largest shift <u>with the most employees</u> , whichever is greater
Offices:		
	Medical and dental offices and clinics	1 per 225 square feet of usable floor area

	Offices; professional, governmental, banks, savings and loan agencies	1 per 300 square feet of usable floor area
Places of public assembly:		
	Auditoriums, exhibition halls, theaters, convention facilities, meeting rooms	1 per 5 fixed seats, or 1 per 40 square feet of unfixed seating space, plus 1 per each 2 employees on the largest shift
	Churches, for primary seating only	1 per 5 fixed seats, or 1 per 40 square feet of unfixed seating space, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>
	<u>Library, art gallery, or museum</u>	<u>1 per 1,000 square feet of usable floor area</u>
	<u>Movie theater</u>	<u>1 per 5 seats, plus 1 per employee on the largest shift</u>
	Social clubs such as Elks, Moose, VFW, etc.	1 per 200 square feet of usable floor area
	Stadium, outdoor sports arenas	1 per 5 seats, plus 1 per each 2 employees on the largest shift <u>with the most employees</u>
Public and quasi-public uses:		
	Elementary schools	1 per 6 students
	Golf course, open to public	4 per hole, plus 1 per each employee on the largest shift <u>with the most employees</u>
	High schools	1 per 4 students, plus 1 per employee
	Junior colleges, colleges and universities	1 per 3 enrolled full time day students, plus 1 per employee
	Middle school/junior high school	1 per 10 students, plus 1 per employee
	Trade schools, business colleges	1 per 150 square feet of gross floor area
Residential uses:		
	Mobile home parks and lodges	See mobile home parks, mobile home, manufactured home subdivisions and recreational vehicle (RV) parks (chapter 5 of this title)
	<u>Multiple-family dwellings (studio unit)</u>	<u>1 per dwelling unit</u>
	Multiple-family dwellings (1 and 2 bedroom unit)	1 1/2 per dwelling unit, <u>plus 1 per 3 units for guest parking</u>
	Multiple-family dwellings (3 or more bedrooms)	2 per dwelling unit, <u>plus 1 per 3 units for guest parking</u>
	Rooming houses, fraternities, sororities, resident clubs, lodges	1 per sleeping room or 1 per bed, whichever is greater
	<u>Senior citizen housing development</u>	<u>1 per unit, plus 1 per 5 units for guest parking</u>

	Single-family residence, townhome, condominium, duplex, triplex, fourplex	2 per dwelling unit
	<u>Townhouses, condominiums</u>	<u>2 per dwelling unit, plus 1 per 3 units for guest parking</u>
	Wholesaling and warehousing uses	1 per 1,700 square feet of usable floor area, or 1 per each employee on the largest shift, whichever is greater, plus 1 per company owned motor vehicle
	All other uses not specifically listed	In accordance with the most recent applicable parking generation rates established by the Institute Of Transportation Engineers (ITE)

G. Parking Lot Design Standards: Design standards associated with secondary access, landscaping, lighting, and provision of snow storage and trash receptacle enclosure areas, are intended to apply to the development and construction of new parking lots and facilities, ~~except for parking lots and facilities located within the GI (general industrial) zoning district.~~

1. Minimum Design Dimensions: The layout of every off-street parking lot shall conform to the following minimum standards:

Angle Of Parking	One-Way Access Lane Width	Two-Way Access Lane Width	Parking Space Width	Parking Space Length
90°	24 feet	24 feet	9 feet	20 feet
75° - 89°	22 feet	24 feet	9 feet	20 feet
54° - 74°	18 feet	22 feet	9 feet	20 feet
30° - 53°	15 feet	20 feet	9 feet	20 feet
Parallel	12 feet	20 feet	8 feet	23 feet

Parking which is adjacent to a building face, or which is adjacent to improvements such as landscaping and sidewalks located directly adjacent to a building face shall provide access for fire equipment and personnel in conformance with the fire code adopted in title 6 of this code.

2. Measurement ~~Of~~ Existing Unmarked Lots: In measuring unmarked parking lots in use or operation on the effective date hereof, each parking space shall be considered to require a minimum of three hundred (300) square feet, inclusive of access lanes. For single-family, duplex, triplex and fourplex residential land uses, the square footage of each required parking space shall be not less than one hundred eighty (180) square feet (9 feet x 20 feet).
3. Secondary Access ~~Or~~ Interior Turnarounds: Secondary access or interior turnarounds shall be provided for parking lots of ten (10) or more parking spaces, interior turnarounds shall also be designed in accordance with the currently adopted fire code set forth in title 6 of this code.
4. Driveways and parking areas shall be designed to include paved turnaround areas to prevent the use of striped parking stalls as turning areas and drive aisles for backing movements.

5. Landscaping: Five percent (5%) of any off-street parking lot of twenty (20) or more parking spaces shall be reserved for landscaping improvements, except for parking lots and facilities not directly associated with or serving adjacent commercial or industrial development. Where landscaping is required under other provisions of the City Code, landscaped areas in parking lots shall be considered in calculating landscaping requirements. Landscape areas should be distributed throughout the project site and should contribute to the screening and softening of the off-street parking lot. Landscape materials may include, but are not limited to, screen planting, lawn areas, trees, shrubs, fences and walls. Drought tolerant, low maintenance species in conjunction with decorative "hard surface" materials, such as, but not limited to, volcanic rock, gravel or stone are encouraged and may be utilized to fulfill landscape surface requirements.

- a. For off-street parking lots of twenty (20) or more parking spaces, provision of the required five percent (5%) of landscaping may be accompanied by a five percent (5%) reduction in the amount of required parking spaces.
- b. Parking spaces which abut and overhang a sidewalk exceeding seven feet (7') in width or a landscape planter area at least six feet (6') in width may reduce space lengths from the required twenty feet (20') to eighteen feet (18').
- c. Selection and installation of plant materials shall be done with the intent to screen and soften rather than conceal in order to maintain visibility for facility security. Preference shall be given to the use of low lying ground cover and shrubs and the use of trees with elevated canopies over the selection and use of densely compacted trees and shrubs.
- d. Planter areas should be distributed throughout the off street parking lot and are encouraged to be used as a traffic control device to promote safe orderly vehicular and pedestrian circulation within the off street parking lot.
- e. It shall be the responsibility of the owner or developer to carry out this program and to provide maintenance and care as required to obtain the effect intended by the original plan.
- f. Landscaping requirements contained in this chapter are not intended to supplement or compound landscaping provisions contained in other sections of this title.
- g. The City shall not be responsible for maintenance, repair or replacement of any landscaping or related materials placed or constructed within the public right-of-way pursuant to this Section. No landscaping shall be constructed within the public right-of-way without a revocable permit issued by the City following any required approval by the City Council with the exception of public rights-of-ways in which the City Council has granted administrative approval authority. Revocable permits may be granted with or without conditions.
- h. No obstructions to visibility at any street intersection shall be located within a sight triangle determined in accordance with American Association of State Highway And Transportation Officials (AASHTO) publication of "A Policy On Geometric Design Of Highways And Streets", including any amendments thereto.

56. Snow Storage Areas: Snow storage areas shall be provided for parking lots of twenty (20) or more parking spaces. Landscape areas may be utilized to fulfill this requirement.

67. Lighting: Off-street parking areas shall satisfy the following lighting requirements: Eighty percent (80%) of the parking lot shall have a minimum illumination level of twenty five hundredths (0.25) of a foot-candle. Levels of illumination should be distributed throughout the parking lot.

78. Trash Receptacle/Dumpster Areas: Trash receptacle/dumpster areas, enclosed by a screen wall, shall be provided for parking lots directly associated with industrial, commercial or multiple-family residential development and which contain twenty (20) or more parking spaces.

89. Parking Lot Access:

- a. Access ~~F~~rom Alley: An alley may be used for principal access to any parking lot, and for direct access to parking spaces; provided, however, that every such alley shall be dedicated full width to the public, fully improved with an all-weather, dust free surface, and properly drained to prevent impoundment of surface water.
- b. Access ~~F~~rom Street: No entrance or exit to a parking lot shall be located closer than fifteen feet (15') to any abutting residential district without prior approval from the City.

910. Surfacing, Curb ~~A~~nd Drainage: Every parking lot and parking access shall be:

- a. Properly graded to prevent impoundment of surface water;
- b. Surfaced with asphaltic concrete or cement concrete at least two inches (2") thick;
- c. Parking spaces shall be clearly striped;
- d. Continuous six inch (6") concrete curbs or a comparable alternative shall be installed around the perimeter of the paved parking area and as protection for planted areas, islands, and walls within the parking lot area. Noncontinuous curbing may be allowed in circumstances where perimeter planted areas are part of the approved storm runoff and drainage plan.

1011. Required Screen Walls: Where the interior side lot line or rear lot line of a nonresidential parking lot abuts a residential district and is not separated therefrom by an alley, a solid, continuous screen wall not less than five feet (5'), nor more than six feet (6') in height above grade, shall be installed and maintained abutting the residential district line; provided, however, that such wall shall extend no closer to the street line than the minimum required setback for residential properties in the same block.

1112. Plans Required ~~F~~or Off-Street Parking ~~A~~nd Loading Spaces: Site plans are required for off-street parking and loading and shall show how the required parking and loading spaces are to be located and arranged on the site. In addition, such plans shall demonstrate safe and efficient internal circulation and traffic flow and show how drives and parking lots are to be graded and

drained, as well as the location and design of all screen walls, landscaping and lighting. Such plans must be reviewed and approved by the **p**Planning and **e**Engineering **d**Departments.

H. **Park And Ride Facilities:** Park and ride facilities shall satisfy the design standards set forth in subsection G of this section, unless specifically discussed in this subsection H, as follows:

1. **Location:** Park and ride facilities shall be located in either **L**ight **i**ndustrial (LI) or **G**eneral **i**ndustrial (GI) zoning districts and shall be located adjacent to roadways classified as commercial/industrial collector, arterial, or principal arterial in the **e**City of Elko **m**aster **p**lan.
2. **Stand Alone Use:** A park and ride facility shall be a stand-alone use located on a single parcel that does not contain any other use.
3. **Area Requirements:** Park and ride facilities shall be located on lots with a minimum lot size of three (3) acres and not more than fifteen (15) acres.
4. **Lighting:** Park and ride facilities shall satisfy the following lighting requirements: Fifty percent (50%) of the parking lot shall have a minimum illumination level of twenty-five hundredths (0.25) of a foot-candle. Levels of illumination must be distributed throughout the parking lot.
5. **Trash Receptacle/Dumpster Areas:** Every park and ride facility must contain at least one area, enclosed by a screen wall, for the placement of trash receptacles and/or dumpsters. There must be no less than one trash receptacle for every acre of a park and ride facility. The trash receptacle areas shall be evenly placed through the park and ride facility. In addition to the foregoing, trash receptacles shall be located at each bus loading zone and at least one enclosed dumpster must be placed in a location that can be accessed from a paved surface.
6. **Traffic Study:** All developers of new park and ride facilities shall provide calculations in accordance with the Institute **O**f Traffic Engineers (ITE) "Traffic Generation Manual" for the anticipated traffic load created by the park and ride facility. In the event the city determines that a proposed park and ride facility is likely to create a traffic load exceeding two thousand (2,000) vehicles per day (vpd), or if the **e**City determines that the resulting increase in traffic from a proposed park and ride facility will likely decrease the level of service (LOS) of a roadway based on the current traffic counts on that roadway to an LOS of D or worse as determined in accordance with the "Highway Capacity Manual" and the AASHTO publication entitled "Geometric Design Of Highways And Streets", the developer of the proposed park and ride facility shall complete and submit to the city a traffic study prior to submitting plans for civil improvements. The **e**City may take the traffic study into consideration in approving or rejecting any civil improvement plans related to the proposed development.
7. **Surfacing **A**nd Drainage:** Every new park and ride facility shall:
 - a. Be properly graded to prevent impoundment of surface water;
 - b. Be surfaced with compacted type II road base with a minimum thickness of six inches (6");
 - c. Contain parking spaces which are clearly delineated either with striping on paved surfaces or with the use of parking bumpers on unmarked areas;

- d. Contain asphaltic surfacing with a minimum thickness of two inches (2") over the route leading from each entrance into the parking lot for a minimum of forty feet (40'); and
- e. Contain asphaltic surfacing with a minimum thickness of two inches (2") over the route intended for the loading and unloading of commuters on and off buses (if applicable).

I. Exceptions for Certain Multi-Family Residential Developments:

- 1. In the case of a multi-family residential development which contains five (5) or more units proposed to be occupied by elderly persons or individuals with disabilities, the ~~planning~~ Commission may grant a twenty-five percent (25%) reduction in the required off-street parking.

J. Central Business District Regulations:

- ~~21.~~ All principal permitted uses ~~occupying basement floor area, ground level or first story floor area or second story floor area, or any combination thereof, and~~ which are situated on property located within four hundred feet (400') of the Central Business District (CBD) public parking corridor, are exempted from providing required off street parking. Residential uses shall provide required off street parking in accordance with the provisions of this chapter.

- a. Residential uses in a mixed-use building with no more than four (4) residential units located within 200 feet of the Downtown Parking Corridor are exempt from the requirement to provide off-street parking. All other residential uses shall provide the required off-street parking in accordance with the provisions of this Chapter.

- ~~32.~~ Overnight parking in conjunction with occupancy of recreational vehicles within the Central Business District (CBD) public parking corridor shall be prohibited.

- ~~43.~~ Parking of all unlicensed or unregistered vehicles within the Central Business District (CBD) public parking corridor shall be prohibited.

- ~~54.~~ Parking of any type of trailer that is disconnected from the pulling vehicle within the Central Business District (CBD) public parking corridor shall be prohibited unless otherwise authorized by special event or other permit.

- ~~65.~~ Within the Central Business District (CBD) public parking corridor, parking or storage of any properly licensed vehicle shall be temporary and limited to seventy-two (72) hours, unless an exemption is authorized pursuant to a special event permit or other permit issued in advance by the City.

- ~~76.~~ It shall be unlawful for any person, including a business, to utilize the Central Business District (CBD) public parking corridor for the purposes of storing or parking a vehicle while shuttling employees or car-pooling to or from places of employment.

- ~~87.~~ It shall be unlawful to store, park, or idle any semis with trailers within the Central Business District (CBD) public parking corridor.

- 98.** Police officers are authorized to remove vehicles parked in violation of this Code from the Central Business District (CBD) subject to the provisions of this section.
- 109.** Whenever any police officer determines that a vehicle is parked in violation of this Code, such officer may cause to be moved or remove such vehicle in any manner provided by law, or require the driver or person in charge of the vehicle to move the vehicle to a location or in such a manner as to render it no longer in violation.
- 1110.** Any police officer may cause to be removed any vehicle or part of a vehicle parked in violation of this Code, or may cause such vehicle to be removed, to the nearest garage or other location for storage if:
- a. The vehicle has been involved in an accident and is so disabled that its normal operation is impossible or impractical and/or the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle; or
 - b. The person driving or in actual physical control of the vehicle is arrested for any alleged offense providing that the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.
- 1211.** In any prosecution charging a violation of any provision of this subsection I, proof that the particular vehicle described in the complaint was found in violation thereof, together with proof that the defendant named in the complaint or citation was at the time of such complaint or citation the registered owner, owner or party in the care or custody of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner, owner or party in the care or custody of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.
- 1312.** To the extent there should exist any actual conflict with other traffic laws of the City, the provisions of this subsection ~~11~~ shall be controlling concerning the parking of vehicles within the Central Business District (CBD) public parking corridor. ~~(Ord. 801, 2-24-2016)~~

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.

PASSED AND ADOPTED this ___ day of ____, 2021 by the following vote of the Elko City Council.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this ____ day of _____ 2021.

CITY OF ELKO

BY: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to accept a petition for the vacation of a portion of the Deerfield Way Right-of-Way consisting of an area approximately 2,740 sq. ft., filed by Kenneth R. Moores Revocable Living Trust and processed as Vacation No. 5-21, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 10, 2021**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **The area requesting to be vacated was dedicated to the City of Elko with Tower Hill Unit 1 subdivision. It was intended originally as a pull out area for the local mailboxes but the design was later changed during construction. It is not being used for any purpose at this time. CL**
6. Budget Information:

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application, map, and Staff memo.**
9. Recommended Motion: **Accept the petition for vacation and direct Staff to commence the vacation process by referring the matter to the Planning Commission.**
10. Prepared by: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Kenneth Moores**
371 Berry Creek Place
Spring Creek, NV 89815
kenmoores@frontiernet.net

High Desert Engineering
640 Idaho Street
Elko, NV 89801
remorley@frontiernet.net



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

CITY OF ELKO STAFF REPORT

CITY COUNCIL PETITION DATE:	August 10, 2021
PLANNING COMMISSION DATE:	September 7, 2021
APPLICATION NUMBER:	Vacation 5-21
APPLICANT:	Kenneth R. Moores Revocable Living Trust
PROJECT DESCRIPTION:	APN 001-920-068

Vacation of the Deerfield Way right-of-way



STAFF RECOMMENDATION:

RECOMMEND to ACCEPT petition and refer the matter to the Planning Commission for further consideration.

PROJECT INFORMATION

PARCEL NUMBER: 001-920-068

EXISTING ZONING: R1- Single Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Undeveloped

BACKGROUND:

1. The property is undeveloped as residential land use.
2. The area proposed to be vacated is approximately 2,740 sq. ft.
3. Deerfield Way was dedicated to the City of Elko with the Tower Hill Unit 1 Subdivision.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

Northeast: R1-Residential / Developed
Northwest: R1-Residential / Undeveloped
Southeast: R1- Residential / Developed
Southwest: R1-Residential / Developed and Undeveloped

PROPERTY CHARACTERISTICS:

The property is currently undeveloped.
The property is fairly flat.

MASTER PLAN AND CITY CODES:

Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Medium Density Residential.
2. R1- Single Family Residential is a corresponding zoning district for Medium Density Residential.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from Deerfield Way and Stitzel Road.
2. Deerfield Way is classified as a Residential local and Stitzel Road is classified as a residential collector.

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

REDEVELOPMENT PLAN

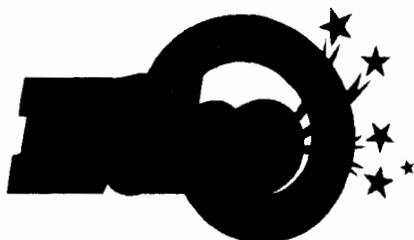
- The area is located inside the Redevelopment Area.

FINDINGS

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation is in conformance with City Code 3-2-5(E) and 8-7

STAFF RECOMMENDATION:

Staff recommends the City Council accept this petition and forward this item to the Planning Commission for further consideration.



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

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

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): Kenneth R. Moores Revocable Living Trust
MAILING ADDRESS: 371 Berry Creek Place, Spring Creek, Nevada 89815
PHONE NO (Home) (775) 934-4272 (Business) _____
NAME OF PROPERTY OWNER (If different): _____
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: Same as Applicant
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-920-068 Address Deerfield Way & Stitzel Road
Lot(s), Block(s), & Subdivision _____
Or Parcel(s) & File No. Parcel 6, File No. 510614

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A \$600.00 non-refundable fee.

Plot Plan: A plot plan provided by a property licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

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

RECEIVED

JUL 14 2021

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Kenneth R. Moores Trust
(Name)

Corner of Stitzel Road & Deerfield Way, Elko, NV 89801
(Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

(Name)

(Address)

1. Describe the nature of the request: The owner wishes to vacate a portion of Deerfield Way adjacent to Parcel 6, File No. 510614
2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: The utility easements in the area are to remain in effect.

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Kenneth R. Moores
(Please print or type)

Mailing Address 371 Berry Creek Place
Street Address or P.O. Box
Spring Creek, Nevada 89815
City, State, Zip Code

Phone Number: (775) 934-4272

Email address: kenmoores@frontiernet.net

SIGNATURE: *Ken Moores*

FOR OFFICE USE ONLY

File No.: 5-21 Date Filed: 7/14/21 Fee Paid: \$ 600 ex# 110517

EXHIBIT A
VACATION OF A PORTION OF DEERFIELD WAY
FOR THE KENNETH R. MOORES REVOCABLE LIVING TRUST

July 30, 2021

A parcel of land located in Section 13, Township 34 North, Range 55 East, M.D.B. & M., City of Elko, Nevada, being a portion of Deerfield Way as shown on the Final Map of Tower Hill Subdivision, Unit Number 1, on file in the Office of the Elko County Recorder, Elko, Nevada, as File No. 741117, more particularly described as follows:

Commencing at the centerline Street Monument at the intersection of Stitzel Road and said Deerfield Way, thence S 40° 33' 46" W, 30.00 feet along the said centerline of Deerfield Way to a point, thence N 49° 26' 14" W, 35.00 feet to Corner No. 1, a point being the most Easterly Corner of Parcel 6 as shown on the Parcel Map for Faith Evangelical Lutheran Church of Elko, Inc., on file in the Office of the Elko County Recorder, Elko, Nevada, as File No. 510614, the True Point of Beginning;

Thence S 02° 36' 14" W, 1.57 to Corner No. 2;

Thence from a tangent bearing S 26° 01' 45" E, on a curve to the right with a radius of 15.00 feet, through a central angle of 66° 35' 31", for an arc length of 17.43 feet to Corner No. 3;

Thence from a tangent bearing S 40° 33' 46" W, on a curve to the left with a radius of 382.35 feet, through a central angle of 07° 30' 00", for an arc length of 50.05 feet to Corner No. 4;

Thence S 33° 03' 46" W, 35.80 feet to Corner No. 5;

Thence N 56° 56' 14" W, 33.23 feet to Corner No. 6, a point being the most Southerly Corner of said Parcel 6, File No. 510614;

Thence N 40° 33' 46" E, 89.74 feet along the Southeasterly Line of said Parcel 6, File No. 510614, to Corner No. 7;

Continued on Page 2

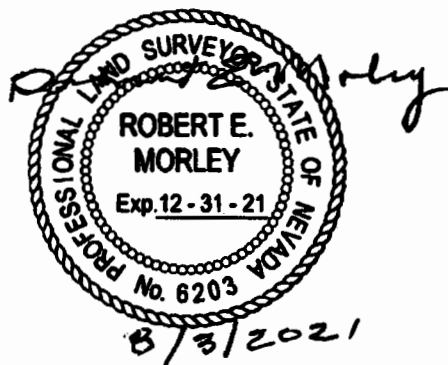
Continued from Page 1
Vacation of a portion of Deerfield Way
for the Kenneth R. Moores Revocable Living Trust

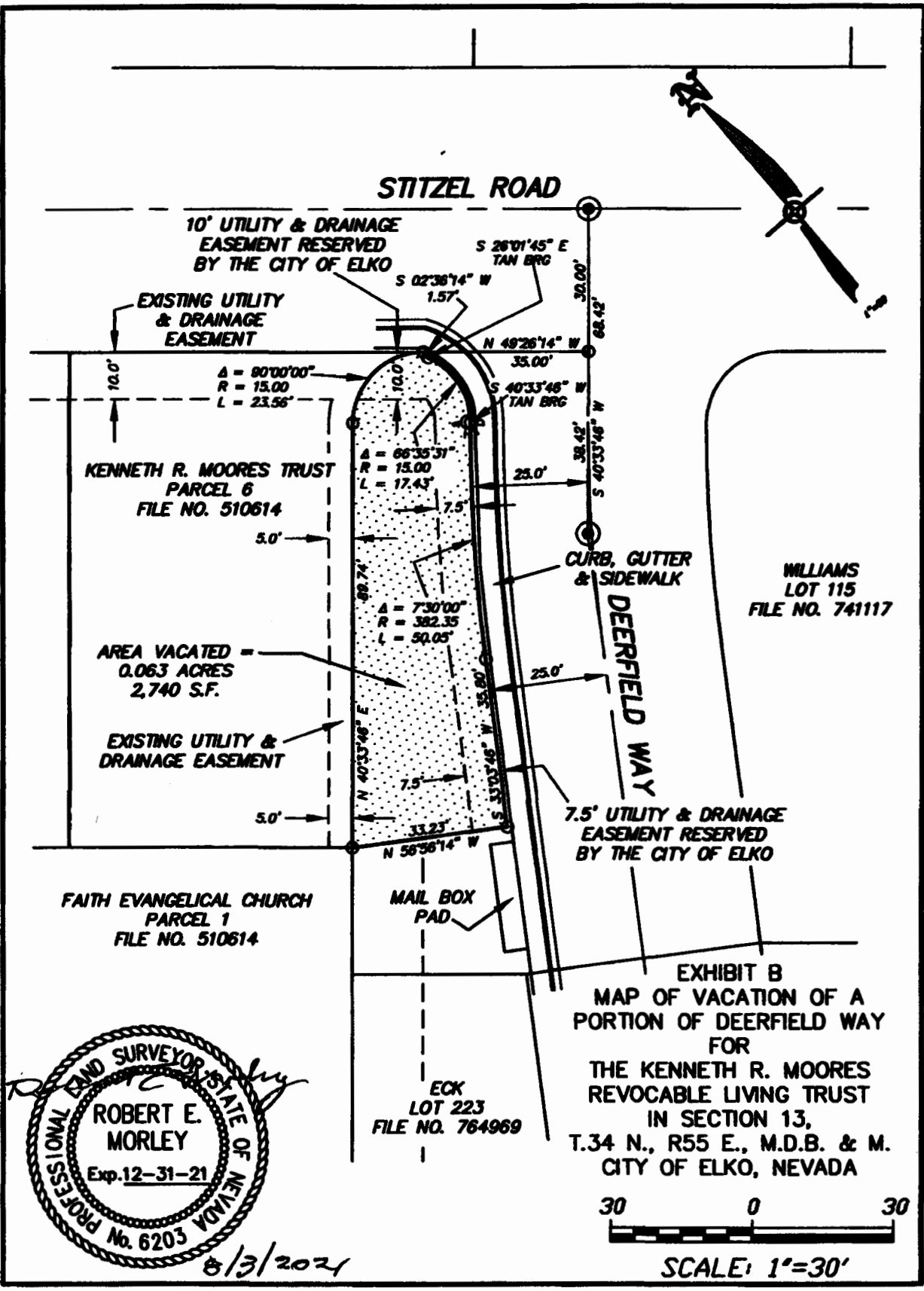
Thence from a tangent bearing N 40° 33' 46" E, on a curve to the right with a radius of 15.00 feet, through a central angle of 90° 00' 00", for an arc length of 23.56 feet along the said Southeasterly Line of Parcel 6, File No. 510614 to Corner No. 1, the point of beginning, containing 2,740 square feet, more or less.

RESERVING THEREFROM a 10.00 foot utility and drainage easement along the frontage of Stitzel Road and a 7.50 foot utility and drainage easement along the frontage of Deerfield Way as shown on Exhibit B.

Reference is hereby made to Exhibit B, Map of Vacation of a Portion of Deerfield Way for the Kenneth R. Moores Revocable Living Trust, attached hereto and made a part hereof.

The basis of bearings for the above described parcel is the Final Map of Tower Hill Subdivision, Unit Number 1, on file in the Office of the Elko County Recorder, Elko, Nevada, as File No. 741117;





**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5th Street (397 5th Street), and matters related thereto. FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

2. Meeting Date: **August 10, 2021**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **The Planning Commission considered the subject variance on July 6, 2021 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. The applicant requested the item be tabled July 27, 2021 meeting. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Appeal letter, P.C. Action Report, draft July 6, 2021 P.C. Minutes, Staff Reports, and application**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared by: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **DAG, LLC
PO Box 505
Elko, NV 89803
Agonzalez@dagnv.com**

Variance 3-21, Filed by DAG LLC , on behalf of Sonora LLC, for 397 5th Street - APN 001-265-006

RECEIVED

Planning Commission Vote Denied on July 6, 2021.

JUL 13 2021

DAG LLC, requesting an appeal of Variance 3-21

We made a mistake by submitting an application we did not understand completely. We are not construction professionals or develop land on a regular basis. The business plan is very unique like the lot in question. The awkwardness of the lot would create a hardship and make it difficult to operate a successful business if developed with a building. Specifically, since the lot does not have alleyway access preventing easy removal of garbage. Large-scale deliveries would be performed on the street median, which would cause traffic congestion with other delivery trucks. If owners would invest in an office space, vacant offices are a common occurrence in the downtown corridor. It would be fiscally irresponsible to build an office space without having tenants. High volume activity on that lot with a building will have sidewalk spillover on one of the busiest intersections of town.

3-2-22 Variance

C. Application Requirements:

1. A building on that lot would not have access to the alley. The access to alley is the special circumstance. Only two lots in that city block from 4th and 5th streets do not have alley access to remove garbage produced by a high-volume retail or dine in restaurant operation. The location of this parcel is so unique that you should consider giving it a variance to be an open space-advertising plaza compatible with the downtown corridor.
2. By not having alleyway access the business owners would create the following conditions for difficult hardships. Large Scale Deliveries, the road median is already used by many of the downtown businesses and we would be adding another delivery truck to perform deliveries on that median. Hauling a big garbage bin cart or grease bin around the block to the alley, 250 feet from the lot, will be difficult to perform because trash and grease attract rodents and pests. Constant removal of garbage will be required for a full dine in restaurant from that lot. Additionally, the lot is too small to store a grease interceptor, storing of old oil, for a dine in restaurant would create a hardship for the owners.
3. The only other business that does not have alleyway access is the property next door to the lot in question and the owner operates a professional optometry medical service. A professional business would not accumulate as much trash as a dine in restaurant or retail business. End of day trash removal is typical for a professional office. The other businesses have alleyway access and the special conditions would not generally apply to other properties in that district.

4. Granting the variances allows the owners to operate an open-air advertising plaza. The advertising plaza would allow the businesses of Elko to promote existing and new products, services, events or a job vacancy in a public medium. The walk-up restaurant will bring a good quality food option for working professionals in the day and stay open late night for the nightlife crowd. The open space will provide pedestrians an option to traverse through the corner and the bollards will provide a safe area for the pedestrians that are in the area lot. The signs are not intended for office, motel guests, retail shoppers or patrons inside other business buildings. The signs are for foot pedestrian traffic and vehicle visibility. All signs will be equipped with automatic dimming technology, which takes readings of ambient light and adjusts the display intensity accordingly.

5. The area is commercial and the business model is a unique commercial plan. The business will erect a 90-degree wall that is 25 feet tall and will be developed in conformance with city code, to hold three off-premise digital signs. We also would like to install five off-premise freestanding signs around the perimeter. By allowing the variances, the downtown business corridor will have a modernization step forward and will have a competitive advantage by having this avenue to advertise their businesses.

6. We are going to be as minimally evasive as possible based on the recommendations of our architect and construction company. The signage mounts and installation will be constructed with all provision of the international building code. Vendors must prove without a reasonable doubt that their technology can endure the Northern Nevada climate. Signage will be well equipped with dimmable sensors; they will be brighter during the day and dimmer during the night. Client contract will contain provision about advertising being displayed and they will not be advertising risqué and vulgar content. Advertising will be tasteful but attractive to capture the advertiser's message. Bollards will be aligned throughout the perimeter to make sure that the lots assets and pedestrians will feel safe of a possible errant vehicles.

Our idea is very unique. If we are granted these variances, our success is directly tied to our client's success. Our location will be there location. Cleaver marketing attracts business and a better economy. We can strengthen the shop local campaign and bring something very unique to our community.

Jorge Robles
DAG LLC (dba Downtown Advertising Group LLC)
PO BOX 505
Elko NV 89803



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of July 6, 2021

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on July 6, 2021 under Public Hearing format, in accordance with notification requirements contained in Section 3-2-22 D.1 of the City Code:

Variance No 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, and matters related thereto.

The applicant is requesting a variance for more than one freestanding sign per street frontage and for an increase in the area of the allowed signage.

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission **DENIED** Variance No. 3-21.

The Planning Commission's findings to support its recommendation are the proposed use is in conformance with the Land Use Component of the Master Plan as well as the Transportation Component of the Master Plan. The property is located within the redevelopment area and is not in conformance with the Redevelopment Plan. The proposed use is in conformance with the development standards of Elko City Code 3-2-10. In accordance with Section 3-2-22, the applicant has not demonstrated any special circumstances or features regarding the parcel. In accordance with Section 3-2-22, the applicant has not demonstrated that there is practical difficulties or exceptional undue hardships, which constitutes an abridgement of property right and deprives the property owner of reasonable use of property. Granting of the variance will result in material damage or prejudice to other properties in the vicinity. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance. Granting of the variance will not impair natural resources. The proposed signs are not in conformance with Elko City Code 3-9.

The applicant is advised of the right to appeal this decision to the City Council within 10 days of the date of approval as stated above.


Cathy Laughlin City Planner

Attest:



Shelby Knopp, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk
Michele Rambo, Development Manager (email)

to other properties in the vicinity. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance. Single Family is listed as a principal use in the underlying zone, but the zoning ordinance lists minimum lot size and area. Granting of the variance will not impair natural resources. The parcel is not located within a designated Special Flood Hazard Area.

Moved by Commissioner Tera Hooiman, Seconded by Commissioner Gratton Miller.

**Motion passed unanimously (6-0).*

3. Review, consideration and possible action of Variance No 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is requesting a variance for more than one freestanding sign per street frontage and for an increase in the area of the allowed signage.

Gorge Robles, PO Box 505, Elko, Nevada and Adrian Gonzalez, at the same address, together presented a PowerPoint, included as **Exhibit B**.

Kathy Algerio, 2075 Griswold Drive #1-C, said she has been a resident of this town since 1976. She has seen growth and everything that has happened. She also owned a business across the street from this lot. The unique idea the applicants brought to her, she thought it was stupendous. There is no way to put a building on the lot, because it is very small. The existing wall is being replaced. The present owner of the lot, Jan Pescio, who is selling the lot to the applicants, has made a deal and there will no longer be an encroachment. The applicants will be constructing a new wall in a safe manner. Ms. Algerio further thought the applicants' ideas about putting up "America First" were wonderful. This is a very patriotic community. She thought a new advertising venue would be a great replacement for an unseemly lot that is existing today on one of the busiest intersections in town.

Lina Blohm, 495 Idaho Street, said she was very thankful to be here at the request of the applicants, whom she was so proud that they had the confidence to finally see the potential of downtown, and particularly this small lot. She has been looking at a chain link fence for years. She asked what the chain link fence told those who were new to the community, or just driving through. Certainly not that this is a loving, caring, open, and friendly community that is a good place to settle. She said she was coming from an emotional standpoint, even though she owns the business right across the street. She could see the potential of owning a business in the downtown. She was asking the Commission to consider having activity in the heart of downtown, and working out the details later. She thought it would be a positive, bright, colorful, and inviting environment for everyone, and not a chain link fence.

Catherine Wines, 421 Railroad Street, said she appreciated that something was going to happen on the lot. She stated that she was also on the Redevelopment Advisory Board and the Arts and Culture Advisory Board. There is a mural on the wall of Lipparelli's building that was just put up 2 years ago. Certainly, they knew when they put it there that something could be built on this lot, but it hasn't been there for long. She asked if there was any way to work around the mural. When

she first saw the idea, she didn't realize that they would be building a new wall. She thought they would be going on to the existing wall.

Ms. Laughlin went over the City of Elko Staff Report dated June 24, 2021. Staff recommended denial with the findings listed in the Staff Report.

Ms. Rambo explained that she wrote separate memo that went into a detailed analysis of the variance with the findings. Six findings have to be met. If even one of those cannot be met, the variance cannot be approved. Ms. Laughlin covered most of what Ms. Rambo had in her memo. She did want to point out a couple things. She looked at the surrounding lot sizes for that block, and this lot is larger on average than most of the other lots on that block. It is developable in some fashion, and it is possible to put a building there. Ms. Rambo pointed out that she found an article that says, "Driver inattention and distraction are the biggest risks to traffic safety worldwide. In addition there is an emerging trend in the literature suggesting that roadside advertising can increase crash risk, particularly for those signs that have a capacity to frequently change." Based on the findings there are no hardships. Ms. Rambo also recommended denial. Chairman Dalling asked Ms. Rambo if all six of the requirements have to be met for a variance, and if only one of six were being met with this application.

Ms. Rambo said based on her analysis only one was being met.

Chairman Dalling asked for the code all six had to be met. (Yes)

Mr. Thibault recommended denial.

Ms. Winrod had no comments.

Ms. Laughlin said she had a few more comments. Let's say that the applicants came to the City and just proposed the restaurant, one freestanding sign for Idaho Street and 5th Street advertising the restaurant, and one wall sign that was an off-premise sign. The only approval that they would have to get would be NDOT approval for the off-premise sign. The freestanding signs, as long as they are advertising the business that is on the property and they meet the area requirements, could be approved today with a Building Permit and would not require a variance. As stated in the email from NDOT, because this intersection is a part of the highway systems, an off premise sign would need approval by NDOT.

Commissioner Tera Hooiman asked if they could do one sign on one wall and keep the mural, and have one additional sign for advertising of the business on the property.

Ms. Laughlin clarified that they could have one off premise sign, as long as NDOT approved it, and it be a wall sign. They would also be allowed one freestanding sign for advertising of the business that is on the property.

Mr. Wilkinson recommended denial as presented by staff. He wanted to emphasize that variances were not the tool to be utilized to try to achieve objective in the Master Plan. He thought there had been some discussion about businesses located on that lot over a period of 60 years. He thought that indicated there were no special circumstances associated with the lot that said that it couldn't support some type of development or business at that location.

Commissioner Hooiman stated that she had a question for the applicants. She asked if they had approached other businesses in the downtown area as to selling advertising space in their kiosks. She asked what their reactions were.

Mr. Robles said they had not, because they can't go to them without telling them the price. The price is dependent upon how many spaces they have. They don't have the numbers yet.

Commissioner Hooiman assumed they wanted to sell advertising to offset the costs of the eatery and the development of the lot. She saw that they had downtown support, because they had downtown business people present. She said it would be important to her to have support in the development from business that they would be approaching for the advertising dollars.

Mr. Robles said they were going to reach out to local businesses. They would reach out to everyone in town. He thought it would be a great benefit for everyone to be involved in this. It's going to put a lot of pressure because they don't pass code. Staff has mentioned that they have to meet all the criteria. He asked when the last time the code was written. The technology has changed. Putting a business there would be beneficial for the downtown corridor, but at the end of the day the town is growing on the east and west side, but nothing is going on in the downtown area. That was why he felt like they had a niche at this location.

Commissioner Gratton Miller asked if they had approached NDOT yet.

Mr. Robles said no, because they were under the impression that this was under complete City jurisdiction. They would be more than happy to reach out to NDOT. This was their first step.

Chairman Dalling asked how long it would take NDOT to review the project.

Commissioner Miller said NDOT permits things monthly.

Chairman Dalling thought the applicants had a great idea that was innovative. He said they wanted to advertise for the East End Mall and everyone else. Ms. Laughlin had mentioned that they wouldn't really be advertising for the downtown, but Chairman Dalling understood that they had to get their advertising dollars where they could get them.

Mr. Robles said that the downtown had so many businesses and that they want to focus on the downtown. They want to focus on the wine walks, the bar association, and everyone that is in the downtown corridor. That is why they are not making a brick and mortar building. They are making an open-air design so that as people wait for their food they can visit the surrounding businesses. As soon as people start talking about the lot, because everyone passes through there, word is going to get around and people are going to ask them about advertising space.

Chairman Dalling asked what they would be selling in the restaurant.

Mr. Gonzalez said they wanted to focus on the night crowd, so it would be street food.

Chairman Dalling said he liked that idea. He thought it would be well used, especially late at night.

Commissioner Mercedes Mendive thought it was a brilliant idea. One of the things they wanted to focus on was the night crowd, and she thought that was great. The only thing she would be concerned about, not for the development, but there are people that don't even respect the boots. One of her biggest concerns for their advertisements would be people causing some type of vandalism to the signs. Commissioner Mendive thought that would be something to think about going forward. She added that there never seemed to be enough places to sit and eat food. She suggested that they consider having a place for the patrons of the restaurant to sit down and be social. She said that was something there wasn't enough of in Elko.

Commissioner Miller said he would have to disagree. He didn't think the advertising would do well there, especially if they would be going for every business in town. He also thought they would be in direct competition with the Chamber Commerce by doing that.

Mr. Robles said that they could advertise with them.

Commissioner Miller said he understood that. He added that the Chamber of Commerce, by definition, is to advertise for the businesses in Elko. That would put the applicants in direct competition with the Chamber.

Mr. Robles said if they were advertising the Maverik or Stockmen's, and they are also with the Chamber of Commerce, they would just be providing the signage. The only direct competition they would have is the three billboard companies. They have exorbitant prices, because they have the markets cornered. Mr. Robles explained that they would be taking business from the big billboard companies and keeping the money in town. He said that the downtown businesses would be their priority, but there was no reason why they couldn't work with the Chamber and be a Co-op.

Commissioner Stefan Beck thought it was a great idea. He explained that they previously denied a single housing in favor of having a tri-plex because he appreciated the City having rules and regulations. He mentioned that Mr. Wilkinson said that a variance wasn't a tool to change the Master Plan. Commissioner Beck said that he agreed with rules and regulations, but this was a great idea. He said his question was if this wasn't the right path if there was a different approach that would work better. As far as distractions, Commissioner Beck said his biggest concern would be people driving down Idaho Street and not looking at the signs because they were too busy looking at their cell phones. There are so many distractions in the world; he didn't think that would be a good reason. He mentioned that there was all sorts of advertising in Downtown Reno and Las Vegas about what is going on in town. He thought there was a lack of focused advertising.

Commissioner John Anderson asked who owned the murals.

Chairman Dalling explained that Matt Lipparelli owned the mural that was on the side of his building.

Commissioner Anderson asked if the applicant bought that lot if they could destroy the mural.

Ms. Laughlin explained that they would have their property rights if they bought the lot. They can construct what they want on the lot. The mural belongs to Matt Lipparelli.

Commissioner Anderson said he was curious on how this would fit when they brought in more artists to do more murals, if they see that one had already been destroyed. He said it was a big step forward, having the artists here.

Chairman Dalling said if the applicants built a new wall in front of Mr. Lipparelli's wall and it would cover up the mural. He added that Ty Trouten, Police Chief, wrote the letter that was included in the packet about the distraction. It says this is the 2nd highest traffic intersection in Elko. On 12th Street, they built that little bank on a lot that is a similar size. Chairman Dalling said that the fact that it was a high traffic intersection and there were a lot of advertisements to look at was a concern, especially if the Police Chief wrote a letter. Mr. Wilkinson brought up a good point, in which Chairman Dalling agreed, that getting a variance wasn't the proper way to skirt the code on this. He thought that they had a great idea, but he felt like it wasn't developed enough. He felt there was more work they could have put in to meet more than one of the six requirements to be granted a variance.

Commissioner Beck asked the applicants if they were denied if they would come back and try another approach.

Mr. Robles said they would go through City Council, meet with staff again and tell them that the lot is an unusual size and that there would be a hardship for them if they try to develop anything. He thought if they built a brick and mortar building from property line to property line that they would fail. What they were proposing was a small walk up restaurant and digital billboards. No, they don't meet code, but maybe the Code should be updated in regards to what there is now. There are walk up digital signs in Las Vegas that the Code allows for. They have built codes to what is available. Every bus stop has a digital sign in it. They have built these Codes to allow for the changing of advertising over time. There is digital advertising throughout the country, and not just in airports. The one place that makes sense to do it is at the 2nd busiest intersection in town. The pedestrian signage is meant for the people that are walking around the downtown corridor.

Chairman Dalling mentioned that they also had the three billboards, which were directed at the vehicles.

Mr. Robles said yes, the three billboards would be geared toward the vehicles.

Chairman Dalling asked if the billboards had to be 600 feet apart by code. (Yes)

Ms. Rambo wanted to remind the Commission that financial viability, whether a business is going to make it or not, was not a legal finding for a variance. If the Commission did want to lean toward approving this, they would need to make some very specific findings. She suggested that they work with the City Attorney to come up with some specific legal findings that would stand in court. She said if the Commission were leaning toward approving the application, she would suggest tabling it to work with the City Attorney, and staff would like to throw in some conditions of approval.

Mr. Robles said it had been an empty lot for over 3 years. There hasn't been a business there since the mid-2000s. There are smarter people out there, but nobody has bought the land and developed it. The price has been going down on the lot. They came up with this interesting idea, they don't meet code, and they are try to bring the Code up to par, but at the end of the day it's not going to fit there. The lot will work and the business plan will work.

Mr. Wilkinson explained that if there was a motion to consider an approval, he thought that the motion maker would need to have findings, and he thought that would need to be done tonight. He didn't know that it would be the City Attorney's role to try to make those findings and bring them back to the Planning Commission. Staff responds to an application, and if the Planning Commission disagrees with staff's recommendation then the Planning Commission should have its own findings as it moves forward. He recommended taking the time, if there was a motion, to go through each and every one of the variance requirements and have the motion maker state findings that justify the motion. Then they could consider that motion.

Ms. Wines wanted to address the mural. She explained that the contract with the artists was that the mural would stay intact for 3 years. In 2022, all of the artists can expect that maybe their murals would go away, but we hope they don't. However, you can't tie up a business owner by telling them that they couldn't do anything to the wall for 10 years. The other thing she wanted to address was that there were two comments by staff that a building could easily be built on this lot and that is absolutely not true. Ms. Wines stated that she was an architect and that she had looked at this lot twice with two different clients. It is really not possible. The difference between the Bank on 12th and Idaho and this lot was there was an alley. This lot doesn't have access to an alley. It doesn't have a back, where the back of the building would be. When it was built, a long time ago, they didn't concern themselves with the back of the building, because they didn't have huge traffic flows and deliveries were maybe once a month. There is no place to make deliveries; there is no place to have a grease trap, and no place to take the trash out. It is not desirable, at all, to build on this lot.

Commissioner Miller said the eatery couldn't sustain itself. He thought it was a moot point.

Ms. Wines said the eatery was like a food truck.

Commissioner Miller suggested they make a plan with food trucks instead, something that would be feasible. He thought the advertisement would be destroyed, through either cars or people. He pointed out that Ms. Wines stated that an eatery would not work here, unless they did all the things she mentioned, which was a part of this.

Ms. Wines clarified that she was stating that building a brick and mortar building to cover the lot, which would have to be covered for it to pencil out, and it would need to go up 7 or 8 stories.

Ms. Algerio said these young men came to her and she immediately called Ms. Laughlin, who she calls from time to time. Ms. Laughlin suggested a variance. That is why the applicants went this way. In doing so, they weren't aware of the questions, they were very ignorant about them. They came to Ms. Algerio after they got the letter of denial from staff. Ms. Algerio explained to them that Ms. Laughlin had said they couldn't add onto the application once it was submitted. Therefore, that is why the Planning Commission got what they got. The applicants asked Ms.

Algerio if they could do this within three to four months. The timing was just about right with the Planning Commission dates, but they didn't have time to submit another application.

Ms. Laughlin explained that the applicants set up a meeting with her. She met with them prior to speaking with Ms. Algerio. She told them in the meeting that she had to go by what is in Code, and Code states a 600-foot separation of off premise signs, one per street frontage, and the area requirements. Ms. Laughlin told them that they had the right to apply, but she would be recommending denial, and that it would be up to the applicant to provide the testimony, hardship, and exception circumstances in their application to support their application.

Ms. Blohm wanted clarify something, because she was the victim of most of those accidents that occur at 5th & Idaho Street. She asked if anyone knew why there were accidents there, because of speeding and drunkenness. Two of the cars went into her building. She was always aware. It is speeding. She has had conversations with the Police Chief. The cars are going too fast. There was an incident with a fire truck and another car. Those things are understandable. It is a busy intersection; we like it busy. She thought it was presumptuous to tell someone what kind of business they need to place. As long as it is safe, and it meets health and safety requirements.

Chairman Dalling said they were having safety questions.

Ms. Blohm said the safety question she was hearing was regarding the distraction of billboards to traffic driving by. The safety issue that she saw on a daily basis was speeding and drunkenness. What would Las Vegas have done if their business people had to go before a Board and they said they couldn't have neon lighting because it's a distraction?

Mr. Thibault thought that the applicant could work with staff and have something very similar to the current proposal that was Code compliant.

Commissioner Beck asked if the application was denied if it was a black mark. If they table it, would it give the applicants another change to take a different approach?

Ms. Laughlin explained that if the Commission tabled the application, it would come back as the exact same application. There would not be any changes or additions. If the Commission denied the application, the applicant would have the right to appeal it. There is an appeal process, in which the application would go to City Council.

Commissioner Beck asked if that would open up other avenues. (Yes)

Mr. Wilkinson added that during the appeal process they introduce additional evidence that was not considered at this hearing. In actuality, the appeal needed to be based on additional evidence that was not considered at this hearing.

Commissioner Beck asked if it was denied and they had 10 days, if all that doesn't work, then would they have another opportunity to try another approach and work with the City. (Yes)

Ms. Laughlin said if the applicant came to staff with the walk-up restaurant, the plaza area, one free-standing sign on each street frontage advertising the walkup business, and one off premise sign, the only thing they would have to get approval on would be the off premise sign.

*****Motion: Deny Variance No. 3-21.**

Commissioner Beck's findings to support the motion were the proposed use is in conformance with the Land Use Component of the Master Plan as well as the Transportation Component of the Master Plan. The property is located within the redevelopment area and is not in conformance with the Redevelopment Plan. The proposed use is in conformance with the development standards of Elko City Code 3-2-10. In accordance with Section 3-2-22, the applicant has not demonstrated any special circumstances or features regarding the parcel. In accordance with Section 3-2-22, the applicant has not demonstrated that there is practical difficulties or exceptional undue hardships, which constitutes an abridgement of property right and deprives the property owner of reasonable use of property. Granting of the variance will result in material damage or prejudice to other properties in the vicinity. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance. Granting of the variance will not impair natural resources. The proposed signs are not in conformance with Elko City Code 3-9.

Moved by Commissioner Stefan Beck, Seconded by Commissioner Mercedes Mendive.

****Motion passed unanimously (6-0).***

Chairman Dalling informed the applicants of the appeal process.

B. MISCELLANEOUS ITEMS, PETITIONS, AND COMMUNICATIONS (Cont.)

6. Review, consideration, and possible action to initiate an amendment to the City Zoning Ordinance, specifically Section 3-2-17 (Traffic, Access, Parking, and Loading Regulations), and matters related thereto. **FOR POSSIBLE ACTION**

A long-standing policy of City staff was to require driveways for single-family residences be designed with a slope of 14 percent or less. However, this requirement was never added to the City Code. With more and more housing development moving up into the hills, it has become necessary to codify this 14 percent requirement. During the process of adding this, staff took the opportunity to update and/or modify other portions of this Section.

Ms. Rambo went through the proposed changes to Section 3-2-17 of the Elko City Code as presented in the Agenda Packet.

Sheldon Hetzel, 780 W Silver Street, said that he had not looked at this at all prior to tonight. He said he loved anything that had to do with cleaning up the Code and making more legible and more functional. It gets hard to maneuver through and find a lot of those sections. The only thing that he questioned was codifying the 14% slope. There is topography that they run into that makes that really difficult. He was concerned that the Commission might be setting themselves up for having to do a lot of modification of standards.

Chairman Dalling asked if there were a lot of hills left in Elko.

Exhibit B

Downtown Advertising Group LLC DAG LLC.

Managing Partners:

Adrian Gonzalez

Jorge Robles

397 5th Street



397 5th street

- Hardships of the Lot
 - Retail
 - Dine In Restaurant
 - Bar
 - Office Space
 - Bank
 - Hotel
 - Multi Family Housing Units
 - Drive Thru
 - Gas Station

Advertising Plaza



Advertising Plaza



The advertising plaza is an open space design equipped with digital signage that will allow the businesses of Elko to promote existing and new products, services, events or job vacancies in a public medium.

Advertising Plaza Cont.

Based on Chapter 9 Signage Code we do not pass:

- Purpose of sign code 3-9-3:
 - A. We will ensure that signs erected within said lot are constructed of safe durable material
 - B. We will attract economic and business climate
 - C. We will add curb appeal to the corridor
 - D. We will not distract or obstruct traffic control signs, signals and other traffic control devices
 - E. By having electric billboards, ads that would take innumerable temporary signs and banners to display could be consolidated into one on premise digital sign

Advertising Plaza Cont.

- General Provision 3-9-5
 - A. We will have city building department approval for all items related to construction of the property
 - B. Placement Restrictions
 1. We will comply with all utility and access or drainage easement
 2. Signs will be placed 5 feet inside the lot
 3. Signs will not impede the safe movement of vehicles or pedestrians or obstruct traffic control warnings. We will not obstruct views of fire hydrant.
 4. We are not attaching signs to utility poles or traffic control posts or signs.

Advertising Plaza Cont.

Permitted Freestanding Signs 3-9-7

A. 1 – We are allowed one freestanding sign on each street frontage.

We are requesting eight signs.

Three wall mounted signs

Five pedestrian signs around the perimeter

B. 1 – The maximum height of a freestanding sign is 25' if located on a 25 MPH or less street

We are building a 90° angle wall and the top of the signs is at 25'

C. 1 – The maximum area of a freestanding sign for this lot is two (2) square feet of sign area for every one linear foot of building frontage facing the adjacent street.

Advertising Plaza Cont.

	Maximum allow area	Signage Consideration	Requesting variance
Northwest Wall	96.76 Square Feet	128 Square Feet (8 feet by 16 feet)	31.24 Square Feet
Southwest Wall	147.2 Square Feet	256 Square Feet Two (8 feet by 16 feet)	108.8 Square Feet

- Base on 3-9-7 sign code
 - We are allowed one free standing sign per frontage
 - Requesting Five pedestrian signs
 - 3 feet wide by 5 feet tall in a anti-vandalism casing

Advertising Plaza Cont.

- **Safety**
 - Installing bollards around the perimeter.
 - Pedestrian signage is not intended for vehicle attention
 - Electronic signs have been studied for over 30 years and have never been found to be hazardous.
 - FHWA: 1980, 2001, 2009, 2012
 - Virginia Tech:2007
 - Tantara Associates: 2007-2010
 - Texas A&M: 2012 Deals specifically with on-premise
 - Copies of these studies are available upon request
 - According to the FHWA study; Longest glance time recorded was 1.35 seconds (well below accepted standard of 2 seconds)
 - Quote from study: "The present data suggest that drivers in this study directed the majority of their visual attention to areas of the roadway that were relevant to the task at hand (i.e., the driving task)."

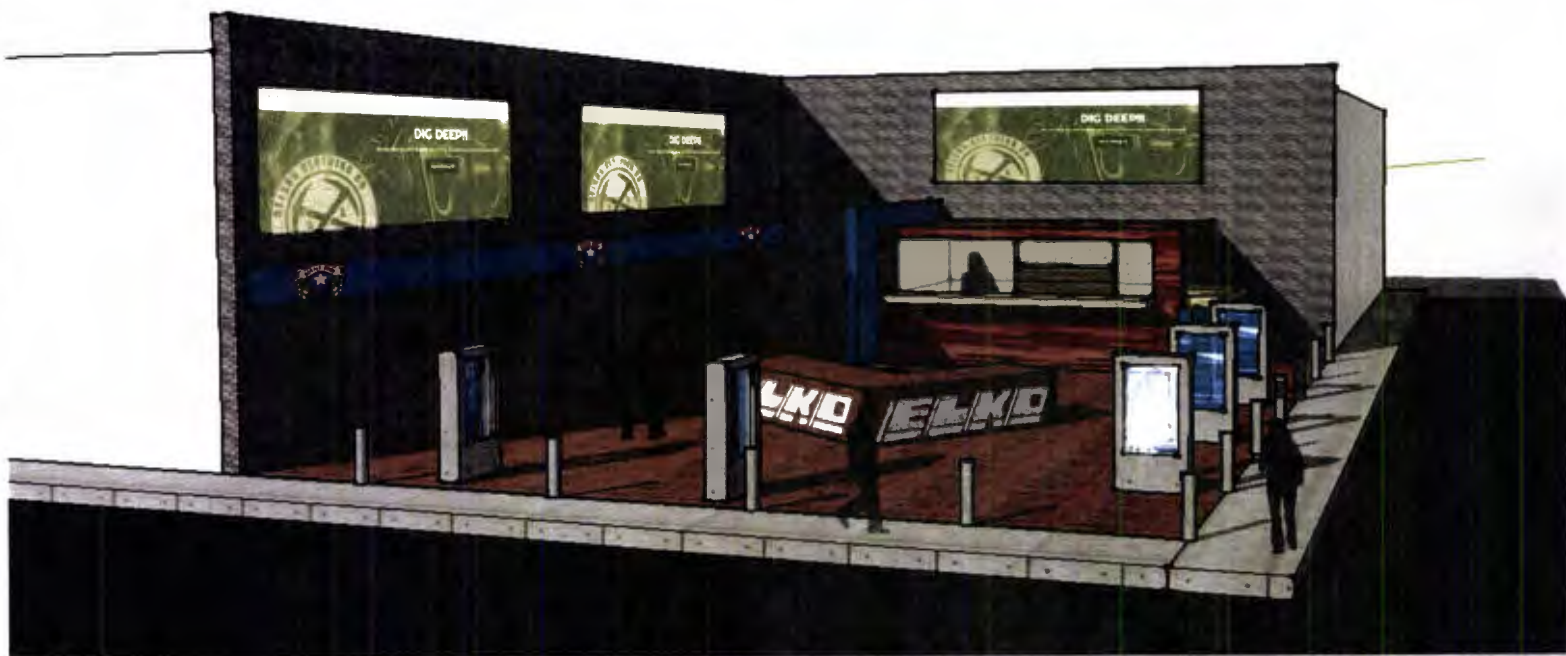
Advertising Plaza Cont.

- **Brightness**
 - Our digital billboards will be equipped with automatic dimming technology, which takes readings of ambient light and adjusts the display intensity accordingly
- **Clutter**
 - Information that would take innumerable temporary signs and banners to display could be consolidated into one on premise digital sign, if said signs are permitted
- **Redevelopment Plan**
 - Downtown Advertising Group LLC locally owned and operated

397 5th Street







CHAPTER 9

SIGN REGULATIONS

SECTION:

3-9-1: Title

3-9-2: Adoption Of International Building Code, Appendix H

3-9-3: Purpose

3-9-4: Definitions

3-9-5: General Provisions

3-9-6: Exempted Signs

3-9-7: Permitted Freestanding Signs

3-9-8: Temporary Signs

3-9-9: Off Premises And On Premises Signs

3-9-10: Abandoned Signs

3-9-11: Modification Of Standards

3-9-12: Illumination

3-9-13: Administration And Enforcement

3-9-1: TITLE:

This chapter shall be known and may be cited as the *CITY OF ELKO SIGN ORDINANCE*. (Ord. 608, 10-28-2003)

3-9-2: ADOPTION OF INTERNATIONAL BUILDING CODE, APPENDIX H:

There is hereby adopted for the purpose of prescribing regulations governing signs, that certain code known as the international building code, appendix H, entitled "Signs", recommended by the International Code Council, Inc., being particularly the latest edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, such to become effective upon the effective date hereof. One copy of the latest edition being adopted shall be approved by the city council and placed on file in the office of the city clerk. From the date on which such filed edition of said code shall take effect, the provisions thereof shall be controlling within the limits of the city. The code is hereby adopted as the rules and regulations for the governing of signs. In the event any of the provisions of the latest edition of the international building code, appendix H, conflict with any of the provisions of this chapter, the provisions of this chapter shall govern and be controlling. (Ord. 639, 9-13-2005)

3-9-3: PURPOSE:

It is the intent of this chapter to promote and protect the health, safety and welfare of the citizens of the city by establishing standards to ensure the placement of safe, effective signage throughout the city. Specific regulations and standards are intended to address the following:

- A. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.
- B. To protect and enhance property values and create an attractive economic and business climate.
- C. To protect and enhance the physical beauty and appearance of the community.
- D. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals and other traffic control devices.
- E. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height and area of freestanding signs on all sites. (Ord. 608, 10-28-2003)

3-9-4: DEFINITIONS:

ABANDONED SIGN: A sign which no longer identifies or advertises a bona fide business, service, product or activity and which has been operationally discontinued for a period of two (2) years.

BLANKETING: The partial or complete shutting off of the face of one sign by another sign.

DIRECTIONAL SIGN: A sign designed for the purpose of guiding and directing pedestrians or vehicular traffic to a specific site.

FREESTANDING SIGN: A sign supported permanently upon the ground by footings, poles, pylons and not attached to any building.

OFF PREMISE SIGN: A sign which advertises a business, activity, use, product or service and is located off the property providing the business, activity, use, product or service.

PORTABLE SIGN: A sign not permanently affixed to the ground or to a building or structure that is designed easily to be moved from place to place.

SIGN: Any commercial communication device intended to attract attention to and advertise a business, service, activity or product. Such definition includes any letters, figures, symbols, trademarks or other copy meant to aid in such advertisement.

TEMPORARY SIGN: A sign (including a portable sign), pendant, valance or advertising display constructed of cloth, canvas or other light material (with or without frames), intended to be displayed for a limited period of time only. (Ord. 608, 10-28-2003)

3-9-5: GENERAL PROVISIONS:

A. Permit Required; Application: No sign shall hereafter be erected, reerected, constructed, reconstructed or altered without first having obtained a sign permit from the city building department. Application for a sign permit shall be made upon forms provided by the city and shall be accompanied by such information as may be required to ensure conformance with regulations contained within this chapter.

B. Placement Restrictions:

1. No sign shall be placed within any utility, access or drainage easement.
2. No permanent sign or sign foundation shall be placed within any public street right of way without first having obtained approval of a revocable permit to occupy the right of way from the city council, or authorized city personnel.
3. No sign shall be erected or placed that shall impede the safe movement of vehicles and/or pedestrians, or obstruct any signs for traffic control, direction to public facilities, or for regulatory notice, warning or other public purposes. No sign shall obstruct the view of a fire hydrant.
4. No signs shall be attached to any public utility poles or structures, nor traffic control devices, posts or signs.

C. Airport Restrictions: All sign heights and locations shall be subject to Elko regional airport airspace restrictions as set forth by part 77 of the federal aviation regulations. (Ord. 608, 10-28-2003)

3-9-6: EXEMPTED SIGNS:

The provisions of this chapter shall apply to all signs erected in the city, except for the following, which shall be exempt from conformance with provisions contained within this chapter:

A. Construction signs having an area not in excess of forty eight (48) square feet, provided such signs are erected no more than sixty (60) days prior to construction, are confined to the site of construction, and are removed not more than thirty (30) days after completion of construction and prior to occupancy.

B. Government signs for traffic control, for direction to public facilities, or for regulatory notice, warning or other public purposes.

C. Real estate signs, provided they are removed within seven (7) days of the sale, rental or lease of the subject property; and provided, that such signs not exceed more than thirty two (32) square feet of area, shall not be illuminated and shall be set back at least ten feet (10') from all property lines.

D. Permitted special event (election) signs as outlined in Nevada Revised Statutes.

E. Political signs, provided they are located and removed in accordance with Nevada Revised Statutes. (Ord. 608, 10-28-2003)

3-9-7: PERMITTED FREESTANDING SIGNS:

A. Specified: Each property, lot or parcel of record within any commercial or industrial zoning district of the city is permitted the following:

1. One freestanding sign on each street frontage, except that a gasoline service station may have one additional trade name or pricing sign if the premises has only one street frontage and except that an automotive dealership may have one sign for each new car dealership. Frontage along a freeway or interstate highway is not considered street frontage.
2. Directional or instructional signs which do not advertise a business, other than the business logo but which identify restrooms, public telephones, walkways or signs providing direction, such as parking lot entrances and exit signs and those of a similar nature. Directional signs are limited to one sign per driveway approach and shall not exceed an area of six (6) square feet.
3. Off premise signs shall observe a minimum separation distance of six hundred feet (600').

B. Sign Height:

1. The maximum height of a freestanding sign shall be twenty five feet (25') if located on property abutting a street right of way having a twenty five (25) mile per hour or less speed limit.
2. The maximum height of a freestanding sign shall be thirty five feet (35') if located on property abutting a street right of way having a speed limit greater than twenty five (25) miles per hour.
3. The maximum height of a freestanding sign shall be forty five feet (45') if located on property within one hundred feet (100') of the Interstate Route 80 right of way.

C. Sign Area:

1. The maximum area of a freestanding sign shall be two (2) square feet of sign area for every one linear foot of building frontage facing the adjacent street

D. Nonpermitted Freestanding Signs: Freestanding signs, other than exempted signs and signs authorized as part of an approval of a conditional use permit for a medical office use, professional office use, multi-family residential use or similar conditional use, are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-8: TEMPORARY SIGNS:

A. Permitted; Requirements: Temporary signs may be placed in any commercial or industrial zoning district of the city, subject to the following requirements and other applicable provisions stated in this chapter:

1. Each lot or parcel of record may have two (2) temporary signs, each sign not to exceed sixteen (16) square feet in size, or one temporary sign, not to exceed thirty two (32) square feet in size.
2. No temporary sign shall obstruct or impair the use of the public sidewalk by pedestrians or impair the use of public or private streets or driveways, traffic control signs, bus stops, fire hydrants, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
3. A temporary sign shall be designed to be stable under all weather conditions, including high winds.
4. A temporary sign may be internally illuminated.
5. A temporary sign shall be placed only with the consent of the property owner.
6. A temporary sign may be placed for a period of time of up to sixty (60) days at which time the sign shall be removed or replaced.
7. No temporary sign shall be placed without first having obtained a sign permit or sign clearance from the city planning or building department.
8. No temporary signs shall be placed within the public street right of way except for areas improved with sidewalk or landscaping, provided the sign is set back a minimum of three feet (3') from the curb face of the roadway and a minimum unobstructed sidewalk area five feet (5') in width is maintained for pedestrian use, and provided the temporary sign is removed from the sidewalk at dusk.

B. Placement In Residential Districts Prohibited: Temporary signs, other than exempted signs, are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-9: OFF PREMISES AND ON PREMISES SIGNS:

Off premises and on premises signs are permitted in any commercial or industrial zoning district in accordance with the provisions of this chapter, but are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-10: ABANDONED SIGNS:

All abandoned signs and abandoned sign support structures shall be removed by the property owner or owner of the premises within three (3) months after abandonment. (Ord. 608, 10-28-2003)

3-9-11: MODIFICATION OF STANDARDS:

In any zoning district, the planning commission, upon demonstration of just cause, may modify any or all of the provisions contained within this chapter under the variance procedures contained within section 3-2-22 of this title. Additionally, the planning commission may include the following criteria when evaluating and considering a modification of sign regulations contained within this chapter:

- A. Blanketing of the proposed sign by other signs or structures in the area.
- B. Multiple businesses on the same property or multiple tenants within the same building.
- C. Topographic features, such as grade differential between the subject property and the adjacent roadway. (Ord. 608, 10-28-2003)

3-9-12: ILLUMINATION:

All signs shall be designed and installed to direct and shield light away from any residential district and adjacent streets, in accordance with section 3-2-3 of this title. Techniques, such as use of opaque sign backgrounds, may be required to control illumination spillover and meet this objective. (Ord. 608, 10-28-2003)

3-9-13: ADMINISTRATION AND ENFORCEMENT:

- A. The administration and enforcement of this chapter shall be the responsibility of the city building and planning departments.
- B. This chapter is not intended to conflict with or supersede other sections of the city code pertaining to the installation of signs. In the event of a conflict, the most stringent provision shall prevail. (Ord. 608, 10-28-2003)

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 7/6

Do not use pencil or red pen, they do not reproduce

Title: Variance No. 3-21
Applicant(s): DAG, LLC on behalf of Sonora, LLC
Site Location: 397 5th Street - APN 001-265-006
Current Zoning: C Date Received: 6/15/21 Date Public Notice: 6/22/21
COMMENT: This is to allow for an increase in the number of
allowed freestanding signs per street frontage and increase maximum
area of a freestanding sign

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 6/25/21
Recommended denial of the variance based on
the facts & findings presented by staff. Additionally,
there is a remainder wall from a demolition
project that may or may not present a hazard
to persons using the property. This item SAW
should be tabled until this issue is
resolved.

Initial

City Manager: Date: 6/30/21
Not in conformance w/ Redevelopment Plan or Sign Code.

cy
Initial



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

CITY OF ELKO STAFF REPORT

REPORT DATE:	June 24, 2021
PLANNING COMMISSION DATE:	July 6, 2021
APPLICATION NUMBER:	Variance 3-21
APPLICANT:	DAG LLC. on behalf of Sonora LLC
PROJECT DESCRIPTION:	APN 001-265-006

A variance request from provisions under Elko City Code 3-9 Sign Regulations for multiple off premise signs to be located on one parcel.



STAFF RECOMMENDATION:

RECOMMEND DENIAL, subject to findings of fact as stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-265-006

PARCEL SIZE: 3,560 square feet

EXISTING ZONING: (C) General Commercial

MASTER PLAN DESIGNATION: (MU-DTWN) Mixed Use Downtown

EXISTING LAND USE: Currently undeveloped

BACKGROUND:

1. The property owner is Sonora LLC. They have provided the applicant permission to apply for the variance as part of their due diligence on purchasing the property.
2. The property was previously developed and demolished a few years ago.
3. Both Idaho Street and 5th Street are under NDOT jurisdiction.
4. Sign area allowance is determined by the lineal footage of the building parallel to the adjacent street frontage. The building orientation is such that the short side of the building is parallel with the longer length of property line adjacent to Idaho Street.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North, South, East and West: (C) General Commercial / Developed

PROPERTY CHARACTERISTICS:

- The property is currently for sale.
- The property is generally flat.
- The property is located at the intersection of Idaho Street and 5th Street, both under NDOT jurisdiction.

APPLICABLE MASTER PLAN AND CITY CODE SECTIONS:

- City of Elko Master Plan – Land Use Component
- City of Elko Redevelopment Plan
- City of Elko Zoning – Section 3-2-10 Commercial District
- City of Elko Zoning – Section 3-2-22 Variances
- City of Elko Zoning – Section 3-9 Sign Regulations

MASTER PLAN

Land Use

1. The Master Plan Land Use Atlas shows the area as Mixed Use Downtown.
2. C- General Commercial zoning district is listed as a corresponding zoning district for Mixed Use Downtown.
3. Objective 6: Encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.

4. Objective 8: Encourage new development that does not negatively impact County-wide natural systems, or public/federal lands such as waterways, wetlands, drainages, floodplains etc., or pose a danger to human health and safety.

Transportation

1. The Master Plan identifies both Idaho Street and 5th Street as Major Arterials.
2. The site has pedestrian access along both frontages.
3. Best Practice Objective 1; Provide a balanced transportation system that accommodates vehicle, bicycles, and pedestrians, while being sensitive to, and supporting the adjacent land uses.

The proposed variance is in conformance with the Land Use and Transportation Component of the Master Plan.

CITY OF ELKO REDEVELOPMENT PLAN

The property is located within the Redevelopment Area and more specifically the Central Business District.

Redevelopment Plan – Preliminary Plan state this in regards to signage:

Signing – Sensitive signing can play a significant role in Elko's downtown revitalization. It can communicate a sense of community identity and help unify the city center. Signs also play a role in creating the overall visual character of the business district, enhancing the traveled way for both pedestrians and motorists.

Signs should function to promote individual businesses, enhance their identity, and contribute to the public's perception of each business. Professional office, service and retail businesses, for example, should establish their own identities separate from hotels, motels and gaming establishments. Good signing expresses a simple, clean message. Flat fixed signs or individual raised letters should be positioned in logical places, on or above storefronts, and may be complemented by small, pedestrian oriented hanging signs. Adequate signing should be visible to the motorist without overwhelming the pedestrian. Attractive window lettering or window graphics can identify and add character to window displays. Signing can also be effectively located on store awnings.

Existing signs in downtown Elko have become a prominent and at times an intrusive architectural feature, with the majority being auto-oriented and illuminated. Competition for space and vistas has seen a proliferation of larger signs competing with one another, creating an impression of visual clutter and visual domination of the streetscape.

Also, numerous billboards or off-premise signs have been constructed within the downtown. Typically, these signs advertise products and services outside of the downtown and community and detract from the desired visual image for the downtown.

Elko Redevelopment Vision Plan states the following for Commercial Signs:

- a. Sign materials and colors must be complementary to the materials, colors and architecture of the related structure.
- b. Signs must be large enough to be visible and read with ease, yet not dominate the structure or streetscape by an overly large scale.
- c. A variety of shapes, sizes, and materials are possible for most signs; these must be selected to complement the architecture and color scheme of the building/development.
- d. Fully backlit signs are not recommended. Individual backlit or neon letters, or front- or side-lit signs are preferred. Lighting fixtures for signs must be consistent with the architecture and lighting scheme for the building/ development.
- e. Signage or wording is not encouraged on the sloped part of awnings. Simple lettering may be used on the hanging valence part of awnings.
- f. Sign materials should be of high quality, durable materials that will maintain their beauty and appearance for many years. Consider the use of materials such as bronze, brass and copper, that patina naturally with age.

The proposed variance is not in conformance with the Redevelopment Plan.

SECTION 3-2-10 COMMERCIAL DISTRICTS

1. The proposed use complies with the principal permitted uses allowed within the Commercial zoning district.
2. Height Restrictions: All structures within the C general commercial zoning district must comply with the height restrictions of the current city airport master plan, to the extent the plan applies to that location.
 - The proposed wall is shown at 25' tall and meets the height restrictions for the City of Elko Airport Master Plan.
3. City code doesn't state a minimum or maximum lot size, lot coverage or setback requirements for development standards.
4. Development of the property is required to be in conformance with City code.

The proposed use is in conformance with the development standards of Elko City Code 3-2-10.

SECTION 3-2-22 VARIANCES:

B. Procedure: Any person requesting a variance by the planning commission shall include:

Application Requirements: Each such application shall be signed by the owner of the land and/or buildings affected by, or by his acknowledged agent. In order for the planning commission to grant a variance, adequate evidence demonstrating conformance to the following criteria shall be presented by the applicant:

1. There are special circumstances or features, i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions applying to the property under consideration.
 - Applicant states: There are no special circumstances associated with the lot. It meets our specific business model. Nor does the lot have any other extraordinary situations or conditions that would prevent us from putting up signage and a walk up restaurant.
 - Staff comments: The applicant clearly stated that there are NO special circumstances or features related to the site so this requirement has not been met and therefore cannot be in support of a variance approval.
2. The special circumstance or extraordinary situation or condition results in exceptional practical difficulties or exceptional undue hardships, and where the strict application of the provision or requirement constitutes an abridgment of property right and deprives the property owner of reasonable use of property.
 - Applicant states: No Practical difficulty or undue hardship will deprive the property owner of reasonable use of the property will result if no variances are granted. Granting the variance allows the business owners to bring their business plan to fruition. The business model does not pass chapter 9 sign regulation code. Specifically, Clutter, Light Pollution, Height Requirement, and Impeding Flow of Traffic. Reasonable use provisions depend on the variance being granted. If no variances are granted, the property owners will not be entitled nor incentivized to buy or build on the property.
 - Staff comments: The applicant has stated that there is no practical difficulty or undue hardship depriving the applicant of reasonable use of the property. They also state that the plan doesn't comply with ECC 3-9 specifically clutter, light pollution, and impeding flow of traffic. The applicant clearly stated reasons why this variance should not be approved.
3. Such special circumstances or conditions do not apply generally to other properties in the same zoning district.
 - Applicant states: The business model does not pass chapter 9 sign regulation code. No other property is permitted to build our business because it does not pass the code. A variance must be granted to build the business plan. This is a commercial property, we are attempting to put commercial advertising.
 - Staff comments: The applicant has stated that there were no special circumstances or conditions.
4. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor be detrimental to the public interest, health, safety and general welfare.
 - Applicant states: The signage mounts and installation will be constructed with all provision of the international building code. Additionally, vendors must prove

without a reasonable doubt that their technology can endure the Northern Nevada climate. Signage will be well equipped with dimmable sensors, they will be brighter during the day and dimmer during the night. The advertising displayed will not be risqué and vulgar in nature. Advertising will be tasteful but attractive to capture the advertiser's message. Bollards will be aligned throughout the perimeter to make sure that the lots assets and pedestrians will feel safe of a possible errant vehicles.

- Staff comments: We do feel that the multiple signs all flashing different messages at the same time could be detrimental to the public safety. With both streets classified as major arterials, the safety of this intersection is of the utmost concern.
5. The granting of the variance will not substantially impair the intent or purpose of the zoning ordinance or effect a change of land use or zoning classification.
- Applicant states: We will comply with all construction stresses set forth by the international building code. Empty lot will go through a beautification remodel. It enhances every business potential by advertising their business in the busiest intersection of Elko County. It will bring curb appeal to the downtown corridor. Empty lot will go through a physical beautification and plaza has four subliminal dedications to Elko, Elko County, and Nevada. The pedestrian signage will not exceed 7ft from the ground to the top. The digital billboards will be over 25ft from the top of the sign to the ground. No signs will be in the visible eyeline of the 5th street and Idaho street intersection traffic control devices. All signs will be from only one vendor. The three wall digital billboards will be the same size. The five walk up freestanding signs will be the same size. The business plan is a Commercial Plaza. It is not a housing, industrial, or recreational classification.
 - Staff comments: Staff feels that the proposed signs substantially impair the intent of the sign code, specifically items C, D, & E. The variance will have no effect on a change in the land use or zoning classification.
6. The granting of the variance will not substantially impair affected natural resources.
- Applicant states: It's a dirt lot and we are going to be as minimally evasive as possible based on the recommendations of our architect and construction company. Walls erected will be of sound structure following building code.
 - Staff comments: We believe that granting of the variance will not impair affected natural resources.

All six of the above items need to be met in order to grant a variance. The variance request based on the information provided in the application does not conform to Section 3-2-22 of Elko City Code.

SECTION 3-9 SIGN REGULATIONS:

1. It is the intent of this chapter to promote and protect the health, safety and welfare of the citizens of the city by establishing standards to ensure the placement of safe, effective

signage throughout the city. Specific regulations and standards are intended to address the following:

- A. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.
 - B. To protect and enhance property values and create an attractive economic and business climate.
 - C. To protect and enhance the physical beauty and appearance of the community.
 - D. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals and other traffic control devices.
 - E. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height and area of freestanding signs on all sites.
2. Each property, lot or parcel of record within any commercial or industrial zoning district of the city is permitted the following:

- *One freestanding sign on each street frontage, except that a gasoline service station may have one additional trade name or pricing sign if the premises has only one street frontage and except that an automotive dealership may have one sign for each new car dealership. Frontage along a freeway or interstate highway is not considered street frontage.*
- *Off premise signs shall observe a minimum separation distance of six hundred feet (600').*

The applicant is proposing three freestanding signs along Idaho Street with a separation of fifteen feet (15') and two along 5th street with a separation of thirteen feet (13').

3. Sign Height:

- *The maximum height of a freestanding sign shall be twenty five feet (25') if located on property abutting a street right of way having a twenty five (25) mile per hour or less speed limit.*

The proposed signs all comply with the maximum height requirement.

4. Sign Area:

- *The maximum area of a freestanding sign shall be two (2) square feet of sign area for every one linear foot of building frontage facing the adjacent street.*

The applicant is proposing each sign along Idaho Street be twenty eight square feet for a cumulative total of eighty four square feet. The building lineal footage along Idaho Street is twenty feet which would allow a freestanding sign to be a maximum of forty square feet. The applicant is proposing two signs along 5th Street for a total of fifty six square feet and fifty square feet would be allowed.

The proposed signs are not in conformance with Elko City Code 3-9.

FINDINGS

1. The proposed use is in conformance with the Land Use Component of the Master Plan as well as the Transportation Component of the Master Plan.
2. The property is located within the redevelopment area and is not in conformance with the Redevelopment Plan.
3. The proposed use is in conformance with the development standards of Elko City Code 3-2-10.
4. In accordance with Section 3-2-22, the applicant has not demonstrated any special circumstances or features regarding the parcel.
5. In accordance with Section 3-2-22, the applicant has not demonstrated that there is practical difficulties or exceptional undue hardships, which constitutes an abridgment of property right and deprives the property owner of reasonable use of property.
6. Granting of the variance will result in material damage or prejudice to other properties in the vicinity.
7. Granting of the variance will substantially impair the intent or purpose of the zoning ordinance.
8. Granting of the variance will not impair natural resources.
9. The proposed signs are not in conformance with Elko City Code 3-9.

STAFF RECOMMENDATION:

Staff recommends this item be **Denied** based on the findings of fact.



City of Elko Development Department
1751 College Avenue
Elko, NV 89801
(775) 777-7210
FAX (775) 777-7219

Memorandum

To: Planning Commission
From: Michele Rambo, AICP – Development Manager
RE: Variance 3-21
Date: June 16, 2021

RECOMMENDATION: DENIAL

Section 3-2-22(C) states that “in order for the Planning Commission to grant a variance, adequate evidence demonstrating conformance to the following criteria shall be presented by the applicant:

1. There are special circumstances or features, i.e., unusual shape, configuration, exceptional topographic conditions, or other extraordinary situations or conditions applying to the property under consideration.
2. The special circumstance or extraordinary situation or condition results in exceptional practical difficulties or exceptional undue hardships, and where the strict application of the provision or requirement constitutes an abridgment of property right and deprives the property owner of reasonable use of property.
3. Such special circumstances or conditions do not apply generally to other properties in the same zoning district.
4. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, nor detrimental to the public interest, health, safety, and general welfare.
5. The granting of the variance will not substantially impair the intent or purpose of the zoning ordinance or effect a change of land use or zoning classification.
6. The granting of the variance will not substantially impair affected natural resources.”

Section 3-9-11 further states that the Planning Commission “upon just cause”, may modify any provision contained in the sign regulations under the variance procedures contained within Section 3-2-22, which includes the mandatory findings listed above.

A detailed discussion of all six required findings follows.

1. Special Circumstances or Features:

As described in Finding #1, a special circumstance or feature includes UNUSUAL shape, size, or topographic features or other extraordinary conditions. In analyzing a property to determine if there is one or more of these hardships, several factors are looked at such as minimum lot size, minimum lot dimensions, the shape of the lot, etc.

The Commercial zoning district does not include minimum lot standards to compare the subject property against. In this case, you can compare the size of the lot with the lots in the surrounding area to determine if the subject lot is smaller the average. An analysis of the surrounding block shows that the property lot size of 3,661 square feet is larger than the average lot size on that block of 3,013 square feet. The subject lot is also a normal rectangular shape similar to other lots in the surrounding area. Therefore, there are no unusual circumstances related to size or shape.

Another feature that may allow for a variance approval is topography. Lots with unusual slope or large grade changes would qualify as an unusual topographic feature. However, as seen in the photo below, the subject lot is flat and, therefore, has no unusual topographic features.



In addition to this analysis done by staff, the application provided by the applicant states "there are no special circumstances associated with the lot" and the property does not "have any other extraordinary situations or conditions".

Can this finding be met: NO

2. Difficulties and Hardships:

This finding builds off of Finding #1 by determining if the unusual circumstances found prevent the property owner from using the property. Because there are no unusual circumstances (as discussed above), there can be no denial of property rights which would prevent the reasonable use of the property. The applicant acknowledges this in the application by stating that "no practical difficulty or undue hardship will deprive the property owners of reasonable use".

Can this finding be met: NO

3. Comparison to Other Properties

Like Finding #2, this finding builds off any identified special circumstances identified in Finding #1. Because there are no identified special circumstances, as acknowledged by the property owner in the application materials, there is nothing to compare to other properties within the same zoning district. All properties within the area surrounding this site are flat and compliant with required development standards.

Can this finding be met: NO

4. No Damage to Other Properties or Public Safety

This finding is to determine if the granting of the requested variance will create a hardship for surrounding properties or negatively impact the health, safety, or welfare of the public. An argument could be made that eight (8) large, flashing reader board signs would create an issue with light and glare through the windows of neighboring businesses, especially after sunset. This could impede some ability to conduct normal business, but since there are solutions (window blinds, shades, etc.) the negative impact can be controlled.

A more important issue with having eight (8) large, flashing reader boards at one of the busiest intersections in town is the safety of both residents and visitors. The intersection of Idaho and 5th Street already sees a large amount of traffic collisions. Adding the distraction of multiple eye-catching display boards will only increase the potential for these collisions and endanger drivers and pedestrians utilizing this intersection.

A recent study (<https://www.sciencedirect.com/science/article/pii/S0965856418310632>) found that driver inattention and distraction are the biggest risks to traffic safety worldwide. In addition, "there is an emerging trend in the literature suggesting that roadside advertising can increase crash risk, particularly for those signs that have the capacity to frequently change...". Therefore, the evidence suggests that the granting of this variance will negatively impact the health, safety, and/or welfare of the public.

Can this finding be met: NO

5. Impair the Intent of the Zoning Ordinance

Section 3-9-3 of the City Code discusses the intent of the sign ordinance. Among other items, the sign ordinance is intended to reduce visual clutter, enhance the appearance of the community, and reduce distractions that may adversely affect traffic.

Visual clutter occurs when there are more signs than necessary to convey basic information. In general, this includes both business signs and traffic signs. To implement the intent to reduce visual clutter, the sign ordinance limits the number of signs allowed per property to one per street frontage (with a few stated exceptions not applicable to this parcel). The requirement to reduce visual clutter leads to another intent: enhance the appearance of the community. While appearance is subjective and varies from one person to the next, the general rule is that fewer signs equals a better appearance. The proposal to install eight (8) signs on one parcel substantially conflicts with these two intentions of the sign ordinance.

The other intent relevant to the proposed variance application is that of reducing distractions that may adversely affect traffic. This issue was discussed in Number 4 above in relation to impacts on public health, safety, and welfare. The addition of the proposed signage will create a significant distraction that may adversely affect traffic and pedestrians alike.

Can this finding be met: NO

6. Impair Natural Resources:

There are no natural resources occupying or using this site. Therefore, there will be no impairment to any natural resources.

Can this finding be met: YES

CONCLUSION

The application states that without the proposed variance, "the property owners will not be incentivized to buy or build on the property". Unfortunately, financial viability is not a legal finding to approve a variance. In fact, the Nevada Planning Guide instructs that variances cannot be granted "to permit uses in zoning districts in which a use is not allowed, vary minimum spacing requirements, or relieve hardships that are solely personal, self-created, or financial in nature".

City Code Section 3-2-22(C) requires that the Planning Commission determine that all six required findings be met in order to approve any variance application. At this time, the Development Department can only find justification to meet one of the six required findings. Therefore, the Development Department is recommending denial of the proposed variance.



ELKO POLICE DEPARTMENT

Ty Trouten
Police Chief

1448 Silver Street
Elko, Nevada 89801
775.777.7310
775.738.1415 Fax
www.elkocity.com

June 28, 2021

TO: Elko City Planning Commission
FROM: Police Chief Ty Trouten
SUBJECT: Variance Opposition

I would like to express some safety concerns with respect to the requested variance for the 5th and Idaho vacant lot and proposed reader boards on that lot.

My first concern is the safety factor. The intersection of 5th Street and Idaho Street is very busy, and also one of the highest for accidents in the city, exceeded only by 12th Street and Idaho Street. In 2020 there were ten (10) accidents at the 5th Street and Idaho Street Intersection. There were twelve (12) at 12th Street and Idaho Street in the same time period.

When compared to intersections such as 12th Street and Silver Street (3 accidents), Idaho at Mountain City Highway (5 accidents) and Mountain City Highway and Spruce (4 accidents), which are arguably more heavily travelled on a daily basis, the intersection at 5th Street and Idaho Street particularly stands out.

Reasons for the high rate of accidents is likely the reduced visibility due to structures and proximity to the downtown bar area. Although for 2020, only one accident at this intersection was alcohol related. I am concerned that the reader boards will constitute an unnecessary diversion for drivers. If the brightness is similar to the reader board near Idaho Street and 12th Street, this will be particularly true at night. The 5th Street and Idaho Street Intersection is also busy for pedestrian traffic, further exacerbating my concerns.

I also believe that bright flashing lights would not be conducive to some businesses in the area, such as the Esquire Inn. The visual pollution would be likely to disrupt customers at this motel.

While I look forward to this lot being utilized, and the plans, absent the reader boards, would be a supported use, I cannot support the reader board portions and would ask the Planning Commission to deny the variance.



Steve Sisolak
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

DISTRICT III
1951 Idaho St
Elko, Nevada 89801
(775) 777-2700

Kristina Swallow, P.E., Director
In Reply Refer to:

June 28, 2021

City of Elko Planning
Attn: Cathy Laughlin
1751 Idaho St
Elko, NV 89801

Dear Cathy:

This letter is in regards to proposed activities at 397 5th Street.

SR 535 also known as Idaho Street is part of NHS (National Highway System) that is governed by NRS and NAC 408 Beautification of Highways. Any sign that is within 660 feet of this route shall be permitted through NDOT if the signage **does not** advertise for any service or product sold on the lot the sign is constructed on.

Bit more of a clarifying summary, the sign(s) on the property can only advertise what is sold on the property. If the owners are looking to advertise anything beyond what is sold on the property, an NDOT billboard permit must be applied for and meet the requirements of NAC/NRS 408.

If you have any questions, please do not hesitate to contact the Right of Way office at (775) 777-2700.

Sincerely,

A handwritten signature in black ink that reads "Rhonda Morfin".

Rhonda Morfin
ROW/ Utility Supervisor
NDOT District III Elko

RMM

Enclosures

cc: File
Scott Wilkinson, Assistant City Manager, City of Elko
Michele Rambo, Develop Manger, City of Elko

Variance 3-21 DAG, LLC - Appeal

YPNO	PANAME	PMADD1	PMADD2	PMCTST	PZIP
001263007	3L LLC } 1 p.c.		517 IDAHO ST	ELKO NV	89801-3756
001263006	3L LLC		517 IDAHO ST	ELKO NV	89801-3756
001266008	560 IDAHO ST LLC } 1 p.c.		560 IDAHO ST	ELKO NV	89801-3716
001266004	560 IDAHO ST LLC		560 IDAHO ST	ELKO NV	89801-3716
	ALGERIO, KATHY		2075 GRISWOLD DR #1-C	ELKO NV	89801-2654
001265011	ANACABE, ANITA T		2000 RUBY VIEW DR	ELKO NV	89801
001262008	API FOR MACLEAN IDAHO STREET PR		15121 MONTE SERENO	LOS GATOS CA	95030
001263005	BHAKTA, BHULABHAI & SADHANA B T	ESQUIRE MOTEL	505 IDAHO ST	ELKO NV	89801-3756
001262007	BLOHM, LINA TR		495 IDAHO ST	ELKO NV	89801-3766
001265014	BROWN, PHILLIP GEORGE ET AL		PO BOX 1660	ELKO NV	89803-1660
001265018	CAVANAUGH & CAVANAUGH LLC		401 RAILROAD ST	ELKO NV	89801-3763
001266001	CITY CENTER ONE LLC	C/O MAYNARD, PATRICIA	2115 SIERRA DR	ELKO NV	89801-4560
001265004	CUCINA INVESTMENTS LLC		3611 AUTUMN COLORS DR	ELKO NV	89801-7801
001266003	DIGRAZIA & GOICOECHEALLC		530 IDAHO ST	ELKO NV	89801-3716
001263010	ELKO COUNTY OF		571 IDAHO ST	ELKO NV	89801-3715
001265002	ELKO GENERAL MERCHANDISE CO INC		416 IDAHO ST	ELKO NV	89801-3714
001262001	FIRST NAT BANK OF NEV } 1 p.c.	C/O THOMSON PROPERTY TAX SER	PO BOX 2609	CARLSBAD CA	92018-2609
001262012	FIRST NAT BANK OF NEV	C/O THOMSON PROPERTY TAX SER	PO BOX 2609	CARLSBAD CA	92018-2609
001265010	GOLDIE, RONALD ALLEN		182 W BULLION RD UNIT 13	ELKO NV	89801-7617
001265009	GSC PROPERTIES LLC		475 RAILROAD ST	ELKO NV	89801-3717
001262009	HIGLEY, SHIRLEY S TR ET AL		1140 HIGHLAND DR	ELKO NV	89801-2954
001266010	J QUAID INVESTMENTS LLC SERIES2		PO BOX 1892	ELKO NV	89803-1892
001265003	JADEN ENTERPRISES LLC		1705 SEQUOIA DR	ELKO NV	89801-1605
001265013	JENNINGS, MICHAEL R		1122 CALVADOS DR	SPARKS NV	89434-2508
001265007	KNIGHT, DAVID COOPER TR ET AL		109 FIR ST	ELKO NV	89801-3023
001262010	LEMONS, JOSEPH DONALDSUE ADELE		205 WALNUT ST	ELKO NV	89801-2831
001265005	LIPPARELLI, MATTHEW H& TERESA J		462 IDAHO ST	ELKO NV	89801-3714
001265008	NEVADA STATE BANK	C/O NSB PROPERTY MANAGEMENT	PO BOX 54288	LEXINGTON KY	40555-4288
001265015	NYE, MICHAEL B		433 RAILROAD ST	ELKO NV	89801-3717
001262011	O'CONNOR, JERRY D TR ET AL		415 IDAHO ST	ELKO NV	89801-3713
001265019	ORMAZA SERIES(400 IDAHO)LLC } 1 p.c.		PO BOX 339	ELKO NV	89803-0339
001265001	ORMAZA SERIES(400 IDAHO)LLC		PO BOX 339	ELKO NV	89803-0339
001265012	PUENTES, TEODORA & EUSEBIO		451 RAILROAD ST	ELKO NV	89801-3717

001262003 READ & POWELL INVESTMENTS LLC } 1 p.c.
 001262013 READ & POWELL INVESTMENTS LLC }
 001265006 SONORA LLC
 001265016 WEIGHT, AUTUMN D ET AL C/O AUTUMN JOHANSEN
 001266006 WESTERN FOLKLIFE CENTER C/O S }
 001266009 WESTERN FOLKLIFE CENTER THE C } 1 p.c.
 001266007 WESTERN FOLKLIFE CENTER THE C }
 001262002 WILSON BARROWS & SALYER LTD
 001265017 WINES, CATHERINE

491 5TH ST	ELKO NV	89801-3513
491 5TH ST	ELKO NV	89801-3513
PO BOX 1597	ELKO NV	89803-1597
453 SAGE ST	ELKO NV	89801-2825
501 RAILROAD ST	ELKO NV	89801-3752
501 RAILROAD ST	ELKO NV	89801-3752
501 RAILROAD ST	ELKO NV	89801-3752
442 COURT ST	ELKO NV	89801-3528
421 RAILROAD ST STE 208	ELKO NV	89801-3751

35

Post marked 7/16/21

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Elko City Council will conduct a series of public hearings on Tuesday, July 27, 2021 beginning at 5:30 P.M. P.D.S.T. at Elko City Hall, 1751 College Avenue, Elko, Nevada, and that the public is invited to provide input and testimony on these matters under consideration in person, by writing, or by representative, or via Gotomeeting.com.

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: <https://global.gotomeeting.com/join/413956309>. You can also dial in using your phone at **+1 (646) 749-3122**. The **Access Code** for this meeting is **413-956-309**.

The specific item to be considered under public hearing format is:

- **Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG, LLC., on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5th Street (397 5th Street), and matters related thereto.**

Additional information concerning this item may be obtained by contacting the Elko City Planning Department at (775) 777-7160.

ELKO CITY COUNCIL



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR VARIANCE

APPLICANT(s): DAG LLC (dba Downtown Advertising Group)
MAILING ADDRESS: PO Box 505 Elko NV 89803
PHONE NO (Home) 702 927 8339 (Business) 775 401 4027
NAME OF PROPERTY OWNER (if different): Sonora LLC please see email for
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: consent in writing
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-265-006 Address 397 Sth Street Elko NV 89801
Lot(s), Block(s), & Subdivision _____
Or Parcel(s) & File No. _____

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month).

Fee: A \$500.00 non-refundable fee must be paid. If in conjunction with a Rezone Application a \$250.00 non-refundable fee must be paid.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Elevation Plan: Elevation profile of all proposed buildings or alterations in sufficient detail to explain the nature of the request must be provided.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 1/2" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support this Variance application.

The APPLICANT requests the following variance from the following section of the zoning ordinance:

Chapter 9: Sign Regulations (3-9-7, 3-9-8, 3-9-12)

1. The existing zoning classification of the property Commercial

2. The applicant shall present **adequate** evidence demonstrating the following criteria which are necessary for the Planning Commission to grant a variance:

- a) Identify any special circumstances, features or conditions applying to the property under consideration. i.e., unusual shape, configuration, exceptional topographic conditions or other extraordinary situations or conditions

Please refer to Appendix 2a
response.

- b) Identify how such circumstances, features or conditions result in practical difficulty or undue hardship and deprive the property owner of reasonable use of property.

Please refer to Appendix 2b
response.

- c) Indicate how the granting of the variance is necessary for the applicant or owner to make reasonable use of the property.

Please refer to Appendix 2c
response.

- d) Identify how such circumstances, features or conditions do not apply generally to other properties in the same Land Use District.

Please refer to Appendix 2d response.

- e) Indicate how the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety and general welfare.

Please refer to Appendix 2e
response.

- f) Indicate how the variance will not be in conflict with the purpose or intent of the Code.

Please refer to Appendix 2f
response.

- g) Indicate how the granting of the variance will not result in a change of land use or zoning classification.

Please refer to Appendix 2g
response.

- h) Indicate how granting of the variance will not substantially impair affected natural resources.

Please refer to Appendix 2h
response

3. Describe your ability (i.e. sufficient funds or a loan pre-approval letter on hand) and intent to construct within one year as all variance approvals **must** commence construction within one year and complete construction within 18 months per City Code Section 3-2-22 F.1.: _____

Please refer to Appendix 3 response.

(Use additional pages if necessary to address questions 2a through h)

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By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspecting said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.


☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Adrian Gonzalez Managing Partner DAG LLC
(Please print or type)

Mailing Address PO BOX 505
Street Address or P.O. Box
Elko, NV 89801
City, State, Zip Code

Phone Number: 775-401-4027

Email address: agonzalez@dagnv.com

SIGNATURE: 

FOR OFFICE USE ONLY

File No.: 3-21 **Date Filed:** 6/15/21 **Fee Paid:** \$500 **ck#** 1005

RECEIVED

JUN 16 2021

2(a) Response:

There are no special circumstances associated with the lot. It meets our specific business model. Nor does the property have any other extraordinary situations or conditions that would prevent us from putting up signage and a walk up restaurant.

2(b) Response:

No practical difficulty or undue hardship will deprive the property owners of reasonable use of the property will result if no variances are granted.

2(c) Response:

Granting the variances allows the business owners to bring their business plan to fruition. The business model does not pass chapter 9 sign regulation code. Specifically, clutter, light pollution, height requirement, and impeding flow of traffic. Reasonable use provisions depend on the variance being granted. If no variances are granted, the property owners will not be incentivized to buy or build on the property.

2(d) Response:

The business model does not pass chapter 9 sign regulation code. No other property is permitted to build our business model because it does not pass the code unless they are granted a variance. This is a commercial property and we are constructing a commercial advertising plaza under the same Land Use District of the downtown corridor.

2(e) Response:

The signage mounts and installation will be constructed with all provision of the international building code. Vendors must prove without a reasonable doubt that their technology can endure the Northern Nevada climate. Signage will be well equipped with dimmable sensors, they will be brighter during the day and dimmer during the night. Client contract will contain provision about advertising being displayed and they will not be advertising risqué and vulgar content. Advertising will be tasteful but attractive to capture the advertiser's message. Bollards will be aligned throughout the perimeter to make sure that the lots assets and pedestrians will feel safe of a possible errant vehicles.

2(f) Response in Blue:

The following is the code verbatim;

The chapter 9 sign regulations establish standards to ensure the placement of safe, effective signage throughout the city. Specific regulations and standards are intended to address the following:

- a. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.

We will comply with all construction stresses set forth by the international building code.

- b. To Protect and enhance property values and create an attractive economic and business climate.

Empty lot will go through a beautification remodel. It enhances every local business by advertising their business in the busiest intersection of Elko County. It will bring curb appeal to the downtown corridor.

- c. To protect and enhance the physical beauty and appearance of the community.

Empty lot will go through a physical beautification and plaza has four subliminal dedications to Elko, Elko County, and Nevada.

- d. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals, and other traffic control devices.

The pedestrian signage will not exceed 7ft from the ground to the top. The digital billboards will be over 25ft from the top of the sign to the ground. No signs will be in the visible eyeline of the 5th street and Idaho street intersection traffic control devices.

- e. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height, and area of freestanding signs on all sites. (Ord. 608, 10-28-2003)

All signs will be from only one vendor. The three wall digital billboards will be the same size. The five walk up freestanding signs will be the same size and be 12 feet apart from the other freestanding signs.

2(g) Response:

The business plan is a commercial advertising plaza. No land use or zoning classification will be needed for this business plan it is not a housing, industrial, or recreational business concept.

2(h) Response:

It is currently an empty lot. We are going to be as minimally evasive as possible based on the recommendations of our architect and construction company. Walls erected will be of sound structure following building code.

3. Response:

If variances are granted, the LLC partners are immediately contracted to pay on the property note. Immediately after approval, the business plan will be able to factually state how many signages we can operate. Creditors will perform their review of our forecasting trends and financial analysis of the business plan. Construction bids, digital billboards bids, and bollard bids will be requested immediately while we are securing capital. The LLC partners have sufficient cash flows to pay on the property note and when capital is raised for the signage, bollards, and walk up restaurant construction will commence.

Cathy Laughlin

From: Janet Pescio <the_cove09@yahoo.com>
Sent: Friday, June 04, 2021 1:39 PM
To: Cathy Laughlin

I, Janet Pescio, give permission to DAG LLC (dba Downtown Advertising Group) to apply for a variance. This property is currently owned by Sonora.

Thank You,

Janet Pescio

Sent from my iPhone

