



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, October 9, 2018

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.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, NV 89801

Date/Time Posted: October 3, 2018 at 3:05 p.m.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: October 3, 2018 at 3:15 p.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: October 3, 2018 at 3:25 p.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: October 3, 2018 at 3:35 p.m.

Posted by: Shelley Petersen Technical Assistant
Name Title

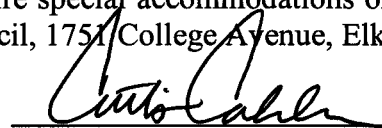

Signature

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at kwilkinson@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocitynv.gov/>

Dated this 3rd day of October, 2018

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, City Manager

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, OCTOBER 9, 2018
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

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

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

APPROVAL OF MINUTES: September 25, 2018 **Regular Session**

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in Recognition of the month of October 2018 as National Breast Cancer Awareness Month and October 19, 2018 as National Mammography Day, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**
- B. Presentation of a “Years of Service Plaque” to Human Resources Manager, Aubree Barnum, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**
- C. Fire Department Quarterly Presentation by Fire Chief Matt Griego, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

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 Great Basin Engineering Contractors Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

- D. Review, consideration, and possible authorization to solicit bids for a new service truck with body and crane, and matters related thereto. **FOR POSSIBLE ACTION**

The Water Reclamation Facility is in need of a new service truck. This item has been budgeted for in the current fiscal year. The old service truck is 21 years old and is undersized for the job requirements. The new unit will be a crew cab 4 x 4, 19,500 GVW Chassis, dual wheel, with 14' body and 7,500 lb. crane with a minimum reach of 30'. RL

- E. Review, consideration, and possible final acceptance of the Cedar Street Reconstruction Project Phase 2, and matters related thereto. **FOR POSSIBLE ACTION**

This Project was awarded to Great Basin Engineering in the amount of \$1,660,686.79, on February 2, 2018. There were adjustments in the quantities installed in the amount of \$43,174.03 for a total of \$1,703,860.82. Great Basin Engineering has satisfactorily completed the project in conformance with the plans and specification. DS

III. NEW BUSINESS

- A. Review, consideration, and possible approval for the Fire Department to reserve City-owned property located at and adjacent to 1401 Ruby Vista Drive for the purpose of a future Fire Station, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department is requesting that three (3) parcels of land located at and adjacent to 1401 Ruby Vista Dr. be reserved for a future Fire Station. JS

- B. Review, consideration, and possible approval for the Fire Department to apply for an Assistance to Firefighters Grant (AFG) through the Department of Homeland Security to replace an Aerial Fire Truck Apparatus, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department Fire Department would like to apply for the 2018 FEMA Regional Assistance to Firefighters Grant. The application would apply for a new Aerial Ladder truck. The current Ladder 2 is 30 years old which is the National Fire Protection Association (NFPA) recommended maximum age for Aerial Apparatus to be in front line use. This apparatus will increase firefighter safety and health, emergency response and scene capabilities, provide greater storage and personnel carrying capacity and reduce rising maintenance cost. The AFG Program has listed this item as high priority for grant funding this year. Total amount of the grant would be around 957,242.00 with a 10% match by the City. JS

- C. Review, consideration, and possible approval for the Fire Department to apply for an Assistance to Firefighters Grant (AFG) through the Department of Homeland Security for Portable and Mobile radio communication devices, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like to apply for the 2018 FEMA Assistance to Firefighters Grant. The application would apply for 16 mobile radios and accessories and 50 portable radios and accessories utilizing Government pricing. These radios will enhance firefighter safety, emergency communications and interoperability with Elko PD, Elko Ambulance and our mutual aid partners. The AFG Program has listed this item as high priority for grant funding this year. Total amount of the grant would be around 353,207.53 with a 10% match by the City. JS

- D. Consideration and possible approval of a temporary waiver of the mandatory connection to public sewer associated with building permit 18-336 for APN 001-633-030, pursuant to City Code 3-2-3 (B)(4), and matters related thereto. **FOR POSSIBLE ACTION**

Great Basin Estates Phase 2 and Phase 3 Maps are currently pending NDEP approval. In an effort to accommodate the developer's schedule, City Staff issued one (1) Building Permit for Lot 43 (Phase 2) on APN 001-633-030. Since NDEP has not yet approved the maps, "public sewerage and water supply" are technically unavailable, thereby requiring City Council approval of a waiver of the mandatory connection to public sewer requirement. The temporary waiver, if approved, will expire in 90 days. CC

IV. REPORTS

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

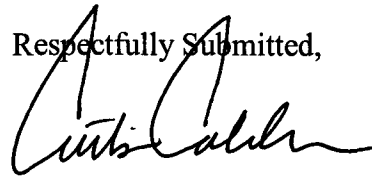
COMMENTS BY THE GENERAL PUBLIC

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

ADJOURNMENT

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Curtis Calder", written over the printed name.

Curtis Calder
City Manager

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

SS September 25, 2018

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, September 25, 2018.

This meeting was called to order by Mayor Chris Johnson.

CALL TO ORDER

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
 Councilwoman Mandy Simons
 Councilman Robert Schmidtlein *arrived 5:28 p.m.*
 Councilman Reece Keener

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

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

APPROVAL OF MINUTES: August 28, 2018 Regular Session
 September 11, 2018 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in recognition of Fire Prevention Week 2018, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Johnson read the proclamation and presented a copy of it to John Holmes, Fire Marshal.

John Holmes, Fire Marshal, stated the Fire Prevention Picnic is this Saturday from 12:00 to 3:00 p.m. at the Main City Park.

II. APPROPRIATIONS

- B. Review, consideration, and possible final acceptance of the Public Works Department Preventive Maintenance Project 2018 to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their June 12, 2018 meeting, the Council awarded the Bid for the Preventive Maintenance Project 2018 to Sierra Nevada Construction in the amount of \$527,507.00 plus additive alternate 1 in the amount of \$4,500.00, for a total of \$532,007.00. Micro Slurry Seal was also placed on Airport and Landfill facilities. Sierra Nevada Construction has satisfactorily completed the work. DS

Dennis Strickland, Public Works Director, explained it was a good project for the City and it looks great. He recommended approval.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve and accept the Public Works Department's Preventative Maintenance Project 2018.**

The motion passed unanimously. (4-0)

III. NEW BUSINESS

- A. Review, discussion and possible action to direct Staff to develop alternative dark fiber pricing models, including authorization to obtain feedback from broadband providers regarding the viability of such models, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff has been in communication with the Governor's Office of Science, Innovation and Technology concerning the possibility of leasing or licensing to various companies, such as Syringa Networks, the use of dark fiber owned by the City. The City has different options at this point, to include setting pricing for the

use of dark fiber. The City also has the option of leasing dark fiber through an agreement that gives the lessee exclusive use of specific strands of fiber for a term, typically 20 years, versus the option of licensing the use of strands of fiber under certain terms and conditions. A lease would guarantee exclusive use during the term while a license would not. Typically, dark fiber is leased through an "indefeasible right to use" contract. However, since those contracts are actually leases in most cases, the requirements of NRS 268.059, et seq. would apply and the City would likely have to go through a public auction process before entering into the contract. City Staff needs direction from the Council in terms of how to proceed. CC

Dave Stanton, City Attorney, explained this a new legal situation for the City. There wasn't a lot of authority that he could find on this specific issue. What happens is if the City leases out real property we are subject to NRS 268.059, the public auction process. We have gone through that quite a few times. When we give a license for someone to use city property that confers a lesser interest in property that does not trigger that statute. What we have here is a situation where we have a real property interest involved because this fiber involves actually taking a cable, burying it underground, and it is not easily removed from the real estate without doing something to the real estate like digging it all up to replace it. It becomes, at minimum, what is known as a fixture. A fixture is something that is affixed to the real property in such a way you can't easily remove it. In his opinion we have real property. The next question is, what do we do if we give somebody the right to use some cable that is buried underground? The typical way to do it is an Indefeasible Right to Use Agreement. They are kind of like a lease. They are a long complicated document but they are basically a lease. It gives the leasee the exclusive right to use this fiber in this cable for 20 years, and nobody else gets to use it. It is not just leasing out bandwidth, it is actually leasing out physical strands of fiber. You will be leasing out a part of the real estate. In his opinion, an Indefeasible Right to Use Agreement that is constructed that way, would trigger the lease statute and a public auction process. An alternative would be the possibly of entering into a license agreement with a company. He explained the difference between a lease and a license agreement. There is a lot of physical investment that goes into a project as this. Whoever uses this would have to come in with a facility in order to use it. He's not sure how Council will want to approach that. We thought we needed Council to give us direction as to which direction to go. He's conservative with things like this.

Councilman Keener asked, if they did a license agreement, that would only involve one party, correct?

Mr. Stanton answered you could enter into a license agreement with a single party but the problem is the exclusivity of it. If we write into the license agreement that they have exclusive use of strands of fiber for a period of time, you can call it a license if you want but it's not. It's a lease.

Councilman Keener said there are twelve bundles, twelve strands each. Could we do a license agreement to different bundles of fiber to various different parties?

Mr. Stanton answered yes. It cannot be exclusive because these strands are real property once they are buried. It will be a lease no matter what it is. He would feel more comfortable going

the public auction route unless an economic development exemption applies. That is a decision he cannot make.

Councilman Rice asked how widely is this distributed throughout the community.

Troy Poncin, IT Manager, explained the fiber goes down Mountain City Highway from the airport, to Idaho Street and then all the way to City Hall. It also turns a little bit to go to the Police Department.

Councilman Rice asked if a third party used some of that fiber would they be able to channel different directions or would they only be able to serve people along that corridor?

Mr. Ponsin said they would only use our piece and maybe dig a bit to get to their goal. We would be a transport provider.

Councilman Rice thought he felt more comfortable going the public auction way. There are other vendors out there that might be interested. Obviously Syringa has shown some interest and that is great. Is there any expectation of level of service to anticipate?

Mr. Poncin answered we should anticipate that. We should anticipate that we should have the service up. If there was a fiber cut, that would be our responsibility. We would be responsible for locating these fibers to make sure they don't get cut.

Councilman Keener said we made that investment. In talking to consultants, it was said for a city this size, this is the most underserved community in terms of internet. He was in favor of making our facilities available for providers.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to direct staff to work with legal counsel and prepare documents so that we can move forward with a lease of the City property, under the Indefeasible Right to Use provision, and matters related thereto.**

After the motion and before the second, Mr. Stanton asked if there was any interest in pursuing an economic development exemption. Are we talking about developing minimum pricing for the public auction process?

Councilman Keener thought they should have all options on the table. He felt it would be valuable to include that language.

Councilman Rice read the recommended language, "to gather additional information about the viability of different pricing schedules, forms, leases and licenses." Was that the language Councilman Keener wanted in there?

Mr. Stanton asked if they were still talking about licenses or leases?

Councilman Rice answered leases. He was looking at the recommended language in the agenda. They are looking for the most comprehensive look at this opportunity.

Councilman Keener said his motion was with the intent to not pursue the licensing but rather the lease of real property.

Councilman Rice seconded the motion.

The motion passed unanimously. (4-0)

IV. RESOLUTIONS AND ORDINANCES

- A. Review, discussion, and possible adoption of Resolution No. 26-18, a Resolution Opposing Ballot Question 3, The Energy Choice Initiative, for the 2018 General Election, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the proposed Resolution has been enclosed in the agenda packet for review. CC

Curtis Calder, City Manager, explained it was the pleasure of council. They have heard both arguments regarding Question 3. If Council would like to oppose it, they are welcome to do so through this Resolution.

Mr. Stanton reminded Council we cannot spend any money supporting or opposing a ballot measure.

Councilman Keener said he fully supports this Resolution. Nevada Mining Association is opposing Question 3 too. It could probably help the large corporations but there will be devastating impacts on rural Nevada.

Councilman Rice said he has the same position. He has watched how de-regulation takes a toll on rural communities. He is concerned that this initiative would result in rural Nevadans being underserved.

Mayor Johnson confessed he voted yes on the original ballot. But then he heard from Wells Rural Electric and he changed his mind. He has had meetings with both sides. You will always have one utility that will provide and have control. He has spent time listening to both sides but looking at some of the reasons it should be a no, he is in support of this resolution.

Councilman Keener said he is a free market person but when you talk about the stranded costs, someone has to pay for that. We will be dependent on the Nevada Legislators to address this. That doesn't seem like the right way to address deregulation. Electricity, because of the capital costs, is one of the very few industries that sets up a monopoly that is regulated.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to approve Resolution No. 26-18.**

The motion passed unanimously. (4-0)

VI. REPORTS

- A. Mayor and City Council

Councilman Keener said there is a blood drive this Friday at GBC. There was an ECVA meeting this morning and they reviewed the room tax receipts. They came in strong. The board wanted him to express appreciation to the Clerk's office and everyone else in updating the reporting requirements. He attended a board breakfast with the Chamber on Friday. He thanked John Holmes for being there and doing such a terrific job.

B. City Manager

Curtis Calder said they had Nevada League of Cities (NLC) last week. Jonnye, Kelly and himself went down and then Scott went down to discuss the homeless camp. It wasn't as attended as well as it would have been if it had been held down south. We were approached to hold the 2020 conference. That could cost us \$15,000 as a hosting fee. Councilman Keener asked Curtis to reach out to Winnemucca about their host fee. Maybe we can get some assistance from hotels. Jonnye Jund said Winnemucca did pay the \$15,000 fee. Curtis just wanted to run that by everyone. Some of the smaller communities that used to host this do not host anymore. Regarding the OHV ordinance that was initiated, he is working to schedule the first workshop for it. He anticipates the meeting in the next two weeks.

C. Assistant City Manager

Scott Wilkinson did a presentation on the humanitarian camp at NLC. He felt there were several people in the audience that looked like they may be considering something similar to this in their community. Councilman Keener asked about the census out at the camp and Scott answered there are about 25-30 people camping there.

D. Utilities Director

Ryan Limberg reported on the River and Railroad Track crossing project. That project is essentially complete and they are addressing the punch list. Ruby Dome is working on a manhole because it has shown some leaking. The other item relates to the Sports Complex. To use reuse water, there are two steps. The effluent plan was submitted to NDEP and approved last week. The next step is we need a permit to use the water there. That application has been turned in for about a month now. He will be pushing that along to the approval stage.

E. Public Works

Dennis Strickland said he should have Cedar Street on the agenda for final acceptance at next meeting. He has heard nothing but positives about the work done on Phase 2. The Centennial Park should also be on the net agenda for substantial completion. The culvert rehab work will start Monday, next week. Striping should wrap up this week. It has been a busy season.

F. Airport Manager

Jim Foster said the fencing project is 1/3 into the days but not 1/3 into the project. There is a phone line that goes through the area that has slowed the process. They expected this to be slower. Once they get into phase 2, he expects them to make up some time. He felt they were doing fine and was not worried yet. The vault work has begun.

G. City Attorney

H. Fire Chief

John Holmes repeated the Fire Prevention Picnic is Saturday at the Main City Park.

- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director

James Wiley said this Monday they started some different phases at the Sports Complex. The comfort station construction has begun. The fields are starting to take shape. The wall behind the residents is slated to begin on Monday. The goal is to get the parking lot paved before the end of this construction season. It is looking good there. Utility work has been ongoing on Errecart and hopefully it will be completed in the next couple of days. There is a little bit of storm drain left.

Councilwoman Simons asked about a charge on the warrants. James answered it was for repairs to some playground equipment. It took a while to get a new piece molded to fix it. Those parts are expensive.

Curtis Calder asked for an update on Centennial Park. James said the sod went in today. Tomorrow is the deadline for the project and he felt they would meet that just fine. They will be working on a punch list from that point.

- O. Civil Engineer

Bob Thibault clarified that leaky manhole behind the jail was ground water leaking into the system and not grey water leaking out.

- P. Building Official

II. APPROPRIATIONS

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

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the warrants. .**

The motion passed unanimously. (4-0)

BREAK

Councilman Schmittlein arrived at 5:28 p.m.

V. 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. 9-18, filed by Moises Luna for a reduction of the required interior side yard setback from 5 1/2' to 0' and the required rear yard setback from 10' to 0' for an accessory building within an R (Single-Family and Multi-Family Residential) Zoning District, located generally on the north side of Benti

Way, approximately 257' east of Spruce Road (927 Benti Way), and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject variance on September 6, 2018 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. CL

Cathy Laughlin, City Planner, explained the subject property was displayed on the overhead. The property fronts Benti Way. The back abuts Peace Park. The property is developed setback to setback. This is part of the 8 Miles Estates Subdivision. It has a 5 foot easement along each side property line but not along the back property line due to drainage. The City Building Department delivered a stop work order when the construction was spotted. The accessory structure was being built in the rear and side setbacks. Mr. Luna applied for a variance and the Planning Commission denied it. She went over some items in her memo that determined the denial on the variance. She showed some pictures on the overhead.

Councilman Keener said he was at the meeting and heard the testimony of the Commissioners. It presents a unique situation in this case but there are numerous sheds in the city that are not in conformance. It would be different if this had been a bully barn situation. If Mr. Luna would cut the 4X4's that are in the concrete, would that solve the situation?

Ms. Laughlin said she didn't know how he built the shed but she thought it was built onto the concrete. It was not built on a skid such as the ones sold at T-rix. It would need to be built outside the setbacks to meet with code.

Councilman Keener said is difficult to him when there are non-conforming sheds in the area. Typically the pre-fab unit is just moved in but his was built on site. It doesn't seem fair that this individual was singling out.

Scott Wilkinson, Assistant City Manager, felt he wasn't singled out because of the shed. It looked like he was doing an addition to the house that caught the attention of the building department.

Councilman Schmidtlein asked if that could be dismantled from the concrete?

Moises Luna, 927 Benti Way, answered he could cut the posts and there is no cement pad. He just put thicker slabs of plywood underneath. He can make it movable.

Councilman Keener stated his concern that if this is denied we need to treat everyone the same. The Building and Planning Department will have hundreds of other non-conforming type structures around the city. What are we going to do about those?

Mayor Johnson said there are other properties in Elko that were provided with notices. Will this be a new project across the community? Where the setbacks are concerned, this can be a life-saving issue. When we look at these, we need to be careful what else is happening in the community. Why should we enforce the code? There are good reasons the setbacks are in place. The decision tonight will be tough.

Mr. Luna read a statement:

The reason he is here is because he started building a storage shed and was 90% completed when he got shut down by the City of Elko. As you guys already know, my storage shed got built with zero setbacks. Due to his backyard being 20 feet wide, taking measurements from the fence to his home, if he was to go back 10 feet, that would leave him with only ten feet. Then he would have to leave at least 5 feet from his window, leaving him with only a 5 foot shed. If he was to make it longer, he would have to leave the shed in the middle of his yard. He has a son that is 3 months old right now and he would like to leave as much yard as possible for him for when he is older. He and his wife have worked hard to buy their home that they purchased in September of 2017. They have invested a lot of money on improvements to the home, including the storage shed. When he started constructing his storage shed he had drainage issues from his neighbor where he had to add a French drain system to that side of the property to avoid his shed having any problems sinking. He added a grading drain system as well, right next to the shed for extra security. He feels it would be very unfair for him to have to tear down his shed after investing so much time and money. He has invested thousands of dollars into it. It doesn't include the \$750 that he has had to pay for the two variances. If he hadn't invested so much in this shed he wouldn't mind tearing it down. His intent was never to bypass any of the Elko City Codes. As a matter of fact, before he started constructing the shed, he called the City of Elko Building Department for advice and asked if he needed a permit. He was told as long as it wasn't over 200 square feet it didn't require a permit. But he was never notified of the setback requirements. He didn't know that was a different department and all that stuff. He just called and they told him he didn't need the building permit, which that is how it is, but he never knew about the setback requirements. And then he never thought it would be an issue because many homes around Elko have storage sheds built next to their fence lines as well. If he was to tear down his shed he would not be able to comply with Code 3-2-1-7, making him use his garage as storage. He hoped they could take his points into consideration and put themselves in his shoes. He does not believe he is hurting anyone or causing any issues from his neighbors who he has already spoken to. He is simply trying to give his family a nice home and a yard.

Councilman Schmidtlein wondered if it was moved from the setback from the side of the house, even with the flood plain on the backside, if we move it to the east, would he meet the setback requirements there? Nothing is ever going to be built on the back of that property.

Mayor Johnson said this is an issue in the City and there other properties that are currently under review. He knows of houses that have been up for sale and couldn't sell because they didn't meet setbacks. It is a big deal and the City needs to be careful with this. If there was a way to move the shed and meet the setbacks, that might be one course of action.

Councilwoman Simons thought the easiest thing, if there were an alley behind their house, would that be okay?

Ms. Laughlin answered, just on the back. He would still have to be 5.5 feet from the side.

Councilwoman Simons thought if you have a park there, does it provide the same or does it resolve the same issues as having an alley or a street? Is that where the code needs to be changed? Maybe there are more exemptions than have been included in the code.

Councilman Keener said he walked back there this afternoon and it is very steep and rocky and full of weeds. There would be minimum to zero impact to the park on the back.

Mr. Wilkinson said if there was a zero setback on a park area, you really don't have the life safety issues, you don't have the fire requirements, the building permit and all that, but today that is not what the code says.

Councilwoman Simons said there are situations in Elko that we couldn't do anything about and we need that easement. She was wondering if adding more of these unique circumstances...

Mr. Wilkinson said it would make sense if you revised the code that said "Open Spaces." It's really about setbacks serving a couple of functions, maintaining some level of yard space so people can enjoy their property, and more importantly, it's about protecting neighboring properties from each other.

Councilman Rice said he understands the predicament and it is unfortunate that building didn't mention setback requirements when he called. What are other practices in other communities in terms of open spaces and setbacks? His only solution he can see is to saw it off at the 4X4 and move it 5 feet away from the western fence and then provide a variance.

Mr. Wilkinson said he wouldn't be able to answer that today. They could do research about changing the code for open space. The Mayor is cautioning the Council on some other legal issues that the City has going on. This code was drafted when subdivisions abutted alleys. All your utilities were in the alleyways. Many times your garage was your accessory building. This is a remnant of how subdivisions used to be designed. We don't include alleyways in subdivisions at all anymore.

Curtis Calder, City Manager, asked if an access easement by definition of Code, qualify as an alleyway? Could the City established an access easement around the rear lot lines of all of those houses and qualify as an alley?

Ms. Laughlin answered the rear lot line in that subdivision does not have any rear easement. The easement is on the Peace Park side of it. It is a public utility and drainage easement on the Peace Park side. It is similar to what an alley would be.

Mr. Wilkinson said it was done to accommodate the grading and the drainage in the area. There are definitions for streets and alleys that they can look at but it is well defined on what establishes streets or alleys.

Mr. Calder said there had been instances of access easements being considered public roadways throughout the City. He thought most of them had been rectified. If there is already an access easement, and it could qualify as an alley, perhaps a zero setback could already be allowable on the rear.

Councilman Keener stated by changing the code to allow for a zero setback along the north property line along the back, that would bring two other non-conforming buildings into code, besides this one we are talking about.

Ms. Laughlin said the structure has been built over the drainage and utility easement on the side lot line. If the variance was approved, that easement would have to be vacated.

Councilwoman Simons wants to look to see if there was anything else that could be added to the code to allow this.

Councilman Rice said he knows Mr. Luna tried to do this the right way but unfortunately he didn't learn about the setbacks and the building is out of compliance. He has received calls from constituents regarding similar situations. He can't support granting a variance on this one. Unfortunately, if this is not granted he would need to take this down and suffer a financial loss. He was sorry for that. The codes serve a broader purpose in the community.

Mayor Johnson said there is no doubt in his mind that he needs to disclose that he is the owner of a storage business. He may need to recuse himself and should pass the gavel to Mayor Pro Tempore Rice. He felt he was too close with the ministorage business to vote.

Jeff Ford, Building Official, said this isn't something done regularly. He felt there was some wiggle room for this if he put in a smaller shed.

Councilman Keener said for someone that is a new homeowner, if you see that your neighboring properties have sheds, you assume that is okay. We need to find some kind of way to work around this.

Mayor Pro Tem Rice understood that position. He indicated, in his neighborhood there are non-compliant car ports and they are aluminum structures. A code enforcer would be very busy. We find ourselves undoing the mistakes of the previous councils a lot. This is just like curb, gutter and sidewalk exemptions. There is an option to simply make a smaller building. It isn't prudent to grant this variance because other people in the neighborhood are out of compliance as well.

Councilwoman Simons agreed they shouldn't grant a variance. She felt the easement in the back makes this unique.

Mayor Pro Tem Rice asked if she was suggesting tabling this?

Councilwoman Simons answered yes. Let's table this and look at it further. We should add things to the code.

Mayor Pro Tem Rice felt the ordinance was good. The only option we can give Mr. Luna is to make the building smaller. That would be in the best interest of the community. If we table it, it is dangerous to start changing ordinances because of one case.

Mr. Wilkinson said if this variance were to be denied, and he felt there has been enough discussion that maybe staff could look at other circumstances where zero setbacks would be appropriate, but if this were denied and we were to have a code revision take place before the applicant were to completely demolish and remove his structure, you may see a code revision that would address the rear yard setback. Then if he had not demolished his structure, not completed his structure, he would then have the opportunity if the code were to be amended or revised, that if he were to move it east, he could then be in conformance with the current code.

Mayor Pro Tem Rice asked about tabling until the next meeting and give staff a chance to go out and come up with some solutions that would probably require Mr. Luna to uproot that and move it somehow in his yard.

Mr. Wilkinson said if you were to look at the codes and the findings required, the variance would be denied today. If there is not a timing for demolition and the code were sequentially changed, and Mr. Luna had an opportunity to revisit his project and were to comply with side yard setbacks, we don't have the life safety issues, that might provide an opportunity.

**** A motion was made by Councilwoman Simons to deny the variance and cease construction at this time, with direction to staff to look at possibility of adding exemptions to the zero requirement setback.**

The motion died for lack of action.

Councilman Keener asked if they should do a motion to table until such time staff has time to investigate.

Councilwoman Simons asked if they would worry about denying it right now.

Councilman Keener answered, right.

**** A motion was made by Councilwoman Simons to table the motion.**

Mr. Wilkinson that they were opening themselves for some issues.

Mayor Pro Tem Rice wasn't sure if tabling this was the right way to do this. We can't grant the variance. We don't have the codes that allow us to grant a variance.

Mr. Wilkinson said there has been a lot of discussion so staff will be looking at the code. The motion should be specific to the agenda item. That may be the best we can do today in consideration of some other legal issues that the City has pending on other variance issues.

The motion died for lack of a second.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to table the appeal and direct staff to look for a remedy on the rear yard setback for the Benti Way location that borders the public property (Public Quasi-Public) of the Peace Park.**

Mayor Pro Tem Rice cautioned that staff has indicated that there are other legal matters the City is dealing with in similar situations. If we table this, we may be opening up a larger box of questions and concerns.

Mr. Wilkinson said if this is tabled we would still have to have a hearing on an appeal. Tabling may not get us to where we need to be.

Councilman Keener withdrew his motion.

Councilman Schmidtlein withdrew his second.

Mayor Pro Tem Rice thought they needed to deny the variance. Staff has indicated that they have an interest in looking at the ordinance for some possible changes. If the ordinance is changed, there is a possibility that Mr. Luna's shed could be in compliance with some minor changes.

Bob Thibault, Civil Engineer, said he is thinking about open space and zero setbacks. He sees open space as land that could be easily be developed in the future for a different purpose. This might be one of those things where we are setting up future generations for failure.

Mr. Wilkinson thought that was a good point and the they can address that easily with staff. The City can deal with those issues. We would not allow it to be developed to a setback on open space that could be in the future developed for any type of land use other than public parks or something like that. That can be dealt with in a definition.

Mr. Thibault thought even a park like this can be developed into a different use someday.

**** A motion was made by Councilman Schmidtlein to deny Mr. Luna's request for a variance and allow staff to look into any future remedies that something may transpire that may be possible to...**

The motion was restated below.

Mr. Wilkinson felt the motion should be restricted to the agenda item.

**** A motion was made by Councilman Schmidtlein, seconded by Councilwoman Simons, to deny Mr. Luna's request for the appeal.**

Councilman Schmidtlein told Mr. Luna it is difficult to approve this and they have an obligation and responsibility to enforce the code. In the near future there may be possibilities you could come back to the Planning Commission. We were trying to figure out a way for Mr. Luna to keep his structure where it is at but it would have to move to the east.

Mr. Luna said he would bring a list of everyone in the neighborhood with sheds so action could be taken on them.

Mayor Pro Tem Rice called for a vote.

The motion passed. (4-1 Mayor Johnson abstained.)

Councilman Keener thought it would be helpful for staff to go to different sellers to advise buyers about the setbacks.

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**

Councilman Keener announced there was a Community Concert next door starting at 7p.m. this evening.

There being no further business, Mayor Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible authorization to solicit bids for a new service truck with body and crane, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **October 9, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **3 Minutes**
5. Background Information: **The Water Reclamation Facility is in need of a new service truck. This item has been budgeted for in the current fiscal year. The old service truck is 21 years old and is undersized for the job requirements. The new unit will be a crew cab 4 x 4, 19,500 GVW Chassis, dual wheel, with 14' body and 7,500 lb. crane with a minimum reach of 30'. RL**
6. Budget Information:
 Appropriation Required:
 Budget amount available: **\$175,000.00**
 Fund name: **WRF**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Bid Specs**
9. Recommended Motion: **Move to authorize soliciting bids for a new service truck.**
10. Prepared By: **Ryan Limberg, Utilities Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

CITY OF ELKO, NEVADA

**REQUIREMENTS, SPECIFICATIONS AND CONTRACT DOCUMENTS
TO FURNISH**

**ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE
WATER RECLAMATION FACILITY**

SEPTEMBER 2018

**CITY OF ELKO
WATER RECLAMATION DEPARTMENT**

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**CITY OF ELKO
INVITATION TO BID**

Sealed bids will be received until **3:00 P.M., local time, on Thursday, November 1, 2018**, at the office of the Elko City Clerk; 1751 College Avenue; Elko, Nevada 89801, for the following:

ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE

Proposals received after that time will not be accepted. Bidders mailing their bids assume the risk of late delivery.

The submitted bids will be opened at the Elko City Hall immediately after the published deadline for acceptance of said bids with City staff present. All interested parties are invited to be in attendance at the bid opening.

The City Council may formally accept or reject the bids at their regular meeting after **4:00 P.M., local time, Tuesday, November 13, 2018**. Specifications and other information may be obtained at the office of the Elko City Clerk.

The City of Elko reserves the right to accept or reject any or all items specified in the bid request as is deemed in the best interest of the City of Elko.

Dated this 10th day of October, 2018.

CITY OF ELKO,
CITY COUNCIL

BY: _____
Ryan Limberg
Utilities Director

Publish: Elko Daily Free Press
October 13, 2018

**CITY OF ELKO
BIDDING INFORMATION**

The City of Elko reserves the right to accept or reject any or all items specified in the bid request and reserves the right to waive any minor technicalities in the preparation of these bidding documents or specifications.

The award may be made to the lowest responsive and responsible bidder. The lowest responsive and responsible bidder will be judged based on price, warranty, conformance to specifications, materials, or equipment offered and their adaptability to the required purposes, and the best interest of the public--each of such factors being considered.

A. Sealed bids are to be filed with the Office of the City Clerk; 1751 College Avenue; Elko, Nevada; **prior to 3:00 P.M., local time, Thursday, November 1, 2018.**

B. All bids shall be enclosed and sealed in an envelope and endorsed:

ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE

C. The submitted bids will be opened at Elko City Hall immediately after the published deadline for acceptance of said bids with Elko City staff present. All interested parties are invited to be in attendance at the bid opening.

D. The City Council may formally accept or reject bids at their regular meeting after **4:00 P.M., local time, on Tuesday, November 13, 2018.**

E. Item to be bid:

ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE

F. Bids will be accepted only on the form provided, along with completed specification sheet indicating compliance of unit offered and any other information as requested in bidding documents.

**CITY OF ELKO
SPECIAL TERMS AND CONDITIONS**

A. Bidder is required to submit descriptive data or printed specifications describing unit offered. Failure to comply with this request may be cause for non-acceptance of bid.

B. **ADHERENCE TO SPECIFICATIONS:** Deviations to any of the requirements set forth in this bid shall be so stated in written form in space provided or attached on separate sheet if additional space is required.

C. **Service and Parts Availability:** May be determining factor in award of this bid. State name and location of nearest service and parts facility:

Phone No: _____

CONTACT PERSON NAME: _____
(Please Print)

D. **Delivery:** Unit shall be transported to the City of Elko Fleet Maintenance Department, 975 Water Street, Elko, Nevada; completely furnished and ready for operation. **Unit must be delivered prior to June 15, 2019.**

E. **Warranty:** Minimum warranty shall be one year on the Crane Unit and Manufacturer's standard warranty for the cab and chassis. **Copy of warranty must be furnished with submitted bid.** Successful bidder shall provide warranty service within twenty-four (24) hours after notification that such service is required on any vehicle that is inoperative due to failures covered by warranty. In the event such service is not provided within the specified time, the City of Elko may elect to have the repairs made or make the repairs in their own shop and bidder shall reimburse the City of Elko for all costs incurred for such repairs.

All warranty and recall service shall be performed at an authorized service facility or on-site if applicable.

F. Bidder shall be prepared to give a complete demonstration of the merits of the vehicle offered under the normal working conditions of the City of Elko Water Reclamation Department any time prior to an Award being made.

G. Questions pertaining to bidding documents shall be directed to the City of Elko Water Reclamation Facility Superintendent; 1751 College Avenue; Elko, NV 89801 or by calling (775)777-7386.

H. The laws of the State of Nevada shall govern the validity, construction, performance and effect of the contract or lease, which to successful bidder shall execute. Jurisdiction and venue for any action related to the contract or lease shall be in the District Court of the Fourth Judicial District, Elko County, Nevada.

**CITY OF ELKO, NEVADA
SPECIFICATIONS FOR
ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE**

GENERAL: The City of Elko, Nevada is accepting bid proposals for

ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE

Equipment furnished under this specification shall be the manufacturer's current conventional design for the type and the allied equipment specified. All necessary accessories customarily furnished whether stipulated herein or not, with such modifications and attachments as may be necessary to enable the equipment to function reliably and efficiently in sustained operation. Further, all equipment furnished under this specification shall comply with the most current Federal Regulations and Laws along with all requirements of Nevada Revised Statutes.

Any use of specific names and/or model numbers in the specifications is not intended to restrict the bidder or any seller or manufacturer, but is included solely for the purpose of indicating the type, size, and quality of the equipment considered best adapted to the use of the City of Elko.

The unit will be used in Elko, Nevada at an altitude of approximately 5,000 to 6,000 feet.

UNIT DESCRIPTION FOR:

ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE

The following are required minimum options:

GENERAL:

This specification describes One (1) new Crew Cab, 4x4 – 19,500 GVW Chassis with a 14' body and 7,500 lb. hydraulic crane with a minimum 30' of reach. Cab and Chassis must be a current production model year. Prototypes are NOT acceptable. Basic requirements shall include, but are not limited to the following:

Equipment bid must conform to all State of Nevada and/or Federal regulations, whichever is more stringent, as relates to Safety, Pollution Control (exhaust emission and noise), etc.

SPECIFICATIONS

		MEETS?	
GENERAL		Yes	No
A.	All equipment furnished under this contract shall be new, of current production, and include complete installation prior to delivery		
B.	Accessories not specifically mentioned herein, but necessary to furnish a complete unit ready for use, shall also be included		
C.	Unit shall conform to the best practice known to the body trade in design, quality of material and workmanship.		
D.	Chassis and cab are to be designed and manufactured in the United States of America		
		MEETS?	
CHASSIS		Yes	No
A.	Cab Chassis shall be equipped with a minimum 200" wheel base, minimum 108" cab to axle, and a minimum 19,500 lb. GVW		
B.	Minimum 6-cylinder turbo charged diesel engine		
C.	Automatic transmission		
D.	Transmission Power Take-Off provision to include transmission mounted live drive and stationary mod PTO		
E.	4.88 Axle Ratio or approved equal		
F.	Spare tire, wheel, & 6-ton jack to be included		
G.	Engine block heater		
H.	Cloth split bench seat to include the following: - Center armrest - Cup holder		
I.	Backup camera to be included		
J.	Airbags Manufacturer's standard		
K.	Minimum of (2) 12V DC power outlets		
L.	Heater and air conditioning with cab air filter		
M.	Manual tilt/telescoping steering column		
N.	Factory installed trailer brake control		
O.	Factory upfitter interface module/switches		
P.	Full vinyl/rubber floor covering		
Q.	Double leaf super spring installed on same side as crane is installed on		
R.	Cab to be painted white		

		MEETS?	
CRANE BODY SHELL SPECIFICATIONS		Yes	No
A.	Overall dimensions as follows: 1) Minimum 94" overall width 2) Minimum 168" overall length		
B.	Compartment tops are to be constructed of heavy-duty, fully welded 1/8" steel		
C.	Compartment backs are to be constructed of heavy-duty, fully welded 1/8" steel		

D.	Compartment bottoms are to be constructed of 12 ga. steel		
E.	Body shall incorporate a headache rack at the front of the body		
F.	Body shall have four minimum 6,900 lb. recessed tie down rings mounted in load bed floor		
G.	Body to include fold down side panels on curb side and tail gate. Heavy duty construction		

		MEETS?	
BODY SPECIFICATIONS		Yes	No
A.	1 st street side compartment behind the cab to the minimum 48" H x 36" W x 12" D with double doors or approved equal.		
B.	2 nd street side compartment to be minimum 70" L x 30" H x 12" D divided into three individual compartments with individual doors, closing and locking mechanism or approved equal.		
C.	Rear outriggers are to be hydraulic in and out and up and down on both sides.		
D.	Manual control valve to operate outriggers		
E.	Bumper shall incorporate a 2" receiver tube and trailer safety chain rings		
F.	7-way RV style trailer socket to be installed at rear bumper		
G.	Mud flaps to be installed behind rear axle		
H.	Body exterior to be painted white to match cab and chassis		
I.	Body load bed floor to be diamond tread, anti-skid surface or approved equal.		
J.	Back up alarm to be installed		
K.	Body warranty to be manufacturer's standard warranty. Please state warranty: _____		

		MEETS?	
CRANE SPECIFICATIONS		YES	NO
A.	Jib Cranes will not be accepted		
B.	Crane is to be mounted on the street side of the body at the rear		
C.	The crane lifting moment shall be minimum 40,000 lbs.		
D.	Hydraulic System: All crane functions to be hydraulically driven by an externally driven hydraulic pump. <u>Electric over hydraulic will not be accepted</u>		
E.	Rotation System: Rotation is 360° continuous		
F.	Control: To be wireless radio control		
G.	Boom Elevation: Boom to be capable of operating from -5° to 75° or approved equal		
H.	Crane shall have a minimum of 30' of hydraulic horizontal reach.		
I.	Crane to be painted white or black		
J.	Hot shift PTO mounted to automatic transmission and hydraulic pump		

LIGHTING, WIRING, AND SAFETY ITEMS		YES	NO
A.	Manufactures standard stop/tail/turn. Emergency, backup lights to be mounted at the rear of the body.		

MANUALS, WARRANTY, AND TRAINING		YES	NO
A.	Dealer PDI and delivery to be included and on-site training at customer's location by factory authorized person(s) included at time of delivery		
B.	(2) complete parts and service manuals for chassis, body, and crane to be provided at time of delivery		

ADDITIVE ALTERNATE NO. 1		YES	NO
A.	Self-contained, diesel powered, welder with Air Compressor and Generator to include: AC Stick/MIG Range 10-225A, DC Stick/MIG Range 25-300A, 11,000 Watt Generator (13,000W Peak), 31 CCFM Compressor 80-160 PSI, or Approved Equal.		

List any deviations from bid specifications: _____

**CITY OF ELKO
BID PROPOSAL FORMS**

**Bid Proposal to furnish and deliver
ONE (1) NEW SERVICE TRUCK WITH BODY AND CRANE**

Total Base Bid Price in Numbers: \$ _____

Total Base Bid Price in written form: _____

Bid Price Additive Alternate 1

Total Bid Price in numbers: \$ _____

Total Bid Price in written form: _____

The undersigned declares that he/she has carefully examined and understands the bidding documents. Also, the requested information as noted in bidding documents has been included with this form.

Company Submitting Bid

By: Company Representative

Mailing Address

Phone Number

City, State, Zip

Fax Number

*****USE THIS FORM TO SUBMIT BID PROPOSAL. ATTACH COMPLETED SPECIFICATION SHEET, DESCRIPTIVE DATA, BROCHURES, "EXCEPTIONS TO BIDDING CONDITIONS AND SPECIFICATIONS" (IF NEEDED) AND ANY OTHER INFORMATION REQUIRED IN BIDDING DOCUMENTS*****

**Elko City Council
Agenda Action Sheet**

1. **Title: Review, consideration, and possible final acceptance of the Cedar Street Reconstruction Project Phase 2, and matters related thereto. FOR POSSIBLE ACTION**
2. **Meeting Date: October 9, 2018**
3. **Agenda Category: APPROPRIATION**
4. **Time Required: 5 Minutes**
5. **Background Information: This Project was awarded to Great Basin Engineering in the amount of \$1,660,686.79, on February 2, 2018. There were adjustments in the quantities installed in the amount of \$43,174.03 for a total of \$1,703,860.82. Great Basin Engineering has satisfactorily completed the project in conformance with the plans and specification. DS**
6. **Budget Information:
Appropriation Required: \$1,703,860.82
Budget amount available: \$2,647,760
Fund name: Capital Construction - \$1,458,533.01; Water Fund \$209,604.46; Ad Valorem Capital - \$35,723.35**
7. **Business Impact Statement: Not Required**
8. **Supplemental Agenda Information: A spreadsheet, from Great Basin Engineering Contractors, detailing the final project quantities approved by Carter Engineering, LLC.**
9. **Recommended Motion: Approve final acceptance of the Cedar Street Reconstruction Project Phase 2, in the amount of \$1,703,860.82.**
10. **Prepared By: Dennis Strickland, Public Works Director**
11. **Committee/Other Agency Review:**
12. **Council Action:**
13. **Agenda Distribution: Lana Carter, lanalcarter@live.com
Great Basin Engineering**



PROGRESS PAYMENT CERTIFICATE

Pay Request No. 06
Invoice GB18001-06

DATE: 9/24/2018

Project: Cedar Street Reconstruction - Phase 2
PWP: EL-2018-087

ORIGINAL CONTRACT ITEMS						
ITEM	DESCRIPTION	BID	INSTALLED	UNIT	BID	INSTALLED
		QTY.	QTY.		PRICE	EXTENSION
1	Mobilization / Demobilization	1	1	LS	\$ 17,259.04	\$ 17,259.04
2	Traffic Control	1	1	LS	\$ 1,727.89	\$ 1,727.89
3	Remove Existing Curb & Gutter	3,226	3,228	LF	\$ 8.22	\$ 26,517.72
4	Remove Existing Sidewalk	6,981	6,903	SF	\$ 3.14	\$ 21,920.34
5	Remove Existing Driveway	1,351	1,351	SF	\$ 4.01	\$ 5,417.51
6	Remove Existing Apron & Valley Gutter	1,083	1,113	SF	\$ 4.00	\$ 4,452.00
7	Remove Stairs	5	5	EA	\$ 541.72	\$ 2,708.60
8	Remove & Replace Fence	143	143	LF	\$ 40.93	\$ 5,852.99
9	Saw Cut Concrete	206	248	LF	\$ 5.28	\$ 1,309.44
10	Remove Existing Drop Inlets	1	1	EA	\$ 447.29	\$ 447.29
11	Remove Existing Bushes	1	1	LS	\$ 2,141.85	\$ 2,141.85
12	Pulverize Existing Pavement & Base	108,500	108,500	SF	\$ 0.34	\$ 36,890.00
13	Type 1 Curb & Gutter	3,707	3,709	LF	\$ 50.12	\$ 185,794.84
14	6" Valley Gutter & Aprons	2,306	2,306	SF	\$ 20.17	\$ 46,512.02
15	2" Valley Gutter	6	6	SF	\$ 39.62	\$ 237.72
16	4" Thick Concrete Sidewalk	12,326	12,672	SF	\$ 11.62	\$ 147,248.64
17	Thickened Edge Driveway Crossing	3,279	3,346	SF	\$ 15.31	\$ 51,227.26
18	Thickened Edge Cross Walk	390	404	SF	\$ 18.18	\$ 7,344.72
19	Thickened Edge Sidewalk	14	14	SF	\$ 29.04	\$ 406.56
20	Barrier Curb	7	21	LF	\$ 41.19	\$ 864.99
21	Sidewalk Cross Drain	1	1	EA	\$ 657.14	\$ 657.14
22	2'x4' ADA Truncated Domes	14	14	EA	\$ 257.53	\$ 3,605.42
23	4" Accessible Curb Ramps	1,350	1,372	SF	\$ 23.19	\$ 31,306.50
24	2-Step Stair	1	1	EA	\$ 1,193.59	\$ 1,193.59
25	3-Step Stair	2	2	EA	\$ 1,123.96	\$ 2,247.92
26	4" AC	75,430	75,833	SF	\$ 3.38	\$ 254,953.40
27	10" Road Bed Mod w/ On Site Material	75,430	75,833	SF	\$ 1.00	\$ 75,430.00
28	3" AC	7,168	8,413	SF	\$ 3.91	\$ 32,894.83
29	9" Type 2, Class B Aggregate Base	7,168	8,413	SF	\$ 2.42	\$ 20,359.46
30	Finish Grade / Soil Amendment (6" Depth)	18,500	18,500	SF	\$ 1.02	\$ 18,870.00
31	1" Washed Rock Mulch (4" Depth)	8	8	CY	\$ 259.64	\$ 2,077.12
32	1-2" Washed Angular Rock Mulch (4" Depth)	190	190	CY	\$ 137.87	\$ 26,195.30
33	1-1/2" - 3" Washed Angular Rock Mulch (4" Depth)	35	35	CY	\$ 256.80	\$ 8,988.00
34	Shredded Bark Mulch at Shrubs	2	2	CY	\$ 309.71	\$ 619.42
35	Large Boulders (2'-3.5')	235	235	CY	\$ 134.78	\$ 31,673.30
36	Small Boulders (<2')	110	110	CY	\$ 145.48	\$ 16,002.80
37	Irrigation System & Components	17,600	17,960	SF	\$ 2.57	\$ 45,232.00
38	Trees	34	33	EA	\$ 1,286.22	\$ 42,445.26
39	Shrubs	430	427	EA	\$ 26.70	\$ 11,481.00
40	Seepage Bed	14,070	14,070	CF	\$ 3.32	\$ 46,712.40
41	Domed Grate Seepage Bed Entrance	4	4	EA	\$ 1,450.90	\$ 5,803.60
42	Modified Drop Inlet	16	16	EA	\$ 2,409.50	\$ 38,552.00
43	6" ADS N-12 Storm Drain	137	147	LF	\$ 20.91	\$ 3,073.77
44	18"x6" Rectangular Tube Culvert	16	16	LF	\$ 131.69	\$ 2,107.04
45	6"x6" Trench Drain	34	34	LF	\$ 261.60	\$ 8,994.40
46	18"x6" Trench Drain	128	128	LF	\$ 333.93	\$ 42,743.04
47	Keystone Retaining Wall	283	274	LF	\$ 169.15	\$ 46,347.10
48	Survey Monuments	2	2	EA	\$ 616.68	\$ 1,233.36
49	Adjust Water Valve Boxes to Grade	6	6	EA	\$ 575.96	\$ 3,455.76
50	Grading	1	1	LS	\$ 59,466.20	\$ 59,466.20
51	Over Ex - Ex Subgrade	500	131	EA	\$ 11.38	\$ 1,490.78
52	Over Ex - Geotextile	930	0	SY	\$ 2.30	\$ 2,139.00
53	Over Ex - Type 2, Class B	500	131	CY	\$ 11.38	\$ 5,690.00
Utilities						
54	Abandon and Remove Hydrant	2	2	EA	\$ 1,014.63	\$ 2,029.26
55	Remove Valve Boxes	8	8	EA	\$ 115.20	\$ 921.60
56	Remove Existing 6"x4" Cross	1	1	EA	\$ 99.52	\$ 99.52
57	Remove Existing 4" Cross	1	1	EA	\$ 99.52	\$ 99.52

PAYMENT COMPUTATIONS									
PREVIOUS BILLING		CURRENT BILLING		BILLINGS TO DATE		%	REMAINING BALANCE		
QTY	AMOUNT	QTY	AMOUNT	QTY	AMOUNT	Complete	QTY	AMOUNT	
0.8	\$ 13,807.23	0.2	\$ 3,451.81	1.0	\$ 17,259.04	100%	0%	\$ -	
1.0	\$ 1,727.89	0.0	\$ -	1.0	\$ 1,727.89	100%	0%	\$ -	
3228.0	\$ 26,534.16	0.0	\$ -	3228.0	\$ 26,534.16	100%	0%	\$ (16.44)	
6903.0	\$ 21,675.42	0.0	\$ -	6903.0	\$ 21,675.42	99%	1%	\$ 244.92	
1351.0	\$ 5,417.51	0.0	\$ -	1351.0	\$ 5,417.51	100%	0%	\$ -	
1113.0	\$ 4,452.00	0.0	\$ -	1113.0	\$ 4,452.00	103%	-3%	\$ (120.00)	
5.0	\$ 2,708.60	0.0	\$ -	5.0	\$ 2,708.60	100%	0%	\$ -	
143.0	\$ 5,852.99	0.0	\$ -	143.0	\$ 5,852.99	100%	0%	\$ -	
248.0	\$ 1,309.44	0.0	\$ -	248.0	\$ 1,309.44	120%	-20%	\$ (221.76)	
1.0	\$ 447.29	0.0	\$ -	1.0	\$ 447.29	100%	0%	\$ -	
1.0	\$ 2,141.85	0.0	\$ -	1.0	\$ 2,141.85	100%	0%	\$ -	
108500.0	\$ 36,890.00	0.0	\$ -	108500.0	\$ 36,890.00	100%	0%	\$ -	
3709.0	\$ 185,895.08	0.0	\$ -	3709.0	\$ 185,895.08	100%	0%	\$ (100.24)	
2306.0	\$ 46,512.02	0.0	\$ -	2306.0	\$ 46,512.02	100%	0%	\$ -	
6.0	\$ 237.72	0.0	\$ -	6.0	\$ 237.72	100%	0%	\$ -	
12672.0	\$ 147,248.64	0.0	\$ -	12672.0	\$ 147,248.64	103%	-3%	\$ (4,020.52)	
3346.0	\$ 51,227.26	0.0	\$ -	3346.0	\$ 51,227.26	102%	-2%	\$ (1,025.77)	
404.0	\$ 7,344.72	0.0	\$ -	404.0	\$ 7,344.72	104%	-4%	\$ (254.52)	
14.0	\$ 406.56	0.0	\$ -	14.0	\$ 406.56	100%	0%	\$ -	
21.0	\$ 864.99	0.0	\$ -	21.0	\$ 864.99	300%	-200%	\$ (576.66)	
1.0	\$ 657.14	0.0	\$ -	1.0	\$ 657.14	100%	0%	\$ -	
14.0	\$ 3,605.42	0.0	\$ -	14.0	\$ 3,605.42	100%	0%	\$ -	
1372.0	\$ 31,816.68	0.0	\$ -	1372.0	\$ 31,816.68	102%	-2%	\$ (510.18)	
1.0	\$ 1,193.59	0.0	\$ -	1.0	\$ 1,193.59	100%	0%	\$ -	
2.0	\$ 2,247.92	0.0	\$ -	2.0	\$ 2,247.92	100%	0%	\$ -	
75833.0	\$ 256,315.54	0.0	\$ -	75833.0	\$ 256,315.54	101%	-1%	\$ (1,362.14)	
75833.0	\$ 75,833.00	0.0	\$ -	75833.0	\$ 75,833.00	101%	-1%	\$ (403.00)	
8413.0	\$ 32,894.83	0.0	\$ -	8413.0	\$ 32,894.83	117%	-17%	\$ (4,867.95)	
8413.0	\$ 20,359.46	0.0	\$ -	8413.0	\$ 20,359.46	117%	-17%	\$ (3,012.90)	
18500.0	\$ 18,870.00	0.0	\$ -	18500.0	\$ 18,870.00	100%	0%	\$ -	
8.0	\$ 2,077.12	0.0	\$ -	8.0	\$ 2,077.12	100%	0%	\$ -	
190.0	\$ 26,195.30	0.0	\$ -	190.0	\$ 26,195.30	100%	0%	\$ -	
35.0	\$ 8,988.00	0.0	\$ -	35.0	\$ 8,988.00	100%	0%	\$ -	
2.0	\$ 619.42	0.0	\$ -	2.0	\$ 619.42	100%	0%	\$ -	
235.0	\$ 31,673.30	0.0	\$ -	235.0	\$ 31,673.30	100%	0%	\$ -	
110.0	\$ 16,002.80	0.0	\$ -	110.0	\$ 16,002.80	100%	0%	\$ -	
17960.0	\$ 46,157.20	0.0	\$ -	17960.0	\$ 46,157.20	102%	-2%	\$ (925.20)	
32.0	\$ 41,159.04	1.0	\$ 1,286.22	33.0	\$ 42,445.26	97%	3%	\$ 1,286.22	
347.0	\$ 9,264.90	80.0	\$ 2,136.00	427.0	\$ 11,400.90	99%	1%	\$ 80.10	
14070.0	\$ 46,712.40	0.0	\$ -	14070.0	\$ 46,712.40	100%	0%	\$ -	
4.0	\$ 5,803.60	0.0	\$ -	4.0	\$ 5,803.60	100%	0%	\$ -	
16.0	\$ 38,552.00	0.0	\$ -	16.0	\$ 38,552.00	100%	0%	\$ -	
147.0	\$ 3,073.77	0.0	\$ -	147.0	\$ 3,073.77	107%	-7%	\$ (209.10)	
16.0	\$ 2,107.04	0.0	\$ -	16.0	\$ 2,107.04	100%	0%	\$ -	
34.0	\$ 8,994.40	0.0	\$ -	34.0	\$ 8,994.40	100%	0%	\$ -	
128.0	\$ 42,743.04	0.0	\$ -	128.0	\$ 42,743.04	100%	0%	\$ -	
274.0	\$ 46,347.10	0.0	\$ -	274.0	\$ 46,347.10	97%	3%	\$ 1,522.35	
2.0	\$ 1,233.36	0.0	\$ -	2.0	\$ 1,233.36	100%	0%	\$ -	
6.0	\$ 3,455.76	0.0	\$ -	6.0	\$ 3,455.76	100%	0%	\$ -	
1.0	\$ 59,466.20	0.0	\$ -	1.0	\$ 59,466.20	100%	0%	\$ -	
131.0	\$ 1,490.78	0.0	\$ -	131.0	\$ 1,490.78	26%	74%	\$ 4,199.22	
0.0	\$ -	0.0	\$ -	0.0	\$ -	0%	100%	\$ 2,139.00	
131.0	\$ 1,490.78	0.0	\$ -	131.0	\$ 1,490.78	26%	74%	\$ 4,199.22	
2.00	\$ 2,029.26	0.0	\$ -	2.0	\$ 2,029.26	100%	0%	\$ -	
8.00	\$ 921.60	0.0	\$ -	8.0	\$ 921.60	100%	0%	\$ -	
1.00	\$ 99.52	0.0	\$ -	1.0	\$ 99.52	100%	0%	\$ -	
1.00	\$ 99.52	0.0	\$ -	1.0	\$ 99.52	100%	0%	\$ -	

58	Remove Ex. Water Services Curb Box	33	40	EA	\$ 78.65	\$ 2,595.45	\$ 3,146.00
59	1" Water Meter Box	33	38	EA	\$ 2,062.74	\$ 68,070.42	\$ 78,384.12
60	1" Water Service Connection and Line	31	37	EA	\$ 1,568.99	\$ 48,638.69	\$ 58,052.63
61	1.5" Water Meter Box	2	2	EA	\$ 4,450.49	\$ 8,900.98	\$ 8,900.98
62	1.5" Water Service Connection and Line	2	2	EA	\$ 1,735.23	\$ 3,470.46	\$ 3,470.46
63	12"x6" Hot Tap Excavate & Backfill	2	2	EA	\$ 1,551.69	\$ 3,103.38	\$ 3,103.38
64	6"x6" Hot Tap Excavate & Backfill	1	1	EA	\$ 1,241.36	\$ 1,241.36	\$ 1,241.36
65	6"x4" Tee (FLGxMJ)	1	1	EA	\$ 895.18	\$ 895.18	\$ 895.18
66	6" Gate Valve (MJ)	1	3	EA	\$ 1,166.83	\$ 1,166.83	\$ 3,500.49
67	6" 45 Degree Bend (MJ) with Restraints	3	1	EA	\$ 407.88	\$ 1,223.64	\$ 407.88
68	6" 90 Degree Bend (MJ) with Restraints	1	1	EA	\$ 431.31	\$ 431.31	\$ 431.31
69	6" Romac Coupling	3	3	EA	\$ 371.00	\$ 1,113.00	\$ 1,113.00
70	6" C-900 DR 18 Water Pipe	40	130	LF	\$ 186.72	\$ 7,468.80	\$ 24,273.60
71	Valve Boxes	4	7	EA	\$ 340.45	\$ 1,361.80	\$ 2,383.15
72	Traffic Rated Box	2	2	EA	\$ 1,165.65	\$ 2,331.30	\$ 2,331.30
73	Fire Hydrant Assembly	2	2	EA	\$ 7,611.64	\$ 15,223.28	\$ 15,223.28

Additive Alternates

Alt. 1	6" x 12" Concrete Pad	156	118	LF	\$ 10.62	\$ 1,656.72	\$ 1,253.16
Alt. 5.1	Utility Trench for Fiber Optic	1,885	1,885	LF	\$ 16.13	\$ 30,405.05	\$ 30,405.05
Alt. 5.2	Traffic Rated Pull Boxes	5	5	EA	\$ 1,063.66	\$ 5,318.30	\$ 5,318.30

TOTAL ORIGINAL CONTRACT ITEMS					\$ 1,660,686.79	\$ 1,703,860.82
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CONTRACT CHANGE ORDERS

1		1		LS		-
2		1		LS		-
3		1		LS		-
4		1		LS		-

TOTAL CHANGE ORDERS					\$ -	\$ -
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SUMMARY

ITEM	DESCRIPTION	EST.	QTY.	UNIT	PRICE	BID	EXTENSION	INSTALLED
	Original Contract Items					\$ 1,660,686.79		
	Total Installed Items							\$ 1,703,860.82
GRAND TOTAL						\$ 1,660,686.79	\$ 1,703,860.82	

CONTRACTOR BILLING

Total Including Bid Quantity Adjustments	\$	1,703,860.82
Billings to Date	\$	1,703,860.82
Retention 5%	\$	85,193.04
Balance:	\$	1,618,667.78
Current Billing	\$	6,874.03
Balance Payable Less Retainage	\$	6,530.33

40.00	\$ 3,146.00	0.0	\$ -	40.0	\$ 3,146.00	121%	-21%	\$ (550.55)
38.00	\$ 78,384.12	0.0	\$ -	38.0	\$ 78,384.12	115%	-15%	\$ (10,313.70)
37.00	\$ 58,052.63	0.0	\$ -	37.0	\$ 58,052.63	119%	-19%	\$ (9,413.94)
2.00	\$ 8,900.98	0.0	\$ -	2.0	\$ 8,900.98	100%	0%	\$ -
2.00	\$ 3,470.46	0.0	\$ -	2.0	\$ 3,470.46	100%	0%	\$ -
2.00	\$ 3,103.38	0.0	\$ -	2.0	\$ 3,103.38	100%	0%	\$ -
1.00	\$ 1,241.36	0.0	\$ -	1.0	\$ 1,241.36	100%	0%	\$ -
1.00	\$ 895.18	0.0	\$ -	1.0	\$ 895.18	100%	0%	\$ -
3.00	\$ 3,500.49	0.0	\$ -	3.0	\$ 3,500.49	300%	-200%	\$ (2,333.66)
1.00	\$ 407.88	0.0	\$ -	1.0	\$ 407.88	33%	67%	\$ 815.76
1.00	\$ 431.31	0.0	\$ -	1.0	\$ 431.31	100%	0%	\$ -
3.00	\$ 1,113.00	0.0	\$ -	3.0	\$ 1,113.00	100%	0%	\$ -
130.00	\$ 24,273.60	0.0	\$ -	130.0	\$ 24,273.60	325%	-225%	\$ (16,804.80)
7.00	\$ 2,383.15	0.0	\$ -	7.0	\$ 2,383.15	175%	-75%	\$ (1,021.35)
2.00	\$ 2,331.30	0.0	\$ -	2.0	\$ 2,331.30	100%	0%	\$ -
2.00	\$ 15,223.28	0.0	\$ -	2.0	\$ 15,223.28	100%	0%	\$ -

118.00	\$ 1,253.16	0.0	\$ -	118.0	\$ 1,253.16	76%	24%	\$ 403.56
1885	\$ 30,405.05	0.0	\$ -	1885.0	\$ 30,405.05	100%	0%	\$ -
5	\$ 5,318.30	0.0	\$ -	5.0	\$ 5,318.30	100%	0%	\$ -
102%	\$ 1,696,986.79	0%	\$ 6,874.03		\$ 1,703,860.82	103%		\$ (43,174.03)

PAYMENT COMPUTATIONS

\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -

PAYMENT COMPUTATIONS

PREVIOUS BILLING		CURRENT BILLING		BILLINGS TO DATE		REMAINING BALANCE	
%	AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT
	1,696,986.79	0%	6,874.03		1,703,860.82		-43,174.03
			0.00		0.00		
	\$ 1,696,986.79	0%	\$ 6,874.03	103%	\$ 1,703,860.82	-3%	\$ (43,174.03)

CONTRACTOR		PROJECT MANAGER / ENGINEER	
APPROVAL FOR PAYMENT		APPROVAL FOR PAYMENT	
Signed by: <i>Courtesy Murphy</i>		Signed by: <i>Jane A. [Signature]</i>	
Date: 9/24/18		Date: 9/24/18	
Remarks:			

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval for the Fire Department to reserve City-owned property located at and adjacent to 1401 Ruby Vista Drive for the purpose of a future Fire Station, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **October 9, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire Department is requesting that three (3) parcels of land located at and adjacent to 1401 Ruby Vista Dr. be reserved for a future Fire Station. JS**
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: **N/A**
9. Recommended Motion: **Recommend Council dedicate the land located at and adjacent to 1401 Ruby Vista Drive to be used for the construction of a future Fire Station.**
10. Prepared By: **Jack Snyder, Deputy Fire Chief**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

Mr. Wilkinson believed with individual ownership you might have more people interested in maintaining it.

Councilman Perry advised if parceled, every one of those parcels carries with it all the conditions in the C.U.P. and all the requirements in our ordinances which say that they have to be maintained.

Mr. Wilkinson advised one of the conditions is to record that C.U.P. against this property so it is of record. If they parcel and sell off buildings that people will be aware of it and it will show up in a title report.

**** A motion was made by Councilman Perry, seconded by Councilman Rice to conditionally approve Map of Reversion to Acreage No. 3-11, subject to the conditions as recommended by the Planning Commission and the condition that the map of reversion be recorded within 2 years from this date of approval and the condition to have legal review before final certification by the City.**

Motion passed unanimously.

- C. Review and consideration of a request from the Elko Band Council to purchase three (3) parcels of City-owned land located on Ruby Vista Drive, including possible action to designate all three (3) parcels as “available for sale” on the Inventory of Vacant City Owned Land, and matters related thereto. **FOR POSSIBLE ACTION**

This request involves the former Family Resource Center property located at 1401 Ruby Vista Drive, and the two (2) vacant, adjacent parcels. The Inventory of Vacant City Owned Land currently designates the eastern parcel as “retain for public use” but does not include the western parcel. If the City Council designates all three (3) parcels “available for sale,” Staff will process the Elko Band Council’s Application for Sale or Lease of City Owned Land. CC

City Manager Calder advised this is the property previously occupied by the Family Resource Center and the parcels directly to the east and west. According our land inventory the status of each of those parcels is: 1) The east is retained for public use; which City Staff speculates was for the purpose of a possible freeway exit and/or entrance, 2) The parcel where the Family Resource Building is status unchanged; lease with Family Resource Center and 3) The west parcel is not designated in the land inventory.

City Manager Calder noted the request is the possible purchase of all three parcels. The Family Resource building has not been demolished as yet but will be soon. That property could be retained for public use for future highway improvements in that area. Mr. Calder referred to an old “conceptual” drawing of what a freeway on-ramp might look like in that area. There are alternatives to that even if that were to happen twenty to thirty years from now without using that much property. Since the time that was drawn improvements on the Great Basin College Campus do not make that alignment feasible.

City Manager Calder advised he was providing the information for this decision; if you do sell all the property you will lose control of it. In the near future Staff does not see any use for the east parcel and the middle parcel but retaining the eastern parcel would leave option the option of improving entrance and exit onto the freeway. Based on the "conceptual" drawing the master plan has that designated for public use; that current alignment, as it sits now, would have to be completely redesigned.

Gerald Temoke, Chairman, Elko Band Council, informed the Council they were considering the property for a cultural center and possibly some type of monument area.

Mayor Johnson referred to the parcel with the building on it outside; is that outside the off ramp?

City Manager Calder advised if you look at the conceptual alignment it actually goes right through the building on the north side. Staff has looked at that and it is feasible to shift that to the east quite a bit if the city was to retain the eastern most parcel. You could make it work but you have the topography issue also. The building is on the hill and everything else falls away from that; both east and west and would be another consideration for possible alignments. It is a piece of property that the city is not going to do anything with; at least in the near future, if we end up retaining. But for long term planning he believed if there were any type of freeway access it would be closer to the underpass on Golf Course Road. It would make more financial sense to shift it eastward rather than have it in the middle.

Councilman Rice believed the RTC hasn't reviewed the regional road master plan. Before making decision on this he wanted more information on what the state has in mind.

Councilman Perry commented this piece of ground is not going to be residential because it is right next to the highway; but from a transportation perspective that is a pro. It is also close to a lot of the city infrastructure. This parcel may have a use to the city that we don't visualize right now i.e. police or fire station.

Councilman Perry noted the city doesn't have much vacant land; how many acres is this?

City Manager Calder advised, in total, approximately 4 to 4 ½ acres.

Councilman Perry was sure there would be interest in purchasing the property but he looked at the value of what it might sell for and the potential value to the city sometime in the future. Because of that he was hesitant to let go of it because of where it was at.

Councilman Elquist and Councilman Conner were also opposed to selling the property for the same reasons.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to deny a request from the Elko Band Council to purchase three (3) parcels of City-owned land located on Ruby Vista Drive, including possible action to designate all three (3) parcels as "available for sale" on the Inventory of Vacant City Owned Land.**

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval for the Fire Department to apply for an Assistance to Firefighters Grant (AFG) through the Department of Homeland Security to replace an Aerial Fire Truck Apparatus, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **October 9, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire Department Fire Department would like to apply for the 2018 FEMA Regional Assistance to Firefighters Grant. The application would apply for a new Aerial Ladder truck. The current Ladder 2 is 30 years old which is the National Fire Protection Association (NFPA) recommended maximum age for Aerial Apparatus to be in front line use. This apparatus will increase firefighter safety and health, emergency response and scene capabilities, provide greater storage and personnel carrying capacity and reduce rising maintenance cost. The AFG Program has listed this item as high priority for grant funding this year. Total amount of the grant would be around 957,242.00 with a 10% match by the City. JS**
6. Budget Information:

Appropriation Required: \$35, 3251.00
Budget amount available: N/A
Fund name: Capital Equipment
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Recommend approval for the Fire Department to apply for the Assistance to Firefighters grant for \$353,207.53 through the Federal Emergency Management Agency Assistance to Firefighters Grant.**
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 approval for the Fire Department to apply for an Assistance to Firefighters Grant (AFG) through the Department of Homeland Security for Portable and Mobile radio communication devices, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **October 9, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire Department would like to apply for the 2018 FEMA Assistance to Firefighters Grant. The application would apply for 16 mobile radios and accessories and 50 portable radios and accessories utilizing Government pricing. These radios will enhance firefighter safety, emergency communications and interoperability with Elko PD, Elko Ambulance and our mutual aid partners. The AFG Program has listed this item as high priority for grant funding this year. Total amount of the grant would be around 353,207.53 with a 10% match by the City. JS**
6. Budget Information:
 Appropriation Required: **\$95,724.00**
 Budget amount available: **N/A**
 Fund name: **Capital Equipment**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Recommend approval for the Fire Department to apply for a Regional Assistance to Firefighters grant for \$957,242 through the Federal Emergency Management Agency Assistance to Firefighters Grant.**
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: **Consideration and possible approval of a temporary waiver of the mandatory connection to public sewer associated with building permit 18-336 for APN 001-633-030, pursuant to City Code 3-2-3 (B)(4), and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **October 9, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Great Basin Estates Phase 2 and Phase 3 Maps are currently pending NDEP approval. In an effort to accommodate the developer's schedule, City Staff issued one (1) Building Permit for Lot 43 (Phase 2) on APN 001-633-030. Since NDEP has not yet approved the maps, "public sewerage and water supply" are technically unavailable, thereby requiring City Council approval of a waiver of the mandatory connection to public sewer requirement. The temporary waiver, if approved, will expire in 90 days. CC**
6. Budget Information:

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Approve a temporary waiver of the mandatory connection to public sewer associated with building permit 18-336 for APN 001-633-030, to be valid for a maximum of 90 calendar days.**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review: **City Attorney**
12. Council Action:
13. Council Agenda Distribution: **Robert Capps**
robertcapps@cappshomes.com