



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, June 23, 2020
Elko Convention Center, Turquoise Room, 700 Moren Way, Elko, Nevada, 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.elkocity.com>, the State of Nevada's Public Notice Website,
<https://notice.nv.gov> in the following locations:

ELKO CITY HALL
1751 College Avenue, Elko, Nevada 89801
Date & Time Posted: Thursday, June 18, 2020 at 8:30 a.m.

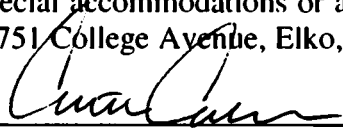
Posted by: Kim Wilkinson Administrative Assistant *Kim Wilkinson*

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

Dated this 18th day of June, 2020

NOTICE TO PERSONS WITH DISABILITIES

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


Curtis Calder, City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, JUNE 23, 2020
ELKO CONVENTION CENTER, TURQUOISE ROOM, 700 MOREN WAY, ELKO, NV

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006.

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: June 9, 2020 Regular Session

I. PRESENTATIONS

- A. Reading of a proclamation in recognition of the Silver State Stampede PRCA Rodeo being held on July 10th, 11th, and 12th, 2020, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**
- B. Presentation by CADV Harbor House, Executive Director, Marianne McKown regarding 40 years of service to the Elko County Community, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Ms. Lori Stidham, Animal Shelter Worker
 - 2.) Mr. Brett Walsh, Water Department Laborer
 - 3.) Mr. Justin Bradeen, Water Department Laborer
 - 4.) Mr. William “Brad” Burham, Facilities Maintenance Technician
- B. Review, consideration, and possible approval of the reorganization and realignment of City Sexton duties, including a reduction in compensation and benefits, effective, effective July 1, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

The City Sexton is an Appointed Official position that was established in City Code for the primary purpose of keeping cemetery records pursuant to Nevada Revised Statutes.

Over the years, this position has been performed by various individuals, in different capacities. Currently, the position is held by Ms. Jan Petersen and duties are split between the City Sexton, Parks and Recreation Department, and the City Clerk's Department. Under this proposal, the City Sexton will shift "transactional" duties to City Staff, and overall work hours will be reduced.

The recently adopted FY 2020/2021 Fiscal Year budget includes various cost savings from different departments. The proposed reorganization and realignment of City Sexton duties is projected to save approximately \$17,000 annually. Resolution No. 13-20 formalizes the reduction in compensation and benefits. CC

III. 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 the Elko Regional Airport Liability Insurance Policy for FY 2020/2021, and matters related thereto. **FOR POSSIBLE ACTION**

LP Insurance Services, Inc. has competitively sought airport liability insurance for the upcoming fiscal year. Only one (1) quote was received from AIG Aerospace at \$10,834/year, representing an approximate 10% increase over the current year. JF

- D. Review, discussion, and possible approval for the Fire Department to begin the purchasing of a new Self Contained Breathing Apparatus Compressor in the amount of \$79,950.00, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire and Police Department's would like the approval to a Mako Self Contained Breathing Air System compressor. The new compressor will be purchased from Siddons Martin Emergency Group, at the price of \$79,950.00. The benefits to the compressor is that it replaces an approximately 15-year-old current compressor. In addition, it will provide a larger fill rate capacity reducing wear and tear compared to the current one. JS

- E. Review, discussion, and possible approval for the Fire Department to begin the purchasing of two (2) defibrillators in the amount of \$67,969.74, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire and Police Department's would like the approval to purchase two (2) defibrillators and accessories. The new defibrillators will be purchased from Zoll Medical Corporation, at the price of \$67,969.74. The benefits to the new

defibrillators is that it replaces unsupported current defibrillators by the FDA. In addition, it will enhance the interoperability between Elko Fire and Elko Ambulance as each agency will be using the same defibrillators and enhancing patient care. JS

IV. NEW BUSINESS

- A. Review, consideration, and possible action to consider a draft proposal for the development of a 20-Year Lease between the City of Elko and CC Communications whereby the City would lease the use of fiber in exchange for infrastructure and services to be provided by CC Communications to the City of Elko, and possible instruction to Staff to negotiate a lease in conformance with NRS 277.050(4)(b), and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko approved a non-exclusive franchise agreement with the CC Communications on February 11, 2020. The non-exclusive franchise agreement does not provide for the use of City-owned fiber. On April 28, 2020, the City of Elko accepted a petition by CC Communications requesting that the City of Elko provide one buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko one buffer tube of the same liner feet within the City. The City Council moved to provide one buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko a buffer of the same liner feet within the city equal to the current appraised value. Subsequent to the April meeting, CC Communications submitted a proposal it believes to be in conformance with NRS 277.050(4)(b). In its proposal, CC Communications seeks to enter into a 20-year lease for two (2) buffer tubes of City-owned fiber located between the Airport and the Idaho/14th Street intersection, together with the right to use certain associated equipment. In exchange, CC Communications proposes to give the City use of 3.2 miles of fiber and various other commitments. The City Council has the discretion to determine whether the proposed consideration for the lease is adequate. SAW

- B. Review, consideration, and possible approval of Technology Services Agreement with Oasis Online, and matters related thereto. **FOR POSSIBLE ACTION**

On June 9, 2020, Council approved the City of Elko IS Department Reorganization Plan. This reorganization plan included entering into a one-year contract with Oasis Online for Technology Services. This agreement will be entered into rather than continuing to recruit for an IS Manager for the City of Elko. JB

V. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 10-20, a resolution authorizing augmentation of the 2019/2020 Fiscal Year Budget of the Capital Equipment Reserve Fund, increasing appropriations to \$2,281,623 to account for \$324,840 in unanticipated revenues, pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

The Capital Equipment Reserve Fund had increased beginning Fund Balance of \$324,840 because the Fire Truck budgeted for the 2018/2019 Fiscal Year did not arrive until the 2019/2020 Fiscal Year. When the 2019/2020 Budget was prepared, it was anticipated the Fire Truck would arrive in late June 2019. In order to pay for the expenses associated with this additional Fund Balance it is necessary to augment the budget. JB

- B. Review, consideration, and possible approval of Resolution No. 11-20, a resolution providing for the transfer of appropriations between accounts within the City of Elko 2019/2020 Fiscal Budget pursuant to N.R.S. 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

This is the annual year-end housekeeping item to transfer funds between functions, and funds as required to fund all budgetary changes that occurred during the fiscal year. JB

- C. Review, consideration, and possible approval of Resolution No. 12-20, a resolution declaring support of local and regional law enforcement officers, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of Resolution No. 12-20 has been included in the agenda packet for review.
CC

- D. Review, consideration, and possible approval of Resolution No. 13-20, a resolution adjusting the duties and compensation of the City Sexton, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of Resolution No. 13-20 has been included in the agenda packet for review.
CC

VI. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 09-20, a resolution and order vacating a portion of Juniper Street and 6th Street Right-of-Way, consisting of an area approximately 3,636 sq. ft. abutting APN 001-231-001, which is located within the City of Elko, Nevada, to the abutting property owner Brian and Dena Starkey, filed and processed as Vacation No. 1-20, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right of Way at its regular meeting of May 12, 2020, 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 June 2, 2020, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-20 with findings in support of its recommendation. CL

- B. Review, consideration, and possible adoption of Ordinance No. 854, an emergency ordinance waiving their-quarter 2020 Liquor License Fees for business prohibited from reopening, due to the directives from the Governor, and matters related thereto. **FOR POSSIBLE ACTION**

On June 9, 2020, City Council directed Staff to prepare an emergency ordinance for a waiver of Liquor License Fees for quarter commencing July 1, 2020, for establishments unable to open during the Nevada Health Response Phase Two. KW

- C. Review, consideration, and possible adoption of Ordinance No. 855, an emergency ordinance reducing the amount and deferring payment of Brothel License Fees to assist brothels adversely affected by the Covid-19 Pandemic, and matters related thereto. **FOR POSSIBLE ACTION**

On June 9, 2020, City Council directed Staff to prepare an emergency ordinance that will reduce the Brothel Fee's due July 1, 2020, by half with a due date of September 30, 2020. KW

VII. REPORTS

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

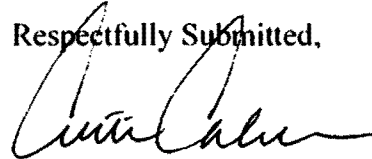
COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, an 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**

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 in a cursive style.

Curtis Calder
City Manager

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

SS June 9, 2020

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 9, 2020. Due to the restrictions found in the State of Nevada Emergency Directive 006, the meeting was held in the Turquoise Room of the Elko Convention and Visitors Authority, 700 Moren Way, Elko.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
 Councilman Robert Schmidlein
 Councilman Chip Stone
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Kelly Wooldridge, City Clerk
 Susie Shurtz, Human Resources Manager
 Jan Baum, Financial Services Director
 Jeff Ford, Building Official
 Dale Johnson, Utilities Director
 Bob Thibault, Civil Engineer
 James Wiley, Parks and Recreation Director
 Cathy Laughlin, City Planner
 Jim Foster, Airport Manager
 Matt Griego, Fire Chief
 Jack Snyder, Deputy Fire Chief
 Dave Stanton, City Attorney
 Ty Trouten, Police Chief
 Diann Byington, Recording

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

APPROVAL OF MINUTES: May 26, 2020 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in recognition of the month of June 2020 as “Men’s Health Month,” and matters related thereto. **INFORMATION ONLY–NON ACTION ITEM**

Mayor Keener read the Proclamation.

- B. Presentation of a Retirement Plaque to Police Patrol IV, Christopher Gevock, and matters related thereto. **INFORMATION ONLY–NON ACTION ITEM**

Chief Trouten introduced Christopher Gevock, Police Patrol IV, and explained that he has been with the Elko Police Department since 1994. He has done a lot of good things for the agency. For many years, he has also participated with Shop With A Cop. After 25 years, he has decided to retire.

Christopher Gevock said thank you to his coworkers in the Police Department. He enjoyed the time and will them all.

The room gave Officer Gevock a standing ovation.

Mayor Keener thanked him for his service for the last 25 years. He presented Officer Gevock with a plaque for his many years of dedicated service.

- C. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY 2020/2021 Funds in the amount of \$515,203.97, and matters related thereto. **FOR POSSIBLE ACTION**

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

Your agenda packet includes an overview of coverage offered for the following Fiscal Year. The City of Elko’s total program costs for FY 2020/2021 are \$515,203.97, representing a 10.8% increase over FY 2019/2020. CC

Dain Uriarte, LP Insurance, 555 5th Street, explained there was a 10.99% increase in the rates this year. Last year there was a 9.9% increase. The state of the insurance market, the insurers are seeing loss ratios of over 100%. Everyone has had great losses due to hurricanes and fires and they are trying to recoup some of their money.

Mayor Keener asked if leasing vehicles will have much influence on our premiums going forward.

Mr. Uriarte doesn't have much of an impact because you still have to insure the vehicles.

Mike Rebaleati, Nevada Public Agency Insurance Pool, said they are available at any time. He thanked Curtis Calder for serving on a number of their boards. He went over some changes and enhancements to the insurance coverage and other services offered by POOL/PACT.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve the renewal proposal from the Nevada Public Agency Insurance Pool, and approve the invoice for payment for FY 2020/2021 funds, in the amount of \$515,203.97.**

The motion passed unanimously. (5-0)

II. PERSONNEL

- A. Review, consideration, and possible approval of a Letter of Understanding between the City of Elko, and the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America AFL-CIO Local 9110, Sergeants Unit, July 1, 2020 – June 30, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America, AFL-CIO, Local 9110 Sergeants Unit, has agreed to the City of Elko request to receive no Cost of Living Adjustment (COLA) for FY 2020-2021. The purpose of this letter of understanding is to outline the revisions to the current Collective Bargaining Agreement (CBA) due to the COVID-19 financial emergency. SS

Note: This portion of the meeting may be closed pursuant to NRS 288; therefore, the Council may move to adjourn the meeting prior to consideration of this item.

Susie Shurtz, Human Resources Manager, explained this is the formal agreement we spoke about at the last Council Meeting. We appreciate the Sergeants being willing to work with us. They have agreed to take a zero percent Cost of Living Adjustment (COLA) for this next year.

Mayor Keener said it was very generous of them to do that. The Firefighters Union has also done that and he hears that the Operating Engineers are working towards the same.

Curtis Calder, City Manager, added that the management and non-represented have also agreed to a zero percent increase.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the Letter of Understanding between the City of Elko and the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America, Local 9110 Sergeants Unit, for the period between July 1, 2020 and June 30, 2021.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of a City of Elko Finance Department reorganization, effective July 1, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

Since the abrupt change in Finance Department personnel in February 2019, Candi Quilici, Accounting Supervisor, has been working outside of her current job description. During this period, she has developed additional knowledge, skills, and abilities. Ms. Quilici is currently receiving a 6% out-of-class adjustment for working outside of her job description as the Acting Accounting Manager. Promoting Ms. Quilici to the position of Accounting Manager simply aligns her current job duties with the proper job classification. If approved, there will be no fiscal impact to the City of Elko, as the 6% out-of-class adjustment will be discontinued. A memo has been included in the agenda packet for review. JB

Jan Baum, Financial Services Director, explained Candi Quilici has been working out of class for over a year, and has been doing a good job. She has come a long way with her skills in the Finance Department. She recommended changing her job description to Accounting Manager.

Curtis Calder, City Manager, stated he was in support with the reorganization/reclassification plan.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the City of Elko Finance Department reorganization, effective July 1, 2020, which would promote Ms. Quilici to the position of Accounting Manager.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of a City of Elko Information Systems (IS) Department reorganization, effective July 1, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko IS Department has been actively recruiting for an IS Department Manager Since August 2019. As a result of two unsuccessful recruitments, the City of Elko has been contracting Information Technology (IT) Services with Oasis Online on a month-to-month basis. As part of the proposed reorganization, Staff recommends entering into a one-year contract with Oasis Online while realigning current City IS Department duties, flattening the departmental hierarchy. If approved, there will be approximately \$50,000 in annual savings. A memo has been included in the agenda packet for review. JB

Ms. Baum explained there have been two unsuccessful recruitments for the IS Manager. It is a difficult position to fill in the City of Elko. Since January, we have been contracting with Oasis Online and that relationship is going very well.

Dan Slentz, Oasis Online, said it has been great building this relationship with the City. They work with several different entities across the State of Nevada.

Mayor Keener asked if Mr. Slentz was the primary contact when it comes to the City's network, or would we deal with his staff members.

Mr. Slentz answered he is the primary contact but the staff members can be contacted as well. There are at least two of them that are understanding what is going on at all times. They have been in business since 1997 in Fallon, NV. What makes them unique is that they are not just consultants. When they are hired they become part of your IT Department.

Mayor Keener asked what problems he may see in the City's network.

Mr. Slentz answered he can see what each person has done to change the network. Each of the IS Managers have made their impact on the network and it has unnecessarily complicated the system. He wants to take it down to the bones and rebuild the network to simplify, speed up and improve the system for the future. It may take up to a year to get that project completed.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve a City of Elko Information Systems Department reorganization effective July 1, 2020, by entering into a one-year contract with Oasis Online.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of a revised Computer Information Systems Coordinator job description, effective July 1, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

As part of the Information Systems Department Reorganization, the Computer Information Systems Coordinator Job Description has been revised to reflect anticipated duties after departmental reorganization. The proposed job description allows the flattening out of the current IS Department structure and aligns skills with the appropriate job description. The fiscal impact will be determined after negotiations are complete with the Operating Engineers, Local 3. JB

Ms. Baum handed out a copy of the job description (Exhibit "A"). She explained the current IS Department structure is narrow and deep. There are times when our tickets are increasing but there is only one person working on the tickets. This will take the organization; make it more generalized so it may provide better service for our departments.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve a revised Computer Information Systems Coordinator job description, effective July 1, 2020.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

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

Mayor Keener questioned a payment to MGM Construction for the WRF/Water Shop Design in the amount of \$174,000 and change. He thought ZGA Architects did all the design work.

Dale Johnson, Utilities Director, answered this is for the construction on the project.

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

The motion passed unanimously. (5-0)

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

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

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

- C. Review, consideration, and possible direction to Staff to solicit bids for Ruby View Golf Course Reuse Irrigation Pond Lining Project, and matters related thereto. **FOR POSSIBLE ACTION**

During the fall of 2019, Golf Course Staff observed Pond #1 was leaking water. It was determined by Water Department Staff, the pond was leaking at a rate of 107,000 gallons per day. The construction phase of the project will be to line Golf Course Reuse Irrigation Pond 1 and Pond 2, at the same time with 60 mil HDPE liner. The project was approved by NDEP on May 22, 2020, and is ready to go to bid. We anticipate construction starting early September. DJ

Dale Johnson, Utilities Director, explained they are asking to solicit bids for the pond-lining problem at the Golf Course.

Mayor Keener said it was his understanding that this wasn't an option because it couldn't be approved by NDEP to simply repair what is there.

Mr. Johnson answered yes. With Well 20 right next to the pond, they would not allow that.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to direct staff to solicit bids for the Ruby View Golf Course Reuse Irrigation Pond 1 and 2 Lining Project.**

The motion passed unanimously. (5-0)

- D. Review, discussion, and possible approval for the Fire Department to begin the purchasing portable radios, programming software, and accessories for the Fire Department and Police Department in the amount of \$321,764.70, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire and Police Department's would like the approval to purchase 100 portable radios, programing software and accessories. The new radios will be purchased from Sierra Electronics, at the price of \$321,764.70. The benefits to the new radios is that it replaces outdated and past shelf life radios. In addition, it will

enhance the interoperability between the two agencies and allow them to communicate on emergency scenes, which is a function only a select few radios have. JS

Jack Snyder, Deputy Fire Chief, explained this is a joint coordination between them and the Police Department to get the operability for some much needed communications they have lacked over the years. This is a capital purchase for next year but due to the timeframe and the size of the order, it will take over a month to get the order completed, purchased and built.

Mayor Keener asked how many radios each department is getting.

Mr. Snyder answered that each entity is going to get 50 portable radios. The Police Department will be getting six 6-bank chargers plus 30 single-banks. Fire will be getting 30 single-banks. Fire purchased the programming software to help reduce the cost of programming issues in the future.

Mayor Keener asked if they have been able to obtain any grants for this.

Mr. Snyder answered they have applied for grants the last two years but they have been unsuccessful. By doing a joint purchase with the Police Department, there will be a savings of \$40,000 because of a bulk purchase.

Chief Trouten explained they are eager for the new radios because many of their current radios are in excess of 20 years old.

Mayor Keener asked if the radios will work with the Next Gen 911 system when it gets online.

Chief Trouten answered that some time in the future, when the 911 Computer Aided Dispatch (CAD) system gets updated, the radios would be equipped with a panic button that they can activate and it will show who that officer is and where that officer is located.

Mr. Snyder added that the new radios will have a GPS function included so the radio can be tracked within 200 or 300 feet. It will be a huge benefit all around.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to recommend approval of the Fire and Police Department to purchase 100 portable radios, programming software and accessories from Sierra Electronics, in the amount of \$321,764.70.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible authorization for Staff to solicit bids for the Elko City Swimming Pool Re-Roofing Project, and matters related thereto. **FOR POSSIBLE ACTION**

The Re-Roofing Project for the Elko City Pool is ready to go out to bid as the design, engineering, and bid documents have all been completed. Construction will begin in the late summer of 2020, and be completed in the fall of 2020. JW

James Wiley, Parks and Recreation Director, explained we are ready to put this project out for bid. We are asking for authorization tonight. There will be the indoor pool-replastering project that will be brought to a later Council Meeting.

Mayor Keener asked how much time will be added to the life of the building if we do this.

Mr. Wiley answered they are hoping for ten years. It is hard to say since the building is 50 years old.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidlein, to authorize staff to solicit bids for the Elko City Swimming Pool Re-Roofing Project.**

The motion passed unanimously. (5-0)

Mayor Keener stated there have been questions regarding the swimming pool operations. The pool at this point is operating in a limited capacity. It was his understanding that the swim team has access for practice and there is also lap swimming. Is that the extent of it right now?

Mr. Wiley answered those are the services they are able to offer at this time. They will be closing again for 90 days in about a month or so. It is pretty hard to operate the pool for open swim, swim lessons, aerobics, where interaction requires close quarters. We need to follow the COVID-19 guidelines but we are offering what we can.

IV. NEW BUSINESS

- A. Review, consideration, and possible acceptance of a Deed of Dedication from the City of Elko to the City of Elko for a permanent non-exclusive Right of Way, and matters related thereto. **FOR POSSIBLE ACTION**

TG Sheppard 1995 Family Limited Trust deeded the parcel referenced in Exhibit B as APN 001-710-074 and Franzoia Anacabe Family Limited Partnership deeded the parcel referenced in Exhibit B as APN 001-710-075 to the City of Elko. City Council approved a corrective deed from the property owners at their February 11, 2020 meeting and they were recorded with the Elko County Recorder on March 17, 2020. The deed of dedication will dedicate the parcel as Right of Way for the extension of W. Front Street and Motz Lane. CL

Cathy Laughlin, City Planner, explained this is another step closer. We have been working on this for a very long time. We did corrective deeds not too long ago, and we got those recorded. That created the parcel that is now the extension of West Front Street and the connection between West Front Street and Bullion Road. The next step is to take this parcel and dedicate it as Right-Of-Way.

Mayor Keener asked if someone was wanting to extend West Front Street and develop it.

Ms. Laughlin answered now it could be developed.

**** A motion was made by Councilman Schmittlein, seconded by Councilman Stone, to accept the Deed of Dedication, Exhibits A and B.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to approve and provide for the recordation of a boundary line adjustment between the City of Elko, and Franzoia Anacabe Family Limited Partnership, and matters related thereto. **FOR POSSIBLE ACTION**

A previous deed for this conveyance was recorded February 13, 1996 in book 926 page 459. At that time, no map was filed in support of the boundary line adjustment as required by Nevada Revised Statutes. This BLA is the final step in correcting and or clarifying the intent of the parties involved in the original conveyance. CL

Ms. Laughlin explained this is just correcting an error that was done previously. We did record the BLA in 1996 but a map should have gone along with that. This will correct that error.

**** A motion was made by Councilman Schmittlein, seconded by Councilwoman Simons, to approve the Boundary Line Adjustment between the City of Elko and Franzoia Anacabe Family Limited Partnership.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of Revocable Permit No. 2-20, filed by Scott and Leslie Rangel, to occupy one foot of the alley Right-of-Way adjacent to their parcel located at 902 Court Street to accommodate required off-street parking, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is repurposing the existing building at 902 Court Street to be a professional office space. The property has been vacant for more than 12 months and therefore lost all legal non-conforming status. Off street parking is required and due to the location of the existing ramp and structure, the 20' deep parking stall encroaches into the public alley Right-of-Way by one foot. CL

Ms. Laughlin explained the Rangels have been very patient with the City as this has been a long process. It can get very complicated when you want to refurbish a building in the City of Elko that has been vacant for more than 12 months. We are thankful they are refurbishing the building because it has been blight for the last few years. They need to provide off-street parking that is in conformance with City Code. They are providing the parking off the alley but a 20-foot stall does encroach into the Right-of-Way by one foot. It is due to the handicapped ramp that is already existing on the building. They are requesting a revocable permit to occupy one foot of the alley and staff is in full support of this. She recommended approval. The applicant was present to answer any questions.

Leslie Rangel stood and introduced herself and her husband, Scott Rangel.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to conditionally approve Revocable Permit No. 2-20, subject to the one condition listed in the**

Staff Report dated June 1, 2020, and the execution of a standard License Agreement between the applicant and the City of Elko.

The motion passed unanimously. (5-0)

- D. Review and possible approval of the Enterprise Fleet Management Master Equity Lease Agreement between the City of Elko and Enterprise FM Trust, including Addendums and Open-End (Equity) Lease Quotes for six (6) vehicles, and matters related thereto. **FOR POSSIBLE ACTION**

During the FY 2020/2021 Budget Process, the City Council approved moving forward with the lease of six (6) vehicles: 3 Ford Explorer Interceptors, 1 Chevrolet Tahoe, and 2 half-ton 4x4 crew cab pickup trucks. Upon approval of the Master Equity Lease Agreement and Addendums, Enterprise Fleet Management can order the vehicles. No money is due until the vehicles are delivered. CC

Curtis Calder, City Manager, handed out a copy of an Addendum (Exhibit "B") to the Agreement included in the packet. This addendum was in addition to the addendum already included with the agreement. He asked that this get approved so we could get the vehicles ordered.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to approve the Enterprise Fleet Management Master Equity Lease Agreement between the City of Elko and Enterprise FM Trust, including addendums and open-end equity lease quotes for six vehicles.**

The motion passed unanimously. (5-0)

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action regarding a request from the owner of three brothels, Mona's Ranch, Inez's D&D Bar, and Sue's Fantasy Club, for emergency relief from brothel license fees due June 30, 2020 for the period from July 1, 2020 through December 31, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

The owner of three brothels, Mona's Ranch, Inez's D&D Bar and Sue's Fantasy Club, has requested emergency relief from brothel license fees required by City Code Section 4-9-12. Section D of that Code Section permits a licensee to pay one-half of the fee required for the year for a license that becomes effective after June 30. The fees due by June 30, 2020 for these three brothels would be \$3,250.00, absent emergency relief from the City Council.

Section 27 of Governor's Directive 021, signed May 28, states that brothels must remain closed during Phase Two of the reopening plan. Directive 021 will remain in effect through June 30, unless terminated or extended by the Governor.

Pursuant to Sections 2.060 and 2.110 of the Elko City Charter, the City Council is authorized, by unanimous consent, to take final action to immediately enact ordinances in cases of emergency, subject to the provisions of Chapter 241 of NRS. Accordingly, the City Council has the authority to provide temporary emergency

relief to specific classes of businesses adversely affected by the COVID-19 pandemic, to include providing relief from fees that would otherwise be due under the Code. KW

Kelly Wooldridge, City Clerk, explained there was an error on the agenda. The City Attorney didn't feel the error violated Open Meeting Law because the intent of noticing the public would be the same. It was actually 4 brothels with 3 owners. Whatever we do, it would cover all of the brothels. We had left Desert Rose off the item but they are in the audience tonight.

Dave Stanton, City Attorney, said the Council has already done something along these lines with the utility fees for certain businesses. It is not agendized to pass an ordinance tonight so we can't do it now but we could do it at the next meeting. When there is emergency relief like this, it has to apply across a class of businesses and cannot be specific to a particular business or a couple of businesses. The Council does have the authority to do that if they want to.

Gabriel Ornelas, Desert Rose, said they have not been allowed to open yet and they don't know when they will be able to open.

Louis Goldberg, 103 S. 3rd Street, said they don't know when they can open. The Governor has given them no guidance. They are at the mercy of Council and the Governor.

Mayor Keener noted this business is not able to operate through no fault of their own. He thought it would be in order to consider doing an emergency ordinance to be able to suspend the brothel fees. The Police are not having to put out any services or cost simply because the establishments are not open right now.

Councilman Hance agreed but if we do enact an emergency ordinance, we need to break it down to a monthly portion of the fee rather than doing it in a lump of the year. If they are unable to do it for a month, or two or three, then we break that fee down to a monthly basis.

Councilwoman Simons asked if the fee was equal for all of them.

Ms. Wooldridge answered correct. They can pay a full year but all of them have chosen to pay six months at a time. The fee is \$3,250 for the six-month period for each brothel.

Councilwoman Simons thought they should just pay for what they can open and operate.

Councilman Schmidlein asked if it would be a prorated scenario. If they cannot be open in July, you would just drop that amount from what they would owe?

Councilwoman Simons wanted to do whatever would be easiest.

Councilman Hance noted that breaks down to \$541.66 per month.

Ms. Wooldridge said we could break it down per day too. They are all currently paid through June 30th.

Councilman Stone asked if the fees would be backdated or if they wanted to start with this date.

Councilwoman Simons wanted to backdate but wondered if we could even do that.

Mr. Stanton asked if she meant to offer relief for fees that have already been paid.

Councilman Stone thought that might be a problem and other classifications of businesses would be asking for relief.

Ms. Wooldridge said that Mr. Goldberg just reminded her that these fees do not include their liquor fees but we will be discussing liquor fees in the next agenda item.

Councilman Stone asked if the brothel owners in attendance were looking for relief for the months they have already been closed or what are they asking for?

Mr. Goldberg answered they are asking for whatever assistance they can get. They have been closed for almost four months and they paid for those four months. They got shutdown March 17th. He has been paying his employees out of his pocket. We won't have income on day one, it will take a while to build back up. If we knew we were opening then they could know exactly what to ask for. They don't even know what phase of the Governor's plan they fall into.

Councilman Schmidlein suggested giving them a credit of three months, in lieu of going day by day. It would make it simple.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Stone, to direct staff to prepare and present a proposed emergency ordinance that will reduce the brothel fees due July 1, 2020 by half; with a due date of Sept. 30, 2020.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action on a request for a Liquor License Fee Waiver from The Stage Door Elko, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

The Stage Door Elko operates a facility that provides live entertainment, such as theatrical events, together with a bar. Pursuant to the Liquor Control Code, The Stage Door Elko is required to pay its Liquor License Fee for the third quarter by June 30. The Stage Door Elko already paid its liquor license fee for the second quarter; however, due to COVID-19 restrictions, The Stage Door Elko has been unable to operate for several months. The Stage Door Elko requests that its Liquor License Fee for the third quarter be waived.

The City Code does not contain a provision permitting a waiver of this fee, even if the licensee has not been allowed to operate. Without such a provision in the City Code, the City Council does not have the legal authority to grant the requested waiver. However, the City Council does have the discretion to enact an ordinance permitting Liquor License Fee Waivers under certain circumstances, or to enact an emergency ordinance waiving Liquor License Fees for businesses that have been

forced to close due to the pandemic. Were the Council to direct one of these actions, the item would have to be placed on a future agenda. KW

Ms. Wooldridge explained this is similar to the last item. She has had other bars call her for the same thing but when she told them they would have to petition City Council, they opted not to follow through. Most bars have been able to open up now and are making money again. It is different for the Stage Door because they have not been allowed to open up yet. One of the owners was in the audience for comment.

Mayor Keener noted they have not been able to open because they have live entertainment.

Emily Anderson, Stage Door, said they offer live entertainment and they have the bar to subsidize the business income. Their Conditional Use Permit has a stipulation that they have live entertainment, but they are prohibited from doing live theatrical shows. They are trying to figure out what that means, if they can have open mic nights or what they can do. She was asking for a waiver of the quarterly fees since they don't know when they will be able to open up and if they will be able to open up at all.

Ms. Wooldridge said the Stage Door holds a Retail Liquor License that they pay \$222 for quarterly.

Councilman Schmittlein said this is another unique situation. He felt they should consider suspending the fee for 90 days.

Councilwoman Simons added that it would have to be applied to a whole business classification. What classification would they be in?

Mayor Keener thought they would be in the same class as the brothels since it is live entertainment.

Mr. Stanton said it would be a different class but the same situation. He offered some suggestions.

Councilman Hance asked how many licensees do we have, outside the brothels, that have live entertainment with it. How many licenses in that class do we have.

Ms. Wooldridge thought it was only the brothels and the Stage Door but she would have to research that.

Curtis Calder, City Manager, said Directive 021 does allow live entertainment as long as they are closed for public attendance.

Mayor Keener noted the brothels pay the same fees for their liquor licenses as the Stage Door.

Councilwoman Simons liked Mr. Stanton's suggestion that if you are still unable, because of the Governor's Order on this date, that you are still not operating, then we will waive your liquor license fee for the next quarter.

Councilman Hance thought anything that could not open past phase 2 deadline would have fees waived.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to direct staff to prepare an emergency ordinance for a waiver of liquor license fees for the quarter commencing July 1, 2020 for establishments unable to open during the Nevada Health Response phase two.**

The motion passed unanimously. (5-0)

VI. REPORTS

A. Mayor and City Council

Mayor Keener reported he has been involved with Delmo Andreozzi doing some Facebook Live segments for the Economic Reopening and Recovery. He also recorded a couple of radio ads today. He congratulated the Elko High School Graduating Class of 2020 and noted their graduation ceremony was very good.

Councilwoman Simons reported they received a notice that stated Nevada's response to the Census has been 60% and Elko is at about 56% and the County is at 45%. They are now at the stage where they will start hand-delivering papers to people's door. The goal is 100% and a lot of the money we receive at the City is dependent on this. If you have not responded to the Census, you need to do that.

Councilman Stone said he was able to talk to a few of the hotels and they were all concerned with the Mine Expo being shut down. However, that same week, they all reported that they were all sold out. The hotel numbers appear to be coming back up.

B. City Manager

Curtis Calder said the census numbers that Councilwoman Simons pointed out show that we are behind where we should be at this point. We really need to ramp up the efforts. It is extremely important for us to have the census numbers as high as they can be because those factor into the consolidated sales tax formula. In looking at sales tax numbers from March, we are doing better than we thought we would be. We are having a live meetings now. We have scheduled this room for the next City Council Meeting and the Planning Commission on July 2nd. If we cannot return to Council Chambers then we will probably continue to use this venue to the degree that we can. We would like to get the Advisory Councils back on track since they have not held meetings since the shutdown. Staff is looking at whether or not they can open up the Explorers program.

C. Assistant City Manager

D. Utilities Director

E. Public Works

F. Airport Manager

Mayor Keener asked Jim Foster what happened with the helicopter accident.

Jim Foster answered the operator tried to launch during the really high winds on Saturday; there being peak gusts at 50 mph. He probably shouldn't have been taking off during that time period. The helicopter basically turned over and landed upside down. He walked away and they finally convinced him to go to the hospital to get checked out. The company that owns the aircraft

showed up earlier this week and had the helicopter removed and now we are waiting to get our fence repaired. Last week they started the final part of their AIP 51 project that started last year. The painters are finishing up the last touches today and it should be completed. Last month's numbers are slightly higher than the previous month. According to SkyWest, they are seeing some full planes (with COVID restrictions). There were a few days this last week where they saw 25 passengers on the planes. People are starting to fly again.

G. City Attorney

Dave Stanton said everyone has been hearing a lot online about Police Departments and Police Officers. He wanted to extend his thanks to the men and women of the Elko Police Department for going out and risking their lives every day to keep our community safe. He has been working with the Elko Police Department since 1997 and finds them to be professional and he appreciates them greatly.

Mayor Keener thanked Attorney Stanton and the remainder of his law office for foregoing their CPI increase for their legal services. They always do a great job for the City.

H. Fire Chief

Chief Griego reported he has been working with the EOC since the beginning. Things are going well for Elko. All of the citizens of Elko County have been committing to the requirements of the Governor's Office, social distancing and the CDC guidelines. He is involved with the School District and their reopening. There hasn't been much guidance from the Governor for the School Districts yet but he will keep everyone updated as he gets more information.

I. Police Chief

Chief Trouten expressed his gratitude for the words of support. He has had a lot of conversations this week from various people. People are working with them and not against them. He appreciates those that take the time to work with the Police Department. It makes everyone in the community safer. They put an update on Facebook about an individual that committed an immature act. There was a video of a male that pointed a gun in the general area of the protestors. It was sad to find out that some of the protestors were friends of the male that pointed the gun. The Police Department is asking anyone with information to come forward. If anyone has questions or concerns, they can reach out to the officers.

J. City Clerk

K. City Planner

L. Development Manager

M. Financial Services Director

Jan Baum recognized DJ, Paul and Dan for putting all of the IT together to make this meeting happen. They worked really hard yesterday and she thought the meeting went pretty well. She heard from the State yesterday. They received the City's budget and they will get us the letter of approval. She has been hearing the ads and she thanked the Mayor for doing that.

N. Parks and Recreation Director

James Wiley reported Phase 2 eased some restrictions on our Parks and facilities. They are seeing activity in the Parks. Some sports teams are

practicing a bit. Softball kicked off their season Monday night. All of them are practicing social distancing. They are seeing an uptick in the park reservations. The Golf Course is going well.

Councilman Hance asked about goats and mosquitos.

Mr. Wiley answered the goats have been along the Humboldt River Corridor for almost three weeks now. That is going well and the public is cooperating. The goats may be down there another two months. Mosquito spraying is scheduled for the last part of June for an aerial spray. There will be another spray before the 4th of July. They will put out a PSA before the spraying.

O. Civil Engineer

P. Building Official

Jeff Ford reported residential building permits are up.

Mayor Keener asked if there were any big projects in permitting right now.

Mr. Ford answered no. There was just the project at the High School.

COMMENTS BY THE GENERAL PUBLIC

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

Bert Gurr said he has been to a lot of these Council Meetings over the years. Tonight, he wanted to commend Council and Staff for their compassion and understanding for the businesses impacted by the COVID-19 shutdown. The meeting ran well and the comments were good. Thank you.

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 approval of the reorganization and realignment of City Sexton duties, including a reduction in compensation and benefits, effective, effective July 1, 2020, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **PERSONNEL**
4. Time Required: **5 Minutes**
5. Background Information: **The City Sexton is an Appointed Official position that was established in City Code for the primary purpose of keeping cemetery records pursuant to Nevada Revised Statutes.**

Over the years, this position has been performed by various individuals, in different capacities. Currently, the position is held by Ms. Jan Petersen and duties are split between the City Sexton, Parks and Recreation Department, and the City Clerk's Department. Under this proposal, the City Sexton will shift "transactional" duties to City Staff, and overall work hours will be reduced.

The recently adopted FY 2020/2021 Fiscal Year Budget includes various cost savings from different departments. The proposed reorganization and realignment of City Sexton duties is projected to save approximately \$17,000 annually. Resolution No. 13-20 formalizes the reduction in compensation and benefits. CC
6. Budget Information:
 Appropriation Required:
 Budget amount available:
 Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Approve the reorganization and realignment of City Sexton duties, including a reduction in compensation and benefits, effective, effective July 1, 2020.**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and possible approval of the Elko Regional Airport Liability Insurance Policy for FY 2020/2021, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **LP Insurance Services, Inc. has competitively sought airport liability insurance for the upcoming fiscal year. Only one (1) quote was received from AIG Aerospace at \$10,834.00/year, representing an approximate 10% increase over the current year. JF**
6. Budget Information:

Appropriation Required: \$ 10, 834.00/Year
Budget amount available:
Fund name: Airport Enterprise Fund
7. Business Impact Statement: **Required/Not Required**
8. Supplemental Agenda Information: **Airport Liability Insurance Renewal Quotations**
9. Recommended Motion: **Approve the Elko Regional Airport Liability Insurance Policy for FY 2020/2021 in the amount of \$10,834.00/year; representing a 10% increase of the current year.**
10. Prepared By: **Jim Foster, Airport Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **LP Insurance Services
Attention: Dain A. Uriarte
429 Court Street Suite, #1
Elko, NV 89801**

dain.uriarte@lpins.net

City of Elko
Airport Liability Insurance
Renewal Quotations
July 1, 2020 to July 1, 2021

AIG 2019-2020: \$9,741	AIG
Best Rating	A
Financial Size	XV
Annual Premium	\$10,834
Limits of Liability	\$20,000,000

Premises & Operations	Included \$1,000 Deductible
Products/Completed Operations	Included*
Hangarkeeper's Liability	Included \$5,000 Deductible
Personal & Advertising Injury Liability	Included*
Contractual Liability	Included
Independent Contractors	Included*
Premises Medical	\$25,000 Ea. Per.
Medical Malpractice	Included*
Fire Damage Legal Liability	\$1,000,000
Non-Owned A/C Liability	Included
*Annual Aggregate	
Optional: TRIA	Add: \$3,368

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM INSURANCE COVERAGE**

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(1) of the Act: The term "act of terrorism" means any act that is certified by the Secretary of the Treasury-in consultation with the Secretary of Homeland Security, and the Attorney General of the United States-to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES [85% THROUGH 2015; 84% BEGINNING ON JANUARY 1, 2016; 83% BEGINNING ON JANUARY 1, 2017; 82% BEGINNING ON JANUARY 1, 2018; 81% JANUARY 1, 2019 and 80% BEGINNING ON JANUARY 1, 2020] OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Acceptance or Rejection of Terrorism Insurance Coverage
Type of Policy

	Additional Premium	Accept	Reject
Aircraft Liability	\$ <u>N/A</u>	<u> </u>	<u> </u>
Aircraft Physical Damage (Included at no additional charge if war physical damage is purchased)	\$ <u>N/A</u>	<u> </u>	<u> </u>
Comprehensive General Liability	\$ <u>3,368</u>	<u> </u>	<u> </u>
Manufacturing Products/Completed Operations/Grounding Liability	\$ <u>N/A</u>	<u> </u>	<u> </u>
Other	\$ <u>N/A</u>	<u> </u>	<u> </u>

Policyholder/Applicant's Signature

Date

Policyholder/Applicant's Printed Name

Renewal of Policy

Name Insured / Policy Number(s)

UE1068 (01/15)

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Insurance Services

City of Elko
1751 College Avenue
Elko, NV 89801

INVOICE

Customer:	City of Elko
Date:	June 17, 2020
Customer Service	Jenny Uriarte jenny.uriarte@lpins.net
Page	1 of 1
Payment Information	
Invoice Summary	Airport Liability
Payment Amount	\$
Due Date	07/01/2020

Customer: City of Elko

Invoice	Effective	Transaction	Description	Amount
	7/1/2020	Renewal	Airport Liability Insurance 07/01/2020 - 07/01/2021	\$10,834.00
PLEASE MAKE PAYMENT PAYABLE TO: LP Insurance Services				Total Due: \$10,834.00
Due Date: 07/01/2020				
LP Insurance Services 300 E. 2 ND St., Suite 1300 Reno, NV 89501			June 17, 2020	

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, discussion, and possible approval for the Fire Department to begin the purchasing of a new Self Contained Breathing Apparatus Compressor for the amount of \$79,950.00, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire and Police Department's would like the approval to a Mako Self Contained Breathing Air System compressor. The new compressor will be purchased from Siddons Martin Emergency Group, at the price of \$79,950.00. The benefits to the compressor is that it replaces an approximately 15 year old current compressor. In addition, it will enhance provide a larger fill rate capacity reducing wear and tear compared to the current one. JS**
6. Budget Information:

Appropriation Required: \$79,950.00
Budget amount available: \$80,000.00
Fund name: Facilities Capitol Equipment
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Recommend approval for the Fire Department to purchase a Make Self Contained Breathing Apparatus Air System from Siddons Martin Emergency Group for the amount of \$79,950.00**
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, discussion, and possible approval for the Fire Department to begin the purchasing of 2 defibrillators and for the amount of \$67, 969.74, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Fire and Police Department's would like the approval to purchase two (2) defibrillators and accessories. The new defibrillators will be purchased from Zoll Medical Corporation, at the price of \$67, 969.74. The benefits to the new defibrillators is that it replaced unsupported current defibrillators by the FDA. In addition, it will enhance the interoperability between Elko Fire and Elko Ambulance as each agency will be using the same defibrillators, and enhancing patient care. JS**
6. Budget Information:

Appropriation Required: \$67, 969.74
Budget amount available: \$70, 000.00
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 purchase a 2 defibrillators and accessories from Zoll Medical Corporation for the amount of \$67, 969.74.**
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 consider a draft proposal for the development of a 20-Year Lease between the City of Elko and CC Communications whereby the City would lease the use of fiber in exchange for infrastructure and services to be provided by CC Communications to the City of Elko, and possible instruction to Staff to negotiate a lease in conformance with NRS 277.050(4)(b), and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **The City of Elko approved a non-exclusive franchise agreement with the CC Communications on February 11, 2020. The non-exclusive franchise agreement does not provide for the use of City-owned fiber. On April 28, 2020, the City of Elko accepted a petition by CC Communications requesting that the City of Elko provide 1 buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko 1 buffer tube of the same liner feet within the City. The City Council moved to provide 1 buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko a buffer of the same liner feet within the city equal to the current appraised value. Subsequent to the April meeting, CC Communications submitted a proposal it believes to be in conformance with NRS 277.050(4)(b). In its proposal, CC Communications seeks to enter into a 20-year lease for two (2) buffer tubes of City-owned fiber located between the Airport and the Idaho/14th Street intersection, together with the right to use certain associated equipment. In exchange, CC Communications proposes to give the City use of 3.2 miles of fiber and various other commitments. The City Council has the discretion to determine whether the proposed consideration for the lease is adequate. SAW**
6. Budget Information:

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

mark.feest@cccomm.co

June 12, 2020

Via Email sawilkinson@elkocitynv.gov

Dear Scott,

CC Communications proposes that pursuant to NRS 277.050(4)(b) the City of Elko and CC Communications structure a twenty (20) year lease for the real property described below and the following consideration:

The City of Elko would provide the following to CC Communications:

- Two buffer tubes of fiber between the fiber hut located at Elko Regional Airport (approximately located at 40.826960, -115.785623) and Idaho/14th Street (approximately 2.3 miles), together with the right to use and access all pertinent vaults, cabinets, handholds, etc, which are necessary for utilization of the fiber.
- Permits to construct the fiber paths provided below.

CC Communications would commit to provide the following fiber (3.2 miles) and commitments to the City of Elko:

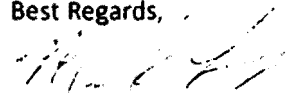
- CC Communications would place fiber between Idaho/Silver Street and 12th (approximately 1.4 miles)
 - o CC Communications will provide two buffer tubes of fiber to the City of Elko between Idaho/Silver Street and Silver Street/12th, together with the right to use and access all pertinent vaults, cabinets, handholds, etc, which are necessary for utilization of the fiber.
- CC Communications would place fiber between Idaho/12th and 12th/Lamoille (approximately 1 mile)
 - o CC Communications will provide two buffer tubes of fiber to the City of Elko between Silver Street/12th and 12th/Lamoille Hwy, together with the right to use and access all pertinent vaults, cabinets, handholds, etc, which are necessary for utilization of the fiber.
- CC Communications would place fiber on Pinion Road between Lamoille Hwy and NE to the end of current pavement (approximately .3 miles).
 - o CC Communications will provide the City of Elko one buffer tube of fiber, together with the right to use and access all pertinent vaults, cabinets, handholds, etc, which are necessary for utilization of the fiber.
- CC Communications would place fiber between 12th/Lamoille Hwy and Pinion Road (approximately .9 miles)
 - o CC Communications would provide the City of Elko one buffer tube of fiber, together with the right to use and access all pertinent vaults, cabinets, handholds, etc, which are necessary for utilization of the fiber.

- At a minimum, CC Communications would make FTTP available as follows:
 - o Residential or business customers on either side of Idaho along the route we receive from the City of Elko no later than the date CC Communications provides broadband service to a resident of Spring Creek Association.
 - o Residential or business customers on either side of the street we place conduit on along Silver Street no later than the date CC Communications provides broadband service to a resident of Spring Creek Association.
 - o Residential or business customers on the side of the street where conduit is placed along 12th
 - o Residential or business customers on the side of the street where conduit is placed along Pinion Road.

Approval of this proposal would provide additional connectivity to City structures and traffic signals, while also providing residents and business access to fiber to the premise along the City's existing Idaho Street route, as well as the routes added by CC Communications. Additionally, the Pinion Road lateral off Lamoille Hwy will provide CC Communications the opportunity to evaluate demand on Primrose, Larkspur Street, Wildwood, Cherrywood, Rosewood, and Stitzel.

Thank you for your time and consideration on this matter.

Best Regards,



Mark Feest, GM
CC Communications

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Technology Services Agreement with Oasis Online, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **On June 9, 2020, Council approved the City of Elko IS Department Reorganization Plan. This reorganization plan included entering into a one-year contract with Oasis Online for Technology Services. This agreement will be entered into rather than continuing to recruit for an IS Manager for the City of Elko. JB**
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: **Oasis Online Technology Services Agreement**
9. Recommended Motion: **Approval of Oasis Online Technology Services Agreement beginning July 1, 2020.**
10. Prepared By: **Jan Baum, Financial Services Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:

TECHNOLOGY SERVICES AGREEMENT

THIS AGREEMENT, made and entered on July 1, 2020 between City of Elko, hereinafter referred to as "City", and Oasis Online.

WITNESSETH

WHEREAS, the City is, by law, given reasonable and necessary powers to attain the ends for which the City was established and to promote the welfare of the community, and

WHEREAS, Oasis Online represents that it possesses the necessary qualifications and experience to render and perform such services of value to the City.

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE I **PERIOD OF PERFORMANCE**

This agreement shall be effective from July 1, 2020 through June 30, 2021, with a (1) year extension option in accordance with the provisions of this Agreement. The term of this Agreement may be modified for purposes of continuing or completing work underway upon mutual written agreement of the parties.

ARTICLE II **SCOPE OF WORK**

1. The City hereby agrees to engage the Contractor to provide the City with IS Management Services (the "Services") which includes but is not limited to:

- Network Management
 - Server Installation/Configuration
 - Bandwidth Monitoring
 - Network Troubleshooting
 - Evaluating and Recommending Hardware
 - User Account Creation and Management
- Software/Hardware Monitoring and Update
 - Diagnostics
 - Backup Solutions
 - Imaging Solutions
 - Filtering Solutions

- Liaison Between Third Party Vendors and the City.
- Software Installations e.g.
 - Windows Server
 - Various Linux Distributions
 - Remediation Software
 - Office Productivity Software
 - Remote Management
- Personnel/Business Management
 - Supervise all technology personnel
 - Research and approve all technology purchases to ensure network compatibility
 - Assist with the technology budget
 - Serve as technology liaison to Administration, City Council, and Staff
 - Chair Tech Committee (if preferred by Administration)
- Help Desk
 - Manage Help Desk operations
 - Meet with Technicians daily to prioritize Help Tickets and projects
 - Manage Day to Day PC repairs, printers, software installations and upgrades, imaging computers, login problems, etc.

2. The Services will also include any other tasks which the Parties may agree upon. The Contractor hereby agrees to provide such Services to the City.

ARTICLE III OASIS ONLINE SHALL

Provide personnel to perform duties as described in Scope of Work.

ARTICLE IV COST AND PAYMENT

- A. For and in consideration of the services which are made the subject of this Agreement, the City shall pay to Oasis Online the sum not to exceed \$84,960.00 (Eighty Four Thousand Nine Hundred Sixty Dollars) annually.

- B. If after hours support is needed it will be billed at one and a half times the normal hourly rate or \$187.50 per hour.
- Normal working hours for Oasis Online are Monday – Friday, 7:00 am – 5:00 pm.
 - Oasis Online Holidays - all federal holidays including Nevada Day.
- C. Travel
- Mileage - If travel exceeds a 30-mile radius from Fallon the current GSA rate of .58 per mile will be assessed with no hourly technician travel rate.
 - Per Diem – Per Diem will be charged at the current GSA rate of \$55.00 per day.
 - Lodging - Hotel lodging will be reimbursed at actual cost not-to-exceed \$150.00 nightly room rate, including fees and taxes, or as otherwise expressly approved by City. Hotel “no show” fees and additional in-room amenities such as movies, mini-bar, and room service are not reimbursable.
- D. Payment schedule: Payments shall be made monthly upon the receipt and approval of a completed monthly invoice. All processing of invoices and payments will be according to City accounting procedures and timelines. Monthly invoices in the amount of \$7,080.00 will be submitted to the City by Oasis Online on the 10th of every month. Invoices for the month’s services will be due and payable by the 10th of the following month.
- E. CPI Increase: The pricing set forth in Article VI, Section A, shall increase on or about July 1st of each year by a percentage equal to the seasonally-adjusted CPI Increase. The “CPI Increase” is the percentage by which the Consumer Price Index (“CPI”) for May of the current year exceeds the CPI for May of the prior year. The term “CPI” shall mean the United States Department of Labor, Bureau of Labor Statistics, Washington, D.C. — Consumer Price Index for All Urban Customers seasonally adjusted U.S. city average: All items as periodically published, or if such CPI shall be discontinued, then any other comparable or similar index as shall be periodically published by the United States Department of Labor or any other Department or Division of the United States Government. The CPI Increase will be applied after considering, and adjusting for, any changes in account characteristics or Services during the intervening period as well as projected changes in such characteristics and/or Services upon mutual agreement of the parties.
- F. This contract will be reviewed on or before March 30, 2021 to assess the needs of the City and/or Oasis Online. Considerations may include:
- Scope of work
 - Increased or decreased workload
 - Costs
- If both parties agree, the contract may be extended for one (1) additional year, through June 30, 2022.

ARTICLE V

CONFIDENTIALITY

- A. "Confidential information" refers to any data or information relating to the business of the City which would reasonably be considered to be proprietary to the City including, but not limited to, accounting records, business processes, and City records and that which is not generally known in the industry of the City and where the release of that Confidential Information could reasonably be expected to cause harm to the City.
- B. The Contractor agrees that they will not disclose, divulge, reveal, report or use, for any purpose, any confidential information which the Contractor has obtained, except as authorized by the City or as required by law. The obligations of confidentiality will apply during the term of this Agreement and will survive indefinitely upon termination of this Agreement.
- C. All written and oral information and material disclosed or provided by the City to the Contractor under this Agreement is Confidential Information regardless of whether it was provided before or after the date of this Agreement or how it was provided to the Contractor.

ARTICLE VI

GENERAL PROVISIONS

The City and Oasis Online further agree that:

- A. **Direction.** The services are to be conducted under the general direction of the Financial Services Director, or the designated representative of the City.
- B. **Jurisdiction.** This agreement shall be construed and interpreted according to the laws of the State of Nevada, and any recourse to judicial action shall be in the courts of the State of Nevada to the exclusion of all other judicial process.
- C. **Entire Agreement.** This agreement constitutes the entire agreement and understanding between the parties and supersedes any and all other agreements, communications, understandings, promises, stipulations, arrangements, where any of the same are either oral or in writing, or express or implied, between the parties hereto with respect to the subject matter herein. No change or modification of the Agreement shall be valid or binding unless in writing and signed by Oasis Online and a duly authorized representative of the City.
- D. **Liability Claims.** Oasis Online agrees to fully exonerate, indemnify, and save and hold the City, its agents or employees, harmless from and against all claims or actions, and all expenses or actions based upon or arising out of damage or injury (including death) to persons or property caused by or sustained in connection with the performance of the Agreement by Oasis Online or its agents or employees.

- E. **Workman's Compensation.** By the nature of these services, Oasis Online is required to provide Workman's Compensation Insurance.
- F. **Assignment.** Oasis Online shall neither assign, transfer nor delegate any rights, obligations or duties under this Agreement without prior written consent of the City.
- G. **Document Inspection.** The books, records, documents, and accounting procedures and practices of Oasis Online relevant to this Agreement shall be subject to inspection, examination, and audit by the City and local and state agencies having jurisdictional authority.
- H. **Legal Relationship.** The City and Oasis Online acknowledge and agree that Oasis Online is an Independent Contractor and not an employee, partner, or joint venture of the City and this Agreement creates no legal relationship between the City and Oasis Online other than that of Independent Contractor. No acts of or agreements entered into by that Independent Contractor shall be binding upon the City unless expressly authorized in writing by the City. Oasis Online shall not hold itself out to be an employee of the City, and Oasis Online will not be treated as an employee of the City. If the City provides its employees with any fringe benefits, including, but not limited to, any group insurance coverage, participation in any pension and/or profit sharing plans trusts, vacation pay, disability pay, death benefits, and bonuses, Oasis Online shall not be entitled to receive any of them.
- I. **Copyright and Publication.** The term "materials" as used herein denotes writings, sound recordings, films, pictorial reproduction, drawings, or other graphic representations, computer programs, and work of similar nature produced or specified to be delivered under this Agreement. Oasis Online agrees that it will not establish any claims to statutory copyright or assert any right at common law or equity in any of the materials delivered to the City that is called for in Article II of this Agreement. Permission to reference any of the materials produced under this Agreement must be granted in writing by the City.
- J. **Reimbursement of Expenses.** The Contractor will be reimbursed from time to time for reasonable and necessary expenses incurred by the Contractor in connection with providing the Services. All expenses must be pre-approved by the City.
- K. **Notices.** All notices required or permitted by law or by the terms of this Agreement shall be in writing and shall be considered (1) given upon personal service of a copy to the representative of the City (Article VI) or (2) 48 hours after mailing such notice by certified or registered mail, postage prepaid, receipt for delivery requested, addressed to the representative of the City (Article VI) and properly deposited in the United States mail.
- L. **Termination.** This Agreement may be terminated by either party, with or without cause, at any time upon service of a 90-day written notice of termination to the other party.

- M. **Attorney's Fees.** If either party brings an action or proceeding, to enforce, protect or establish any right or remedy under the terms of this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and court costs.
- N. **Suspension and Debarment.** By signing this contract, I certify that I have never been suspended or debarred from providing services to be paid from any Federal or State funds.

AUTHORIZATION

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands in duplicated originals on _____.

OASIS ONLINE

BY: _____ Date _____
Daniel G. Slentz, President

CITY OF ELKO

BY: _____ Date _____
Reece Keener,
City of Elko Mayor

Check should be made payable to: Oasis Online

Address: 375 W. Williams Ave.
Fallon, NV 89406

FID#: 88-0436226

Budget Code(s):

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 10-20, a resolution authorizing augmentation of the 2019/2020 Fiscal Year Budget of the Capital Equipment Reserve Fund, increasing appropriations to \$2,281,623 to account for \$324,840 in unanticipated revenues, pursuant to NRS 354.598005, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **The Capital Equipment Reserve Fund had increased beginning Fund Balance of \$324,840 because the Fire Truck budgeted for the 2018/2019 fiscal year did not arrive until the 2019/2020 fiscal year. When the 2019/2020 budget was prepared it was anticipated the Fire Truck would arrive in late June, 2019. In order to pay for the expenses associated with this additional Fund Balance it is necessary to augment the budget. JB**
6. Budget Information:
 Appropriation Required: **\$324,840.00**
 Budget amount available: **\$324,840.00**
 Fund name: **Capital Equipment Replacement Fund**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No. 10-20**
9. Recommended Motion: **Approve Resolution No. 10-20 augmenting the Capital Equipment Replacement Fund in the amount of \$324,840 pursuant to NRS 354.598005.**
10. Prepared By: **Jan Baum, Financial Services Director**
11. Committee/Other Agency Review:
12. Council Action: **At the pleasure of the Council**
13. Agenda Distribution:

Upon introduction and motion by _____ and seconded by _____ the following Resolution and Order was passed and adopted:

**CITY OF ELKO
RESOLUTION NO. 10-20**

A resolution to augment the 2019-2020 budget of the City of Elko Capital Equipment Replacement Fund, Fire Department.

WHEREAS, total resources of the Capital Equipment Replacement Fund, Fire Department were budgeted to be **\$1,956,783** on July 1, 2019; and

WHERE AS, the total available resources are now determined to be **\$2,281,623**.

WHEREAS, said additional unanticipated resources are as follows:

<u>Beginning Fund Balance</u>	\$ <u>324,840</u>
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Total	\$ <u>324,840</u>
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WHEREAS, there is a need to apply these excess proceeds in the Capital Equipment Replacement Fund.

Now, therefore, it is hereby RESOLVED, that the City of Elko shall augment its 2019-2020 budget by appropriating \$324,840 for use in the Capital Equipment Replacement Fund, thereby increasing its appropriations from **\$1,956,783** to **\$2,281,623**. A detailed schedule is attached to this Resolution and by reference is made a part thereof.

IT IS FURTHER RESOLVED AND ORDERED that this Resolution shall be effective upon passage and shall thereafter be signed by the Mayor and attested to by the City Clerk.

PASSED AND ADOPTED this _____ day of _____, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY C. WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 11-20, a resolution providing for the transfer of appropriations between accounts within the City of Elko 2019/2020 Fiscal Budget pursuant to N.R.S. 354.598005, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **This is the annual year-end housekeeping item to transfer funds between functions, and funds as required to fund all budgetary changes that occurred during the fiscal year. JB**
6. Budget Information:

Appropriation Required:
Budget amount available:
Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Approve Resolution No., a Resolution providing for the transfer of appropriations between accounts within the City of Elko 2019/2020 Fiscal Budget pursuant to N.R.S. 354.598005**
10. Prepared By: **Jan Baum, Financial Services Director**
11. Committee/Other Agency Review:
12. Council Action: **At the pleasure of the Council**
13. Council Agenda Distribution:

City of Elko

FY 2019/2020 Budget Transfers

Description	Debit	Credit
Budget Transfers -		
Manager Benefits - Group Health Insurance		19,500.00
Clerk Salaries	19,500.00	-
Clerk Benefits - Group Health Insurance	12,000.00	-
Info Systems - Salaries		30,000.00
Info Systems - PERS		10,000.00
Info Systems - Technical Computer Consulting	30,000.00	-
Info Systems - Telephone Services	10,000.00	-
Central Services Benefits - Group Health Insurance		12,000.00
Central Services General Liability Insurance	12,000.00	-
Police Salaries - Regular	36,000.00	-
Police Benefits - Worker's Compensation		36,000.00
ARFF Fire Station Salaries Overtime	35,000.00	-
ARFF Fire Station Benefits Workers Compensation		35,000.00
Downtown Fire Station - Social Security	50.00	-
Downtown Fire Station - Medicare	12.00	-
Downtown Fire Station - Work Comp	10.00	-
Downtown Fire Station Salaries P/T		72.00
Streets Salaries		8,000.00
Streets - Overtime		4,000.00
Streets S & S Snow Removal		15,000.00
Streets Capital Outlay - Infrastructure	15,000.00	-
Fleet Mtn Salaries	23,000.00	-
Fleet Mtn Benefits Group Health	6,800.00	-
Fleet Mtn PERS	1,500.00	-
Fleet Mtn Training		1,500.00
Engineering - Full Time Salaries	1,000.00	-
Engineering - Training		1,000.00
Building Inspection Full Time Salaries		40,000.00
Building Inspection Technical Other Consulting Services	40,000.00	-
Facilities - Salaries Full Time		12,000.00
Facilities - PERS		6,800.00
Community Development - R-O-W Acquisition		11,000.00
Total General Fund	241,872.00	241,872.00
Youth Recreation - Salaries	8,000.00	-
Youth Recreation - Supplies Concession Stand Supplies	-	8,000.00
Total Youth Recreation Fund	8,000.00	8,000.00
Water Administration Benefits - PER		4,500.00
Water Administration Water Conservation Program		2,500.00
Water Administration - Software Licensing		5,000.00
Water Administration - Bank Account Analysis Fees		6,000.00
Water Administration - Accrued Annual & Sick Leave	7,500.00	
Water Operations Salaries		23,000.00
Water Operations Benefits Group Insurance	17,000.00	
Water Enterprise - Depreciation	44,000.00	
Water Wells Salaries	60,000.00	
Water Wells - PERS	20,000.00	
Water Ending Fund Balance		107,500.00
Total Water Fund	148,500.00	148,500.00

City of Elko

FY 2019/2020 Budget Transfers

Description	Debit	Credit
Budget Transfers -		
Sewer Administration Salaries		15,000.00
Sewer Administration Benefits PERS		9,000.00
Sewer Administration Bank Analysis Fees		10,000.00
Sewer Administration Accrued Annual & Sick Leave	5,000.00	
Sewer Operations Salaries		15,000.00
Sewer WRF Benefits PERS		10,000.00
Sewer WRF Technical Other Consulting Services		10,000.00
Sewer WRF Pump Repair		10,000.00
Sewer WRF Digester Maintenance		9,500.00
Sewer WRF Lab Benefits - PERS	6,000.00	
Sewer WRF Lab Facility Repairs		6,000.00
Sewer Depreciation Expense	88,500.00	
Sewer Ending Fund Balance		5,000.00
Total Sewer Fund	99,500.00	99,500.00
Landfill Administration - Salaries		11,000.00
Landfill Administration - Accrued Annual & Sick Leave	5,000.00	
Landfill Operations - Salaries		25,000.00
Landfill Depreciation Expense	36,000.00	
Landfill Ending Fund Balance		5,000.00
Total Landfill Fund	41,000.00	41,000.00
Airport Administration - Salaries		35,000.00
Airport Operations - Salaries	35,000.00	
Airport Operations - S & S Non-Capital Equipment	5,000.00	
Airport Federal Depreciation Expense	100,000.00	-
Airport - Ending Fund Balance		105,000.00
Total Airport Fund	140,000.00	140,000.00
Golf Operations Salaries		25,000.00
Golf Operations Salaries - Part Time		7,000.00
Golf Operations - Accrued Annual & Sick Leave	5,000.00	
Golf Depreciation Expense	32,000.00	
Golf - Ending Fund Balance		5,000.00
Total Golf Fund	37,000.00	37,000.00
Transfer From Revenue Stabilization Fund to General Fund		
Revenue Stabilization Fund - Transfer Out General Fund	450,000.00	
General Fund - Transfer In Revenue Stabilization Fund		450,000.00
	450,000.00	450,000.00

City of Elko**FY 2019/2020 Budget Transfers**

Description	Debit	Credit
Budget Transfers -		
Administrative Allocations:		
City Manager - S & S Proportion Allocations Adm-Water		22,829.00
City Manager - S & S Proportion Allocations Adm-Sewer		35,511.00
City Manager - S & S Proportion Allocations Adm-Landfill		10,146.00
City Clerk -S & S Proportion Allocations Adm-Water		4,230.00
City Clerk -S & S Proportion Allocations Adm-Sewer		6,580.00
City Clerk - S & S Proportion Allocations Adm-Landfill		1,880.00
Human Resources -S & S Proportion Allocations Adm-Water		3,771.00
Human Resources -S & S Proportion Allocations Adm-Sewer		5,866.00
Human Resources - S & S Proportion Allocations Adm-Landfill		1,676.00
Information Systems - S & S Proportion Allocations Adm-Water		18,279.00
Information Systems - S & S Proportion Allocations Adm-Sewer		28,434.00
Information Systems - S & S Proportion Allocations Adm-Landfill		8,124.00
Finance - S & S Proportion Allocations Adm-Water		18,750.00
Finance - S & S Proportion Allocations Adm-Sewer		18,750.00
Finance - S & S Proportion Allocations Adm-Landfill		3,750.00
Engineering - S & S Proportion Allocations Eng-Water		14,463.00
Engineering - S & S Proportion Allocations Eng-Sewer		14,463.00
Water Admin - S & S Proportion Allocations Adm-Water	67,859.00	
Water Operations - S & S Proportion Allocations Eng-Water	14,463.00	
Sewer Admin - S & S Proportion Allocations Adm-Sewer	95,141.00	
Sewer WRF - S & S Proportion Allocations Eng-Sewer	14,463.00	
Landfill Admin - S & S Proportion Allocations Adm-Landfill	25,576.00	
Total S&S Allocations	217,502.00	217,502.00

Every year a set dollar amount of administrative services is allocated to the Enterprise Funds for Management, City Clerk, Human Resources, IT, Finance and Engineering services. During the 2019/2020 budget process the allocations were not included in the state submitted budget.

These amounts are based on spend of the particular Enterprise Fund as a percentage of total total City of Elko spend.

Budget Transfers Resolution # 11-20
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Upon introduction and motion by _____ and seconded by _____ the following Resolution and Order was passed and adopted:

CITY OF ELKO

RESOLUTION NO. 11-20

**A RESOLUTION PROVIDING FOR THE TRANSFER OF APPROPRIATIONS BETWEEN ACCOUNTS
WITHIN THE CITY OF ELKO 2019/2020 FISCAL BUDGET
PURSUANT TO N.R.S. 354.598005**

WHEREAS, THE City of Elko 2019/2020 Fiscal Year Budget has the need for transfers of Appropriations between functions and accounts.

NOW, THEREFORE BE IT RESOLVED that pursuant to N.R.S. 354.598005, the attached transfers of appropriations be accomplished:

A detailed schedule is attached to this Resolution and by reference is made a part thereof.

IT IS FURTHER RESOLVED, that upon adoption of this Resolution by the Elko City Council, it shall be signed by the Mayor and attested to by the City Clerk and shall be in full force and effect after its adoption.

PASSED AND ADOPTED THIS 23rd day of June, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY C. WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 12-20, a resolution declaring support of local and regional law enforcement officers, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **A copy of Resolution No. 12-20 has been included in the agenda packet for review. CC**
6. Budget Information:
 Appropriation Required:
 Budget amount available:
 Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Draft Resolution No. 12-20**
9. Recommended Motion: **Approve Resolution No. 12-20, a resolution declaring support of local and regional law enforcement officers.**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**CITY OF ELKO
RESOLUTION NO. 12-20**

**A RESOLUTION DECLARING SUPPORT FOR LOCAL AND
REGIONAL LAW ENFORCEMENT OFFICERS**

WHEREAS, the mission of the City of Elko is to provide its citizens with a clean and safe community through a responsive, transparent, and financially sound municipal government; and

WHEREAS, the City of Elko Charter empowers the Elko City Council to enact and enforce local police ordinances; and

WHEREAS, the Elko City Council recognizes the extraordinary service and sacrifice of the men and women employed in local and regional law enforcement agencies who keep our community safe, enforce the rule of law, and respond in times of crisis; and

WHEREAS, the law enforcement profession as a whole has endured unfair criticism based upon isolated, yet highly publicized reports of excessive force; and

WHEREAS, many communities throughout the nation are taking affirmative steps to “defund” or “abolish” local law enforcement agencies in response to public criticism, citizen protests, and/or political pressure; and

WHEREAS, the citizens of Elko County and the City of Elko respect the rule of law and rely upon competent law enforcement officers to perform a variety of public safety services; and

WHEREAS, the Elko City Council sincerely appreciates the hard work and positive contributions of our local and regional law enforcement officers.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO COUNCIL that the City declares unequivocal support for local and regional law enforcement officers.

PASSED AND ADOPTED this 23rd day of June, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 13-20, a resolution adjusting the duties and compensation of the City Sexton, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **A copy of Resolution No. 13-20 has been included in the agenda packet for review. CC**
6. Budget Information:

Appropriation Required:
Budget amount available:
Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No. 13-20**
9. Recommended Motion: **Approve of Resolution No. 13-20, a resolution adjusting the duties and compensation of the City Sexton.**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Jan Petersen
City Sexton**

**CITY OF ELKO
RESOLUTION NO. 13-20**

**A RESOLUTION ADJUSTING THE DUTIES AND COMPENSATION
FOR THE CITY SEXTON**

WHEREAS, The City Sexton is an Appointed Official position that was established in City Code for the primary purpose of keeping cemetery records pursuant to Nevada Revised Statutes; and

WHEREAS, the COVID-19 Pandemic has resulted in a significant loss of revenue for the City of Elko which has been reflected in the approved FY 2020/2021 Budget; and

WHEREAS, the Elko City Council is authorized to reorganize departments, approve job duties, and set employee compensation and benefits; and

WHEREAS, the Elko City Council is shifting some of the City Sexton's duties to other City Staff, thereby reducing work hours; and

WHEREAS, Elko City Code 1-9-4 requires the City Sexton salary to be fixed by resolution.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO COUNCIL that effective July 1, 2020, the City Sexton's salary is \$6,000 annually with no group health insurance benefits.

PASSED AND ADOPTED this 23rd day of June, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to adopt Resolution No. 09-20, a resolution and order vacating a portion of Juniper Street and 6th Street Right-of-Way, consisting of an area approximately 3,636 sq. ft. abutting APN 001-231-001, which is located within the City of Elko, Nevada, to the abutting property owner Brian and Dena Starkey, filed and processed as Vacation No. 1-20, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **Council accepted the petition to vacate this Right-of-Way at its regular meeting of May 12, 2020, 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 June 2, 2020, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-20 with findings in support of its recommendation. 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: **Resolution, P.C. action report, Staff report, application and related materials**
9. Recommended Motion: **Adopt Resolution No. 09-20, which contains conditions as recommended by the Planning Commission.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission and required local utility companies**
12. Council Action:
13. Agenda Distribution: **Brian and Dena Starkey
435 Jiggs Hwy #4
Spring Creek, NV 89815
bstarkey@cowboysrest.org**

**CITY OF ELKO
RESOLUTION NO. 09-20**

**A RESOLUTION AND ORDER VACATING A PORTION OF THE 6TH STREET AND
JUNIPER STREET RIGHTS-OF-WAY CONTAINING APPROXIMATELY 3,636
SQUARE FEET IN AREA AND ADJACENT TO APN 001-231-001, ALL OF WHICH IS
LOCATED WITHIN THE CITY OF ELKO, NEVADA, TO THE ABUTTING
PROPERTY OWNER, BRIAN AND DENA STARKEY.**

Upon introduction and motion by Councilman _____ and seconded by Councilman _____, the following Resolution and Order was passed and adopted:

WHEREAS, the Elko City Council, at a regular meeting held on May 12, 2020, unanimously voted to accept the submitted petition for vacation and further directed City Staff to continue with the vacation process by referring the matter to the Planning Commission for a report of findings and recommendation to be prepared and submitted to the City Council; and,

WHEREAS, the Elko City Planning Commission, at their regular meeting of June 2, 2020, voted to forward a recommendation of approval for the subject vacation; and,

WHEREAS, the Elko City Council finds that a Notice of Intent to vacate a portion of the 6th Street and Juniper Street rights-of-way was published and mailed by priority mail with confirmation of delivery to all affected property owners, as required by law, as more fully appears from the Affidavit of Publication and Mailing Confirmation(s) on file in the Clerk's Office of the City of Elko; and,

WHEREAS, at the time and place set in the Notice, to-wit: the hour of 5:30 p.m. on June 23, 2020, in the City Hall Council Chambers, Elko, Nevada, a hearing before the Elko City Council was duly held and no persons having appeared to object to the proposed vacation and the City Council having deemed it for the best interests of the City and the public that the area be vacated and that no person or persons would be materially injured thereby; and,

WHEREAS, it appearing to the satisfaction of the Elko City Council that the portion of the 6th Street and Juniper Street rights-of-way, containing approximately 3,636 square feet, situate in the City of Elko, Nevada, located generally along the northwest and southwest property lines of APN 001-231-001 is no longer required for public use and convenience and that vacation thereof will inure to the benefit of the City of Elko and be for the best interest of the City and the public, and that neither the public nor any person will be materially injured thereby; the legal description is set forth in Exhibit A with the map as Exhibit B attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO CITY COUNCIL as follows:

I.

That the portion of the 6th Street and Front Street rights-of-way situate in the City of Elko, Nevada, described and shown on Exhibits A and B, respectively, attached hereto, be, and the same is hereby vacated upon fulfillment of the following conditions:

1. **The applicant is responsible for all costs associated with the recordation of the vacation.**
2. **Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.**
3. **Required public improvements must be completed within one (1) year from date of approval by the City Council of vacation 1-20.**
4. **The vacation will not be recorded until the required public improvements have been completed and accepted by City of Elko staff.**

That, subject to the conditions set forth in this Resolution, all right, title interest and estate of the City of Elko in that portion of the 6th Street and Front Street rights-of-way located in the City of Elko as described and shown on Exhibits A and B shall be vacated and title vested in **Brian and Dena Starkey, husband and wife, as joint tenants**, as owner of the parcel abutting the property being vacated, provided further that this vacation and the title of the abutting owner received pursuant thereto, shall be subject to all poles, lines, cables, pipes, drains, utility installations and easements existing on the date the vacation is recorded.

II.

That the City of Elko and the Elko City Council, officers and employees thereof, make no warranties, covenants, representations, or guarantees as to the validity of this vacation procedure, or as to the right, title, interest or estate, if any, any person or entity may acquire as the result thereof.

III.

That the City Clerk of the City of Elko shall certify the copy of this Resolution and Order, and this Resolution and Order shall be recorded upon fulfillment of the above noted conditions, in the Office of the County Recorder of Elko County, Nevada, and be endorsed upon the proper map or plat on file in the Office of said County Recorder, so as to clearly indicate thereon the vacation of the portion of the 6th Street and Front Street rights-of-way as described and shown on Exhibits A and B attached hereto, situate in the City of Elko, Elko County, Nevada.

IT IS FURTHER RESOLVED AND ORDERED that this Resolution shall not be signed and recorded until the conditions are satisfied.

IT IS FURTHER RESOLVED AND ORDERED that upon the above conditions being complied with that this Resolution shall be signed by the Mayor and attested to by the City Clerk.

PASSED AND ADOPTED this _____ day of _____, 2020.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY C. WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

EXHIBIT "A"
LEGAL DESCRIPTION
PORTION OF JUNIPER STREET & SIXTH STREET
ADJACENT TO APN 001-231-001

A parcel of land located in the Northeast Quarter of Section 15, Township 34 North, Range 55 East, MDM, being more particularly described as follows:

Commencing at the monument at the centerline intersection of Juniper Street and Seventh Street;

thence along the centerline of said Seventh Street, South 48°11'00" East a distance of 40.00 feet;

thence departing said centerline, South 41°49'00" West a distance of 40.00 feet to a point being the most northerly corner of Block 30 of the Map of the Town of Elko, according to the official map thereof, filed in the office of the County Recorder of Elko County, Nevada;

thence along the original Southeasterly line of said Juniper Street, South 41°49'00" West a distance of 200.00 feet to the Southerly corner of Parcel 2 of Quitclaim Deed, Book 1090, Page 236, File No.441849, recorded March 5, 1999, also being the **Point of Beginning**;

thence continuing along said Southeasterly line, South 41°49'00" West a distance of 100.00 feet to the Westerly corner of said Block 30;

thence departing said Southeasterly line and along the original Northeasterly line of Sixth Street, South 48°11'00" East a distance of 33.00 feet to the southerly corner of the parcel described in Grant, Bargain, Sale Deed Document No. 750024, recorded December 28, 2018, Official Records;

thence departing said Northeasterly line, South 41°49'00" West a distance of 10.00 feet;

thence North 48°11'00" West a distance of 49.00 feet;

thence North 41°49'00" East a distance of 3.68 feet;

thence from a tangent which bears North 47°27'55" West, along a circular curve to the right with a radius of 10.00 feet and a central angle of 26°38'07" an arc length of 4.65 feet;

thence North 20°49'48" West a distance of 5.47 feet;

thence along a tangent circular curve to the right with a radius of 10.50 feet and a central angle of $62^{\circ}38'48''$ an arc length of 11.48 feet;

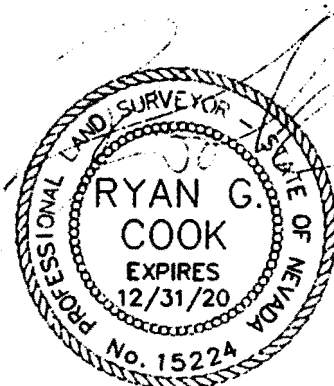
thence North $41^{\circ}49'00''$ East a distance of 93.36 feet to the Westerly corner of said Parcel 2;

thence along the Southwesterly line of said Parcel 2, South $48^{\circ}11'00''$ East a distance of 31.00 feet to the **Point of Beginning**.

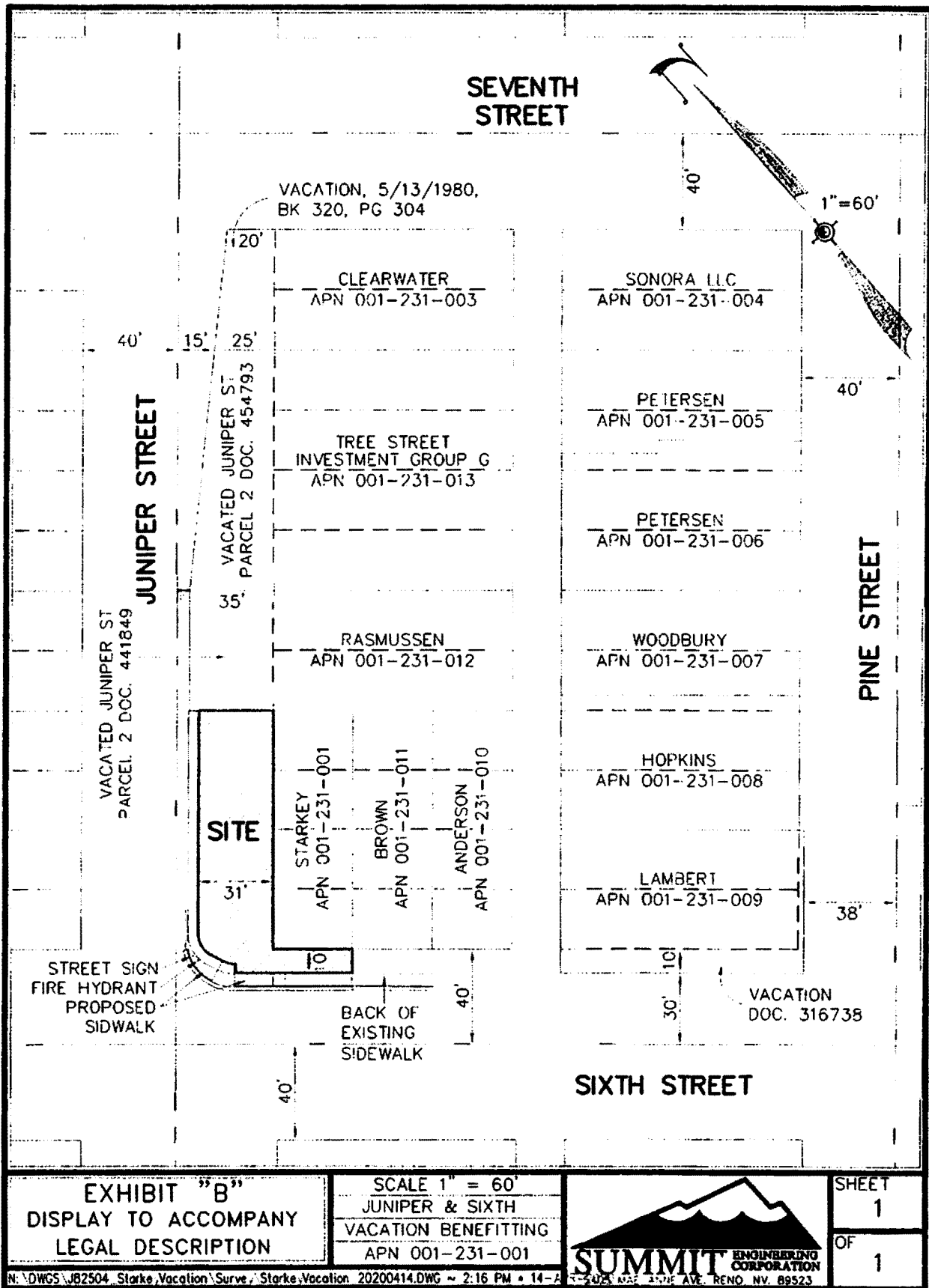
Said parcel contains an area of approximately 3,636 square feet.

Basis of Bearings: The line between centerline monuments at 3rd and Juniper Streets and 3rd and Cedar Streets as North $48^{\circ}11'00''$ West.

Descriptions Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Ave.
Reno, NV 89523
775-747-8550



4-14-2020



APPROVED
ENGINEERING DEPARTMENT
04/16/2020 *Robert Hulbert*

1"=15'

JUNIPER STREET

CONST 4' WIDE
SIDEWALK W/
BASE 450 SF.

PROPOSED AREA OF VACATION
AREA = ±3,636

EX. HOUSE

EXISTING WALL
TO REMAIN,
PROTECT IN PLACE
VERIFY

CONST 4' WIDE
SIDEWALK W/
BASE

EX. SIGN TO REMAIN
FIELD VERIFY

EX. FIRE HYDRANT
TO REMAIN
FIELD VERIFY

NEATLINE SAWCUT EX AC
PAVEMENT FOR REMOVAL
AND DISPOSAL, APPROX
325 SQ. FT.

CONST ADA
ACCESSIBLE RAMP
W/ BASE

CONST 6" THICK
DRIVEWAY RAMP W/ BASE
CONST TYPE 1
CURB & GUTTER
70 LF.

REGRADE AREA BEHIND
DRIVEWAY AS NEEDED TO
ACHIEVE DESIRED GRADE

CONST 5' WIDE
SIDEWALK W/
BASE 290 SF.

SAWCUT EX. WALK
AND MATCH ELEV.

STARKEY SITE SIDEWALK DESIGN GRADING PLAN

BHAKTA
job # 82504
APN 001-231-001
March 19, 2020



SHEET
1
OF
1

**NOTICE OF INTENT OF THE CITY OF ELKO
TO VACATE A PORTION OF THE 6TH STREET AND JUNIPER STREET RIGHTS-
OF-WAY LOCATED GENERALLY ALONG THE NORTHWEST AND SOUTHWEST
PROPERTY LINES OF APN 001-231-001, ALL WITHIN THE CITY OF ELKO, STATE
OF NEVADA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Elko intends to vacate a portion of the 6th Street and Juniper Street rights-of-way located along the northwest and southwest property lines of APN 001-231-001, situated in the City of Elko, Nevada, and cause title to revert to the owner of the abutting property; i.e. Brian and Dena Starkey. The portion of the 6th Street and Juniper Street rights-of-way to be vacated is more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 15, Township 34 North, Range 55 East, MDM, being more particularly described as follows:

Commencing at the monument at the centerline intersection of Juniper Street and Seventh Street;

Thence along the centerline of said Seventh Street, South 48°11'00" East a distance of 40.00 feet;

Thence departing said centerline, South 41°49'00" West a distance of 40.00 feet to a point being the most northerly corner of Block 30 of the Map of the Town of Elko, according to the official map thereof, filed in the office of the County Recorder of Elko County, Nevada;

Thence along the original Southeasterly line of said Juniper Street, South 41°49'00" West a distance of 200.00 feet to the Southerly corner of Parcel 2 of Quitclaim Deed, Book 1090, Page 236, File No. 441849, recorded March 5, 1999, also being the Point of Beginning;

Thence continuing along said Southeasterly line, South 41°49'00" West a distance of 100.00 feet to the Westerly corner of said Block 30;

Thence departing said Southeasterly line and along the original Northeasterly line of Sixth Street, South 48°11'00" East a distance of 33.00 feet to the southerly corner of the parcel described in Grant, Bargain, Sale Deed Document No. 750024, recorded December 28, 2018, Official Records;

Thence departing said Northeasterly line, South 41°49'00" West a distance of 10.00 feet;

Thence North 48°11'00" West a distance of 49.00 feet;

Thence North 41°49'00" East a distance of 3.68 feet;

Thence from a tangent which bears North 47°27'55" West, along a circular curve to the right with a radius of 10.00 feet and central angle of 26°38'07" an arc length of 4.65 feet;

Thence North 20°49'48" West a distance of 5.47 feet;

Thence along a tangent circular curve to the right with a radius of 10.50 feet and a central angle of 62°38'48" an arc length of 11.48 feet;

Thence North 41°49'00" East a distance of 93.36 feet to the Westerly corner of said Parcel 2;

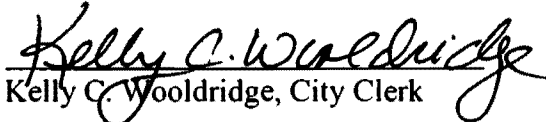
Thence along the Southwesterly line of said Parcel 2, South 48°11'00" East a distance of 31.00 feet to the Point of Beginning.

Said parcel contains an area of approximately 3,636 square feet.

Basis of Bearings: The line between centerline monuments at 3rd and Juniper Streets and 3rd and Cedar Streets as North 48°11'00" West.

AND that the Elko City Council shall further consider the advisability of the vacation of the 6th Street and Juniper Street rights-of-way, and the adoption of a Resolution and Order vacating the same with the reversion of title as above stated at a meeting of said Council to be held in the Turquoise Room at Elko Convention Center, 700 Moren Way, Elko, Nevada, on June 23, 2020 at 5:30 p.m. All interested persons may appear at the meeting of the Council and be heard.

DATED this 4th day of June 2020.


Kelly C. Wooldridge, City Clerk

PUBLISH: June 9, 2020



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 June 2, 2020

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on June 2, 2020 pursuant to Section 8-7-3 B. of City Code:

Vacation No. 1-20, filed by Brian and Dena Starkey, for the vacation of the southeasterly portion of Juniper Street and northeasterly portion of 6th Street, consisting of an area approximately 3,636 sq. ft., and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located generally on the east corner of the 6th Street and Juniper Street intersection, (698 6th Street- APN 001-231-001)


NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 1-20 subject to the conditions listed in the City of Elko Staff Report dated May 18, 2020, listed as follows:

- 1. Approved conditions are to be included in the Resolution.**
- 2. The applicant is responsible for all costs associated with the recordation of the vacation.**
- 3. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.**
- 4. Required public improvements be completed within one (1) year from date of approval by the City Council of vacation 1-20.**
- 5. The vacation will not be recorded until public improvements have been completed and accepted by City of Elko staff.**

The Planning Commission's findings to support its recommendation are 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 the Redevelopment Plan. The proposed vacation is in conformance with NRS 278.479 to 480, inclusive. The proposed vacation is in conformance with City Code 3-2-5(E) and 8-7.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

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

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 6/2

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

Title: VAC 1-20

Applicant(s): Brian and Dena Starkey

Site Location: 698 6th Street (6th St/Juniper St.)

Current Zoning: R Date Received: 2/5/20 Date Public Notice: N/A

COMMENT: Proposed vacation of 10-foot strip of right-of-way
along 6th Street and 35-foot strip of right-of-way
along Juniper Street.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 5/21/2020

Recommend approval as presented by
Staff

SAW

Initial

City Manager: Date: 5/22/20

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

MEMO DATE:	May 18, 2020
PLANNING COMMISSION DATE:	June 2, 2020
APPLICATION NUMBER:	Vacation 1-20
APPLICANT:	Brian and Dena Starkey
PROJECT DESCRIPTION:	APN 001-231-001

Vacation of the Juniper Street and 6th Street right-of-way



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-231-001

EXISTING ZONING: R- Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Developed, Residential adjacent to area to be vacated

BACKGROUND:

1. The property has been developed as residential land use.
2. The area proposed to be vacated is approximately 3,636 sq. ft.
3. The City of Elko issued a license agreement to a previous property owner in 1987 and another in 1999 for the use of the property for a fee.
4. City Council accepted the petition for vacation at their meeting May 12, 2020 and referred the matter to Planning Commission for their review.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:
North: R-Residential / Developed
East: R-Residential / Developed
South: R- Residential / Developed
West: R-Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently developed.
The property has moderate slope on the Juniper Street side.
There is no sidewalk along Juniper Street or 6th Street along the area proposed to be vacated or along 6th Street on the applicant's property adjacent to the area requested to be vacated.

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. R- Single Family and Multiple 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 6th Street.
2. 6th Street is classified as a Residential local.
3. There is no access off Juniper Street.
4. The property lacks pedestrian connectivity but will be conditioned for the completion the public improvements upon approval.

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

REDEVELOPMENT PLAN

- The area is located inside the Redevelopment Area.

The proposed vacation is in conformance with the Redevelopment Plan.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.
 - The City Council accepted the petition at their meeting on May 12, 2020 and referred the matter to the Planning Commission for further consideration.
2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning commission, which shall report its findings and recommendations thereon to the city council. The petitioner shall, prior to the consideration of the petition by the planning commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.
 - The filing fee was paid by the applicant.
3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.
4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall

order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

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 the Redevelopment Plan.
- 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:

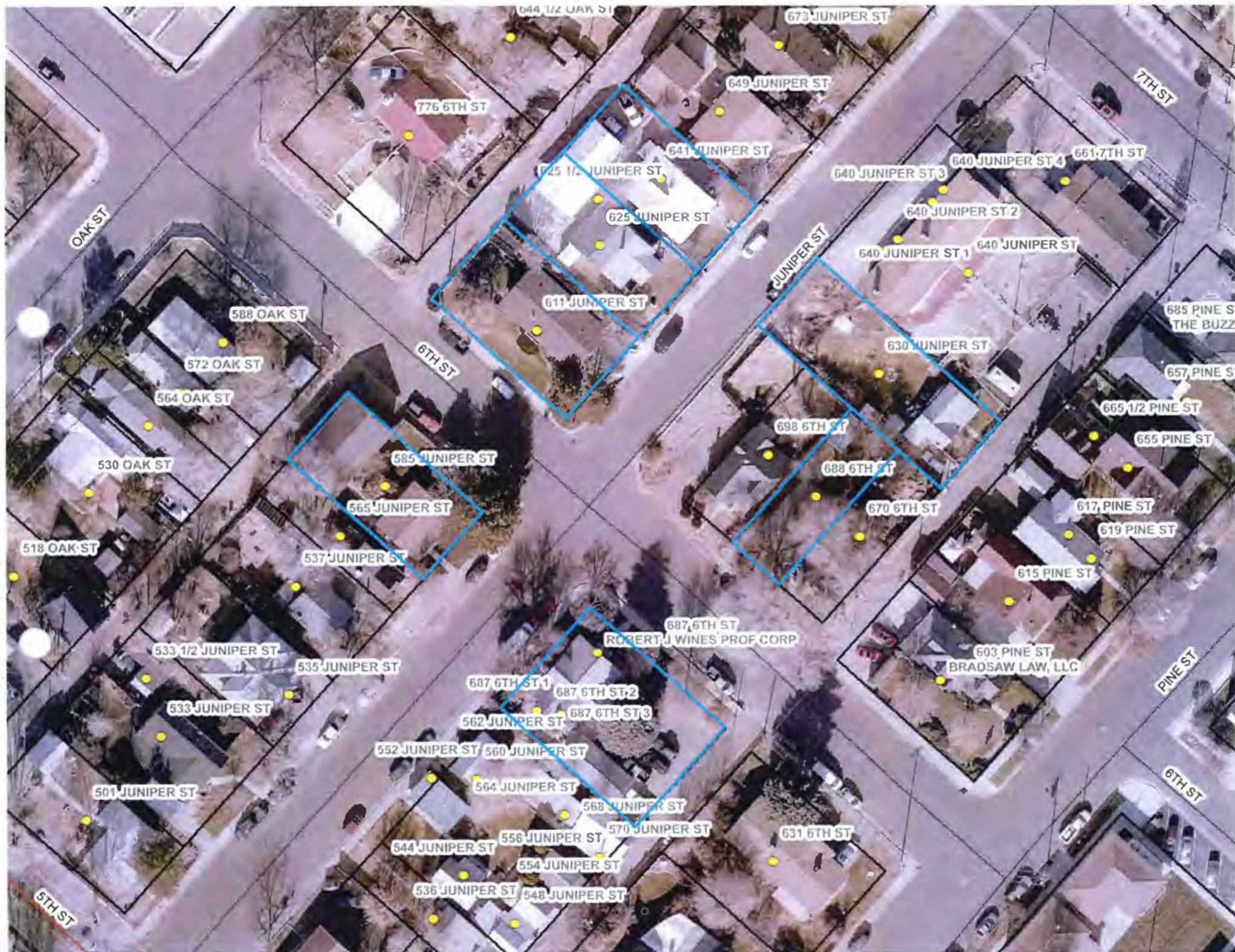
Staff recommends the Planning Commission forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. Approved conditions are to be included in the Resolution.
2. The applicant is responsible for all costs associated with the recordation of the vacation.
3. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.
4. Required public improvements be completed within one (1) year from date of approval by the City Council of vacation 1-20.
5. The vacation will not be recorded until public improvements have been completed and accepted by City of Elko staff.

Vacation 1-20 Starkey

YPNO	legal_name	assess_nam	address1	address2	mcity	mzip
001223004	BND PROPERTIES LLC	BND PROPERTIES LLC	687 6TH ST STE 1		ELKO, NV	89801-3580
001231011	BROWN JAMES M & PATRICIA S	BROWN JAMES M & PATRICIA S	336 HULL ST		HENDERSON, NV	89015-2720
001183007	GLENNON DEREK D	GLENNON DEREK D	641 JUNIPER ST		ELKO, NV	89801-3530
001183009	HEGUY ROBERT A & ELIZABETH A	HEGUY ROBERT A & ELIZABETH A	611 JUNIPER ST		ELKO, NV	89801-3530
001231012	HOGNER JULIE L	HOGNER JULIE L	630 JUNIPER ST		ELKO, NV	89801-
001176008	NODINE DEBORAH	NODINE DEBORAH	585 JUNIPER ST		ELKO, NV	89801-3530
001183008	SIGMAN KAYE	SIGMAN KAYE	5900 HIGHWAY 45		NAMPA, ID	83686-5880

7





June 3, 2020

RECEIVED

JUN 03 2020

Shelby Archuleta
City of Elko Planning Department
1751 College Avenue
Elko, Nevada 89801

RE: Proposed Vacation of a Portion of the Juniper St Right-of-Way

Dear Ms. Archuleta:

Per your request in the letter dated May 27, 2020 regarding the proposed vacation of a portion of the Juniper Street right-of-way located generally along the northwest and southwest property line of APN 001-123-001. NV Energy does not have facilities within the area to be vacated.

If you have any questions/concerns please feel free to contact me at 775-834-5430 or at Katherineperkins@nvenergy.com

Sincerely,

Katherine Perkins

Katherine Perkins
NV Energy



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

May 27, 2020

NV Energy
Mr. Jake Johnson
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 1-20

Dear Mr. Johnson:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Friday, June 5, 2020 12:56 PM
To: Shelby Archuleta
Subject: FW: EXTERNAL: Vacation No. 1-20 Notification
Attachments: Vac 1-20 SW Gas Notification.pdf; Junifer&Sixth.pdf

Hi Shelby,

Southwest Gas does not have objections to Vacation 1-20, but please note that we may have a service line within the vacation. I have attached a map that shows the location of the service. Please let me know if you have any questions,

Amanda



Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Sent: Wednesday, May 27, 2020 10:43 AM
To: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Subject: EXTERNAL: Vacation No. 1-20 Notification

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

Good Morning,
Please see attached correspondence in regards to Vacation Application No. 1-20.
Let me know if you have any questions.
Thank you!

Shelby Archuleta
Vacation Application
City of Elko
Amanda Marcucci
Amanda Marcucci

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Thank you for your cooperation.



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SOUTHWEST GAS CORPORATION



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Service

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If you have any questions, please contact Southwest Gas Corporation - Engineering Department at 1-775- 887-2860



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

May 27, 2020

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190
nndengineering@swgas.com

SUBJECT: Proposed Vacation No. 1-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



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

May 27, 2020

Zito Media

Mr. Joe Bates

VIA Email: joe.bates@zitomedia.com

SUBJECT: Proposed Vacation No. 1-20

Dear Mr. Bates:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Poole, John <john.g.poole@ftr.com>
Sent: Wednesday, May 27, 2020 3:45 PM
To: Shelby Archuleta
Cc: Whitaker, William
Subject: RE: Vacation No. 1-20 Notification

Hi Shelby;
Frontier is not on 7th st. at this location only aerial cables in the alleys.
You are clear to vacate the right of way as asked.

Thanks,
JOHN POOLE
NETWORK ENGINEER
FRONTIER COMMUNICATIONS
1520 CHURCH ST
GARDNERVILLE, NV. 89410
TEL# 775-782-0966
FAX# 775-782 6846
JOHN.G.POOLE@FTR.COM

"I CAN HELP"



From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Sent: Wednesday, May 27, 2020 10:46 AM
To: Poole, John <john.g.poole@ftr.com>
Cc: Whitaker, William <william.whitaker@ftr.com>
Subject: Vacation No. 1-20 Notification

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Good Morning,
Please see attached correspondence in regards to Vacation Application No. 1-20.
Let me know if you have any questions.
Thank you!

Shelby Archuleta
Shelby.Archuleta@elkocitynv.gov



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

May 27, 2020

Frontier Communication

Mr. John Poole

1520 Church Street

Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 1-20

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as we **are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Stephen Lifferth <stephen.lifferth@beehive.net>
Sent: Wednesday, May 27, 2020 11:03 AM
To: Shelby Archuleta
Subject: Re: Vacation No. 1-20 Notification

Hi Shelby,

Beehive has no interest in this property at this time.

Thanks,

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Date: Wednesday, May 27, 2020 at 11:45 AM
To: Stephen Lifferth <stephen.lifferth@beehive.net>
Subject: Vacation No. 1-20 Notification

Good Morning,

Please see attached correspondence in regards to Vacation Application No. 1-20.

Let me know if you have any questions.

Thank you!

Shelby Archuleta
Elko City, NV
City Manager
Elko City, NV
Elko City, NV
Elko City, NV
Elko City, NV



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

May 27, 2020

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. I-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures

Shelby Archuleta

From: Pamela Lattin <p.lattin@canyonconstructionco.com>
Sent: Thursday, May 28, 2020 7:02 AM
To: Shelby Archuleta
Subject: RE: Vacation No. 1-20 Notification

In response to the Proposed Vacation No. 1-20, please be advised that Elko Heat Company does NOT have any utility improvements or any other such interests within the area proposed to be vacated.

Sincerely,

Pamela Lattin
Secretary/Treasurer
Elko Heat Company

Pamela Lattin
Secretary/Treasurer
Canyon Construction Company
PO Box 2030 Elko, NV 89801
775.738.2210 x 106
775.934.1934 (cell)

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Sent: Wednesday, May 27, 2020 10:45 AM
To: Pamela Lattin <p.lattin@canyonconstructionco.com>
Subject: Vacation No. 1-20 Notification

Good Morning,
Please see attached correspondence in regards to Vacation Application No. 1-20.
Let me know if you have any questions.
Thank you!

Shelby Archuleta
City Manager
Elko City
Elko, NV 89801
775.738.2210 x 106
775.934.1934 (cell)



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

May 27, 2020

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 1-20

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



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

May 27, 2020

Zito Media

Mr. Joe Bates

VIA Email: joe.bates@zitomedia.com

SUBJECT: Proposed Vacation No. 1-20

Dear Mr. Bates:

Please be advised that the City of Elko Planning Department is processing a request filed by Brian and Dena Starkey to vacate a portion the 6th and Juniper Street right-of-way located generally along the northwest and southwest sides of APN 001-123-001. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to keep responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on June 2, 2020. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician

Enclosures



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): BRIAN & DENA STARKEY

MAILING ADDRESS: 435 JIGGS HWY #4, SPRING CREEK, NV 89815

PHONE NO (Home) 775-397-0241

(Business) N/A

NAME OF PROPERTY OWNER (If different):

(Property owner's consent in writing must be provided.)

MAILING ADDRESS:

LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):

ASSESSOR'S PARCEL NO.: 001-231-001 **Address** 698 6TH STREET, ELKO, NV 89801

Lot(s), Block(s), & Subdivision NORTHERLY 33' OF LOTS 9, 10, 11 & 12, OF BLOCK 30, TOWN OF ELKO

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. 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 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.

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 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 the request.

RECEIVED

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

BRIAN & DENA STARKEY, 435 JIGGS HWY #4, SPRING CREEK, NV 89815

(Name)

(Address)

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

(Name)

(Address)

1. Describe the nature of the request: PROPOSED VACATION OF 10' STRIP ALONG SIXTH STREET AND 35' STRIP ALONG JUNIPER STREET. NONE OF THE AREA OF VACATION IS CURRENTLY NOR ANTICIPATED TO BE USED FOR PUBLIC INFRASTRUTURE. PROPOSED VACATION IS IN ACCORDANCE WITH OTHER RECORDED VACATIONS WITHIN THIS BLOCK. THE TERRAIN OF JUNIPER STREET PROHIBITS FUTURE WIDENING OF IMPROVEMENTSWITHIN THE AREA OF THE PROPOSED VACATION.
2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: _____

EXISTING GAS LINE, TO REMAIN, NEAR DRIVEWAY WHICH SERVES 698 6TH STREET. ANY OTHER UTILIES THAT MAY EXIST WITHIN THE AREA OF VACATION ARE TO REMAIN. NOTE THE FIRE HYDRANT IS NOT WITHIN THE AREA PROPOSED TO BE VACATED.

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 only for the sole purpose of inspection 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 effect 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.

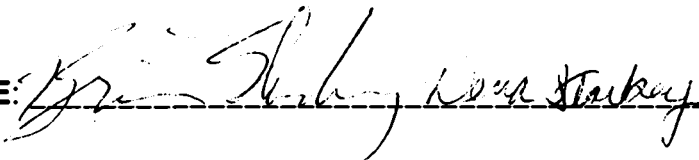
Applicant / Agent BRIAN & DENA STARKEY
(Please print or type)

Mailing Address 435 JIGGS HWY #4
Street Address or P.O. Box

SPRING CREEK, NV 89815
City, State, Zip Code

Phone Number: 775-397-0241

Email address: bstarkey@cowboyrest.org

SIGNATURE: 

FOR OFFICE USE ONLY

File No.: 1-20 **Date Filed:** 2/5/20 **Fee Paid:** \$600 **CK #** 2328

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible adoption of Ordinance No. 854, an emergency ordinance waiving their-quarter 2020 liquor license fees for business prohibited from reopening due to the directives from the Governor, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **20 Minutes**
5. Background Information: **On June 9, 2020, City Council directed Staff to prepare an emergency ordinance for a waiver of Liquor License Fees for quarter commencing July 1, 2020, for establishments unable to open during the Nevada Health Response Phase Two. KW**
6. Budget Information: **N/A**

Appropriation Required:
Budget amount available:
Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Ordinance No. 854**
9. Recommended Motion: **Adopt Emergency Ordinance No. 854**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Council Agenda Distribution: **Emily Anderson@ thestagedoorelko@gmail.com**

ORDINANCE 854

AN EMERGENCY ORDINANCE WAIVING THIRD-QUARTER 2020 LIQUOR LICENSE FEES FOR BUSINESS PROHIBITED FROM REOPENING DUE TO DIRECTIVES FROM THE GOVERNOR

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

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

WHEREAS, on March 18, 2020, the Elko City Council issued a Declaration of Emergency for the City of Elko due to the COVID-19 pandemic and nonessential business closures ordered by the Governor;

WHEREAS, the Governor, through directives, has defined nonessential businesses to include brothels and live entertainment venues;

WHEREAS, on May 28th, 2020, the Governor issued Directive 021, permitting the opening of certain categories of businesses, but requiring various other businesses, such as brothels and events with live entertainment combined with public attendance, to remain closed until June 30, 2020, unless Directive 021 is terminated or extended by a subsequent directive;

WHEREAS, certain types of businesses that are still unable to operate due to Directive 021 hold City of Elko liquor licenses requiring the payment of quarterly fees;

WHEREAS, representatives of licensees that are prevented from reopening their businesses have communicated to the City Council that the COVID-19 pandemic and the Governor's Directives have resulted in a substantial loss of revenue;

WHEREAS, pursuant to Elko City Code Section 4-5-12, liquor licensees are required to pay a quarterly license fee, the next such fee being due July 1, 2020;

WHEREAS, to assist businesses that must remain closed due to the Governor's Directives but that are still required to pay liquor license fees, the City Council has decided to provide temporary relief by waiving liquor license fees for such business for the third quarter of 2020;

WHEREAS, the Declarations of Emergency issued by the Governor and the Elko City Council, respectively, remain in effect;

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

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

Section 1: That until expiration of this Ordinance as set forth in Section 6 hereof, Title 4, Chapter 5, Section 12 of the Elko City Code is amended by adding a new Subsection E, as follows:

E. Notwithstanding any other provision contained in this Chapter, if a licensee is prevented from operating the licensee's business on June 30, 2020 due to an Emergency Directive signed by the Governor, liquor license fees for that business for the third quarter of 2020 shall be waived upon application by the licensee. An applicant for a waiver pursuant to this Subsection shall provide to the City Clerk a sworn statement attesting to the licensee's eligibility for the waiver. An applicant who misrepresents the licensee's eligibility for a waiver pursuant to this Subsection shall be guilty of a misdemeanor and punished in accordance with Elko City Code Section 1-3-1.

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

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

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

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

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

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

APPROVED this ____ day of _____ 2020.

CITY OF ELKO

BY: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible adoption of Ordinance No. 855, an emergency ordinance reducing the amount and deferring payment of brothel license fees to assist brothels adversely affected by the Covid-19 Pandemic, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 23, 2020**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **20 Minutes**
5. Background Information: **On June 9, 2020, City Council directed Staff to prepare an emergency ordinance that will reduce the brothel fee's due July 1, 2020 by half with a due date of September 30, 2020. KW**
6. Budget Information: **N/A**

Appropriation Required:
Budget amount available:
Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Ordinance No. 855**
9. Recommended Motion: **Adopt Emergency Ordinance No. 855**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Council Agenda Distribution: Mierden100@hotmail.com
Susan668899@gmail.com
louisrgoldberg@yahoo.com

ORDINANCE 855

AN EMERGENCY ORDINANCE REDUCING THE AMOUNT AND DEFERRING PAYMENT OF BROTHEL LICENSE FEES TO ASSIST BROTHELS ADVERSELY AFFECTED BY THE COVID-19 PANDEMIC

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

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

WHEREAS, on March 18, 2020, the Elko City Council issued a Declaration of Emergency for the City of Elko due to the COVID-19 pandemic and nonessential business closures ordered by the Governor;

WHEREAS, brothels are included within the definition of a nonessential business;

WHEREAS, on May 28th, 2020, the Governor issued Directive 021, permitting the opening of certain business, but requiring brothels and several other nonessential businesses to remain closed until June 30, 2020, unless Directive 021 is terminated or extended by a subsequent directive;

WHEREAS, representatives of brothels doing business in the City have communicated to the City Council that the COVID-19 pandemic and the Governor's Directives have resulted in a substantial loss of revenue;

WHEREAS, pursuant to Elko City Code Section, 4-9-12(A), every brothel licensee must pay an annual or semiannual fee set by resolution of the Board for the privilege of operating a brothel in the City;

WHEREAS, the amount of the license fee for a license that becomes effective after June 30 is one-half (1/2) of the amount required for a full year;

WHEREAS, the semiannual brothel license fee will be due June 30, 2020;

WHEREAS, the City Council desires to provide temporary emergency relief to brothels, all of which are adversely affected by the COVID-19 pandemic, by reducing the amount of the brothel license fee by one-half (1/2) for the period from June 30, 2020 through December 31, 2020, and by deferring the due date for payment of semiannual brothel license fees to September 30, 2020;

WHEREAS, the Declarations of Emergency issued by the Governor and the Elko City Council, respectively, remain in effect;

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

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

Section 1: That until expiration of this Ordinance as set forth in Section 6 hereof, Title 4, Chapter 9, Section 12, Subsection D of the Elko City Code is amended to state as follows:

D. Partial Years; Timing of Payment; Fee Amounts: The amount of the license fee for a license granted for a portion of a calendar year which becomes effective on or before June 30, 2020 shall be the amount required for the full year. The amount of the semiannual license fee for a license that becomes effective on or after July 1, 2020 shall be one-fourth (1/4) of the amount required for a full year. Notwithstanding any other provision contained in this Chapter, the license fee for the period commencing June 30, 2020, if paid semiannually, shall be due on or before September 30, 2020.

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

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

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

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

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

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____ 2020.

CITY OF ELKO

BY: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk