



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, July 10, 2018

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

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


In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko Website, <http://www.elkocitynv.gov/>, the State of Nevada's Public Notice Website, <https://notice.nv.gov>, and in the following locations:

ELKO COUNTY COURTHOUSE
571 Idaho Street, Elko, NV 89801
Date/Time Posted: July 5, 2018 at 8:50 a.m.

ELKO COUNTY LIBRARY
720 Court Street, Elko, NV 89801
Date/Time Posted: July 5, 2018 at 9:00 a.m.

ELKO POLICE DEPARTMENT
1448 Silver, Elko NV 89801
Date/Time Posted: July 5, 2018 at 8:40 a.m.

ELKO CITY HALL
1751 College Avenue, Elko, NV 89801
Date: Time Posted: July 5, 2018 at 8:30 a.m.


Posted by: <u>Kim Wilkinson</u>	<u>Administrative Assistant</u>	<u></u>
Name	Title	Signature

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

Dated this 5th day of July, 2018

NOTICE TO PERSONS WITH DISABILITIES

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


Scott Wilkinson, Assistant City Manager

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, JULY 10, 2018
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

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

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

APPROVAL OF MINUTES: June 26, 2018 **Regular Session**

I. PRESENTATIONS

- A. Presentation of an Appreciation Plaque for Jeremy Draper's Nine Years of Service, and matters related thereto. **INFORMATION ONLY–NON ACTION ITEM**
- B. Quarterly Update on the Fire Department by Fire Chief Matt Griego, and matters related thereto. **INFORMATION ONLY - NON ACTION ITEM**
- C. Display of the Fire Department's New Fire Truck, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

II. CONSENT AGENDA

- A. Review, consideration, and possible approval of the revised City of Elko Confined Space Entry Program, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Confined Space Entry Program has been revised to ensure compliance with OSHA standards and regulations. AB

III. PERSONNEL

- A. Employee Introductions:

- 1.) Andrew Cunningham, Patrol Officer I, Police Department
- 2.) Nathan Gowan, Patrol Officer I, Police Department
- 3.) Scott Spring, Patrol Officer I, Police Department

IV. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review, consideration, and possible issuance of final acceptance of the Water Main Removal & Replacement Project, and matters related thereto. **FOR POSSIBLE ACTION**

The project has been completed. Staff is pleased with the work and recommends issuance of final acceptance.

The original contract price was \$196,120.00. There were four (4) change orders for the project, both additive and deductive. The total project cost was \$201,171.73, a net increase of 2.6% above the original contract price. RL

- E. Review, consideration, and possible authorization for the transfer of ownership of Elko Police Department's Canine *Donatella* to Officer Jason Ward in exchange for the adoption fee of \$85.00, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Dog *Donatella* is an eight (8) year old Belgian Malinois who is in need of retirement. It is in the best interest of the City of Elko to transfer ownership of a highly trained Police Dog to its current or former handler. Officer Jason Ward desires to purchase *Donatella*. Canine *Donatella*'s selling price was determined by using the amount set for dog adoptions at the City of Elko Animal Shelter. BR

V. NEW BUSINESS

- A. Review, consideration, and possible approval of a Concessionaire Agreement filed by Jennifer Saxton, dba Sisters Food Service, to operate a mobile food truck in the Main City Park, Area 1, and matters related thereto. **FOR POSSIBLE ACTION**

Jennifer Saxton applied for a Concessionaire Agreement to occupy concessionaire space for a mobile food truck in the Main City Park. She currently holds an Elko City Business License. She is requesting area #1. KW

VI. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 22-18, a resolution amending the fee charged for parade permits, effective July 11, 2018, and matters related thereto. **FOR POSSIBLE ACTION**

City Council gave Staff direction on February 9, 2016 to increase the Parade Fees for 2016, 2017 and 2018 in increments of \$250. KW

VII. REPORTS

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

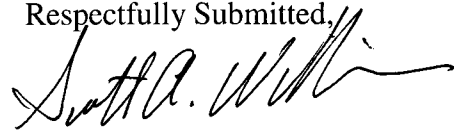
COMMENTS BY THE GENERAL PUBLIC

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

ADJOURNMENT

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott A. Wilkinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott Wilkinson
Assistant City Manager

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

SS June 26, 2018

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:03 p.m., Tuesday, June 26, 2018.

This meeting was called to order by Mayor Chris Johnson.

CALL TO ORDER

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
 Councilwoman Simons
 Councilman Robert Schmidtlein *arrived at 4:17 pm*
 Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Shanell Owen, City Clerk
 Kelly Wooldridge, City Clerk
 Candi Quilici, Accounting Manager
 Jonnye Jund, Administrative Services Director
 Aubree Barnum, Human Resources Manager
 Cathy Laughlin, City Planner
 Jeff Ford, Building Official
 Ben Reed Jr., Police Chief
 Ty Trouten, Police Captain
 Jeremy Draper, Development Manager
 Matt Griego, Fire Chief
 Jack Snyder, Deputy Fire Chief
 John Holmes, Fire Marshal
 James Wiley, Parks and Recreation Director
 Jim Foster, Airport Manager
 Bob Thibault, Civil Engineer
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this

item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES: June 12, 2018 **Regular Session**

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Administer Oath of Office to City Clerk Kelly Wooldridge, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Mayor Johnson administered the Oath of Office to Kelly Wooldridge.

III. PERSONNEL

- A. Employee Introductions:

- 1.) Kelly Wooldridge, City Clerk, Clerk's Department

Present and introduced.

- B. Presentation of a Retirement Plaque for City Clerk, Shanell Owen for her twenty-eight years of service to the City of Elko, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Johnson presented a plaque to Shanell Owen in honor of her many years of service.

Shanell Owen, City Clerk, said a few words in appreciation. She gave each Council Member a print of a photo that she took. She also thanked her husband for being supportive.

Councilman Keener congratulated Ms. Owen. She is a great example of someone coming into the City at entry level and working her way up.

- C. Presentation by the Division of Child and Family Services (DCFS), Court Appointed Special Advocates (CASA), Attorneys, and Foster Parents, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Shirley King, DCFS, thanked Council for allowing her and her panel to come and speak about the foster family crisis. She explained the program and what the children go through. They want to increase awareness of the crisis throughout the community and hopefully find more foster families.

Ashley Beal, attorney representing the children in foster care in this community, said she represents up to 80 children locally and across the state. It is difficult for her to do her job when her clients are spread across the state. To be a licensed foster family, you can be married or single. You can be an emergency provider, a relief provider or an adoption placement. There

are many ways to be a foster parent. There are no homes available in the City. This is a dire situation with all the children that they have.

Kathy McHan, is a foster parent. She has been fostering since her children were young. She felt the program is most successful when the children can stay in the area and have some consistency in their lives. The process to become a foster family is a long process, at least three months.

Councilman Schmidtlein arrived at 4:17 pm.

Councilman Keener asked in her opinion, what is causing the increase in cases causing the shortage of foster families.

Ms. McHan said neglect is the #1 reason, however, foster families don't stay in the program for very long. DCFS has made some changes and they work better with foster families. Reunification is their first priority. Many families quit after their first placement.

Mayor Johnson asked about the demand.

Ms. McHan answered all the foster homes are full. They are looking at a possible demand for another 20 foster families, but at least 5.

Ms. Beal said there are options to the families and what they will take.

Ms. McHan said if a foster family had a bedroom available, there are a lot of rules regarding how many children and what sexes they can take in.

Councilman Keener asked if there is anyone out there thinking about going through the process to be a foster family, it's three months?

Ms. McHan answered yes and explained more about the process.

Ms. King added there is a trainer that does the training at DCFS all over the region. If we had foster parents pop up we would get her here asap.

Curtis Calder, City Manager, asked with roughly 80 kids in the Elko area, and there are only 4 homes, where are they going?

Ms. McHan answered that the children are placed with relatives first, before they go to a foster home.

Ms. King said there are three rural regions. Elko is region one. They share foster homes with all three regions.

- D. Brief Presentation of the Nevada Rural Housing Authority Program, by Deputy Director Bill Brewer, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Bill Brewer, Nevada Rural Housing Authority, said they have enjoyed their partnership with the City. It has been a good relationship.

Councilman Keener asked with the rise of interest rates, is he seeing more interest in their services?

Mr. Brewer answered yes but there is also a shortage of available homes in the area.

VI. RESOLUTIONS AND ORDINANCES

- F. Review, consideration, and possible approval of Resolution No. 21-18, a Resolution providing for the transfer of the City's 2018 Private Activity Bond Cap to the Nevada Rural Housing Authority, and other matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 21-18 have been enclosed in the agenda packet for review. CC

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve Resolution No. 21-18.**

The motion passed unanimously. (5-0)

III. PERSONNEL (Cont.)

- B. Review, consideration, and possible approval of an Agreement between the City of Elko, and the Elko Fire Fighters Association Local No. 2423 of the International Association of Fire Fighters, July 1, 2018 – June 30, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2018/2019 and FY 2019/2020. A redlined copy of the proposed Collective Bargaining Agreement has been included in the agenda packet for review. AB

Note: This portion of the meeting may be closed pursuant to NRS 288.

Aubree Barnum, Human Resources Manager, explained in addition to the redline copy of the proposed agreement there is a summary of the proposed changes to each article and an impact disclosure for the next two years.

Councilman Keener asked regarding page 45 and the salary increases, is that the same CPI that we use for the other contracts? (Yes)

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the Contract Agreement between the City of Elko and the Elko Fire Fighters Association Local No. 2423 of the International Association of Fire Fighters, effective July 1, 2018 through June 30, 2020.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS

- D. Review, consideration, and possible approval to solicit bids for the Well 36 Public Improvements Project, and matters related thereto. **FOR POSSIBLE ACTION**

This project was approved in this year's capital budget. The work consists of installing curb, gutter, and sidewalk on two frontages (Ruby Vista Drive and Statice Street). RL

Ryan Limberg, Utilities Director, explained the project.

Councilman Schmidlein asked if this is something that needs to be done currently. Can we install curb, gutter and sidewalk when other developments go out there?

Mr. Limberg said Kenworth built a new building and they installed the improvements along their frontage. This is something you can delay if you wish to. He is looking at finishing up that portion of that section. It isn't mandated that we do it now.

Councilman Rice thought the City needs to lead by example. We have cleaned up so many examples already. He doesn't want to leave it for another council.

Scott Wilkinson, Assistant City Manager, said some people have expressed an interest in developing in that area.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to approve soliciting bids for the Well 36 Public Improvements Project.**

The motion passed unanimously. (5-0)

- E. Consideration to accept FAA AIP Grant Offer #49 Airport Improvement Program Project No. 3-32-0005-049-2018 includes Reconstruction of Security Perimeter Fencing and Electrical Vault Upgrade, and matters related thereto. **FOR POSSIBLE ACTION**

On May 22, 2018, Council awarded the bid for AIP-49 Security fence to Custom Fence Company in the amount of \$1,568,219.00 and Electrical Vault Upgrade to NNE Construction, Inc., in the amount of \$410,723.00. The Grant Offer associated with this project was received on June 12, 2018 from the FAA. JF

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to accept the FAA Grant Offer #49.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible authorization for Staff to solicit bids for a Culvert Replacement at 6th Street and Douglas Street, and matters related thereto. **FOR POSSIBLE ACTION**

This culvert continues to fail due to deterioration and needs to be replaced. The plan is to replace approximately 110 feet of culvert with this project. DS

Bob Thibault, Civil Engineer, explained this is the same culvert we replaced about 80 feet of last summer. It had failed during the wet season we had in the spring of 2017. There was good pipe found on the upstream end but the pipe on the downstream end was questionable. They tied into it and it failed. They want to replace another 110 feet of pipe this summer.

Councilman Schmittlein asked if they have had a chance to video any of that.

Mr. Limberg said it may have been done but he wasn't sure.

Mr. Wilkinson didn't think they could get a camera in there until they open it up.

Jeremy Draper, Development Manager, said they can't get cameras in there because they don't have a lot of access points to it. This is the same culvert there was an issue with during the Cedar Street Reconstruction Project. We don't have manhole access to the main trunk line.

Councilman Keener asked if there would manholes once this is completed.

Mr. Thibault said they haven't planned on putting in any manholes. They don't know what they will find when they dig it up.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, given the construction season limitations we should move forward with approving this item so we don't cause further delay on it.**

The motion passed unanimously. (5-0)

- G. Review, consideration, and possible approval of the Elko Police Department joining the Nevada State Purchasing/AXON Enterprises, Inc. for a Five (5) Year Contract for body worn cameras, digital storage audio / video footage known, as Evidence.com, and matters related thereto. **FOR POSSIBLE ACTION**

The Nevada State Legislature passed Senate Bill 176 in 2017, and the Governor signed it into law, requiring certain Peace Officers to wear a "portable event recording device while on duty."

The FY2018/19 budget allotted funding from Capital Equipment and line-item budgets for the Elko Police Department to acquire the body worn cameras, storage, and software. This contract is for five (5) years, with the total cost breakdown as follows:

Year 1 - \$55,111.60

Year 2 - \$42,232.40
Year 3 - \$42,232.40
Year 4 - \$42,232.40
Year 5 - \$42,232.40

TOTAL - \$224,041.20 BR

Ty Trouten, Police Captain, explained the body-worn cameras are an unfunded mandate. The Elko Police Department has had some cameras personally bought by the officers but they varied in manufacturer and didn't provide any means for storage of audio or video storage for evidentiary purposes. The PD began field testing body-worn cameras to select the better choice. AXON was the only provider that fulfilled all of their requirements.

Councilman Rice asked if AXON and Evidence.com have a good track record in terms of storage and security.

Mr. Trouten answered they have an excellent track record for that. AXON was formerly known as Taser. That is one larger company now. Their storage is not only secure but it is also backed up.

Councilman Schmidtlein asked if they are going to suit this up for to 40 officers. (Yes) There are multiple other components to this. Not all the officers will get all of the items?

Mr. Trouten answered each officer will receive a body camera. They send a few spares out too in case one goes down. There are multiple bank chargers for recharge and downloading of the cameras. At 30 months and also at 59 months, AXON will replace all the body-worn cameras and we will receive all new hardware.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to authorize the Elko PD to enter into a 5-year contract with AXON Enterprises, Inc. to supply body-worn cameras and related hardware and software by joining the Nevada State Purchasing/AXON Enterprises, Inc. contract, in the amount of \$224,041.20, and of that total amount, year one for Fiscal Year 2018/2019 will be in the amount of \$55,111.60.**

The motion passed unanimously. (5-0)

V. SUBDIVISIONS

- A. Review, consideration, and possible acceptance of public improvements for the Autumn Colors Phase 4 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved the Final Map for Autumn Colors Phase 4 on May 9, 2017. The developer has substantially completed the public improvements in accordance with the approved plans; a final inspection of the subdivision was completed on December 8, 2017. Due to temperature constraints, some of the punch list items could not be addressed until recently. The City is in receipt of the required certification of the project by the Engineer of Record. The developer shall post a

maintenance bond for \$52,679.00 with the City for the twelve-month maintenance period upon acceptance of the public improvements. JD

Jeremy Draper, Development Manager, explained Mr. Bailey was in the audience. This is the portion of Snowy River that is being built out. The maintenance bond is in-hand and he recommended approval.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Rice, to accept Autumn Colors Phase 4 public improvements.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible acceptance of public improvements for the Autumn Hills Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved the Final Map for Autumn Hills on December 8, 2015. The developer has substantially completed the public improvements in accordance with the approved plans; a final inspection of the subdivision was completed on September 15, 2017. Due to temperature constraints, some of the punchlist items could not be addressed until recently. The City is in receipt of the required certification of the project by the Engineer of Record. The developer shall post a maintenance bond for \$20,052.00 with the City for the twelve-month maintenance period upon acceptance of the public improvements. JD

Mr. Draper explained said this is a neighboring subdivision. The maintenance bond is in-hand and he recommended approval.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Keener, to accept Autumn Hills public improvements.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES (Cont.)

- A. Consideration and possible adoption of a Resolution No. 16-18 amending the Airport Tie Down Fees to include a monthly Tie Down Fee for Elko County Residents, and matters related thereto. **FOR POSSIBLE ACTION**

At the Airport Advisory Board meeting on March 23, 2018, a motion was made and passed to charge \$70.00 for a monthly Tie Down Fee. Staff feels this is a reasonable rate for a monthly Tie Down Fee. Currently, the Airport does not have a monthly rate, only a per day rate for Tie Downs. JF

Jim Foster, Airport Manager, explained this was discussed at the last Airport Advisory Board Meeting. Most of the aircraft have hangars but a few citizens have asked about a monthly tie-down fee. We want people to tie-down and create a new revenue stream.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to adopt Resolution No. 16-18.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of Resolution No. 18-18, a resolution authorizing budget transfers for Fiscal Year 2017/2018 for various funds of the City pursuant to NRS 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. JJ

Jonnye Jund, Administrative Services Director, explained this is an annual transfer they do to cover any shortages. We had to cover the FEMA costs for the flood. We have not been reimbursed as expected. It is still ongoing but the reimbursement didn't occur in this fiscal year.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to approve Resolution No. 18-18, authorizing budget transfers for Fiscal Year 2017/2018, for all listed funds pursuant to NRS 354.598005.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of Resolution No. 19-18, a resolution designating components of the fund balance of all required governmental funds pursuant to GASB Statement No. 54, and matters related thereto. **FOR POSSIBLE ACTION**

The Governmental Accounting Standards Board (GASB) issued Statement No. 54 Fund Balance Reporting and Governmental Fund Type Definitions, with the intent of improving financial reporting by providing fund balance categories that will be more easily understood. Resolution No. 19-18 further designates the components of all qualifying governmental fund balances. JJ

Ms. Jund explained this is another annual item they have to address.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve Resolution No. 19-18, committing the fund balance of all required governmental funds pursuant to GASB Statement 54.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible approval of Resolution No. 20-18, a resolution authorizing augmentation of the 2017/2018 Fiscal Year Budget of the Youth Recreation Fund, increasing appropriations to \$238,906 to account for \$25,000 in unanticipated revenues, pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

The Youth Fund received \$25,000 in additional revenues from transfers in from the Recreation Fund. This revenue was not budgeted and was unanticipated

during the budgeting process. In order to pay for the expenses associated with this revenue it is necessary to augment the budget. JJ

Ms. Jund explained the augmentation.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Resolution No. 20-18, augmenting the Youth Recreation Fund, in the amount of \$25,000, pursuant to NRS 354.598005.**

The motion passed unanimously. (5-0)

II. CONSENT AGENDA

- A. Review, consideration, and possible action to reappoint Planning Commission members John Anderson and Stefan Beck to an additional Four-Year Term to expire July 2022, and matters related thereto. **FOR POSSIBLE ACTION**

John Anderson and Stefan Beck's terms expire July 2018. Pursuant to City Code Section 3-4-1, Planning Commission members shall be eligible for reappointment, and the terms shall be four years or until his/her successor takes office. Mr. Anderson and Mr. Beck have indicated an interest to continue serving on the Planning Commission. CL

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

The motion passed unanimously.

IV. APPROPRIATIONS (Cont.)

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

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

The motion passed unanimously. (5-0)

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

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

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

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

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

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

VIII. REPORTS

A. Mayor and City Council

Councilman Keener mentioned the Consent Agenda extended the terms of Planning Commissioner John Anderson and Stefan Beck. He thanked them for their continued service. His wife is organizing a clean-up July 7 at the Elko Igloo. The Broadband Action Committee is still working on options. There was another 911 outage a couple of weeks ago.

Councilman Rice said June is Pride Month. He wore a t-shirt that he picked up at the Pride Event in New York. He went to New London, Connecticut with the Elko Basque Dance Club. It was a terrific event for the youth dance group here. He spoke about non-English speaking prostitutes not being able to verbalize their situations to medical personnel. He will be looking into HIPAA for possible guidance.

B. City Manager

Curtis Calder reported staff is gearing up with the EMRB hearing on July 11, in regards to the Police Contract. It will be teleconferenced into one of the classrooms at GBC. We were able to renew the old BLM Recreation or Public Purposes Lease up at the Golf Course. He checked with Planning Commission about the subdivision code. They have a meeting coming up next week. The code is not ready for them to review yet. He is expecting this to go to Planning Commission in August and then the workshop would occur after that.

C. Assistant City Manager

D. Utilities Director-WRF Emergency Repairs

Ryan Limberg reported on two emergency repairs at the WRF. The first one was completed by Creico Enterprises LLC in the amount of \$17,104. It was to replace the chlorine line that was plugged up. The second one was completed by Great Basin Engineering Contractors in the amount of \$11,869.36. This work was out by the pump station by the storage reservoirs. They had a 16-inch pipe with a coupler on it. The coupler blew apart.

E. Public Works

F. Airport Manager

G. City Attorney

I. Police Chief

Chief Reed spoke about the 911 outage and the next generation build out. We got past the Homeland Commission approval for the 911 Next Generation. It still needs to be approved by the Feds. The FLEAT Academy was last week. It was a big success. There were 44 graduates out of 50. First Net is the Federal Government building a National Broadband System for public safety. They have to build out in the rural areas as well as the big city areas. A rep will be in town this Thursday at the PD meeting room at 1:00 pm. The long

awaited revision of the City Traffic Codes should be coming soon. National Night out is coming August 7.

- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- P. Building Official

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing and possible adoption of Ordinance No. 831, an ordinance amending Title 4, Chapter 1, of the Elko City Code entitled "Business Regulations", and matters related thereto. **FOR POSSIBLE ACTION**

Shanell Owen, City Clerk, explained included in the agenda packet is the proposed Ordinance. On page 2, Farmer's Market, she included, at Councilman Keener's request, the changes to include dairy products and non-alcoholic beverages. That is the only change from the first reading.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Schmittlein, seconded by Councilman Rice, to conduct second reading, public hearing and adopt Ordinance No. 831.**

The motion passed unanimously. (5-0)

- B. Second reading, public hearing and possible adoption of Ordinance No. 832, an ordinance amending Title 4, Chapter 6, of the Elko City Code entitled "Transient Lodging Tax", amending Section 12 relating to the penalty for delinquent transient lodging tax, and matters related thereto. **FOR POSSIBLE ACTION**

City Staff is recommending changes in accordance with NRS 268.096. SO

Ms. Owen said no changes were made on this and it is ready for adoption.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to conduct the second reading, public hearing and adopt Ordinance No. 832.**

The motion passed unanimously. (5-0)

VI. RESOLUTIONS AND ORDINANCES (Cont.)

- B. Review, consideration, and possible approval of Resolution No. 17-18, a resolution waiving the fee for Farmer Market Vendors at Farmer Markets, and matters related thereto. **FOR POSSIBLE ACTION**

Ms. Owen went over the only changes on page 3.

Councilman Keener said he wondered if someone wanted to sell candles or something that is a nonfood or beverage product at a Farmer's Market, are they exempt from paying the license fee.

Ms. Owen answered if it is a Farmer's Market and you have someone selling candles, then they would be charged. We are not exempting all of the Farmer's Market vendors, only the ones that fit that category.

Councilman Rice felt some other agricultural products should be exempt, such as honey and beeswax. He felt they should fall under that because they are traditional agricultural products.

Ms. Owen said they would look at the definition in the Ordinance where it says that, "where vendors sell unprocessed fruits, vegetables, meats, dairy products and nonalcoholic beverages." Anything that would fit in that category would be exempt.

Curtis Calder, City Manager, asked when a Farmer's Market is issued, what types of vegetables and items are they selling? Do they have craft fair people show up and try to sell craft fair items?

Ms. Owen thought they were just local farm supply.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, with respect to the Farmer's Markets, to adopt Resolution No. 17-18.**

The motion passed unanimously. (5-0)

VIII. REPORTS (Cont.)

H. Fire Chief

John Holmes spoke about the Fire Prevention Picnic September 29 at the Main City Park.

Councilman Keener stated that during the ECVA meeting, they said how appreciative they were of the Fire Department's inspections that were conducted in conjunction with the recent Mining Expo.

N. Parks and Recreation Director

James Wiley reported that the SnoBowl Foundation has secured a grant for expansion of mountain bike trails and the build is already well underway. There is an issue with the Soccer AYSO group and the availability of the field space the City has. The current AYSO Board disbanded and the members created a new group. The new group approached him and they have reserved the soccer fields for this fall. Regionally, AYSO is a bit upset about that. AYSO owns all of the equipment. There may be some issues down the line.

Curtis Calder, City Manager, reminded everyone of Shanell's Retirement Party this Friday at the Cowboy Gear Museum.

Councilman Keener asked Jim Foster, Airport Manager, about the restaurant at the Airport. Jim Foster, Airport Manager, said we haven't had a vendor in there for many years. We have advertised several times and have not been able to find someone to run the business.

O. Civil Engineer

Bob Thibault reported on the Sports Complex progress.

Councilman Keener asked Shanell Owen if the public hearing they just had was in correlation with the Shilo Inn.

Shanell Owen, City Clerk answered no. We made the change to be in compliance with NRS.

Mr. Calder said from time to time we do have hoteliers that fall behind with their room tax. In the case of the Shilo Inn, they are way overdue. They are accruing; not only the delinquency penalties, but they are also getting their property lien according to City Code. The City will also be pursuing other legal remedies.

Mayor Johnson said the pens on the dais were from a consulate from Mexico that visited recently.

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

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

Mayor Chris Johnson

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the revised City of Elko Confined Space Entry Program, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **July 10, 2018**
3. Agenda Category: **CONSENT**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko Confined Space Entry Program has been revised to ensure compliance with OSHA standards and regulations. AB**
6. Budget Information:
 Appropriation Required: **NA**
 Budget amount available: **NA**
 Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Copy of revised Confined Space Entry Program**
9. Recommended Motion: **Approve the revised Confined Space Entry Program effective July 10, 2018**
10. Prepared By: **Aubree Barnum, Human Resources Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

City of Elko

Confined Space Entry Program

City of Elko, Nevada

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Confined Space Entry Program

Within the confines of the City of Elko there are numerous enclosed space work areas. Many of these enclosed spaces meet the confined space criteria, and if not entered properly, could result in life threatening injury or the disruption of vital City of Elko services. In keeping with the goal of safety first, specific steps and training are required when entry is made into a confined space.

In order to determine whether a permit required confined space is present within the facility an assessment must be conducted. The OSHA standard defines a confined space as a space which contains the following elements:

- (1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- (2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults and pits are spaces that may have limited means of entry); and
- (3) Is not designed for continuous employee occupancy.

If the employer determines that confined spaces are present within the facility, a determination of whether the space is permit in nature must be completed. OSHA defines a permit required confined space as a confined space which consists of one or more of the following characteristics:

- (1) Contains or has a potential to contain a hazardous atmosphere;
- (2) Contains a material that has the potential for engulfing an entrant;
- (3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross section; or
- (4) Contains any other recognized serious safety or health hazard.

Introduction

Operations that require entry into and work in confined spaces pose significant threats to life and health. No City of Elko employee(s) or contractor(s) will enter a confined space without fully complying with all applicable regulatory requirements.

This document contains the procedures required to comply with OSHA's Part 1910.146, Permit-Required Confined Space rule, and to ensure that all confined space entries performed by City of Elko employees are accomplished in a manner that will assure the maximum degree of employee safety. It provides critical information and procedures necessary to assure all hazards are carefully evaluated prior to entry, establishes entry permit procedures, prescribes employee training requirements, establishes confined space entry responsibilities and procedures, and provides for personal protective equipment and emergency rescue.

Responsibilities

The following section describes the functions and responsibilities of those City of Elko employees involved in the confined space entry program.

Safety Coordinator

At City of Elko facilities, the Safety Coordinator is designated as a confined space entry authorizing official. In the absence of the Safety Coordinator this authority will be extended to the Elko Fire Department. This position will:

- Implement, maintain and evaluate the confined space entry program and entry procedures.
- Maintain copies of all issued confined space entry permits.
- Maintain a roster of City of Elko employees who are trained and qualified to enter confined spaces and will annually update this roster.
- Periodically survey all company facilities and work areas to identify confined spaces and ensure this list is updated and kept current by the responsible department head.
- Identify and evaluate the potential severity of each hazard of the confined spaces and ensure this list is updated and kept current by the responsible department head.
- Ensure warning signs are posted near all identified confined spaces to warn employees of potential hazards and state "permit required confined space" (authorized personnel only). Signs will be posted by the responsible department head.
- Maintain a current listing of identified confined spaces with location maps. This list will be included in the Confined Space Entry Program document and will be available at each department having confined spaces, in the Safety Coordinator's office, and at the City of Elko Fire Station. The program will be accessible to all employees and will contain the following data:
 1. Description of confined space
 2. Location
 3. List of known hazards/potential chemical exposures
- Assure that all test instruments are calibrated for accuracy exactly in accordance with the manufacturer's instructions and with regulatory requirements. Accurate records will be maintained of all calibration tests. This should be completed by Attendant or Entry Supervisor.

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- The Safety Coordinator shall ensure department heads provide training to all employees so that attendants, authorized entrants, and personnel authorizing or in charge of entry can work safely in and around the permit space.
- Perform an annual audit of the confined space entry program. This audit will be conducted and documented as an integral part of the site inspection/audit program.
- The Elko Fire Department shall develop a protocol for Central Dispatch Authority employees (i.e., Dispatchers) to ensure that they can perform their duties per this program. It will be the responsibility of Elko Central Dispatch to provide initial and recurrent training.

Departmental Supervisors

City of Elko supervisors that are responsible for employees who perform the entry must:

- Ensure employees are not assigned work requiring confined space entry unless they have been properly trained and adhere to the procedures set forth in this document.
- Provide, maintain and monitor the proper use of equipment necessary for safe confined space entry, including testing, monitoring, communication, and personal protective equipment as appropriate.
- Brief attendants and entrants on proper entrance and exit procedures.
- Notify the Elko Fire Department and Central Dispatch Authority of the planned entry time, duration and location of the entry.
- Ensure availability and proper positioning of all pedestrian, vehicle, or other barriers necessary to protect entrants from external hazards.
- Take all necessary measures to close out an entry operation, such as securing the a confined space area and assuring the confined space entry permit is canceled after the work in the confined space has been completed.

Entry Supervisor Responsibilities:

An entry supervisor is a person that has been trained and qualified, and has obtained verification and approval of the Safety Coordinator. The on-site entry supervisor will perform the following duties:

- Determine that the confined space entry permit contains the required information before submitting to the safety coordinator for approval.
- Determine that the necessary procedures, practices and equipment for safe entry are in effect before allowing entry.

- Determine, at intervals, that entry operations remain consistent with the terms of the entry permit, and that acceptable entry conditions are present.
- Cancel the confined space permit whenever unacceptable conditions are present.
- Notify the Central Dispatch Authority prior to entry, and after securing a confined space, in order to maintain a record of the entry into the confined space.

Attendants

An attendant is an employee positioned outside the permit entry confined space who monitors the entrance and who will perform the following duties:

- Prevent unauthorized entry into the confined space
- Take and record pre-entry air testing and continuous air monitoring during entry.
- Maintain continuous contact with entrants who have entered the confined space.
- Be knowledgeable of potential confined space hazards and monitor activities both inside and outside the confined space to ensure safe conditions.
- Take appropriate measures to remove unauthorized personnel in or near the confined space.
- Never enters a confined space while performing attendant duties.
- Attempt non-entry rescue of the entrant from the confined space by using the retrieval system if the person is unable to exit unassisted.
- Continuously maintains an accurate count of all entrants in the confined space, and does not permit unauthorized persons to enter.
- Permit emergency rescue personnel to enter the scene and/or confined space when responding to an emergency.
- Take the following actions when unauthorized person(s) approaches or attempts to enter a confined space.
 1. Warn unauthorized persons away from the confined space.
 2. Request the unauthorized persons to exit immediately if they have entered the confined space.
 3. Inform the authorized entrants and the work area supervisor of the entry of unauthorized person(s).

- Order evacuation of the confined space when:
 1. A condition is observed that is not addressed in the entry permit.
 2. The attendant detects behavioral effects of hazard exposure.
 3. The attendant detects a situation outside the confined space which could endanger the entrants.
 4. The attendant detects an uncontrolled hazard within the permit space.
 5. The attendant is monitoring entry in more than one permit space and must focus attention on the rescue of entrants from one of those spaces.
 6. The attendant must leave the work station.
- Summon rescue and other emergency services as soon as it is determined that authorized entrants need to escape, or at the first sign of loss of consciousness by the entrant(s) working in the confined space.

Entrant

An entrant is an individual who enters the confined space and performs the following duties:

- Maintain continuous visual or verbal contact with other personnel who have entered the confined space and with the attendant(s).
- Be knowledgeable of potential confined space hazards and monitor activities both outside and inside the confined space to ensure safe conditions.
- Do not allow any person(s) who are not listed on the permit to enter the confined space except in response to an emergency.
- Take the following actions when an unauthorized person(s) approaches or attempts to enter a confined space.
 1. Warn unauthorized person(s) away from the confined space.
 2. Request the unauthorized person(s) to exit immediately if they have entered the confined space.
 3. Inform the attendant, entry supervisor, and Safety Coordinator of the entry of an unauthorized person.
- Alert the attendant whenever the entrant recognizes any warning or symptom of exposure to a dangerous situation, prohibited condition or unsafe acts. If any

problems are detected, the entrant must evacuate the confined space as quickly as possible.

- If an order to evacuate is given by the attendant, entry supervisor, Safety Coordinator or other entrant, it must be followed as quickly as possible. Once all personnel are safely out the confined space, personnel will re-examine the scene before re-entering the space.

Central Dispatch Authority

The Central Dispatch Authority is the focal point for all communications within the City of Elko operation and will be responsible for performing the following duties:

- Keep a log of all notification of normal entry into a permit required confined space, as well as emergency entry into a permit-required space.
- Dispatch emergency equipment and make proper notification in case of a confined space emergency.
- Make notifications during emergency entry into confined space operations.

All Employees

All employees, tenants, contractors, and visitors shall conform to the following:

- Comply with confined space entry procedures and policies.
- Attend required training.
- Wear protective equipment as required by the job.
- **Never enter confined spaces unless authorized by competent officials and appropriate precautions have been completed.**

Personal Protective Equipment (PPE)

All personnel shall be provided with, and use, the appropriate (PPE), as determined by the entry supervisor, when working in confined spaces.

The minimum personal protective equipment shall consist of:

1. Hard hat
2. Safety glasses
3. Approved footwear
4. Leather or rubber gloves, if applicable (Cotton gloves are not acceptable)

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5. Retrieval System and harness. Life line/harness requirements may be omitted provided that the life line will create more of a hazard than it will prevent (such as becoming entangled in equipment or pipes).

In addition, the following PPE shall be used as the situation warrants:

1. Goggles and/or face shield
2. Rubber apron
3. Rubber trousers
4. Rubber boots
5. Full body suits (of the appropriate class for the hazard encountered)
6. Supplied air respirators (SAR)
7. Self-contained breathing apparatus (SCBA)
8. Full Face Respirator may be worn if the atmosphere has no less than 20.9 oxygen.

If unsure which PPE you should wear for a particular job, contact your supervisor, Safety Coordinator, or consult the appropriate Safety Data Sheet. All personal protective equipment shall be inspected prior to the job for defects. Any broken or damaged equipment shall be replaced immediately and the appropriate supervisor shall be notified.

All lifelines must be inspected and recorded in the rope log after every use prior to being stored. If a lifeline is used to arrest a fall, the lifeline must be removed from service, and recorded in the rope log. If a lifeline is used as a rescue tow line, the rope must be inspected immediately and recorded in the rope log. Pending the condition of the rope, the rope may be declassified from a rescue rope to a utility rope, otherwise the rope must be destroyed and discarded. If an inline fall arrester is used to arrest a fall, it must be destroyed and discarded. The harness worn by the individual who fell must be destroyed and discarded. The individual who fell must be evaluated immediately to ensure there are no injuries from the fall. If injuries have occurred, the individual shall be transported to a medical facility for treatment as soon as possible.

The rope shall also be inspected quarterly and documented on the rope log. The rope log should be created from the date of in service and kept with the rope until it is taken out of service.

SCBA air tanks shall not be allowed to run empty before exiting a confined space. Exit as soon as 1/3 tank remaining. All SCBA air tanks shall be a minimum of 88 percent full prior to entering a confined space. Any tank below 88 percent must be refilled prior to entry.

If equipment becomes contaminated, dispose of the equipment by placing the contaminated equipment in a correctly marked container. **DO NOT PLACE THE**

CONTAMINATED EQUIPMENT OR MATERIAL IN A TRASH CAN. Do not dispose of reusable equipment. If the equipment cannot be effectively decontaminated in the field, place the equipment in a safe container and notify the Safety Coordinator who will handle the decontamination. Instructions on proper decontamination can be found in the SDS, and should be adhered to.

Training

All entrants, attendants and entry supervisors who are involved in confined space work must be trained and certified in confined space entry procedures. Training will be the responsibility of the overseeing Department Head. Training shall be provided to an employee before being assigned the duties of entering a permit space.

The Safety Coordinator will certify completion of required training and will maintain records of training completion. Additionally, the Safety Coordinator will maintain a current list of all employees who are trained and certified for confined space entry. This list will be updated annually and will be signed by the Safety Coordinator.

Training Outline

Confined space training shall include:

- Hazards present during entry.
- Recognition of the signs and symptoms of exposure.
- Understanding of the consequences of exposure.
- Entry authorization.
- Dealing with unauthorized personnel.
- Monitoring/controlling the number of entrants.
- Attendant responsibilities.
- Communication requirements.
- Evacuation requirements.
- Alarm/warning system.
- Permit requirements.
- Inspection requirements.
- Proper use of personal protective equipment.

- Proper use of barriers needed to protect entrants from external hazards.

Entry supervisors shall conduct a comprehensive pre-entry briefing, informing entrants and attendants of job requirements, known hazards, safety procedures, personal protective equipment requirements, emergency procedures, and rescue procedures.

Initial Training

Initial training will be provided prior to an employee being assigned to enter a confined space. This training will consume approximately 24 hours and will include, but will not be limited to:

Attendant Training

- CPR and First Aid.
- Hazard recognition; the ability to evaluate and recognize existing potential hazards.
- Care and use of personal protective equipment.
- Care and use of rescue equipment.
- Communications procedures.
- City of Elko, OSHA and specific department safety rules and related operating procedures.
- Lockout/Tagout procedures.
- Non Entry Rescue Techniques

Entrant Training

- CPR and First Aid.
- Hazard recognition, both existing and potential.
- Care and use of personal protective equipment.
- Care and use of rescue equipment.
- Rescue techniques.
- Communications procedures.
- City of Elko, OSHA, and department safety rules and related operating procedures.

- Lockout/Tagout procedures

Entry Supervisors

Person(s) responsible for authorizing confined spaces entry shall be department supervisors or crew leaders and shall receive training in the following:

- CPR and First Aid.
- Hazard recognition, both existing and potential.
- Care and use of personal protective equipment.
- Care and use of rescue equipment.
- Rescue techniques.
- Communications procedures.
- City of Elko and department safety rules and related operating procedures.
- Knowledge of department clearance rules and in plant or department equipment operation.
- Lockout/Tagout procedures.

Elko Fire Department (EFD)

EFD employees shall receive training and demonstrate proficiency in the following:

- EFD members shall be trained to the Entrant, Attendant, Entry Supervisor, and Rescue level.
- CPR and First Aid with one member trained at the level of Emergency Medical Technician.
- Hazard recognition, both existing and potential.
- Care and use of personal protective equipment.
- Care and use of rescue equipment.
- Rescue techniques. The EFD shall conduct live-action drills, simulating a confined space rescue and first aid procedures, on an annual basis.
- Communications procedures and equipment including inter-department communications, radios, and telephones.

- All City of Elko, OSHA and specific department safety rules and related operating procedures.

Annual/Recurrent Training

Attendants, entrants, entry supervisor and EFD members shall have training no less than annually in the following areas:

- CPR and First Aid.
- Hazard recognition.
- Care and use of personal protective equipment.
- Care and use of entry equipment/rescue equipment.
- Communications procedures.
- City of Elko, OSHA and specific department safety rules and related operating procedures.
- Rescue techniques.
- EFD shall conduct a live action drill simulating a confined space rescue. This training is **mandatory**, each year. The safety coordinator shall receive a copy of the training results and will document compliance.
- Hands on training for all attendants, entrants, supervisors, EFD, and Safety Coordinator is required annually and shall consist of conducting a live action drill simulating a confined space.

The Safety Coordinator or department supervisor may require additional training at/his/her discretion to ensure compliance with the Confined Space Program. Additional training shall be scheduled whenever there is a change in permit space operations that presents a hazard, employee(s) have not been trained, or there is a change in equipment/policies.

Permit System

Prior to any confined space entry, the entry supervisor will obtain a Confined Space Entry Permit form, complete applicable portions, then obtain an authorizing official's approval/signature on the permit form. A permit must be completed and approved for each confined space entry. The permit must be posted at the confined space locations.

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Permits will be revoked when an uncontrolled hazard is discovered or when any of the requirements set by the permit are not met. When such hazard is discovered all entrants must immediately vacate the confined space.

If hot work must be accomplished in conjunction with a confined space entry, a hot work permit must be completed and attached to the confined space entry permit.

The Safety Coordinator will maintain a log which records all confined space entries. This log will include the date of entry, the permit number, expiration date, and the date the permit was canceled. This log will be kept for a minimum of five years.

A copy of each issued Confined Space Entry Permit will be attached to the log, and retained by the Safety Coordinator. Prior to entry, a copy of the permit will be sent to the following individuals/departments:

- City of Elko Fire Department
- Safety Coordinator (Human Resources Department)
- Central Dispatch Authority
- Department Supervisor or Designee
- Entry Supervisor

In case of an emergency entry into a confined space, notification shall be made to the Central Dispatch Authority prior to entry with the location, duration, name(s) of personnel entering, and the type of operation to be performed. A Dispatcher will notify the Fire Department and Department Supervisor of the emergency entry operation. A follow up copy for permit will be provided within 24 hours.

Entry Procedures

Prior to making entry into a confined space within the City of Elko the following procedures shall be accomplished:

Pre Entry Procedures

Prior to directing an entry into any confined space, the supervisor will perform the following steps:

- Begin completing the Confined Space Entry Permit.
- Isolate pipes or lines entering/exiting the space by blanking, double blocking and bleeding.
- Accomplish necessary lockout/tagout actions pursuant to established City of Elko procedures and in conformity with OSHA.

- Empty, flush, ventilate or purge the space to remove any flammable gases, vapors, combustible particles; toxic gases, fumes or vapors; harmful acid and bases; and any other substances that may be harmful to life. The space will be ventilated for the duration of the entry.
- Notify the Safety Coordinator at least 48 hours prior to entry and forward a copy of the confined space entry permit to the Safety Coordinator upon approval by the entry supervisor.
- Ensure that a qualified person has completed a comprehensive hazard analysis and appropriate tests to verify atmospheric conditions and contaminants. All monitoring/testing must be conducted from a safe location outside the confined space before entry is attempted.
- Determine if the atmosphere is hazardous by completing the following items in order, test first for oxygen, then combustible gases and vapors, and then toxic gases and vapors, VOC's.
- Brief all entrants, attendants, EFD and workers in the immediate vicinity on all necessary safety information prior to entry.
- Confirm that all employees have appropriate personal protective equipment and have been properly trained in its use.
- Ensure that each entrant entering the confined space is attached to a retrieval system and a class 3 harness. This system must be capable of lifting or retrieving the entrant from the confined space without exposing anyone else to the conditions that may have disabled the entrant.
- Ensure compliance with Hot Work Permit conditions. Notify the City of Elko Fire Department prior to beginning any welding operations or other hot work so that the proper fire watch can be established.
- Ensure all electrical equipment that is taken into the space meets the requirements for the location, is properly grounded, equipped with ground fault circuit interrupters, and is explosion proof.
- Ensure that a trained attendant is available. The attendant will be stationed directly outside the confined space to maintain visual and verbal communication with the employee(s) working in the confined space. If visual contact is not possible, communications between the entrant(s) and the attendant must be maintained by audible voice, two-way radio, or other remote monitoring device that will allow the attendant to monitor status of the entrant(s). The attendant will have immediate access to a telephone or radio for use to summon emergency personnel if the need arises. If a telephone is used to summon emergency rescue personnel, the attendants will be provided with a list of emergency agencies/personnel and their phone numbers.

- Guard against inadvertent entry of outside hazards, such as vehicles, pedestrians, chemicals, etc. in the vicinity of the entry by entering the attendant.

The employee preparing for confined space entry must be familiar with:

- Lockout tagout procedures.
- Use of calibrated direct reading instruments for testing of atmosphere.
- Use of testing equipment to test for energized equipment.
- OSHA Regulation 29 CFR, Part 1910.146.
- City of Elko Confined Space Entry Permit Procedure.

The State of Nevada is a self-regulated OSHA state and has adopted all federal OSHA regulations. The State of Nevada Occupational Safety & Health Standards for General Industry's latest edition (29 CFR Part 1910, Subpart J-General Environmental Controls, Section 1910.146-Permit/Required Confined Spaces) will be the minimum guidelines for entry into a confined space on City of Elko property.

Notification to Supervisor

An employee wishing to enter a confined space shall notify their department supervisor or crew leader specifying the exact space to be entered unless it is a confined space covered under Non-Permit Confined Space Operations. Information required is the nature of the work to be performed, the approximate amount of time required to complete the job and the number of people who will occupy the confined space.

Any time work of an unusual nature, welding, use of sealant, chemicals, solvents, is conducted in a non-permit confined space, the work shall require a confined space work permit and all rules and regulations shall apply.

Once a permit has been issued, the City of Elko Fire Department and Central Dispatch Authority must be notified of the time work will start, work duration, work to be accomplished, and location of work. This must be accomplished prior to entry and documented on the confined space permit. Upon securing the confined space, the entry team supervisor will notify the Central Dispatch Authority and the Fire Department.

Any one or all of the following might be required:

- All electric sources that affect a confined space shall be locked out and red tagged at all times. If possible, a visible air gap shall be established in the circuit.
- All valves that connect to a confined space that is to be entered shall be locked out and red tagged. If possible, two (2) valves shall be closed and a drain between the two shall be opened (double block and bleed).

- The confined space shall be emptied of all its contents before entry whenever possible.
- Piping which connects to a confined space that does not have valves or the valve is shown to leak through, shall require a break to be made at a flange and that connection shall be blanked off at all times that the space is to be entered. If this is not possible, other provisions shall be made to ensure the safety of entrants.
- All vents and drains in the confined space shall be red tagged and locked in the appropriate position.
- Appropriate warning signs and barricades shall be posted in the immediate area of the confined space for the entire time it is open.
 1. These warnings shall include signs that notify personnel of the hazards existing in or near the confined space.
 2. Barricades and barrier tape shall be used on all manholes and open pits or sumps to prevent personnel, vehicles or equipment from falling into the hole.
- Welding shall follow the requirement of 29 CFR 1910, Subpart Q, and the City of Elko hot welding permit program. Welding gas tanks may never be brought into a permit entry confined space.

Supervisor's Role

When all of the above requirements have been met, the department supervisor or crew leader shall notify the entry supervisor that the space is prepared for entry. The entry supervisor will sign on the entry permit. The entry permit will only be issued for the time required to complete the operation. A new permit must be issued for each new crew entering the space.

Tailgate Briefing Prior to Entry

The entry supervisor shall then conduct a "tailgate briefing" with the crew who will be working in the confined space and their assigned attendants. This shall include:

- Review of known hazards that are associated with the concerned space. This shall include a review of the Safety Data Sheets (SDS).
- Review of all personal protective equipment to be used, including a complete inspection of the equipment, replacing all defective equipment.
- Review of all first aid and rescue equipment deemed necessary. This equipment shall be present during the entire entry.
- Review of the confined space procedures.

- Review confined space permit issuance.
- Complete a report of the “tailboard briefing” forwarding a copy to the safety department.

Atmospheric Testing

The atmosphere of the confined space shall be tested before entry using an approved testing device for concentrations of the following:

- Oxygen 19.5%-23.5%
- Combustibles (less than 10.0% of lower explosive level or 0.5% of concentration).
- Carbon Monoxide (less than 35 PPM).
- Hydrogen Sulfide (less than 10 PPM).
- Other toxic fumes (as determined by SDS or the entry permit). Testing of the space shall be performed prior to entry, after ten (10) minute ventilation (if necessary) and continuously while personnel are in the confined space.
- The proper order of testing in a confined space shall be: 1) Oxygen, 2) Combustible gases, 3) Toxic gases and vapors, 4) VOC's
- All testing for atmospheric hazards will be conducted under the premise that the gases have stratified. When City of Elko personnel use monitoring equipment in confined spaces, all manufacturer guidelines will be followed. The employee will conduct these tests in a cautious manner. Tests will be conducted every 4 to 6 feet. Any time a limit is exceeded, no person shall enter the space; or if they are already in the space, they shall evacuate immediately. **THERE ARE NO EXCEPTIONS TO THIS REQUIREMENT.**
- Ventilation, if required, shall be provided by some mechanical means for a minimum of ten (10) minutes and the atmosphere re-tested. Testing shall be done with ventilation off to facilitate an accurate reading of the atmospheric conditions.
- If the above atmospheric conditions are not met, then the space shall not be entered unless:
 1. Continuous venting will maintain an atmosphere within acceptable limits.
 2. During an emergency to perform a rescue operation, proper safety procedures are followed.
- A confined space permit will be placed at each point of entry and will contain the following information:

1. Percent oxygen concentration.
2. Percent combustible concentration.
3. PPM carbon monoxide.
4. Other toxic materials.
5. Signature of the person doing the testing.
6. Time and date of the test.

Sign in Log

Employees planning to enter the confined space shall sign the Confined Space Sign-in Log. Personnel shall sign in and out each and every time they enter or leave the space. This is necessary to accurately track personnel in the event of a mishap or emergency.

This log shall be kept and monitored by the attendant and shall contain the following information:

- Specific area to be entered.
- Reason for entry.
- Name and signature of each person entering the confined space.
- Date of entry for each person.
- Approximate duration of work in the space.
- Name and signature of each person leaving the space.
- Date and time each person left the space.

Securing Confined Space

At the completion of the operation, the person in charge shall verify, using the confined space sign in log, that all personnel have exited the space and signed out. A visual inspection of the space shall be made to verify that all personnel have exited and that all equipment has been removed. The supervisor shall ensure that entry points to the space are secured and that no persons have reentered the space.

Notification of Entry Closure

Once the space has been closed, the person in charge shall inform the department supervisor or crew leader that all personnel have signed out on the confined space log and

that the space is adequately closed. He/she will make the necessary notifications to the Fire Department and Central Dispatch Authority that the space is properly secured.

Rescue

Rescue procedures that will be followed in the event of a confined space entry emergency are:

Rescue Services

The EFD shall control all actual emergency and rescue operations, augmented by trained City employees under direction of the incident commander.

At City of Elko facilities, the Safety Coordinator is designated as having overall responsibility for all aspects of confined space operations from routine entry for maintenance personnel, contractors, subcontractors, tenants, to emergency rescue operations.

The Safety Coordinator will ensure that a written guideline for emergency response is in place and annually reviewed. The Department Head will also ensure that all appropriate emergency equipment is made available and maintained in accordance with the manufacturers and appropriate regulatory requirements.

A training program shall be established, maintained, and evaluated for all EFD personnel.

Rescue Procedure

In the event of an emergency, the person discovering a problem in a confined space, shall ensure that the following actions are taken:

- Determine the type and severity of the emergency if possible without putting themselves in danger.
- Notify the Central Dispatch Authority of the nature of the emergency and the location.
- The attendant shall then monitor the confined space to assure that no other individuals attempt to make entry into the space until EFD personnel arrive on scene.
- The attendant, nor any person who discovers a problem in a confined space **SHALL NOT**, under any circumstances, attempt rescue, nor shall they enter the confined space. Attendants may assist the EFD personnel when requested by, and under direct supervision of the incident commander.
- The attendant may attempt to pull out the injured worker from the confined space using the retrieval system if it is possible to do so without the attendant entering

the confined space or without causing additional injuries to the person inside the confined space.

- A retrieval system will be used by all personnel who enter a confined space as long as it does not pose a hazard to the entrant.
- The attendant may assist the injured person while the worker is exiting the confined space so long as the attendant does not enter the confined space.
- If an emergency/problem occurs outside of the confined space, the space shall be evacuated immediately and normal emergency notification procedures will be followed.
- All persons involved in an emergency shall provide a written report to their immediate supervisor and the Safety Coordinator.

The Central Dispatch Authority will initiate the following:

- Notify the City of Elko Fire Department and Police Department;
- Make any other notifications or request for assistance per the Incident Commander.

Emergency Entry Procedures

Confined space entry under emergency circumstances may be unavoidable. Such entries may be required to stop a leak of hazardous material or to prevent additional injury to personnel. Such emergency entries will be at the direction of the EFD.

All confined space atmospheres will be considered dangerous until it has been established otherwise by testing of the atmosphere. If testing proves that the atmosphere is safe to enter and all other hazards have been removed/isolated, then at the discretion of the Incident Commander, personnel may enter the space without respiratory protection. If the atmosphere cannot be controlled 100% of the time then personnel shall use the appropriate personal protective equipment to make entry into the space. All electrical lighting and other equipment must be intrinsically safe for use in hazardous atmospheres.

Elko Fire Department will be notified immediately when workers make an entry under emergency circumstances.

On-site Contractors

On-site contractors who will be working on property owned, operated, or leased by the City of Elko, or performing work under contract with the City of Elko will be briefed and provided access to all available information on the confined space hazards created by City of Elko operations or facilities to which their employees may come in contact with during the course of the job.

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On-site contractors shall comply with all federal standards, state and City of Elko policies, including those pertaining to confined space entry. Contractors are expected to have or to develop their own compliant confined space and confined space hot work programs and procedures. These programs will be subject to review and approval by the City of Elko Safety Coordinator prior to performing any jobs and/or confined space to include hot work under the terms of the contract. All contractors must obtain written approval from the City Safety Coordinator prior to entering a confined space.

On-site contractors who must enter confined spaces while performing contractual requirements must comply with the entry requirements established by City of Elko. Further, contractors must complete a City of Elko Confined Space Entry Permit and demonstrate to the satisfaction of the Safety Coordinator, their employees and or agents are properly trained and fully equipped. Fully equipped refers to having on site the necessary safety, PPE and confined space equipment to safely perform all such confined space entries, work, hot work and rescues, to include but not limited to atmosphere testers, personnel protective equipment, retrieval equipment, and ventilation. On-site contractors are expected to perform hazard analyses and evaluations as well as perform monitoring as necessary to characterize confined space hazards.

All contracts initiated by the City of Elko that will involve on-site contractor confined space entries will include contractual provisions requiring the contractor to comply with federal and local confined space criteria. Additionally, the on-site contractor's confined space procedures will be at least as stringent as the comparable City of Elko procedures. The contractor will be provided with a copy of this program for comparison purposes prior to beginning work.

All on-site contractors will be inspected by the Safety Coordinator or his/her designated representative. The Safety Coordinator will have full authority to stop any operation if an unsafe act is observed or if the contractor is advised of an unsafe condition.

Utility companies (Frontier Telecommunication, NV Energy Power Company, etc.) may maintain vaults on City of Elko property and falls under a different OSHA regulation. All City of Elko employees must be escorted by the utilities official(s) and will conform to their confined space standards prior to entering utilities vaults.

Contractors working in any City of Elko jurisdiction must notify the Central Dispatch Authority of entry into confined spaces. This notification procedure must be a part of the Confined Space Program and be coordinated with the Safety Coordinator and the Central Dispatch Supervisor.

Equipment Calibration

The City of Elko uses a continuous monitoring device to test the atmosphere prior to entry and throughout the entry. The device is calibrated monthly by using a test gas, consisting of the following elements:

- Carbon dioxide

- Pentane and carbon monoxide
- Hydrogen sulfide

All monitoring instruments shall be manufacturer's specifications. Annually, the Safety Coordinator will review all logs on monitoring instruments to ensure that the equipment is operational and conforms to manufacturer's specifications.

Sewer/Storm Drain System Operations

Sewer systems and storm drain systems pose a different hazard to entrants. There rarely exists any way to completely isolate the space to be entered and because isolation is not complete, the atmosphere may suddenly and unpredictably become lethal and hazardous from causes beyond the control of the entrant or the City of Elko. Because of this hazard or potential, special procedures shall be employed by personnel who enter a sewer/storm drain system.

Atmospheric monitoring will take place at all times. The monitoring equipment will be located with the entry team.

Where several entrants are working together in the same immediate location, one instrument used by the lead entrant is acceptable.

If the instrument(s) warn of a deterioration in the atmospheric conditions, all personnel will evacuate the space immediately, the space will be examined carefully, and a reason for the warning must be identified before personnel may reenter the confined space again.

The Entry supervisor, Department supervisor, and the Safety Coordinator must be notified if an emergency evacuation is done.

Monitoring instruments will be used to check oxygen, flammable gas or vapor, hydrogen sulfide, carbon monoxide, and VOC's.

If one of the following conditions is encountered:

- Oxygen concentration less than 19.5% or more than 23.5%
- Lower flammable limit (LFL) of 10% or more
- Hydrogen sulfide above 10 PPM
- Carbon monoxide above 35 PPM

Personnel may not make entry into a confined space until the hazard has been eliminated. If personnel are in a confined space and any of the above environmental conditions should occur, entrants must evacuate the space as quickly as possible.

Ventilation equipment will be used at all times by City of Elko personnel when entry into a sewer/storm drain system is made. Use positive ventilation in cases where entrants are entering into sewer or storm drains, exhaust ventilation will be the least effective. Negative ventilation can pull the atmospheres to the entrants and exhaust out to the attendant.

Lighting and electrical equipment shall be intrinsically safe, Class 1, Division 1 rated per National Electrical Code and UL Listed when used in confined spaces.

If conditions warrant, entrant personnel shall use supplied air respirators when entering a sewer/storm drain system. Dependent upon conditions and atmospheric testing results, as well as work to be completed, a respirator may be sufficient under certain circumstances.

Prior to entry of a sewer/storm drain system, entry supervisors shall notify the Central Dispatch Authority via cell phone and shall inform Dispatch when the space is closed and operations cease.

Non-Permit Confined Space Operations

All confined spaces shall be considered permit-required confined spaces until the pre-entry procedures demonstrate otherwise.

Procedure to Classify a Non-Permit Space – 1910.146 (C)(7)

The following procedures will be used to demonstrate that a confined space can be entered as a non-permit confined space under the authority of 1910.146 (C)(7):

- The Department Head shall demonstrate to the Safety Coordinator, or designee, that the non-permit confined space poses no actual or potential atmospheric hazards.
- All hazards within the non-permit confined space are eliminated without entry into the space.
- The City of Elko shall document the basis for determining that all hazards in a non-permit confined space have been eliminated through the completion of a C7 Reclassification Certification (Appendix E).

Reclassified spaces remain valid as long as the hazards remain eliminated. If hazards arise during entry, each employee shall exit the space immediately.

Pre-Testing For Classification of Space – 1910.146 (C)(5)

Entry into a permit confined space for the reclassification of a permit requires the space to a non-permit confined space utilizing 1910.146 (C)(5) shall be done in the following manner:

- Personnel shall eliminate any condition making it unsafe to enter the space prior to removing the cover.

- After the cover is removed provide a temporary cover, guard or temporary barrier, or railing system area around entry.
- Internal atmosphere will be tested at three levels using direct reading instrument for the following conditions in the order given:
 1. Oxygen content
 2. Flammable gases and vapors, and
 3. Potential toxic air contaminants, VOC's.

No hazardous atmosphere is permitted within the confined space whenever personnel are inside.

Use of continuous forced air ventilation is required to enter a space and shall meet the following conditions:

- Ventilation has completely eliminated the hazard before personnel may enter the confined space.
- Ventilation shall be directed to the work area and remain in place until all personnel have left the space.
- Air supply for forced air ventilation shall be from a clean source.
- The atmosphere shall be monitored at all times for the following:
 1. Oxygen content
 2. Flammable gases and vapors, and
 3. Potential toxic air contaminants, VOC's.
- If a hazardous atmosphere is detected during entry, personnel shall evacuate the space immediately.
- If the space is evacuated because of a change in atmosphere, it must be reevaluated to determine how the hazardous atmosphere developed and steps taken to protect employees before re-entry is made.
- If changes occur in the use or configuration of a non-permit confined space that might increase the hazards to entrants, the Safety Coordinator shall reevaluate that space and if necessary, reclassify it to a permit-required confined space.

Documentation of Non-Permit Confined Space – 1910.146 (C)(7)

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The Safety Coordinator shall maintain a list of all non-permit confined spaces as determined by 1910.146 (C)(5). This list shall contain the following information:

- Date test was performed
- Who completed the test
- What measures were taken to eliminate the hazards
- Location and identity of the space.
- Signature of person making determination to classify space to non-permit.

A copy of this certification shall be kept with the Safety Coordinator and a copy will be made available to each employee entering the space.

Entry of a Non-Permit Confined Space – 1910.146 (C)(8)

City of Elko and contract personnel who enter into a non-permit space as determined by 1910.146 (C)(8) shall perform the following duties:

- Notify supervisor of date, time, and location of space and job/task to be performed.
- If the atmosphere changes, personnel must leave the space immediately.

Glossary

Attendant - An individual stationed outside the confined space who is trained as required by this program and who monitors the authorized entrants from outside the confined space. Attendants are also called "standby persons."

Authorized entrant - A City of Elko employee who is authorized by an authorizing official to enter a confined space.

Authorized official - At the City of Elko, the Safety Coordinator is designated as confined space entry authorizing official. The Safety Coordinator may designate additional qualified persons as authorizing officials if necessary. This designation must be in writing. Authorizing officials are the only individuals who can approve and/or cancel confined space entry permits.

Blank - The absolute closure of a pipe, line, or duct by fastening across its bore a solid plate or "cap" which completely covers the bore and which is capable of withstanding the maximum upstream pressure.

Ceiling level - The concentration of an airborne substance that should not be exceeded, even instantaneously, during any part of the work exposure.

Central Dispatch Authority - The central dispatch center for City of Elko operations and is staffed on a 24-hour basis. Its primary functions are to provide emergency dispatching for City and County employees, including Fire and Police services.

Confined Space - An enclosed space that meets the following conditions:

- Is large enough and so configured that an employee can bodily enter and perform assigned work:
- Has limited or restricted means for entry or exit (tanks, vessels, silos, storage bins, hoppers vaults, pits and diked areas).
- Is not designed for continuous employee occupancy; and
- Has one or more of the following characteristics:
 1. Contains a flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit (LFL).
 2. Contains airborne combustible dust at a concentration obscures vision at 5 feet or less, or that meets or exceeds its LFL.
 3. The atmospheric oxygen concentration is below 19.5 percent or above 23.5 percent.

4. Contains atmospheric concentration of any substance which could result in exposure to nonpermissible levels.
5. Any other atmospheric condition recognized as immediately dangerous to life or health.
6. Contains a material that has the potential for engulfing an entrant.
7. Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
8. Contains any other recognized serious safety or health hazard.

Contractor - Any person, company or corporation who negotiates to render services to the City of Elko for construction, alteration, repair, and other services. This shall include the primary contractor and all subcontractors.

Corrosive - A liquid or solid which is capable of causing visible deterioration or destruction to body tissue or other materials upon exposure to the agent.

Double block and bleed - The closure of a line, duct, or pipe by locking and tagging a drain or vent which is open to the atmosphere in the line between the locked-closed valve.

Emergency - Any occurrence (including failure of hazard control or monitoring equipment) or event(s) internal or external to the confined space, which could endanger entrants.

Entrant - A person who is trained and qualified, and has obtained verification and approval of the Safety Coordinator to enter confined spaces.

Entry - The act by which a person intentionally passes through an opening into a permit-required confined space. Entry is considered to have been made as soon as any part of the entrant's face breaks the plane of an opening into the space.

Entry Permit - The written document that must be completed and approved by an authorizing official prior to any employee entering a confined space.

Entry Supervisor - The person responsible for determining if acceptable entry conditions are present at a permit space where entry is planned, for authorizing entry and overseeing entry operations, and for terminating entry as required by this section.

Hazard - A danger which threatens physical harm to an individual.

Hazardous atmosphere - An atmosphere that exposes employees to a risk of death, incapacitation, injury or acute illness.

Hot Work - Operations which could provide a source of ignition, such as riveting, welding, cutting, burning or heating.

Immediately Dangerous to Life or Health (IDLH) - Any condition which poses a threat of exposure to airborne contaminants when that exposure is likely to cause death or immediate or delayed permanent adverse health effects or prevent escape from such an environment.

Immediate-severe health effects - Any acute clinical sign(s) of a serious, exposure-related reaction manifested within 72 hours after exposure.

Lower Explosion Limit (LEL) - The minimum concentration of an ignitable gas or vapor in air which produces a flame when an ignition source is present. The LEL is the same as the lower flammability limit (LFL) for the purposes of this document.

Non-Permit Confined Space - A confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm.

Oxygen-deficient atmosphere - An atmosphere containing less than 19.5 percent oxygen.

Oxygen-enriched atmosphere - An atmosphere containing more than 23.5 percent oxygen.

Permissible exposure limit (PEL) - An employees' permitted exposure to any material as set out by OSHA.

Permit-Required Confined Space - A confined space that has one or more of the following characteristics:

- Contains, or has a potential to contain, a hazardous atmosphere;
- Contains a material that has the potential for engulfing an entrant;
- Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- Contains any other recognized serious safety or health hazard.

Permit-required confined space program (permit space program) means that the employer's overall program for controlling, and where appropriate, for protecting employees from permit space hazards and for regulating employee entry into permit spaces.

All identified confined spaces located on City of Elko property shall be posted with a sign or stenciled at the opening of the space with the following warning: "Danger-Permit

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Require-Confined Space-Do Not Enter.” Each space will also be marked with an identifying number, assigned by the Safety Coordinator.

Prohibited Condition - Means any condition in a permit space that is not allowed by the permit during the period when entry is authorized.

Qualified Person - City of Elko personnel who have been designated by the Safety Coordinator as being capable of recognizing and evaluating employee exposure to hazardous substances and other unsafe conditions and because of their knowledge, training and experience are qualified to enter confined spaces safely and properly.

Respiratory Protection - At this facility respiratory protection shall consist of the following types of equipment; cartridge operated respirator (respirator), self-contained breathing apparatus (SCBA), and supplied air respirators (SAR). This equipment shall meet all standards and manufacturers' recommendations.

Retrieval line - A line or rope secured at one end to the worker by a chest-waist or full-body harness, and with its other end secured to either a lifting (or other retrieval) device, or to an anchor point located outside the entry portal.

Safety Coordinator - The person assigned by the Elko City Council to oversee all safety and health issues for the City of Elko including training, policy formulation, and OSHA compliance. Serves as chairperson of the Safety Committee.

Appendix A - Authorized Personnel

The following is a list of all City of Elko authorized personnel for entry into confined space:

<u>Employee Name</u>	<u>Category/Hrs.</u>	<u>Initial Training</u>	<u>Annual</u>
Michael Haddenham	Rescue (81 Hrs)	May 19, 2000	2017
Ryan Limberg	Entry Supervisor	November 2011	2017
Michael Haddenham	Entry Supervisor	May 19, 2000	2017
Kevin Woten	Entry Supervisor	May 2017	2017
Rick Woodard	Entry Supervisor	September 2017	2017
Scott Dancz	Entry Supervisor	December 2017	2017
Ryan Limberg	Attendant	November 2011	2017
Michael Haddenham	Attendant	May 2000	2017
Kevin Woten	Attendant	May 2017	2017
Rick Woodard	Attendant	September 2017	2017
Scott Dancz	Attendant	December 2017	2017
Ryan Limberg	Entrant	November 2011	2017
Michael Haddenham	Entrant	May 19, 2000	2017
Kevin Woten	Entrant	May 2017	2017
Rick Woodard	Entrant	May 19, 2000	2017
Scott Dancz	Entrant	December 2017	2017

- In addition to the above list, EFD personnel will be certified to NFPA 1006 levels which encompass all of the above categories
- Initial Training for Rescue, Entry Supervisors, and any confined space authorizing official, requires attendance at an OTI or similar training facility with a minimum training time of approximately 24 hours

Certified By:

Safety Coordinator

Date

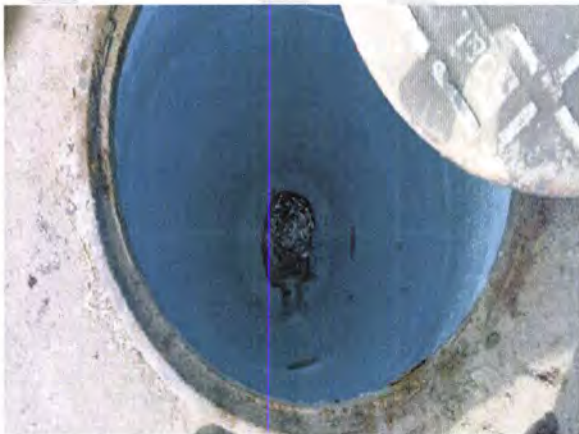
Appendix B - Confined Space Hazard Analysis/Locations



**Sewer Lift Station
Typical Permit**



**PRV
Typical Permit**



**Sewer Manhole
Typical Permit Required
on all Entry**

WRF CONFINED SPACE LIST

CONFINED SPACES THAT REQUIRE ENTRY PERMIT:

1. Abandoned Manhole
Vault by Dumpster



2. Back Pressure Vault (Cla-Val)



3. Biotower Effluent Vault



4. Biotower



5. Decant Basin Pump Vault



6. Decant Basin Valve Box



7. Distribution Pond Air Vac Vault



8. Distribution Pond Overflow Vault



9. Drying Bed Pump Vault
Box



10. East Primary Clarifier Scum



11. East Primary Clarifier



12. East Secondary Clarifier Hypo Tank



13. East Secondary Clarifier



14. East Yard Drain



15. Effluent Flow Meter Vault



16. Effluent ORP Wet Well



17. Effluent Surge Tank



18. Effluent Wet Well



19. Electrical Box North of STM's



20. Electrical Vault East of Primary Digester



21. Emergency Dump Station



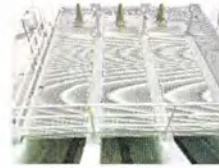
22. EQ Basin Building Sump



23. EQ Basin Overflow Box



24. EQ Basin Pump Sump #1, #2, #3



25. Flare Vault



26. French Drain Manhole at RIB 2A



27. French Drain Manhole at RIB 2B



28. French Drain Manhole at RIB 3A



29. French Drain Manhole at RIB 3B



30. Head Gate Valve Vault



31. Headworks Carbon Scrubber



32. Headworks Ferric Tank



33. Headworks Influent Channel #1



34. Headworks Influent Channel #2



35. Headworks Influent Manhole



36. Headworks Potable Water Tank



37. Influent Manhole Near Front Gate



38. Influent Wet Well



39. Manhole East of Distribution Pond



40. Manhole Pond-in-Pond Influent



41. Manhole South of Primary Sludge Building



42. Manholes East of Primary Sludge Building



43. North Reservoir Manhole



44. Plant Hypo Tanks (North and South)



45. Primary Clarifier Junction Box



46. Primary Clarifier Splitter Box



47. Primary Digester



48. Primary Effluent Junction Box



49. RAS Box #1 a.b.c.

- a. East Secondary Effluent Changer
- b. West Secondary Effluent Chamber
- c. Main RAS Effluent Chamber
(North Secondary Effluent Chamber)



50. RBC Control Box #1



51. RBC East Effluent Overflow



52. RBC East Influent Box



53. RBC Sumps East & West



54. RBC West Effluent Overflow



55. RBC West Influent Box



56. Reservoir Air Vac Vault at RIB's



57. Reservoir Influent Air Vac (x4)



58. RIB 1A and 1B Distribution Valve Vault



59. RIB 1A Direct Feed Valve Vault



60. RIB 1B Overflow Vault



61. RIB 2A & 2B Distribution Valve Vault



62. RIB 2A Direct Feed Valve Vault



63. RIB 2B Overflow Vault



64. RIB 3A Overflow Vault



65. RIB 4A Overflow Vault



66. RIB 5C Pump Vault



67. RIB 8A Overflow Vault



68. RIB 8B Overflow Vault



69. RIB 8C Overflow Vault



70. River Crossing Vault



71. Secondary Boiler Building Sump



72. Secondary Clarifiers Scum Box



73. Secondary Digester North Draft Tube



74. Secondary Digester Overflow Box



75. Secondary Digester South Draft Tube



76. Secondary Digester



77. Septic Receiving Station Bottom North Vault



78. Septic Receiving Station Bottom South Vault



79. Septic Receiving Station Middle Vault



80. Septic Receiving Station Upper Vault



81. South Reservoir Manhole



82. South Yard Storm Drain Vault
By East Primary Clarifier



83. STM Aerotor Anoxic Basins 1,2,3,4



84. STM Aerotor Basins 1,2,3,4



85. STM Aerotor Effluent Box #1 a,b
a. STM Aerotor Effluent Box Influent Chamber
b. STM Aerotor Effluent Box Effluent Chamber



86. STM Aerotor Effluent Box #2



87. STM Aerotor Influent Box a, b
a. STM Aerotor Influent Box Influent Chamber
b. STM Aerotor Influent Box Effluent Chamber



88. STM Aerotor Influent Box #2



89. STM Aerotor Internal Recycle
Effluent Box



90. STM Aerotor Pump Station Wet
Well



91. STM Splitter Box a, b, c, d
a. Main Influent Chamber
b. East Secondary Clarifier Chamber
c. West Secondary Clarifier Chamber
d. North Secondary Clarifier Chamber

92. TLO Building Carbon Scrubber



93. Water Champ Valve Box



94. West Primary Clarifier Scum Box



95. West Primary Clarifier



96. West Secondary Clarifier Manhole



97. West Secondary Clarifier



98. West Yard Drain Vault



99. Yard Drain Vault by Condo



100. Yard Drain Vault by RBC's



101. Yard Electrical Vault South of Primary Digester



Appendix C – Permit

City of Elko CONFINED SPACE ENTRY PERMIT								
Location		Description of Confined area			Permit Number		Permit Date	
Description of work					Time Issued		Time Expired	
Confined Space Entry Checklist:				Name of entry supervisor (print)		Name of authorized attendant(s)		
To be completed by Entry Supervisor, Attendant, or Entrant.								
Confined space prerequisites								
<input type="checkbox"/> All lines including vents to be disconnected and blanked off close to tank whenever possible; otherwise all tank valves closed and locked.								
<input type="checkbox"/> All electrical power switches locked off; otherwise, electrical switches tagged out.								
<input type="checkbox"/> Mechanical isolation achieved by disconnecting linkages or removing drive belts or chains; otherwise, equipment with mechanical parts blocked out to prevent rotation.								
<input type="checkbox"/> Cleaning will be performed from outside of confined space as much as possible before entering.								
<input type="checkbox"/> Confined space vented with blowers; all available ventilation operating.								
Expected hazards working in Confined Spaces								
<input type="checkbox"/> Hot Work (i.e. open flame, welding, or spark-producing operations). If yes, has a confined space hot work permit been obtained?					Yes <input type="checkbox"/>		No <input type="checkbox"/>	
<input type="checkbox"/> Any toxic, corrosive, or flammable materials present or to be used in work procedure?					List Materials: _____			
<input type="checkbox"/> Toxic atmosphere can develop due to work procedures, desorption from walls, evaporation of residual chemicals. Always Maintain Ventilation in confined spaces.								
<input type="checkbox"/> Low oxygen concentration may be present or produced during confined space entry. Ventilation is required for all confined entries.								
Check Atmosphere for:	Permissible Levels	Test Date	Pre-Entry Levels	Levels After Ventilating	1st Atmospheric Testing	2nd Atmospheric Testing	3rd Atmospheric Testing	
Oxygen	19.5%-23.5%							
Carbon Monoxide	<35 ppm							
Hydrogen Sulfide	<1 ppm							
LEL	<10%							
VOC								
Atmospheric testing monitor				Fire precautions				
<input type="checkbox"/> Air monitor obtained, and verified in good working condition.				<input type="checkbox"/> Fire extinguisher immediately available. (Type A, B, C.)				
<input type="checkbox"/> Air monitor is within current calibration.				<input type="checkbox"/> Hot work Permit required.				
<input type="checkbox"/> Air monitor worn and operating continuously on one worker in each entry <input type="checkbox"/> and <input type="checkbox"/> or remotely by attendant.				<input type="checkbox"/> Spark-resistant tools provided if flammable present.				
<input type="checkbox"/> Employees instructed to exit confined space immediately when alarm sounds.				<input type="checkbox"/> Explosion-proof design electrical & lighting equipment provided if flammable present.				
Personal protective equipment								
<input type="checkbox"/> Hard Hat	<input type="checkbox"/> Respirator	<input type="checkbox"/> Raingear	<input type="checkbox"/> Rubber Gloves	<input type="checkbox"/> Boom/Tripod	<input type="checkbox"/> Personal Monitor	<input type="checkbox"/> Other		
<input type="checkbox"/> Face Shield	<input type="checkbox"/> Airline Respirator	<input type="checkbox"/> Coveralls	<input type="checkbox"/> Safety Harness	<input type="checkbox"/> Retrieval Winch	<input type="checkbox"/> Eye Protection	<input type="checkbox"/> Other		
<input type="checkbox"/> Goggles	<input type="checkbox"/> SCBA	<input type="checkbox"/> Rubber Boots	<input type="checkbox"/> 1/2" Life Line	<input type="checkbox"/> Exit Ladder	<input type="checkbox"/> Hearing Protection			
Rescue and emergency								
<input type="checkbox"/> Emergency SCBA equipment on hand and ready for immediate use by standby.				<input type="checkbox"/> All entrants wear harness and are continually attached to lifeline (Unless retrieval equipment would increase overall risk of entry or would not contribute to the rescue of the entrant.)				
<input type="checkbox"/> Attendant understands methods of emergency alert to others Central Dispatch and Fire Department.				<input type="checkbox"/> Pre-entry safety meeting held; employees briefed on rescue procedures.				
Authorization Signatures (required before entry)								
Print Name(s) of Entrants					Signature of authorized entrant(s)		Date	
Authorized Attendant		(Date)	Entry Supervisor		(Date)	Safety Coordinator		(Date)

This permit to be posted near the job and returned to the Safety Coordinator when work is completed.

Appendix D - Equipment List

The following is a list of equipment used and a description of each:

1. Half-face, full-face air supplied or air-line respirators.
 - Designed to provide the entrant with respiratory protection during routine confined space entry or during emergency egress.
2. Body harness, lifelines, tripod and boom with winch/block and tackle.
 - Equipment used by the Entrant for entry and retrieval within a confined space.
3. Portable gas monitor(s).
 - Used to detect for Oxygen deficiency and enrichment, Flammable atmospheres, and toxic atmospheres within the confined space. O₂, CO, LEL, Toxins and VOC's.
4. Ventilating fan, flexible ducting, and saddle.
 - Ventilation system used to ventilate a confined space prior to and during entry within a confined space.
5. All-cotton, FR Cotton, or Nomex coveralls without metal buttons or zipper.
 - Designed to give the highest amount of flash fire protection while working within the confined space. Hot Operations.
6. Explosion-proof flashlights
 - Special designed lights to be operated within a flammable or potentially flammable atmosphere sometimes found within the confined space.
7. Explosion-proof electrical lights/equipment
 - Special designed lights to be operated within a flammable or potentially flammable atmosphere sometimes found within the confined space.
8. Lockout/Tagout kits.
 - Equipment used to lockout, blind, and block potential electrical, mechanical, or stored energy hazards within a confined space.
9. Communication equipment such as mobile radios, telephones, intercoms, etc.

- Explosion-proof communications equipment used within the confined space for Entrants and Attendants to communicate with each other.

10. Hard-hats

- Used to protect personnel from falling objects outside and within the confined space.

11. Fire extinguishers

- Utilized either outside or inside the confined space in the event a fire hazard exists.

**Appendix E – C7 Reclassification Certification
PERMIT-REQUIRED CONFINED SPACE
RECLASSIFICATION CERTIFICATION**

Pursuant to *CFR 1910.146, paragraph (C)(7)*, a space classified by the City of Elko as a permit-required confined space may be reclassified as a non-permit confined space under the following circumstances:

- 1) If the permit space poses no actual or potential atmospheric hazards; and
- 2) If all hazards within the space are eliminated without entry into the space.

Note: Reclassified spaces remain valid as long as the non-atmospheric hazards remain eliminated. If atmospheric or non-atmospheric hazards arise during entry, each employee shall exit the space immediately.

The City of Elko shall document the basis for determining that all hazards in a permit space have been eliminated, through completion of the following certification:

Date of Certification: _____

Location of Space: _____

Verification of No Actual Atmospheric Hazards:

	Yes	No
	()	()
Direct reading gas monitor tested/calibrated?	()	()
Atmospheric Checks:		
Time _____		
Oxygen _____ %		
Explosive _____ % LFL		
Toxic _____ PPM		

Tester's Signature: _____

Verification of No Potential Atmospheric Hazards:

	Yes	No
	()	()
Visual Inspection (w/o entry)?	()	()
Adequate Ventilation?	()	()
Hazardous/Toxic Material Storage?	()	()
Flammable/Explosive Material Storage?	()	()
Other _____ ?	()	()

Inspector's Signature: _____

Verification of No Non-Atmospheric Hazards:

	Yes	No
Visual Inspection (w/o entry)?	()	()
Engulfment Hazard(s)?	()	()
Inwardly Converging Walls?	()	()
Downward Sloping Floor?	()	()
Electrical Hazard(s)?	()	()
Any Other Recognized Serious Safety or Health Hazard?	()	()

Inspector's Signature: _____

I have reviewed the above reclassification certification and inspected the confined space in question. In accordance with CFR 1910.146, Paragraph C(7), I hereby determine the above listed confined space is a non-permit confined space.

City of Elko Safety Coordinator_____
Date

Appendix F – Hot Work Permit Standard Operating Procedure

1.0 Scope

Many types of industries and workplaces require welding, cutting, and other types of hot work. Due to the increased risks and hazards associated with confined space, performing hot work operations in a confined space also has increased risks. Hot work may introduce fire and explosive hazards. The limited means of ingress and egress make it difficult for workers to get out of the way when an emergency arises. Other unknown hazards that may not be visible to the worker can further worsen the situation. With poor ventilation, the gases, fumes, and particles created from hot work operations can quickly create a hazardous condition. These hazardous conditions can rapidly become an emergency, and too often, workers fall victim.

Common causes for serious injuries and fatalities from hot work in confined spaces are fire, electrical shock, asphyxiation, exposure to poisonous air contaminants, and explosion.

It is important to follow proper procedures and protocols for any type of work involving confined spaces. Most of the steps required before entering confined space apply to hot work operations in confined space. Before any work can even begin, the employer should assess and evaluate the confined space and determine if special training or a permit is required to enter the confined space. Workers need to obtain the proper entry permits and hot work permits for the task.

Ensure atmosphere detection equipment is working and calibrated. Perform atmosphere testing in the space, check for suitable oxygen levels, and/or the presence of combustibles, toxic chemicals, gases, vapor, or VOC's. It is essential that atmosphere monitoring continue until all hot work operations are completed and all personnel are out of the confined space.

Take proper measures and procedures to eliminate or control all potential and existing hazards. Apply lockout or tag-outs on all necessary or unnecessary systems. All lines should be isolated to prevent accidental flooding or release of free-flowing solids.

When possible, provide more than one means of exiting the space. Keep the entrances clear from obstacles and personnel to ensure a timely and unobstructed exit.

One important line of defense against hazardous environments is the proper usage of personnel protective equipment (PPE). This also includes the use of respiratory protection, especially in operations where exposure to dangerous chemicals is present. Mechanical ventilation, such as exhaust fans are ideal for helping remove toxic fumes and particles in the atmosphere.

For hot work operations in confined spaces, it is best to avoid bringing in cylinders containing oxygen, acetylene, or other combustible gases into the space. This will reduce the risk of explosion in cases where sources of ignition are present. When torches are not in use, immediately close the valves and remove from the area.

Maintain effective constant communication between all entrant(s) and the attendant. Team members involved in the operation are also critical to a safe work area in that they can serve as extra eyes to watch for dangers, other hazards, area security, and task personnel. Rescue personnel need to be available for immediate response to emergencies.

1.1 Personnel Covered by this procedure

This procedure applies to all personnel, City or Contractor, working in or on City of Elko properties owned, operated or maintained, and all facilities using a source of ignition in an area where flammable vapors or combustible materials could be present.

2.0 Purpose

The purpose of this procedure is to:

- Describe the written hot work permit process;
- Describe jobs and activities that are considered to be hot work or use a source of ignition;
- Control work that is capable of creating a source of ignition in areas where flammable vapors combustible materials are present;
- Establish requirements to be followed when performing hot work or using a source of ignition;
- Describe the methods for controlling hot work activities at City of Elko facilities;
- Comply with Occupational Safety and Health Administration (OSHA 29 CFR 1910.252) Welding, Cutting and Brazing, as well as various state regulations regarding welding, cutting and brazing, and flammable and combustible materials.

2.1 Activities Covered by this procedure

Hot Work Permits will not be issued until all sources of potential ignition, flammable and combustible materials are removed.

A Hot Work Permit is required in the following cases:

- Any area that has been classified as Class I, Division I; Division II, per the National Electrical Code requirements;
- Any area that is within 35 feet of any combustible/flammable materials;
- Any area within 35 feet of potential flammable and combustible material, release point (flanged and/or threaded piping connections, instrumentation bleeds, separators, tanks, dehydrators, regulators, meters, compressors station, transfer pumps, and other equipment);
- Any area where combustible/flammable material are more than 35 feet away, but are easily ignitable and/or where situated near adjacent wall or floor openings; or
- Any area where combustible/flammable materials are adjacent to the opposite side of metal partitions, walls, ceilings or roofs and are likely to be ignited by heat conduction or radiation.

2.1.2 Open Flame Hot Work includes:

- Welding, cutting, brazing or burning with a torch, electric arc or soldering iron;
- Using a propane torch;
- Using open flames;
- Grinding;
- Smoking.

Non-Open Flame Hot Work is work not meeting the definition of open-flame, but still capable of producing sparks or heat that could be possible sources of ignition. Activities include:

- Sandblasting (abrasive blasting; either wet or dry);
- Spray painting;
- Chipping, ripping, or other cutting by impact;
- Breaking concrete;
- Use of internal combustion equipment (vehicles, portable generators, and air compressors, etc.)
- Opening of electrical equipment;
- Using explosive-charged power tools;
- Hot tapping;
- Using non-explosive-proof electrical equipment, such as heater, motors, coils, extension cords, tools, and lights;
- Use of portable electronic devices (includes cellular phones, pagers, radios, portable computers, and handheld computers, etc.); and
- Operation of vehicles in "operating" areas. Operating area example: inside of tank berms, within 25 feet of pumps, and 10 feet of above ground piping, flanges, valves and scraper traps unless the vehicle is operate on an established roadway.

3.0 **Prerequisites**

3.1 **Qualified Gas Tester**

A Qualified Gas Tester is required to conduct the gas testing at the job site. A Qualified Gas Tester is an individual (City or Contractor) who has been trained to know how and where to operate portable gas testing instruments. A Qualified Gas Tester must be competent in the selection, performance verification ("bump test"), and use of portable gas testing instrument. In addition, a qualified gas tester must be familiar with the facility and the facility's operation. Training must include the recognition of hazards inherent in hot work and confined space entry.

A contract Qualified Gas Tester must provide proof of training upon request.

3.2 **Fire Watch**

The person in charge (PIC) will determine if a fire watch is required, and; if so, the PIC will determine the number of fire watch individuals required. In general, the fire watch may not be

the same person as the hot work operator. The role of the fire watch is to ensure that safe conditions are maintained during hot work operations and take appropriate action in the event of a fire or other adverse event. The fire watch is responsible to stop hot work operations if unsafe conditions develop or are observed; initiate alarms/notify emergency personnel in the event of a fire, and; attempt to extinguish fires only when the fire is obviously within the capacity of the available extinguisher.

Persons designated as a fire watch must meet the following qualifications:

- Aware of the hazards posted by the hot work process;
- Aware of the hazards of the work site;
- Aware of the work area fire alarm initiation/emergency responder notification procedures (including access to pull stations, communication devices, and like equipment, as appropriate);
- Trained in the use of portable fire extinguishers

At least one fire watch is required under the following conditions:

- Work is conducted in an area where other than minor a fire might develop
- Work to be done where flammables or other combustibles are more than 35' away but are in adjacent areas.
- Work to be done where combustibles are adjacent to partitions, ceilings, or roofs. If the initial fire watch cannot observe adjacent rooms, compartments, ceilings or blind spots, multiple fire watches will be required.

The fire watch must remain on-site to monitor for potential fires for a minimum of 30 minutes following completion of the hot work operation, or longer as required; this includes remaining on site through breaks or until properly relieved by another qualified fire watch. The fire watch must be attentive at all times until conclusion of the permit.

3.3 Closing the hot work permit

After the conclusion of the hot work, the fire watch carefully inspects the work and adjacent areas to verify the absence of smoldering fires. This inspection may extend to floors above and below the work to include adjacent rooms depending on the location/type of hot work. When the fire watch verifies the absence of fire hazards, the fire watch will then sign the hot work permit and notify the PIC. The PIC will then conduct a final inspection of the area and will sign the hot work permit thus closing out the permit. The Safety Officer will file the permit for 1 year.

HOT WORK IN CONFINED SPACES

1. Nature of the Hazard

Many different places require welding, cutting, and other hot work. Some of these places lack room and become “confined spaces.” Confined spaces have the following characteristics:

- Limited space, entry, or exit.
- Poor ventilation – lack of safe breathing air and possible buildup of hazardous gases, fumes, and particles.

2. Example of confined spaces

- Small rooms
- Pits
- Vats
- Storage tanks
- Sewers
- Tunnels
- Manholes
- Wells

3. Reason for deaths and serious injuries from hot work in confined spaces

- Fire
- Exposure to hazardous air contaminants
- Explosion
- Electrical shock
- Asphyxiation

4. Actions required before approving hot work in a confined space

- Follow the City of Elko Confined Space policy.
- Determine if special training or a permit is required to enter the space.
- Open all covers and secure them from closing.
- Test atmosphere for:
 - Suitable oxygen content
 - Combustible or reactive
 - Toxins
 - VOC's

Note: Atmosphere testing requires special training and equipment.

- Isolate lines by capping or double blocking and bleeding. Keep vents open and valves leak-free.

- Lockout and/or tag-out any systems not required during hot work.
- Provide means for readily turning off power, gas, and other supplies from outside the confined space.
- Protect or remove all hazardous or combustible materials endangered when exposed to hot work.

5. Required Actions during Hot Work in a Confined Space

- Continuously ventilate and monitor air to ensure fumes and gases do not exceed safe exposure limits.
- 29 CFR 1910.252 (c) and 1910.353(c) require the use of local exhaust ventilation or supplied air respiratory protection when hot work is performed in a confined space where there is potential for exposure to fluorine compounds (fluxes and rod coatings), zinc, lead, cadmium, or mercury. When beryllium is present, use both local and exhaust and supplied-air respirator.
- 29 CFR 1926.353 (c) requires the use of local exhaust ventilation or supplied air respiratory protection when hot work is performed in a confined space where there is a potential for exposure to chromium or when Gas Metal Arc Welding is performed on stainless steel.
- Use NIOSH/MSHA (National Institute for Occupational Safety and Health/Mine Safety and Health Administration) approved breathing device.
- Keep unnecessary persons and equipment out of, and away from, the confined space.
- Do not allow equipment to block exit or rescue efforts.
- Place as much equipment as possible outside the confined space.
- Do not enter a confined space unless a watchperson (Qualified Attendant), properly equipped and trained for rescue, is outside. Maintain continuous communications with the worker (Entrant) inside.
- When possible, provide means for readily turning off power, gases, and fuel from inside the confined space, even if outside turn-off means are provided.

Summary

The various potential dangers involved make this line of work very risky. It is important to follow all safety regulations and guidelines set in place for confined space and hot work operations to help minimize the risk of danger. Creating and maintaining a safe workplace should be the number one priority for every employee.

Fire Watch Training

At a minimum, the fire watch must attend annual training, which includes the following:

A. Procedure of Reporting Emergencies

1. Alert/warn personnel in the area.
 - a. Call for help
 1. Dial 911
 2. Call company emergency number.
 3. Give your name
 4. Phone number
 5. Location
 6. Describe the emergency
 7. Scene safety
 8. Do not hang up until instructed or evacuation is required.
2. Know how to report your name and location of the emergency.
 - a. Name of the facility
 - b. Name of the street (physical address)
 - c. Number on the building
3. Know how to report type of emergency:
 - a. Fire – type of fire if known (i.e., liquid gas, insulation, trash)
 - b. Medical – number and condition of people (i.e. conscious, unconscious)
 - c. Spill or leak – liquid or gas, product if known

B. Understand the emergency action plan where the work is taking place and know how to perform the following emergency activities:

1. Notify 911 of the emergency.
2. Fire: Attempt to extinguish small fire only.
3. Leaks and spills: Stop all work in the area. Notify 911 and follow their instructions.
4. Medical: Stop work in immediate area. Notify 911. If trained, give first aid and do not leave the injured person.
5. Do not move the injured person unless future injury is imminent.
6. Use caution when responding to a person down. Ensure the scene is safe to enter, call (911) for help.

C. Knowledge of the following characteristics and types of fires:

1. Fire or combustion consists of four elements: fuel, heat, oxygen and reaction. If any one of the elements are removed there is no combustion what remains is extinguishment.
2. There are four classes of fires:

Class	Material	
A	Wood, paper anything that leaves an ash	Water, ABC Dry chemical, CO2
B	Flammable liquids, (gas, oil, grease, LPG)	Dry chemical, Foam, CO2, Water Fog
C	Electrical, electrical motors, Switch gear, etc.	CO2, Dry chemical, De-energize
D	Metals – titanium, magnesium, aluminum	Metal-X, Dry chemical

3. Characteristics of flammable fires:
 - Orange flame
 - Black smoke
 - Rapid spread – could be under pressure
4. Characteristics of flammable gas fire:
 - Blue flame or nearly invisible
 - No smoke or very little smoke unless flame is burning something else
 - Loud noise from pressure release
 - Stationary at the source

D. Hands-On Fire Training

1. Fire watch training must include hands-on fighting fires using portable fire extinguishers to include 15 lb CO2 extinguishers, 5 lb., 10lb., dry chemical fire extinguishers and 2 ½-gallon water extinguishers.

Appendix G – Hot Work Operating Permit

CITY of ELKO PERMIT & CONFINED SPACE HOT WORK PERMIT

Department:	Permit number:	Permit Date:	Permit Issued:	Time expired:
Location:		Description of Area:		
Description of work:		Type of hot work:		
Name of hot work supervisor (print)		Name of hot work operator (print)		
Name of the fire watch (print)	Date:	Location of fire watch:	Signature of Fire Watch:	
(1)		(1)	(1)	
(2)		(2)	(2)	
(3)		(3)	(3)	

Personnel Protection Equipment:		Type of Port Fire Extinguishing Equipment	
<input type="checkbox"/> Eye protection	<input type="checkbox"/> Ventilation	<input type="checkbox"/> Dry Chemical Extinguisher	<input type="checkbox"/> Metals Fire Extinguisher
<input type="checkbox"/> Hearing protection	<input type="checkbox"/> Hard hat	<input type="checkbox"/> Co2 Extinguisher	<input type="checkbox"/> Water Hose
<input type="checkbox"/> Respirator (SCBA/Air line)	<input type="checkbox"/> Protective leathers	<input type="checkbox"/> Water Extinguisher	<input type="checkbox"/> Mop & Bucket

HOT WORK IN CONFINED SPACES

Follow the City of Elko Confined Space policies in addition to the requirements of the hot work permit.

HOT WORK PRECAUTIONS

<p>Avoid working near flammable and combustible materials e.g. paints, oil, solvents storage areas and other fire prone areas.</p> <p>Never weld or cut near explosives.</p> <p>Welding or cutting on flammable materials containers requires special precautions e.g. removing the residual materials to prevent these materials remaining in the containers from building up pressure and exploding when heat is applied.</p> <p>Move all flammable and combustibles items at least 30-40 feet away from welding and cutting areas.</p> <p>Sweep the floor of all debris prior to starting hot work.</p> <p>Wet down wooden floors and walls before commencing welding and cutting.</p> <p>All workers have received hot work procedures and /or instructions.</p> <p>Observe the wind directions and speed to ensure that sparks do not come in contact with flammable materials.</p> <p>Prior to leaving the area, the work site must be cleaned up, secured and inspected by the persons performing the work.</p>	<p>All personnel made aware of fire protection equipment in the area and emergency phone numbers.</p> <p>Fire watch is posted prior to hot work commencing.</p> <p>If you can not move it... cover it! Protect combustibles from stray sparks, slag or hot metal.</p> <p>Prevent sparks from going under, over and between protected items, use a metal shield or fire resistant cover(s) large enough to fit around the item requiring protection.</p> <p>Use heat-resistant shields to protect nearby walls, ceiling and floors when you work.</p> <p>Check all equipment prior to operating it to ensure it is in safe working condition.</p> <p>Wet down welding blankets as necessary.</p> <p>Check for improperly applied grounding clamps as they may cause sparks as well.</p> <p>Before commencing welding or cutting inspect the area for hazards.</p> <p>Proper fire extinguisher is on site.</p> <p>Provide ventilation as required.</p>
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<ol style="list-style-type: none"> 1. A hot work permit must be obtained for all hot work performed except in designated areas, such as shops or designated safe areas. 2. Hot work permits will be POSTED at the work site and returned to the Hot Work Supervisor at the end of the job to be maintained on file. 3. Hot work permits are valid for eight hours. 	<ol style="list-style-type: none"> 4. Hot work permits can be closed at any time. The Fire Watch must verify the hot work areas is safe before securing from the area. 5. Hot work performed in confined spaces, follow the City of Elko confined space policies in addition to the requirements of the hot work permit. 6. All contractors must obtain permits for any hot work or confined space work performed on City of Elko properties.
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Fire watchers shall have fire extinguishing equipment readily available and be trained in its use. They shall be familiar with facilities for sounding an alarm in the event of a fire. They shall watch for fires in all exposed areas, try to extinguish them only when obviously within the capacity of the equipment available, or otherwise sound the alarm. A fire watch shall be maintained for a least a half hour after completion of welding or cutting operations to detect and extinguish possible smoldering fires.

No hot work will be performed unless a fire watch is posted at the job site.

1. Inspect the area before any welding or cutting is performed.
2. Remove potential fire hazards, e.g. flammable or combustible materials, e.g. trash, rags etc.
3. Use necessary precautions such as: welding screens, fire blankets, fire extinguishers, fire hoses, etc.
4. Obtaining fire protection equipment.
5. The Fire Watch is responsible for:
 - a. Remain on the job site until the area is secured from any potential fire hazards.
 - b. Watch for any fires or hot spots that may result from welding or cutting.
 - c. Extinguishing any fires and hot spots.
 - d. Inspecting the area at the end of the job for any possible hot spot and smoldering materials.
 - e. Notify the Hot Work Supervisor of discharged fire extinguisher(s) to ensure extinguisher(s) are refilled.
 - f. Returning all fire protection equipment to their designated locations.

[illegible]

Confined Space Entry Program

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible issuance of final acceptance the Water Main Removal & Replacement Project, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **July 10, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **3 Minutes**
5. Background Information: **The project has been completed. Staff is pleased with the work and recommends issuance of final acceptance.**

The original contract price was \$196,120.00. There were four (4) change orders for the project, both additive and deductive. The total project cost was \$201,171.73, a net increase of 2.6% above the original contract price. RL
6. Budget Information:

Appropriation Required: **\$201,171.73**
Budget amount available: **\$297,000.00**
Fund name: **Water**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion: **Move to issue final acceptance for the Water Main Removal & Replacement Project.**
10. Prepared By: **Ryan Limberg, Utilities Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible authorization for the transfer of ownership of Elko Police Department's Canine *Donatella* to Officer Jason Ward in exchange for the adoption fee of \$85.00, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **July 10, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Elko Police Dog *Donatella* is an eight (8) year old Belgian Malinois who is in need of retirement. It is in the best interest of the City of Elko to transfer ownership of a highly trained Police Dog to its current or former handler. Officer Jason Ward desires to purchase *Donatella*. Canine *Donatella*'s selling price was determined by using the amount set for dog adoptions at the City of Elko Animal Shelter. BR**
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: **Contract of Purchase and Sale of Retired Police Dog.**
9. Recommended Motion: **Authorize the Elko Police Department to transfer ownership of Canine *Donatella* to Officer Jason Ward in exchange for the adoption fee of \$85.00.**
10. Prepared By: **Ben Reed, Jr., Police Chief**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Jason Ward**
 jward@elkocitynv.gov

CONTRACT OF PURCHASE AND SALE OF POLICE DOG

THIS CONTRACT, made and entered into this 10th day of July, 2018, (the "Effective Date") by and between the **CITY OF ELKO, NEVADA**, a municipal corporation and political subdivision of the State of Nevada ("Seller,"), and **JASON WARD**, ("Buyer").

R E C I T A L S

WHEREAS, Seller desires to sell, and Buyer desires to purchase, a police dog named "Donatella," described as a Belgian Malinois, Donatella's age being approximately eight (8) years old;

WHEREAS, Buyer was Donatella's handler for approximately two (2) years;

WHEREAS, Buyer is most familiar with Donatella and is the person most appropriate to care for Donatella following Donatella's separation from the Elko Police Department;

NOW, THEREFORE, in consideration of the Recitals contained above and for the conditions and covenants hereinafter contained, the parties hereto agree as follows:

AGREEMENT

I.

SALE OF POLICE DOG

The Seller agrees to sell Donatella to the Buyer and the Buyer agrees to purchase Donatella from the Seller for and in consideration of the sum of EIGHTY-FIVE DOLLARS (\$85.00), which amount represents Donatella's fair market value.

II.

POSSESSION

It is agreed that Buyer shall have ownership of Donatella on the Effective Date, and Buyer shall not transfer ownership of Donatella to any other person without the prior written consent of Seller.

III.

DUTY OF CARE

Buyer agrees to provide reasonable care for Donatella following the Effective Date, to include shelter, grooming, food, water, and veterinary care.

IV.

ACKNOWLEDGMENT/NO WARRANTIES

Buyer acknowledges that Donatella is being sold without representations or warranties of any kind, express or implied, to include representations or warranties as to his training, temperament, health or condition. Donatella is being sold "as is."

V.

RELEASE AND HOLD HARMLESS

In exchange for the consideration contained herein, the receipt and sufficiency of which is hereby acknowledged, Buyer and his family members, representatives, employees, agents, insurers, heirs, successors, subsidiaries, partners and assigns hereby fully, irrevocably, and unconditionally forever release, discharges and shall hold harmless Seller and its representatives, employees, agents, attorneys, insurers, heirs, successors, subsidiaries, partners and assigns, from all actions, causes of action, claims, claims for relief, judgments, liabilities, obligations, claims, damages, fees and expenses, including but not limited to attorney's fees and costs, of whatever kind and character occurring after the Effective Date or in connection with the subject matter of this Contract. This Release is intended to be completely comprehensive of all possible claims which may be brought by Buyer against Seller in relation to Donatella, to include, without limitation, matters involving the dog's training, temperament, health or condition, or any harm caused by Donatella to any persons or property.

VI.

INDEMNIFICATION

Buyer, together with his successors and assigns, undertakes to indemnify the Seller and to defend it against, and to hold it harmless from any and all liabilities, losses, damages, expenses, suits, fees, fines, penalties, attorney fees, claims, actions, debts, charges, demands, costs (including court costs) or judgments, and against all liability, losses and damages of any nature whatever, against Seller and which Seller shall or may at any time sustain or be put to by reason of or in relation to Donatella, to include, without limitation, matters involving the dog's training, temperament, health or condition, or any harm caused by Donatella to any persons or property. Indemnity under this Agreement shall commence on the Effective Date and shall continue in full force and effect thereafter.

VII.

GENERAL TERMS

- A. This Contract constitutes the entire agreement between the parties and supersedes all prior agreements, offers and negotiations relating to the subject matter described herein and may not be amended except by an agreement in writing signed by the parties.
- B. This Contract shall inure to the benefit of and be binding upon the parties hereto and their respective personal representatives, heirs, assigns and successors, subject to the restriction on assignment contained herein.
- C. This Contract and the provisions hereof shall be construed, given effect and governed by the laws of the State of Nevada, and, in the event of a breach of this Contract by any of the parties, the other party shall have all remedies at law or equity provided by the laws of the State of Nevada.
- D. The captions and headings of the sections hereof are for convenience only and shall not control or effect the meaning or construction of any of the terms or provisions of this Contract.
- E. Should either party be required to enforce or interpret the terms and conditions of this Contract through legal process, the prevailing party shall be entitled to an award of reasonable attorney fees and costs.
- F. Each party has reviewed this Contract and has consulted with or has had an opportunity to consult with legal counsel; accordingly, the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract.
- G. In the event that one or more of the provisions, or portions thereof of this Contract is determined to be illegal and unenforceable, the remainder of this Contract shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.
- H. Each party shall exercise best efforts to fulfill the terms and conditions of this Contract in an expeditious manner.
- I. A facsimile signature to this Contract shall have the same force and effect as an original.

- J. The parties understand that the law firm of Goicoechea, Di Grazia, Coyle and Stanton, Ltd., drafted this Contract on behalf of the Seller. Each party is encouraged to seek independent legal counsel to review the Contract on its own behalf. The parties further understand that no tax advice has been given to the parties by Goicoechea, Di Grazia, Coyle and Stanton, Ltd., and that each party has been encouraged to seek independent tax advice regarding this Contract.
- K. The District Court for the Fourth Judicial District In and For the County of Elko, State of Nevada, shall have jurisdiction and venue over all disputes arising under this Contract.
- L. The parties hereby unconditionally waive their right to a jury trial of any claim or cause of action based upon or arising out of, directly or indirectly, this Contract, any dealings between the parties relating to the subject matter hereof, and/or the relationship that is being established between the parties. The scope of this waiver is intended to be all-encompassing of any and all disputes that may be filed in any court (including, without limitation, contract claims, tort claims, breach of duty claims, and all other common law and statutory claims). This waiver is irrevocable, meaning that it may not be modified either orally or in writing, and the waiver shall apply to any subsequent amendments, renewals, supplements or modifications to this Contract. In the event of litigation, this Contract may be filed as a written consent to a trial by the court.

IN WITNESS WHEREOF, this Contract has been executed in duplicate by the parties hereto on the day and date first above written.

SELLER:

BUYER:

CITY OF ELKO

By: _____
CHRIS J. JOHNSON, Mayor

JASON WARD

ATTEST:

KELLY WOOLDRIDGE, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of a Concessionaire Agreement filed by Jennifer Saxton, dba Sisters Food Service, to operate a mobile food truck in the Main City Park, Area 1, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **July 10, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Jennifer Saxton applied for a Concessionaire Agreement to occupy concessionaire space for a mobile food truck in the Main City Park. She currently holds an Elko City Business License. She is requesting area #1. KW**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application and Agreement**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Jennifer Saxton**
 sistersfoodservice@gmail.com

**ELKO CITY MAIN PARK
CONCESSION APPLICATION**
1751 College Avenue Elko, Nevada
Phone: 775-777-7126
Fax: 775-777-7129

The City of Elko allows use of designated portions of the Main City Park for certain types of businesses with approval from the Elko City Council. The fees for the use of park space are based on the amount of space requested. An Elko City Business License is required along with a \$1 million dollar insurance policy with the City listed as additional insured. Interested person(s) must complete the application and return it to the Elko City Clerk's Department. The Elko City Manager/City Clerk shall review the application to determine eligibility, fees, and space availability. If eligible, a draft agreement will be presented to the City Council for approval. Once the agreement is approved, signed and insurance provided your business may commence in the designated area.

Name of Applicant(s): Jennifer Saxton
Company Name: Sisters Food Service
Mailing Address: P.O. Box 8281 Spring Creek NV 89815
Street or P.O. Box City State Zip

Business License Number: 10823

Area of Park requested: 1
(Space Number or General Area)

Total square footage required: 400sq ft

Type of food service proposed: Sandwiches, wraps, salads

Type of recreation service proposed: _____

Proposed operational hours: From: 8 a.m. p.m. To: 5 a.m. p.m.
(circle one) (circle one)

Days of operations (circle all that apply): Monday, Tuesday, Wednesday, Thursday, Friday,
Saturday, Sunday

Months of use (circle all that apply): January, February, March, April, May, June, July, August,
September, October, November, December

Under penalties of perjury, the undersigned declares that he/she is the applicant/authorized agent of the applicant in the foregoing application for license and knows the contents thereof; that those items contained in the application are true of his/her own knowledge except as to those matters stated on information and belief and as to such matters he/she believes it to be true.

Signature: Jennifer Saxton Date: 4/30/18
Printed Name: Jennifer Saxton

CITY OF ELKO

LICENSE AND CONCESSIONAIRE AGREEMENT

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20____ by and between **Jennifer Saxton dba Sisters Food Service** Licensee and Concessionaire (hereinafter referred to as "**Concessionaire**") and **THE CITY OF ELKO**, Owner and Licensor (hereinafter referred to as the "**City**").

1. **PURPOSE AND TERM.** **Concessionaire** is hereby given privilege and license to use the approximately **400 square feet**, known as **Area 1** and depicted on Exhibit "A" to conduct and operate a food concession business subject to the conditions contained herein.
3. **SALE OF FOOD AND BEVERAGES.**
Subject to paragraph 3.B. below, **Concessionaire** shall have the right to sell any food and nonalcoholic beverages or refreshments of any kind as indicated on applicable permits and licenses from the City of Elko, Elko Fire Marshal and the State Health Department. **Concessionaire** shall submit proof to **City** of acquisition of all required permits which may be required by law to conduct operations. **Concessionaire** shall pay any licenses and taxes which may be assessed in conjunction with the concession operation.
4. **CARE OF PREMISES AND EQUIPMENT.** **Concessionaire** will keep all stands, fixtures and equipment in a clean, sanitary and orderly condition at all times and conduct the food concession in accordance with all federal, state and local health department rules, regulations, statutes and ordinances.
5. **PERMANENT FIXTURES.** **Concessionaire** shall not install any permanent fixtures or structures to the property. All equipment must be mobile.
6. **JANITORIAL SERVICES.** **Concessionaire**, at its own expense, shall provide trash receptacles and trash removal on a daily basis and shall keep all areas used by it, including the common area utilized by the **Concessionaire** and the general public, in a clean condition and good state of repair. It is expressly understood that the entire premises are open to inspection by authorized representatives of the **City** at all times.
7. **RENT.** Rent is payable by the **Concessionaire** to the **City** in the amount of **\$50.00 per month.**
8. **UTILITIES.** No Utility connections will be made available to the **Concessionaire** by the **City**.
9. **DAYS AND HOURS OF OPERATION.** **Concessionaire** shall have exclusive right to the use of Area 4 & 5 as depicted in Exhibit "A" **Every day except Saturday, all months, the hours of 8:00 a.m. to 5:00 p.m.** At times when the **Concessionaire** is not utilizing such area, the public may utilize the area for general recreational uses.

10. **NOT A CONTRACT FOR EMPLOYMENT OR LEASE.** It is understood and agreed that this contract is not a contract of employment, in the sense that **Concessionaire** or the **Concessionaire's** employees are not employees of the **City**. **Concessionaire** at all times shall be deemed to be an independent contractor. **Concessionaire** is not authorized to bind the **City** to any contracts or other obligations. The **City** shall not be liable for acts of the **Concessionaire** or its assistants or employees in performing the duties described herein.
11. **DEFAULT OF CONCESSIONAIRE.** The **City** shall have the right to terminate the agreement after **fifteen (15) days** written notice served on **Concessionaire** personally or by certified mail, in the event that default shall be made by **Concessionaire** of any of the covenants hereby agreed to be performed by **Concessionaire**, or if **Concessionaire** violates any of the ordinances of the City of Elko, State of Nevada, or federal government, or for dishonesty, incompetence, negligence, inattention or irresponsibility. If after receiving written notice of default herein provided, **Concessionaire** cures all defaults or violations to the satisfaction of the Recreation Coordinator or representative within **fifteen (15) days**, its default may be considered cured and this agreement shall remain in full force and effect until it is terminated. In the event the agreement is terminated after the 15-day default notice, it will be lawful for the **City** to immediately thereafter remove all property from the premises owned by **Concessionaire**.
12. **LIABILITY INSURANCE.** **Concessionaire** shall save and hold harmless, defend and indemnify the **City**, its successors and assigns, from and against all loss or damage to property, injury to or death of persons resulting in any manner whatsoever, directly or indirectly, by reason of the use or occupancy of the concessions for any purpose whatsoever by reason of the rights, licenses and privileges herein granted. In partial performance of such obligation, **Concessionaire** shall file with the City Manager evidence of public liability insurance coverage satisfactory to **City** insuring the liability of **City**, of its officers, agents and employees and **Concessionaire** for any and all activities covered by the terms of this agreement in an amount not less than **ONE MILLION DOLLARS (\$1,000,000.00)** single limit liability for bodily injury death or property damage. Said policy shall not be canceled until the **City** shall have at least thirty (30) days notice in writing of such cancellation. A certified true copy of the policy with endorsement must be furnished to the City Manager within **ten (10) days** from the date of execution of this agreement. The policy must include the following endorsements: **"IT IS A CONDITION OF THIS POLICY THAT THE INSURANCE COMPANY MUST FURNISH WRITTEN NOTICE TO THE CITY OF ELKO PARKS DEPARTMENT THIRTY (30) DAYS IN ADVANCE OF THE EFFECTIVE DATE OF ANY REDUCTION IN OR CANCELLATION OF THIS POLICY."** Such cancellation shall terminate the **Concessionaire's** agreement for the facility.
12. **NOTICES.** Any notice to **Concessionaire** herein may be served personally or by mail addressed to **Jennifer Saxton P.O. Box 8281, Spring Creek, NV 89815**. Any notice given by **Concessionaire** to **City** shall be deemed properly served upon the **City** if the same is delivered to the City Manager of the City of Elko or deposited in the post office, postage prepaid, addressed to the City Manager, 1751 College Avenue, Elko, Nevada 89801.

13. **ASSIGNMENT AND SUBLETTING PROHIBITED.** This agreement may not be assigned to any other person or persons, in whole or in part, nor shall any portion of the premises hereby licensed to **Concessionaire** be sublet in any manner whatsoever. This agreement shall terminate if, in the opinion of the City Manager, the **Concessionaire**, by reason of incapacity or otherwise, is unable to perform its duties for a period exceeding **thirty (30)** consecutive days.
14. **TERMINATION OF LEASE.** It is hereby agreed that both the **City and Concessionaire** shall have the option to terminate the remaining term of this agreement upon a 15 day written notice.
15. **ENTIRE AGREEMENT.** This Agreement shall be deemed and construed as the entire agreement of the parties hereto and there are not prior or contemporaneous oral agreements between the parties which would or will alter the terms of this agreement in any particular whatsoever. Any subsequent amendment to this agreement shall be in writing.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed the day and year first above written.

CITY OF ELKO:

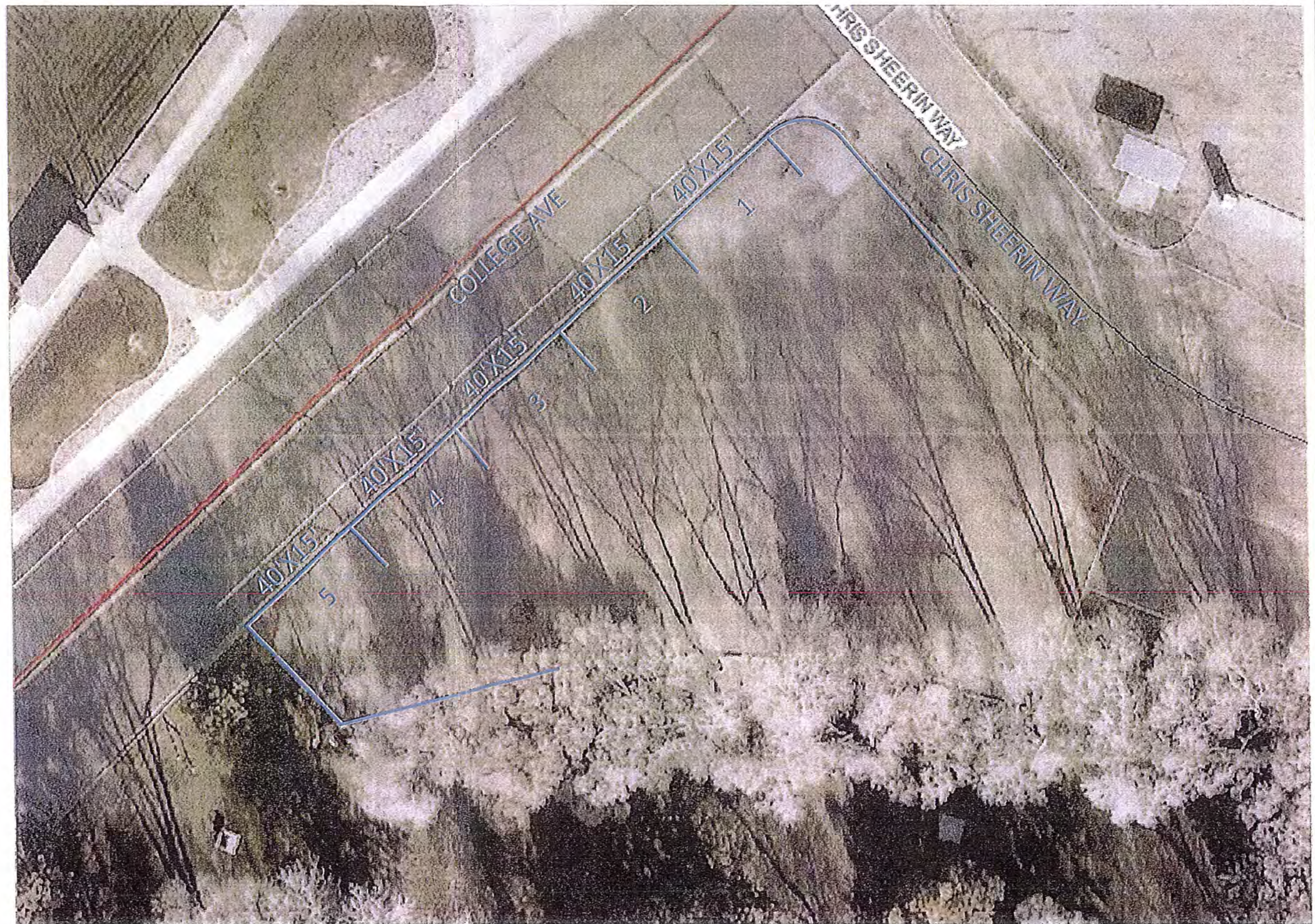
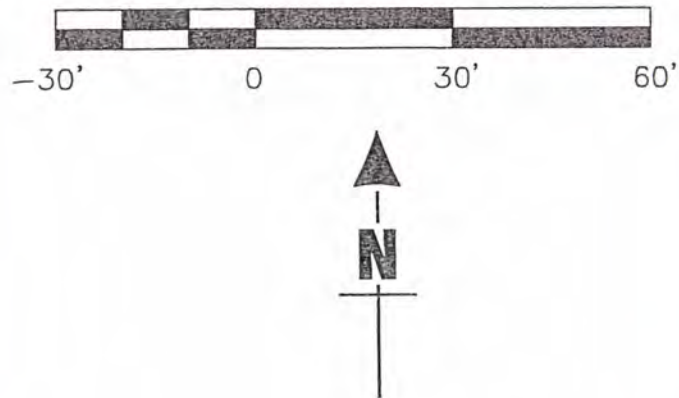
ATTEST:

BY: CHRIS JOHNSON, MAYOR

KELLY WOOLDRIDGE, CITY CLERK

CONCESSIONAIRE:

BY: _____
JENNIFER SAXTON



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE

HORZ 1"=30'
VERT none

DESIGNED BY JJ
DRAWN BY ACAD 2017
CHECKED BY JJ
DATE 05/12/2017

CITY OF ELKO FOOD TRUCK PARKING

*SHEET 1
OF 1*

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 22-18, a resolution amending the fee charged for parade permits, effective July 11, 2018, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **July 10, 2018**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **City Council gave Staff direction on February 9, 2016 to increase the Parade Fees for 2016, 2017 and 2018 in increments of \$250. KW**
6. Budget Information:
 Appropriation Required: **NA**
 Budget amount available: **NA**
 Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No. 22-18**
9. Recommended Motion: **Adopt Resolution No. 22-18 effective July 11, 2018**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review: **None**
12. Council Action:
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. 22-18**

A RESOLUTION AMENDING A FEE CHARGED FOR PARADE PERMITS

WHEREAS, the City of Elko has deemed it necessary to increase the rates for parade fees to compensate for the time involved in conducting them, and;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Elko that the parade fees shall be amended as follows:

PARADE FEE:

The fee for all parades as defined in Section 7-2-30 of the Elko City Code shall be \$1,000.

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

PASSED AND ADOPTED this 11th day of April, 2017.

CITY OF ELKO

CHRIS JOHNSON, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN: