



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

PUBLIC MEETING NOTICE

AMENDED

The Elko City Council will meet in regular session on Tuesday, January 12, 2021
at 4:00 P.M.–7:00 P.M., P.D.T. utilizing **GoToMeeting.com**

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

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ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date/Time Posted: 10:10 a.m., P.D.T., Thursday, January 7, 2021

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 on the City website at **<http://www.elkocity.com>**

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: **<https://global.gotomeeting.com/join/602391917>** You can also dial in using your phone at **+1 (646) 749-3122** the Access Code for this meeting is **602-391-917** Public Comment and questions can be received by calling (775) 777-0590 or by emailing: **cityclerk@elkocitynv.gov**


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Dated this 7th day of January 2021

NOTICE TO PERSONS WITH DISABILITIES

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



Scott Wilkinson, Assistant City Manager
Elko, Nevada

AMENDED
CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T.
TUESDAY, JANUARY 12, 2021
<https://global.gotomeeting.com/join/602391917>

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering at the link above.

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: December 8, 2020 Regular Session

I. PRESENTATIONS

A. Reading of a proclamation by the Mayor declaring the month of January 2021 as "National Radon Action Month," and matters related thereto. **INFORMATION ONLY – NO ACTION WILL BE TAKEN**

B. Presentation and possible approval of the Consolidated Annual Financial Report and Audit for the City of Elko for the Fiscal Year ending June 30, 2020, including but not limited to, Staff response to audit findings, and matters related thereto. **FOR POSSIBLE ACTION**

Mike Spilker with Hinton Burdick CPAs will log in to present the City of Elko's Fiscal Year 2019/2020 Financial Report. JB

C. Presentation of the Municipal Separate Storm Sewer System (MS4) Compliance Audit results and findings for the City of Elko conducted in August 2020. **INFORMATION ONLY – NO ACTION WILL BE TAKEN**

The United States Environmental Protection Agency and the Nevada Department of Environmental Protection conducted an audit of the City's MS4 program in August of 2020. The results of the audit were received on December 14, 2020. MR

II. CONSENT AGENDA

- A. Review, consideration, and possible approval of a List of Appraisers, recommended by the City Manager, for the purpose of conducting appraisals during the 2021 calendar year, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 8-1-1 requires the City Manager or designee to compile and submit a List of Appraisers qualified to conduct business in the City of Elko to the City Council on or about January 1st of each year. The Planning Department has developed a list of qualified appraisers interested in conducting business with the City of Elko, and the City Manager has approved the list. CL

III. PERSONNEL

- A. Appointment of Elko Township Justice of the Peace Randall Soderquist as the City of Elko Municipal Court Judge, effective January 12, 2021, and matters related thereto. **FOR POSSIBLE ACTION**

On November 3, 2020, Judge Mason E. Simons was elected to the 4th Judicial District Court, Department 3. On January 4, 2021, Judge Simons assumed the office of District Judge, resulting in his resignation as Municipal Court Judge.

On January 4, 2021, The Elko County Board of Commissioners appointed Randall Soderquist as the new Elko Township Justice of the Peace. Historically, the Justice of the Peace has also served as the City of Elko Municipal Court Judge.

A copy of Judge Simons' resignation letter has been enclosed in the agenda packet for review. CC

- B. Election of Mayor Pro-Tempore, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Mayoral designation of City Council members to specific "Liaison" positions within the City of Elko, and matters related thereto. **NO ACTION BY COUNCIL REQUIRED**

1. Police Department Liaison
2. Public Works Department Liaison
3. Waterworks and Sewer Liaison
4. Fire Department Liaison
5. Airport and Public Property Liaison
6. Parks/Recreation Department Liaison
7. Building Department Liaison
8. Animal Shelter Liaison

9. Landfill Liaison
10. Redevelopment Advisory Council (Board Member)
11. Stormwater Advisory Board
12. ECVA (Board Member)
13. NNRDA (Board Member)
14. Elko County Commission Liaison
15. Elko County Water Planning Commission Liaison
16. Elko County Fair Board Liaison
17. Elko County Regional Transportation Commission (Board Member)
18. Elko County Debt Management Commission (Board Member)
19. Elko County Recreation Board (Board Member)
20. Arts and Culture Advisory Board
21. Other Departments Not Listed

- D. Review, consideration, and possible approval of a Settlement Agreement and Release of All Claims between the City of Elko and Jonnye Jund in the amount of \$50,000, and matters related thereto. **FOR POSSIBLE ACTION**

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 Ruby Mountain Lock & Safe Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review and possible ratification of General Hand-Cut Checks, and matters related thereto. **FOR POSSIBLE ACTION**
- E. Review, consideration, and possible approval for the Elko Police Department to enter into a contractual agreement for towing services with Lostra Brothers Towing and Wreck Recovery Service, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

Approval for the Elko Police Department to enter into a contractual agreement for towing services with Lostra Brothers Towing and Wreck Recovery Service, LLC.

- F. Review, consideration, and possible authorization to purchase a 4.45 acre parcel, referred to as APN 001-710-049, for the future extension of HARP trail, and matters related thereto. **FOR POSSIBLE ACTION**

In consideration of a possible purchase and authorized by the property owner, staff obtained an appraisal for the parcel APN 001-710-049. The appraisal dated September 1, 2020, conducted by Colliers International Valuation & Advisory Services indicates an as-is market value of \$17,800.00. CL

- G. Review, consideration, and possible approval to authorize Staff to solicit bids for the construction of the 5th Street Park Parking Lot, and matters related thereto. **FOR POSSIBLE ACTION**

This item has been approved in the Fiscal Year 2020/2021 budget. Use of this land within 5 years of acquiring it from the federal government was a condition of the transfer of ownership. Completing this project within this construction season will satisfy the condition. BT

- H. Review, consideration, and possible direction to Staff to solicit bids for the Alley Water Line Replacement between 4th and 5th and Commercial and Silver Street, and matters related thereto. **FOR POSSIBLE ACTION**

The Water Department has fixed numerous leaks in the alley over the past few years and the 2 inch dead-end main needs to be replaced. There are possible plans to repave this alley, construct a parking lot and we would like to replace the water line before this happens. The new 6 inch main will tie in to 5th Street on one end and 4th Street on the other end to loop the system. The customers along this line will receive new service lines from the main to the new meter pits that will replace the existing city shutoffs. The existing line from the shutoffs will remain in place into the buildings. A new tap will be installed for future irrigation of the proposed parking lot. DJ

- I. Consideration and possible authorization for Staff to apply for Federal Aviation Administration Grant # AIP 3-32-0005-053-2021 Focused Study, and matters related thereto. **FOR POSSIBLE ACTION**

A Planning Consultant will conduct a Focused Planning Study for Elko Regional Airport to include: 1) Determine the overall configuration of the airfield and its ability to facilitate and maximize future demand, desired activities and economic and physical growth; 2) An assessment for the development of a Regional Aircraft Rescue and Fire Fighting (ARFF) Training facility; 3) An overview of the existing and future land use and economic development conditions; existing and future commercial and general aviation aeronautical need; 4) An assessment of commercial terminal and general aviation facility needs; 5) Development of a future comprehensive project listing; 6) A comprehensive analysis of existing runway, taxiway and apron configurations and a proposed future optimization of runway placement satisfactory to FAA guidelines and requirements. JF

- J. Consideration and possible authorization for Staff to order four (4) replacement Police Vehicles under the Enterprise Fleet Management Master Lease Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

Due to pandemic-related production delays, replacement vehicle deliveries have been pushed back considerably. As such, Staff is requesting authorization to order four (4) replacement Police Vehicles (3 Patrol & 1 unmarked), anticipating the delivery will not occur until after July 1, 2021. No lease payments are due until after the vehicles have been delivered. CC

- K. Review, consideration, and possible approval for the Fire Department in collaboration with the Elko County LEPC to apply for the 2021 United We Stand Grant, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department in collaboration with the Elko County LEPC would like to apply for the 2021 United We Stand grant and request for the purchase of a heavy rescue truck. This grant would be used to purchase and refurbish a heavy rescue truck to be used to carry hazardous materials and technical rescue equipment to increase the effectiveness of the fire department to combat terrorism and hazmat incidents. Total amount of the grant would be around \$280,133.00 with a no match. JS

V. SUBDIVISION

- A. Review, consideration and possible approval of Final Map No. 11-20, filed by Copper Trails, LLC, for the development of a subdivision entitled Copper Trails Phase 2 Unit 2 involving the proposed division of approximately 16.96 acres of property into 10 lots for residential development and 1 remainder lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located north of the intersection of Copper Street and Mittry Avenue. (APN 001-610-114). The Planning Commission considered this item on January 5, 2021, and took action to forward a recommendation to conditionally approve Final Map 11-20. MR

VI. NEW BUSINESS

- A. Review, consideration, and possible action to accept the 2021 Planning Commission Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered a draft 2021 Work Program at their meeting January 5, 2021. They took action to approve the Work Program and forward it to Council for acceptance. CL

- B. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Copper Trails Phase 2 Unit 2 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. MR

- C. Review, consideration, and possible approval of a Golf Management Concessionaire Agreement between the City of Elko and TDS at Ruby View, LLC d.b.a. Duncan Golf Management, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review, consideration, and possible approval for the City of Elko to enter into a Cooperative Agreement with the Nevada Department of Transportation (NDOT) for the purpose of providing each other with project services related to respective stormwater programs, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko's Small MS4 permit encourages that jurisdictions work together and/or assist each other with their stormwater programs. Since the stormwater management responsibilities of the City of Elko and NDOT are fairly intertwined, the City and NDOT have entered into cooperative agreements in the past. The latest of these agreements expired in 2019, with no new agreement in 2020 due to COVID-19. In the past, these agreements have been used predominantly for assistance with public educational programs and have not resulted in any significant expenses. MR

- E. Review, consideration, and possible approval of a Grant, Bargain and Sale Deed and Contract of Purchase and Sale between Howard R. Wright and Alfred Montes De Oca and the City of Elko, for the sale and purchase of a parcel of land consisting of approximately 4.45 acres referred to as APN 001-710-049 in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

This parcel would be purchased by the City of Elko with the intention of extending the HARP Trail to the new sports complex. CL

- F. Review, consideration, and possible approval of the First Amendment to the Agreement to Install Improvements and Provide Maintenance Guaranty with Bailey and Associates, LLC for the Cambridge Estates Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

As required by Elko City Code 3-3-21, the City and Bailey and Associates, LLC entered into an agreement to install improvements for the Cambridge Estates Subdivision on October 22, 2019. Bailey and Associates, LLC has completed the majority of the improvements with the exception of the final repairs required after an inspection on November 30, 2020. The developer is now requesting to post a performance guaranty in accordance with Elko City Code 3-3-22 and the approved performance agreement to cover the cost of the repairs. To accomplish this, Staff has determined that the City and the developer need to revise language in the agreement to install improvements to allow the posting of a performance guaranty for the remaining work. MR

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 60-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Bobbi R. Morley, DBA MODZ

Arcade, located at 570 Commercial Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

- B. Ratification of the Police Chief issuing a 90-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Deborah Barnhart, Clair Ketchum, and Anthony Lewis, DBA The Underground Nightclub, located at 548 Commercial Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review, consideration and possible approval for White Cloud Communications Incorporated (White Cloud) for occupancy of approximately 2,500 feet of City owned conduit as shown on its plans for the Phase III Mountain City Highway project, generally extending from Murray Way to approximately 300 feet past the Silver Street and West Main Street Intersection, and matters related thereto. **FOR POSSIBLE ACTION**

White Cloud Communications Incorporated (White Cloud) is requesting the utilization of City owned conduit generally extending from Murray Way to approximately 300 feet past the Silver Street and West Main Street Intersection. White Cloud is proposing the installation of a 144 pair fiber cable in the conduit. The project also includes fiber extension from near the intersection Mountain City Highway and Idaho Street to D Street. The segment to D Street requires new construction. White Cloud will be required to have at least one customer within 90 days of installation. SAW

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible adoption of Resolution No. 2-21, a resolution of the Elko City Council, amending the Elko City Master Plan Proposed Future Land Use Plan Atlas Map 8 on: 1) six parcels of land located in the area of W. Cedar Street and D Street; 2) APN 001-01R-004 located on Front Street adjacent to the 5th Street Bridge; and 3) APN 110-620-058 located at the northeast corner of Ruby Vista Drive and College Parkway, filed as Elko City Master Plan Amendment No. 3-20, and matters related thereto. **FOR POSSIBLE ACTION**

December 1, 2020 the Planning Commission adopted its Resolution No. 3-20 to amend the Proposed Future Land Use Plan Atlas Map 8 of the current Elko City Master Plan as outlined above. An amendment of this type requires positive action by both the Planning Commission and the City Council. If the City Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval.

NRS Section 278.210(5) allows Master Plans to be amended up to four times a year. This amendment was the third in 2020. MR

- B. Review, consideration, and possible action to adopt Resolution No. 27-20, a resolution and order vacating a 25' wide public utility easement bisecting APN 001-610-112, consisting of an area approximately 9,944 sq. ft., filed and processed as Vacation No. 4-20, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this easement at its regular meeting of October 13, 2020, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of November 3, 2020, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 4-20 with findings in support of its recommendation. CL

IX. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager–**Update on the Needle Exchange Program and Cold Weather Program**
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

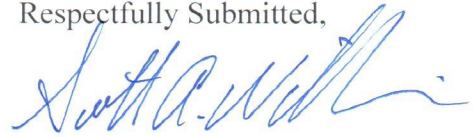
COMMENTS BY THE GENERAL PUBLIC

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

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,



Scott Wilkinson
Assistant City Manager