



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, January 14, 2020

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

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

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

Website, <http://www.elkocitynv.gov> the State of Nevada's Public Notice Website,

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

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date: Time Posted: Thursday, January 9, 2020 at 8:30 a.m.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: Thursday, January 9, 2020 at 8:40 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: Thursday, January 9, 2020 at 8:50 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: Thursday, January 9, 2020 at 9:00 a.m.

Posted by: **Kim Wilkinson** Administrative Assistant

Name

Title

Kim Wilkinson

Signature

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

Dated this 9th day of January, 2020

NOTICE TO PERSONS WITH DISABILITIES

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

Curtis Calder

 Curtis Calder, City Manager
 Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.S.T., TUESDAY, JANUARY 14, 2020
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: December 10, 2019 Regular Session

I. PRESENTATIONS

- A. Presentation of an appreciation plaque to former Planning Commissioner Ian Montgomery, and matters related thereto. **INFORMATION ITEM ONLY – NON-ACTION ITEM**
- B. Reading of a proclamation by the Mayor in recognition of the month of January as National Radon Action Month in Elko, Nevada, and matters related thereto. **INFORMATION ITEM ONLY – NON-ACTION ITEM**
- C. Presentation and possible approval of a Syringe Services Program to be implemented and managed by Trac-B Harm Reduction Clinic, Las Vegas, Nevada, on City owned property located at 398 Hot Springs Road (Humanitarian Campground), and matters related thereto. **FOR POSSIBLE ACTION**

Trac-B Harm Reduction Clinic, Las Vegas, NV, wishes to establish a syringe service program at the Humanitarian Campground located at 398 Hot Springs Road. The property is owned by the City of Elko. Mr. Richard Cusolito has been trained by Trac-B has a Client Outreach Specialist and would manage the program for Trac-B. Mr. Cusolito resides within Elko County and has been involved with persons residing at the camp through his volunteer efforts through FISH and privately over a period of several years. SAW

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Brenton Pepper, Patrol Officer, Police Department
 - 2.) Katie Litchfield, Patrol Officer, Police Department
 - 3.) Dakota Weins, Airport Maintenance Worker, Airport

- 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

III. APPROPRIATIONS

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

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

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

- D. Review, consideration, and possible approval of a request from Elko Police Department to purchase a Ford Explorer in place of the Dodge Charger AWD Sedan, and matters related thereto. **FOR POSSIBLE ACTION**

During the November 12, 2019 Council Meeting, Council approved the Elko Police Department's request to purchase a Dodge Charger AWD Sedan at the estimated cost of fifty-four thousand, one hundred and twenty-four dollars and sixty-four cents (\$54,124.64). The Charger was to be utilized as a marked patrol unit.

It has since been discovered, the Dodge Charger AWD Sedan is no longer available for purchasing. In addition, two un-marked units have been removed from service, creating a shortage of un-marked units for detectives.

The estimated cost for the Ford Explorer is forty-five thousand, five hundred and seventy-two dollars and sixteen cents (\$45,572.16). This vehicle would be utilized as an unmarked detective unit. The purchasing change would save the City eight thousand, five hundred and fifty-two dollars and forty-eight cents (\$8,552.48). TT

- E. Consideration and possible acceptance of a grant awarded by the Walmart Corporation for support funds for the Community Risk Reduction Program in the amount of \$4,500, and matters related thereto. **FOR POSSIBLE ACTION**

City of Elko Fire Department Fire Marshal applied for a Grant through the Walmart Corporation last month (November) for the support funds for the Community Risk Reduction Program.

As of December 10, 2019, City of Elko Fire Department Prevention was awarded \$4,500 to continue the current project. There is no out of pocket expense for the City of Elko and purchases will be made to support the Community Risk Reduction. JH

- F. Review, consideration, and possible final acceptance of the Elko Sports Complex Outfield Fencing Project, and matters related thereto. **FOR POSSIBLE ACTION**

At the June 12, 2018 meeting, Council awarded the Sports Complex Outfield Fence Project to Lamoille Fencing in the amount of \$96,624.00. There were no Change Orders. This project was substantially completed on November 15, 2019. Final Punch List Items and Final Billing have since been completed. BT

- G. Review, consideration, and possible final acceptance of the Elko Sports Complex Parking Lot Project, and matters related thereto. **FOR POSSIBLE ACTION**

At their July 24, 2018 meeting, Council awarded the Sports Complex Parking Lot project to Granite Construction in the amount of \$1,273,337.50. There were two monetary Change Orders during construction that resulted in a combined savings of \$45,902.55, and a few changes in bid item quantities that resulted in an additional savings of \$3,575.50, for a total savings of \$49,478.05. The final cost of the project

was \$1,223,859.45. This project was substantially completed on October 11, 2019. Final Punch List Items and Final Billing have since been completed. BT

- H. Review, consideration, and possible final acceptance of the Elko Sports Complex Comfort Station Project, and matters related thereto. **FOR POSSIBLE ACTION**

At the June 12, 2019 meeting, Council awarded the Sports Complex Comfort Station Project to Granite Construction in the amount of \$888,888.00. There were four monetary change orders during construction that resulted in a combined additional cost of \$31,429.00. The final cost of the project was \$920,317.00. This project was substantially completed on October 15, 2019. Final Punch List Items and Final Billing have since been completed. BT

- I. Review, consideration, and possible direction to Staff to solicit bids for the WRF East Primary Clarifier Recoating Project 2020, and matters related thereto. **FOR POSSIBLE ACTION**

This is a maintenance project budgeted for the current fiscal year's budget. The work consists of sandblasting and repainting all metal surfaces above and below the waterline of the clarifier with 3 or 4 coats of paint, respectively. Additionally, any damaged components noticed will be repaired during this time while the clarifier is drained of water. DJ

- J. Review, consideration, and possible action to award a bid for the City of Elko RBC Removal Project, and matters related thereto. **FOR POSSIBLE ACTION**

Council directed Staff to solicit bids for this project on November 12, 2019. A Bid Tally Sheet is attached. DJ

- K. Review, consideration, and possible action to award a bid for the City of Elko 18" Water Line Relocation Project, and matters related thereto. **FOR POSSIBLE ACTION**

Council directed Staff to solicit bids for this project on November 21, 2019. A Bid Tally Sheet is attached. DJ

- L. Consideration and possible acceptance of a donation of a 2006 Pistonbully Groomer to SnoBowl, and matters related thereto. **FOR POSSIBLE ACTION**

Peterson Equipment from Hyde Park Utah donated a 2006 Pistonbully Groomer with a Mercedes Diesel Engine to SnoBowl. The groomer is estimated at current market price at \$50,000 - \$60,000. A new groomer costs approximately \$350,000. JW

IV. UNFINISHED BUSINESS

- A. Status update on the Public Nuisance complaint regarding 403 Pine Street, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Based upon City Council action on October 22, 2019, Staff is providing a status update with regard to 403 Pine Street. MR

V. NEW BUSINESS

- A. Review, consideration, and possible approval of an Access Agreement between the City of Elko and United States of America, by and through the U.S. Department of Veterans Affairs for a portion of property referred to as APN 001-01A-012, and matters related thereto. **FOR POSSIBLE ACTION**

The U.S. Department of Veterans Affairs is proposing a purchase of approximately 15 acres of city owned property. They are requesting permission with this access agreement to appraise the property, perform surveys, conduct engineering tests and studies, make test borings and carry out such other exploratory investigations as they determine necessary in order to do their due diligence investigations prior to purchasing. CL

- B. Review, consideration, and possible action to accept the 2020 Planning Commission Work Program, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered a draft 2020 Work Program at their meeting January 7, 2020. They took action to approve the Work Program and forward it to Council for acceptance. CL

- C. Review, consideration, and possible action to fill a vacancy on the Elko City Planning Commission, and matters related thereto. **FOR POSSIBLE ACTION**

On December 10, 2019, Council accepted a letter of resignation from Planning Commission member Ian Montgomery. Staff conducted the standard recruitment process and has received 2 letters of interest to serve on the Planning Commission, copies of which are included in the Council packet. The new member will be appointed to fill the remainder of the four-year term, which will expire at the end of July 2020. CL

- D. Review, consideration, and possible approval of the First Amendment to the Agreement to Install Improvements and Provide Maintenance Guaranty with Jordanelle Third Mortgage, LLC for Phase 2 of the Tower Hill Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

As required by Elko City Code 3-3-21, the City and Jordanelle Third Mortgage, LLC entered into an agreement to install improvements for Phase 2 of the Tower Hill Subdivision on March 26, 2019. Jordanelle Third Mortgage has completed the subdivision improvements for Phase 2 of the Tower Hill Subdivision, but due to required testing timelines, the engineer of record has not yet certified a portion of the sidewalk. Due to an upcoming deadline, the developer has chosen to post a performance guaranty in accordance with Elko City Code 3-3-22 and the

performance agreement to cover the cost of the sidewalk still in need of certification. 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

- E. Review, consideration, and possible approval of a request from Bernard Douglas Elvin III, dba Star Meat Services for concession space at the Elko City Main Park, and matters related thereto. **FOR POSSIBLE ACTION**

We have two concessionaires no longer using their space at the park. They are Williams Barbeque and Ruby Mountain Hot Dogs. Mr. Elvin II is requesting to use park space 4 to sell hot dogs and lemonade. He has been issued an Elko City Business License. KW

- F. Review, consideration, and possible approval of a Hangar (C4, C5, D1, and D2) Lease Agreement with Tree Street Investment Group, Airplane Series, LLC (Matthew Stramel/Manager), and matters related thereto. **FOR POSSIBLE ACTION**

Tree Street Investment Group, Airplane Series, LLC (Matthew Stramel/Manager) recently purchased Hangars C4, C5, D1, and D2 from Ann Barron and Ron Privasky and a new Lease Agreement needs to be completed with Tree Street Investment Group, Airplane Series, LLC (Matthew Stramel/Manager). Additionally, Airport Ground Leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.80). JF

- G. Review, consideration, and possible approval of a Hangar (G7) Lease Agreement with Richard Evans, and matters related thereto. **FOR POSSIBLE ACTION**

Richard Evans recently purchased Hangar G7 from the Marvin Epstein Trust, and a new Lease Agreement needs to be completed with Richard Evans. Additionally, Airport Ground Leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.80). JF

- H. Review and possible approval of the First Amendment to the Nonexclusive Franchise Agreement between the City of Elko and White Cloud Communications Incorporated, amending Section 1.2 of the agreement, granting a revocable license to pull communication cable in underground conduit owned by the City of Elko and located within City Rights-of-Way, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council approved a Nonexclusive Franchise Agreement between the City and White Cloud Communications Incorporated at its meeting on December 10, 2019. White Cloud Communications Incorporated wishes to utilize City owned conduit within City Rights-of-Ways to build out communication infrastructure. The City of Elko code requires the installation of conduit under certain circumstances

to facilitate the build out of communication infrastructure within the community. The proposed amendment grants a revocable permit under the Nonexclusive Franchise Agreement for the purposes of installing telecommunication cable in City owned conduit. SAW

- I. Review, consideration, and possible approval to advertise a request for proposals to operate the Food/Beverage Concession area at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

The Airport would like to advertise to the public for proposals to operate the Food & Beverage Concession in the terminal. Any new contract will be negotiated with the successful bidder and brought before City Council for final approval. JF

- J. Review, discussion, and consideration to initiate the purchase of the former Great Basin Surgical Center, located at 855 Golf Course Road, for the purpose of future City of Elko office space, and matters related thereto. **FOR POSSIBLE ACTION**

Currently, Elko City Hall and the adjacent annex buildings are at capacity. Additional office space and document storage areas are needed to accommodate current (and future) staffing levels.

The former Great Basin Surgical Center, located at 855 Golf Course Road, is currently listed for sale at \$850,000. The facility was purpose built in 1997 and is approximately 9,000 square feet.

Recently, it was communicated to City Staff that the owners would be willing to sell the facility to the City of Elko for \$450,000. City Staff has toured the facility and believes it could accommodate the entire Community Development function of the City (Building, Planning, Engineering, and Utilities), as well as accommodate possible non-profit leases (i.e., Nevada Health Centers). Significant renovations and tenant improvements would be required to convert the building from a medical facility to a general office facility. Although renovations could be phased over time, preliminary estimates exceed \$500,000.

Additionally, parking is not included in the parcel and is currently owned by Nevada Health Centers. If the City wishes to initiate the purchase, Staff recommends negotiating a transfer of the parking lot in exchange for excess, leasable office space within the facility.

The City of Elko's Ad Valorem Capital Projects Fund can be used for the purchase of property and/or the renovation of facilities. As of June 30, 2019, the balance of the fund was \$1,331,089 (audited). CC

- K. Review, discussion, and consideration of amending City of Elko Telecommunications Franchise Fees pursuant to Elko City Code Title 8, Chapter 12, and matters related thereto. **FOR POSSIBLE ACTION**

In conjunction with the Governor's Office of Science, Innovation, and Technology (OSIT), the City of Elko has been actively involved in regional broadband development efforts. As a result, existing City of Elko Telecommunications Franchise Fees have been identified as a potential barrier to future broadband development within the community.

Telecommunications Franchise Fees are currently 2% of gross revenue, and generate approximately \$100,000 per year. While a reduction or suspension in the Franchise Fee will reduce annual revenue to the City, the economic development impact from a large broadband buildout would most likely offset most, if not all of the loss in revenue.

City Staff is requesting direction regarding the amendment (and duration) of existing fees. Any fee amendments must be brought back to the City Council and approved through resolution. CC

VI. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No 1-20, Resolution and Order providing for the Elko City General Election to be held November 3, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko City Council will have two Councilmember positions available for the election to be held November 3, 2020. The City Election shall be governed by and conducted in accordance with the Elko City Charter, Title 1 Chapter 5 of the Elko City Code, and all applicable laws of Nevada. KW

- B. Review, consideration, and possible approval of Resolution No. 2-20, a Resolution amending various fees related to Ruby View Golf Course pursuant to Elko City Code, Title 8, Chapter 13, Section 3, and matters related thereto. **FOR POSSIBLE ACTION**

The Golf Course Financial Advisory Committee took action to recommend amending various fees at Ruby View Golf Course on December 16, 2019. A draft resolution has been included in the agenda packet for review. JW

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 114-day Temporary Retail Liquor License and issue a Regular Retail Liquor License, to Greg Chavez, Emily Andersen, Alberto Parra, Cory Vorwaller, and Sydnie Chavez, DBA The Stage Door Elko, LLC., located at 303 3rd Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review, consideration, and possible approval of a request from Mr. Steve Elliot for reimbursement of water damage related expenses due to a water leak on Mr. Elliot's property, and matters related thereto. **FOR POSSIBLE ACTION**

On September 12, 2019, Mr. Steven Elliot filed a claim with the City Clerk regarding a water leak that occurred on his property on August 9, 2019, causing damage to his basement. There was no visible evidence of a leak on Mr. Elliot's property other than water entering his residence. Water Department Staff investigated the leak, performed pressure tests on the home and isolated the customer's valve. Staff found there was no leak between the City Shutoff Valve and residence.

With no visible signs of water coming to the surface, Staff started digging on Mr. Elliot's property between the City Isolation Valve and the City Main in order to prevent further damage to Mr. Elliot's residence. A leak was discovered between the City Main and the City Shutoff for Mr. Elliot's residence. Staff repaired the line and replaced the Meter Pit. A claim was filed with Alternative Service Concept, the City's Third Party Insurance Administrator. This claim was denied by ASC on October 24, 2019 stating, "Based on our investigation of the facts, we have determined the City of Elko is not negligent, and is therefore not liable for any damages resulting from this water leak." Mr. Elliot requested to bring this claim to City Council on December 27, 2019. KW

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 28-19, a resolution and order vacating a portion of Front Street Rights-of-Way approximately 1,926 sq. ft. abutting APN 001-422-002, which is located within the City of Elko, Nevada, to the abutting property owner Ellison Properties, filed and processed as Vacation No. 12-19, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of October 22, 2019, 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 meeting December 3, 2019, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 12-19 with findings in support of its recommendation. CL

- B. Review, consideration, and possible action to adopt Resolution No. 31-19, a resolution and order vacating a portion of Commercial Street Rights-of-Way, approximately 50 feet in width by 2 feet in depth abutting APN 001-343-008, which is located within the City of Elko, Nevada, to the abutting property owner MPLDP LLC., filed and processed as Vacation No. 11-19 by City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

Council made a motion to vacate a portion of Commercial Street Right-of-Way at its regular meeting of September 24, 2019, 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 December 4, 2019, and took action to forward a recommendation to Council to adopt a resolution,

which conditionally approves Vacation No. 11-19 with findings in support of its recommendation. CL

IX. REPORTS

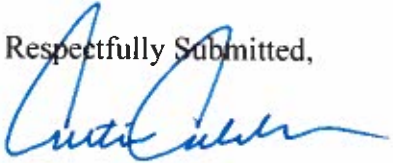
- A. Mayor and City Council
- B. City Manager – Strategic Planning Session
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Financial Services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

COMMENTS BY THE GENERAL PUBLIC

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

Curtis Calder
City Manager