



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

PUBLIC MEETING NOTICE

The Elko City Council will meet in regular session on Tuesday, December 14, 2021 beginning at 4:00 P.M.–7:00 P.M., P.D.T. in the Council Chambers at Elko City Hall, 1751 College Avenue, Elko, Nevada, and by utilizing [GoToMeeting.com](https://www.gotomeeting.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/683647885> You can also dial in using your phone at **United States: +1 (571) 317-3112** the Access Code is **683 647 885**

Attached with this notice is the agenda for said meeting of the Council. In accordance with NRS 241.020, the public notice and agenda were posted on the City of Elko Website at <http://www.elkocitynv.gov/>, the State of Nevada's Public Notice Website at <https://notice.nv.gov>, and in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date/Time Posted: 8:30 a.m. P.D.T., Thursday, December 9, 2021

Posted by: Kim Wilkinson, Administrative Assistant 

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>

Dated this 9th day of December, 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.


Curtis Calder, City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, DECEMBER 14, 2021
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA
<https://global.gotomeeting.com/join/683647885>

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: November 23, 2021 Regular Session

I. PRESENTATIONS

- A. Presentation of a retirement plaque for Fire Chief Matt Griego, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Presentation by Christina Bailey, Senior Government Strategy Advisor, NV Energy, regarding the conveyance of decorative streetlights to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Brian Olvera, Patrol Officer II, Police Department

III. APPROPRIATIONS

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

- C. Review and possible ratification of General Hand-Cut Checks, and matters related thereto. **FOR POSSIBLE ACTION**
- D. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- E. Review, consideration, and possible authorization for Staff to purchase a new Crafcro Crack Sealer SuperShot 250D Trailer from Construction Sealants & Supply through Sourcewell Purchasing in the amount of \$66,724.64, and matters related thereto. **FOR POSSIBLE ACTION**

This purchase was approved in the FY 2021/22 Budget. Although the cost of the Crack Sealer is more than was budgeted, there are ample funds in the Capital Equipment/Street Department budget. DS

- F. Review, consideration, and possible final acceptance of the contract for the construction of curb, gutter, sidewalk, and paving on Jennings Way, and matters related thereto. **FOR POSSIBLE ACTION**

This project was awarded to Great Basin Engineering in the amount of \$234,726.40, at the August 24, 2021 City Council meeting. There was additional work in the amount of \$10,777.46 for a total amount of \$245,503.86. Great Basin Engineering has satisfactorily completed the project in conformance with the plans and specifications. DS

- G. Review, consideration, and possible final acceptance of the construction of VFW Drive Construction Project, and matters related thereto. **FOR POSSIBLE ACTION**

The bid for the construction of VFW Drive from Idaho Street to Silver Street was awarded to ACHA Construction, in the amount of \$424,657.00, at the August 10, 2021, City Council meeting. There was one change order in the amount of \$4,564.58, plus additional work in the amount of \$19,353.40 for a total of \$448,574.98. ACHA Construction has satisfactorily completed the project in conformance with the plans and specifications. DS

IV. SUBDIVISIONS

- A. Review, consideration, and possible approval of Final Map No. 5-21, filed by Bailey and Associates, LLC, for the development of a subdivision entitled Cedar Estates Phase 3 involving the proposed division of approximately 7.31 acres of property into 34 lots for residential development within the RMH (Residential Mobile Home) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located at the northern terminus of both Primrose Lane and Daisy Drive. (APN 001-926-111). The Planning Commission considered this item on December 7, 2021, and took action to forward a recommendation to conditionally approve Final Map 5-21. MR

V. NEW BUSINESS

- A. Review, consideration, and possible approval of Revocable Permit No. 5-21, filed by Walsh Properties LLC, to occupy a portion of Silver Street Right-of-Way to accommodate existing off-street parking, landscaping and sign, located generally south of the intersection of Silver Street and 2nd Street, and matters related thereto. **FOR POSSIBLE ACTION**

The applicant is requesting a change of use for the parcel which will require the property be brought from legal non-conforming to conforming. A revocable license agreement to occupy the Right-of-Way for the existing parking and sign is required. CL

- B. Review, consideration, and possible approval of a Deed of Dedication for a Public Utility Easement, on City owned property, APN 001-860-001, and matters related thereto. **FOR POSSIBLE ACTION**

Anthem Broadband has requested this utility easement be dedicated for public use. Anthem Broadband intends to install a fiber optic cabinet at the rear of this Well 33 parcel. The proposed easement extends from Idaho Street to the back of this small parcel. BT

- C. Review and consideration to initiate an ordinance to review and revise Title Five Chapter 3: Animal and Fowl of the Elko City Code, and matter related thereto. **FOR POSSIBLE ACTION**

Officer Litchfield was recently employed as the new Animal Control Officer. In her review of the City Code she noticed many areas that needed clarification. She met with Attorney Tom Coyle, City Clerk Kelly Wooldridge, and Animal Shelter Manager Karen Walther to review the code and possible changes. KW

- D. Review, consideration, and possible action to approve an Inter-Local Agreement between the City and Elko County to allow each jurisdiction to issue building permits, conduct inspections, and perform plan reviews for County or City Projects located in the other entities jurisdiction, and matters related thereto. **FOR POSSIBLE ACTION**

Elko County and the City of Elko are seeking to enter an agreement to allow each jurisdiction to issue building permits, conduct inspections, and perform plan reviews for County or City Projects located in the other entities jurisdiction. The County Commission approve the agreement at its meeting on November 3, 2021. SAW

- E. Review, consideration, and possible approval for the Fire Department to apply for an Assistance to Firefighters Grant (AFG) through the Department of Homeland Security to purchase a Heavy Rescue Special Operations Vehicle, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department would like to apply for the 2021 FEMA Regional Assistance to Firefighters Grant. The application would apply for a new Heavy Rescue Special Operations Vehicle. This apparatus will increase firefighter safety and health, emergency response and scene capabilities, provide greater storage and personnel carrying capacity and reduce our current trailer inventory for each special operation discipline. The AFG Program has listed this item as high priority for grant funding this year. There is a 10% match by the City and County Fire Protection District with a vehicle price yet to be determined. JS

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

The City of Elko Fire Department would like to apply for the 2021 FEMA Assistance to Firefighters Grant. The application would apply for 11 mobile radios and accessories and 3 mobile repeaters. These radios will enhance firefighter safety, emergency communications and interoperability with Elko PD, Elko Ambulance and our mutual aid partners. The AFG Program has listed this item as high priority for grant funding this year. Total amount of the grant would be no more than \$50,000 with a 10% match by the City. JS

- G. Review, consideration, and possible action to approve an Agreement to Share Appraisal Cost between the City and Union Pacific Railroad (UPRR) relating to the possible acquisition of approximately 78.253 acres, and matters related thereto. **FOR POSSIBLE ACTION**

Staff and the City's Legal Counsel, in conjunction with UPRR, have drafted an Agreement to Share Appraisal Cost in relation to the possible acquisition of approximately 78.253 acres of area formerly utilized for railroad operations. The area is comprised of two separate areas: approximately 28.426 acres are designated as "Area A" and are located on the west end of the City, and approximately 49.827 acres are designated as "Area B" and are located on the east end of the City. The Agreement to Share Appraisal Cost generally provides that each party shall incur 50% of the appraisal cost. SAW

- H. Review, consideration, and possible action to approve a conditional Purchase and Sale Agreement between the City and Union Pacific Railroad (UPRR) for the possible acquisition of approximately 78.253 acres, subject to the completion of certain items prior to or at the time of closing, and matters related thereto. **FOR POSSIBLE ACTION**

Staff and legal counsel, in conjunction with UPRR, have drafted a proposed Purchase and Sale Agreement (PSA) for the acquisition of approximately 78.253 acres of real property formerly utilized by UPRR and its predecessors for railroad operations. The real property is comprised of two separate areas: approximately 28.426 acres, designated as "Area A," are located on the west end of the City, and approximately 49.827 acres, designated as "Area B," are located on the east end of the City. The conditional PSA requires the satisfaction of several terms and conditions, to include the completion of certain exhibits, prior to closing. The parties have also not yet agreed upon a purchase price, which is a material term of the PSA. Those requirements are detailed in a staff memo to the City Council dated December 3, 2021. SAW

- I. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Cedar Estates Phase 3 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

- J. Review, consideration and possible authorization for Staff to solicit Requests for Qualifications from accounting firms to provide independent auditing services and to prepare the annual audit for the City of Elko for Fiscal Years beginning July 1, 2021 and ending June 30, 2026, and matters related thereto. **FOR POSSIBLE ACTION**

The last Request for Proposal (RFP) for auditing services was done in 2015 for a period of 5 years. The contract was extended for 1 year to finalize the single audit requirements as a result of the Coronavirus Relief Funds (CRF). Staff is requesting authorization to request qualifications for a five-year period for these services. JB

- K. Review, consideration and possible approval of a Land Lease Agreement for Hangar (D4) with GBB EXPRESS P SERIES, LLC. and matters related thereto. **FOR POSSIBLE ACTION**

GBB EXPRESS P SERIES, LLC. is the current owner of Hangar D4. The previous agreements had expired and a new lease is required. 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

- L. Review, consideration and possible approval of Amendment # five (5) to Contract Dated February 26, 2019 Between Jviation, INC. and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

This item is to amend the current contract between The City of Elko and Jviation, Inc. Jviation contract amendment #5 will cover fees associated with grant

administration for Airport Improvement projects AIP 52(CARES), AIP 54(CRRSA) and anticipated future AIP Grant (ARPA). JF

- M. Review, consideration, and possible approval of a consulting agreement between the City of Elko and Airplanners, LLC, for the purpose of providing air service management and development tasks on behalf of the City, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko was recently notified of an imminent decrease in commercial air service at Elko Regional Airport. In an effort to retain commercial air service, it will be necessary to negotiate a Minimum Revenue Guarantee (MRG) with SkyWest Airlines within the next thirty (30) days. Airplanners, LLC is experienced in negotiating MRG agreements with airlines, as well as assisting with air service development efforts. CC

VI. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 866 adopting a change in zoning district boundaries, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission held a public hearing on Rezone 1-21 at their meeting December 6, 2021. The Planning Commission recommended that the City Council adopt an ordinance which approves the zoning district boundary amendment from R to C – General Commercial for a portion of APN 001-560-003. CL

- B. First reading of Ordinance No. 867 adopting a change in zoning district boundaries, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission held a public hearing on Rezone 2-21 at their meeting December 6, 2021. The Planning Commission recommended that the City Council adopt an ordinance which approves the zoning district boundary amendment from GI to C – General Commercial for APN 001-335-001. CL

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review and consideration of a non-binding agreement between the City of Elko and Elko County to explore the concept of forming a district health department, and matters related thereto. **FOR POSSIBLE ACTION**

A letter from Elko County Deputy Health Officer Marena Works has been included in the agenda packet for review. The City of Elko is not being asked to provide funding at this time. CC

- B. Review and consideration of a request from Travis Shumway, owner of the Double Dice RV Park, regarding an extension of time to install a Reduced Pressure Backflow Assembly in order to prevent termination of water service on 12-22-2021, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Shumway purchased the Double Dice RV Park and applied for a Business License, which triggered City Inspections of the property. During the inspections it was noted the RV park did not have a Reduced Pressure Backflow Assembly required by the City Code 9-1-16 Cross Connection and NAC 445A.67195 Cross-Connections and backflow minimum types of protection for particular service connections. Mr. Shumway was notified by City Staff of the deficiency and allowed to obtain his business license as long as he was moving forward with a plan to install the required backflow device. Mr. Shumway is requesting an extension of time to install the backflow device as he works through things with the previous property owner, and determines who is responsible for the installation of the backflow device. DJ

VIII. 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 – **Quarterly Code Enforcement Report 9/21–12/21**
- M. Financial Services Director
- N. Parks and Recreation Director
- O. Civil Engineer - **FEMA Revised Mapping Update**
- P. Building Official

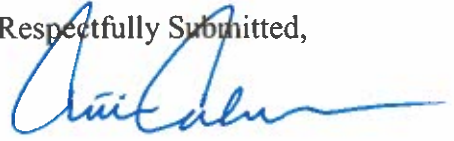
COMMENTS BY THE GENERAL PUBLIC

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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,



Curtis Calder
City Manager