



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, February 11, 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, February 6, 2020 at 8:30 a.m.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: Thursday, February 6, 2020 at 8:40 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: Thursday, February 6, 2020 at 8:50 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: Thursday, February 6, 2020 at 9:00 a.m.

Posted by: Kim Wilkinson Administrative Assistant

Name

Title

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 6th day of February, 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.

Scott Wilkinson, Assistant City Manager
 Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.S.T., TUESDAY, FEBRUARY 11, 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: January 28, 2020 Regular Session

I. PRESENTATIONS

- A. Reading of a proclamation by the Mayor in recognition of the month of February as Beef Month, and matters related thereto.
- B. Public display of Elko Fire Department Engine 10, and matters related thereto.
INFORMATION ONLY – NON-ACTION ITEM

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Thomas Quinlan, Volunteer Fire Fighter, Fire Department
 - 2.) Clancy Harman, Volunteer Fire Fighter, Fire Department
- B. Fire Department Badge Pinning and Administration of the Fire Officer's Oath, promotion of Firefighter Jeffrey Winrod to Fire Lieutenant, and matters related thereto. **INFORMATION ONLY - NON-ACTION ITEM**
- C. Review, consideration, and possible approval of an Agreement between the City of Elko, and the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America AFL/CIO Local 9110, July 1, 2019 – June 30, 2022, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2019/2020, FY 2020/2021 and FY 2021/2022. A redlined copy of the proposed Collective Bargaining Agreement has been included in the agenda packet for review. SS

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

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**

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 action to accept the 2019 Annual Report of Planning Commission Activities, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to City Code Section 3-4-23, the Planning Commission is required to prepare and present an Annual Report of its activities to Council. On February 4, 2020, the Planning Commission took action to approve the 2019 Annual Report of Planning Commission Activities, and forward it to the Council. CL

- B. Review, consideration, and possible acceptance of a Corrective Deed from T.G. Sheppard 1995 Family Limited Partnership to the City of Elko for a permanent non-exclusive Right of Way, and matters related thereto. **FOR POSSIBLE ACTION**

This Corrective Deed corrects deficiencies and effects the purpose of the Grant Deed and Easement that was recorded September 27, 1982 conveying the property to the City of Elko. CL

- C. Review, consideration, and possible acceptance of a Corrective Deed for Public Street/Right-of-way and Grant of Easement for Roadway and Utility Purposes from Franzoia Anacabe Family Limited Partnership to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

This Corrective Deed corrects deficiencies and effects the purpose of the Grant Deed and Easement recorded July 15, 1982, and Deed of Correction recorded October 23, 1983 was for the creation or realignment of a public Right-of-Way by the City of Elko. CL

- D. Review, consideration, and possible approval of a Non-Exclusive Franchise Agreement between the City of Elko and CC Communications an Enterprise Fund Operation of Churchill County, NV for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The proposed term of the agreement is 10 (ten) years and provides for a 5 (five) year renewal provided the terms and conditions remain the same. The proposed franchise fee is 5 (five) percent of the gross revenues actually collected from customers located within the corporate limits of the City. SAW

- E. Review, consideration, and possible action to initiate amendment to Title 8 Chapter 2, entitled "Conditions of Utility Occupancy of Public Roads and City Street Cuts and Repairs," and matters related thereto. **FOR POSSIBLE ACTION**

The principal objective of the proposed amendment is to identify micro-trenching as an alternative for fiber optic cable installation, to exclude micro-trenching activities from the requirement to install additional micro-duct and/or conduit in the micro-trench and to prohibit nano-trenching as an alternative for fiber optic cable installation in private excavations. Additional revisions are proposed to clarify other provisions of Code. SAW

- F. Review, consideration, and possible action pertaining to a request to purchase or lease approximately 900 sq. ft. of City owned property, identified as APN 001-01R-001, and matters related thereto. **FOR POSSIBLE ACTION**

Staff has received a request from Safelink Internet Services to purchase or lease property. They have stated on the application that they intent to place communication infrastructure on the property. NRS 268.062 allows for the sale or lease of any real property at auction after adopting a resolution declaring its intention to sell the property at auction. City Council must determine if the property is economically viable. SW

- G. Review, consideration and possible approval of a Non-Exclusive Franchise Agreement between the City of Elko and SafeLink Internet LLC for Data Communications Over, Under, In, Along and Across Public Roads in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The proposed term of the agreement is 10 (ten) years and provides for a 5 (five) year renewal provided the terms and conditions remain the same. The proposed franchise fee is 5 (five) percent of the gross revenues actually collected from customers located within the corporate limits of the City. SAW

VI. RESOLUTIONS AND ORDINANCES

- A. Review, discussion, and possible adoption of Resolution No. 4-20, a resolution waiving, for a period of five (5) years, the requirement that telecommunications carriers pay compensation to the City of Elko, for the property rights granted under franchise agreements, and matters related thereto. **FOR POSSIBLE ACTION**

On January 14, 2020, Council heard a presentation regarding a request from the Governor’s Office of Science, Innovation, and Technology to consider reducing the telecommunication franchise fee’s as a method for the City to invest in broadband communication development. Council voted to direct Staff to bring back a resolution that will reduce the franchise fees to 0% for a five-year period, starting July 1, 2020 to go through until June 30, 2025, for the telecommunication franchise fees only. SAW

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Consideration of a dispute of a water bill from Ms. Beverly Vasquez, and matters related thereto. **FOR POSSIBLE ACTION**

A letter from Ms. Beverly Vasquez has been included in the agenda packet for your review. CC

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 848, an ordinance amending Title 5, Chapter 3, section one (1), and twenty through twenty-two (20-22), adding the option for a Cat Caregiver Person, or organization to engage in a Trap-Neuter-Return (TNR) Program for Feral Cats, and matters related thereto. **FOR POSSIBLE ACTION**

On December 10, 2019, Council heard a presentation by Mark Robison, Senior Consultant with the Humane Network, and Co-Executive Director of Maddie’s Pet Project regarding Trap-Neuter-Return (TNR) Programs. Council initiated amendments to Title 5, Chapter 3 of the Elko City Code to allow for TNR within the City of Elko. First reading was conducted on January 28, 2020. CC

IX. REPORTS

- A. Mayor and City Council
- B. City Manager – February 18, 2020 - Special City Council Meeting
- 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 – Consolidated Sales Tax Update
- N. Parks and Recreation Director – Sno Bowl Update; Swimming Pool Update
- O. Civil Engineer
- P. Building Official

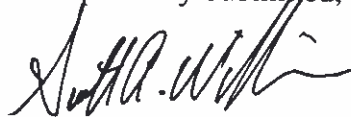
COMMENTS BY THE PUBLIC

Pursuant to N.R.S. 241, the public, if any, and discussion of those comments devote this time to 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