



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, April 28, 2020
at 4:00 P.M., P.D.T. utilizing [GoToWebinar.com](https://attendee.gotowebinar.com/register/4771406981460102671)
<https://attendee.gotowebinar.com/register/4771406981460102671>

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.elkocity.com> 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, April 23, 2020 at 8:30 a.m.

Posted by: **Kim Wilkinson** Administrative Assistant *Kim Wilkinson*

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 by registering. Public Comment and questions can also be received by calling (775) 777-0590 or by emailing: cityclerk@elkocitynv.gov. Please register for the Elko City Council Regular Meeting on April 14, 2020, 4:00 P.M., P.D.T. at:
<https://attendee.gotowebinar.com/register/4771406981460102671>

After registering, you will receive an email confirmation containing information about joining the webinar. For information regarding GoToWebinar, please visit the following link:
<https://support.goto.com/webinar/how-to-join-attendees> Members of the public that require assistance may contact the City Clerk at 775-777-7126.

Dated this 23rd day of April, 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.D.T., TUESDAY, APRIL 28, 2020
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA
GoToWebinar.com
<https://attendeegotowebinar.com/register/4771406981460102671>

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. Comments may be made through GoToWebinar.com, or by calling (775) 777-0590, or email comments to: cityclerk@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES:	April 7, 2020	Special Session
	April 14, 2020	Regular Session

I. PRESENTATIONS

- A. Presentation by Assemblyman John Ellison regarding COVID-19 Unemployment Insurance Claims and the State of Nevada Department of Employment, Training, and Rehabilitation, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**
- B. Report by County Manager Robert Stokes, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

II. CONSENT AGENDA

- A. Review, consideration, and possible appointment of Elko County Family Court Master Andrew Mierins as a Disciplinary Appeal Hearing Officer for the express purpose of conducting a disciplinary appeal hearing, pursuant to the City of Elko Human Resources Policy Manual, and matters related thereto. **FOR POSSIBLE ACTION**

- B. Review, consideration, and possible approval for the Elko Police Department to apply for a Services-Training-Officers-Prosecutors (STOP) Grant in the amount of thirty thousand dollars (\$30,000), to assist with costs associated with the part-time Domestic Violence Services Advocate (DVSA) position, and matters related thereto. **FOR POSSIBLE ACTION**

The DVSA works with victims, officers and the District Attorney's office to assist domestic violence victims through the criminal process. Since January 1, 2020, the Elko Police Department has received 239 domestic violence related calls, and filed 72 cases with the District Attorney's Office. The STOP Grant requires a cash match. TT

- C. Review, consideration, and possible approval of the Elko Police Chief applying for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the Elko Combined Narcotics Unit (ECNU), and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department would like to apply for an Office of Criminal Justice Assistance (OCJA) Grant in the amount of thirty-two thousand dollars (\$32,000), for costs associated with the operations of the Elko Combined Narcotics Unit (ECNU); OCJA requires no cost-match. TT

- D. Review, consideration, and possible approval of the Elko Police Chief to apply for an Office of Criminal Justice Assistance (OCJA) Grant. The grant, valued at eighty-seven thousand, eight hundred and eighty-two dollars (\$87,882.00) would be used to replace three Elko Police Department, Bomb Squad explosive resistant suits including helmets, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department would like to apply for an OCJA Grant for the replacement of three Elko Police Department, Bomb Squad explosive resistant suits including helmets.

The explosive resistant suits and helmets are necessary for the Bomb Squad members to safely and effectively place equipment and/or manipulate suspected explosive devices. These suits, like the ballistic vests, have a five-year shelf life and the three we currently own are all expired. Each suit is twenty-nine thousand, two hundred and ninety-four dollars (\$29,294.00). We are seeking to replace the three expired suits for a total cost of eighty-seven thousand, eight hundred and eighty-two dollars \$87,882.00 dollars. There are no matching fund requirements. TT

- E. Review, consideration, and possible approval for the Fire Department to apply for Staffing for Adequate Fire and Emergency Response (SAFER) Grant through the Department of Homeland Security to continue the Volunteer Retention and Recruitment Position, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko Fire Department Fire Department would like to apply for the 2019 FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant. The application would apply for a Volunteer Retention and Recruitment Coordinator position. The current grant that has lasted four years will be expiring in November of 2020. This position has been a great success to increasing our volunteer firefighting force, while certifying all individuals to national standards. There is no match by the City for this grant. JS

- F. Review and possible extension of “Administrative Leave with Pay” for full-time employees sent home pursuant to Governor Sisolak’s amended shutdown order, starting May 1, 2020 through May 16, 2020, and matters related thereto. **FOR POSSIBLE ACTION**

Due to Governor Sisolak’s extension of the statewide business shutdown beyond April 30, 2020, the City of Elko needs a mechanism to keep affected full-time employees in a pay status through May 16, 2020. CC

III. PERSONNEL

- A. Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Family and Medical Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Family and Medical Leave Expansion Act (EFMLEA) provides up to 12 weeks of FMLA Leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. The EFMLEA is available for any eligible employee who is unable to work or telework, due to a need for leave to care for his/her child whose school or place of care has been closed, or childcare provider is unavailable for reasons related to COVID-19. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Family and Medical Leave eligibility, and use. SS

- B. Review, consideration, and possible approval of proposed City of Elko Human Resources Emergency Paid Sick Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Families First Coronavirus Response Act (FFCRA) was signed into law by President Trump on March 18, 2020 and is in effect from April 1, 2020 through December 31, 2020. As part of the FFCRA, the Emergency Paid Sick Leave (EPSLA) provides 2 weeks (up to 80 hours) of paid sick leave for full-time, part-time, or seasonal employees who meet the eligibility requirements. Public employers are covered under this Act. This POOL/PACT policy provides the details of Emergency Paid Sick Leave eligibility, and use. SS

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, consideration, and possible action to award a bid for the WRF East Primary Clarifier Recoating Project 2020, and matters related thereto. **FOR POSSIBLE ACTION**

This is a yearly maintenance project, which rotates between five (5) clarifiers. Bids were opened on February 19, 2020, and Council rejected all bids for noncompliance on March 10, 2020. Staff was directed to rebid the project, and bids were opened on April 20, 2020. A Bid Tally Sheet is included as supplemental agenda information with Staff findings. DJ

V. NEW BUSINESS

- A. Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and Beehive Broadband LLC, amending Section 2 of the agreement, granting a revocable license to pull communications cable in underground conduit owned by the City of Elko located within City Rights-of-Way and amending Section 10 of the agreement, allowing for a reduction in Franchise Fees by resolution of the City Council, and matters related thereto. **FOR POSSIBLE ACTION**

Council has recently approved Non-Exclusive Franchise Agreements including a provision granting a revocable permit for occupancy of City owned conduit. Additionally, Council passed Resolution No. 4-20 on February 11, 2020 waiving Franchise Fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter, the telecommunication carrier shall pay the Franchise Fee as stipulated in the agreement. The proposed amendment addresses the issues referenced above. SAW

- B. Review, consideration, and possible approval of the Second Amendment to the Non-Exclusive Franchise Agreement between the City of Elko and White Cloud Communications, Incorporated, amending Section 2.1 of the agreement, allowing for a reduction in franchise fees by resolution of the City Council, and matters related thereto. **FOR POSSIBLE ACTION**

Council passed Resolution No. 4-20 on February 11, 2020, waiving franchise fees for telecommunications carriers beginning July 1, 2020 for a period of five (5) years. Commencing on June 30, 2025, and continuing thereafter the telecommunication carrier shall pay the franchise fee as stipulated in the agreement. SAW

- C. Review and possible approval of the Skywest Landing and Lease Deferral Policy, and matters related thereto. **FOR POSSIBLE ACTION**

Staff will provide the Skywest Landing and Lease Deferral Policy for City Council consideration. JB

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review and consideration of a request from Becky Tyree to consider amending the Elko City Code 5-3-1 changing the number of laying hens not used for commercial purposes allowed in private residences, and matters related thereto. **FOR POSSIBLE ACTION**

The City received email correspondence requesting to amend City Code 5-3-1 that allows two laying hens not used for commercial purposes in private residences. The email is in the agenda packet. KW

- B. Review, consideration, and possible action to accept a petition for a slope easement of approximately .75 acres along the southern portion of approved Tentative Map 14-19 (Mountain View Townhomes), filed by Koinonia Development, LP, and matters related thereto. **FOR POSSIBLE ACTION**

Due to the existing topography of the development site, the applicant's engineer is proposing off-site grading onto City of Elko-owned property (a portion of Mountain View Park). A condition of approval of the Tentative Map was that a slope easement be granted to allow for this off-site grading. SAW

- C. Review, consideration, and possible action pertaining to a request to purchase approximately 2,800 sq. ft. of City owned parcel referred to as APN 001-01R-001, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved a petition to sell or lease approximately 900 sq. ft. to the applicant at their February 11, 2020 meeting. The applicant has since requested a larger parcel, 70x40, and has submitted a new application.

Pursuant to NRS 268.063, the City Council may adopt a resolution which triggers an "economic development" exception, finding that it is in the best interest of the public to sell the property without offering the property to the public. SAW

- D. Review, consideration, and possible action to accept a petition requesting that the City of Elko provide 1 buffer tube of fiber in existing fiber paths to CC Communications in exchange for CC Communications providing the City of Elko a buffer of the same liner feet within the city, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko approved a non-exclusive franchise agreement with the CC Communications on February 11, 2020. The non-exclusive franchise agreement

does not provide for the use of City owned fiber. CC Communications is requesting the City consider allowing CC Communication use of the existing fiber in exchange for an equivalent city use of CC Communications fiber. A separate agreement between the parties would be required. SAW

VII. PUBLIC HEARINGS

- A. Review, consideration, and possible adoption of Emergency Ordinance No. EO-001, an emergency ordinance deferring certain utility fees, penalties, and charges to assist businesses adversely affected by the COVID-19 Pandemic, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the proposed emergency ordinance has been included in the agenda packet for review. CC

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
- M. Financial 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,



Scott Wilkinson
Assistant City Manager