



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, July 27, 2021 at 4:00 P.M., P.D.T. at the Elko City Hall, 1751 College Avenue, Elko, Nevada, and by utilizing <https://global.gotomeeting.com/join/413956309>

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

[GoToMeeting.com](https://www.go-to-meeting.com)

<https://global.gotomeeting.com/join/413956309>

You can also dial in using your phone [+1 \(646\) 749-3122](tel:+16467493122) Access Code: **413-956-309**

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, Nevada 89801

Date & Time Posted: Thursday, July 22, 2021 at 8:30 A.M.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date and Time Posted: Thursday, July 22, 2021 at 8:40 A.M.

ELKO POLICE DEPARTMENT

1448 Silver Street, Elko, NV 89801

Date and Time Posted: Thursday, July 22, 2021 at 8:50 A.M.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date and Time Posted: Thursday, July 22, 2021 at 9:00 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 at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

Dated this 22nd day of July, 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 A. Wilkinson

Scott Wilkinson, Assistant City Manager
Elko, Nevada

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T.
ELKO CITY HALL, 1751 COLLEGE AVENUE
ELKO, NEVADA 89801
TUESDAY, JULY 27, 2021
<https://global.gotomeeting.com/join/413956309>

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: July 13, 2021 **Regular Session**

I. PRESENTATIONS

- A. Presentation by the Nevada Rural Housing Authority (NRHA), and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**
- B. Review, consideration of information concerning softball tournament play, and matters related thereto. **FOR POSSIBLE ACTION**

At the Council meeting on July 13, 2021, members of the softball community expressed concerns with tournament play and the relationship with the City during prior years. Comments from the Council indicated the City would consider the concerns expressed during the public comment. The City Manager reported that Staff would present information concerning the matter at a future meeting. SAW

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Samuel Cook, WRF Technician Trainee

- B. Review, consideration, and possible approval of the application, and application process to fill the unexpired term of Councilman Bill Hance, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko was notified of Councilman Bill Hance’s death on July 15, 2021. Elko City Code 1.060 states: “A vacancy in the city council must be filled by a majority vote of the members of the city council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the city council before the vacancy occurs. In such a case, each member of the city council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the city council pursuant to this section. The appointee must have the same qualifications as are required of the elective official.” The Council needs to make a decision regarding the contents of the application, application process and approve the timeline. In the past the Council has required a letter if interest, a resume, and answers to a list of questions.
KW

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Ruby Mountain Lock & Safe Warrants, 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, consideration, and possible approval of the Elko Police Department to purchase nine (9) Tasers and related equipment, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2021/22 budgeting process to purchase new Tasers. The cost of nine (9) Tasers, eight (8) Taser magazines, and nine (9) Taser holsters is \$11,962.75. TT

IV. NEW BUSINESS

- A. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-200-002, offered from Elko County to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council has on this same agenda Resolution No. 21-21 to vacate a portion of Golf Course Road Right-of-Way to the adjacent parcel owned by Elko County. There are existing public utilities located in the area proposed to be vacated and would require an easement. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. CL

- B. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-200-009, offered from Nevada Health Centers Inc. to the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

City Council has on this same agenda Resolution No. 22-21 to vacate a portion of Golf Course Road Right-of-Way to the adjacent parcel owned by Nevada Health Centers Inc. There are existing public utilities located in the area proposed to be vacated and would require an easement. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. CL

- C. Review, consideration, and possible approval for the City of Elko to enter into a Reciprocal Access Agreement with the owners of APNs 001-375-001 and 001-373-001 for the purpose of providing all parties with the ability to access a portion of 15th Street proposed to be vacated, and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as a shared private driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street and the City will need to access these from time to time for maintenance. The proposed agreement allows all three parties to access this new private driveway. This is item 1 of 5 related to the possible vacation of a portion of 15th Street. MR

- D. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-375-001 (The Igloo Inc.), and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as a shared driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street and drainage will continue to flow through this area. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. This is item 2 of 5 related to the possible vacation of a portion of 15th Street. MR

- E. Review, consideration, and possible approval of a Grant of Easement for Public Utilities and Drainage adjacent to APN 001-373-001 (Flyers Energy, LLC.), and matters related thereto. **FOR POSSIBLE ACTION**

Council initiated the vacation of a portion of 15th Street at their June 22, 2021 meeting. If/When the vacation is approved, the former public street will be used as a shared driveway by the abutting property owners (The Igloo Inc. and Flyers Energy, LLC). Existing City of Elko utilities will remain under the vacated street

and drainage will continue to flow through this area. The proposed easement will provide the City of Elko with the ability to properly maintain the existing utilities and drainage. This is item 3 of 5 related to the possible vacation of a portion of 15th Street. MR

- F. Review, consideration, and possible approval of the Second Addendum to the School Resource Officer Cooperative Agreement between the Elko County School District, the County of Elko, and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

The original Cooperative Agreement was entered into by all three parties in January 2015, and the Program has been very successful. The Elko County School District has agreed to provide 100% funding of salary and benefits for two SRO positions for the 2021/22 school year. All parties have met, conferred, and agreed to the conditions set forth in the Second Addendum to the Cooperative Agreement. TT

- G. Review, consideration, and possible action to approve a Revocable Agreement with Bird Rides, Inc. for a stand up electric scooter business throughout the community, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved the concept of scooter service in Elko and authorized Staff to come back with a revocable license agreement at their July 13, 2021 meeting. CL

- H. Review, consideration, and discussion for the appointment of (3) three new members to the Parks and Recreation Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

Council authorized Staff to advertise for open positions on the Parks and Recreation Advisory Board at a previous meeting on June 22, 2021. Since then, Staff has received five (5) letters of interest from Katie Neddenriep, Spring Robinson, Leslie Creel, Nick Claerbout, and Ashlyn Greener expressing a desire to serve as members on the Board. Two (2) appointments will be for the remainder of the term through June 30, 2023. One (1) appointment will be for a four (4) term through June 30, 2025. JW

- I. Review, consideration, and discussion for the re-appointment of four (4) members to the Parks and Recreation Advisory Board, and matters related thereto. **FOR POSSIBLE ACTION**

The terms for five (5) members serving on the Parks and Recreation Advisory Board expired on June 30, 2021. Colby Curtis, Harmony Stahl, Jim Conner, and Andrew Storla are seeking reappointment for another four (4) year term. Fred Beitia is not seeking another term on the Board. JW

- J. Review, consideration and possible selection of a provider or providers of fixed broadband service to apply, in partnership with the City, for grant funding from the

National Telecommunication and Information Administration (NTIA), and matters related thereto. **FOR POSSIBLE ACTION**

The City Council took action at its meeting on July 13, 2021 directing Staff to solicit proposals from fixed broadband service providers for consideration in partnering with the City in applying for grant funding from the National Telecommunication and Information Administration (NTIA) for development of broadband service in the City. To be eligible, the City must enter into a qualifying agreement with a provider of fixed broadband service. A covered partnership may include more than one provider of fixed broadband service as part of its application. Applications are due not later than August 17, 2021. Proposals were required to be submitted by the end of the business day on July 20, 2021. Two proposals were submitted, one from CC Communications and the other from Anthem. SAW

V. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 23-21, a Resolution providing for the transfer of the City's 2021 Private Activity Bond Cap to the Nevada Rural Housing Authority, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 23-21 have been enclosed in the agenda packet for review. CC

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible approval of a letter addressed to Governor Sisolak concerning COVID related issues, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council took action at its meeting on July 13, 2021 directing Staff to draft a letter to Governor Sisolak concerning several COVID related issues expressed by members of the community. SAW

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution 19-21, a resolution and order vacating a portion of 15th Street Right-of-Way consisting of an area approximately 6,800 square feet abutting APN 001-375-001 to the property owner (The Igloo, Inc.), and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021 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 July 6, 2021 and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 3-21 with findings in support of its recommendation. This is item 4 of 5 related to the possible vacation of a portion of 15th Street. MR

- B. Review, consideration, and possible action to adopt Resolution 20-21, a resolution and order vacating a portion of 15th Street Right-of-Way consisting of an area approximately 6,800 square feet abutting APN 001-373-001 to the property owner (Flyers Energy, LLC), and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021 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 July 6, 2021 and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 4-21 with findings in support of its recommendation. This is item 5 of 5 related to the possible vacation of a portion of 15th Street. MR

- C. Review, consideration, and possible action to adopt Resolution No. 21-21, a resolution and order vacating a portion of Golf Course Road Right-of-Way, consisting of an area approximately 1,842 sq. ft. abutting APN 001-200-002, which is located within the City of Elko, Nevada, to the abutting property owner Elko County, filed and processed as Vacation No. 1-21, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021, 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 July 6, 2021, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-21 with findings in support of its recommendation. CL

- D. Review, consideration, and possible action to adopt Resolution No. 22-21, a resolution and order vacating a portion of Golf Course Road Right-of-Way, consisting of an area approximately 210 sq. ft. abutting APN 001-200-009, which is located within the City of Elko, Nevada, to the abutting property owner Nevada Health Centers, filed and processed as Vacation No. 2-21, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of June 22, 2021, 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 July 6, 2021, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 2-21 with findings in support of its recommendation. CL

- E. Review, consideration, and possible action to conditionally approve Tentative Map No. 3-21, 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**

The 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 July 6, 2021, and took action to forward a recommendation to conditionally approve Tentative Map 3-21. MR

- F. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-22(H), appealing the Elko City Planning Commission's decision to deny Variance No. 3-21, filed by DAG LLC. on behalf of Sonora LLC, for an increase in the number of allowed freestanding signs per street frontage and increase maximum area of a freestanding sign, located generally on the south corner of the intersection of Idaho Street and 5th Street (397 5th Street), and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Elko City Code 3-2-25, the Council may affirm, modify or reverse the decision of the Planning Commission.

The Planning Commission considered the subject variance on July 6, 2021 and took action to deny the variance. Subsequently, the applicant appealed the Planning Commission's decision. CL

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

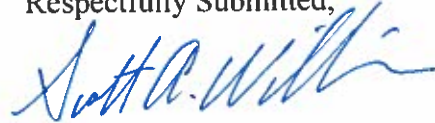
COMMENTS BY THE GENERAL PUBLIC

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