



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, August 25, 2020
at 4:00 P.M.–7:00 P.M., P.D.T. utilizing **GoToMeeting.com**

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

GoToMeeting.com

<https://global.gotomeeting.com/join/376076485>

Attached with this notice is the agenda for said meeting of the Elko City Council. In accordance with NRS 241.020, the public notice and agenda were posted on the City of Elko Website at **<http://www.elkocity.com>**, 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, August 20, 2020

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>**

The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: **<https://global.gotomeeting.com/join/376076485>** You can also dial in using your phone at **+1 (571) 317-3122**. The Access Code for this meeting is **376-076-485**. Public Comment and questions can be received by calling (775) 777-0590 or by emailing: **cityclerk@elkocitynv.gov**

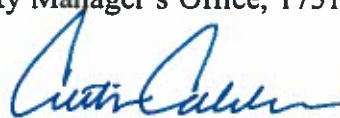
New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/376076485>

Dated this 20th Day of August, 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 City of Elko, City Manager's Office, 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, AUGUST 25, 2020
GoToMeeting.com
<https://global.gotomeeting.com/join/376076485>

CALL TO ORDER

The Agenda for this meeting of the 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 GoToMeeting.com, or by calling (775) 777-0590, or email comments to: cityclerk@elkocitynv.gov. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES:	July 23, 2020	Special Session
	August 11, 2020	Regular Session

I. CONSENT AGENDA

- A. Review, consideration, and possible approval of a Utility and Drainage Easement Deed and acceptance of the dedication of a public utility and drainage easement on a portion of an adjacent private property (001-610-047) associated with the development of the previously approved Mountain View Townhomes subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

The nearest connection point to the sewer within N. 5th Street is located just south of the Mountain View Townhome subdivision. To minimize the amount of disturbance to the asphalt, the utility plan for the subdivision was designed to run a portion of the sewer line through a small portion of the adjacent parcel to the south. Therefore, a public utility easement is required between the City of Elko and North Fifth Commercial Center, LLC, the owner of adjacent parcel. This easement will also accommodate for surface drainage moving from N. 5th Street through North Fifth Commercial Center, LLC's property, ultimately draining to Mountain City Park. MR

- B. Ratification of revision No. one (1) to Amendment No. one, (1) to the contract dated February 26, 2019 between Jviation, Inc., and the City of Elko, Nevada, 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 revision no. 1 to amendment #1 will cover fees associated with Airport Improvement Project AIP 50 Pavement Preservation and Rehabilitation of Runway of Airfield Services. The FAA has approved this request. JF

II. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Fiscal Year 2020 General Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review and possible approval of Print n' Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

III. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible adoption of Resolution No. 21-20, a resolution of the Elko City Council finding it is in the best interests of the public of the City of Elko to sell a \pm 2,800 sq. ft. portion of APN 001-01R-001 to Anthem Broadband of Nevada LLC for the purposes of economic development pursuant to NRS 268.063, and matters related thereto. **FOR POSSIBLE ACTION**

On April 28, 2020, the City Council approved a petition to sell approximately 2,800 sq. ft. of vacant property to Safelink Internet LLC for the construction of a communications building, subject to an appraisal. Since that meeting, Safelink Internet LLC has formed a new limited-liability company called "Anthem Broadband of Nevada LLC," with the desire to construct the communications building and use the site in providing high-speed Internet to businesses and residents of the City. The appraisal, in the amount of \$22,500.00, was accepted during the Public Hearings portion of this meeting. The adoption of Resolution 21-20 permits the sale of the property to Anthem Broadband of Nevada LLC for economic development purposes without offering the property to the public. CL

- B. Review, consideration, and possible approval of Resolution No. 22-20, a resolution providing for the transfer of appropriations between accounts within the City of Elko 2019/2020 Fiscal Budget pursuant to N.R.S. 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

This is the annual year-end housekeeping item to transfer funds between functions, and funds as required to fund all budgetary changes that occurred during the fiscal year. These are the final transfers for the June 30, 2020 Year. JB

IV. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to initiate an amendment to the City of Elko district boundaries, specifically a portion of APN 001-01R-001, approximately 2,800 sq. ft., removing the PQP-Public, Quasi-Public Zoning District and replacing with the LI- Light Industrial Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 3-2-21 allows the City Council to initiate on its own motion a change to the district boundaries. The City of Elko owns the parcel and is proposing to sell the small portion of the parcel proposed in this zone amendment to Anthem Broadband of Nevada, LLC. This amendment, initiated by the City Council, if approved, will be heard as a public hearing by the Planning Commission. CL

- B. Review, consideration, and possible approval of the annual Rides and Rods Special Event Permit, Park Permit, Street Closure, and special event liquor license, and matters related thereto. **FOR POSSIBLE ACTION**

Rides and Rods is requesting to have the annual event in the City Park. They have included what measures they are taking related to COVID-19. At the time of the application, Elko County is in the “red zone” regarding COVID-19 and the Governor’s directive 027 does not allow bars that do not serve food and drinks cannot be served from a bar top, and caps the number of people at events at 50. KW

- C. Review, consideration, and possible approval of the Elko County “no-fair” special event permit and special event liquor license, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko County Fair Board is requesting a special event liquor license for the “no fair event” to be held September 4–7th at the Elko County Fairground. At the time of application, Elko County remains in the “red zone” regarding COVID-19 and is under Governor’s directive 027 prohibiting bars that do not serve food to be open and prohibiting bar tops to be open. The “no fair” plans to have a food truck and bar service at the Cowboy bar. KW

- D. Review, consideration, and possible approval of the 2020 Gold Rush Challenge Bull Riding special event permit and special event liquor license, and matters related thereto. **FOR POSSIBLE ACTION**

Benavides Bucking Bulls, LLC is requesting a special event liquor license for the Bull Riding Event to be held September 12^h at the Elko County Fairground. At the time of application Elko County remains in the “red zone” regarding COVID-19 and is under Governor’s directive 027 prohibiting bars that do not serve food to be

open and prohibiting bar tops to be open. The event plans to have Stockmen's Hotel and Casino operating food and beverage. KW

V. 5:30 P.M. PUBLIC HEARINGS

- A. Review of bids received and subsequent public auction for the sale of approximately 3,073 square feet of City owned property located generally northeast of the intersection of Sewell Drive and Sage Street, referred to as APN 001-013-018, and matters related thereto. **FOR POSSIBLE ACTION**

On July 28, 2020, City Council approved Resolution No. 14-20, which set forth the conditions of the public auction for the sale of City owned land. The minimum sale price must be \$14,500.00 payable in cash or cashier's check at close of sale, which shall be within sixty (60) days of acceptance by the City Council of the highest bid. A copy of Resolution No. 14-20 has been enclosed in the agenda packet for review. CL

- B. Review of bids received and subsequent public auction for the lease of approximately 8.69 acres of City owned property located generally north of West Idaho Street, referred to as APN 006-09G-027, and matters related thereto. **FOR POSSIBLE ACTION**

On July 28, 2020, City Council approved Resolution No. 15-20, which set forth the conditions of the public auction for the lease of City owned land. The minimum annual market rent must be \$19,000.00. A copy of Resolution No. 15-20 has been enclosed in the agenda packet for review. CL

- C. Review, consideration, and possible adoption of Resolution No. 17-20, a resolution of the Elko City Council, amending the Elko City Master Plan, specifically amending: 1) the Proposed Future Land Use Plan Atlas Map 8 on six parcels of land located on S. 5th Street generally between Carlin Court and S. 9th Street; 2) the Land Use Section to add RO (Residential Office) as a corresponding zoning under the Downtown Mixed-Use land use designation; and 3) the Proposed Future Land Use Plan Atlas Map 8 on one parcel located at the western terminus of Rocky Road, filed as Elko City Master Plan Amendment No. 2-20, and matters related thereto. **FOR POSSIBLE ACTION**

On August 4, 2020, the Planning Commission adopted its Resolution No. 2-20 to amend the Proposed Future Land Use Plan Atlas Map 8 and the RO (Residential Office) Land Use Section of the current Elko City Master Plan as outlined above. An amendment of this type requires positive action by both the Planning Commission and the City Council. If the City Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval. MR

- D. Review, consideration, and possible action to adopt Resolution No. 18-20, a resolution of the Elko City Council, adopting a change in zoning district boundaries from AG (General Agriculture) to PQP (Public, Quasi-Public) Zoning District,

approximately 38.09 acres of property, filed by City of Elko, and processed as Rezone No. 2-20, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the Subject Zone Change Request on August 4, 2020, and took action to forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 2-20. CL

- E. Review, consideration, and possible action to adopt Resolution No. 19-20, a resolution and order vacating a portion of Fir Street Right-of-Way, consisting of an area approximately 1,500 sq. ft. abutting APN's 001-096-010 through 001-096-015, which is located within the City of Elko, Nevada, to the abutting property owner Real Estate Pro, LLC., filed and processed as Vacation No. 2-20, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition to vacate this Right-of-Way at its regular meeting of July 14, 2020, 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 August 4, 2020, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 2-20 with findings in support of its recommendation. CL

- F. Public hearing pursuant to NRS 268.059(1)(a) regarding the appraised fair market value and possible sale of approximately 2,800 sq. ft. of City-owned property located generally west of the terminus of Front Street and south of 5th Street, designated as a portion of APN 001-01R-001. Discussion and possible motion determining that the fair market value of the property is \$22,500 in accordance with the appraisal of Jason Buckholz of CRBE, Inc., appraiser, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved a petition to sell 2,800 sq. ft. to Safelink Internet LLC. at their April 28, 2020 meeting and directed Staff to proceed with the statutory process for selling the parcel pursuant to NRS 268.063. The company has since created a new LLC., Anthem Broadband of Nevada, LLC. Anthem Broadband now seeks to purchase the same property for the purpose of constructing a communications building as part of its plan to provide high-speed Internet to businesses and residents of the City. The City Council will consider the sale of this property to Anthem Broadband pursuant to the economic development exception later in this meeting. However, prior to invoking that exception, pursuant to NRS 268.059 and 268.063 the City Council must first hold a public hearing on the matter of the appraised fair market value of the real property. CL

- G. Review, consideration, and possible action to conditionally approve Tentative Map No. 5-20, filed by BDSA, LLC, for the development of a subdivision entitled Tower Hill Unit 4, involving the proposed division of approximately 8.601 acres of property into 5 lots for residential development within the R1 (Single-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located northeast of Lamoille Highway and south of Stitzel Road (APN 001-929-125). The Planning Commission considered this item on August 4, 2020, and took action to forward a recommendation to conditionally approve Tentative Map 5-20. MR

VI. 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

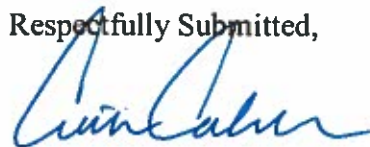
COMMENTS BY THE GENERAL PUBLIC

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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,



Curtis Calder
City Manager