



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, September 22, 2020
at 4:00 P.M.–7:00 P.M., P.D.T. utilizing [GoToMeeting.com](https://global.gotomeeting.com)

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

<https://global.gotomeeting.com/join/223532117>

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, September 17, 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>

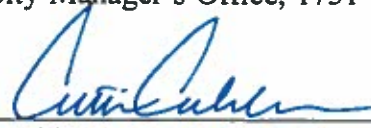
The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone at: <https://global.gotomeeting.com/join/223532117> You can also dial in using your phone at +1 (408) 650-3123 the Access Code for this meeting is 223-532-117. Public Comment and questions can be received 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/223532117>

Dated this 17th day of September, 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, SEPTEMBER 22, 2020
GoToMeeting.com
<https://global.gotomeeting.com/join/223532117>

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: **September 8, 2020 Regular Session**
 August 25, 2020 Special Session

I. 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. Consideration and possible approval of an Interlocal Agreement for the Grant of Funds Pursuant to the Coronavirus Aid, Relief and Economic Security Act between the City of Elko and the County of Elko in the amount of \$1,095,919.16, and matters related thereto. **FOR POSSIBLE ACTION**

Council previously authorized Staff to accept the CARES Act funding, determine eligible expense and purchases to be reimbursed or expended from CARES Funding, and to consider the possible allocation of the CARES Funding not utilized by the City of Elko to Elko County for the business Grant Cares Grant Program subject to an Interlocal Agreement with Elko County. An Interlocal Agreement was

prepared by David Stanton, City Attorney. The County is requesting changes as outlined in the attached red lined agreement, Page 4, Paragraph 3. Specifically, the County is requesting that the original language of: “as well as any subsequent emergency directives or executive orders related to the COVID-19 health crisis capacity” be changed to “as of September 3, 2020 related to the COVID-19 health crisis capacity.” This is a substantive change to the proposed Interlocal Agreement which does not align with the original Coronavirus Relief Fund Eligibility Certification approved by the City Council and certified by the City Manager. JB

- D. Review, consideration, and possible rejection of all bids for the Water Tank Interior Coating Project-2020, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were opened September 11, 2020. Only one complete bid was submitted for the project, with four bids being incomplete. All of the bids were above the \$500,000.00 budgeted amount for the project. A Bid Tally Sheet has been provided for review. DJ

- E. Review, consideration, and possible ratification of Staff’s approval for Change Orders related to unforeseen conditions with the Re-roofing Project at the City of Elko Swimming Pool, and matters related thereto. **FOR POSSIBLE ACTION**

Due to various un-known conditions related to the City of Elko Swimming Pool re-roof and ceiling demolition project it was necessary for Staff to approve Change Orders currently totaling \$50,719.28. Change Orders pertain to asbestos mitigation measures, placement of additional roof decking, and the demolition and reconstruction of the rotted wood curb for the roof mounted air handler unit. JW

II. NEW BUSINESS

- A. Review, consideration, and possible action to conditionally approve Parcel Map No. 7-20, filed by City of Elko, for the division of approximately 49.98 acres into three parcels, located generally along the Humboldt River from approximately 9th Street to approximately 1,200 feet west of Errecart Blvd., and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko is the applicant of the parcel map, therefore must have City Council approval. The parcel map will create the 2,800 sq. ft. parcel in which City Council approved to sell to Anthem Broadband of Nevada. CL

- B. Review, discussion, and possible approval for payment to the Boys and Girls Club of Elko for COVID-19 related expenses (for example PPE and COVID-19 testing) incurred as a result of the COVID-19 pandemic, and matters related thereto. **FOR POSSIBLE ACTION**

The City received Cares Relief Funds from the State of Nevada in August, 2020. As outlined in the Coronavirus Relief Fund Terms and Conditions for Local Governments from the State of Nevada a sub-grant to reimburse the Boys and Girls

Club of Elko for direct costs associated with COVID-19 which include, but are not limited to, COVID-19 testing and PPE are eligible expenditures.

The City would like to sub-grant Cares Relief Funds to the Boys and Girls Club of Elko for direct COVID-19 related expenses. The payment of these funds would be subject to the Boys and Girls Club of Elko providing a specific list of COVID-19 related expenses along with invoices as well as the Boys and Girls Club of Elko agreeing to the terms specified in the Coronavirus Relief Fund Terms and Conditions for Local Governments from the State of Nevada; including adhering to Nevada Governor's Directives.

The current list of expenses provided by the Boys and Girls Club of Elko is \$16,253.21. JB

- C. Review, discussion, and possible direction to Staff regarding CARES Act funding, including the possible initiation of the closeout process, and matters related thereto. **FOR POSSIBLE ACTION**

Based upon the outcome of related agenda items, City Staff may recommend that ongoing compliance with the terms and conditions imposed by the State of Nevada is no longer feasible and/or Cares Act funding is no longer necessary. CC

III. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Ordinance No. 856, an Emergency Ordinance Reducing the Amount and Deferring Payment of Brothel License Fees, and matters related thereto. **FOR POSSIBLE ACTION**

On June 23, 2020, City Council approved Ordinance No. 855, which deferred payment for Brothel License Fees until September 30, 2020 due to the COVID-19 pandemic. This ordinance extends the date to within thirty (30) days of the date the licensee is permitted to reopen by order of the Office of the Governor or upon termination of this Ordinance, whichever occurs first. KW

IV. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration and possible approval of a request from Attorney David Lockie, representing Mr. Louis Goldberg. Mr. Goldberg is requesting to modify conditions on the business licenses for Mona's Ranch and Inez's D & D, and matters related thereto. **FOR POSSIBLE ACTION**

On August 14, 2018, City Council approved the Brothel License Application for Louis Goldberg, with the restriction that he is on site twenty days a month and this is subject to audit from the Police Department. Mr. Goldberg is requesting to modify this condition to 10 days per month. KW

- B. Review, consideration, and possible approval of a request by Mr. and Mrs. Barris for reimbursement for damages resulting from sewer leak at their residence, and matters related thereto. **FOR POSSIBLE ACTION**

On July 30, 2020 Kimberly and James Barris, 3505 Forest Court, contacted the on-call regarding a water leak. The on-call went out and suggested the homeowner turn the water off. The house flooded again the next morning and the Water Department Supervisor responded who determined it was actually a sewer leak on the City side of the pipes not a water leak. The City of Elko insurance (Alternative Services Concepts) denied the claim. The City Sewer Policy allows for reasonable cost of the initial clean up and does not include removal of property, replacement of carpeting, tile or furnishings, new construction, disposal or any other costs and/or damages. The Barris's are requesting payment for lost items and other damage. KW

- C. Review, consideration, and possible action to accept a petition requesting the lease of City owned property pursuant to NRS 268.062, approximately 1.126 acres, identified as Lease Area N1 located at the Elko Regional Airport, at public auction, and authorize Staff to obtain the required appraisal, and matters related thereto. **FOR POSSIBLE ACTION**

Classic Air Care dba MedX AirOne has petitioned the City of Elko to lease airport owned property identified as Lease Area N1 located on the Elko Regional Airport. If Council accepts the petition, an appraisal will be obtained and Council will hold a meeting on the fair market value of the property and adopt a resolution declaring its intention to lease the property at public auction. JF

V. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 23-20, a resolution of the Elko City Council, adopting a change in zoning district boundaries from C (General Commercial) to PQP (Public, Quasi-Public) Zoning District, approximately 26,061 square feet of property, filed by City of Elko, and processed as Rezone No. 1-20, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the Subject Zone Change Request on September 1, 2020, and took action to forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 1-20. CL

- B. Review, consideration, and possible action to adopt Resolution No. 24-20, a resolution of the Elko City Council, adopting a change in zoning district boundaries from AG (General Agriculture) to R (Single Family and Multiple Family Residential) Zoning District, approximately 2.415 acres of property, filed by Legion Construction and Development LLC., and processed as Rezone No. 5-20, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the Subject Zone Change Request on September 1, 2020, and took action to forward a recommendation to City Council to adopt a resolution, which approves Rezone No. 5-20. CL

- C. Review, consideration, and possible action on an appeal filed pursuant to Elko City Code 3-2-18(E)(3), appealing the Elko City Planning Commission's decision to deny Conditional Use Permit No. 3-20, filed by Ruby Mountain Acton Academy on behalf of Gladys Burns, which would allow for a Teaching of the Creative Arts/Childcare Center within an R (Single Family and Multiple Family Residential) Zoning District, located generally on the southeast side of West Birch Street (675 W. Birch 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 conditional use permit on August 4, 2020 and took action to deny the conditional use permit. CL

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

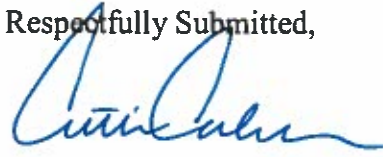
COMMENTS BY THE GENERAL PUBLIC

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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