

City of Elko)
County of Elko)
State of Nevada)

SS February 28, 2017

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, February 28, 2017.

This meeting was called to order by Mayor Pro Tempore John Rice.

ROLL CALL

Council Present: Councilman John Rice
Councilwoman Mandy Simons *arrived at 4:01 pm*
Councilman Robert Schmidlein
Councilman Reece Keener

Mayor Absent: Chris J. Johnson

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Shanell Owen, City Clerk
Aubree Barnum, Human Resources Manager
Jonnye Jund, Accounting Manager
Jeremy Draper, Development Manager
Cathy Laughlin, City Planner
James Wiley, Parks and Recreation Director
Joe Carr, Parks Superintendent
Mike Hess, Landfill Superintendent
Dennis Strickland, Public Works Director
Dave Stanton, City Attorney
Matt Griego, Fire Chief
Ben Reed Jr., Police Chief
James Foster, Assistant Airport Director
Bob Thibault, Civil Engineer
Ted Schnoor, Building Official
Diann Byington, Recording Secretary

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**

Patty Meyer, S. 6th Street, asked what year after 1980 was the river the highest.

Mayor Pro Tem Rice didn't know.

Someone in the crowd mentioned the river was highest in 1983 and 1984.

Ms. Meyer asked who put the culvert in on 12th St.

Mayor Pro Tem Rice answered it is a piece of city infrastructure but he didn't know who specifically did that.

Dennis Strickland, Public Works Director, answered the 12th Street culvert would have been done with Project Lifesaver in 1978-1984 time period.

Ms. Meyer asked if the Federal Government did that. (Yes) They must have engineered it too. (Yes) Why has no attention been given to accumulating rocks and sediment in the river? Has the river never been dredged?

Councilman Schmidlein said there are some staff members reviewing Project Lifesaver. He has spoken to one of the engineers on the project. People are presently trying to find those answers. He has requested city staff to find anything that says we are responsible for dredging the river. At this point he is not sure if there is any responsibility for the city to dredge the river or not. If anyone knows where this documentation is at he would like to see it.

Councilwoman Simons said she did some research and found out that dredging does not prevent flooding. The level of flooding that we had would not have been stopped by dredging. You might want to consider that dredging is a very expensive process and wouldn't have stopped the flooding.

Ms. Meyer noted the river bed is rising. Why wasn't any attention given to the sediment until now?

Mayor Pro Tem Rice said that is being investigated.

Ms. Meyer asked why the drains are not being addressed. Those drains have been backing up for years. She has lived in the same house for 39 years.

Mr. Strickland answered when Project Lifesaver was done there were some implements put on the end of the drains that would act like a flapper valve. Those have been taken off some 30 years ago because they would get debris in-between them and they never functioned properly from their inception. We have employed other tactics to mitigate this. The problem with this episode was that the river came up so fast without our expectation and we did not have the time to deploy other methods to try to mitigate that.

Ms. Meyer said she called and asked the city for another barricade and she was told the city was out of resources. She asked if the dump was giving out vouchers to the people who were affected by this so we could start hauling garbage. Scott Wilkinson called her back and said, "So you guys want to use the dump for free?"

Mayor Pro Tem Rice said the city, in cooperation with Elko Sanitation, did place dumpsters in that area for debris. Those dumpsters were hauled in and out by the hour. There were plenty of places for debris to be hauled.

Ms. Meyer said that came a few days after she had asked. She isn't trying to use the dump for free. There were a lot of people affected down there.

Mayor Pro Tem Rice said we understand the magnitude of the flood and the damage that occurred. He is sorry for everything that has happened. We have your questions on the record and we will answer them in a timely way.

Larry Robb, S. 9th, said when a catastrophe such as we just experienced occurs in a community, it provides an opportunity for leaders to step up and to show their leadership. With that in mind, he asked each council member to rate their personal leadership during this ordeal and give reasons you would rate yourself the way you did.

Mayor Pro Tem Rice answered his rate of leadership was high. He was involved as soon as council was notified of what was occurring on the weekend of the flood itself. He was involved in the Emergency Operations Center for the entire weekend. As water receded, he was involved as a volunteer in the flood zone for a number of days.

Councilman Schmidlein said his involvement started on Thursday afternoon. He went through the entire area with Dennis Strickland, monitoring what he had going on with the pumps and what city staff was doing. On Friday around noon he drove through the area again to see how things were going. At that point he left town until Sunday afternoon. He was at Mr. Ellison's place around 5:00 because he had received phone calls and necessary pumps he needed. He was down there until around 8:00 that night. He met with the principal at Southside Elementary and spent time visiting with him on Monday morning. He was also visiting with the principal at Southside seeing what we could do to get the school back in operation. On Tuesday morning he was down there meeting with the principal again at Southside. He was down there with Ted, the Building Inspector, several different times going through peoples' homes, trying to figure out how we could get them back in their homes. He was down there all day on Saturday on the first day of the cleanup. He would rate himself at a 7 or 8.

Councilwoman Simons explained she wasn't really a leader because that is the responsibility of the designated city leaders (Chiefs Griego and Reed). They have all the training and they understand when we have anything like this there are organizations you call in. We didn't have that training but they did. She was there all day Saturday. She helped call in extra police officers. Chief Griego was able to take her down there a few times over the next couple days to check out things and talk to people. She got to see for herself that the plugs were not working. She didn't go down and help with the cleanup; she sent her husband instead so she could watch the kids. She went to the daily briefings. She stayed as involved as possible. There are times when having too many bosses isn't a good thing. This was one of those times. We had professionals down there responding. There have been comments that they did nothing but they were amazing.

Councilman Keener said he was very involved with the disaster from the beginning, on Saturday. He was involved in the EOC meetings. When we had the first one on that Monday, he had a lot

of insider knowledge after having been down there with his feet in the mud. That gave him a lot of questions to ask and a lot of suggestions for Fire, Public Works and the Police. He was there volunteering in conjunction with Team Rubicon helping out the same team as Councilman Schmittlein. He worked on the Ellison's Apartments. He was very involved. It is unfortunate that with this particular disaster, it has definitely affected the individuals in the community that are most economically vulnerable. His heart goes out to everyone that has been affected by it.

Mr. Robb said he had one more question. When these types of events occur, it provides for leadership. The Mayor is notably absent. What people want to know is where our mayor was and why wasn't he providing good leadership. One of you was on TV and you noted that the gauge for the river is in the Ryndon area. Yet there is a confluence with the Eight Mile Dam and several others. What is being done to mitigate that so this doesn't happen again? Are we going to continue gauging the Humboldt River from Ryndon or, in light of this event, are some changes going to be made to prevent flooding in the future.

Councilman Rice thought the river is not under our jurisdiction.

Mr. Strickland said NOAA has the gauge in Ryndon and that is who we work with to monitor it. It is beneficial that we have it there. Things happened so fast that the weather service didn't even see it coming. If the Harp Trail had not been installed the flooding would have been worse. The Harp Trail is not constructed as a flood control device. It is good that we have the gauge. There are other unknowns between Ryndon and Elko. There are several other drainages that report to the river. It was a huge event. He has heard speculation about dredging the river and his professional opinion we could have dug that thing 100 feet deep from here to Carlin and it would have only bought us a matter of hours before the amount of water we saw overwhelm the river. Another thing that people probably don't realize is that the river from Ryndon to Elko falls less than half a percent fall and continues to do that all the way to Rye Patch. Water that we experienced in our event is just now making it to Rye Patch. It is extremely flat and as that river continues to back up there is no place for it to go. We are lucky it wasn't worse than it was.

Councilwoman Simons thought he made a good point. It isn't until after these things that we evaluate what happened and could it happen again or can we change anything about our response. We don't want it to happen again.

Mr. Strickland said we are looking at other implements to use on those culverts that caused us big problems.

Councilman Keener said for those that had the basements flooded and their foundations damaged, it was a catastrophe for them. What Mr. Strickland said is it could have been much worse than what we saw.

Donna Koncher, 915 Lyon, wanted to address the Harp Trail. When they started to build that and pave it, they cut it down from what it was originally. That dike was a lot higher when the Corps of Engineers put it in. She questioned it back then and asked the people along the river, "Why are you cutting this down because this is going to flood?" "Oh no, we are doing just fine." If you go down to 12th Street where it breached at, that is the lowest point down there. She watched that river every day. She lives right on the walkway. She has watched it for 20 plus years and we have never flooded. When she got up at 2am to look at the river to see what was

going on the water was coming in. She called dispatch and dispatch gave her a number to call at the city. She called it and nobody answered. She called back to dispatch and she told them that they needed help. Dispatch told her they didn't know what to do but they would try to get hold of somebody. Nobody came. An hour later the water was up her steps. Then people came down because they wanted to look and the waves came in and the water sloshed around. She didn't see one councilman and nobody came over and asked her if she was doing okay. We are all concerned and we need to find an answer. The water came in the backside on Lyon Avenue and that is what flooded everything. She thinks that is wrong. She didn't have as much as a lot of people but she still had damage done. Something more needs to be done.

Jim Ellison, 445 S. 7th, said he called the Army Corps of Engineers and talked to them regarding the Humboldt River. They referred him to another group that was just like the Army Corps of Engineers. They told him to get with the Water Department. He got in touch with Kurt Owsley. In 1984 we had worse water than this and we never had nowhere near the flood with what you guys did with gutting back the drain system. We traced the drain system from the road all the way out to the water right now. That's not going to work. I told the Water Department that they are going to put some headgates on there to stop this problem. He went to the State Highway Department yesterday and met with them for about an hour. They went through a bunch of paperwork. They preferred us to go to Carson City and that there is a contract with the City and the State that the City is liable for the Humboldt River. When they moved the Humboldt River, which started in 1974, the city could not handle the money because it was government money. The state had to handle the money and fund it to the city as the progress went. The railroad didn't want to move out of the town and it cost the taxpayers \$45 million. This project was about \$200 million to make a mess. He has been on the phone with at least two people that said if the city had dredged the river like it was before when we put it in the first time, you are going to have nothing but problems. One of the guys said he stood on the catwalk and said that all of the trees and the silt in there is going to give you a problem. Guess what; we had a big problem. The city was not prepared and didn't know how to handle this kind of a mess. You go down there right now and it looks like we have a war zone with the sand bags. He owns a rental and some people looked at the place and said they wouldn't live here because this looks really bad. What is the city doing to clean up the mess? He hasn't seen a street sweeper yet. He called the state in Carson City and they are digging through the archives right now for us to get this contract between the state and the city. The city is liable for this. The city drowned all of these homes, the church, our apartment building, and the city should be picking up the tab on all of this. All of the people that live on the south side that is getting any kind of bills for what you are doing to your house, you need to save every single bill because we are going to keep going after this. If the city is in the wrong the city should have to pay. He knows this council wasn't on the board back then because that was almost 40 years, but we have been there our whole life. We never had any problem until they moved the river. The houses on the south side, their basements fill with water every single year. They didn't do that for a while until the silt built up. He wants to know what the city is planning on doing about this. He talked to Rex Stenniger yesterday, and he said there had been problems like this before that came before City Council but it never went anywhere. If he can find the contract showing the city is liable then the city should pay the damages to the people on the south side.

Danny Williams, 554 Front Street, thanked Rubicon and those who helped us.

Casey Ortiz, representing her grandmother at 853 Wilson, thanked the trash company for their help. She said they are still pumping water out of the basement. Where are we going to go from here? This has happened before. What are you going to do? Do you have any plans? It doesn't seem to be a priority because it wasn't even on the agenda. There are people that are still flooded and cannot live in their houses. She wasn't sure if her grandmother can ever move back in to her house.

Councilman Keener said we did declare an emergency right away. With that declaration, it notifies all of the federal organizations so we can qualify for aid. The city was doing what it could. It was an act of god. If you look at the 100 year flood map, the flooding almost mirrored what that was. We went through an extraordinary weather event and the recommendation is that the sand bags stay in place because the winter is not over and there is a lot of snow still on the mountains.

Ms. Ortiz said they had been told that the city was leaving the sand bags and then the next day they were gone. She had to drive to get the sand bags so she could sand bag the house herself.

Councilman Keener said he had advised anyone moving sand bags to just leave them in place.

Ms. Ortiz said she was referring to the sand bags that were near South Side that were supposed to have been left just in case we needed them. They were removed.

Mayor Pro Tem Rice said the advice they had been given by the weather service was that they are looking at the moisture content loads in the Ruby Mountains and in the Humboldt River drainage is 200-300% of normal. They have predicted that we will be experiencing flood conditions perhaps through June. The city responds to these kinds of events by activating Emergency Operations and the Community Emergency Response Team which is made up of people from the City, the County, the School District, the College, American Red Cross, churches and other volunteer organizations. All of those resources have been activated. We can do a better job at letting people know where these resources are because there are a lot of things that are out of our hands in terms of the recovery. We might be able to get some answers to let people know where they can go. There are number of people that have flood insurance and many that do not. That is going to be a real challenge. When Mr. Ellison advised that people keep tabs on what their expenses are, that is very good advice because all of those expenses can be tallied and used in the end as we go through the whole emergency process. When we monetize all of those costs then we are able to go to our state legislature or to our federal delegation and ultimately to the President of the United States to ask for assistance. We can justify it with that kind of information.

Ms. Ortiz asked who tallies that up and who do we send everything to.

Councilwoman Simons said the city doesn't count private property in their total. Each individual property owner can file for FEMA individually. Please keep everything because you will need to tally that up.

Ms. Ortiz addressed the police activity down there. Crime is going up. With people not in their homes it is an invitation for people to come in and see what they got. Is there a way to get more patrol?

Chief Reed answered we can put additional people down there again. At the last council meeting we gave a lengthy report. We had 15 patrol officers called in on Saturday. They were down there 24 hours. We had another large crew on Sunday and we brought in another crew on Monday. We went door to door on Saturday and did as much as we could. We even rescued some people. We tried to provide a presence as much as we could around the clock. We ran the emergency center at the Police Station and fielded a lot of calls. We put information out on Facebook and Nixle. Hopefully you got those. We also did the traditional sources with the radio, TV and the newspaper. We had extra patrols trying to make sure people were safe down there. We didn't have any incidents of looting or anything in that first week that he knew of that was documented. We were very conscious of that and had people patrolling the perimeter trying to make sure that didn't happen. If you are still having problems be sure to see us.

Ms. Ortiz asked since we are expecting more flooding, what are we doing. Are we just going to let it flood again?

Councilman Keener said he helped do some of the sandbagging along 12th Street. That has been shored up. That was one of the most vulnerable areas. Hopefully, if we have the same kind of river level, there would not be nearly as much water going into that area.

Ms. Ortiz asked rumor had it that there was an engineer coming in to look at the river. Is that true?

Mr. Strickland answered we are looking at some other plugs that we are going to try to deploy if this does present itself again. Hopefully we will be able to stop it in a few more areas.

Councilman Keener noted the water level was just so high that there was nowhere for the water to drain.

Michelle Mosley, speaking on behalf of John and Cindy Ellison and their house. Has anyone been down there and looked at the houses. Have you gone into the houses and seen them?

Councilwoman Simons said she has been down there daily but she doesn't go into the houses.

Councilman Keener answered he got a good dose of it slogging through the slurry that was still left in the apartment building. He was sure there is still a lot of that.

Ms. Mosely said her father did see some people down there. He is not coming here as an Assemblyman, he is coming here as a homeowner. Her mom sat on the porch crying holding a picture of her deceased brother that was ruined. What will happen the next time it floods and the basement is covered in sewage again?

Councilwoman Simons said that is a problem during floods. It is not unique to Elko. We are trying to shore up the river. We are suggesting you keep the sand bags in place. We would love to pick up and move your houses but that won't happen.

Councilman Schmidlein said he has been in houses. From a hydrology standpoint, you are dealing with groundwater right now. The entire Great Basin Desert is saturated. Everybody is

pumping ground water. When you have water coming up through the asphalt, it is being pressurized vertically and it is leveling itself up on a horizontal plane. We can go and dig a canyon from one end of the city to the other. We can go 100 feet deep but when you have a huge amount of flood water coming, it will self-level and fill and then it will continue to flow. The amount of water that came through was anywhere from 7000 cfm to potentially 7500 cfm. We are trying to analyze the entire area that was flooded. When you do an overlay of the flood that took place and the 100 year flood plain, it almost covered the entire event. We have put in a place holder in that will be in the future budget to potentially figure out and analyze what has happened here and what we can do to prevent and move forward. All we can do is move forward and figure it out. He is looking for answers too. People are trying to figure out the situation.

Sandy Wakefield, lives on the north side of the river, but she has a business on the south side. She thanked the city workers that worked their tails off for her and her business. The water did come within an inch of her front door. Thankfully there were sandbags and crews. Even though she had those resources, there were people in town that were not aware of them and didn't know where to go get them. She thought the city did the best they could. There needs to be organizations so that when there is something, there is one place to go to get that information. We can't change what has happened but we need to be prepared for the future. We should have a good disaster plan in place. If it wasn't for the guys trying to stop the water from coming back up through the drains, her business would have been flooded too.

Micah Johnson, S. 7th Street, said it has been hard getting the utilities turned back on. It would have been helpful and it would have been nice to have information on how to get them turned back on. She ended up calling everyone multiple times. NV Energy or the city could have left a note after the power and other utilities had been turned off to let the residents know who to call to get it turned back on. The last time Elko flooded like this was in 1983. The river got up to 12.83 feet. In 1984 it got up to 10.22 feet. Are you planning for that to happen again and if so, how will you manage the volunteers better? There was no leadership over the volunteers that showed up to help.

Mayor Pro Tem Rice said the city started with the office of Emergency Operations. Once the water was up there wasn't anything that could be done until the water receded. He thought Rubicon did a good job.

Ms. Johnson said Rubicon and Lincoln did amazing jobs. The city did a good job. So did the dump. When we were flooding and people were coming down in droves with big trailers full of sandbags, they were stopping because they didn't know where the sandbags needed to go. There was no one to tell them where they went.

Councilwoman Simons noted they weren't working through the city.

Ms. Johnson asked if the city was making a plan so that if this occurs again you would have some designated people.

Mayor Pro Tem Rice answered if it is not already in place we will have that in place shortly. The challenge is that a lot of well-meaning people come together and it is a challenge to get everyone to understand who is in charge. We have reinforced where the breaches were and we now know that things can be staged there. Even if head gates were in place in the drainage,

water is always going to seek its own level. It would still continue to rise. It is a good idea to have a very public plan for where things are supposed to go for the priority.

Councilwoman Simons felt the notes were a good idea but that could be hard because sometimes the technicians don't go to the house to turn off the utilities.

Ms. Mosely said Ellison Electric is doing inspections for free for the folks down there so they can get their power turned back on.

Jerod Ellison, 459 S. 9th, noted a majority of the flood water came up through the storm drains. He asked Mr. Strickland if they had backflow valves in them at one time and they were removed.

Mr. Strickland answered they had been removed years ago.

Mr. Ellison said they had been in there for a reason.

Mr. Strickland said they had never been put back on since long before any of us in this room worked for the city.

Mr. Ellison asked why were they removed and why weren't they replaced with different styles or head gates.

Mr. Strickland answered his predecessor and his predecessor, they were removed because they would hang up with willows and other debris and they did not function properly. The other thing is that they would stay closed sometimes and then when the city would experience rain they would have to pump if the gates weren't functioning properly.

Mr. Ellison said that should just be part of a maintenance system on that. It's just like if you get a clogged drain, you clean it.

Mr. Strickland said he didn't know why they were removed and he didn't know they were not put back on.

Mr. Ellison asked about the pumps that were down there that night. At 4am he got a call that the apartment building was flooded. He went down there and the water was running but the pump down there was not on.

Mr. Strickland said he had a number of employees working that night, going from pump to pump to clean them out or fuel them up as needed. Sometimes they would suck garbage into them and they would stop working until they got cleaned out. We had 11 pumps running that night.

Jim Ellison said a backflow valve will shut. When you have rainwater coming it won't open. That is probably why they were taken out. When he talked to Kurt Owsley, the head gates would be the simplest way. A head gate you can open and close and that water will go either way.

Mr. Strickland said they were looking into that. They put some bags there when the water got high and those are working quite well.

Danny Williams thanked Rubicon, Kap, Likely and everyone that has helped out. Even the city and the landfill.

Sally Estrada asked since this is such an important issue in our community, why isn't this on the agenda and when is it going to be.

Councilwoman Simons said we didn't ask people to come down on a specific day. We didn't say we are going to have comments on this day. We didn't know that you guys wanted to come down on this day and discuss this. The last meeting was after the flood and you guys were not here.

Ms. Estrada felt the airport and the sports complex should not be a priority at this point. Your city is in crisis and you represent our city. Ms. Estrada asked that this be put on the agenda.

APPROVAL OF MINUTES: February 11, 2017 Special Session
February 14, 2017 Regular Session

Shanell Owen, City Clerk, informed council that there was a small correction to February 14, 2017 minutes (date at top of page).

The minutes were approved by general consent with the mentioned correction.

I. PRESENTATIONS

- A. A Reading of a Proclamation by the Mayor recognizing the month of March as American Red Cross Month, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Mayor Pro Tempore Rice read the proclamation. He presented it to Bailey Benson-Billington.

Bailey Benson-Billington thanked the community and the city for their support. We did help a lot of the families affected by the flooding. We work closely with the county and the city for national disasters and local fires, which is our number one response.

- B. Update by a representative from Newmont Mining Corporation of the Long Canyon Phase II Project, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to table Agenda Item I.B.**

The motion passed unanimously. (4-0)

- C. Presentation by the City of Elko Building Department 2016 Year End Review, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Melaunie Larreau, Building Permit Technician, gave a presentation (included in the packet).

Councilman Schmidlein asked how many are crossed trained to do site inspections.

Ms. Larreau answered Janet Schwandt is out getting certified in that, she is certified in residential, building, MPNE and plans examining, Lane is certified and Jeff Ford will be getting two more certifications this next month.

Councilman Schmidlein thinks it is good to be crossed trained.

BREAK

V. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 11-17, a resolution of the Elko City Council adopting a change in zoning district boundaries from (RMH) Mobile Home Park and Mobile Home Subdivision District to (LI) Light Industrial, approximately 8.780 acres of property located generally northwest of East Idaho Street, filed by Allie Bear and processed as Rezone No. 1-17, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on February 7, 2017 and took action to forward a recommendation to City Council to adopt a resolution which conditionally approves Rezone No. 1-17. CL

Cathy Laughlin, City Planner, explained this property was annexed into the city several years ago. After annexation it was rezoned RMH but it was never developed. The Master Plan calls for this area to be LI. She recommended approval.

Mayor Pro Tem Rice called for public comment without a response.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to adopt Resolution No. 11-17.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible action to adopt Resolution No. 12-17, a resolution of the Elko City Council adopting a change in zoning district boundaries from (AG) General Agriculture to (LI) Light Industrial, approximately 4.794 acres of property located generally southwest of the intersection of P & H Drive and West Idaho Street, filed by Elko Inc. on behalf of Coach USA Inc. and processed as Rezone No. 2-17, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on February 7, 2017 and took action to forward a recommendation to City Council to adopt a resolution which conditionally approves Rezone No. 2-17. CL

Ms. Laughlin explained we did an annexation of this property. Part of the annexation process is that it comes into the city as AG. We are requesting a rezone from AG to LI to accommodate the existing use of that property, as well as the surrounding uses.

Mayor Pro Tem Rice called for public comment without a response.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to adopt Resolution No. 12-17.**

The motion passed unanimously. (4-0)

I. PRESENTATIONS (Cont.)

- D. Presentation by Jviation on the Airport Master Plan Process, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**

Hillary Fletcher and Tony Davis, Jviation, gave a presentation (included in packet).

Councilman Keener asked Ms. Fletcher with the pilot shortage that seems to stem from excessive government regulations, do you anticipate the Trump administration will make any kind of changes that might ease the shortage and maybe increase the supply of pilots.

Ms. Fletcher answered that will be tough politically. They were enacted under the concept of safety. It was a result of the Culligan Air crash in Buffalo, NY. It is very hard for any elected official to undo something that was adopted under the premise of safety.

II. PERSONNEL

- A. Employee Introductions:

- 1.) Jack Snyder, III, Deputy Fire Chief, Fire Department

Present and introduced.

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve the general warrants.**

The motion passed unanimously. (4-0)

- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve the Print 'N Copy warrants.**

The motion passed. (3-0 Councilman Keener abstained.)

- C. Review, consideration, and possible award of the WRF Potable Water Air Gap System, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved soliciting bids for this project on January 10, 2017. The bid tabulation is enclosed in the Council Packet. City Staff will provide a recommendation at the meeting. The Air Gap System Project was approved in the Fiscal Year 2016/2017 Budget. SO

Councilman Schmidlein disclosed and abstained because his partners in Canyon Construction are owners of Great Basin Engineering Contractors.

Shanell Owen, City Clerk, explained we received two bids. Great Basin Engineering Contractors in the amount of \$176,016.22, and Z7 Development in the amount of \$238,280. The Great Basin Engineering Contractor's bid was complaint and she recommended award to them.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to award to Great Basin Engineering Contractors in the amount of \$176,016.22 for the WRF Potable Water Air Gap System project.**

The motion passed unanimously. (Councilman Schmidlein abstained.)

- D. Review and possible designation of an independent auditor to prepare the annual audit for the City of Elko for Fiscal Year ending June 30, 2017, pursuant to NRS 354.624, and matters related thereto. **FOR POSSIBLE ACTION**

Each year the City is required to designate an independent auditor prior to March 31 of the year in which the audit is to be conducted. The City put out Requests for Proposals for auditing services for a period of five years on 03/2016 and awarded the RFP to HintonBurdick, PLLC. JJ

Jonnye Jund, Administrative Services Director, explained this is a statutory requirement we have to do every year. She recommended HintonBurdick.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve HintonBurdick, PLLC as the City of Elko's independent auditors for the Fiscal Year ending June 30, 2017 in an amount not to exceed \$53,000.**

The motion passed unanimously. (4-0)

IV. NEW BUSINESS

- A. Review, consideration, discussion and possible appointment of (1) one member to the Golf Course Financial Advisory Committee and matters related thereto. **FOR POSSIBLE ACTION**

The Golf Course Financial Advisory Committee currently has (1) one vacant position for a new (2) two year term set to expire on December 31, 2019. During the recruitment period Staff received (1) one letter from Linda Bernarda expressing an interest to serve on the committee. JW

James Wiley, Parks and Recreation Director, explained Mrs. Bernarda was here earlier but she had to leave. This position has been vacant for some time. He felt Mrs. Bernarda will do a good job serving on this committee.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to appoint Linda Bernarda to a two year term serving on the Golf Course Financial Advisory Committee.**

The motion passed unanimously. (4-0)

- B. Review and possible approval of a Concessionaire Agreement with the St. George Landsmen, LLC, a Georgia Limited Liability company DBA: AVIS for the operation of a car rental agency at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

A copy of the proposed Concessionaire Agreement has been enclosed in the agenda packet for review. The annual revenue generated from the Agreement will be \$5,125.00, plus an additional 10% of Gross Receipts. The Agreement will be for a period of five (5) years, commencing upon the execution of the Agreement. JF

James Foster, Assistant Airport Director, explained this is a standard agreement for the lease of the rental car agencies at the airport. This is just the first one. We will be bringing the other rental car agreements to council in the next few months.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the Concessionaire Agreement with St. George Landsmen, LLC, a Georgia Limited Liability company DBA AVIS for the operation of a car rental agency at the Elko Regional Airport.**

The motion passed unanimously. (4-0)

- C. Review and possible approval of an Agreement between the City of Elko Regional Airport and the Humboldt Wildlife, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Regional Airport wishes to enter in a five (5) year agreement with Humboldt Wildlife Services, LLC. JF

Mr. Foster explained we came up with a five year agreement with the help of legal counsel. We are required by the FAA to be trained yearly by an FAA approve biologist. In doing so when this plan was implemented, the biologist that trained us was approved. Last year it lapsed. We were under the impression that we could go and receive outside training and that would cover us for that Wildlife Biologist position. The FAA came in and said that wasn't the case. We have been in contract with Humboldt Wildlife services for yearly rodent and pest control services, anytime we have a wildlife issue. We are looking to enter into an agreement, with the recommendation of the FAA.

Councilman Schmidlein asked since the FAA requires this, is there any size of an airport that requires this.

Mr. Foster answered any part 139 certified airport is required under their certification manual to have a wildlife hazard management plan in place. There are triggering events that makes an airport have to do a wildlife hazard assessment. One of those triggering events was a Skywest aircraft, about eight years ago, encountered a gull on arrival or departure of our facility.

Councilman Schmidlein asked that happened eight years ago. Have we experienced anything since then?

Mr. Foster answered strikes occur. They have to be reported to the FAA every time.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve a five year agreement with Humboldt Wildlife, LLC to provide the Elko Regional Airport with Wildlife Hazard Management services.**

The motion passed unanimously. (4-0)

- D. Rescind the Emergency Declaration in effect since February 11, 2017, and matters related thereto. **FOR POSSIBLE ACTION**

An Emergency Meeting was held on Saturday, February 11, 2017 due to local and regional flooding of the Humboldt River and various tributaries. As such, the City Council declared an emergency for the City of Elko.

At this time, the flooding has subsided and recovery efforts are underway. City Staff requests that the Emergency Declaration be rescinded, effective February 28, 2017. CC

Curtis Calder, City Manager, explained we need to rescind this because it does have some impact on our collective bargaining agreements and our code provisions. By rescinding this you will be setting those back to what they were in advance of February 11. It doesn't mean we can't set another one if conditions mandate that we do.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to rescind the Emergency Declaration in effect since February 11, 2017.**

The motion passed unanimously. (4-0)

VI. REPORTS

- A. Mayor and City Council

Councilman Keener reported he will be out of town next week for training. There is a government day at Mountain View Elementary school. He had a conversation with a former council member and it was suggested to him that a special meeting be set to discuss the flooding. It will be helpful for a tour be put together for council members to see the current state of the south side. He asked Bob Thibault if any work could be done on the storm drains before the waters dry up. Mr. Thibault answered that is probably correct. Any work would have to wait. We may be looking at \$100,000 or more.

Councilwoman Simons suggested a special meeting for the flooding and future actions. Councilman Keener thought it would also be good to outline what the city's responsibilities are in a disaster like this. There are people out there that think it is up to the city to make their property whole again. Councilwoman Simons wanted to add outlining our Disaster Response Plan since some members of the public don't think we have one.

Mr. Calder agreed and said we could put together a presentation. He will be speaking to legal counsel because there were a lot of comments made about the city's liability. Part of his job is risk management for the city. He will be reaching out to the insurance POOL directly. We need to make sure that all information that goes out to the public comes from one source. We may not have all of the answers that people are looking for in two weeks but we can give updates.

Mayor Pro Tem Rice noted we can have the flood on the next agenda and provide updates as we have them. The whole post mortem may need to take place in April.

Chief Griego said he serves as the Emergency Manager for the City. The city is also a member of the Local Emergency Planning Committee. He is a Governor appointed member of the State Emergency Response Committee. We are very active in emergency planning. Every year we update our threat analysis. We all work under the National Emergency Response Network Plan. In response to this emergency, we followed those plans. We even followed the City's Emergency Response Plan. This was the first time he activated the emergency plans in the twenty years he has been with the city. He thought it went very well. We are hoping to have FEMA here tomorrow to start doing the joint assessments.

Mr. Calder added that we do not have a reverse 911 system to notify residents. Most communities do to notify many people simultaneously. That would work with land lines and cell phones and other forms of communications. Once Enhanced 911 is implemented, we will have that tool.

B. City Manager – 2017 Legislative Update

Curtis Calder talked about the Air Service bill. It has not been assigned a bill number yet. There is activity but not a lot of bills going through committees right now. The lobbyist is keeping him updated. We don't have any hearing dates yet. Jonnye Jund provided him with the most recent sales tax numbers. September was down 17.6% from last year. We are still above our budget but that number is down significantly.

C. Assistant City Manager

D. Utilities Director

E. Public Works

F. Airport Director

G. City Attorney

Dave Stanton commended the staff for their work on the flood. A lot of investigation will be taking place. Facts will be gathered. Right now he wanted to discourage speculation on what caused the problem. He will be involved in this process and he will be examining the facts. It really needs to be one designated person communicating to the public.

H. Fire Chief

- J. City Clerk
Shanell Owen reported she received an email from the Elko Motorcycle Jamboree Committee and there will not be a motorcycle jamboree this year.
- I. Police Chief
Chief Reed reported he had information from the Jamboree Committee that they were planning not to have a Jamboree this year prior to us conducting the embezzlement investigation. At the last meeting there was an appeal from a Mr. Davis that was denied his work permit for a taxi cab by the Police Department. He came in and saw us at your direction to get finger printed. His criminal background check was problematic. He was denied again in writing today.
- K. City Planner
- L. Development Manager
Jeremy Draper reported last Tuesday he met with a FEMA representative for community rating and flood management. The end result will be that those that have flood insurance will see a reduction in their insurance rates. Hopefully by October 1st we will see those rate reductions.
- M. Administrative Services Director
Aubree Barnum reported on the OSHA reporting that is done every year. In 2016 we had 13 recordable injuries with 135 days away from work. Those numbers include seasonal and part time employees. In 2015 we had a total of 12 injuries.
- 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**

There were no public comments.

There being no further business, Mayor Pro Tempore adjourned the meeting.

Mayor Pro Tempore John Rice

Shanell Owen, City Clerk