

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

SS April 8, 2014

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, April 8, 2014.

This meeting was called to order by Mayor Chris Johnson.

NOTE: The order of the Agenda has been changed to reflect the order business was conducted.

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
Councilwoman Mandy Simons
Councilman Robert Schmidlein
Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
Delmo Andreozzi, Assistant City Manager
Dawn Stout, Administrative Services Director
Shanell Owen, City Clerk
Ryan Limberg, Utilities Director
Fritz Sawyer, WRF Superintendent
Mike Haddenham, WRF Assistant Superintendent
Scott Wilkinson, Development Manager
Mark Gibbs, Airport Director
Matt Griego, Fire Chief
James Wiley, Parks and Recreation Director
Doug Gailey, Human Resources Manager
Ben Mangeng, Information Systems Manager
Rick Magness, City Planner
Ted Schnoor, Building Official
Ben Reed Jr., Police Chief
Karen Walther, Animal Shelter Manager
Mike Hess, Landfill Superintendent
Darin Windous, Fleet Maintenance Superintendent
Dennis Price II, Street Superintendent
Robert Spencer, Electrical/Facilities Superintendent
Dave Stanton, City Attorney
Diann Byington, Recording Secretary

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**

Ursula Burger, 8319 Cayuse Drive, Ryndon, talked about a letter to Elko Daily Free Press regarding a citizen attempting to adopt animals from the local animal shelter. She had been told that arrangements had been made for them to go to a rescue in Washington. From that time up until present, she has had multiple citizens contact her that also have not been able to adopt animals from our local shelter. Having adopted from the shelter herself these owners fit the criteria of a permissible home. According to rescue group policy and a letter from Karen Walther, Shelter Manager, a proper procedure for a rescue explicitly states that rescues are to be put on the bottom of the list for an adoption. Letters from Curtis Calder, City Manager, and Karen Walther, Shelter Manager, state that animals are not held more than 7 days prior to transport. She has had multiple citizens see dogs that are unavailable housed in the shelter for two and sometimes three weeks waiting for transportation to Washington. This causes undo stress being in a shelter environment in addition to transport. Upon an investigation a news article was found in the Seattle newspaper stating that the rescue has a contract to get our Elko Shelter's most adoptable dogs every month. In February three local citizens went to the shelter to speak to the shelter manager concerns adoptions and our shelter's policies and procedures. All questions were not answered and were requested to be put in writing to be reviewed and answered at a later date. Even public access documents, which are the policies and procedures, were not provided at that time. Part of the job of the shelter manager is to address the concerns of the public so those concerns are able to be answered on the spot with policies already in practice. There was no reason they should not have been provided at that time. The city manager has referred to Angel Paws as a reputable rescue. They were shut down due to previous issues, changed their name and the rescue is not endorsed by the Better Business Bureau. As a concerned taxpayer, by whose standards are they considered reputable? In emails, Angel Paws says they have received animals with health issues. If that is the case then why did they receive a health certificate for transport out of state? These are just a few of our concerns. She has an online petition with 209 signatures from people that are worried about issues. She asked that the shelter issue be put on the agenda for the next city meeting. The public is dissatisfied with the current policies and procedures. Taxpayers are upset that we do not always get first adoption priority instead of Washington. We are also concerned about the safety and health of all the shelter animals, especially all the ones being transported such a long distance. We are hoping as local citizens who pay taxes supporting the shelter to have more input on the shelter issues.

Mayor Johnson said it may be a good idea to have it on an agenda.

Curtis Calder, City Manager, said the revised shelter policies and procedures will be on the next agenda anyway. People can comment regarding that. He has met with individuals regarding these allegations and has not seen any proof to it.

I. PRESENTATIONS

- A. Reading of a Proclamation Honoring Fallen Soldier USMC Lance Corporal Raul S. Bravo

Mayor Johnson read the Proclamation and gave a copy of it to Les Brown, POW/MIA.

Les Brown, POW/MIA said the proclamation will be displayed this Saturday at the Main City Park for the fundraiser they are holding for Raul Bravo's Scholarship Fund. Mr. Brown gave Mayor Johnson a plaque in appreciation for City Council's support.

- B. Elko County Update by Elko County Commissioner Glen Guttry

Glen Guttry, Elko County Commissioner, said the Elko County Fire District is up and running pretty much. It should be in full swing in January of next year. They just finished approving an order for two fire engines. They have hired an administrative assistant for Gary Zunino and they are interviewing for an operations officer. He gave an update on the jail expansion and how they are over capacity. Justice Court is very busy and they want to do some security upgrades to the courts. County revenues were kind of flat and not very encouraging. Net proceeds from mines were paid in advance last year and there are credits that need to be used up. Get My Ride is doing very good and expanding all of the time.

- C. Review and possible approval of the Fiscal Year 2014/2015 Tentative Budget, inclusive of all funds, and matters related thereto. **FOR POSSIBLE ACTION**

Dawn Stout, Administrative Services Director, gave a presentation (included in the packet). Sales revenues are down and some changes were made to the General Fund.

General Fund Summary

Changes to the fund were explained.

Property Tax Abatement

FY 2014/2015 Rollup Costs

Projected General Fund Revenues – 2014/2015

Projected General Fund Expenditures – 2014/2015

Community Service Donation Requests

She received a request from Family Resources Center in the amount of \$5,000. That is not included in the presentation. There are some items not included in the budget yet because they have not come in; such as liability insurance, the community service donation and we have not funded the School Resource Officers.

Councilwoman Simons asked if they needed to take action on the Resource Officer and the Family Resource Donation tonight.

Ms. Stout answered they could direct her to include them in the final budget.

Mayor Johnson said he was in support to fund for the School Resource Officer.

Ms. Stout noted that one officer would cost about \$86,000 a year with salary and benefits. Right now the County Commission committed \$50,000 and we have word that the Sheriff also committed \$50,000.

Police Chief Ben Reed Jr. said for the city they were asking for two officers and the county was trying to get two deputies. He wants to hire two sworn officers for the project and have the city fund one officer. He talked to Mr. Zander from the School District and they have committed \$50,000 and there is another \$50,000 that was put into the budget that has not been approved by the school board yet. We are talking about close to \$200,000 already committed.

Councilman Schmidlein said he met with Jeff Zander from the School District regarding this. He is having problems with the structure of this plan. If the money for the officers goes away we will have to let those officers go and the way the union contract is written it would be very difficult to let them go. He felt there needed to be something added to the union contract that would allow for those officers to be let go in that case.

Chief Reed said he had the same concern. The last thing he wants to do is lay people off. If we hired someone and put them through POST it will be about a year before they can actually do the work. That's why they have been trying to find the funding through different sources.

Glen Guttry, County Commission, said the deputies run about \$93,000 a year. Their priority is the jail. They budgeted for three deputies for half the year for the jail. They also budgeted \$50,000 tentatively for the schools.

Councilman Rice supported funding one officer. When the money isn't there, there may be provisions in the contract for letting people go.

Curtis Calder, City Manager, said currently the contracts are open for negotiations. He thought they could discuss this issue during negotiations and maybe work something out. Under the current language in the contracts, typically a reduction in force would require the city to lay off part-time and seasonal employees first within the department. Then you get into the issue of seniority and merit after that. It does complicate things a little bit. He recommended putting \$50,000 in the budget as a placeholder and let's see how these other budgets flush out.

Mayor Johnson thought it was fair to commit \$50,000 for now.

Chris McLeod, 254 Keppler, said he talked to teachers in the county and wondered what teachers and/or parents would want officers in the classrooms? Many don't feel the officers should be in the rooms.

Dave Stanton, City Attorney, said this is a budget presentation and we are moving away from the budget with this discussion.

Mayor Johnson thought it was in line of the budget because it had to do with budgeting an officer.

Councilman Rice felt there was a lot of support amongst parents and teachers for school resource officers. He has had nothing but positive feedback.

Chief Reed said there were two teachers on the Spring Creek Association Board and they were very supportive.

Councilman Schmidlein added that Elko County School District did have two resource officers but had to let them go due to budget constraints.

Councilman Keener asked if there were any adverse effects after the officers were pulled.

Chief Reed didn't know of any adverse effects and talked about his prior experience.

Councilman Schmidlein asked if we were going to bring this back to council. We can set this aside for any dollar amount but until this comes back as an agenda item we are just setting this aside temporarily.

Mayor Johnson answered there will be the actual request and the final budget.

Mr. McLeod said his concern was about no measurable difference between when we had the officers and when we didn't. If there is no measurable difference it just seems like a lot of money.

Councilwoman Simons noted she has heard from many people that believe this program is essential.

Dee Walker lives across the street from Northside School. He went to the school when there were problems with bullying going on. He is an ex-marine and served in WWII. He remembered how Adolf Hitler taught his kids. He threw away the books and made them think of individual freedom. He taught them they didn't have to mind their parents or anybody else. The school said they were teaching the children about individual freedom too. Individual freedom gives the bully all the opportunity to be a bully. He asked Councilman Schmidlein to read from a card he prepared.

Councilman Schmidlein read, "As a WWII marine veteran here was one way that socialism, democracy worked so well back then. Liberal democracy: people used money as a tool for trading the work we do for goods and pleasure we need or trade the goods we have for work we need to have done. Conservative capitalism: people use money for controlling others with fear, bullying. Copy of Collier's Dictionary."

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to set aside \$50,000 as a placeholder in the tentative budget for a school resource officer and \$5,000 for the Family Resource Center.**

The motion passed unanimously. (5-0)

Ms. Stout noted that the net proceeds from the mines discussed by Mr. Guttry will not have any impact on the city as we do not get any of those.

Recreation Fund

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to approve the tentative budget for the Recreation Fund.**

The motion passed unanimously. (5-0)

Ms. Stout continued with her presentation.

Capital Equipment Replacement Fund

Youth Recreation Fund

Municipal Court Assessment Fund

Revenue Stabilization Fund

This showed the transfer out discussed previously in the General Fund.

Redevelopment Agency

She discovered an error after the last presentation and corrected it.

Capital Construction Fund

This had a small error to the beginning fund.

Public Improvement Development Fund

Ad Valorem Capital Fund

Facility Fund

Councilman Schmidlein asked regarding the new Police Department; you are putting in an estimate of the expenses.

Ms. Stout answered they are putting them in there because we don't know what we will have available and what we are doing for financing yet. We put all the available resources into that department. We also need to have money available for furniture and fixtures.

Debt Service Fund

Councilman Keener asked about the Police Department bond and the \$252,000 is that amount for a full year of twelve monthly payments.

Ms. Stout answered on bonding you usually pay semi-annually.

Water Fund

Sewer Fund

Landfill Fund

Airport Fund

Golf Fund

The final budget is still waiting for some things to come in.

Health Insurance Fund

This is tentative because we haven't gotten the renewal yet. There were some major claims this year that could affect our rates for next year.

Proposed Schedule

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the remainder of the tentative budgets as presented with revisions as presented as well.**

The motion passed unanimously. (5-0)

II. APPROPRIATIONS

- B. Review, consideration, and possible award of a contract for the Main City Park Tennis Court Reconstruction Project, and matters related thereto. **FOR POSSIBLE ACTION**

At the November 12, 2013 Council meeting, Staff was authorized to solicit for bids for the reconstruction of the Tennis Courts in the Main City Park. At the February 11, 2014 meeting, all bids were rejected due to the bids being over budget for the project. Council authorized Staff to rebid the project. The rebid was opened on Friday March 21, 2014, and presented to council for possible award at the March 25th meeting. At the meeting it was requested by Council to have the City Attorney review the bids due to a letter received from one of the contractors bidding the project. Upon a review of the bids by the City of Elko's legal counsel it is recommended that all bids be rejected due to technical inconsistencies with the bid documents. Staff is requesting authorization to rebid the project. JD

James Wiley, Parks and Recreation Director, explained the information in the agenda item summed it up. Legal Counsel did find some technicalities with the bid specifications and that is the main reason we are requesting a rejection of the bids.

Dave Stanton, City Attorney, said there were some differences in the drawings and specifications that created confusion.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to reject all bids for the Main City Park Tennis Courts Reconstruction Project due to technical inconsistencies in the bid documents and authorize staff to rebid the project.**

The motion passed unanimously. (5-0)

- C. Review and authorization to solicit bids from qualified vendors to provide the custodial services at the airport terminal, and matters related thereto. **FOR POSSIBLE ACTION**

The current Custodial Service Contract with Royal Pane Janitorial expired on November 7, 2013, and has been operating at the airport on a month to month basis. MG

Mark Gibbs, Airport Director, added a new contract for custodial services to the agenda packet. The old contract was out of date and Mr. Stanton updated it.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to authorize staff to solicit bids from qualified vendors to provide the custodial services at the Airport Terminal.**

The motion passed unanimously. (5-0)

III. SUBDIVISIONS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 10-13 for the Great Basin Estates subdivision, filed by The Capps Group Inc., with authorization from Parrado Partners LP, and W.R. and Frances A. Henderson, for the proposed division of approximately 18.977 acres into 64 lots for residential development within an R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto, located generally north of Clarkson Drive approximately 725 feet east of 12th Street (APNs 001-630-062 and 001-630-064). **FOR POSSIBLE ACTION**

The Planning Commission considered this item on August 6, 2013 and took action to forward a recommendation to City Council to conditionally approve the Final Plat. A Conditional Letter of Map Revision (CLOMR) was required prior to Council consideration. SW

Scott Wilkinson, Development Manager, explained the Planning Commission action report and the findings of the Planning Commission were included in the packet. This is a subdivision that has been in the process of approval for a while. The lots are much larger than required for an R zone. The CLOMR is approved.

Councilman Keener asked about the CLOMR, that was one of the conditions from Planning Commission.

Mr. Wilkinson answered approval of the CLOMR was required before the map was presented to the City Council. The CLOMR was approved by FEMA. They still have to complete the work and get Letter of Map Revision (LOMR) the final approval from FEMA before the map could be recorded.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to conditionally approve Final Plat No. 10-13 for the Great Basin Estates subdivision, subject to the conditions as recommended by the Elko City Planning Commission and/or as updated by staff.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- F. Review, discussion, and possible direction to Staff regarding Construction Management (CM) services for the Police Station Facility Project, including possible authorization to issue a Request for Qualifications, and matters related thereto. **FOR POSSIBLE ACTION**

The City Council recently approved Phase 1 Architectural Services, which include revisions to the existing Construction Documents. Phase 2 of the Architectural Services for the Police Station Facility project include: 1) Bidding and Negotiation Services; and 2) Construction Phase Services. The City Council has not yet approved Phase 2 Services.

With the exception of the recent WRF Upgrade Project, the City of Elko has typically used the Engineer and/or Architect of record for Construction Management/ Quality Assurance (QA) services. Although “Construction Phase” services proposed by the Architect may include a great deal of the expected CM/QA services, a third-party Construction Manager provides additional owner representation on the project.

City Staff is seeking direction on Construction Management services. If the Council wishes to use third-party CM, Staff will need to issue a Request for Qualifications and provide a selection recommendation to the Council. Once selected, a contract can be negotiated and brought back to the Council for approval. CC

Curtis Calder, City Manager, explained we want direction with regard to Construction Management (CM) if council chooses that direction. We want to do this because of the lead time required. We felt it was worth having this discussion now.

Councilwoman Simons asked if the cost for this service was not included in the budget numbers.

Mr. Calder answered it was not included in construction phases services. If you elect a third party CM there would be an additional cost.

Councilman Keener asked if that would increase the bond financing amount required for the project.

Mr. Calder answered not necessarily. Right now based on the tentative budget you approved, the bond issue would actually be less than \$3 million because we are putting more money up front on the project. Since this is a city building project the Building Department will be very involved in this project in regards to inspections, permitting and land review will be handled internally.

Councilman Schmidlein said usually when you do development you hire a CM prior to hiring an architect. We have the horse behind the cart here. He didn't agree with hiring a CM to oversee the different city departments when they already know their requirements.

Councilwoman Simons wanted to keep the costs down. We have people that can do this.

Councilman Rice asked to hear from Byron Smith on this. One reason we went with CM at the WRF was because staff was pretty thin and that on other projects where we didn't have a CM we had costly oversights.

Byron Smith, LCA, said they will still review everything. A CM doesn't change what they are going to do.

Councilman Rice said the WRF project was a whole different kind of project. Councilman Perry's experience with similar projects is what led us to consider CM but this is not a WRF project.

Mr. Smith noted the engineer on the WRF project was from out of town. He is local and can make changes quicker than scheduling a trip to town.

Ryan Limberg, Utilities Director, added that a CM should be brought onboard as soon as possible and they may be a little behind getting one. The design professional is going to make the call on many components.

Kimberly Owen, NAI Alliance, said regarding CM services; a good CM could save the project money in the long run by doing the job properly.

Tony Buettner, Construction Manager, handed out a paper (Exhibit "A"). He discussed Construction Management, what CM's do and how they can save money on a project.

Councilman Keener felt staff is equipped to handle a project like this. The one thing worth discussing is having a third party do a design review of the construction documents.

Mr. Smith said they do their own in-house quality control reviews. They are in the process of going through the redesign.

Ms. Owen didn't think that LCA could do their own plan review. That doesn't make much sense. Someone from the outside should do the design review since that is a common practice.

Councilman Schmidlein said in reference to the design review; he is trying to justify what you need for a footprint of a building. Do we need a 16,800 sq. ft. facility? In order to hire a CM, he should be involved with the design of this. We need a Police Station but what do we really need? We only house so many people inside the office.

Ted Schnoor, Building Official, the building we are looking at is not a complicated building. If you want complicated construction then look at some houses going up on the ridge. They are ten times more difficult to design and to build and inspect than any commercial building ever will be. We have a design professional, legal counsel, and Mr. Draper. The plans will go out to a third party for review. Inspectors will be out there on a daily basis. He felt city employees were capable of being able to take care of most of this.

Councilman Schmidlein asked Mr. Schnoor if he knew about the last phase of the addition to the courthouse, did they have a CM. Mr. Schnoor did not know the answer but Mayor Johnson said they did not. Councilwoman Simons said they didn't have one for the jail expansion either.

Mayor Johnson felt the project is close enough along the lines. He has seen a lot of success of the design team made up on this project. He felt the city will be just fine to keep the conventional bidding and review in place.

Councilman Rice agreed and thanked Tony Buettner and Kimberly Owen for their information.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to give staff direction to continue on the course we are on in terms of the Police Department Building without engaging a third party Construction Management Organization.**

The motion passed unanimously. (5-0)

VII. 6:00 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 3-14, a resolution and order vacating a portion of the Silver Street right-of-way consisting of an area approximately 2,580 feet in width by a depth varying from 0 feet to 85 feet abutting APN 001-630-060 which is located within the City of Elko, Nevada, to the abutting property owners, i.e., Parrado Partners LP and Gloria E. Capps Revocable Trust of 1989, filed and processed as Vacation No. 3-13, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of November 26, 2013, 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 January 7, 2014, and took action to forward a recommendation to Council to adopt a resolution to grant Vacation No. 3-13 subject to specific conditions with findings in support of its recommendation. RM

Rick Magness, City Planner, explained we wanted to make sure we included a condition that the easements be recorded with the Resolution. He recommended approval of this item.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to adopt Resolution No. 03-14 containing conditions as recommended by the Planning Commission and noting the easements get recorded specifically.**

The motion passed unanimously. (5-0)

BREAK

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible direction to Staff with regard to a pending Development Agreement with Artisan East, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

Council took action at its meeting on December 17, 2013, committing the City to consider a possible Development Agreement with Artisan East, LLC. The Council considered and passed three motions as follows:

- 1) Directed Staff to address the sanitary sewer with a City commitment to construct the required force main at such a time as flow demands.

- 2) Limit the City funding to \$1.65 Million for construction of the water main.
- 3) Directed Staff and Artisan to revise the agreement in accordance with the motions and bring the draft agreement back for Council consideration before proceeding with procedures as outlined in Section 3-2-26 of City code.

Council took action at its meeting on March 11, 2014 directing Artisan East LLC to work with Staff in finalizing the draft agreement for Council consideration by April 8, 2014 or the negotiations with Artisan East, LLC with regard to the proposed development will terminate on that date without further action from the Council.

Artisan has provided a revised agreement for Council consideration. Artisan has requested three changes to the agreement. Staff has presented a detailed memo outlining the changes to the agreement and Staff's response to the changes proposed by Artisan. SAW

Scott Wilkinson, Development Manager, explained Artisan is present and offered to go through his memo (included in the packet) and present the changes proposed by Artisan and staff's recommendation.

Councilman Rice asked Jack Reynon if they planned to purchase the properties between the section line and I80 from the Millers.

Jack Reynen, Artisan, said the contract includes all of the properties that the Miller's own in this area.

Mr. Wilkinson said there had been some discussion about a hotel. Artisan has proposed three changes to the agreement. He went over the changes. The term of the agreement was set to expire September 30, 2018 but Artisan has proposed that the term of the agreement shall be for a period of ten years. Staff disagrees with that. We are holding development fees static except for sanitary surcharge. Development fees include all fees to the City of Elko. Staff believes that a period extending those static fees or the term of the agreement for a period of ten years really places the city in a position of having an undetermined cost being requested of the city. With the agreement you are looking at a period of four years where the city agrees to hold those fees static. Staff doesn't recommend approving that change.

Mr. Reynen said the third proposed change is a problem for them. When you talk about a development agreement, from the developer's position, the two most important things are the right to develop and what the fee structure is going to be. If this were a three or four year project the time limitation would be fine. This is a ten plus year project. This is not asking for a free ride. You will be paid your fees. We are asking for some certainty as to what we are going to face in the future. Without that we cannot figure out how much this project is going to cost.

Councilman Keener said Mr. Reynen's argument doesn't make any sense to him. Over time all costs increase. Given that everything is in play how can you figure out the cost of anything unless it is being built within the next 90 days?

Mr. Reynen answered that everything has market estimates. We are talking about something that is a governmental power that can just levy what will be levied. This included site specific fees and not necessarily fees throughout the city. The power to tax is the power to destroy. This is clearly a case where if there is no restraint on the ability to raise fees our project could be sunk at any time.

Councilman Rice argued that there is some restraint to raise fees and it lies with council. A ten year timeframe is too long. The city is investing in both the water and the sewer infrastructure. We don't want that to be sat on for ten years. People hate the government but they do good things for the community. We are looking out for assets that are owned by the entire community.

Councilwoman Simons asked if we were in a situation where council needs to pick an either/or?

Mr. Wilkinson answered we were looking to have these decided tonight. We will hear another item tonight that has the potential to take care of the funding issue tonight. We need to move this agreement forward and have it go to Planning Commission. We don't have impact fees in the city of Elko. To even implement impact fees would be a burdensome process. Another consideration is that all fees when they are raised, if they are not raised by resolution then we have public hearings. They would always have the opportunity to comment. The City of Elko doesn't have any fees that inhibit development. If the fees were to increase a little bit the cost of the property will increase with it.

Councilman Keener asked if the development fees were a very small percentage of the finished product.

Mr. Wilkinson answered they would be especially if we are talking land division or zoning fees.

Mr. Reynen said they do not want to compromise on the ten years. They are worried about the site specific nature of the fees. If there are fees of general applicability throughout the city and they get raised we are fine with going along with that. We are worried about their property being targeted for a specific fee. If the fees are raised generally throughout the city we are fine with that. If you tell us fees will go up that is okay. We are worried about the city being short on money and raising fees on their property.

Councilman Schmidlein asked before any utility installation or any commitment from the city, Artisan will have closed on all the land purchases.

Mr. Reynen answered no.

Councilman Schmidlein asked how the city can commit to a water line without a commitment to purchase.

Mr. Reynen said he has been upfront about that and they have already put out a lot of money on this property. If we fall on our faces and can't get this done the city gets the waterline and the right-of-way. It will be good for the city at some point.

Councilman Schmidlein asked if an independent market study been done by a third party? (No) There are a few hiccups that need to get done. He is in favor of getting something completed but felt there were a lot of what-if's getting in the way.

Councilman Rice mentioned the interest in the area is big but the infrastructure is not there. Development has been lost. We are trying to make a deal with Artisan. The city is committed to infrastructure to that site no matter who we are dealing with. The prize is the infrastructure to the property line.

Mr. Reynen said this will get you that. Part of this agreement is that the Miller's agree to dedicate the right-of-way. Problems are solved either way.

Mr. Limberg said we don't offer a compromise like this to other people. At a staff level we really stretched and felt that four years was as long as we could go. We are not a profit business but we do need to recover our costs. If we spend \$1.65 million on a water line we need to be able to recover that. The same applies with the sewer line.

Councilwoman Simons asked if it would be reasonable to offer to them that we won't have any site specific fees.

Mr. Wilkinson said he had a communication from Artisan said they viewed Section 10 as applying to all of the fees. If there is an impact fee concern here and not a concern with all of the other city fees, that is a little something to work with as long as we could legally write that into an agreement.

Mr. Reynen said they are happy to pay the same fees as anyone else in the city.

Mr. Stanton suggested adding language to the agreement and there was some discussion.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to recommend approval of the Development Agreement with Artisan East, LLC with the following caveats: a) the proposed revision to Section 5.4(f) is approved; b) the proposed revision to Section 5.5(g) is not approved and to include language proposed by the City Attorney as identified in the Staff memo dated April 1, 2014; c) the proposed revision to Section 7 is not approved; d) revise the agreement as proposed in the Staff memo dated April 1, 2014; e) revise the agreement as required by the City Attorney before the agreement is considered by the Planning Commission; f) direct staff to follow the procedures outlined in Section 3-2-26 of City Code and conduct public hearings in accordance with code pending council action addressing possible third party funding for the Cattle Drive Phase 1 Infrastructure. Section 10 shall be revised regarding development fees to state, "For a period of ten years from the effective date the City shall not..."**

The motion passed. (4-1 Councilman Schmidlein voted no.)

After the motion and before the vote, Councilman Schmidlein said we are going to invest \$1.65 million for a waterline and the developer can walk away at any time. That could mean that we have a waterline out there and no development completed. Can we add to the agreement that

says if we are going to invest that much money that Artisan purchases the property? We will build a water main to nowhere without a commitment.

Mayor Johnson said this is what we have and we are looking into a crystal ball. Artisan does have their agreement with the Millers. Exit 298 keeps coming up as a good investment. It is far away from infrastructure. He felt the future of Elko is headed in that direction. It makes sense that the city makes this investment.

Councilman Rice said we have enough data from the inquiries that have come in to know that this is the place. Plus Mr. Wilkinson presented council with a document about two years ago that contained examination of lands within the city. Exit 298 is where we need to invest in with infrastructure.

Mr. Wilkinson said there are a lot of steps that Artisan will go through before you even get to that point.

Councilman Keener added the fact that mines are entertaining partnering in this venture should demonstrate to everyone that there is a huge need for this in the community and they're willing to take the risk to get on board as well.

Mike Lattin, 3250 W. Idaho Street, voiced some concerns. The city was taking on the position of becoming a speculator investing some serious capital in water and sewer. That money came from the existing rate users in Elko who paid that money to guarantee that they would always have a system that was operable. He felt too much money was being taken out of the sewer and water accounts to be invested in this speculative venture. There are better ways to do this.

Council voted on the motion.

V. NEW BUSINESS (Cont.)

- A. Review, consideration, discussion, and possible acceptance of a recommendation from the Parks and Recreation Advisory Board to support a proposal for the construction of a bicycle pump track, to be located on the undeveloped portion of lower Mountain View Park, and matters related thereto. **FOR POSSIBLE ACTION**

At the March 20, 2014 Parks and Recreation Advisory Board meeting, a proposal was brought forward by a group of BMX enthusiasts to discuss the possibility of constructing a pump track on the lower portion of Mountain View Park. This group has expressed their commitment to organize volunteers to help with the construction and maintenance of the track and has secured 500 yards of dirt to help keep associated costs low. The P.R.A.B. ultimately voted in favor of supporting the idea. A copy of the proposal and potential track layout has been included in the packet for your review. JW

James Wiley, Parks and Recreation Director, explained what a pump track is. The subject of a BMX track has been a topic at the Parks and Recreation Board for quite a while not but has never gained enough traction to move it forward until now. About a year ago he met with some

individuals that brought up an idea of a pump track. They have been very diligent in their efforts to get support in the form of materials and equipment and volunteers to maintain the amenity. This was put on the Board's agenda to see if there was any support for the project. He indicated on the overhead where they were proposing to build the track. It has been stressed that we do not have any monies to put into the project. Aside from some staff time and some staff equipment to help build the course that is all the dollars commitment from the city. They have committed to provide maintenance and work with staff on a schedule to keep the track in order. Once the track gets built and we get the proper moisture and compaction in the track it should require very little maintenance. From there we are looking at going in once or twice a year doing some overhauls on the course.

Councilman Schmidlein asked about curfews and lighting.

Mr. Wiley answered it will only be open during operational hours and we have no intention of lighting that.

Councilman Keener said he didn't remember anything about dust control and when it isn't being used. What can be done to help remediate some of the dust to the residents right there.

Mr. Wiley said there are plans to install a water spigot to wet the dirt when needed. We will leave a lot of the native vegetation there and that will help with dust control. Once we get proper compaction these soils become very hard and there is very little dust.

Councilwoman Simons thought it was great when citizens come forward with an idea and they solve the problems ahead of time.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve the location of the undeveloped portion of the lower Mountain View Park for the construction of a bicycle pump track.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible action to initiate an amendment to the City Zoning Ordinance, specifically Section 3-2-3 General Provisions, and matters related thereto. **FOR POSSIBLE ACTION**

Council recently identified and designated a City-owned parcel for the purposes of allowing overnight camping, to include use by the homeless individuals and families, and directed Staff to propose code amendments that would enable such use. Staff feels the appropriate methodology to allow camping is via the temporary use permit process within the Industrial Zoning Districts subject to public hearing notice. This gives the City the most flexibility in addressing the needs of the community, and is in keeping with the current action that the Council took in establishing a methodology for enabling Temporary Emergency Shelter provisions. The temporary use permit process allows the City to impose conditions such as time frame, location, nature and character of the use and extent of on site improvements. RM

Rick Magness, City Planner, explained there has been a lot of discussion about this. We are looking to receive approval on this item.

Delmo Andreozzi, Assistant City Manager, added we had some council action to designate a possible area for overnight camping. As we have done that part of the area that we had identified is zoned Light Industrial (LI) and that doesn't allow overnight camping. Whenever we are looking at doing a code amendment for any type of use on a piece of property, there are really only three things you can do. One is to allow that as a principal use meaning that use can happen all of the time. Another way is to do it under a conditional use which means under certain conditions that becomes the principal use of that property. The third option is to look at it as a temporary use which is keeping in the spirit of this location being a temporary solution. This will also keep with the recent action we took in a temporary use in a similar zone to establish an area for emergency cold weather provisions.

Chris McLeod, 254 Keppler, asked if regular citizens could stay there.

Mr. Andreozzi said some of those details are not worked out and they are not at that point at this time. After this gets set up and ready they will be looking at having someone manage the oversight of the facility.

Susan Thornburg, 1141 W. Bullion, wanted to make sure that this remains a temporary site without sidewalks or fencing. If it does stay there then it should have curb, gutter and sidewalk and made up to code. She is concerned that the homeless will be thrown out there and forgotten.

Councilman Schmidlein voiced his concerns about this site being temporary. We had said we will put twelve months on this. We need to be able to pull the carpet out of this if we want or need to.

Dave Stanton, City Attorney, said we have a code section right now that deals with temporary uses. All this does is add camping and campgrounds to that list of temporary uses and doesn't do anything more than that.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to initiate an amendment to the City Zoning Ordinance specifically Section 3-2-3-C-5 General Provisions, to include camping and campgrounds in the list of temporary uses and forward the amendment to the Planning Commission for Public Hearing.**

The motion passed unanimously. (5-0)

After the motion and before the vote, Mike Lattin, 3250 W. Idaho Street, said he realized this was just a change in the code and a technicality, but last meeting council selected a site to put this homeless camp on and he keeps hearing that you aren't allowed to move the homeless unless you have a place for them to go. Have you thought about once you have moved them onto this site and then you want to discontinue this site, what will you do for a place for them to go then?

Councilman Rice noted one of the most important parts of the discussion had addressed just that concern. We don't have a good solution now but there is a commitment from the community to be looking for a more permanent solution to this. It involves the private sector, a lot of non-

profits and church organizations. We are providing an avenue for that discussion to move forward in earnest.

Council voted on the motion.

- E. Review, discussion, and possible authorization of a letter to Barrick Gold of North America and Newmont Mining Corporation, requesting consideration of an economic development grant in the amount of \$400,000, for the purpose of extending water service to the Exit 298 area, and matters related thereto. **FOR POSSIBLE ACTION**

The purpose of the requested grant is to address the difference in the estimated cost of construction and the available resources outlined in the “draft” Development Agreement with Artisan East, LLC. In concept, the economic development grant could be issued directly to the Northeastern Nevada Regional Development Authority (NNRDA). A proposed “draft” letter has been included in the agenda packet for review. CC

Curtis Calder, City Manager, explained in the packet is a copy of the draft letter. He put this together after a meeting with both Barrick and Newmont who had suggested that the city submit such a letter. He was open to any revisions and authorization to complete the letter and request the Mayor sign it.

Councilman Rice said he had been working on this project for a long while. He is the City Liaison to the NNRDA. About two months ago the board directed Pam Borda to drop everything else and focus on finding partners that could help fill this delta for Artisan. It was clear to the board that the city had invested everything that it could in this project but NNRDA saw this as a sort of thing that an economic development organization ought to be doing; assisting a developer find investors to bring their project to a reality. The board voted unanimously for Ms. Borda to go forward with it. She did her work and now an opportunity has been presented where Barrick and Newmont have indicated an interest in helping to fill this gap. NNRDA would be the fiscal agents for this.

Ryan Limberg, Utilities Director, said we do have \$1.65 million budgeted for the water infrastructure so the gap was on the roadway related work. It wasn't specifically for the water.

Councilman Schmidlein asked if Newmont was on board with this as well.

Councilman Rice answered that they have shown an interest. He was unable to attend the last meeting but it is something they have been discussing for some time. Former Councilman Perry approached Barrick about this a few years ago and they have always shown an interest in development in this area.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to authorize a letter to Barrick and Newmont from the Council signed by the Mayor requesting consideration of an economic development grant in the amount of \$400,000 for the purpose of roads and matters related thereto to the Exit 298 area and with any given**

funds given directly deposited to the Northeastern Nevada Regional Development Authority to be dispersed.

The motion passed unanimously. (5-0)

- G. Review, discussion, and possible approval to donate the City-owned bleachers and stages to the 4th of July celebration at the Elko County Fairgrounds, and matters related thereto. **FOR POSSIBLE ACTION**

Currently, the City donates \$5,000 annually to the 4th of July celebration at the Elko County Fairgrounds. The event organizer is responsible for renting the necessary bleachers and/or stages for the event. The typical fees associated with the bleacher and stage rental is \$760. Councilwoman Simons has requested the City Council consider donating the necessary bleachers and/or stages. CC

Councilwoman Simons explained that in discussion with the organizers of this event she asked if there was something else the city could do. They asked that this agenda item be considered. They acknowledged that we have already given them \$5,000 and they are grateful. Maybe this can be one more thing that we can help out with if council has an interest.

Councilman Rice asked what we have done in the past in terms of the bleachers.

Councilwoman Simons answered we rent them to them.

John Ellison said in the past they have raised the money to pay for the bleachers. This year we have had a late start and we have only four months to raise \$60,000. This is a community event and all money raised goes to this event.

Mr. Calder added Mr. Ellison is always really good about distributing tickets to city employees that want to attend the show. We make those available on a first come, first serve basis. Those bleachers are paid for now and they were rented pretty heavily when we first purchased them. Since they have been paid for this compensation covers the labor cost to move the equipment. Staff doesn't have the ability to waive these fees.

Councilman Rice said he is concerned with waiving fees and wondered if we should just add \$760 to our donation and have him pay us for it.

Councilman Keener thought if we do something like this it becomes a precedent. He thought they might consider donating it this year and if the budget is tight in the next year that we deduct it from the \$5,000 that we give them for funding annually.

Mr. Ellison said usually we have a sponsor but not this year.

Mayor Johnson said maybe if there was a chance of getting a gauge of how much the bleachers are being used that the city just goes with a policy that the bleachers are just free. There have been requests in the past to waive fees. The city has associations with everybody. He has seen where council members donate the money themselves.

Dave Stanton, City Attorney, said NRS 268.028 is the authority that cities have to expend public money. That creates the public purpose doctrine. That is what talks about our ability as a city to spend money. It says, “the governing body of a city may expend money for any purpose that will provide a substantial benefit to the inhabitants of the city except as otherwise provided in subsection 4...the governing body may grant all or part of the money to a non-profit organization created for a religious, charitable or educational purposes to be expended for a selected purpose.” We have dealt with this issue before when it comes to donating public money. Subsection 2 says, “a governing body of a city may donate commodities, supplies, materials and equipment that the governing body determines have reached the end of their useful lives to a non-profit organization created for religious, charitable or educational purposes or to another governmental entity to be used for any purpose that will provide a substantial benefit to the inhabitants of the city.” It says we have to do it by resolution. We can disperse money if we have other civic statutory authority to do it. He isn’t aware of any in this case but he hasn’t researched it. It is pretty narrow what we can do in terms of expending public money.

NO ACTION

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to approve Curb, Gutter, and Sidewalk Waiver No. 1-14, filed by Remington Construction Company LLC, which waives the requirement for installation of public improvements along the southerly side of Last Chance Road frontage, and matters related thereto. The property is located generally on the south side of Last Chance Road approximately 320 feet east of Stitzel Road (2310 Last Chance Road). **FOR POSSIBLE ACTION**

This is the only property along Last Chance Road that is located within the City limits and separated from City development by approximately 1,650 feet. Last Chance Road was left as County right-of-way when the property was annexed into the City. The County is not in favor of requiring the public improvements.
SW

Scott Wilkinson, Development Manager, explained the property in question was shown on the overhead screen. The property was annexed into the city but the roadway was not annexed and remained a county roadway. Remington Construction is proposing developing that parcel as their office and laydown yard area. Curb, gutter and sidewalk came up under Title 2 of the City Code. That code doesn’t recognize if that is a requirement on a county road frontage or a city street. It doesn’t provide for any administrative relief. We had Remington Construction consult with the county. The county presented a letter regarding their position on improvements on a county roadway. The City of Elko could require their standards apply on a county roadway. The county explained their requirements and how much maintenance will be performed each year. Even if this road is improved we cannot expend city funds to maintain that infrastructure under the public purpose doctrine. That infrastructure would provide no benefit to the citizens as a whole within the community of Elko. He believed a waiver for curb, gutter and sidewalk would be appropriate at that location.

Councilman Rice asked how much are we setting up City Council in 30 years.

Mr. Wilkinson answered we would have to annex all of that industrial development. Each property owner would have to petition the city to be annexed. The likelihood of that is pretty low. This was not an area that was shown to have annexation potential.

Mayor Johnson thought this might have potential as a project for the city to address and figure how to get this in a position for new roads and such. The city has taken a strong stance to require curb, gutter and sidewalk. What is going to happen to that area? It should have always been City of Elko. These businesses are asking the county when they can get new roads because those roads are in very poor condition. Something will have to happen and this area will be a topic in the near future.

Mr. Wilkinson said if the waiver is not approved they would request that there be a paved road section 30' wide through there with the understanding that those improvements will be on a county right-of-way and ultimately the county has to approve.

Councilman Rice asked how does our ordinance read as far as requirement for curb, gutter and sidewalk.

Mr. Wilkinson answered in this case, if you have a change of use of property or you develop vacant property you have to install curb, gutter and sidewalk. It doesn't state if it is specific to a city right-of-way. The code didn't anticipate this kind of scenario.

Dave Stanton, City Attorney, disclosed his law firm represents Remington Construction and there is a conflict of interest.

Councilman Schmidlein said an owner of Remington Construction called him about this. Is there something we can write in because the owners said if that gets developed in ten years they do not have an issue with putting in curb, gutter and sidewalk out there?

Mr. Wilkinson said deferrals were taken out of code because they are not secured. That agreement would be between the city and that property owner. Deferrals do not run with the land. If the property changes hands that party is not responsible for that obligation.

Bob Thibault, Summit Engineering, said the owner would not be opposed to a deferral. We are trying to apply city code to a county road and the county will be maintaining this road. He didn't see asphalt in the agenda item but his waiver request did include asphalt too.

Councilman Rice asked if there is something that would be like a deferral that could be attached to the property in the event that development goes that direction and that becomes a city right-of-way.

Mr. Wilkinson said we can put them through a conditional use permit. We could condition that they do those improvements at some point in the future and the CUP could run with the land.

Councilman Keener said there is a lot of merit to this waiver request. Usually these come in and you roll your eyes and dismiss them but this one has a lot of merit. This is an island out there surrounded by county with little chance in the foreseeable future of this getting annexed into the city. He hoped they would support this waiver request. It does not make sense.

Susan Thornburg, Gateway RV, said this is county and you should stick to this being county.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve Curb, Gutter and Sidewalk Waiver No. 01-14.**

The motion passed. (4-1 Mayor Johnson voted no.)

- B. Consideration of a request from Barrick Gold of North America and the Northeastern Nevada Museum to waive \$1,720.40 in building permit fees associated with the modern mining exhibit to be installed in the Northeastern Nevada Museum, and matters related thereto. **FOR POSSIBLE ACTION**

A letter from Ms. Katie Neddenriep, Community Relations Program Manager, Barrick Gold of North America, has been included in the agenda packet for review. CC

Curtis Calder, City Manager, explained this is in regard to the mining exhibit they have been working on for some time in the basement of the museum. The project is moving forward and there is currently some permit fees due to the city. She is requesting on behalf of both Barrick and the Northeastern Nevada Museum to have those fees waived.

Dave Stanton, City Attorney, talked about waiving fees. The authority to impose a fee does not include the authority to waive the fee. You have to have authority to waive a fee. He was not aware of any authority to waive this fee.

Mayor Johnson agreed.

Councilwoman Simons thought they could tell them we don't have the authority to waive this.

Mayor Johnson said the city will have other requests if you go down that route. It is easier to keep the policy the same for everyone.

Councilman Keener was a bit confused. Here we are going to Barrick and asking them for \$200,000 to participate in our project and then we are spiking their request to have us participate in something that involved hours of volunteer time and lots of investment. This is a project that many people are enthusiastic about.

Councilwoman Simons wondered if there was some way to support them but if we don't have the authority to waive the fee then we can't waive these fees.

Mr. Calder said one thing that could be considered was that projects on city property, we have done courtesy permits. A permit was still issued so we could do the inspections.

Ted Schnoor, Building Official, said anytime we have a project that is owned by the city for city use the fees are waived; anything other than that, the fees are not waived. The museum sits on city property. Others that lease city property still pay full permit fees and the city owns the property.

Mr. Calder thought Mr. Stanton could clarify because he wasn't sure what the lease would say. He thought if the Historical Society (who is probably the owner of the building) ever went defunct the city would inherit the building.

Mayor Johnson asked if the city waived fees for the Boys and Girls Club.

Mr. Schnoor answered he believed no.

Councilwoman Simons asked can we make a community donation and then still charge them.

Mr. Stanton thought that may be an open meeting law violation because it wasn't agenda'd for that. This is supposed to be a fee waiver. Maybe if it fits under the statutory definition of an education donation. He would have to look at it further because it is very specific what an educational organization has to be in order to satisfy the statutory criteria.

Mr. Calder said staff could include it in the final budget if that is what you would like to do.

Councilman Rice noted it costs money. It is revenue to cover cost.

Councilman Keener said this isn't just anyone off the street asking for something. They are a community partner and have given back so much. They don't ask for much.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to waive the building permit fee associated with the Modern Mining Exhibit in the amount of \$1,720.40.**

The motion was withdrawn.

After the motion and before the withdrawal, Councilman Schmidlein asked what if we go ahead and asked for \$198,000 on the Artisan stuff. Just ask for the difference?

Councilman Rice said this is a community partner.

Councilwoman Simons added if we can't waive then we can't waive.

Mr. Stanton said we have to look at the NRS to see what we can do. In some cases we are given authority to waive fees but the authority to impose a fee does not give you the authority to waive the fee. He has not researched this particular fee and is not aware of any authority to waive this fee.

Mr. Calder noted we are not agenda'd for a donation but we can bring this back at the next meeting.

Councilman Keener withdrew his motion.

NO ACTION

- C. Review, consideration, and possible action to add Janet Pescio to an existing package beer/wine liquor license in the name of The Avenue, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Schmidlein, seconded by Councilman Rice, to add Janet Pescio to the existing package beer/wine liquor license in the name of The Avenue.**

The motion passed unanimously. (5-0)

APPROVAL OF MINUTES: March 25, 2014 **Regular Session**
 March 25, 2014 **Special Budget Session**

The minutes were approved by general consent.

II. APPROPRIATIONS

- A. Review and possible approval of Warrants. **FOR POSSIBLE ACTION**

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

The motion passed unanimously. (5-0)

V. NEW BUSINESS (Cont.)

- B. Review, consideration, and possible authorization for the Police Department to acquire ten (10) military surplus rifles from the Office of Criminal Justice Assistance, and matters related thereto. **FOR POSSIBLE ACTION**

The state Office of Criminal Justice Assistance coordinates local law enforcement agencies working to acquire military surplus equipment via the military "10-33" program, for local public safety use. The Elko Police Department has the opportunity to acquire five (5) M-14 rifles and five (5) M-16 rifles. Some rifles would be carried by patrol officers and some would be issued to SWAT team members. These rifles would supplement the existing variety of rifles used for both purposes. BR

Police Chief Ben Reed Jr. explained this is surplus equipment that they feel has found the end of its life but may have some life left for some local or state authorities. We get equipment from them from time to time. Some items are minimal in nature. These are standard equipment and somewhat routine. We have a variety of rifles and shotguns now and this would supplement, at no cost, what we already have.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to allow the Elko Police Department to acquire ten (10) military surplus rifles through the Office of Criminal Justice Assistance.**

The motion passed unanimously. (5-0)

After the motion and before the vote, Chris McLeod asked if these were free and at no cost.

Chief Reed answered they were at no cost but it was up to them to maintain them.

Mr. McLeod asked how they would be used.

Chief Reed answered they might be used for SWAT. The M14's will be looked at and they will assess their use after they arrive.

Mr. McLeod asked the application for the weapons.

Chief Reed answered they will be used the same as all firearms at the Police Department. They have a variety of firearms, rifles, shotguns and handguns. They are used in the field to protect the officers and the citizenry. If you take someone into custody they are a "use of force" tool.

Council voted on the motion.

- C. Review, consideration, and possible ratification of Staff's action to apply for the Elko Combined Narcotics Task Force Grant through the Office of Criminal Justice Assistance, in the amount of \$79,798.98, and matters related thereto.
FOR POSSIBLE ACTION

Since 1989, the City of Elko has been a participating agency in the Elko Combined Narcotics Task Force. For several years we have contributed the services of one Detective as a member of the task force. This annual grant provides funds for some of the operational supplies, equipment, travel, and confidential funds, associated with the work of the Task Force. BR

Chief Reed explained this is an annual grant. The city, for many years, had the responsibility to try to acquire and administer the grant. It has been used most recently for equipment purposes. They are asking for ratification because this one was submitted late last week by the deadline.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidlein, to ratify the Elko Police Department's application for the annual OCJA grant assisting the Elko Combined Narcotics Task Force in the amount of \$79,798.98.**

The motion passed unanimously. (5-0)

VIII. REPORTS

- A. Mayor and City Council
Councilman Rice reported that Pirates of Penzance opens on Thursday night at 7:00pm at Great Basin College.
- B. City Manager - Long Canyon Mine DEIS
Curtis Calder reported in the Long Canyon Mine EIS. The California Trail Advisory meeting this month is a joint meeting with the foundation and scheduled for a week from Wednesday at 6:30 pm at the Trail Center. The

- carnival will not be at the airport this year and will be at the Convention Center.*
- C. Assistant City Manager
Delmo Andreozzi reported on the NDOT project. He handed a copy of the Gantt Chart and contact information (Exhibit "B").
 - D. Utilities Director
Ryan Limberg hoped to have the WRF project on the next agenda for final acceptance.
 - E. Public Works
 - F. Airport Director
Mark Gibbs reported Saturday they will be having an Airport Disaster Drill. They will be proceeding with AIP Grant 43 construction starting on April 21.
 - G. City Attorney
 - H. Fire Chief
 - I. Police Chief
 - J. City Clerk
Shanell Owen reported on the list of City Council/Mayor candidates submitted to the Nevada Secretary of State and the County Clerk's Office. FISH was awarded the CDBG grant for the refrigerated truck.
 - K. City Planner
Rick Magness reported on two rezones (Exhibit "C"). The Planning Commission approved Rezone No. 02-14 filed by Bailey & Associates and Rezone 03-14 filed by Carter Engineering on behalf of Klondike Holdings.
 - L. Development Manager
 - M. Administrative Services Director
Dawn Stout reported on the sales tax numbers for January 2014 (Exhibit "D").
Ben Mangeng reported on the live streaming and the new mixer being used.
 - 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 Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Shanell Owen, City Clerk