



CITY OF ELKO  
 CITY MANAGER  
 1751 COLLEGE AVENUE  
 ELKO, NEVADA 89801  
 (775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, November 13, 2018

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.S.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocity.com>, the State of Nevada's Public Notice Website,

<https://notice.nv.gov>, and in the following locations:

**ELKO CITY HALL**  
 1751 College Avenue, Elko, NV 89801  
**Date: Time Posted: November 7, 2018 at 8:30 a.m.**

**ELKO COUNTY COURTHOUSE**  
 571 Idaho Street, Elko, NV 89801  
**Date/Time Posted: November 7, 2018 at 8:40 a.m.**

**ELKO POLICE DEPARTMENT**  
 1448 Silver, Elko NV 89801  
**Date/Time Posted: November 7, 2018 at 8:50 a.m.**

**ELKO COUNTY LIBRARY**  
 720 Court Street, Elko, NV 89801  
**Date/Time Posted: November 7, 2018 at 9:00 a.m.**

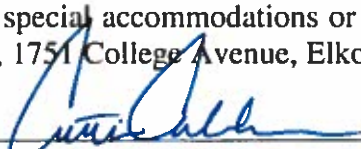
<b>Posted by:</b>	<b>Kim Wilkinson</b>	<b>Administrative Assistant</b>	
	<b>Name</b>	<b>Title</b>	<b>Signature</b>

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at [kwilkinson@elkocitynv.gov](mailto:kwilkinson@elkocitynv.gov) to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

*Dated this 7<sup>th</sup> day of November, 2018*

**NOTICE TO PERSONS WITH DISABILITIES**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

  
 \_\_\_\_\_  
 Curtis Calder, City Manager

**CITY OF ELKO**  
**CITY COUNCIL AGENDA**  
**REGULAR MEETING**  
**4:00 P.M., P.S.T., TUESDAY, NOVEMBER 13, 2018**  
**ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA**

**CALL TO ORDER**

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY THE GENERAL PUBLIC**

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

**APPROVAL OF MINUTES:      October 23, 2018      Regular Session**

**I.      PRESENTATIONS**

- A.      Reading of a proclamation in recognition of “Small Business Saturday” and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

**II.     PERSONNEL**

- A.      Employee Introductions:
  - 1) Benjamin Ritz, Mechanic I, Fleet Department
  - 2) Susan Drake-Shurtz, Human Resources Manager
  - 3) Kara Vera, Technical Assistant, Building Department

**III.    APPROPRIATIONS**

- A.      Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B.      Review and possible approval of Print ‘N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C.      Review and possible approval of Great Basin Engineering Contractors Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

- D. Review, consideration, and possible award of a bid for a new Service Truck with body and crane for the Water Reclamation Facility, and matters related thereto. **FOR POSSIBLE ACTION**

City Council approved soliciting bids at the October 9, 2018 meeting. A Bid Tally Sheet will be provided prior to the Council meeting. RL

- E. Review, consideration, and possible approval of Change Order No.1 and issuance of final acceptance for Reuse Pipeline and Sanitary Sewer to the Elko Sports Complex Project (Railroad and River Crossing Project), and matters related thereto. **FOR POSSIBLE ACTION**

This difficult project has been completed. The original bid was for \$1,117,267.50. There was one change order for the project in the amount of 43,557.40, consisting of deductive amounts for removing one manhole and reducing the number of conduits from the Scope of Work, as well as additive amounts for additional drill rig and boring expenses. RL

- F. Review, consideration, and possible final acceptance of the 6<sup>th</sup> Street Storm Drain Repair-Phase 2, and matters related thereto. **FOR POSSIBLE ACTION**

At their August 14, 2018 meeting, Council awarded the bid for the 6<sup>th</sup> Street Storm Drain Repair-Phase 2, in the amount of \$59,175.60 to Great Basin Engineering Contractors. While performing this repair, on October 10, 2018, it was discovered that a significant amount of storm drain pipe downstream from this project is failing. The City of Elko deployed a camera in the storm drain for approximately 150 additional feet of the culvert and found numerous areas to be compromised and in danger of failing. The potential failure of this storm drain necessitated an emergency repair to protect the public health, welfare or safety of the public. Failure of this storm drain would pose significant risk of flooding to numerous areas, as this is a main drainage structure for the City of Elko. Great Basin Engineering Contractors has satisfactorily completed these repairs. DS

- G. Review, consideration, and possible final acceptance of the Centennial Park Electrical Improvements, and matters related thereto. **FOR POSSIBLE ACTION**

At their July 25, 2017 meeting, Council awarded the Centennial Park Electrical Improvement Project to Intermountain Electrical Contractors, in the amount of \$140,728.20. There was one monetary change order during construction in the amount of \$31,035.89. There was an adjustment in quantities that saved \$1,343.50. The total project cost was \$170,420.59. This project was substantially completed on November 14, 2017, but had issues with the asphalt paving that the contractor needed to address in warmer weather. The issues were addressed this fall, and Staff recommends final acceptance. BT

#### IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018 and took action to forward a recommendation to Council to conditionally approve Final Platt 11-18. CL

#### V. NEW BUSINESS

- A. Review, consideration, and possible authorization to reschedule the City Council Meeting from December 25, 2018 to Tuesday, December 18, 2018, and matters related thereto. **FOR POSSIBLE ACTION**

- B. Review, consideration, and possible approval of a Water Meter Grant Policy and Water Meter Grant Application, and matters related thereto. **FOR POSSIBLE ACTION**

The Annual Water Department Budget has included \$20,000.00 for a Water Meter Grant Program for several years. However, a grant policy and grant application form was never acted upon or approved by Council. The purpose of this item is to request formal action by Council to approve, or direct Staff to modify, each of these two documents. RL

- C. Review, consideration, and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Great Basin Estates Phase 3 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 of the City Council's approval of the final plat. CL

- D. Review, consideration, and possible approval to accept Mr. Knight's repudiation of the previous sale of APN 001-066-005, consisting of city-owned property at the intersection of Eighth and Elm Streets, pursuant to NRS 268.061(e)(1)(II), and to proceed with the statutory process required to sell the parcel pursuant to NRS 268.062, and matters related thereto. **FOR POSSIBLE ACTION**

Staff has received a request from Mr. Don Knight to purchase a parcel of city owned property adjacent to his residence located at 772 Elm Street. The City of Elko Land Inventory was updated May 9, 2017 to list this APN for disposal. City Council at their May 23, 2017 meeting determined that the property was not economically viable and approved selling the property directly to Mr. Knight. One of the conditions was that Mr. Knight merge both parcels. Mr. Knight has since communicated to City Staff that he will not merge the parcels and will therefore not satisfy the Council's condition. As a result, Mr. Knight has repudiated the sale of the parcel to him pursuant to NRS 268.061(e)(1)(II).

NRS 268.062 allows for the sale of any real property at auction after adopting a resolution declaring its intention to sell the property at auction. CL

- E. Consideration and possible authorization to solicit statements of interest and qualifications for engineering services at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Regional Airport currently has a Professional Services Agreement with Jviation, Inc. for engineering services at the airport. The current contract agreement will expire January 14, 2019. The FAA requires that every five (5) years the airport re-advertise for consultants to provide engineering services. JF

- F. Review and possible approval of a Lease Agreement with the Bureau of Land Management, for the operation and use of the Elko Interagency Fire Dispatch and Helibase, and matters related thereto. **FOR POSSIBLE ACTION**

On September 24, 1997 BLM entered into lease agreement with the Elko Regional Airport for a period of twenty years, which has expired. The annual revenue generated from this Lease Agreement will be \$11,310.00. In addition, a 2% per year escalator was included in the Lease Terms. The Lease will be for a period of Twenty (20) years commencing upon the execution of the Agreement. JF

- G. Review, consideration and possible approval of an amendment to the Exclusive Franchise Agreement between the City of Elko and Elko Sanitation Company dated June 11, 2012, as amended, for sanitation service in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Sanitation Company currently provides sanitation service in the City of Elko pursuant to an agreement dated June 11, 2012, as amended. Elko Sanitation is requesting that the rate schedule be amended pursuant to Section 15.01 (CPI Based Change) of the agreement. The request is to be made in writing. Such request is to be accompanied by statement from an independent certified public account that the

contractor's cost of doing business has increased at a rate at least equal to the increase in CPI. The fees or compensation may be increased every two years at an amount equal to the net percentage change in the CPI less one percent. SAW

- H. Review, consideration, and possible approval of an amendment, adding a service, to the Exclusive Franchise Agreement between the City of Elko and Elko Sanitation Company dated June 11, 2012, as amended, for sanitation service in the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Sanitation Company currently provides sanitation service in the City of Elko pursuant to an agreement dated June 11, 2012, as amended. Elko Sanitation is requesting that the rate schedule be amended by adding a service and additional fees as provided for under section 14.01 of the agreement. Addition of a service requires amendment to the fee schedule and approval of the proposed fees by the city council. The additional service would be a four yard front loader container for commercial accounts. The additional fees would be for the 4 yard container fees and related fees rollout fee. The proposed amendment is identified as the third amendment to the agreement. SAW

- I. Consideration and possible approval of temporary waivers of the mandatory connection to public sewer for four (4) additional building permits associated with APN 001-633-030, pursuant to City Code 3-2-3 (B)(4), and matters related thereto. **FOR POSSIBLE ACTION**

Great Basin Estates Phase 2 and Phase 3 Maps are currently pending NDEP approval. On October 9, 2013, the City Council approved one (1) waiver associated with APN 001-633-030.

Since NDEP has not yet approved the maps, "public sewerage and water supply" are technically unavailable, thereby requiring City Council approval of a waiver of the mandatory connection to public sewer requirement. Additionally, Staff believes that unless a variance is granted by the Planning Commission, only one (1) building permit can be approved per parcel. CC

## **VI. RESOLUTIONS AND ORDINANCES**

- A. First reading of Ordinance No. 834, an amendment to the City Zoning Ordinance, specifically Title 3, Chapter 3, of the Elko City Code entitled "Subdivisions", specifically a repeal and replacement of the chapter, and matters related thereto. **FOR POSSIBLE ACTION**

Planning Commission at their May 1, 2018 meeting, initiated an amendment to the City Zoning Ordinance, Section 3-3. It was further discussed at the August 7, 2018 meeting. A motion was made to have a special meeting with City Council and Planning Commission on September 18, 2018. From that meeting a special working group was formed and they held two meetings, October 4<sup>th</sup> and 17<sup>th</sup>, 2018 to finalize the changes to the code. Planning Commission took action at their November 6, 2018 meeting to recommend to City Council to adopt Ordinance 834. CL

- B. First reading of Ordinance No. 836, an amendment to the City Zoning Ordinance, specifically an amendment to Title 3, Chapter 4, Section 2 of the Elko City Code entitled "Planning Commission", and matters related thereto. **FOR POSSIBLE ACTION**

After the September 6, 2018 Planning Commission meeting, it was discovered that the existing Elko City Code 3-4-2 and Resolution 1-95 had conflicting information regarding the quorum for official action. This change will bring the Elko City Code into conformance with Resolution 1-95. Planning Commission took action at their November 6, 2018 meeting to recommend to City Council to adopt Ordinance 836. CL

- C. Review and approval of the Elko City Election held November 6, 2018 and its results, including the adoption of Resolution No 28-18, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to Nevada Revised Statutes 293C.387, the election returns from a general city election must be filed with the City Clerk. No person may handle, inspect or in any manner interfere with the returns until they are canvassed by the Mayor and the governing body of the City. The canvass must be completed on or before the sixth working day following the election (November 14, 2018). After the canvass is completed, the governing body of the City and Mayor shall declare the result of the canvass. KW

- D. Review, discussion, and consideration for a possible donation of two (2) Elko Police Department used patrol vehicles to Nevada Peace Officers Standards and Training (POST), and matters related thereto. **FOR POSSIBLE ACTION**

Elko PD has been approved to purchase two new patrol vehicles for School Resource Officer use in FY 18/19. Anticipated delivery of new cars is early spring 2019. Upon delivery of the new vehicles, the current vehicles will be relegated to backup use, allowing two (2) older Ford Crown Victoria's to be removed from city fleet. The vehicles have approximately 181,000 and 111,000 miles on them, respectively, and have reached useful service limits for Elko Police Department; however, can be utilized in a training function.

Nevada POST relies upon donated vehicles from agencies for their fleet of vehicles utilized in teaching the Emergency Vehicle Operations Course (EVOC). POST recently requested vehicles, as their fleet has become unserviceable due to age and use. Chief Reed sits on the POST Commission and was made aware of this need. If donated, these two (2) units will serve cadets in POST academy classes, including Elko Police Department cadets and would assist in fulfilling the needs of POST. Elko Police Department is asking to donate the vehicles to POST, transferring ownership to them. BR

## VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of a portion of the D Street and Cedar Street Right-of-Way consisting of an area approximately 2, 467.89 sq. ft., filed by A.M. Engineering and processed as Vacation No. 2.18, and matters related thereto. **FOR POSSIBLE ACTION**

The existing non-conforming parking is within the City of Elko Right-of-Way. The property has been vacant for more than 12 months and has lost all legal non-conforming status. Without the vacation, the use of the property would be severely compromised. CL

- B. Ratification of the Police Chief issuing a 30-day temporary Retail Liquor License and possible issuance of a Regular Retail Liquor License to Jurine Armstrong, dba Hunter Ray's, located at 245 3<sup>rd</sup> Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

See attached memo from Police Chief Ben Reed, Jr. BR

## VIII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

## COMMENTS BY THE GENERAL PUBLIC

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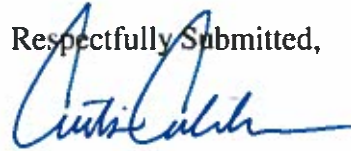
**NOTE:** The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been



completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

## ADJOURNMENT

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Curtis Calder", written in a cursive style.

Curtis Calder  
City Manager