



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, February 13, 2018

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.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.elkocitynv.gov/>, the State of Nevada's Public Notice Website,

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

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: February 8, 2018 at 8:50 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: February 8, 2018 at 9:00 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: February 8, 2018 at 8:40 a.m.

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date: Time Posted: February 8, 2018 at 8:30 a.m.

Posted by: Kim Wilkinson Administrative Assistant 

Name

Title

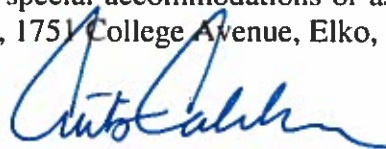
Signature

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

Dated this 8th day of February, 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.D.S.T., TUESDAY, FEBRUARY 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 January 23, 2018 Regular Session

I. PRESENTATIONS

- A. A Proclamation by the Mayor in recognition of the month of February as “Beef Month”, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

- B. A Presentation of a Nevada LTAP Road Scholar Certificate to Jeremy Rekwart, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

II. PERSONNEL

- A. Employee Introductions:
 - 1.) Kyle Jones, Patrol Officer II, Police 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, consideration, and possible approval to award the Equipment Bid for the WRF Emergency Diesel Generator Project, and matters related thereto. **FOR POSSIBLE ACTION**

Council directed Staff to solicit bids at the January 9, 2018 meeting. Five (5) bids and three (3) alternate bids were received. The City's Electrical Engineer has reviewed the bids, and finds the Smith Power Products Bid to meet the bid specifications, and is the lowest cost option. A Bid Tally and recommendation has been provided. RL

- D. Review, consideration, and possible approval to purchase a new Envirosight RovverX Complete Mobile Inspection Truck by utilizing the Joinder Provision of NRS 332.195, and matters related thereto. **FOR POSSIBLE ACTION**

This piece of equipment consists of a new Ram 2500 Van with internal computer and software licenses as well as camera equipment, crawler, and various sized wheels, and accessories to televise sewer and storm drains from 6" to 60"

This project was budgeted in the current fiscal year at a reduced rate, in an attempt to purchase a demo unit. This has not come to fruition, due to several complications. A new unit is available at a higher than budgeted cost. However, with the greatly reduced cost estimate at the WRF Fill Stand Project, there will be money available in the current Fiscal Year Budget to cover the expenditure. RL

- E. Review, consideration, and possible approval to solicit bids for the Effluent Reuse and Sanitary Sewer Railroad Bores and Humboldt River Crossing to the New Sports Complex, and matters related thereto. **FOR POSSIBLE ACTION**

This portion of the project was not completed last year as part of the Effluent Reuse Pipeline and Sewer to the Elko Sports Complex Project. Staff is seeking Council approval to rebid the work. RL

- F. Review, consideration, and possible approval of a Professional Services Agreement with ZGA Architects for design of a new Combined Water/Sewer/WRF Shop, and matters related thereto. **FOR POSSIBLE ACTION**

At the January 23, 2018 meeting, Council directed Staff to negotiate a proposal with ZGA, and bring back a Professional Services Agreement for possible Council approval. RL

- G. Review and possible designation of an independent auditor to prepare the annual audit for the City of Elko for Fiscal Year ending June 30, 2018, 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 March 2016, and awarded the RFP to HintonBurdick, PLLC. JJ

- H. Review, consideration, and possible approval of a funds transfer from the Revenue Stabilization Fund to the General Fund for FY18. The Revenue Stabilization Fund Balance exceeds the limitations as set forth in NRS 345.6115, and matters related thereto. **FOR POSSIBLE ACTION**

The City allocates a portion of the excess General Fund balance to three funds at the beginning of each year as follows:

- A) Twenty five percent (25%) to a Revenue Stabilization Fund, established pursuant to Nevada Revised Statutes section 354.6115, up to the maximum amount allowed.
- B) Thirty seven and five-tenths percent (37.5%) to a Capital Equipment Reserve Fund.
- C.) Thirty seven and five-tenths percent (37.5%) to a Facility Reserve Fund.

The balance in the Revenue Stabilization Fund must not exceed 10 percent of the expenditures from the General Fund for the previous fiscal year, excluding any federal funds expended by the local government. We are in a situation where the fund balance exceeds the limitation by \$48,321.60. We would recommend that the excess funds be transferred to the Street Department to pay expenses incurred by the local government to mitigate the effects of the natural disaster last year. Significant asphalt work is still required to complete our projects as defined by FEMA. These projects were not budgeted in FY18. JJ

- I. Review, consideration, and possible ratification of Airport Improvement Project (AIP) 49 Grant Application, and matters related thereto. **FOR POSSIBLE ACTION**

FAA Grant Application 49 includes upgrading the airport perimeter fence and electrical vault. The security fence upgrade will bring the entire perimeter fence into conformance with advisory circulars, and TSA Guidelines. The current electrical vault is housed in a wood structure. The upgrade would build a flame retardant structure, replace all constant current regulators, and associated connections.

Due to application date requirements set by the FAA for 2018, Staff was required to submit an application to the FAA by January 31, 2018. JF

- J. Review, consideration, and possible award of a bid or rejection of all bids for the Sports Complex Project, and matters related thereto. **FOR POSSIBLE ACTION**

The Council authorized Staff to bid the Sports Complex Project at its November 14, 2017 meeting. Staff revised the project to reduce the scope of the project in an

attempt to ensure adequate funding for a base bid. The base bid was structured to preserve the following basic components of the project:

- Site grading
- Wetland construction
- Utility installation
- Three playing fields
- Plaza Development
- Parking Lot Development
- Sound wall construction
- Area landscaping adjacent to the sound wall and Errecart Blvd.

Field lighting installation was addressed as additive alternates 1 & 2 with the lights to be owner provided.

Bids were received until 3:00 p.m. on January 29, 2018. Three bids were received. All bids are well above the budget available for the project. Two of the bidders were deemed responsive but ineligible for preferential status with the omission of the required affidavit. The third bidder was deemed unresponsive with the omission of the qualification information required under Constructed Wetlands Section 32.7100 (1.3)(E)(1) and (2) and Sports Field Irrigation Section 328425.10 (1.3)(B)(1) and (2). The apparent lowest responsive bidder is Granite Construction, with a total for the base bid of \$12,035,035.00. There was one minor error on the total amount for bid item 47 presented as \$29,000 vs, the calculated result of \$29,400. The base bid amount is reflective of the \$29,400. Staff does not recommend an award without consideration of additive alternates 1 and 2. Consideration of additive alternates 1 and 2 would bring the total award for consideration to \$12,302,035.00. A complete bid tabulation is provided in your packet.

If this project is awarded, there are additional expenses, outside of this contract, in the amount of \$337, 871.00 to cover the costs for NV Energy, QA/QC testing, 404 permit management, and historical preservation management. This cost does not include either purchase or lease of field lights. SAW

- K. Review, consideration, and possible authorization to restructure and rebid the Sports Complex Project, and matters related thereto. **FOR POSSIBLE ACTION**

The Council authorized Staff to bid the Sports Complex Project at its November 14, 2017 meeting. Bids were received until 3:00 p.m. on January 29, 2018. Three (3) bids were received. All bids are well above the budget available for the project. Staff believes the project could be restructured and rebid based upon available resources and project timing. For example, a realistic bid package for the 2018 Construction Season could include:

- Site grading
- Installation of Electrical Utilities (with some items omitted)

- Wetland Mitigation
- Water source to wetlands
- Storm Drainage Infrastructure Utility installation
- Installation of Field Lighting Infrastructure (foundations, bases, conduit, etc.)
- Sound Wall construction

Additional owner costs of approximately \$300,000.00 to cover the costs for NV Energy, QA/QC testing, 404 permit management, and historical preservation management are projected. This cost does not include either purchase or lease of field lights, which would be deferred until the next budget cycle. SAW

IV. NEW BUSINESS

- A. Review, consideration, and possible authorization to pursue legal action against Braemar Construction for continued violations of Title 9 Chapter 6, Illegal Discharge and Connection to Stormwater, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko, as a part of its Small Municipal Separate Storm Sewer Systems (MS4) permit requirements (issued by NDEP) and pursuant to Elko City Code Title 9, Chapter 6 (Illegal Discharge and Connection to Stormwater), conducts regular inspections of construction sites throughout the City of Elko. These inspections are used to verify the contractors' compliance with the City Code, the contractors' Storm Water Pollution Prevention Plan (SWPPP) and the Best Management Practices (BMP) the contractors must use to minimize storm water pollution from their construction sites. Last year, construction work began on a property near Jennings Way and Courtney Drive. Inspections by Staff revealed that Braemar was operating vehicles in such a manner as to track sediment on City streets, where it then washes into the City Stormwater System. Furthermore, Braemar was failing to place sediment barriers around stormwater drain inlets. These actions were and continue to be in violation of Elko City Code Title 9, Chapter 6. A Notice of Violation was issued on November 29, 2017, demanding correction of the violations. Braemar had 30 days to appeal, but it did not do so, nor did it correct the violations. For the purpose of considering how to direct Staff, it should be noted that Braemar appears to have a history of violating certain City requirements in connection with construction projects, which is demonstrated by past notices, and other documents included in the Council packet. JD

- B. Review, consideration, and possible action to accept the 2017 Annual Report of Planning Commission Activities, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to City Code Section 3-4-23, the Planning Commission is required to prepare and present an Annual Report of its activities to the City Council. On February 6, 2018, the Planning Commission took action to approve the 2017

Annual Report of Planning Commission Activities and forward it to the Council.
CL

- C. Review, consideration, and possible approval of Staff's response to noted violations of statute and/or regulations in relation to the Fiscal Year 2017 Annual Audit, and matters related thereto. **FOR POSSIBLE ACTION**

The City violations are noted in the Fiscal Year 2017 letter from Hinton Burdick. Staff is required to respond to these violations with corrective actions, which must be approved by Council. JJ

V. RESOLUTIONS AND ORDINANCES

- A. First Reading of Ordinance No. 826, an ordinance increasing the corporate limits of the City of Elko, Nevada, pursuant to the provisions of N.R.S. 268.670 annexing thereto a certain tract of land partially contiguous to and not embraced within the present limits of the City of Elko described as follows: a parcel of land located northeast of the intersection of Statice Street and Delaware Avenue in Section 36, T. 35 N., R. 55 E., MDM, Elko County, Nevada, consisting of 62.03 acres, filed by Surebrec Holdings LLC., and processed as Annexation No. 2-17, and to direct Staff to set the matter for public hearing, second reading, and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition for the subject annexation on January 23, 2018, and directed Staff to continue with the annexation process by referring the matter to the Planning Commission. The Planning Commission considered the annexation on February 6, 2018, and took action to forward a recommendation of approval with findings back to Council. CL

- B. First Reading of Ordinance No. 827, an ordinance increasing the corporate limits of the City of Elko, Nevada, pursuant to the provisions of N.R.S. 268.670 annexing thereto a certain tract of land partially contiguous to and not embraced within the present limits of the City of Elko described as follows: a parcel of land located on the north side of West Idaho Street approximately 2,500 feet east of I-80 Exit 298, in Section 19, T. 34 N., R. 55 E., MDM, Elko County, Nevada, consisting of 3 acres, filed by Swire Coca-Cola USA and processed as Annexation No. 3-17, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted the petition for the subject annexation on January 9, 2018, and directed Staff to continue with the annexation process by referring the matter to the Planning Commission. The Planning Commission considered the annexation on February 6, 2018, and took action to forward a recommendation of approval with findings back to Council. CL

- C. Review, consideration, and possible approval of Resolution No. 05-18, a resolution amending various fees related to Ruby View Golf Course pursuant to Elko City

Code, Title 8, Chapter 13, Section 3, and matters related thereto. **FOR POSSIBLE ACTION**

The Golf Course Financial Advisory Committee took action to recommend amending various fees at Ruby View Golf Course on February 5, 2018. A draft resolution has been included in the agenda packet for review. JW

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 90-day temporary Retail Liquor License and Caterer's Liquor License, and issuing a regular Retail Liquor License and Caterer's Liquor License to Mai Burrows, Jaden Enterprises, LLC dba Cowboys, located at 442 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Ratification of the Police Chief issuing a 30-day temporary Packaged Beer and Wine License and issuing a regular Packaged Beer and Wine License to Joshua Hunt and Joseph Hunt, dba Idaho Street Station, LLC, located at 1600 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Ratification of the Police Chief issuing a 30-day temporary Packaged Beer and Wine License and issuing a regular Packaged Beer and Wine License to Joshua Hunt and Joseph Hunt, dba Idaho Street Station, LLC, located at 1600 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 825, an ordinance amending Title 3, Chapter 2, of the Elko City Code entitled "GENERAL ZONING ORDINANCE" specifically adding a new Section 29 entitled "Marijuana Establishments and Medical Marijuana Establishments Prohibited", filed and processed as Zoning Ordinance Amendment No. 3-17, and matters related thereto. **FOR POSSIBLE ACTION**

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

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**

NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager