

CITY OF ELKO REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
3:30 P.M., P.S.T., TUESDAY, DECEMBER 8, 2009
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by Mayor Michael J. Franzoia, Chairman for the RDA.

ROLL CALL

Present: Mayor Michael Franzoia, John Patrick Rice, Jay Elquist, Chris J. Johnson.

Absent/Excused: Jim Conner.

City Staff Present: Delmo Andreozzi, Assistant City Manager
Ed Wynes, City Planner
Scott Wilkinson, Development Manager
Jeremy Draper, Civil Engineer
Eric Howes, Parks & Recreation Director
David Stanton, City of Elko Legal Counsel

APPROVAL OF MINUTES: October 8, 2009– Joint RDA and RDAAC Meeting.

Motion: Approve the minutes, **Action:** Approve,

Moved by Chris J. Johnson, **Seconded by** Jay Elquist.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Mayor Michael Franzoia, John Patrick Rice, Jay Elquist, Chris J. Johnson.

Absent: Jim Conner.

I. NEW BUSINESS

A. MISCELLANEOUS ITEMS, PETITIONS AND COMMUNICATIONS

1. Review consideration and possible action to enter into a Public/Private Partnership with Stephen Romero/Vaughn Industrial Park for the possible addition of enhanced public improvements associated with the office complex development located at the corner of 9th Street and Railroad Street, and matters related thereto. **ACTION ITEM**

The developer has submitted plans to the City of Elko for the proposed development of two offices. The submitted plans are code compliant and have been approved by Staff. The developer is currently proceeding with office building A at this time. This is an opportunity for the Redevelopment Agency to consider partnering to enhance public improvements associated with the subject project.

Staff has had preliminary discussions with the developer regarding the possibility of pursuing a public/private partnership. DA

Mr. Andreozzi said I wanted to advise the Agency as noted these plans are before us and the representative of the Agency did review with City Staff the proposed project. Because of the size and magnitude and the opportunity that this project presented we thought it would be prudent to bring this item before the Agency to consider whether or not you would like to engage in some enhancement public improvements in association with this project. If you are, then we would go ahead and pursue a public/private partner agreement with the owner and through our legal counsel that would be brought back through the proper channels for possible consideration and acceptance. You have a memo that has been submitted from Mr. Wilkinson and I would like to identify what some of the possible enhancements could be that we thought we would discuss to stimulate some conversation. In the Plan some of the goals are to make it a pedestrian friendly environment, circulation, aesthetics and some other goals. It was that in mind that Staff developed some of the concepts we would like you to consider. One of them being possibly having additional sidewalk around the development on 9th and/or Railroad Street. I would like to acknowledge that there is currently sidewalk there and the project is code compliant but the developer also intends on replacing some of that sidewalk that is deteriorated. Another possible concept would be to have some additional landscaping in the same right-of-way area. Another opportunity might be to add an antique style intersection light. There is a photo of one that we have at 6th and Railroad. They are not at all of our intersections and currently what we have in the area right now is an overhead power line and a luminaire that is mounted on a wood pole in the alley. The other thing is the possibility of doing an extended curb return on 9th Street pursuant to the adopted modified B parking layout plan for pedestrian enhancement and to calm traffic. Another one would be to possibly have dyed curb ramps in that area. Some of the curb returns we have been doing in the downtown area have incorporated this element and we may consider that in this project for continuity. Another option would be to install some conduit for future utilities. Part of the Plan is to get overhead utilities underground. There is significant overhead infrastructure in the area and if we put conduit in the ground at some point in time we may be able to get the overhead infrastructure underground. The last option that we identified for your consideration would be to have some type of participation to work on the water line which we have in the area of 9th Street.

Mr. Johnson asked Mr. Romero what his project schedule was including the site improvements.

Mr. Romero said I think it will be done the beginning of next year.

Mr. Johnson said then we have another month or so.

Mr. Romero said definitely a month. Lowering utilities, which is part of the project, we are still waiting for a response from the Power Company as far as costs and options. It could be one to three months before we continue.

There was discussion regarding making a decision at this point without having details and costs associated with the project known.

Mr. Romero said what is important in terms of time is the decision about the water line. I am not familiar with the details on that.

Mr. Wilkinson said I can elaborate on that. Originally the water line was to be extended in the alley and dead end at 9th. We actually approved these plans. Our Utility Department had several conversations with Mr. Rasmussen of Techtonics and that was approved. Subsequent to that approval we have determined that with all of the utilities in the alley and the proposed overhead utilities to go into the ground, we probably couldn't get clearances for the water line that we would need. Right now we have had discussion on whether that water line should be relocated to Railroad Street. What we have in the corner of 9th and Railroad is a 12 inch line that is just at that intersection. The developer is proposing to extend the 12 inch water line up 9th Street and we are lacking some fire hydrants in the area to facilitate this development. The Fire Department is requesting a fire hydrant at the intersection of 9th and the alley. We have had discussions on what is the best scenario for running a water line. Is it better to run it down Railroad and loop it over to 9th? Or to extend it up 9th and ultimately have that water line connect to the water line on Court Street. Our Engineer and Public Utility Director have done some modeling. I think the modeling indicates long term it would be better to have that water line extended up 9th and connected in to Court Street. I think short term benefits with Railroad looping provide some redundant capabilities to serve that development in the event of a broken line. I believe this issue is going to make it before the City Council because right now we have a disagreement on definitions of frontage and satisfying the Code and what would be a better long term solution. What I have contained in my memo is for the RDA to consider extending that line up 9th to provide a better fire flow, ultimately better flow to the entire system long term to assist in the development of not only this piece of ground but in the RDA area, in particular the downtown area. Court Street has quite a bit of water in it and if you can get the south side looped with the north side that shows that it is better long term for the entire system in that area rather than looking at Railroad. We have not been able to come to an agreement on where that water line should be located. Staff's decision to put it in Railroad is probably going to be appealed to the City Council. I have that in here as a possible consideration for the RDA to participate in that cost. It would enhance the entire area downtown. If the developer were to extend it in Railroad and get it looped with the development of his project, we would have both scenarios covered.

Mayor Franzoia said if you look at extending it on 9th Street from Court Street toward Idaho Street, because that is where you would connect it, that creates a loop already, doesn't it?

Mr. Wilkinson said the developer is required to extend it along his frontage.

Mayor Franzoia said we have already had that discussion on the project by the hospital on what constitutes the frontage. On a corner lot we have to redefine that.

Mr. Wilkinson said we are looking at the RDA participating in extending it up 9th to the alley way. That would address the lack of fire protection infrastructure to assist this development. At some point our Utility Department would have to take a look at extending it from that point up to Idaho Street and/or all the way to Court Street. Our modeling shows the best scenario is to loop it to Court Street. There would be some benefit to loop it to Idaho Street but Court Street would be the best benefit long term. There are three items that we consider contributions by the owner to the development that would be considered as his participation in the agreement. With the other items we put forth for consideration of the RDA for their participation in that agreement. That is detailed in my memo.

Mayor Franzoia asked if on Railroad Street where the land is vacant, curb and gutter is there but is there sidewalk?

Mr. Wilkinson said there is sidewalk but quite a bit of it is deteriorated. The developer is looking at replacing deteriorated sections of sidewalk. I don't believe he would have to do that to have his plans approved. The sidewalk is in place, it is our responsibility at this point in time. However, the developer has proposed cleaning up quite a bit of that deteriorated sidewalk.

Mayor Franzoia said if we look at a participation of the sidewalk making it wider, butting up new concrete to existing concrete instead of one pour with the expansion joints in there, is that logical? We already have the width in the City's control but is it wise in the construction business to tap in and butt up against an existing sidewalk?

Mr. Wilkinson said I certainly think you could do that. That would reduce the cost rather than removal of the entire section of sidewalk.

Mayor Franzoia said I wouldn't suggest removing it but I was looking at the additional and if that is a logical approach?

Mr. Wilkinson said I believe it is.

Mr. Andreozzi said you would need to look at the circumstances you have there to know for sure. It is appropriate to have multiple panels instead of not full width panels. If you were going to construct that sidewalk it is probably not very likely that it would be poured in one piece. It would be poured in panels any way.

Mayor Franzoia said the panels are big. In an area this big you are not having two panels you have one large panel like Southwest did on Commercial Street.

Mr. Wilkinson said the biggest consideration would be aesthetics of having that expansion jointed in between two 5 foot sidewalks. It probably wouldn't be as desirable of a look as you would want.

Mayor Franzoia said that would be something that the developer should consider.

Mr. Romero said you have to look at the plan. We are planning on landscaping the entire site. There is a 10' setback from the back edge of the sidewalk to our property line if you go another five feet, I think that cuts our landscaping zone down to 5' or 10'. It all depends on the final plan. We want a lot of landscaping. Widening the sidewalk is always a good idea but at the expense of landscaping, we would have to consider it as a whole.

Mayor Franzoia said I understand that and that is the way you should look at it.

Mr. Johnson said what would the project require if it wasn't in RDA. Give me a baseline and then let's see where RDA is coming in as far as some enhancements. I need to know that answer and also RDA needs to decide some type of formula I would think on how much money do we want to spend on a particular project? What is it based on? RDA is relatively new and it doesn't have a lot of cash to do much. We need to make those decisions because as more of these

projects develop then we are going to start setting a precedence of how much can the RDA participate. I would need a baseline to know if it wasn't in RDA here are the requirements that Staff sees and then of course if the owner doesn't agree with it than that would be appealed to the City Council. I am thinking that the RDA funds would solely go towards more requirement than what would normally be in the development for enhancements.

Mr. Wilkinson said that is what we are proposing. The plans as presented have been approved, they are code compliant. If we didn't have an RDA, we wouldn't be having this discussion. We are looking at some enhancement and the RDA partnering with the developer to absorb those incremental cost increases. We have laid out separate items such as wider sidewalks, water and the other things in the memo for your consideration.

Mr. Johnson said for me it depends on the resources RDA wants to allocate to it as far as dollars go. That would have to be another decision we would have to make.

Mr. Wilkinson said the best we could do is try to come up with an estimate in house on the incremental cost rather than have the developer incur additional engineering costs to do that. We can attempt to do that and bring it back to you. We could get unit cost from the developer to develop our estimate.

Mayor Franzoia said I think that is logical. We need a couple of things and still be in line with the developer's time frame. He is waiting for an answer back on the underground power issue. That would be great to have that information as an option we could consider that has a tag to it instead of guess work that we may not be able to achieve. The other one would be give us that scenario about which ways to go with the water, a map and a cost estimate so we can review it. That has different issues related to it because it is something that may need to be done anyway if no development occurs at that property. Let's look at some options with that so we have dollars attached to it. Look at the sidewalk which may be the cheapest of all, in house give us some costs so we can figure out how much we can expend. Mr. Johnson is right on how much do you give a project and what it should be based on. We don't have anything in front of us to make a decision that has a dollar amount attached relative to what we have available.

Mr. Wilkinson said we will put together a spreadsheet. We have some preliminary estimates. The water line up 9th Street is going to cost about \$25,000 to \$27,000.

Mayor Franzoia said give us the choices for the Railroad Street issue and the 9th Street issue.

Mr. Wilkinson said I believe that will be coming to the City Council before we have our next RDA meeting and may get sorted out.

Mayor Franzoia asked Mr. Romero what his timeline was for the RDA to meet again on this issue.

Mr. Romero asked concerning the water line?

Mr. Franzoia said the water line, the concrete and the power line.

Mr. Romero said the water line needs to be decided by the end of January but I would have to check with the contractor on that.

Mayor Franzoia said we could have that ready on our first meeting in January.

Mr. Romero said I don't have the construction schedule. The power lines could wait another couple of months but it depends on what the power company wants to do and we are still waiting.

Mayor Franzoia said hopefully they could get some kind of figure to you so we could include that and see which way you want to go. If you want to do the power line, the water line or the concrete.

Mr. Romero said we are doing all three. The power line issue is to what extent we are going to do it. There is a power pole with a transformer cluster between 10th and 11th and then the next major pole is on the other side of 11th. We want to go all the way across 11th but we are waiting for numbers on that. We are at least going to that pole.

Mayor Franzoia said we will focus on the water and the concrete.

Mr. Wilkinson said the developer wasn't at this point in time looking for the RDA to share costs on the overhead utility relocations. It is my understanding that he is looking at doing that at his expense and then these other issues to get the plans in conformance with the RDA Plan are the items that we brought to you tonight.

Mayor Franzoia said let's table this until the first part of January so we have some numbers in front of us. One request I have at looking for the bulge outs for the street, can you come back as to what streets really need to have that? We have 5th Street but that has a lot of traffic on it. 9th Street really doesn't. Are we going to have a policy that all street corners have the bulge out or looking at ones that have a certain amount of traffic flow consistently that should be addressed for pedestrian safety? It may be something in house to look at that so they are placed effectively.

Mr. Wilkinson said right now we are looking at the corridor area predominantly and it has to do with pedestrian safety. This corner falls within that area and it is within the design we currently have adopted.

Mr. Elquist said I agree we need to decide what is the developer's responsibility and what is the Water and Sewer Department's fair responsibility. Another thing we should think about is what is something the RDA might do down the road that we would have to tear out what got put in to make it how we would want it. If it is not required by the developer is it cheaper to do now than to do later. Some of these things such as putting in a light post might be something we can do in five years and there isn't any incremental cost but other improvements might have a cost if the improvements have been done and we are tearing out something new to put in something better. That seems like the type of thing we might want to participate in now rather than five years down the road.

Mr. Wilkinson said we can spell that out at the next meeting. Curb returns, conduit in 9th, water line in 9th are all things that if they are not done at this point in time they will probably need to be constructed at a later date unless you were to change your design for the corridor area.

Mr. Elquist asked would those be done at more of a price?

Mr. Wilkinson said these are incremental costs to develop the property. These items we have here would be incremental costs to develop the property to conform with the RDA.

Mr. Rice said we don't have a design concept for the RDA but we do have a strong vision of the RDA and things like bulb returns are things we have already determined and adopted in the RDA so I am confident with those. Knowing the cost is great but it is also important to me as the one that signed off that we didn't delay the project. We have some time to look into this and keep going forward with the RDA.

Mayor Franzoia said because of the request for more information regarding costs I would entertain a motion to table this item until the first meeting in January.

Motion: Table until January meeting, Action: Table, Moved by John Patrick Rice, Seconded by Jay Elquist.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 4).

Yes: Mayor Michael Franzoia, John Patrick Rice, Jay Elquist, Chris J. Johnson.

Absent: Jim Conner.

2. Review, consideration and possible action to support the Planning Commission's recommendation of conditional approval of the vacation of the alley right-of-way between Railroad Street and Idaho Street, between 10th Street and 11th Street consisting of an area approximately 20 feet in depth by 300 feet in length and matters related thereto. **ACTION ITEM**

Stephen Romero with Vaughn Industrial Park has submitted plans to the City of Elko for the proposed development of an office complex located at the corner of 9th Street and Railroad Street. The developer has applied to vacate the alley right-of-way. The Planning Commission considered this item at their December 1, 2009, meeting and forwarded a recommendation of conditional approval to the City Council.

Although not required, one of the Planning Commission's conditions was to have the Redevelopment Agency also consider the request and forward a recommendation to the City Council. DA

Mr. Andreozzi said the only additional comment I have is in the way of information to make sure it is clear that the portion that is being requested to be vacated is between 10th and 11th Streets. It excludes that portion between 10th and 9th Streets.

Mr. Johnson asked Planning Commission has recommended to move forward and under normal procedure would that come back to City Council or is the final decision by the Planning Commission?

Mr. Andreozzi said it has to come back to the City Council for final action.

Mr. Johnson said I would recommend since we are one and the same we take advantage of it and deal with it on Council level and not look at it on an RDA level.

Mr. Rice said do we have any NRS restrictions on that?

Mayor Franzoia said if the board adopts it with the recommendation it has no effect on the decision of the City Council because we are a separate entity.

Mr. Andreozzi said the one part of NRS in 279 is that the RDA has the power and authority to look at land assemblages and road vacations or dedications in terms of how the Redevelopment Area actually becomes. This is in the Redevelopment Area and we thought it would be prudent to bring it forward to you so the RDA is aware of it as it progresses to City Council for final decision.

Mayor Franzoia said it is on the agenda. You don't have to take any action but I think as record keeping goes it was presented to us and reviewed by us.

Motion: to show support for the Planning Commission's recommendation of conditional approval of vacation of the alley right-of-way between Railroad Street and Idaho Street, between 10th and 11th and forward it to City Council for final approval, **Moved by** John Patrick Rice, **Seconded by** Jay Elquist with the comment that maybe the stop would be the Redevelopment Agency Advisory Council review before going to City Council.

Mr. Wilkinson said the bylaws of the Advisory Council do not allow for Staff or the Planning Commission to forward an issue to them. You are one and the same group of people now but in the future you may not be and the procedure we utilized in reviewing this is appropriate in all of these issues going forward.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Mayor Michael Franzoia, John Patrick Rice, Jay Elquist, Chris J. Johnson.

Absent: Jim Conner.

3. Review of the Task and Time Matrix and identify tasks 10A and 10H as possible priorities for discussion by the Redevelopment Agency Advisory Council to help further the detailed design development of the adopted Redevelopment Plan.

ACTION ITEM.

The Redevelopment Agency Advisory Council took action at its November 5, 2009, meeting to prioritize specific tasks within the Task and Time Matrix and is recommending that the Redevelopment Agency direct the RDAAC to set these two tasks as priorities for discussion and development.

Mr. Andreozzi said I would like to point out that the Advisory Council has worked on this item. There is a letter in the packet from the Chairman specific to this and the Advisory Council wants to reaffirm what they have established as priorities and make sure the RDA is comfortable with how they have set their priorities. We have members of the Advisory Council present and defer to them for any comments or questions.

Mayor Franzoia asked Mr. Andreozzi to give an overview of tasks 10A and 10H for everyone in attendance.

Mr. Andreozzi said the specific task for 10A is to establish an economic niche and identity for the downtown. 10H is to promote special events within a quality special events venue. The Advisory Council is trying to digest the matrix and prioritize to get a starting point to start accomplishing these tasks. This is what the Advisory Council felt was important to them and what would be good use of their time for the time being.

Mayor Franzoia said in discussion is there a dollar amount attached to these two items?

Mr. Andreozzi said not currently. There are discussions and brainstorming to start flush out what some of that might be.

Mayor Franzoia said it shows to set these two tasks as priorities for discussion and development. Obviously discussion always comes first so it could always be adjusted accordingly based on discussions.

Mr. Wilkinson said on task 10A they wanted to take a look at the downtown identity and pin it down so if they were to engage a consultant in revising the Plan they would have that identified.

Mr. Elquist said 10A makes sense but with both time and money limited 10H seems like something I wouldn't spend a lot of time on at this point. I think the DBA does a good job and ECVA is there to promote special events. I would try and get smaller not bigger in your focus with our limited time and budget and develop an identity and work on infrastructure needs.

Mr. Buettner, RDAAC Chairman, said the way the task matrix was assembled and the tasks that are on there don't directly relate to the things that we are trying to accomplish. Instead it is used as a general guideline to try and figure out how to establish priorities to help the RDA in their efforts. We went through and identified about six things we thought might be a priority and we all agreed these two would be the highest priority because of the potential for further development in the RDA specific to the RDA design criteria that may be developed soon and what would be most beneficial in guiding the design we are looking for. We are not looking at promoting events we are looking at how the promotion of events throughout downtown may affect the cost of the design of downtown.

Mr. Elquist said I understand the difference, thank you.

Motion: direct the RDAAC to set the tasks 10A and 10H of the Task and Time Matrix as priorities for both discussion and development, **Action:** Approve, **Moved by** Jay Elquist, **Seconded by** John Patrick Rice.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Mayor Michael Franzoia, John Patrick Rice, Jay Elquist, Chris J. Johnson.

Absent: Jim Conner.

II. PUBLIC COMMENT PERIOD.

This agenda item is to provide time for the general public to address the City of Elko Redevelopment Agency regarding items of concern not specifically listed on the agenda. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate

There were no comments made at this time.

NOTE: The Chairperson or Vice Chairperson reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time.

III. ADJOURNMENT

There being no further business, the meeting was adjourned.

Mayor Michael J. Franzoia, Chairman
Redevelopment Agency