CITY OF ELKO

**CITY COUNCIL AGENDA**

**REGULAR MEETING**

**4:00 P.M., P.D.T., TUESDAY, MAY 12, 2020**

# ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

**GoToMeeting.com**

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## CALL TO ORDER

*The Agenda for this meeting of the City of Elko City Council has been posted for this date and time in accordance with State of Nevada Emergency Directive 006. The public can view or participate in the virtual meeting on a computer, laptop, tablet or smart phone by registering at the link above.*

**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. Comments may be made through GoToMeeting.com, or by calling (775) 777-0590, or email comments to: **cityclerk@elkocitynv.gov****.** **ACTION WILL NOT BE TAKEN**

**APPROVAL OF MINUTES: April 28, 2020 Regular Session**

### I. APPROPRIATIONS

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

B. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

C. Consideration and possible award of bid for Snow Removal Equipment contingent on funding by the Federal Aviation Administration through Airport Improvement Grant #51, and matters related thereto. **FOR POSSIBLE ACTION**

Council previously authorized Staff to apply for FAA Grant Application #AIP 51 on March 12, 2019. On April 14, 2020, City Council authorized Staff to solicit bids. Bids were opened on May 7, 2020. The project consists of acquiring new Snow Removal Equipment (SRE), i.e., truck, plow, and de-icing sprayer. This grant is fully funded by the FAA with no local match required. Staff will provide a recommendation from Jviation, Inc. to award the bid. As a reminder, the FAA will award grants based on bids. JF

**II. SUBDIVISIONS**

A. Review, consideration, and possible approval of Final Map No. 1-20, filed by Kelly Builders, LLC, for the development of a subdivision entitled Townhomes at Ruby View involving the proposed division of approximately 1.297 acres of property into 10 lots for residential development and 1 common lot within the R (Single-Family and Multiple-Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the south side of Indian View Heights Drive near the intersection of Griswold Drive (APN 001-530-026). The Planning Commission considered this item on May 5, 2020, and took action to forward a recommendation to conditionally approve Final Map 1-20. MR

B. Review, consideration and possible approval of Final Map No. 2-20, filed by Koinonia Development, LP, for the development of a subdivision entitled Mountain View Townhomes Unit 1 involving the proposed division of approximately 3.27 acres of property into 12 townhouse lots for residential development, 1 common lot, and 1 remainder parcel for future development within the CT (Commercial Transitional) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The subject property is located on the south side of N 5th Street at the intersection of Mary Way. (APN 001-610-096, 001-610-097, 001-610-098, 001-610-099, and a portion of 001-610-075). The Planning Commission considered this item on May 5, 2020, and took action to forward a recommendation to conditionally approve Final Map 2-20. MR

##### III. NEW BUSINESS

A. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Mountain View Townhomes Unit 1 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. As part of the conditions of approval for Final Map 2-20, the Planning Commission recommended that the agreement be approved by the City Council and be entered into by the developer within 30 days of the City Council’s approval of the Final Map. MR

B. Review, consideration, and possible approval of a slope easement for grading associated with the Mountain View Townhomes subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Due to the existing topography of the development site, the applicant’s engineer is proposing off-site grading onto City of Elko-owned property (a portion of Mountain View Park). A condition of approval of the Tentative Map was that a slope easement be granted to allow for this off-site grading.

This slope easement was considered by the City Council at the April 28, 2020 meeting. However, the recommended motion presented by staff was incorrect. At this time, staff is bringing this item back for an appropriate motion. MR

C. Review, consideration, and possible approval of a public utility easement associated with the Mountain View Townhomes subdivision, and matters related thereto**. FOR POSSIBLE ACTION**

The project site is located adjacent to an existing drainage channel. The approved Tentative Map shows the onsite drainage being directed to this drainage channel via a public utility and drainage easement. A condition of approval of the Tentative Map was that a public utility and drainage easement be granted to allow for this drainage movement. MR

D. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Townhomes at Ruby View subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, including stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. As part of the conditions of approval for Final Map 1-20, the Planning Commission recommended that the agreement be approved by the City Council and be entered into by the developer within 30 days of the City Council’s approval of the Final Map. MR

E. Review, consideration, and approval of the 2020 City of Elko Land Inventory update, and matters related thereto. **FOR POSSIBLE ACTION**

City of Elko Land Inventory spreadsheet is to be updated when necessary. Planning Commission reviewed the modifications at their May 5, 2020 meeting and recommended to City Council to approve the updated land inventory. CL

F. Consideration and possible acceptance of Federal Aviation Administration CARES ACT Grant, and matters related thereto. **FOR POSSIBLE ACTION**

The Coronavirus Aid, Relief, and Economic Security (CARES) signed into law by the President on March 27, 2020, includes $10 billion in funds to be awarded as economic relief to eligible U.S. airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic. Additionally, the CARES Act provides new funds distributed by various formulas for all airports that are part of the national airport system. An airport owner/sponsor may use these funds for any purpose for which airport revenues may be lawfully used. JF

**IV. RESOLUTIONS AND ORDINANCES**

A. Review, consideration, and possible action to propose an amendment to Elko City Code Title 8, Chapter 2, Section 3-2 entitled “Mandatory Installation of Conduit” and conduct first reading of Ordinance No. 852, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code Section 8-2-3-2 requires a person undertaking a public works project or conducting a private excavation within a public right-of-way to install underground communications infrastructure on behalf of the City. The underground communications infrastructure is automatically owned by the City upon installation, at which time the City reimburses the permittee for the cost of installation. The proposed amendment to City Code Section 8-2-3-2 would permit telecommunications providers to retain exclusive use of underground communications infrastructure for up to five years after installation in private excavations, so long as the City is not obligated to reimburse the telecommunications providers for the cost of installation during that period. Permittees would be required to offer underground communications infrastructure for dedication to the City prior to reimbursement for the cost of installation. MR

B. First Reading of Ordinance No. 853, an ordinance amending title 5, Chapter 3, Section 1, of the Elko City Code entitled “Definitions for Animals and Fowl”, and matters related thereto. **FOR POSSIBLE ACTION**

On April 28, 2020, the City Council initiated this ordinance at the request of a City of Elko resident to increase the number of laying hens allowed at private residences, for noncommercial use from two to four. KW

**V. PETITIONS, APPEALS, AND COMMUNICATIONS**

A. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Juniper Street and 6th Street Right-of-Way, consisting of an area approximately 3,636 sq. ft., filed by Brian and Dena Starkey, and processed as Vacation No. 1-20, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko issued a license agreement in 1987 and another in 1999 to occupy the area requested to be vacated by this petition. There have been three (3) property owners since that license agreement was issued, and no new license agreements have been issued. The applicant purchased the property in 2018, and would like to vacate any excess Right-of-Way. CL

B. Ratification of the Police Chief issuing a 30-day Temporary Retail Liquor License and issue a Regular Packaged Liquor License, to Jaskaran Raj and Mandeep Kaur, DBA Our Store, located at 1015 5th Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

C. Review and consideration of a request from Elko High school Graduation Parade Committee to utilize a different parade route as well as a request for the City to utilize the community donation fund to pay the parade fee, and matters related thereto. **FOR POSSIBLE ACTION**

The City Clerk’s Office received an application by the Elko High School Graduation Parade Committee to hold a parade for graduation due to the COVID-19 situation. The parade route is in the agenda packet. The committee is also requesting the City utilize the Community Donation Fund to pay the parade fee. KW

**VI. REPORTS**

* 1. 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. Financial 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,

 Curtis Calder

 City Manager