

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

SS July 14, 2009

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, July 14, 2009.

This meeting was called to order by Mayor Michael J. Franzoia.

ROLL CALL

Mayor Present: Michael J. Franzoia

Council Present: Councilman Jim Conner
Councilman Jay Elquist
Councilman Chris Johnson

Council Absent: Councilman John Rice

City Staff Present: Curtis Calder, City Manager
Shanell Owen, City Clerk
Alan Kightlinger, Fire Chief
Don Zumwalt, Police Chief
Dawn Stout, Administrative Services Director
Ryan Limberg, Utilities Director
Eric Howes, Parks & Recreation Director
Dennis Strickland, Public Works Director
Trent Moyers, Airport Director
Scott Wilkinson, Development Manager
Jessica Johnson, Human Resources Manager
Ted Schnoor, Building Official
Ed Wynes, City Planner
Jeremy Draper, Civil Engineer
Ben Mangeng, IT Technician
Lorraine Martinez, Accounting Supervisor
Linda Buffington, Recording Secretary

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES June 23, 2009

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to approve the minutes of June 23, 2009 as submitted.**

Motion passed unanimously.

PRESENTATION OF YOUTH SCHOLARSHIPS AND AWARDS

The presentations were made by Mayor Franzoia. Rural Nevada Junior High School Youth Award Program winners Danielle Mouritsen and Anna DuBois were each presented with a \$50.00 savings bond and plaque of recognition.

Sadelle Crabb, Rural Nevada High School Program winner was presented with a plaque and advised the \$1,000 scholarship will be presented at the Nevada League of Cities Conference to be held in Henderson, NV.

I. PERSONNEL

A. Introduction of New Employee(s):

- 1) Civil Engineer – Jeremy Draper
- 2) Firefighter – Andrew Crouch

II. APPROPRIATIONS

B. Review, consideration, and possible award of a bid for the installation of a 24” waterline to interconnect Well # 43 with the existing distribution system, and matters related thereto. **ACTION ITEM**

This project was approved in the FY 09/10 Budget. RL

Mayor Franzoia noted six bids were submitted. Staff budgeted approximately \$500,000; the engineer’s estimate was closer to \$339,000. Low bidder was Peavine Construction for \$274,274.

Utilities Director Limberg advised Staff recommends awarding the project to Peavine Construction.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to award the bid for the installation of a 24” waterline to interconnect Well # 43 with the existing distribution system to Peavine Construction in the amount of \$274,274.00.**

Motion passed unanimously.

C. Review, consideration, and possible award of a contract for construction of the Emergency Effluent Reservoir at the WRF, and matters related thereto. **ACTION ITEM**

This capital project is one of three projects requested of the City by NDEP as a regulatory requirement. The purpose of this reservoir is to hold flows of raw wastewater in the event of plant emergencies until the water can be pumped back in to the Headworks Building, treated, and disposed of. RL

Mayor Franzoia advised Staff budgeted \$345,000. Five bids were received; low bidder is Mach 4 Construction at \$239,612.00.

Utilities Director Limberg advised Staff recommends awarding the bid to Mach 4 Construction. Mr. Limberg noted although the prices are coming in under the budgeted amount; the budget amount also includes the engineering, quality assurance and control as well as other items in addition to the construction costs.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner to award the contract for construction of the Emergency Effluent Reservoir at the WRF to Mach 4 Construction in the amount of \$239,612.00.**

Motion passed unanimously.

- D. Review, consideration, and possible final acceptance of the Airport Bomb Threat Equipment Containment Building, and matters related to thereto. **ACTION ITEM**

The project was awarded to Schell Creek Construction in the amount of \$128,938. There were no change orders for this project. Staff is pleased with the work, and is asking for final acceptance of the project. DA

City Manager Calder advised the walk-through has been completed and all work is acceptable.

**** A motion was made by Councilman Elquist, seconded by Councilman Johnson to approve final acceptance of the Airport Bomb Threat Equipment Containment Building.**

Motion passed unanimously.

- E. Review, consideration, and possible award of a contract to Amec Engineering for Construction Management and Supervision (QA/QC), for the Emergency Storage Reservoir project, and matters related thereto. **ACTION ITEM**

Amec has prepared the Construction Drawings as well as the bidding documents for this project. Staff is recommending award of a contract for construction management and supervision to Amec Earth and Environmental. RL

Utilities Director Limberg indicated the numbers for engineering and QA/QC is higher than the 8% Staff prefers to see. Initially they were even higher; Staff was able to negotiate down some. Staff is comfortable with the amount and recommends awarding the bid to Amec Engineering in the amount of \$35,090.50.

Councilman Johnson questioned the charge of \$4.50 for the cost of cell phones and computer equipment when on site. Was it a misprint, did we see it in the schedule or did they qualify it in their proposal. Mr. Johnson requested verification the City of Elko will not see an additional bill for this charge.

Mr. Limberg verified that was correct; it is covered in their proposal and the City will not have an additional bill.

Councilman Johnson then questioned if they will be signing the City of Elko's Engineering Agreement.

Mr. Limberg verified they will.

**** A motion was made by Councilman Johnson, seconded by Councilman Elquist to award a contract to Amec Engineering for Construction Management and Supervision (QA/QC), for the Emergency Storage Reservoir project in an amount not to exceed \$35,090.50.**

Motion passed unanimously.

- F. Review, consideration, and possible award of the College Parkway Capital Construction Project, and matters related thereto. **ACTION ITEM**

The deadline for submitting bids was 3:00 p.m., local time, on Monday, July 13, 2009. Bids will be reviewed, and a bid tabulation will be provided. DS

Public Works Director Strickland noted only one bid was submitted and is inline with the budgeted amount.

Mr. Strickland noted a representative from Chilton Engineering, engineer of record, was present to answer any questions.

Councilman Elquist commented it seems odd there was only one bid received and right at the engineer's estimate; had there been any feedback on that.

Mr. Strickland advised there had been no feedback; local contractors are fairly busy and that eliminated at least one other bidder.

Councilman Elquist questioned if Staff was confident there was no mistake in the bid package i.e. times etc.

Mr. Strickland indicated Staff is confident.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to award the College Parkway Capital Construction Project to Canyon Construction in the amount of \$86,789.07.**

Motion passed unanimously.

- G. Review of the bids received, and possible award of the Slurry Seal 2009 Project, to "supply and apply" a Slurry Seal to approximately 5 miles of selected City streets, and matters related thereto. **ACTION ITEM**

The deadline for submitting bids was 3:00 p.m., local time, on Thursday, July 9, 2009. Bids will be reviewed, and a bid tabulation will be provided. DS

Mayor Franzoia noted four bids were received; Staff budgeted approximately \$200,000. Lowest bid is American Asphalt and Grading in the amount of \$147,349.42.

Public Works Director Strickland advised \$175,000 was the target for this project. The four bidders were the same as in previous years; low bidder indicated there was a gap in their schedule and they wanted to work for the City of Elko again. Staff is very comfortable with the price, the company and materials.

Mayor Franzoia questioned if Staff would increase the miles.

Mr. Strickland indicated with the low bid there are other areas Staff would like to address i.e. the extension of Ruby Vista and a few other minor areas such as the landfill.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson award a contract to American Asphalt and Grading for the Slurry Seal 2009 Project, to “supply and apply” a Slurry Seal to approximately 5 miles of selected City streets in the amount of \$147,349.42.**

Motion passed unanimously.

- H. Review, consideration, and possible award of a joinder contract to Traffic Control Service, Inc. to purchase a Graco RoadLazer 3 Pump #231378 Paint Striper, and matters related thereto. **ACTION ITEM**

The City of Fernley, Nevada, in June 2008, went through a bidding process to procure a new Graco RoadLazer 3 pump #231378 Paint Striper, and subsequently awarded a contract to Traffic Control Service, Inc. Traffic Control Service, Inc. has agreed to offer the exact same unit with available options to the City, honoring the same pricing and terms of the Fernley contract.

This piece of equipment will be used in the Street Department for paint striping. This project was approved in the FY 09/10 Budget. DS

Public Works Director Strickland advised included in the packet is a letter from the vendor stating their intentions. Mr. Strickland noted when Staff looked at this exact piece of equipment several years ago it was priced at \$40,000; this is a very competitive price and a great opportunity for the City.

Mr. Strickland stated when striping in the future this machine will require the use of one less person in the Street Department. This is a slip in unit; we will be able to remove it from the truck thereby allowing us to use the truck for multiple tasks i.e. snow removal, patching.

Councilman Johnson questioned if we stayed within the bidding and purchasing policy.

City Manager Calder advised this does not fall under the purchasing policy because it is above the \$25,000 threshold. Legal counsel reviewed the matter as it falls under our bidding procedures; counsel stated we could enter into a joinder contract. Fernley went through the competitive bidding process and this falls within the time limit. The only risk to a deal like this is whether or not we think we can get a better deal if we went out to bid now versus a year ago. We've had these opportunities in the past but the Council wasn't comfortable entering into a joinder contract because they thought we could get a better deal if we bid it ourselves; we ended up spending considerable more than what the joinder contract would have been. There is some risk but at least you know what the price is and you save the time and expense of bidding it out internally. This is a specialized piece of equipment and not something that could be purchased through the State of Nevada Purchasing Contract.

Mr. Strickland advised NRS outlines the criteria; the vendor has to agree and submit a letter, we must have a copy of the City of Fernley's invoice and the contract has to be within one year.

Mr. Strickland informed the Council this item is also below what Staff had budgeted.

**** A motion was made by Councilman Elquist, seconded by Councilman Johnson to award a joinder contract to Traffic Control Service, Inc. to purchase a Graco RoadLazer 3 Pump #231378 Paint Striper in the amount of \$35,540.00.**

Motion passed unanimously.

- I. Review, consideration, and possible authorization for the Public Works Department to solicit bids for the Spruce Road Improvements Project, and matters related thereto. **ACTION ITEM**

This project was approved with the adoption of the Street Inventory and Work Program for FY 09/10. DS

Public Works Director Strickland clarified the project area and advised this is tied to the agreement with John Carpenter. The engineer and Staff met with Mr. Carpenter to discuss the project; the approach to the mini storage will be moved providing Mr. Carpenter with good access to the facility.

Utilities Director Limberg questioned how far the access had been moved down.

Mr. Strickland advised it was moved all the way down and centered with the aisle of the storage units; it will provide good ingress/egress and give added distance for sight.

Mr. Limberg requested verification it was not near the well approach.

Mr. Strickland advised they will do the approach into the well house also; that approach will be set up in conjunction with this project.

Mayor Franzoia questioned when Staff anticipated completion.

Mr. Strickland indicated mid-September.

John Carpenter expressed concern with closing off the current access to mini storage which has been used for twenty years; the new access is likely to create a traffic safety issue.

Mr. Strickland advised Staff conducted research in relationship to accidents in that area; over a five-year period there were none.

Mayor Franzoia questioned if there was an access near Mr. Carpenter's property that goes to the water tanks.

Mr. Carpenter verified there was.

Mr. Strickland clarified there is an access into the well and from that entrance there is access into the storage sheds.

Development Manager Wilkinson drew a diagram of the area and identified the well house as well as current and proposed access points. Between the well house and the fence line there is approximately thirty feet; any upgrades such as construction of a well house etc. will give limited access. It is City owned property and there is no easement; it has been used for a considerable period of time. Mr. Wilkinson noted there has been correspondence in the past regarding this proposed location where the City agreed to re-construct that approach. The utility department is not comfortable with trying to create an access easement and have something that would basically function as a street coming through the area with the well house there; that is why we proposed relocating the access point. Mr. Carpenter would maintain his access until construction was completed and then it would be Staff's position it would no longer be used as access to the storage units.

Mayor Franzoia questioned the distance from the proposed access point to City property.

Mr. Wilkinson estimated thirty to forty feet.

Councilman Elquist believed the issue was the left turn into it.

Mr. Strickland advised the issue would be a left turn coming out. The proposed access further down provides a good sight distance.

Mr. Wilkinson noted Staff had proposed a right in, right out only for that approach; Mr. Carpenter was not comfortable with how that might impact his tenants.

Mr. Carpenter indicated a right turn out is a concern in the winter; you would come right out onto the icy hillside.

Mr. Strickland advised that street is one of the main plow routes and is mostly bare pavement in the winter.

Mr. Carpenter stated he just wanted to bring his concerns to the Council's attention.

Mayor Franzoia questioned Mr. Carpenter whether he had a concerns with moving the access down the hill.

Mr. Carpenter believed any access he had at the mini storage would not interfere with anything the City does in the area. Mr. Carpenter again stated his concern over the traffic safety.

Mr. Strickland believed the engineer would not design it if there was a sight distance problem.

Mr. Carpenter advised he asked the engineer to include signage so people know there is an access point there.

Mayor Franzoia assured Mr. Carpenter in the event of an accident there would be no liability to him.

Mr. Carpenter believed the current access provided more safety.

Mayor Franzoia questioned if the fence by the well could be moved closer to the front.

Mr. Wilkinson advised Staff looked at putting a gate where the utility is located; the proximity of the storage units to the utility house does not provide access. The storage units consume the entire length of that side lot line until you get to the back where the current gate is.

Mr. Limberg noted there is also a steep incline next to the utility house.

Mayor Franzoia was opposed to not allowing use of the back access; it has been used for twenty years. Mayor Franzoia believed the front access is a concern.

Mr. Strickland was unsure they would be able to use the back access in the future.

Mr. Wilkinson indicated the safety concerns could be identified and access restricted as right in and right out; similar to other areas of concern in the City.

Mayor Franzoia indicated other areas are high traffic with multiple access points and this property has only one; you don't want to restrict it because of its location and no fault of Mr. Carpenter's.

Mr. Strickland noted this area consists of storage units; you will see minimal traffic. If the engineer had a safety concern with the proximity of that approach to the hill he wouldn't design the road with that approach and put his professional stamp on the drawings if he believed it was unsafe. Staff has looked at this numerous times; with the speed, accident history and proximity of the proposed entrance to the top of hill; we don't feel we have a safety hazard.

Mayor Franzoia requested verification it does not restrict the access either in or out.

Mr. Strickland verified that was correct.

Mr. Carpenter requested signage to address the safety concern.
Mayor Franzoia recommended signage for a right turn out.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson authorizing Staff the Public Works Department to solicit bids for the Spruce Road Improvements Project.**

Motion passed unanimously.

- J. Review, consideration, and possible authorization for Staff to solicit bids for a new 56,000 GVW cab and chassis with dump body for the Street Department, and matters related thereto. **ACTION ITEM**

Staff requests authorization to solicit bids for a 56,000 GVW cab and chassis with dump body. This truck was approved in the FY 09/10 budget. DS

Public Works Director Strickland believed this would eliminate the need for any other vehicles. The budgeted amount of \$200,000 includes optional items i.e. snow plow and sander; Staff estimates the truck price at \$135,000.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist authorizing Staff to solicit bids for a new 56,000 GVW cab and chassis with dump body for the Street Department.**

Motion passed unanimously.

- K. Review, consideration, and possible approval of an amendment to the New World Systems License Agreement to provide for the upgrade of the AS400 standard software to the New World Aegis MSP Licensed standard software, and other matters related thereto. **ACTION ITEM**

As presented in the Fiscal Year 2009/2010 Budget Presentation, this is an upgrade for public safety software systems converting them from the current AS400 system to the new Microsoft Platform. This will increase functionality of the software by users and provide long-term savings for the City. DS

Administrative Services Director Stout advised the standard life of the AS400 is five years at a cost of \$75,000 to \$100,000. They are very proprietary, old architecture and do not provide much functionality of the software that is on them. New World Systems provides our public safety software and they are trying to convert all their users to this platform as it is much more functional and opens up more opportunities for us. Staff is also proposing that Dispatch convert to this system; it all needs to be interactive.

Mayor Franzoia questioned whether some of our current software would adapt to the new system.

Ms. Stout advised the data will have to be converted from the current system. As previously noted New World is our current public safety software provider; it is on the AS400 but is three

years past its life expectancy and they not going to support it any longer. Once it passes the five years and the cost of \$75,000 to \$100,000 it costs the City approximately \$15,000 per year for maintenance and they only support it for a short period of time after that. You are locked into buying the same piece of equipment every five years.

Ms. Stout continued; this proposed platform is a server-based system. The servers cost anywhere from \$7,500 to \$15,000 with the same life expectancy of five years. Because we are not committed to buying this proprietary piece of equipment the cost savings could be substantial.

Mayor Franzoia questioned whether it would be able to communicate with the system at City Hall.

Ms. Stout verified it would; it also enables us to connect with the Pictometry the City recently purchased; it integrates all of it into one system. This is a much more useable system and will enhance the user's ability, cut the time of data entry and eliminate double entry into two separate systems.

Senior Computer Technician Mangeng explained the hardware in detail for everyone's benefit. This is HP hardware; it falls under the WISKA State of Nevada Contract which gives us approximately a 50% savings over the general cost.

Mayor Franzoia questioned the warranty period, off-site storage and memory capacity.

Mr. Mangeng advised the standard warranty is three years; you can add on when that warranty is up. At \$15,000 per year for the AS400 it works out to approximately \$300-\$400 per year. Backup tapes for the AS400 are cycled out every two weeks. Regarding memory; we have space available on the recent project with virtualization; there are eight servers running on two physical servers which on the average utilize about 10%; so there is capacity. Backup costs will be reduced once it is installed; one device will be able to do the backup instead of two it currently requires.

Mr. Mangeng continued; as this is a completely different system than what people are used to, training is much longer with the AS400 currently versus a point and click based system such as "Windows". In addition, they credited us back what we paid for the AS400 software as part of their incentive to get people to convert over.

Mayor Franzoia questioned the credit amount.

Mr. Mangeng advised \$68,650.00 was credited back to the City.

City Manager Calder advised Central Dispatch Administrative Authority was given a demonstration by New World Systems with the dispatch staff present. They showed what the current system does versus what the new software does; it is a ten-fold improvement. Mr. Calder could understand why New World Systems was encouraging people to get off the AS400 because they don't want to support that level of technology. This makes perfect sense, Dispatch is in favor of proceeding with this; it has the employee and management support. This is before

the Council tonight as the City hosts the hardware and purchased the software; Dispatch is billed for a portion of it. Mr. Calder expressed strong support of converting to New World Systems; we don't want to be purchasing the AS400's every five years; they are expensive and the technology hasn't kept up.

Councilman Elquist questioned whether Staff had spoken with any other entities that had made the conversion; every time you change platforms there is a potential for lost data.

Mr. Mangeng indicated they have done quite a few conversions. Staff spoke with New World Systems about the matter; since it is their software you don't typically experience the same problems as if you changed companies. Staff is comfortable with the process.

Councilman Elquist noted they reference an Exhibit 'D' but it doesn't exist; they need to clarify that and make sure everything is accurate.

Ms. Stout advised this is an amendment to our current contract to change the platform.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner to approve the amendment to the New World Systems License Agreement to provide for the upgrade of the AS400 standard software to the New World Aegis MSP Licensed standard software and to have clarification on Exhibit 'D'.**

Motion passed unanimously.

III. NEW BUSINESS

- A. Review and approval of pending Special Events, and other matters related thereto.
ACTION ITEM

This item has been added to the agenda in order to consider any application for Special Events received by the Clerks Office. Staff will report on any application on file. SO

There were no special events.

- B. Review and possible approval of an agreement with the Elko County Habitat for Humanity, to Adopt-a-Street for litter collection in the Public Right-of-Way on Chris Avenue, between North 5th Street, and Sierra Drive, and matters related thereto. **ACTION ITEM**

Elko County Habitat for Humanity is interested in volunteering their services for the Adopt-a-Street program. DS

**** A motion was made by Councilman Conner, seconded by Councilman Elquist approving an agreement with the Elko County Habitat for Humanity, to Adopt-a-Street for litter collection in the Public Right-of-Way on Chris Avenue, between North 5th Street, and Sierra Drive.**

Motion passed unanimously.

- C. Review and discussion of a Joint Resolution regarding the United States Forest Service Combined Travel Management Project, as adopted by the Te-Moak Tribe of Western Shoshone Indians of Nevada and the Board of Commissioners of Elko, Eureka, Mineral, and Nye Counties, and possible direction to Staff regarding the development of a similar City of Elko resolution, and matters related thereto. **ACTION ITEM**

A copy of the above referenced Joint Resolution has been included in the agenda packet for review. CC

City Manager Calder indicated this was placed on the agenda at the request of Councilman Johnson. Staff requested the latest resolution from Elko County which is included in the packet but there may be something more recent. This was meant as a starting point for discussion to see if the Council wished to direct Staff to work on something similar.

Councilman Johnson advised there would be a meeting at the Elko Convention Center July 15th to learn more of what the plan is. If the City of Elko adopts a resolution should we adopt the same resolution because the time has been extended; or should the City draft something different?

Lavonne Thompson, CEO, Elko Chamber of Commerce believed it was advantageous for the city to adopt a resolution joining the county with their resolution; it would add strength to the views of the county commissioners. It was also Ms. Thompson's personal belief it would strengthen the position of the city and county to join forces on this issue.

John Carpenter stated in this type of situation; the more support the better.

Tom Montoya, District Ranger, U.S. Forest Service, Mountain City District, reviewed the process beginning in 2005. This is rule-making process under the Bush Administration to designate all routes and trails in the national forest to sustain the use of motorized vehicles use. One thing the administration saw at that time was unmanaged recreation; that being proliferation of roads and trails being created mainly by ATV's and UTV's. They ordered the U.S. Forest Service to go through a process throughout the nation and complete travel management plans for every national forest. About 80% of the national forests across United States have completed this process. In Nevada the Humboldt/Toiyabe Forest has completed approximately six. A decision was signed yesterday for the Austin and Tonopah decision; Elko is one of last remaining travel management plans for the Humboldt/Toiyabe National Forest. Mr. Montoya stated they came out with the scoping documents in January and there was concern from the public; primarily with the maps. The maps are now of a quality that the users can see what is proposed and are posted on the web. The maps are also available at their offices and have been provided to the library, county commissioners and the tribes. The time frame for public input was extended through the end of summer and the forest service has been holding field trips over the course of the summer to engage the public in this process. Mr. Montoya estimated fifteen hundred comments have been received; some ask for roads and some ask to not add roads. It is a very polarized discussion with

the public; people are very passionate about where they can or cannot drive and what the impacts are to the national forests and the resources out there. There is a committee at the county to analyze every route out there through a scientific approach; we will start that through the NEPA process when they come out with a proposed action in September.

Grant Gerber encouraged the Council to support what the Elko County Commissioners have done. They have spent considerable staff time and research and have a good handle on the matter. The county commission is unanimous in their position. Four or five other counties surrounding this area have come on unanimously. The Te-Moak of the Western Shoshone has voted unanimously and put out their own resolution which is virtually the same as Elko County and a bit stronger because they felt they were not even consulted at the time this was originally done. Mr. Gerber believed there is a ground swell of locals that understand if you shut off roads for ranching, mining, hunting, camping and other outdoor uses; especially in the massive amounts being proposed it will have a negative economic impact on the area. Mr. Gerber expressed concern if the roads are closed the ability to fight wildfires is going to be even harder than it is now and the cost is going to increase significantly.

Mr. Gerber continued and stated a greater concern is the BLM is coming right behind this with their road management plan that will ultimately close additional roads; something the public is unaware of at this time.

Jim Collins spoke in opposition of the U.S. Forest Service Travel Management Plan.

Councilman Johnson requested verification this same thing was happening in Colorado.

Mr. Gerber stated it is happening all across the country; because of a mass disinformation campaign by the U.S. Forest Service the public is not informed. Mr. Gerber also stated the maps being provided do not identify the necessary information to orient yourself and are completely useless. They are going to close hundreds of miles of roads; they have not told the truth.

Mayor Franzoia indicated Councilman Rice was unable to attend tonight's meeting but had submitted his comments. Mayor Franzoia read into the record a letter from Councilman Rice (see exhibit A). Councilman Rice's closing statement was he believed the City needed to focus on its core duties and recommended the City take no action.

Mayor Franzoia expressed concern in regards to the maps being provided.

Mr. Gerber stated the public can't make a decision based on maps that are ineligible. Mr. Gerber also noted that many of the forest service staff lacks knowledge of the area roads. They shouldn't be moving forward until they can provide maps to the council, county commission and to the people that specifically say what their plan is.

Mr. Gerber again encouraged the city to support the county commission.

Mayor Franzoia questioned how outdated was the information?

Councilman Johnson stated his belief this was a political issue. If we sit back and do nothing, they will close these roads and deny access to public lands. If we are going to win this battle we need to assemble, get our opinions to the government agencies that show support to keep these roads open and maintained for public use. Councilman Johnson expressed his support of a resolution and the Elko County Commissioners; if drafted the same it would be helpful. We need to maintain access to public lands for recreation and economic use. Recreation is a natural resource and one that drives the economy; if you start closing down natural resources, which is the basis of any economy, your economy starts to fail.

Mayor Franzoia believed decisions should be based on everyone having same information. Everyone needs a map that provides the necessary information; go forward from there. It is the responsibility of government to be honest with the citizens.

Mr. Montoya advised the current maps are accurate, they have topographic lines, streams, reservoirs, lakes, they are in color, and they have land status showing what is private, BLM, State and are approximately 20 mega bytes per map. To produce one map costs them fifty dollars in ink and is why they cannot give Mr. Gerber a full set of maps; it is a cost of four hundred dollars. They have been providing them to government entities and will provide a set to the City of Elko if so desired.

Mr. Montoya clarified when it was said they were not closing any roads they meant they were not closing any of their current forest system roads. Mr. Montoya advised they are hearing both sides of the story when they hold the field trips for the public; not everyone wants a certain road. The decision has to be made at the end of this process as to what is best for the resources and what provides recreational travel routes that the public needs. This is not about road closures this is about designating a travel system for the recreational public.

Mr. Gerber sited additional concerns to the program and the impact it would have on the local economy. Mr. Gerber again encouraged the Council to show their support.

Councilman Johnson questioned how many signatures were on the petition and how long was it out.

Mr. Gerber advised within two weeks they obtained between 3,500 and 4,000 signatures. They haven't pushed it as hard lately because they partially got what they wanted; the forest service opened up the comment period. They didn't do the second part of what they should have done and that was to get detailed maps out to the public before they continued.

Mr. Carpenter noted the forest service has advised they will have a plan by late August or September; that isn't sufficient time. Elko County is the fourth largest county in the United States and they want to close our roads in a matter of months. The City Council needs to get on board with a resolution to slow the process down.

Mayor Franzoia expressed support of providing direction to City Staff. The responsible thing is to support this but the process should be fair and equal to all.

Mr. Carpenter agreed and stated someone needed to meet with Councilman Rice; it is obvious that he is misinformed.

Councilman Elquist supported the idea of managing the land, roads and access; people need to be responsible. There may be a need for some of this but agreed the process should be reasonable, fair and thought through. There is no reason for big hurry; there is no crisis out there. Councilman Elquist expressed support of the resolution; stop this and take a more measured approach. Councilman Elquist cautioned against taking a stand and supporting no road closures ever; there likely is some abuse out there and it's not a bad thing to rein some of that in.

Mr. Gerber agreed there are roads that need to be closed; but let's see what roads are proposed to be closed and let's see the scientific evidence.

Councilman Conner believed the Council should show support of the county commission.

**** A motion was made by Councilman Johnson, seconded by Councilman Conner directing Staff to draft a resolution specific to, if not exactly, the example resolution described of a Joint Resolution by the Boards of Commissioners of Elko, Nye, Lander, Lyon and Mineral Counties protesting the United States Forest Service Combined Travel Management Plan Scoping Process.**

Motion passed unanimously.

VI. 6:00 P.M. PUBLIC HEARINGS

A. Public comment period. ACTION WILL NOT BE TAKEN

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

Lavonne Thompson, thank the council for their support regarding the United States Forest Service Combined Travel Management Project.

NEW BUSINESS

E. Review, consideration, and possible acceptance of a letter of resignation from Gerald Miller from the Parks & Recreation Advisory Board, and matters related thereto. ACTION ITEM

Mr. Miller has served for the last year as the Chairman and as such has been a great asset the board and his year of service has been greatly appreciated. Staff is also requesting authorization to advertise the vacancy on the board. EDH

Parks and Recreation Director Howes advised Mr. Miller has been very helpful in applying for grants; in an effort to avoid any appearance of conflict of interest he is resigning.

**** A motion was made by Mayor Franzoia, seconded by Councilman Conner to accept a letter of resignation from Gerald Miller from the Parks & Recreation Advisory Board and authorize Staff to advertise to fill the vacancy on the board.**

Motion passed unanimously.

After the motion and before a vote was taken Councilman Elquist noted Mr. Miller's commitment to volunteerism; some type of recognition should be forth coming.

Mayor Franzoia suggested the recognition be planned during the Arbor Day Tree Planting.

- F. Review, consideration, and possible acceptance of a letter of interest in appointment to the Parks & Recreation Advisory Board from Mr. Jason Laub, and matters related thereto. **ACTION ITEM**

Mr. Jason Laub has submitted a letter of interest in serving on the Parks and Recreation Advisory Board. Mr. Laub has been regularly attending meetings of the Board for the last several months and staff would be very supportive of his appointment to the board. EDH

Parks and Recreation Director advised currently two positions are open.

**** A motion was made by Mayor Franzoia, seconded by Councilman Conner appointing Jason Laub to the Parks & Recreation Advisory Board.**

Motion passed unanimously.

IV. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 17-09, a resolution increasing the petty cash fund for the City of Elko Municipal Landfill in the amount of One Hundred-Fifty Dollars (\$150.00), and matters related thereto. **ACTION ITEM**

The City of Elko Municipal Landfill deals with cash transactions on a daily basis. Recently, they have had difficulty maintaining enough petty cash on hand to make change for cash transactions without making several trips to the bank. Staff is recommending that the landfill petty cash fund be increased by One Hundred-Fifty Dollars (\$150.00), increasing total petty cash for the landfill to Four Hundred Dollars (\$400.00). DS

Administrative Services Director Stout indicated Staff has been advised to place signage stating \$100.00 bills will no longer be accepted; hopefully that will alleviate multiple trips to the bank.

Mayor Franzoia questioned if \$400.00 would be sufficient.

Ms. Stout believed with the signage it would.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to approve Resolution No. 17-09, a resolution increasing the petty cash fund for the City of Elko Municipal Landfill in the amount of One Hundred-Fifty Dollars (\$150.00).**

Motion passed unanimously.

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Consideration of a possible approval of modifications to the existing retail liquor license for The Flying Fish, adding a catering liquor license, and matters related thereto. **ACTION ITEM**

Police Chief Zumwalt advised this is strictly a modification to existing license; Staff recommends approval.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to approve modifications to the existing retail liquor license for The Flying Fish, adding a catering liquor license.**

Motion passed unanimously.

NEW BUSINESS

- D. Review, discussion, and possible action authorizing Staff to solicit Statements of Qualifications (SOQ's) for a qualified consultant team to provide a comprehensive update for the Land Use, Streets and Highways, and Parks, Recreation, Open Space Plan components of the City of Elko Master Plan inclusive of the development of a Public Arts and Cultural plan component, together with a Redevelopment element, and matters related thereto. **ACTION ITEM**

The enclosed SOQ was prepared by Staff following the adoption of the City's Fiscal Year 09/10 Budget. The document has been reviewed by the RDA, RDAC, and Planning Commission. On July 7, 2009, the Planning Commission voted to forward the SOQ to the City Council for final approval. EW

Councilman Elquist noted it says the consultant will fall in line, or work with, the vision of the City; are we leading the vision or are we going to rely on them? Would it be worthwhile to have meetings before bringing someone on so we are clear on what we want?

City Manager Calder believed it would not be a productive use of staff time to facilitate community meetings or staff meetings to determine what the vision is. That is one of the rolls of this consultant; to review what we have, have an outside set of eyes look at it objectively and then facilitate those discussions as part of this process. This process is going to take quiet awhile and there will be meetings where we have public input; let the consultant organize, coordinate

and try to collect that information so they are involved and hear the comments and have them formulate with us. We've tried to do similar tasks like that in the past with regard to RDA; it is very difficult because you need to get the Master Plan out ahead of everything but in order to get out ahead of it you have to go through this lengthy process to get that comment from the public, staff, businesses etc.

Councilman Johnson referred to page two of the "Request for Statement of Qualifications"; paragraph one read "an additional focus will be to assist the recently appointed all volunteer Arts and Culture Committee in the development and implementation of the City of Elko Culture Plan". Councilman Johnson requested that be broke out as a separate item; it will be hard to define a scope of work.

City Manager Calder advised the thought process on that was that in attending the Arts and Culture Board meetings we have found some communities that have developed cultural plans; there are specific consultants out there that do those. In trying to get some economies of scale we thought we would include it in this process because ultimately it will become a sub-component of the Master Plan once it is finished. Whatever consultant selected may not have the expertise to do this; the though process is to identify it in the SOQ and if they don't have that expertise they can sub that out to a consultant that does. Mr. Calder acknowledged it could be done at a later date and then added on to the Master Plan but we are hoping there is a consultant that has this experience or knows some consultants that can do it on their behalf as part of a master contract.

Councilman Johnson asked that it be generated where it is an added aspect; break it out to qualify it. We started with an Arts and Culture Committee; we should have had it where they could get input via elected officials or during public comment, it is a better process and gives them a helping hand in what needs to be done in the Master Plan. Councilman Johnson believed this was too vague for a consultant that wants to give a price.

City Manager Calder indicated it could be put as an additive alternative. Mr. Calder noted this part of the process is not asking for a price; we just want to know their qualifications. We can structure it to say if you do or do not have this expertise please tell us, or how you would approach completing that part of the task. Mr. Calder advised given the consultants we might attract it is questionable if anyone will have that experience.

Councilman Johnson indicated they could still submit and then qualify it.

City Manager Calder understood the intent and advised Staff would rework the SOQ to identify it as an additive; whether they have that experience or not they should note it, but that will not disqualify any of the consultants at least being considered. Mr. Calder believed it was unique enough that we could run into an issue of not finding anybody that can do it.

Mayor Franzoia supported Mr. Calder's plan.

City Manager Calder advised if the Council wanted to approve it contingent upon that being reworded; Staff can work on that tomorrow at the Staff level and come up with something and back-brief the Council.

Councilman Johnson noted some of the RDA was being addressed; if the question is asked how much work is to be done in RDA; what is the answer?

City Manager Calder advised there will be no specific work done on the RDA plan; that has been a misconception of this process. We are asking them to be cognizant of the fact we have a new redevelopment district that did not exist with the current Master Plan and that planning process for RDA needs to be linked to the new Master Plan. The Master plan should reference the RDA and take into consideration in all parts of the Master Plan; specifically land use plan because that is where it is going to come into play i.e. zoning and areas affected by long-term planning. We are asking for some guidance from the consultant on that because this is new to us also.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner authorizing Staff to solicit Statements of Qualifications (SOQ's) for a qualified consultant team to provide a comprehensive update for the Land Use, Streets and Highways, and Parks, Recreation, Open Space Plan components of the City of Elko Master Plan inclusive of the development of a Public Arts and Cultural plan component, together with a Redevelopment element; contingent up Staff rewording the emphasis on the Arts and Culture qualifications.**

Motion passed unanimously.

II. APPROPRIATIONS

A. Review and possible approval of Warrants. **ACTION ITEM**

**** A motion was made by Councilman Elquist, seconded by Councilman Johnson to approve the warrants as submitted.**

Motion passed unanimously.

VII. REPORTS

- A. Mayor and City Council
 - 1. Councilman Johnson – Expressed support to Calder family
- B. City Manager
 - 1. Thank staff for support
 - 2. Assistant City Manager on vacation
- C. Utilities Director –
 - 1. Emergency repair at WRF. Repair broken waterline by Mach 4 cost unknown; est. @ \$1,500-\$2,000
 - 2. Update to BLM Land Acquisition - artifacts found during site assessment; sub-service investigation 8/14-16/2009
- D. Public Works
 - 1. Large grinder now online for projects
 - 2. Idaho Street - Initial investigation how to address
- E. Airport Director
 - 1. B-17 at airport – 7/23-24/2009

- 2. Annual FAA inspection; 3 minor discrepancies.
- F. Fire Chief
 - 1. Update on Ambulance Agreement with Elko County
 - 2. Paper work to license ambulance moving forward
- G. Police Chief
 - 1. Grants update - received- Juvenile Crimes ask and Narcotics Crimes Task Force
- H. Administrative Services Director
 - 1. LGIP update
- I. Parks and Recreation Director
 - 1. Advisory board meeting 7/16/09

ADJOURNMENT

There being no further business, Mayor Michael J. Franzoia adjourned the meeting.

Mayor Michael J. Franzoia

Shanell Owen, City Clerk