

CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2130
Cityofelynv.gov

May 12, 2022

Secretary Pete Buttigieg
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Honorable Secretary Buttigieg,

We are writing to offer our strong support for the Nevada Department of Transportation (NDOT) application to the Multimodal Project Discretionary Grant Opportunity (MPDG) combined solicitation for discretionary grant program funding for Phase 2 of the Ely Downtown Infrastructure and Complete Streets project. State funds are already committed to this project. Federal funding through the MPDG will allow the project to become a reality on a segment of the National Highway Freight Network and U.S. Bicycle Route.

The project will reconstruct vital infrastructure in downtown Ely that supports the diverse community's economic and cultural development. The project includes roadway reconstruction, eco-friendly lighting, aesthetics, stormwater drainage improvements, water and sewer pipeline replacement, fiber optic installation, rapid flashing pedestrian crossing beacons, and traffic signal improvements. The project will implement a "complete streets" concept featuring a two-way left turn lane, bicycle lanes, ADA-compliant sidewalks, and improved business access. The project will complete major flood control improvements in the area. This will provide homeowners with substantial savings by eliminating the need for FEMA flood insurance and decrease the burden on emergency response professionals by reducing the frequency of and mitigating devastating flood events.

Consistent with MPDG selection criteria, the project will improve corridor safety, maintain a state of good repair for the downtown corridor and the surrounding stormwater outflow areas, foster positive economic impacts, improve freight movement, create jobs, impact climate change, climate resiliency, and further protect the environment from human impacts, promote equity in accessibility, provide additional multimodal options, and improve the quality of life for residents and visitors.

The City of Ely is 240 miles from the nearest metropolitan area and sits at the intersection of three critical multistate freight corridors: US-6, US-50, and US-93. Ely has evolved into a tourist economy, serving as the gateway to Great Basin National Park and other outdoor recreation opportunities. The project will support this critical transportation corridor by providing visitors, residents, and freight carriers with a safe and accessible highway corridor. The complete streets concept will improve White Pine County's attractiveness to a growing tourist economy with improved aesthetic appeal, safety, accessibility, and walkability.

We believe the Ely Downtown Infrastructure and Complete Streets project will benefit all segments of Ely's diverse community and contribute to its economic viability and sustainability. Thank you for your consideration.

Sincerely,

Nathan Robertson, Mayor

Ernie Flangas, Council Seat 1

Kurt Carson, Council Seat 2

Ed Spear, Council Seat 3

Jim Alworth, Council Seat 4

Jerri-Lynn Williams-Harper, Council Seat 5

**PROPOSED ORDINANCE ANNEXING CERTAIN TERRITORY OWNED BY LEMICH FAMILY TRUST
TO THE CITY OF ELY, REPEALING CONFLICTING ORDINANCES AND PROVIDING OTHER
MATTERS PROPERLY RELATING THERETO.**

WHEREAS, certain provision of Chapter 268, Nevada Revised Statutes, empower the Ely City Council to pass ordinances regarding annexation of territory to the City of Ely; and

WHEREAS, NRS 268.670, in particular, authorizes the City Council to utilize an alternative method of annexation if one hundred percent (100%) of the owners petition the City Council for annexation to the City of Ely; and

WHEREAS, NRS 268.666 provides that if the area that is being added to the boundaries of city consists entirely of vacant land, the change in the boundaries of the city may become effective within 90 days immediately preceding an election; and

WHEREAS, the territory addressed herein is contiguous to Ely City territory and consists of entirely vacant land; and

WHEREAS, one hundred percent (100%) of the property owners of record located in the territory addressed herein have petitioned the City Council for annexation to the City of Ely; and

WHEREAS, the City Council has determined that the City of Ely is able to provide service to the herein referenced territory and that annexation thereof would be to the benefit of the people of Ely;

NOW, THEREFORE, the City Council of the City of Ely **DOES ORDAIN AS FOLLOWS:**

ARTICLE I

ORDINANCE ENACTMENT

SECTION 1.01 Annexation of contiguous territory to the City of Ely. That certain territory known of record as APN 010-480-05 and APN 010-480-06, one hundred percent (100%) of which is owned by the Lemich Family Trust, is hereby annexed to and made a part of the corporate limits of the City of Ely. An accurate map of the said annexed territory is attached hereto as Exhibit A and made a part of the ordinance by reference.

ARTICLE II

MISCELLLENEOUS PROVISIONS

SECTION 2.01 Severability. If any section, paragraph, clause or provision of this ordinance shall be held to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 2.02 **Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 2.03 **Effective Date.** This ordinance shall become effective on _____.

SECTION 2.04 **Proposing Party.** The foregoing ordinance was proposed by Mayor Robertson at the regular meeting of the Ely City Council on April 14, 2022, read by title and referred to the City Council of the City of Ely as a committee of the whole.

SECTION 2.05 **Notice.** Notice of filing of such ordinance was duly given by publication as required by law. It was read in full at the regular meeting on _____ and adopted by the following vote:

VOTE:	AYES	_____
	NAYES	_____
	ABSENT	_____

Approved this _____ day of _____, 2022

NATHAN ROBERTSON, MAYOR

ATTEST:

JENNIFER LEE, CITY CLERK

Approved as to form and content

M. Leo Cahoon, Esq., City Attorney

MEMORANDUM

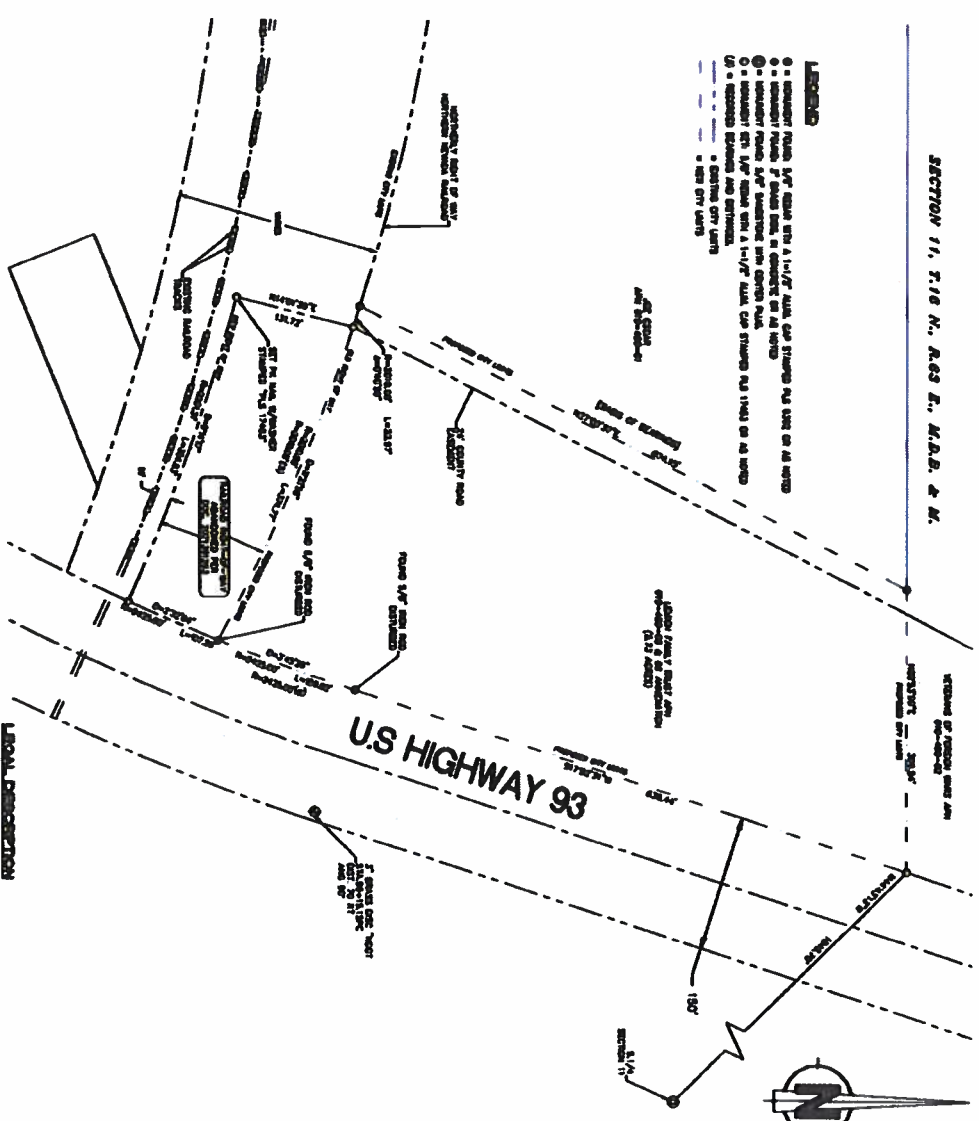
TO: Jennifer Lee, City Clerk
FROM: City Attorney Leo Cahoon, Esq.
DATE: March 28, 2022
RE: Michael Lemich Annexation

The purpose of this memorandum is to provide legal support for the omission of the Regional Planning Commission (“RPC”) from approval of the annexation of Michael Lemich’s property, APN 010-480-05.

Pursuant to Nevada Revised Statute 268.670, RPC approval is not required if the property to be annexed abuts directly on the boundary of the annexing municipality and 100 percent of the landowners within such area sign a petition requesting the governing body to annex such area to the city. These elements are met regarding the instant annexation. Accordingly, the only obligation the City has is to notify the board of county commissioners of its intent to annex.

If you have any questions or comments, please contact my office. Thank you.

SECTION 11, T.18 N., R.83 E., M.D.B. & M.



- ### LEGEND
- UNDESIRABLE PLANT MAT GROWING TO A 10' x 10' AREA, USE STRIPED PAINT LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 20' x 20' AREA, USE DOTTED LINE ON ALL SIDES
 - △ UNDESIRABLE PLANT MAT GROWING TO A 30' x 30' AREA, USE DASHED LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 40' x 40' AREA, USE SOLID LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 50' x 50' AREA, USE SOLID LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 60' x 60' AREA, USE SOLID LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 70' x 70' AREA, USE SOLID LINE ON ALL SIDES
 - UNDESIRABLE PLANT MAT GROWING TO A 80' x 80' AREA, USE SOLID LINE ON ALL SIDES

NOTICE
 THE CITY OF ALBERTA HAS RECEIVED AND APPROVED THE PLAN OF ABANDONMENT OF THE SEWER MAIN AND PIPES AND THE SEWER MANHOLE AND PIPES IN SECTION 11, T.18 N., R.83 E., M.D.B. & M. FOR THE YEAR 1962. THIS PLAN OF ABANDONMENT IS SUBJECT TO THE CITY OF ALBERTA'S APPROVAL AND THE CITY ENGINEER'S REVIEW AND APPROVAL.

PURPOSE
 TO ABANDON THE SEWER MAIN AND PIPES AND THE SEWER MANHOLE AND PIPES IN SECTION 11, T.18 N., R.83 E., M.D.B. & M. FOR THE YEAR 1962.

LEGAL DESCRIPTION
 SECTION 11, T.18 N., R.83 E., M.D.B. & M. FOR THE YEAR 1962.

LEGAL DESCRIPTION
 SECTION 11, T.18 N., R.83 E., M.D.B. & M. FOR THE YEAR 1962.

<p>COUNTY ASSESSOR'S APPROVAL I, _____, COUNTY ASSESSOR, COUNTY OF ALBERTA, DO HEREBY APPROVE THIS PLAN OF ABANDONMENT.</p>	
<p>CITY ENGINEER'S APPROVAL I, _____, CITY ENGINEER, CITY OF ALBERTA, DO HEREBY APPROVE THIS PLAN OF ABANDONMENT.</p>	
<p>REGIONAL PLANNING COMMISSION APPROVAL I, _____, REGIONAL PLANNING COMMISSION, DO HEREBY APPROVE THIS PLAN OF ABANDONMENT.</p>	
<p>CITY COUNCIL APPROVAL I, _____, CITY COUNCIL, CITY OF ALBERTA, DO HEREBY APPROVE THIS PLAN OF ABANDONMENT.</p>	
<p>OWNER'S CERTIFICATE I, _____, OWNER OF THE PROPERTY, DO HEREBY CERTIFY THAT THE SEWER MAIN AND PIPES AND THE SEWER MANHOLE AND PIPES IN SECTION 11, T.18 N., R.83 E., M.D.B. & M. ARE ABANDONED AS SHOWN ON THIS PLAN OF ABANDONMENT.</p>	
<p>PLANNING CERTIFICATE I, _____, PLANNING COMMISSION, DO HEREBY CERTIFY THAT THE SEWER MAIN AND PIPES AND THE SEWER MANHOLE AND PIPES IN SECTION 11, T.18 N., R.83 E., M.D.B. & M. ARE ABANDONED AS SHOWN ON THIS PLAN OF ABANDONMENT.</p>	

GRAPHIC SCALE
 1" = 100'

ANEXATION/ABANDONMENT MAP
 SECTION 11, T.18 N., R.83 E., M.D.B. & M.