

DRAFT!
NOT FINAL

EFFECTIVE DATE/TERMS
Two 2-Year Agreement

COMPENSATION

Flat fee of \$5,200.00 per month for the 2 - year agreement.

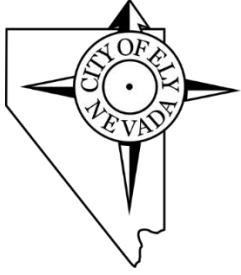
CONSULTANT shall be compensated on a time and material basis, etc not to exceed 15% for CIP's in which the City submitted grant applications and where successful in being awarded, i.e. CDBG, SNPLA. The 15% will not apply on projects that are introduced within the City limits by outside agencies, i.e. State of Nevada, Federal Government or any other agencies beyond the City of Ely's control. Engineering Services for these type projects may be advertised for comparative bidding.

ARTICLE 6

CONSULTANT shall provide to CLIENT a complete listing/inventory of all drawings, specifications, tests, reports, surveys, summaries, plans, maps, inventions, know-how, specifications, spreadsheets and other documents and property, including those in electronic form prepared which pertain to the City of Ely within 10 days of acceptance of Consulting Agreement. Consultant shall update said listing on a 6-month basis unless requested sooner by the City of Ely. Said list will be considered as property of the City of Ely and turned over to the City at the termination of Agreement.

ARTICLE 10

10.8 CONSULTANT shall not engage in professional services with another person or entity which will or may result in a conflict of interest for the City of Ely.



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Fax (775) 289-1463

SPECIAL MEETING OF THE ELY CITY COUNCIL

PLEASE NOTE: THE COUNCIL MEMBERS MAY ADDRESS AGENDA ITEMS OUT OF SEQUENCE, COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, REMOVE AN ITEM OR DELAY DISCUSSION AT ANY TIME TO ACCOMMODATE PERSONS APPEARING BEFORE THE COUNCIL OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.

September 18, 2019 4:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

2. PUBLIC COMMENT: Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. **Comments during Discussion Items will not be accepted from the General public.** “Section 7.05 of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

3. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

1. Mayor Robertson – [Discussion/For Possible Action](#) – Acceptance of Tony DeFelice’s resignation as a Member of the Ely City Council, Seat 3.
2. Mayor Robertson – Councilman Flangas – Discussion/For Possible Action – Election of Michelle Beecher OR Ed Spear to Seat 3 on the Ely City Council.

4. SWEARING IN NEWLY APPOINTED OFFICER BY CITY CLERK

1. Council Member Seat 3 – Term, pursuant to the passage of Assembly Bill No. 50, until City elections are held in November 2022.

5. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE PROSTITUTION LICENSING AND CONTROL BOARD.

1. Board Members – [Discussion/For Possible Action](#) – Approval of a house of prostitution license to Gary Dean Phillips, d.b.a. *Stardust Ranch*, located at 190 High Street, Ely, Nevada.

6. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

- 1. Council Members – City Attorney Pyle – Discussion/For Possible Action – Approval of Consulting Services Agreement between the City of Ely and *Basin Engineering*.

7. PUBLIC COMMENT: Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. “Section 7.05, of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

8. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.

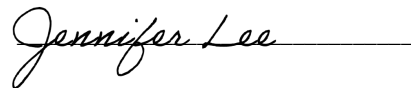
* Open session – Action/Discussion – Personnel**

The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical or mental health of a person/employee. (2) A public body may close a meeting upon a motion, which specifies the nature of the business to be considered. (3) This chapter does not: (a) Apply to judicial proceedings. (b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical. (c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness. (d) Require that any meeting be closed to the public. (e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body. (4) The exception provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.ascr.usda.gov/complaintfilingcust.html> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov .

For access to the public packet, contact the City Clerk at 501 Mill Street, Ely, Nevada 89301 or call (775) 289-2430; all packet material is posted in the agenda’s hyperlinks or under “Minutes” /”Other” on the City’s website at <http://www.elycity.com/>

I, Jennifer Lee, City Clerk, did cause to be posted on **September 13, 2019** at **8:30 a.m.** five (5) notices of the Ely City Council Agenda in said City of Ely to wit: Posted at the doors or bulletin boards of City Hall located at 501 Mill Street, White Pine County Library located at 950 Campton Street, White Pine County Courthouse located at 801 Clark Street, the U.S. Post Office located at 2600 Bristlecone Avenue and the White Pine County Sheriff’s Office located at 1785 Great Basin Boulevard. The meeting notice is also posted on the City of Ely’s website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.



September 11, 2019

Att. Mayor Nathan Robison
Ely City Hall
501 Mill Street
Ely, NV 89301

Resignation Letter

Dear Mayor Nathan Roberson,

It is with great disappointment that I am resigning my seat on City Council. I have served as a council member for just over two years. However, I feel that my current work schedule makes it impossible for me to effectively represent the citizens of Ely. Please accept this Letter of Resignation effective today.

Sincerely,

Tony DeFelice
1407 Avenue K
Ely, NV 89301
702.686.9282