

STAFF REPORT

Date: January 10, 2018

To: Mayor and City Council

Thru: Sabra Newby, City Manager

Subject: **J.1. Staff Report (For Possible Action): Presentation, discussion and potential direction to staff to remove Extra-Territorial Jurisdiction authority on a ±27.9 acre site within the City of Reno's Sphere of Influence (SOI). The subject parcels are located on the south side of Interstate 80 off Exit 7 in the Mogul area. This item was continued from the December 13, 2017 City Council meeting.**

From: Nathan Gilbert, Associate Planner

Summary: Staff is seeking Council direction regarding a request made to remove two parcels (Assessor's Parcel Numbers 038-181-01 and 038-172-14) totaling ±27.9 acres from the City of Reno's Extra-territorial Jurisdiction (ETJ) authority. The subject properties are located on the south side of Interstate 80 off Exit 7 in the Mogul area within Reno's Sphere of Influence (SOI). The parcels are assigned the City of Reno Industrial Master Plan land use designation and are zoned Industrial by Washoe County. As such, both jurisdictions anticipate that the subject properties would be developed with industrial uses. At issue is whether the property should be developed in accordance with City or County development standards; removing the parcels from the City's designated ETJ would effectively relinquish jurisdictional authority over land use (i.e. building permits, entitlements, etc.) to Washoe County while the property would remain in the City's SOI.

Background: In January of 2003, the City of Reno and Washoe County entered into an interlocal agreement (**Exhibit A**), which granted the City of Reno jurisdictional land use authority (i.e. building permits, entitlements, etc.) for properties within its unincorporated SOI that are identified in Appendix B of the agreement. With the exception of a ±2,207 acre area near the southeastern City limits, the City has exerted ETJ within the entirety of the SOI. This authority allows municipalities to ensure that developments anticipated to be annexed within the 20 year horizon are built to cohesive urban standards. Section 3 "Map Illustrating Areas of Extra-Territorial Jurisdiction" outlines the procedures for amending ETJ, which permits the City to administratively modify the map by filing amendments with the offices of the County and City Clerks and providing notification to the Washoe County Community Development Department.

Discussion: The property owner's representative has submitted a letter (**Exhibit B**) justifying the request to remove the subject site from the City's ETJ so that permits to facilitate an industrial park and mini-storage facility can be reviewed, processed, and permitted in Washoe County. The primary rationale is that the parcels are ringed by Union Pacific Railroad track parcels on the south, east and west and the unincorporated community of Mogul to the north. Per the letter, this configuration makes future annexation of the site highly unlikely unless the parcels were incorporated through a City initiated annexation.

While voluntary annexation of the site is unlikely to occur, removal of ETJ from the subject parcels would most likely preclude any public hearing for future development of the site as County ordinances do not require such, even though the project may have a significant impact on the view shed from the Mogul community and freeway corridor. To elaborate, unincorporated Washoe County zoning standards currently would not require any further discretionary review and development would proceed solely through building permits. Under the City of Reno's land use authority, approval of a special use permit would be required for residential adjacency, even though the residential uses are separated by the I-80 corridor.

Financial Implications: None at this time.

Legal Implications: Legal review completed for compliance with City procedures and Nevada Law.

Recommendation: Staff recommends that the City Council provide direction regarding the request to remove the site from the City's Extraterritorial Jurisdiction.

Proposed Motion: I do not support the proposed amendment to the City's Extraterritorial Jurisdiction mapping and direct staff to make no changes to Appendix B of the applicable Interlocal agreement and maintain land use authority of the site.

I move to support the proposed amendment to the City's Extraterritorial Jurisdiction mapping and direct staff to process an amendment to Appendix B of the applicable Interlocal agreement and remove land use authority of the site.

Attachments:

- Exhibit A - Interlocal Agreement (PDF)
- Exhibit B - Letter Requesting Removal of Extra Territorial Jurisdiction Authority (PDF)



October 23, 2017

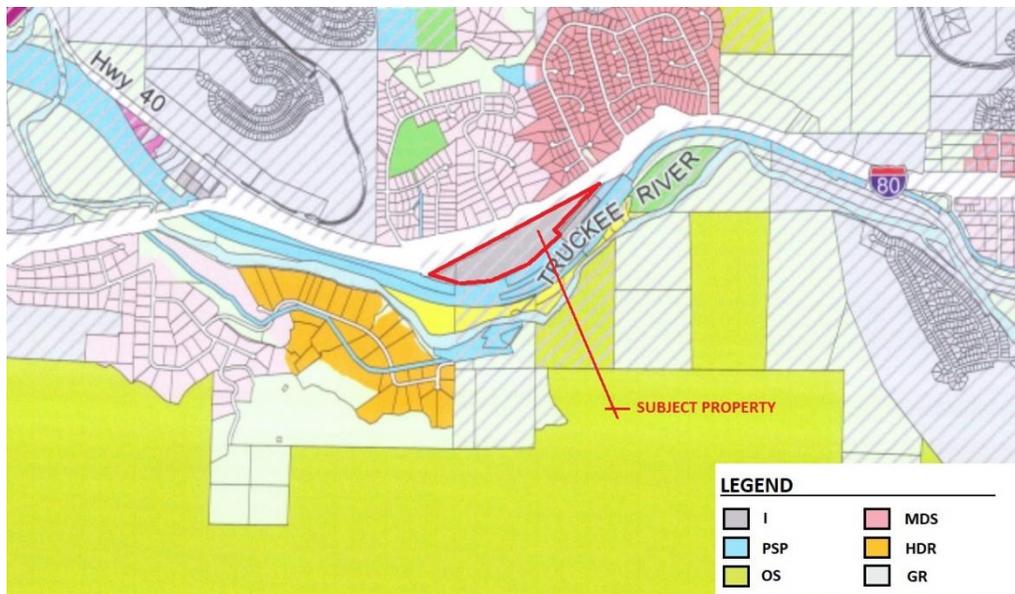
Claudia Hansen, AICP
City of Reno
Community Development Department
1 East First Street, Second Floor
Reno, Nevada 89501

Re: Mogul Annexation

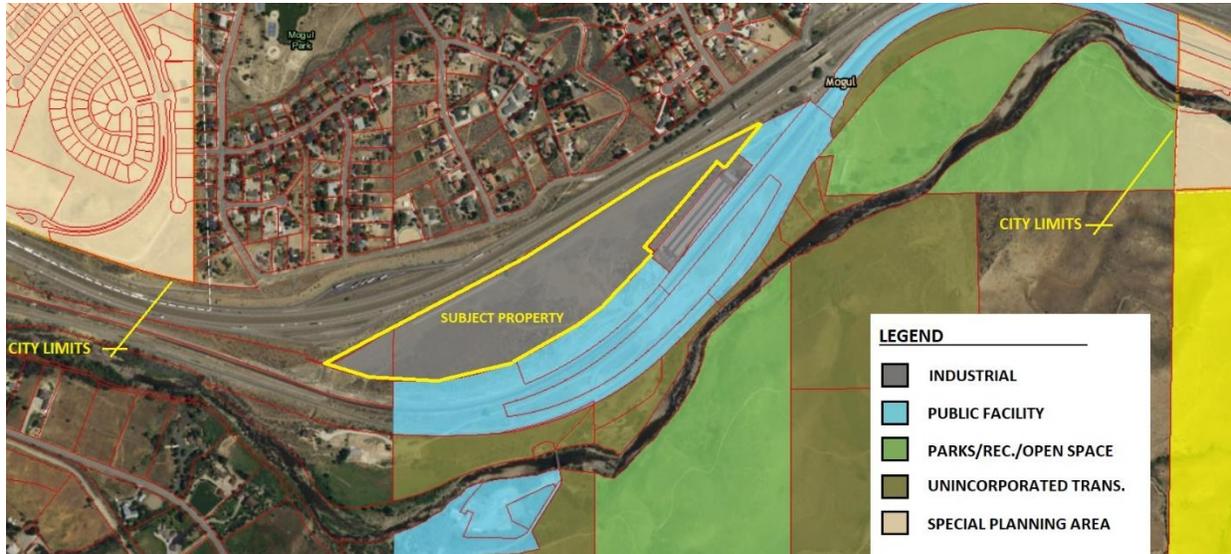
Dear Claudia,

As discussed in our October 17, 2017 meeting, the purpose of this letter is to formally request that the City of Reno consider not exerting its extraterritorial jurisdiction on two parcels located in the Mogul area. Specifically, the subject property is located south of Interstate 80, adjacent to the Union Pacific Railroad tracks and is currently within the City of Reno Sphere of Influence.

The property consists of two parcels (APN #'s 038-181-01 and 038-172-14) totaling 27.9± acres and has been zoned Industrial in Washoe County for over 20 years. As noted previously, the property is located within the City's Sphere of Influence and is designated as Industrial in the Reno Master Plan. Based on the existing Industrial zoning in the County and Industrial Master Plan designation in the City, the property would be zoned Industrial in the City upon annexation.



Current Zoning



Current Master Plan

The property owner wishes to develop mini-storage and a small industrial park use at the site. Both Washoe County and the City of Reno permit these uses by right within the Industrial zone. However, in the case of the subject parcels, the City of Reno would require the approval of a Special Use Permit based on the City's Residential Adjacency Standards. This is triggered by the existing subdivision located north of the property on the other side of Interstate 80.

Currently, the subject property is not contiguous to the City of Reno corporate boundary. In fact, it is highly unlikely that the property will ever become contiguous to the City of Reno. Properties to the north are located within Washoe County and are not included within the Sphere of Influence. The property is completely "ringed" by Union Pacific Railroad parcels on the south, east, and west which includes the current railroad tracks. As such, it is extremely unlikely that these railroad right-of-way parcels will ever be further developed. Thus, there is no reason whatsoever for Union Pacific to request a voluntary annexation to the City of Reno. Therefore, even if all other parcels in the Sphere of Influence were to be annexed, the City of Reno would have to force annexation of the railroad parcels in order for the subject property to be contiguous.

Annexation of the property does not represent a logical extension of the City of Reno at this time and would hold the potential to tax City services and infrastructure. The property is not identified as a Tier 1 or Tier 2 Annexation in the City's 7-Year Annexation Program. Furthermore, annexation of the parcels is inconsistent with policies included in the City's Annexation Program, as taken from NRS 268.646, including those listed below:

1. *Population, population density, land area and land uses, per capita assessed valuation, topography, including natural boundaries and drainage basins, proximity to other populated areas, and the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years.*

The property is located in an area where little growth is anticipated. Properties to the north are essentially built-out and the majority of land within the Sphere to the south and east is designated for public facility (railroad), open space, or very low density development. Annexing this area would create a burden on existing City services and is not logical at this time.

2. *The need for organized community services, the present cost and adequacy of governmental services and controls in the area, probable future needs for such services and controls, and the probable effect of the proposed formation and of alternative courses of action on the cost and adequacy of services and controls in the area.*

Currently, the City has not annexed any properties in Mogul and has no immediate plans to do so. There are currently no City services in the area and no planned land uses that would warrant annexation based on the fiscal responsibilities of the City.

The Reno Master Plan also contains policies that are inconsistent with any annexation of the parcels. These policies are listed below:

C&R-1 The City should support a fiscally responsible urban form and annexation policy.

Annexation of the subject properties does not represent fiscally responsible growth based on the lack of available City services. Furthermore, the surrounding land uses within the Sphere further support this argument given they consist largely of open space and large-lot residential uses. In fact, given the topography to the south and east, many of the parcels within the Sphere of Influence in this area are simply undevelopable. In terms of urban form, it is highly unlikely that the subject property will ever be contiguous to the City of Reno unless the City were to force annexation of the adjoining railroad parcels.

C&R-3 The City should develop and implement an annexation program which identifies the City's geographic sphere of influence and proposes measures for actively pursuing annexation of islands of County land.

Annexation of this property would actually create a City island given the fact that it is surrounded by railroad parcels and right-of-way. It is highly unlikely that the railroad would ever request annexation. Therefore, the subject property would not be contiguous to the City, resulting in an island condition.

C&R-4 The City should pursue annexation of properties requesting, receiving, or benefiting from City services, when such action is consistent with other adopted City Policies.

The proposed project will not benefit from City services and is in an area served by County facilities and services.

C&R-5 The City should pursue a growth pattern which is fiscally responsible in order to maintain and possibly improve existing levels of service for current residents and future generations.

Annexation of the subject property does not represent fiscal responsibility and would actually force the City to eventually extend City services to an isolated area. This could result in negative impacts to existing services and significant expenditure on the part of the City.

Given the fact that the site will likely never be contiguous to the City and is located in an isolated area with no City services, we feel it is in the City's best interest to allow the property to remain within unincorporated Washoe County and to waive extraterritorial jurisdiction in this case. The property has been zoned appropriately for the envisioned use for well over 20 years by Washoe County. Additionally, all adjoining properties, including residential areas to the north of Interstate 80 are located within Washoe County, not the City. Thus, application of City standards and procedures is not appropriate.

We request that the Reno City Council consider the project to be reviewed, processed, and permitted in Washoe County. As discussed in our meeting, the property owner is willing to consent to signing an annexation petition which would allow the City to annex the site should it ever become contiguous to the corporate boundary (although highly unlikely).

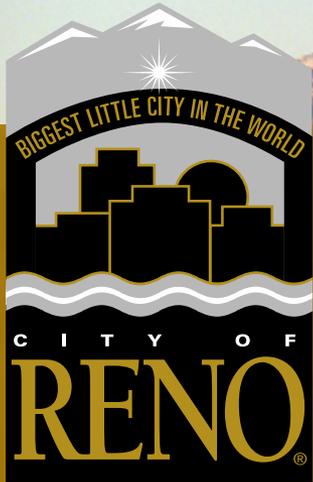
Thank you for your assistance with this matter. Please do not hesitate to contact me at mrailey@rubicondesigngroup.com or (775) 425-4800 with any questions or concerns, or if you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Railey". The signature is fluid and cursive, with a large initial "M" and "R".

Michael Railey
Partner

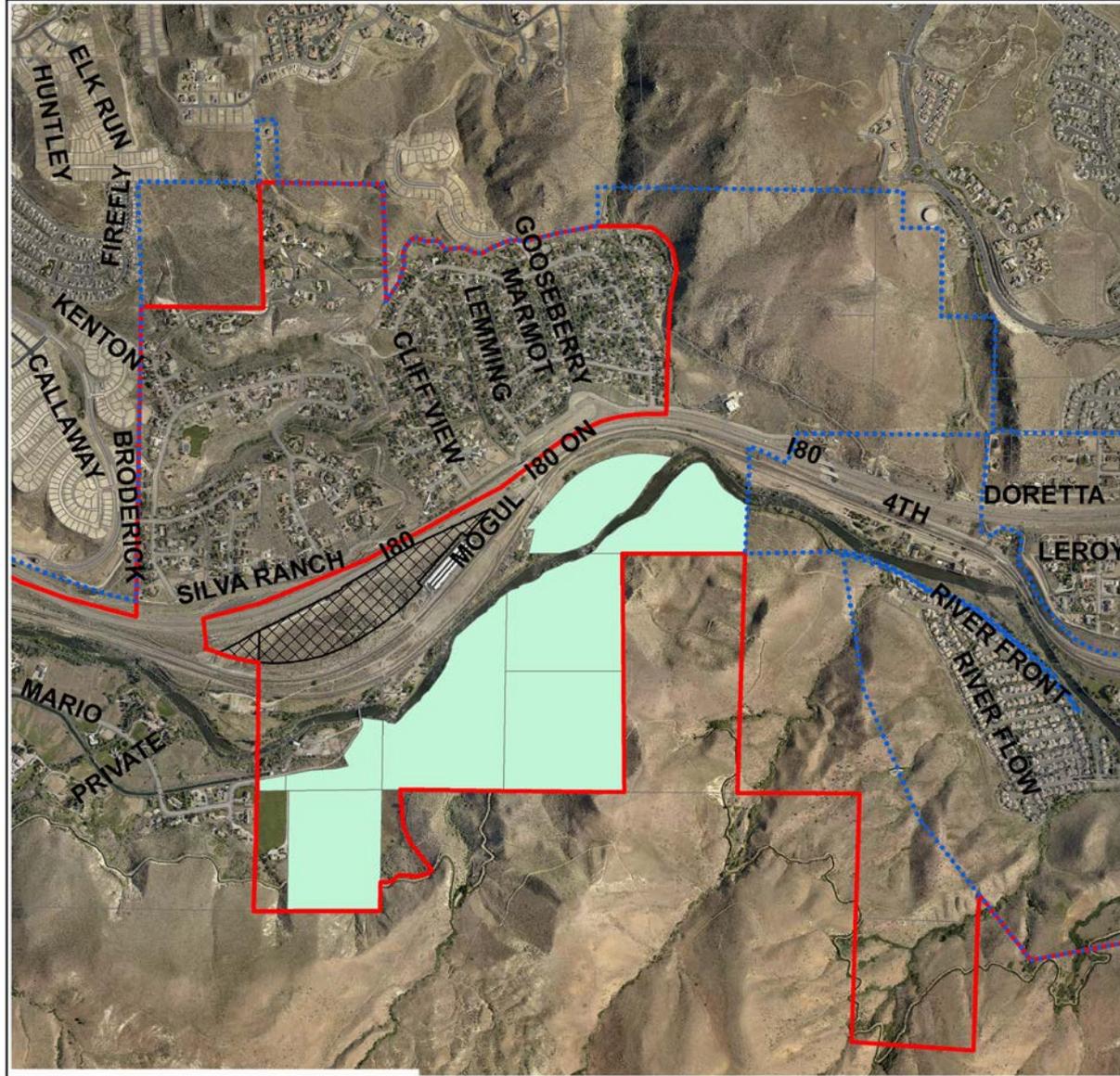
cc: Chi Chi Bengochea – Bentar Development, Inc.
Matt Rasmussen – Tectonics Design Group



ITEM J.1 EXTRA-TERRITORIAL JURISDICTION

Community Development Department
January 10, 2018

Subject Area

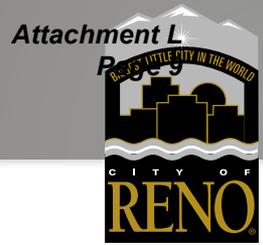


- Separated from City limits by County land and railroad parcels
- Any future annexation of the parcel would require City initiation

Item J.1 - Extra-Territorial Jurisdiction

-  Subject Site
-  Public Land
-  City Limits
-  Sphere of Influence

City / County Development Standards



- City of Reno
 - Industrial Master Plan land use – Residential adjacency
 - Future development would require an approved special use permit
- Washoe County
 - Industrial zoning
 - No discretionary review required
 - Industrial development must meet code standards:
 - E.g. 15' front and rear, 10' side setbacks; 65' maximum height

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF RENO
AND THE COUNTY OF WASHOE GOVERNING THE EXERCISE OF
EXTRA-TERRITORIAL JURISDICTION BY THE CITY OF RENO WITHIN A
SPHERE OF INFLUENCE**

This Interlocal Agreement, pursuant to NRS 277.045 and NRS 277.180, regarding the exercise of extra-territorial jurisdiction by the City of Reno within a sphere of influence (the "Agreement") is entered into this 28th day of January 2003 by and between the City of Reno, a municipal corporation of the State of Nevada ("City of Reno") and the County of Washoe, a political subdivision of the state of Nevada ("Washoe County").

WHEREAS, Sections 278.026 through 278.029, inclusive, of the Nevada Revised Statutes establishes a process for regional planning for Washoe County that includes the City of Reno and portions of unincorporated Washoe County;

WHEREAS, The Truckee Meadows Regional Governing Board adopts the Truckee Meadows Regional Plan pursuant to NRS 278.0276 as the regional plan for the City of Reno and Washoe County and, further, that the Truckee Meadows Regional Plan contains a designated sphere of influence for the City of Reno;

WHEREAS, NRS 278.02788 provides that the City of Reno may exercise any power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its sphere of influence provided the City adopts a master plan for the territory within the sphere of influence, that the master plan and ordinances required by the master plan are found to be consistent with the Truckee Meadows Regional Plan, that the City of Reno adopts and certifies the master plan for the sphere of influence territory, and that the City of Reno adopts any ordinances required by the master plan;

WHEREAS, neither NRS nor the adopted Truckee Meadows Regional Plan provides for a process to establish jurisdictional responsibilities for the City of Reno outside of its corporate boundaries and within a sphere of influence area wherein the City has exercised extra-territorial authority;

WHEREAS, for the purposes of good government and providing optimum service to the public, it is beneficial for the City of Reno and Washoe County to determine jurisdictional responsibilities for NRS 278 related cases under judicial review, specific plans, development agreements, discretionary permits, master plan amendments, criteria for new development, building permits, off-premise signs, business licensing, code enforcement, and staff reports/information for elected/appointed boards within a sphere of influence area wherein the City has exercised extra-territorial authority; and, further, such areas of jurisdictional responsibility must be clearly reflected on maps available through both the City of Reno and Washoe County;

WHEREAS, the Regional Plan Settlement Agreement agreed to by the City of Reno and Washoe County in the case of County of Washoe, et al. v. Washoe County Regional

Governing Board (case number CV02-03469) requires a protocol agreement, a process for cooperative planning and other such appropriate provisions that both the City of Reno and Washoe County agree to abide by;

WHEREAS, NRS 277.080 to 277.180, inclusive and cited as the Interlocal Cooperation Act, provides through the provisions of NRS 277.110 for the City of Reno and Washoe County to enter into interlocal agreements to delegate any power, privilege, or authority exercised by one public agency to be exercised jointly with another agency;

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth hereinafter, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed as follows:

Section 1. Introduction.

1.1 This Interlocal Agreement between the City of Reno and Washoe County pertains to extra-territorial jurisdiction within the adopted sphere of influence area, as defined in subsection 3.1, pursuant to NRS 278.02788 as amended. A copy of NRS 278.02788 is attached as Appendix A to this Agreement. Staff, as used in this Agreement, refers to staff from the Washoe County Department of Building & Safety, the Washoe County Department of Community Development, the Washoe County District Attorney's Office, the City of Reno Community Development Department, and/or the City of Reno's City Attorney's Office. This Agreement outlines major topic areas impacted by the assumption of extra-territorial jurisdiction by an incorporated City on land within the unincorporated County. Actions to be taken by staff from the City of Reno and/or Washoe County are contained within each topic area. This Agreement does not presume that the City of Reno will exercise extra-territorial jurisdiction over the entire sphere of influence at one time; rather, the City may elect to selectively exercise this jurisdiction over parts of the sphere of influence during the 20-year planning horizon of the sphere. To this end, this Agreement refers to sphere of influence *areas* to reflect this presumption.

Section 2. Cases under Judicial Review.

2.1 Washoe County will not transfer files, or the authority granted by NRS 278, of cases in the judicial court system until final judicial resolution of those cases. Washoe County District Attorney staff will be responsible for the case until final judicial resolution. The retention of authority on these cases by Washoe County will preclude the necessity for City of Reno City Attorney staff to assume the case and defend the legal positions of Washoe County.

Section 3. Map Illustrating Areas of Extra-territorial Jurisdiction.

3.1 The map attached as Appendix B to this Agreement illustrates the adopted sphere of influence areas wherein the City of Reno has exercised extra-territorial jurisdiction pursuant to NRS 278.02788 prior to May 9, 2002. This Agreement applies to the sphere of influence areas wherein the City of Reno has exercised extra-territorial jurisdiction as reflected on the map in Appendix B, as amended from time to time. Staff will use this map to advise property owners of the appropriate jurisdiction to process applications, complaints, or other similar actions pursuant

to this Agreement. The City of Reno will update this map when exercising extra-territorial jurisdiction for additional adopted sphere of influence areas pursuant to NRS 278.02788 as amended and *pursuant to* this Agreement. The City of Reno will file a copy of the updated map with both the Reno City Clerk and the Washoe County Clerk upon the effective date of exercising extra-territorial jurisdiction to any area. The updated map should also reflect current jurisdictional boundaries. This updated map will amend Appendix B of this Agreement upon filing with both Clerks' Offices. The City of Reno shall also provide a courtesy copy of the updated map to the Washoe County Department of Community Development.

Section 4. Specific Plans.

4.1 Washoe County has adopted several specific plans within the City of Reno sphere of influence. These specific plans include the Southeast Truckee Meadows Specific Plan, the Wedge/Dorostkar/Duxbury/Peigh Specific Plan, the South Virginia Corridor Specific Plan, and the Steamboat Specific Plan. These adopted specific plans contain components for development standards (e.g., height, uses, discretionary permit processing, acreage for land uses/zoning, setbacks, landscaping, etc.) and financing (e.g., inspection fees, financing components for future infrastructure, etc.) within the specific plan area. The Alexander Lake Specific Plan Area is contained within the sphere of influence area; however, no specific plan has been adopted by Washoe County for that planned area.

4.2 At the time that the City of Reno elects to exercise extra-territorial jurisdiction within an adopted sphere of influence area that contains all or part of an adopted specific plan, the City will assume responsibility for all components of specific plans adopted by Washoe County. This responsibility includes honoring the financing components of the specific plan, to include the collection of fees associated with future infrastructure improvements. This responsibility may continue within the specific plan area after annexation, particularly for specific plan components involving future infrastructure.

4.3 In order to address the land use components of adopted specific plans, the City of Reno has adopted specific plan components within Reno City Code 18.06.200. The City has also approved regulations to match Washoe County regulations for areas within the adopted sphere of influence that do not require a special use permit review for non-residential development adjacent to major arterials and residentially zoned property. Washoe County staff will be noticed prior to any changes to these procedures. The City of Reno has honored and perpetuated through its adopted specific plan components the energy invested in developing the specific plans.

4.4 The City of Reno will notice affected Washoe County Citizen Advisory Boards and adjacent neighborhoods (residents) no later than five (5) days after the receipt of an application for any master plan amendment requests within an adopted specific plan. The City of Reno will also notify any property owners within 750 feet of the application in accordance with the City's rules and procedures for public notice. Such notice will include a date certain when the City requests comments on the application and will also include the date and time of the tentative public hearing before the City of Reno Planning Commission on the proposed amendment.

4.5 The City of Reno may elect to amend a specific plan. In this instance, the City of Reno will initiate a process to re-plan the specific plan area pursuant to NRS 278 and appropriate City regulations. The City of Reno will formally notify Washoe County in writing of this decision and provide a time schedule for the re-planning process. The City of Reno will also notice affected Washoe County Citizen Advisory Boards and adjacent neighborhoods (residents) within 750 feet of the new plan for the specific plan area, and allow sufficient time for review and comment by the Citizen Advisory Board on the new plan.

Section 5. Development Agreements.

5.1 Washoe County has entered into formal contractual agreements with property owners through Development Agreements pursuant to Article 814 of Washoe County Code Chapter 110. Washoe County has Development Agreements with the property owners of Damonte Ranch (Damonte Trade Center) and Curti Ranch (Curti Ranch II).

5.2 At the time the City of Reno annexes property within an area covered by a Development Agreement or elects to exercise its extra-territorial jurisdiction for a sphere of influence area containing a Development Agreement, the City of Reno will enter into an agreement with Washoe County to become a party to the Development Agreement. When all properties contained within a Development Agreement are under the jurisdiction of the City of Reno, whether by annexation or by the exercise of extra-territorial jurisdiction within a sphere of influence area, then Washoe County will initiate action for the County Commission to assign the Development Agreement to the City of Reno. In Development Agreements wherein Washoe County is the designated water and sewer service provider, then Washoe County will initiate action to assign the Development Agreement only after water and sewer service is provided to the properties contained within the Development Agreement. The assignment of the Development Agreement to the City will require consent by the property owners and acceptance by the City of Reno.

Section 6. Approved Discretionary Permits.

6.1 After the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for a sphere of influence area, Washoe County will develop, and provide to the City of Reno, an inventory of all approved discretionary permits, together with any accompanying non-completed conditions, within the sphere of influence area (includes tentative subdivision maps, special use permits, administrative permits, variances, and site reviews). Washoe County will notify all property owners (permit holders) of the transfer of the permit authority and note that the City of Reno will assume authority for implementation of all non-completed conditions and performance assurances. Washoe County will transfer a copy of a file for a discretionary permit approved by the final authority (i.e., Board of Adjustment, Planning Commission, or Board of County Commissioners) within the sphere of influence area to the City of Reno upon request by the City. Washoe County will retain the original copies of any files for historical and regulatory requirements.

6.2 The City of Reno will implement any non-completed conditions imposed by Washoe County for permits within the area and City staff will verify that such conditions of the permit have been satisfied. Any outstanding performance assurances attached to the permit will also be transferred to the City of Reno. This action will avoid duplicative review and potential conflicts between staff on implementation of conditions.

Section 7. Discretionary Permit Applications in Process of Approval.

7.1 Prior to the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for a sphere of influence area, discretionary permit applications submitted to Washoe County with the required application fee(s) will be processed by Washoe County. After the date(s) that the City of Reno elects to exercise extra-territorial jurisdiction within an adopted sphere of influence area, all other property owners or applicants will be referred to the City of Reno for permit processing.

7.2 Washoe County will include City of Reno staff as a commenting agency on all permit applications pursuant to this provision. After approval by the final authority, conditions and/or performance assurances associated with these discretionary permits will be transferred to the City of Reno for implementation. These permits will then be classified as approved discretionary permits and follow the process outlined in the provisions of this Agreement addressing those permits.

7.3 At the time that the City of Reno elects to exercise extra-territorial jurisdiction within an adopted sphere of influence area, Washoe County will provide a list of approved tentative maps, with case files and improvement drawings, within that area to the City of Reno. Case files and improvement drawings will be transferred to the City of Reno upon request; the County will maintain the original copies of all files and drawings for historical and regulatory requirements. Final maps that are part of approved tentative maps submitted, but not recorded, prior to the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for a sphere of influence area will be processed by the City of Reno. The City of Reno will formally notify Washoe County of any proposed discretionary permit applications, to include tentative map applications, for properties within this area until the City annexes the property. For recorded final maps, Washoe County will verify construction improvements and maintain any required performance assurances.

7.4 Washoe County will notify sphere of influence area property owners, and appropriate Washoe County Citizen Advisory Board members, of the date certain when applications will no longer be accepted by the County but will be referred to the City of Reno. Likewise, the City of Reno will notify appropriate City of Reno Neighborhood Advisory Board members that the City will now accept discretionary permit applications within the sphere of influence area.

Section 8. Master Plan Amendments

8.1 Prior to the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for a sphere of influence area, master plan amendments submitted to Washoe County with the required application fee(s) will be processed by Washoe County. Washoe County will include City of Reno staff as a reviewing agency on all master plan amendment applications within the sphere of influence area pursuant to this provision. The Washoe County staff report shall acknowledge either conformance or non-conformance of the requested amendment with the adopted cooperative plan for the sphere of influence area.

8.2 All other master plan amendment applications within the sphere of influence area, to include those initiated by Washoe County staff, will be transferred to the City of Reno for processing on the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for the sphere of influence area.

Section 9. Criteria for New Development within the Sphere of Influence.

9.1 The City Council will adopt amendments to the Reno Municipal Code requiring that all new development within the expanded sphere of influence adopted on May 9, 2002, conform to the provisions of Washoe County Code Section 110.414.21, Light and Glare, and that such new development also conform to the provisions of Washoe County Code Article 418, Significant Hydrologic Resources.

Section 10. Building Permits.

10.1 Prior to the date(s) of Regional Plan conformance of the City of Reno Master Plan and notification of the intent by the City to exercise extra-territorial jurisdiction for a sphere of influence area, building permits issued by Washoe County or building permit applications within the sphere of influence area submitted to Washoe County with the required application fee(s) will be processed by Washoe County through the issuance of a Certificate of Occupancy or Final Inspection. After that date, all building permits will be processed and inspected by the City of Reno.

Section 11. Off-Premise Signs.

11.1 The City of Reno will not exercise extra-territorial jurisdiction over off-premise signs located in the entire sphere of influence until such time as the property containing the sign is annexed into the City. City of Reno and Washoe County staff will jointly review this Section annually, by the anniversary date of the adoption of this Agreement, to determine whether this Section should be modified or amended pursuant to the provisions of Section 17 of this Agreement.

Section 12. Business Licensing.

12.1 Washoe County will retain all business license authority, to include liquor and gaming licensing, within the sphere of influence pursuant to NRS 244.335 as amended until properties are annexed to the City of Reno. The City of Reno will amend Reno Municipal Code 18.06 to indicate that compliance with City land use requirements does not guarantee approval of a Washoe County business license. Upon annexation, the City of Reno assumes licensing authority pursuant to NRS 268.095 as amended. Washoe County shall transfer existing business license files to the City of Reno after annexation upon request by the City.

Section 13. Code (Zoning and Building) Enforcement.

~~13.1 Washoe County will respond to code (zoning) enforcement complaints and take appropriate action to resolve any code violations within the sphere of influence of a property is annexed by the City of Reno.~~ The City of Reno will respond to and appropriately resolve all building code compliance and enforcement complaints within a sphere of influence area wherein the City has accepted an application for or issued a permit for building. Pursuant to this Agreement, the City of Reno agrees that Washoe County shall enforce all provisions of Washoe County Code Chapter 110 (Development Code) on properties within the adopted sphere of influence until the City annexes a property(s). In resolving any code violations, Washoe County staff will notify the violator that their property is located within the sphere of influence and that the land use/building code may be different under City Codes after annexation. If violations pertain to approved subdivisions under construction, then Washoe County staff will consult with City of Reno staff on the case prior to initiating any action to resolve the violations.

Section 14. Staff Reports and Information for Elected/Appointed Boards.

14.1 For properties within a sphere of influence area wherein the City of Reno has exercised extra-territorial jurisdiction. City of Reno agendas shall have text within the item description noting that the property is within a sphere of influence area, not annexed to the City of Reno, and the City is exercising extra-territorial jurisdiction pursuant to NRS 278.02788 as amended. Further, City of Reno staff reports shall contain an analysis of the requirements of extra-territorial jurisdiction as they apply to the specific application. This information is provided for the elected/appointed boards and the public for disclosure that the property is not yet annexed by the City of Reno and to explain the processes established in this Agreement, as appropriate.

14.2 When Washoe County is processing an application within a sphere of influence area wherein the City of Reno has exercised extra-territorial jurisdiction following the provisions of this Agreement, then Washoe County shall have text within the item description noting that the property is within a sphere of influence area wherein the City of Reno has exercised extra-territorial jurisdiction pursuant to NRS 278.02788 as amended. Washoe County staff reports shall also contain an analysis of the requirements of extra-territorial jurisdiction and the provisions of this Agreement as they apply to the specific application.

Section 15. Successors.

15.1 This Agreement is binding upon and inures to the benefit of the parties and their respective successors and assigns.

Section 16. Terms of Agreement.

16.1 This Agreement constitutes the entire understanding and agreement of the parties with respect to the subject matter hereof, and supersedes and replaces all prior understandings and agreements, whether verbal or in writing, with respect to the subject matter hereof.

16.2 The parties agree that the terms and conditions on the appendixes to this Agreement are incorporated herein and are specifically made a part of this Agreement and are limited only by any limitations expressly provided.

16.3 Neither party shall assign, transfer, or delegate any rights, obligations, or duties under this Agreement without the written consent of the party.

16.4 The terms and conditions of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any party.

16.5 This Agreement may be executed in any number of counterparts. All counterparts shall be construed together and shall constitute one agreement.

16.6 The term of this Agreement shall continue unless otherwise terminated pursuant to Section 17 of this Agreement.

Section 17. Modification, Termination, or Amendment.

17.1 This Agreement may not be modified, terminated, or amended in any respect except pursuant to an instrument in writing duly executed by the parties.

17.2 Failure to declare a breach of the Agreement or its material or nonmaterial terms by the other party shall not operate as a waiver by such party of any other of its rights or remedies as to any other breach.

17.3 In order to terminate the Agreement, a party must give 90-day notice of intent to terminate.

Section 18. Notices.

18.1 All notices, other communication, or legal processes under the Agreement shall be in writing and shall be deemed to be properly given if served either personally or if deposited in the United States mail, certified or registered, return receipt requested, postage prepaid to the addresses set forth below:

If to City:

City of Reno City Attorney's Office
Attn: Patricia Lynch, City Attorney
P.O. Box 1900
Reno, Nevada 89505

If to County:

Washoe County District Attorney's Office
Attn: Madelyn Shipman, Assistant DA
P.O. Box 30038
Reno, Nevada 89505

Section 19. Execution of Agreement.

19.1 Each party represents and warrants that the person executing this Agreement in his behalf has full power and authority to enter into this Agreement.

Section 20. Indemnification.

20.1 The parties agree that each will be responsible for any liability or loss that may be incurred as a result of any claim, demand, cost, or judgment made against that party arising from any negligent act or negligent failure to act by any of that party's employees, agents, or servants in connection with the performance of obligations assumed pursuant to this agreement.

20.2 The parties further agree, to the extent allowed by law, to hold harmless, indemnify and defend each other from any and all losses, liabilities, or expenses of any nature to the person or property of another, to which each may be subjected as a result of any claim, demand, action, or cause of action arising out of the negligent acts, errors or omissions on the part of the employees, agents, or servants of the other.

20.3 The indemnification obligation set forth above is conditioned upon receipt of prompt written notice by the indemnifying party of the indemnified party's actual notice of any action or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorney's fees and costs for the indemnified party's chosen right to participate with legal counsel.

Section 21. No Conferral of Rights to Third Parties.

21.1 The protocols set forth herein are intended to apply only to the signatories herein and do not confer any rights upon third persons.

NRS 278.02788 reads as follows:

NRS 278.02788 Adoption of master plan for sphere of influence; appeal of decision concerning use of land within sphere of influence.

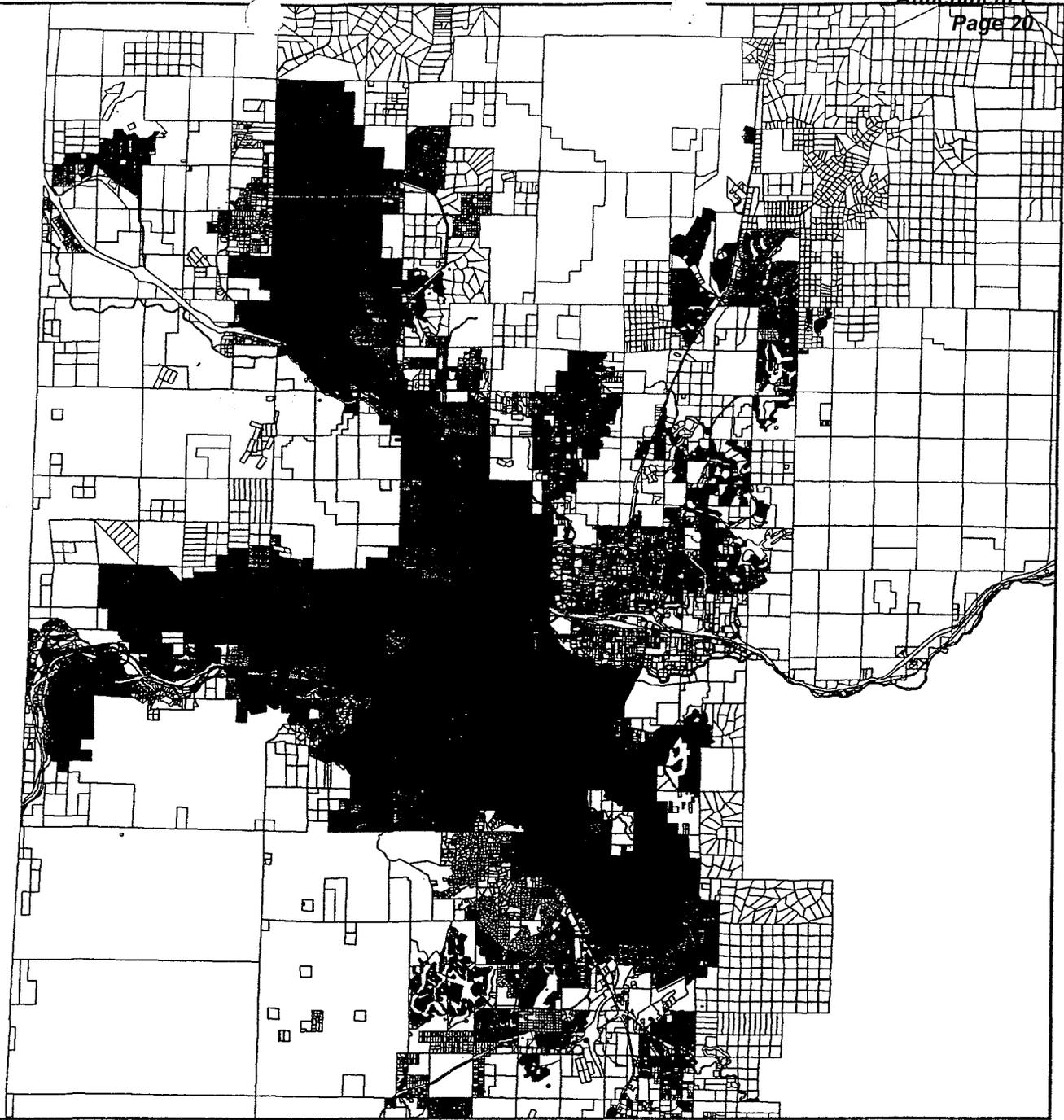
1. If a city has a sphere of influence that is designated in the comprehensive regional plan, the city shall adopt a master plan concerning the territory within the sphere of influence. The master plan and any ordinance required by the master plan must be consistent with the comprehensive regional plan. After adoption and certification of a master plan concerning the territory within the sphere of influence and after adopting the ordinances required by the master plan, if any, the city may exercise any power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its sphere of influence.

2. If the comprehensive regional plan designates that all or part of the sphere of influence of a city is a joint planning area, the master plan and any ordinance adopted by the city pursuant to subsection 1 must be consistent with the master plan that is adopted for the joint planning area.

3. Before certification of the master plan for the sphere of influence pursuant to NRS 278.028, any action taken by the county pursuant to NRS 278.010 to 278.630, inclusive, within the sphere of influence of a city must be consistent with the comprehensive regional plan.

4. A person, county or city that is represented on the governing board and is aggrieved by a final determination of the county or, after the certification of the master plan for a sphere of influence, is aggrieved by a final determination of the city, concerning zoning, a subdivision map, a parcel map or the use of land within the sphere of influence may appeal the decision to the regional planning commission within 30 days after the determination. A person, county or city that is aggrieved by the determination of the regional planning commission may appeal the decision to the governing board within 30 days after the determination. A person, county or city that is aggrieved by the determination of the governing board may seek judicial review of the decision within 25 days after the determination.

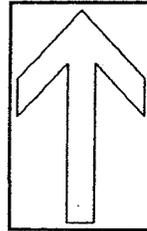
(Added to NRS by 1991, 1731)



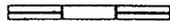
Appendix B

-  City of Reno - as of January 28, 2003
-  City of Reno, Extra-Territorial Jurisdiction Area - as of January 28, 2003

Data Source: City of Reno Community Development Department



0 1 2 3 Miles



The information herein is approximate and is intended for display purposes only. Reproduction is not permitted. For additional information, please contact The City of Reno Community Development Department.

Map Produced: January 15, 2003



Community Development Department

450 Sincclair Street Phone: 334-2063
 P.O. Box 1900 Fax: 334-2043
 Reno, NV 89505 www.cityofreno.com

JS: jef GIS user/projects/aurum/renoshw

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

CITY OF RENO

By: [Signature]
Robert Cashell, Sr., Mayor

Approved as to form:

By: [Signature]
Deputy City Attorney

ATTEST:

[Signature]

Lynnette R. Jones



City Clerk

COUNTY OF WASHOE

By: [Signature]
David E. Humke, Chairman 1/28/03

Approved as to form:

By: _____
Deputy District Attorney

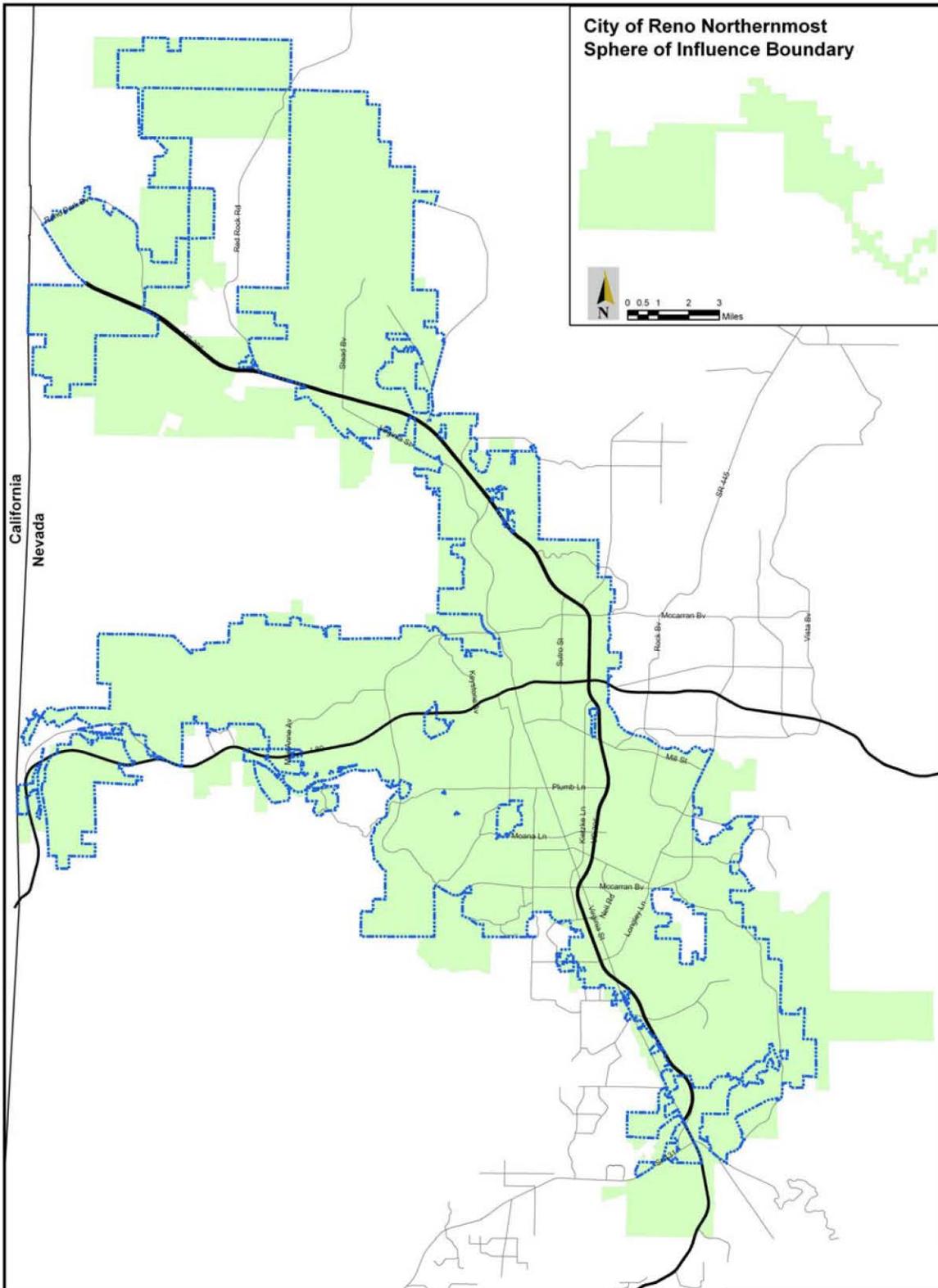
ATTEST:

[Signature]

Amy Harvey County Clerk

Appendixes

- A NRS 278.02788 as amended
- B Map showing City of Reno, Extra-Territorial Jurisdiction Area as of January 28, 2003



City of Reno Northernmost Sphere of Influence Boundary

Appendix B

- City Limits
- City of Reno, Extra-Territorial Jurisdiction Area - March, 2008

Community Development Department

450 Sinclair Street
P.O. Box 1900
Reno, NV 89505

Phone: 334-2063
Fax: 334-2043
www.cityofreno.com

Created: 2/10/08

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Map Produced March, 2008

[Download Document](#)

MINUTE

Regular Meeting

Reno City Council



Wednesday, January 10, 2018 10:00 AM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Hillary Schieve, Mayor

Council Members:

**Ward 1 – Jenny Brekhus
Ward 2 – Naomi Duerr
Ward 3 – Oscar Delgado**

**Ward 4 – Paul McKenzie
Ward 5 – Neoma Jardon
At-Large – David Bobzien**

A Introductory Items

- A.1 Pledge of Allegiance**
- A.2 Roll Call**

Attendee Name	Title	Status	Arrived
Hillary Schieve	Mayor	Absent	10:27 AM
Jenny Brekhus	Councilmember	Present	9:46 AM
Naomi Duerr	Councilmember	Present	9:47 AM
Oscar Delgado	Councilmember	Present	9:46 AM
Paul McKenzie	Councilmember	Present	9:47 AM
Neoma Jardon	Councilmember	Present	9:47 AM
David Bobzien	Councilmember	Present	9:46 AM
Sabra Newby	City Manager	Present	

The meeting was called to order at 10:09 AM.

A.3 Public Comment

Tammy Holt-Still, online public comment form, discussed concerns with flooding in the North Valleys.

Mark Markel, 48 Park Street, discussed the dangers of drinking and driving.

Connie Silveira, 845 Casazza, discussed concerns about the proposed Business Improvement District (BID), saying that it is not advantageous to homeowners.

Steven White, Silver Springs resident, discussed equal rights for artists.

Terry McQuattie, 1440 Centennial Mill Way, representing Secret Witness, discussed the services provided by the program and thanked the Council for their support.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 10:27 A.M.

Sam Dehne, Reno resident, presented his views on several subjects.

James Pastula, 9752 Pachuca Drive, said that he owns a roofing company and believes that roofs should be deemed safe before solar roof installations are made.

NO ACTION WAS TAKEN ON THIS ITEM.

A.4 City Manager Announcements (Item for general announcements and informational items only. No action will be taken on this item.)

City Manager Newby made several announcements.

A.5 Approval of the Agenda (For Possible Action) - January 10, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Oscar Delgado, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

A.6 Approval of Minutes (For Possible Action)

A.6.1 Reno City Council, Sparks City Council, and Washoe County Board of Commissioners - Concurrent - Nov 6, 2017 8:30 AM (For Possible Action) 10:38 AM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Oscar Delgado, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

A.6.2 Reno City Council - Regular - Dec 6, 2017 12:00 PM (For Possible Action) 10:38 AM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Oscar Delgado, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B Consent Agenda

ITEMS B.1 THROUGH B.16 WERE APPROVED WITH ITEMS B.1.A.1, B.3, B.11 AND B.12 PULLED FOR DISCUSSION.

Sam Dehne, Reno resident, presented his views on the consent agenda.

B.1 Approval of Privileged Business Licenses

B.1.a New - Alcohol

1. Reno Mart, Mohammad Parvez, 201 North Virginia Street - Packaged Beer and Wine
(For Possible Action) **[Ward 5]**

THIS ITEM WAS PULLED FOR DISCUSSION.

Michael Chaump, Business Relations Manager, provided an overview of the staff report.

Council Member Jardon and Mr. Chaump discussed safescape regulations and how they apply to packaged beer and wine. Mr. Chaump said that this location is not bound to safescape regulations.

Joe Henry, Senior Code Enforcement Officer, discussed the safescape standards and said that they were devised to help deter crime.

Todd Collins, 201 North Virginia Street, speaking on behalf of the applicant, said that the plan is for a tourist souvenir shop as well as a small grocery/convenience store. The store is approximately 4,800 square feet, and packaged beer and wine will be a very small part of the overall product offering. Asbestos abatement has already been completed, and the applicant is renovating the space to be a bright, clean general store.

Discussion ensued regarding the anticipated space that will be devoted to produce and souvenir items; restrictions on malt liquor and packaged beer and wine; restrictions on alcohol products containing over 24% alcohol; potential use of the upper floors of the building, which are now vacant; possible nonconformity issues with the property; and restrictions on glass.

Alex Woodley, Code Enforcement Manager, said that malt liquor is considered beer, but he was not certain of the alcohol content of malt liquor. He said that he explained the safescape provisions to the applicant and his representative, and they agreed to comply with them. They agreed to not exceed 25% of the window coverage area and to refrain from selling malt liquor above 16 ounces in glass.

Mr. Collins confirmed that the restrictions are wholly acceptable to the applicant and will be dutifully followed.

Mayor Schieve discussed the need for exterior maintenance of the building.

Mr. Collins said that the owner of the building is considering future renovations of the building, and noted that the applicant will be updating the marquee signage at Second and Virginia streets.

Mayor Schieve said that the building renovations should occur sooner rather than later.

Mr. Woodley said that there is already a code case pending, and staff will be aggressively pursuing the maintenance issue with the owner of the building.

Mayor Schieve and Vice Mayor Jardon requested that the owner provide the City with the renderings of the future plans for the building.

Mr. Collins said that he would reach out to the owner of the building to get those renderings.

Council Member Brekhus and Mr. Henry discussed the restrictions and cap on the sale of alcohol as opposed to the sale of beer and wine.

Vice Mayor Jardon said that she would be willing to move forward with approval of the license with the understanding that the applicant agreed not to exceed 25% of the window coverage area, not to sell any malt liquor in glass bottles over 16 ounces, and the applicant's representative will pursue with the owner of the building renderings of the future plans for this space and relay to the owner the message that the condition of the exterior of the building is a problem that should be remedied.

The Council upheld the staff recommendation with the additional conditions.

RESULT: APPROVED [UNANIMOUS]

MOVER: David Bobzien, Councilmember

SECONDER: Paul McKenzie, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

2. Corrigan's Bit of Erin, Rebel Hooper, 1526 South Wells Avenue - Bar (For Possible Action) [Ward 3]

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.1.b Change of Ownership - Alcohol

1. PHO 777, Vivian Nguyen, 102 East Second Street - Dining Wine and Beer (For Possible Action) [Ward 3]

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.1.c Supplemental - Alcohol

1. Un Caffe Italian Bistro, Cheri Rhodes, 900 West Moana Lane, Suite 101 - Dining Wine and Beer (For Possible Action) [Ward 2]

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.2 Staff Report (For Possible Action): Approval of purchase of a pre-fabricated restroom building from CXT, Inc. for Somerset West Park using the National Joint Powers Alliance Contract #030117-CXT in an amount not to exceed \$49,914. (Residential Construction Tax District 2 Fund) **[Ward 5]**
10:39 AM

Recommendation: Staff recommends Council approve the purchase of a pre-fabricated restroom building using the joinder provision of the National Joint Powers Alliance Contract #030117-CXT, Inc in the amount of \$47,537 plus a five percent contingency for a total not to exceed amount of \$49,914 using Residential Construction Tax Funds District 2, and authorize the Parks Manager to execute the purchase order.

Proposed Motion: I move to approve staff recommendation.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.3 Staff Report (For Possible Action): Award of Contract to Bruce Purves Construction for Traner Pool repairs and enhancements in an amount not to exceed \$1,225,013. (CDBG Funds - Capital Improvement Plan, Cash Donations and Insurance Reimbursement) 11:04 AM

Recommendation: Staff recommends Council award the contract to Bruce Purves Construction for the Traner Pool Repairs and Enhancements in an amount not to exceed \$1,225,013 and authorize the Mayor to sign the contract.

Proposed Motion: I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Delgado thanked those who have worked tirelessly to ensure that the repairs and enhancements will be made.

The Council upheld the staff recommendation.

RESULT: APPROVED [UNANIMOUS]

MOVER: Oscar Delgado, Councilmember

SECONDER: David Bobzien, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.4 Staff Report (For Possible Action): Approval of City Joinder to State of Nevada Vehicle Contract #8475 to purchase one Chevrolet Equinox utility vehicle and one Chevrolet Silverado truck from Champion Chevrolet and one Ram truck from Carson Dodge; two Dodge Charger police cars from Carson Dodge utilizing State of Nevada Vehicle Contract #8477; and two skid steer loaders utilizing the National Joint Powers Alliance in accordance with NRS 332.195, in an amount not to exceed \$382,000. (General Fund, Sewer Fund, and Street Fund) 10:39 AM

Recommendation: Staff recommends Council approval to purchase one Chevrolet Equinox utility vehicle and one Chevrolet Silverado truck from Champion Chevrolet and one Ram truck from Carson Dodge utilizing State of Nevada Vehicle Contract #8475; two Dodge Charger police cars from Carson Dodge utilizing State of Nevada Vehicle Contract #8477; and two skid steer loaders utilizing the National Joint Powers Alliance pursuant to NRS 332.195 (Joinder) in an amount not to exceed \$382,000 and authorize the City Manager or her designee to sign the purchase order.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.5 Staff Report (For Possible Action): Approval to utilize the US Communities RFP #2000000330 for Office Furniture and Related Services and Solutions awarded to Haworth, Inc. Contract #4400003402 in its entirety in accordance with NRS 332.195 in an amount not to exceed \$200,000. (Building Permit Fund) 10:39 AM

Recommendation: Staff recommends Council approve the purchase of office furniture in accordance with NRS 332.195, for the sixth floor remodel in an amount not to exceed \$200,000, and authorize the appropriate department heads to execute purchase orders.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.6 Staff Report (For Possible Action): Approval of Consulting Agreement with HDR Engineering, Inc. (HDR) for Engineering Services for the Truckee Meadows Water Reclamation Facility (TMWRF) Return Activated Sludge (RAS) and Waste Activated Sludge (WAS) System 2 Pumping Improvement Project in the amount of \$605,966 with the City of Reno's share being \$415,874.47. (Sewer Fund) 10:39 AM

Recommendation: Staff recommends Council approve the Agreement for Consultant Services with HDR Engineering, Inc. for design and professional engineering services as described in the attached proposal in an amount not to exceed \$605,966 (Reno's share being \$415,874.47 from the Sewer Fund), and authorize the Mayor to execute the attached Agreement.

Proposed Motion: I move to approve the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.7 Staff Report (For Possible Action): Approval of Consulting Agreement with BJK Architecture & Engineering for Engineering Services for the Truckee Meadows Water Reclamation Facility (TMWRF) Aeration/Post-Air/Spent Backwash Tanks Rehabilitation Project in the amount of \$49,310 with the City of Reno's share being \$33,841.45. (Sewer Fund) 10:39 AM

Recommendation: Staff recommends Council approve the Agreement for Consultant Services with BJK Architecture & Engineering (BJK) for design and professional engineering services as described in the attached proposal in an amount not to exceed \$49,310, with the City of Reno's portion being \$33,841.45 (Sewer Fund), and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.8 Staff Report (For Possible Action): Approval of Consulting Agreement with Stantec Consulting Services Inc. for Engineering Services for the Truckee Meadows Water Reclamation Facility (TMWRF) Thickened Waste Activated Sludge System Evaluation in the amount of \$102,500 with the City of Reno's share being \$70,345.75. (Sewer Fund) 10:39 AM

Recommendation: Staff recommends Council approve the Agreement for Consultant Services with Stantec Consulting Services Inc. for consulting engineering services as described in the attached proposal in an amount not to exceed \$102,500, with the City of Reno's portion being \$70,345.75 (Sewer Fund), and authorize the Mayor to sign.

Proposed Motion: I move to approve the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.9 Staff Report (For Possible Action): Approval of Amendment No. 12 to the Professional Services Agreement with American Environmental and Engineering Consultants (AEEC) for the Stead Solvent Site Remediation Project in the amount of \$181,501 with the City of Reno's share being \$21,780.12 and expenditure of \$1,000 in utility costs. (Capital Projects Fund - Insurance Settlements) 10:39 AM

Recommendation: Staff recommends Council approve the attached agreement with AEEC, in the amount of \$182,641 with the City's share being \$21,780.12 and authorize the Mayor to sign and approve the expenditure of approximately \$1,000 in utility costs associated with site operations.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.10 Staff Report (For Possible Action): Approval of Consultant Agreement for Professional Engineering Services with Carollo Engineers, Inc., for the Northwest Reno Sanitary Sewer Capacity Analysis and Master Plan in an amount not to exceed \$379,700. (Sewer Fund) 10:39 AM

Recommendation: Staff recommends approval of the consultant agreement with Carollo Engineers, Inc., in an amount not to exceed \$379,700 and authorization for the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.11 Staff Report (For Possible Action): Approval for purchase of Sternberg Street Lighting Standards from Associated Lighting Representatives, Inc., pursuant to Chapter 332 of the Nevada Revised Statutes and the City Purchasing Policy, in an amount not to exceed \$97,518.75. (Capital Improvement Plan - Room Tax Fund) 11:06 AM

Recommendation: Staff recommends Council approval to purchase Sternberg Lighting Standards, for an amount not to exceed \$97,518.75, in accordance with NRS 332.115(1)(a), and authorization for the Public Works Director to sign the purchase order(s).

Proposed Motion: I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Bobzien and Kurt Dietrich, Public Works Associate Civil Engineer, discussed the new Light Emitting Diode (LED) street lighting standards that are to be purchased.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Bobzien, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.12 Staff Report (For Possible Action): Approval of the use of Blight Abatement Fund monies for the demolition of the building located at 265 Keystone Avenue, a city-owned property, with reimbursement from the future sale of this property and the immediate parcel to the west known as Assessor Parcel Numbers 010-610-05 and 010-610-06 and direction to staff to perform the work in an amount not to exceed \$50,000. (Blight Mitigation Fund) **[Ward 1]** 11:08 AM

Recommendation: Staff recommends Council approve the use of Blight Mitigation Funds for the demolition of the building located at 265 Keystone Avenue with reimbursement from the future sale of APN's 010-610-05 and 010-610-06 and direction to staff to perform the work in an amount not to exceed \$50,000.

Proposed Motion: I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Duerr and John Flansberg, Director of Public Works, discussed the current condition of the building, and plans to sell the property after demolition has occurred.

Council Member Duerr suggested that the property could be cleared and sold, or it could be sold "as is" with some kind of a discount for the demolition. She said that a letter from Kelly Rae offering to purchase the property and recycle the broken concrete was received, and suggested that the property could be put out to bid.

Council Member McKenzie stated that an offer to buy the property for the cost of demolition is unacceptable because the property is worth more than that. Demolishing the building and removing it from the property will make it even more valuable because it will be a blank canvas for someone to start with.

Kelly Rae, no address provided, said that she would like to make the building into a living facility. I can reuse the concrete and steel to make the building into residences, and I would be willing to buy it at market rate with the concrete building intact. I can put affordable housing there like we did at Tiny Ten where we put ten houses and ten garages on a half-acre lot, and keep all those materials from going to the landfill.

Barrie Lynn, 161 Wonder Street, said that the City should explore other options before demolishing the building.

Discussion ensued regarding continuing this item for two weeks and putting out a proposal for bids with or without the demolition piece. Health and safety issues associated with the building were also discussed, as was the possibility of affordable housing uses (subsidized or non-subsidized).

City Attorney Hall recommended that the Council continue this item due to the manner in which it had been agendized.

City Manager Newby said that staff will, given the direction provided at the meeting, proceed accordingly and bring the item back on a future agenda.

RESULT: NO ACTION TAKEN

B.13 Staff Report (For Possible Action): Acceptance of a Fiscal Year (FY)18 Nevada State Emergency Response Commission, Hazardous Materials Emergency Preparedness grant from the Local Emergency Planning Committee, for Regional Hazardous Materials Response Team training and equipment, administered by the Reno Fire Department in the amount of \$29,750. (Grant Funds) 10:39 AM

Recommendation: Staff recommends acceptance of the grant award in the amount of \$29,750, and authorize the Mayor and Fire Chief to sign the Sub-Grant Agreement.

Proposed Motion: I move to approve staff recommendation.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.14 Staff Report (For Possible Action): Case No. LDC18-00002 (Firecreek Crossing Master Plan Amendment) Request for certification of the Firecreek Crossing Master Plan amendment. The ±12.2 acre site is located between Redfield Parkway/Kumle Lane and Kietzke Lane, ±450 feet west of South Virginia Street. The site is within the Mixed Use/Convention Regional Center (MU/CRC) zone. [Ward 2] 10:39 AM

Recommendation: Staff recommends City Council certification of the amendments to the Master Plan.

Proposed Motion: I move that the City Council certify the Master Plan Amendment to the Convention Regional Center Plan from the General Mixed Use sub-designation to the Tourist Commercial sub-designation on the ±12.2 acre subject site.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: Oscar Delgado, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.15 Staff Report (For Possible Action): Approval and Authorization of Funding of Settlement of Lawsuit entitled Samantha Arias v. City of Reno, et al., Case No. CV16-02139 in the amount of \$60,000. (Risk Management Fund) 10:39 AM

Recommendation: Staff recommends Council approve settlement of the lawsuit entitled Samantha Arias v. City of Reno, et al., Case No. CV16-02139 in the amount of \$60,000, approve and authorize funding of the payment of \$60,000 to Plaintiff Samantha Arias, and authorize the City Attorney or

designee to execute all documents required to effect settlement of the lawsuit.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

B.16 Staff Report (For Possible Action): Distribution of formal audit follow-up regarding the 17-03 Cash Handling - Part A Petty Cash Audit Report issued May 24, 2017. 10:39 AM

Recommendation: Staff recommends Council accept the audit follow-up.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

C Cash Disbursements

C.1 Staff Report (For Possible Action): Acceptance of Cash Disbursement Reports for Nov 26 through Dec 23, 2017. 11:26 AM

Recommendation: Staff recommends to accept the attached Cash Disbursements Reports

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

D Proclamations

E Presentations

F Public Hearings - 4:00 PM (Items scheduled to be heard at a specific time will be heard no earlier than the stated time, but may be heard later.)

StoneGate Master Plan and PUD Zoning Map Amendments

F.1 Staff Report (For Possible Action): Case Nos. LDC17-00008 and LDC17-00009 (StoneGate Master Plan and PUD Zoning Map Amendments) **DESCRIPTION IS LISTED BELOW IN THE STAFF REPORT FORMAL BODY** [Ward 4] 4:19 PM

Recommendation: The Planning Commission recommends Council adopt the requested Master Plan amendment by resolution and zoning map amendment by ordinance and approve the tentative Planned Unit Development (PUD) Handbook by Minute Order, subject to Truckee Meadows Regional Planning Commission determination that the request is in conformance with the Truckee Meadows Regional Plan.

Proposed Motion: I move to uphold the recommendation of the Planning Commission.

Master Plan Amendment

I move to adopt Resolution No. _____.

Zoning Map Amendment

First Reading: I move to refer Bill No. _____ for a second reading and adoption.

A RECESS WAS CALLED AT 4:22 P.M. AND UPON RECONVENING AT 4:33 P.M., MAYOR SCHIEVE WAS ABSENT. VICE MAYOR JARDON PRESIDED.

ITEMS F.1, F.2 AND F.3 WERE CONSIDERED TOGETHER.

The Vice Mayor asked if proper notice was given.

City Clerk Turney stated that proper notice was given, and noted that this item was continued from the November 15, 2017, meeting.

Vice Mayor Jardon stated that there is a request to continue this item and asked Council Member McKenzie to explain.

Council Member McKenzie said that there is still work to be done on some outstanding issues, including the parks agreement and possible solutions to the traffic issues. We received a letter from Truckee Meadows Water Authority (TMWA) regarding the provision of an additional water purveyor, and we need to ensure that we avoid using fresh water for irrigation. There are numerous other things that we were able to resolve, but we need to clarify everything in writing before moving forward and issuing a decision. This is one of the biggest land use decisions this Council has ever made. The impacts of this development on the community are far reaching, and we need to mitigate those impacts to the best extent that we can. The developer asked if we could continue this today and committed to moving forward to mitigate those impacts. I would make a motion that we accept the continuance and set it at a time certain for the February 14, 2018 meeting.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 4:36 P.M.

It was moved by Council Member McKenzie, seconded by Council Member Bobzien, to continue this item to 4:00 p.m. on February 14, 2018.

Motion carried.

Council Member Brekhus said that she was looking more at the findings than at the implementing pieces such as the location of the park and the TMWA issue. This request by the Council to continue working on the case provides an advantage to the developer, and I am ready to hear the case and take action on it tonight.

Council Member Bobzien discussed his concerns about the traffic and infrastructure issues, and the need to collaborate with the other jurisdictions to achieve a higher level of responsibility for our region.

Council Members Delgado and Duerr discussed the prudence of spending additional time on resolving the outstanding issues. For Council Member Duerr the issues include a financial analysis; wildlife issues; and water, sewer, reclaimed water and stormwater provisions.

Council Member Brekhus requested that staff provide the Council with findings that would give the City a legally defensible position for denial as an alternative to the findings of adoption that are included in the document as written by the applicant.

Vice Mayor Jardon called for public comment.

City Clerk Turney stated that four letters in opposition were received from: Sammy Trappe, Rex Fraizer, Rebecca Marko and Jenna Brooke O'Neil. In addition, online public comment in opposition was received from: Kerstin Stanley, Jodi Henderson, Joe Shannon, Dineena Simmons, Cornel Nemes, Debbie Compton, Bernadette McElroy, Christina Anders, Dori Gallegos, Nicole Mertz, Alice Hescocx, Dave Decker, Kenneth and Kathryn Godwin, Emilie Pecka, Misty Best, Kathleen Eagan, John Villarruel, Katelyn Griffith, David Ilten, Sherril Steele-Carlin, Braden Bates, Larry Middlesworth, Sarah Anderson, Diane Campbell, Rex Flowers, Tara Bertucci, Patrick Macan, Danny Loller, Justin Claus and Linda Johnston.

The following individuals discussed their opposition and concerns regarding the proposed project: 1) James Kozera, 17110 U.S. Highway 395 North; 2) Maurice Anderson, 707 Nevada Street, Building Director of Lassen County, California; 3) Irene Tudor, 9650 Stoney Creek Way; 4) Victoria Edmondson-Andrews, 17870 East Aspen Circle; 5) Jenna O'Neil, 18160 Baby Bear Court; 6) Frank Schenk, 17210 Magnetite Drive; 7) Tom Dunn, 390 Kirman Avenue, Vice President of Reno Firefighters Association Local #731; 8) Danny Cleous, 11630 Tupelo Street; 9) Steven Ficarrotta, 17960 Volunteer Court; and 10) Jay Schule, 115 Ravine.

The following individuals presented public comment forms in opposition to the proposed project, but did not wish to speak: 1) Frank W. Wrede, 1230 Stempede Road; 2) Dori Gallegos, 4013 White Dock Court; and 3) Melissa Foster, 18330 Dustin Court.

Frank Kurnik, 10110 Canyon Country, stated his support for the proposed project.

COUNCIL MEMBER BOBZIEN ABSENT AT 5:00 P.M.

Council Members Brekhus requested that staff provide a fiscal analysis of the water issues.

Council Member Duerr requested additional information from staff, including the possibility of setting up a Special Assessment District (SAD) to accelerate fire and police services, including staffing.

THIS ITEM WAS CONTINUED TO 4:00 P.M. ON FEBRUARY 14, 2018.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Paul McKenzie, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

F.2 **Resolution No. :** Staff Report (For Possible Action): Resolution No. _____ Case No. LDC17-00008 (StoneGate Master Plan Amendment) Resolution to adopt an amendment to the Land Use Plan of the City of Reno Master Plan (Resolution 5673) in Case No. LDC17-00008 (StoneGate Master Plan Amendment) by changing the land use designation on four parcels totaling ±1,378 acres in size located southwest of the US-395/White Lake Parkway interchange, south of the US-395/Frontage Road and east of Sto Lat Lane; and two parcels totaling ±360 acres in size located on the northwest side of the intersection of US-395 and White Lake Parkway, from ±1,034.93 acres of Industrial, ±238.19 acres of Unincorporated Transition, ±412.34 acres of Single Family Residential and ±52.44 acres of Urban Residential/Commercial to ±41.2 acres of Industrial, ±658.2 acres of Mixed Residential, ±215.2 acres of Urban Residential/Commercial, ±338.1 acres of Single Family Residential and ±485.2 acres of Parks/Recreation/Open Space. **[Ward 4]**

ITEMS F.1, F.2 AND F.3 WERE CONSIDERED TOGETHER AND CONTINUED TO 4:00 P.M. ON FEBRUARY 14, 2018.

RESULT:	CONTINUED
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F.3 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Case No. LDC17-00009 (StoneGate PUD Zoning Map Amendment) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," (1) rezoning four parcels totaling ±1,378 acres located southwest of the US-395/White Lake Parkway interchange, south of the US-395/Frontage Road and east of Sto Lat Lane and two parcels totaling ±359.90 acres located on the northwest side of the intersection of US-395 and White Lake Parkway from ±1,034.93 acres of Industrial Commercial (IC), ±118.59 acres of Unincorporated Transition - 40 acres (UT40), ±412.34 acres of Large Lot Residential - 1 acre (LLR1), ±52.44 acres of Arterial Commercial (AC), and ±119.6 acres of Open Space (OS) to Planned Unit Development (PUD); and (2) tentative approval of the associated PUD handbook; together with other matters properly relating thereto. **[Ward 4]**

ITEMS F.1, F.2 AND F.3 WERE CONSIDERED TOGETHER AND CONTINUED TO 4:00 P.M. ON FEBRUARY 14, 2018.

RESULT:	CONTINUED
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G Ordinances - Adoption

G.1 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7012 Case No. LDC18-00016 (Double R Apartments) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," Section 18.08.102(b).1356, to change the text in the South Meadows III Planned Unit Development (PUD) Design Standards to: allow for multifamily residential as an allowed use in a ±15 acre portion of Planning Unit J located on the northeast corner of Double R Boulevard and Double Diamond Parkway, south of Technology Drive within the ±669 acre South Meadows III PUD; together with other matters properly relating thereto. **[Ward 2]** 11:27 AM

Recommendation: Staff recommends Council adoption of Ordinance No. ____.

Proposed Motion: I move to adopt Ordinance No. ____.

Bill No. 7012, Ordinance No. 6443 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

G.2 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7013 Case No. LDC18-00022 (440 Ridge Street Zone Change) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ±5,500 square foot site located on the south side of Ridge Street ±51 feet east of Clay Street within the Professional Office (PO) zone, to add the Historic Landmark (HL) Overlay District designation to the property located at 440 Ridge Street; together with other matters properly relating thereto. **[Ward 1]** 11:28 AM

Recommendation: Staff recommends Council adoption of Ordinance No. ____.

Proposed Motion: I move to adopt Ordinance No. ____.

COUNCIL MEMBER MCKENZIE ABSENT AT 11:28 A.M.

Bill No. 7013, Ordinance No. 6444 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, Jardon, Bobzien
ABSENT:	Paul McKenzie

G.3 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7014 Case No. LDC18-00011 (Lakeridge Place Zone Change) Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ±6.7 acre site consisting of two parcels with one parcel located on the south side of South McCarran Boulevard, ±537 feet west of its intersection with Plumas Street and the other parcel located on the west side of Plumas Street, ±207 feet south of its intersection with South McCarran Boulevard from General Office (GO) to Multifamily - 21 units per acre (MF21); together with other matters properly relating thereto. [Ward 2] 11:29 AM

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

COUNCIL MEMBER MCKENZIE PRESENT AT 11:29 A.M.

Council Member Duerr said that in the past development on this site has been contentious, but the developers have worked with area residents to resolve the issues.

Council Member Brekhus said that she supported the introduction of the bill, but will not support the ordinance adoption. I believe the site was skipped over in the past because it would be difficult to develop and would require Special Use Permits (SUPs) for topography and perhaps cuts and fills. I believe the difference between MF21 and MF14, which I would support, is material. There is a storey height difference of ten feet and I think MF21 would be a more intensive intrusion. I believe that MF14 is more suitable for this topography.

Kyle Chisholm, Community Development Assistant Planner, confirmed for Council Member Duerr that there is no minimum intensity on the site. After the developer goes through the public process with area stakeholders he can always come in with something less than MF21.

Bill No. 7014, Ordinance No. 6445 was passed and adopted.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Duerr, Delgado, McKenzie, Jardon, Bobzien
NAYS:	Jenny Brekhus

G.4 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7015 Ordinance to repeal Title 8, Chapter 8.10, Section 8.10.100 of the Reno Municipal Code entitled "Registers Open for Inspection"; together with other matters properly relating thereto. 11:32 AM

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

COUNCIL MEMBER BOBZIEN ABSENT AT 11:33 A.M.

Bill No. 7015, Ordinance No. 6446 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul McKenzie, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon
ABSENT:	David Bobzien

G.5 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7016 Ordinance to amend Title 4, Chapter 4.04, entitled "General Provisions" of the Reno Municipal Business License Code, Sections 4.04.150 and 4.04.180 to revise standards for license suspension or revocation and duties of licensee; together with other matters properly relating thereto. 11:33 AM

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

Bill No. 7016, Ordinance No. 6447 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul McKenzie, Councilmember
SECONDER:	Jenny Brekhus, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon
ABSENT:	David Bobzien

G.6 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7017 Ordinance to amend Reno Municipal Code, Title 8, "Public Peace, Safety and Morals", Chapter 8.22, entitled "Nuisances", to revise nuisance definition and enforcement and adopt special assessments for cost recovery; together with other matters properly relating thereto. 11:34 AM

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

COUNCIL MEMBER BOBZIEN PRESENT AT 11:34 A.M.

Alex Woodley, Code Enforcement Manager, provided a brief overview of the staff report.

Bill No. 7017, Ordinance No. 6448 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul McKenzie, Councilmember
SECONDER:	Naomi Duerr, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

H Resolutions

H.1 **Resolution No. 8482:** Staff Report (For Possible Action): Resolution No. _____ Resolution fixing the time when objections to the assessment roll for the City of Reno, Nevada 2017 Special Assessment District No. 1, in and of the City of Reno, Nevada made by the City Council of said City, together with the City Engineer, will be heard; and causing such roll to be filed in the office of the City Clerk. [Ward 1] 11:36 AM

Recommendation: Staff recommends Council adopt Resolution No. _____.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 8482 was adopted.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: David Bobzien, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

H.2 **Resolution No. :** Staff Report (For Possible Action): Resolution No. _____ Resolution of the Reno City Council creating the Capital Projects Surcharge Advisory Subcommittee of the Reno City Council. 11:36 AM

Recommendation: Staff recommends Council adopt Resolution No. _____.

Proposed Motion: I move to adopt Resolution No. _____.

Council Member Brekhus discussed her concerns about using the term "subcommittee" because there are members other than council members who serve on this board. A subcommittee should be comprised of council members only.

City Clerk Turney provided a brief overview of the request and agreed to bring this item back on a future agenda.

RESULT: NO ACTION TAKEN

I Ordinances - Introduction

J Standard Department Items

Community Development

J.1 Staff Report (For Possible Action): Presentation, discussion and potential direction to staff to remove Extra-Territorial Jurisdiction authority on a ±27.9 acre site within the City of Reno's Sphere of Influence (SOI). The subject parcels are located on the south side of Interstate 80 off Exit 7 in the Mogul area. This item was continued from the December 13, 2017 City Council meeting. 11:41 AM

Recommendation: Staff recommends that the City Council provide direction regarding the request to remove the site from the City's Extraterritorial Jurisdiction.

Proposed Motion: I do not support the proposed amendment to the City’s Extraterritorial Jurisdiction mapping and direct staff to make no changes to Appendix B of the applicable Interlocal agreement and maintain land use authority of the site.

I move to support the proposed amendment to the City’s Extraterritorial Jurisdiction mapping and direct staff to process an amendment to Appendix B of the applicable Interlocal agreement and remove land use authority of the site.

Nathan Gilbert, Community Development Associate Planner, presented an overview of the staff report and responded to questions from the Council Members.

The Council Members discussed their concerns about acting on behalf of one person's request, residential adjacency issues, a potential future request to annex the property into the City after it has been developed under Washoe County standards, and revenue.

Mike Draper, Argentum Partners, representing the applicant, discussed their meetings with Washoe County officials and area residents, as well as the proposed mini storage project. We did not get an overwhelming sense of concern from the neighborhood.

Discussion ensued regarding whether the property is already eligible for annexation into the City of Reno, potential future annexation possibilities, and ensuring that the property is developed to City standards.

Mr. Draper said that the developer would be willing to hold to City design standards if that would help get the project moving.

Staff was directed to proceed with this Extra-Territorial Jurisdiction exercise in the normal fashion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

J.2 Staff Report (For Possible Action): Presentation, discussion and potential direction to staff on possible code and/or policy changes related to the installation of rooftop solar systems. 1:39 PM

Recommendation: Staff recommends Council review the different options related to the permitting processes of rooftop solar projects and identify the preferred direction.

Proposed Motions:

(1) I move to accept staff presentation and direct staff to move forward with implementing a City policy that involves informing homeowners of possible risks prior to rooftop solar installation and require a signed acknowledgement form prior to issuance of permit.

(2) I move to accept staff presentation and direct staff to move forward with initiating the Business Impact Statement process and drafting an ordinance that would require detailed roof inspections prior to installation of a rooftop solar system.

(3) I move to accept staff presentation and direct staff to keep the current building permit process for rooftop solar installations.

MAYOR SCHIEVE ABSENT AT 1:39 P.M. VICE MAYOR JARDON PRESIDED.

COUNCIL MEMBER DUERR PRESENT AT 1:39 P.M.

Dan Holly, Community Development Building and Safety Manager, presented an overview of the staff report. He said that the concern is that consumers may or may not be fully aware of the condition of the roof's surface before installing solar panels.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 1:42 P.M.

Council Member McKenzie said that a roof inspection should include the life expectancy of the roof and the integrity of the roof covering, in addition to a review of the structural integrity of the roof and the roof's ability to handle the added weight of solar panels. It should be the responsibility of the company installing the panels to get the necessary permits and pay for the inspection. The majority of solar panel installers are providing a complete inspection, but some are not.

Council Member Duerr discussed issues regarding the structural integrity of roofs.

Vice Mayor Jardon called for public comment.

City Clerk Turney stated that online public comment was received from M. Engelmann and Catherine Schmidt, who did not wish to speak.

COUNCIL MEMBER MCKENZIE ABSENT AT 1:54 P.M.

Council Member Bobzien said that if the fire inspector believes this is an issue it should definitely be explored, but it seems there have been no complaints about this issue and a survey conducted by staff identified only six roofs with solar installed between July 1, 2015 and October 12, 2017 that were in poor condition. While I believe in protecting people from unreliable companies, I would need more information before embarking on this new staff project. Does anyone else in the State of Nevada do this? Does anyone else in the country do this?

COUNCIL MEMBER MCKENZIE PRESENT AT 1:57 P.M.

Mr. Holly said that staff looked at several western states including Washington, Idaho and southern California, and found no other jurisdictions that had any prerequisites prior to the application process

and the actual permitting process.

Council Member Brekhus questioned the prudence of asking staff to continue pursuing this initiative.

Mr. Holly discussed the possibility of developing and implementing an administrative policy that would inform homeowners of possible risks prior to installation and require a signed acknowledgement form prior to issuance of a permit. This would hopefully capture the 1.5% we are currently losing without having to implement a very restrictive ordinance.

Council Member McKenzie said that the homeowner should not be asked to find an inspector and pay for a roof inspection before solar panels are installed. I understand the concept of making the homeowner aware of potential problems, but ultimately if the contractor is not responsible in the permitting process we are not going to get coverage on it. That 1.5% will continue to get installation on a roof that is in poor condition. We need to make the bad actors come into compliance with the good actors through code, and only the bad actors will object.

James Pastula, 9753 Pachuca Drive, and Vice Mayor Jardon discussed the number of solar installers in the area.

Mr. Holly said that the solar installers he spoke with provide a thorough consultation with the homeowner regarding the condition of their roof, and do not install panels on a roof if they see there is a possibility of liability for them in the future. They said they have turned work down for that reason.

It was moved by Council Member McKenzie to move forward with the preparation of code or policy changes to address solar installation that requires a roof inspection when a building permit is submitted.

Motion failed for lack of a second.

Council Member Delgado and Mr. Holly discussed the process and cost of making the proposed ordinance changes.

Council Member McKenzie explained that not all solar installers employ qualified or licensed inspectors to evaluate the condition of a roof. There is evidently an issue when inspectors come and tell me they think solar panels should not be on certain roofs that they are inspecting. People who were inspecting those installations came to me with their concerns.

Council Member Bobzien said that he is open to further discussion about this issue, but wants to hear from fire inspectors before moving forward with the ordinance changes.

City Manager Newby said that staff would meet with the Fire Chief and inspectors and bring back the requested information in memorandum format. She said that if the memorandum was not sufficient, staff could also bring back an item on a future agenda.

RESULT: NO ACTION TAKEN

City Manager's Office

J.3 Staff Report (For Possible Action): Presentation, discussion and potential direction regarding the 2017 Greater Nevada Field Annual Report. 12:57 PM

Recommendation: Staff recommends Council accept the 2017 Aces Baseball Annual report and provide direction on additional information, if any, to be included in the 2018 Aces Baseball Annual Report.

Proposed Motion: I move to approve staff recommendation.

A RECESS WAS CALLED AT 12:13 P.M. AND UPON RECONVENING AT 12:56 P.M., MAYOR SCHIEVE WAS ABSENT. VICE MAYOR JARDON PRESIDED.

Eric Edelstein, President of the Reno Aces, presented the report.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 1:08 P.M.

The Council Members thanked Mr. Edelstein and Herb Simon for their dedication to the community.

RESULT: NO ACTION TAKEN

J.4 Staff Report (For Possible Action): Presentation, update and discussion regarding permanent recreational marijuana Reno Municipal Code changes and stakeholder discussions. 3:06 PM

Recommendation: Staff recommends the City Council provide direction on each of the key decision points and support the overall regulatory framework to assist staff in developing preferred direction for amendments to Title 5, Title 18, and other necessary RMC titles to implement permanent recreational marijuana code changes to the RMC.

Proposed Motion: I move to approve staff recommendation.

A RECESS WAS CALLED AT 2:40 P.M. AND UPON RECONVENING AT 3:06 P.M. COUNCIL MEMBER MCKENZIE AND MAYOR SCHIEVE WERE ABSENT.

Karl Hall, Reno City Attorney, provided an update on actions the City Attorney's Office is taking in response to Attorney General Jeff Session's recent decision regarding the 2013 Cole Memorandum.

COUNCIL MEMBER MCKENZIE PRESENT AT 3:09 P.M.

Scott Gilles, Legislative Relations Program Manager, provided an overview of the staff report and responded to questions from the Council Members.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 3:22 P.M.

Jeff Borchardt, Community Development Associate Planner, discussed the need to differentiate land use regulations associated with medical and recreational marijuana and responded to questions from the Council Members. Questions included the proposed prohibition of outdoor marijuana cultivation, the prudence of locating distribution centers closer to residential areas, reopening the ordinance at a future date to make any necessary amendments, and the distribution of new facilities.

Direction to staff included the possibility of a distribution system that makes it possible for people to purchase marijuana without having to travel significant distances from home, capping the number of new facilities to ensure that the demand is there, determining where Washoe County plans to put their facilities before deciding where to put Reno's facilities, setting time limitations on the hours of operation, and City licensing requirements for those who deliver marijuana to clients.

Vice Mayor Jardon called for public comment.

City Clerk Turney stated that online public comment in opposition was received from Marijke Bekken, who did not wish to speak.

Will Adler, 412 North Division Street, provided information regarding the hours of operation of various Washoe County dispensaries.

RESULT:

NO ACTION TAKEN

J.5 Staff Report (For Possible Action): Discussion and potential direction to staff to enter into a special counsel agreement to pursue City of Reno legal claims against the manufacturers and distributors of prescription opioids from the following pool: Baron & Budd PC, et al.; Blanchard, Krasner & French; Eglet Prince, et al.; Parsons Behle & Latimer, et al. 1:26 PM

Recommendation: Staff recommends Council review of the RFQ submissions and staff analysis and direct staff on how to proceed.

Proposed Motion: I move to accept the staff report and direct staff to enter into a special counsel agreement.

COUNCIL MEMBER BREKHUS ABSENT AT 1:26 P.M.

Council Member Duerr made the following disclosure:

"Madam Mayor, fellow Council Members, Madam Clerk, before we go any further on this agenda item, NRS 281A.420 requires me to disclose a conflict of interest. On this matter I have consulted the City Attorney's Office and have concluded that the independence of judgment of a reasonable person in my situation would be materially affected by my relationship with members of the Parsons Behle & Latimer law firm and this agenda item. I have an ongoing business and personal interest with the Parsons Behle & Latimer law firm which is before this Council on this agenda item. Because this is a clear case of a disqualifying conflict or interest, I am going to be abstaining from voting in this matter. Madam Clerk, please accept this disclosure and lodge it on the record for this meeting and subsequent meeting pertaining to this agenda item."

COUNCIL MEMBER DUERR ABSENT AT 1:28 P.M.

Scott Gilles, Legislative Relations Program Manager, presented the staff report.

COUNCIL MEMBER BREKHUS PRESENT AT 1:34 P.M.

Azzi Shirazi, azzishirazi@gmail.com, discussed her concerns about entering into the lawsuit.

The Council accepted the report and directed staff to enter into a special counsel agreement with Eglet Prince.

RESULT:	APPROVED [6 TO 0]
MOVER:	David Bobzien, Councilmember
SECONDER:	Paul McKenzie, Councilmember
AYES:	Schieve, Brekhus, Delgado, McKenzie, Jardon, Bobzien
ABSTAIN:	Naomi Duerr

J.6 Staff Report (For Possible Action): Discussion and potential reconsideration of the December 13, 2017 adoption of the comprehensive City of Reno Master Plan consistent with Nevada Revised Statutes (NRS) 278.150 to 278.240 and repeal of existing City of Reno Master Plan. [McKenzie] 5:28 PM

Recommendation: I move to reconsider the Council's adoption of the comprehensive City of Reno Master Plan at the December 13, 2017 Council Meeting.

Proposed Motion: I move to approve staff recommendation.

A RECESS WAS CALLED AT 5:29 P.M. AND UPON RECONVENING AT 5:40 P.M., COUNCIL MEMBER BOBZIEN AND MAYOR SCHIEVE WERE ABSENT. VICE MAYOR JARDON PRESIDED.

The Vice Mayor called for public comment.

Ken Krater, 901 Dartmouth Drive, representing Pat Morrissey, discussed Mr. Morrissey's property on Moya Boulevard (APN 090-030-28), saying that he never received notice from the City that the land use was being changed.

Pat Morrissey, 1025 Ridgeview #200, presented a public comment form, but did not wish to speak.

MAYOR SCHIEVE PRESENT VIA REMOTE AT 5:44 P.M.

Council Member McKenzie stated that he requested the reconsideration, and explained that the zoning issue came up after the reconsideration was requested. It is something on which we need some

additional discussion. The primary reason I requested reconsideration is that we have a portion of our Master Plan that calls out a partner for economic development (i.e. Economic Development Authority of Western Nevada or EDAWN). Shortly after we approved this Master Plan, it came to my attention that EDAWN was trying to create a coalition to redirect our transportation dollars within northern Nevada to subsidize a roadway to Storey County for the Tahoe Regional Industrial Center (TRIC). The goal was to get that accomplished within five years, and all we had to do is redirect our priorities. It struck me after our conversations about development in the North Valleys and the transportation issues there that EDAWN would be out trying to create a coalition to change our direction in addressing our infrastructure without coming to the elected officials to get some support for that initiative. EDAWN is supposed to be our partner, and we have them listed in our Master Plan as such. My reason for asking for a reconsideration is that if they do not want to be our partner they should not be in our Master Plan because that Master Plan attachment to them is what leads them to believe that we should continue to support them. If they are unwilling to support us, I do not think we should be supporting them. The issue of a Master Plan and zoning became an issue shortly after I had requested reconsideration and I specifically asked the question if we had Master Plan overlays that affected the underlying zoning when we were considering this, and maybe I misunderstood the answer, but the way I understood it is that the only place we had that was where we were putting the new Master Plan designation. The instance Mr. Krater addressed is a clear example of one area that is an old Master Plan (Industrial) over the top of an old zoning (Residential), and both of those still exist today. One way or another, to get use of their property they are going to have to go through a process for a Master Plan amendment or a zoning change, and is it appropriate for us to ask every person out there that we affected like this to have to go through the process and expend money to do that process for them to be able to use their property? I would like to have staff explain what our plans are for that process going forward. We do not know how many other properties are affected in this way and that to me is problematic for property owners in our community.

Council Member Brekhus said that we worked long and hard on this and we ended the year on a great success. It was unfortunate for me to see it come back on an issue. I was curious what it was. I do not dispute that perhaps we all need to be a little more informed, participatory in the economic development initiatives going on in this community. However, when you talk about the road issue, the transportation issue, and I watched the Regional Transportation Commission (RTC) Board meeting where this was discussed, I think your issue is an RTC issue and a transportation planning issue. It appeared that there were members on that RTC Board who knew what was going on and were participating in it. If our RTC representatives are not aware of what is going on, what your Executive Director is doing, then I think we have an issue there. Nature abhors a vacuum, and the City of Reno is in a vacuum of where they are on these projects. I watched the discussion about this road and it was *Deja vu* all over again. As the ball got rolling on the Southeast Connector, Reno was not fully on board and even amended its Master Plan to show that as a road right-of-way. In fact, Reno had pulled it out of their Master Plan. Let us take our Master Plan and implement it on our transportation values. Is it for mega projects that are going to open up other parts of the valley or get Spanish Springs people wherever they need to go next? We need to discuss Reno's needs. Reno's needs are very spotty. There are hot spots all over the Wards. That is how we achieve our infill goals. I do not see this as an EDAWN process or a Master Plan process; I see this as an RTC issue that needs to be taken care of over there.

Sienna Reid, Community Development Senior Planner, explained in detail the Master Plan process that occurred between September of 2016 through September of 2017, including the public process and meetings with property owners that occurred during that process. Ms. Reid specifically addressed the Moya Boulevard property and why it was designated Industrial. She outlined statute regarding noticing requirements and the notice by publication that was done, noting that sending notices to all of the property owners would have cost upwards of \$600,000. An extensive amount of outreach was conducted through the Imagine Reno process, and statute dictates that we have a full year to bring the

zoning map into conformance with the Master Plan. Changes will be brought forward in the future, probably in geographic blocks, and the Council can determine whether the zoning is appropriate. Ms. Reid said that there are approximately 85,000 parcels in the City of Reno, approximately 6% of which will need a zone change. She suggested that the City could commit to not charging for zone changes that are necessitated by the updated Master Plan.

Council Member McKenzie said that the Master Plan created burdens on property owners that were not there before, and he wanted to ensure that there was a process in place to address those issues moving forward.

Council Members Brekhus and Duerr and Ms. Reid discussed the plan for bringing back any conformance issues and necessary fixes.

Council Member McKenzie stated that he would like to see EDawn taken out of the Master Plan.

Vice Mayor Jardon said that for those that did watch the RTC meeting, she too was frustrated with the meetings about the TRIC road, the lack of involvement from the City of Reno representatives in those meetings, and most certainly with the representation presented in writing about what could happen and what the groups' intentions or beliefs were. Those were calmed for me after the RTC meeting because virtually every member, whether it was the Nevada Department of Transportation (NDOT) or the County Commissioner who happened to be in the meeting, came out and said on the record that they did not have the same understanding of what came out of that meeting. A number of representatives also said that they believe Mr. Mike Kazmierski's representation might have been ahead of his skis. I agree with that. The priority for our region is the Spaghetti Bowl, and that needs to remain a priority. That was very clear and NDOT affirmed that. If we want to discuss our concerns with EDawn, our involvement with them and our contribution to them, we should have that discussion separately. I know we have already committed to an amount for this fiscal year, but maybe at the next budget cycle or before the next budget cycle. We do not have to open our Master Plan to do that. We do, however, need to elevate the conversation with our economic development partner in a respectful but effective way.

Council Member Duerr noted that these are organizational relationships and it was one individual who made a mistake. They have to figure out a way to work it back and develop a better working relationship with us. I agree this is not a good thing, but I do not think it rises to the level of opening the Master Plan.

Council Member Delgado said that it is more of a staffing issue than an organizational issue, but we definitely need to have that conversation, perhaps during the fiscal process.

COUNCIL MEMBER BOBZIEN PRESENT AT 6:15 P.M.

Council Member McKenzie said that if this was a one-time incident it would not rise to this level, but this is something that we are continually dealing with. The director of EDawn started an initiative and is trying to become a policy maker. He surrounds himself with a group of people like the Governor's Office of Economic Development (GOED), and presents to the NDOT Board that this is where we need to put our priorities. I am frustrated with RTC as well because our Executive Director applied for a

federal grant to acquire ground for this roadway after receiving specific direction from the RTC Board not to pursue a road to TRIC without first getting Storey County's buy-in and bringing it back to us for consideration.

Council Member McKenzie said that he was willing to withdraw his request for reconsideration for this item, but we need to have a discussion about the individual at EDawn that is creating the issue.

RESULT: WITHDRAWN

K City Clerk

K.1 Citizen Appointments to Boards and Commissions

K.1.1 Staff Report (For Possible Action): Discussion and potential reappointment/appointment of up to four individuals to the Youth City Council from the following pool of applicants, listed in alphabetical order: Anonti Ali (Ward 2), Emily Keller (Washoe County), Aayan Patel (Washoe County) and/or Abigail Villa (reappointment - Ward 4). 2:20 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary reappointment/appointments as noted in the staff report.

Proposed Motion: I move to reappoint/appoint _____, _____, _____ and/or _____ to the Youth City Council.

Abigail Villa was reappointed and Anonti Ali, Emily Keller and Aayan Patel were appointed to the Youth City Council.

RESULT: APPROVED [UNANIMOUS]

MOVER: Oscar Delgado, Councilmember

SECONDER: Naomi Duerr, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

K.1.2 Staff Report (For Possible Action): Discussion and potential appointment of up to two individuals to the Financial Advisory Board from the following pool of applicants, listed in alphabetical order: Jonathan Burke, Stef Carmichael, Andrew Caudill and/or Jesse Hurley. 2:18 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary appointment(s) as noted in the staff report.

Proposed Motion: I move to appoint _____ and/or _____ to the Financial Advisory Board.

Jonathan Burke was appointed to the Financial Advisory Board.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jenny Brekhus, Councilmember

SECONDER: David Bobzien, Councilmember

AYES: Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

K.1.3 Staff Report (For Possible Action): Discussion and potential appointment of up to two individuals to the Civil Service Commission from the following pool of applicants, listed in alphabetical order: Nicholas Bajurin, Kenneth Dalton, Ricardo Duarte, Christopher Linton and/or Michael McKinnon. 2:27 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary appointments as noted in the staff report.

Proposed Motion: I move to appoint _____ and/or _____ to the Civil Service Commission.

RESULT:

NO ACTION TAKEN

K.1.4 Staff Report (For Possible Action): Discussion and potential reappointment/appointment of one individual to the Ward 1 Neighborhood Advisory Board from the following pool of applicants, listed in alphabetical order: Massimo Balestra (reappointment), Teri Bath, Carl Hull, Rebecca Pairis or Brandon Siri. 2:19 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary reappointment/appointment as noted in the staff report.

Proposed Motion: I move to reappoint/appoint _____ to the Ward 1 NAB.

Massimo Balestra was reappointed to the Ward 1 Neighborhood Advisory Board.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

Jenny Brekhus, Councilmember

SECONDER:

Naomi Duerr, Councilmember

AYES:

Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

K.1.5 Staff Report (For Possible Action): Discussion and potential reappointment/appointment of up to three individuals to the Ward 3 Neighborhood Advisory Board from the following pool of applicants, listed in alphabetical order: Clint Koble, Frank Nelson, and/or Sarah Sloan (reappointment). 2:21 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary reappointment/appointments as noted in the staff report.

Proposed Motion: I move to reappoint/appoint _____, _____, and/or _____ to the Ward 3 Neighborhood Advisory Board.

Sarah Sloan was reappointed and Frank Nelson was appointed to the Ward 3 Neighborhood Advisory Board.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

Oscar Delgado, Councilmember

SECONDER:

Naomi Duerr, Councilmember

AYES:

Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

K.1.6 Staff Report (For Possible Action): Discussion and potential reappointment of two individuals to the Ward 4 Neighborhood Advisory Board from the following pool of applicants, listed in alphabetical order: Thomas Hill and/or Irene Tudor. 2:21 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary reappointments as noted in the staff report.

Proposed Motion: I move to reappoint ____ and/or ____ to the Ward 4 Neighborhood Advisory Board.

Thomas Hill and Irene Tudor were reappointed to the Ward 4 Neighborhood Advisory Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul McKenzie, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

K.1.7 Staff Report (For Possible Action): Discussion and potential reappointment/appointment of up to two individuals to the Ward 5 Neighborhood Advisory Board from the following pool of applicants, listed in alphabetical order: Michael Graham, Fady Mehanna, Rosa Emilia Quevedo, Jennifer Richards, Elton "Mac" Rossi (reappointment), Parry Theriot and/or Katie Worrall. 2:21 PM

Recommendation: Staff recommends that the Mayor and Council make the necessary reappointment/appointments as noted in the staff report.

Proposed Motion: I move to reappoint/appoint ____ and/or ____ to the Ward 5 Neighborhood Advisory Board.

Elton "Mac" Rossi was reappointed to the Ward 4 Neighborhood Advisory Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

L Mayor and Council

L.1 City Council Comments, including announcements regarding City boards and commissions, activities of local charitable organizations and upcoming local and community events. (Non-Action Item) 2:22 PM

Council Member Bobzien discussed recent action taken at the Nevada League of Cities meeting to address the current administration's stance regarding marijuana.

L.2 **Resolution No. 8483:** Staff Report (For Possible Action): Resolution No. _____ Resolution donating Council Donation Funds to the Good Luck Macbeth Theatre Company to offset the costs associated with its upcoming change in location and upgrade of its production equipment in the amount of \$500. (General Fund) [Duerr] 2:24 PM

Recommendation: Staff recommends Council adopt Resolution No. _____ and approve the request to allocate a Council Donation to the Good Luck Macbeth Theatre Company in the amount of \$500.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 8483 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	David Bobzien, Councilmember
AYES:	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

L.3 Staff Report (For Possible Action): Approval of the reallocation of Council Donation Funds to the Public Works Department Street Fund to offset costs associated with the removal of horse guards in South Reno in the amount of \$5,000. (General Fund) [Duerr] 2:25 PM

Recommendation: Staff recommends approval of the reallocation.

Proposed Motion: I move to approve staff recommendation.

Council Member Duerr explained her proposed donation, noting that \$5,000 will cover only a small percentage of the cost of removing the horse guards.

Aric Jensen, Community Development Director, discussed the original installation of the horse guards, how they differ from cattle guards, and the decision that they are unnecessary and should be removed. The low bid is \$61,000, which is to be split with area residents.

Council Member Bobzien said that he will support the expenditure and we should keep track of this mapping effort, but it is the State Department of Agriculture's responsibility to deal with stray horses and their impact on neighborhoods. There is a limit on how much we should spend to address this problem.

Council Member McKenzie agreed that stray horses are not the City's responsibility and cautioned against using the City's limited resources to solve the problem. We dedicated staff time to this rather than ask the people who are responsible for doing the job to do it. He cautioned against assuming other people's responsibilities just because it is more convenient to do it ourselves.

Council Member Brekhus said that when you encroach, expand your region's development footprint, you own the problem. It is here now because of a lack of planning, and we have inherited the problem. Good planning includes wildlife habitat issues.

Vice Mayor Jardon suggested that this is where our involvement should end because it is not our fight.

Council Member Bobzien clarified that these are stray horses and not wildlife.

Mr. Jensen discussed weather, staffing and mobilization constraints that may cause delays with the project.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

Naomi Duerr, Councilmember

SECONDER:

David Bobzien, Councilmember

AYES:

Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

M Public Hearings - 6:00 PM (Items scheduled to be heard at a specific time will be heard no earlier than the stated time, but may be heard later.)

N Public Comment

NO ACTION WAS TAKEN ON THIS ITEM.

O Adjournment (For Possible Action)

THE MEETING WAS ADJOURNED AT 6:19 P.M.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

Paul McKenzie, Councilmember

SECONDER:

Neoma Jardon, Councilmember

AYES:

Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

ABSENT:

Hillary Schieve