

## STAFF REPORT

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**Date:** July 24, 2024

**To:** Mayor and City Council

**Through:** Jackie Bryant, Interim City Manager

**Subject:** Staff Report (For Possible Action): Presentation and discussion related to maintenance and operations impacts adjacent to railroads and potential direction to staff to introduce a new ordinance to the Reno Municipal Code (RMC) prohibiting encroaching within 100 feet of a railroad.

**From:** Travis Truhill, Maintenance and Operations Director

**Department:** Maintenance and Operations

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### **Summary:**

Over the years, areas along the railroads have had varied City of Reno maintenance responsibilities. The Reno Transportation Rail Access Corridor (ReTRAC) project assisted in addressing several environmental and maintenance concerns, but several exposed areas require regular maintenance, and corridor access is required to perform this maintenance. Establishing a Reno Municipal Code (RMC) ordinance prohibiting encroachments within 100 feet of the railroad will help ease maintenance access, reduce repair costs, reduce stormwater collection system interference, and ensure emergencies are addressed swiftly and without delays. Staff recommends Council provide direction and input to establish a new RMC ordinance.

### **Alignment with Strategic Plan:**

Public Safety

Infrastructure, Climate Change, and Environmental Sustainability

### **Previous Council Action:**

At the April 24, 2024, Council meeting, Council unanimously accepted the Directed Engagement, Enforcement, and Deployment Strategy (DEEDS) report and asked staff to bring forth tools to help address the railroad corridor.

### **Background:**

Reno is a major rail corridor linking west coast ports. The ReTRAC project, completed in 2006, was instrumental in addressing several environmental, maintenance, and pedestrian concerns. The ReTRAC project assisted in safeguarding the railroad within the downtown core; however, several

railroad areas remain accessible to the public and frequently present obstacles in addressing maintenance, repairs, and general access for City staff.

**Discussion:**

Establishing an RMC ordinance prohibiting encroaching within 100 feet of the railroad will ease maintenance access, reduce costs associated with repairs, and reduce stormwater conveyance blockages. Railroad corridors in Reno include areas owned by Union Pacific and the City of Reno. This ordinance would support the City-owned areas and the city's responsibilities in maintaining the corridor adjacent to the railroad. Maintenance responsibilities may include:

- Fencing;
- Sign production and installation;
- City-owned lighting;
- Roadway crossings;
- Access roads;
- Ventilation systems in the ReTRAC corridor;
- Vandalism repairs;
- Graffiti removal;
- Garbage cleanup; and,
- Maintenance of the City's stormwater drainage system.

Unobstructed access is needed to maintain, inspect, and remove debris in the storm drain system. This is especially critical in preparing for and during inclement weather. Frequently, encroachments disrupt these operations and hinder emergency efforts presenting challenges to this system. Similarly, emergency vehicles need unimpeded entry when addressing calls for service, and encroachments can cause delays and heighten damage and life safety concerns. In addition to fires, railroad emergencies could include spills, contamination, and derailments.

The increased frequency of encroaching and vandalism along the railroad's right-of-way has increased the required maintenance and deferrals of programmed work. The annual average cost for maintenance along the railroad corridor is \$60,600. In addition to the annual maintenance costs along the railroad corridor, several critical repairs were recently identified within the ReTRAC corridor, which were directly related to theft and vandalism. These repairs include the replacement of stolen Nitrogen Dioxide (NO<sub>2</sub>) sensors, the replacement of electrical wiring, and the replacement of damaged lighting. The estimated cost for these repairs is \$22,000.

In addition to ongoing maintenance issues, vandalism, and obstructed access, the City of Reno complies with Federal Railroad Administration regulations. These safety protocols require City staff to be granted permission from the Union Pacific Railroad Company to access railroad property other than designated pedestrian or roadway crossings. This protocol is in place because trains are active 24 hours per day, 7 days per week; do not always sound warning horns; and train

overhangs vary and can extend up to three feet on either side. Engaging in any actions that do not adhere to these guidelines is considered trespassing per the Federal Railroad Administration. Authorized and pre-coordinated access to railroad corridors is a preventative measure to mitigate significant life safety threats.

As part of the ordinance process, this staff report provides information for Council to consider when deliberating during the meeting. Should staff receive Council direction to proceed, the subsequent steps involve an ordinance introduction, followed by an ordinance adoption.

**Financial Implications:**

There are no financial implications associated with this item.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Staff recommends Council approval to proceed with an ordinance introduction.

**Proposed Motion:**

I move to direct staff to introduce an ordinance related to encroachments within 100 feet of a railroad.

**Attachments:**