



## MINUTES

### Regular Meeting

### Reno City Council

**Wednesday, November 15, 2023 • 10:00 AM**

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

**Hillary Schieve, Mayor**

#### Council Members:

**Ward 1 - Jenny Brekhus      Ward 4 - Meghan Ebert**  
**Ward 2 - Naomi Duerr      Ward 5 - Kathleen Taylor**  
**Ward 3 - Miguel Martinez      At Large - Devon Reese**

#### **A      Introductory Items**

Meeting called to order at 10:21 AM.

##### **A.1      Pledge of Allegiance**

##### **A.2      Roll Call**

#### **Members Present**

Mayor Hillary Schieve, Councilmember Devon Reese, Councilmember Naomi Duerr, Councilmember Jenny Brekhus, Councilmember Kathleen Taylor, Councilmember Miguel Martinez, Councilmember Meghan Ebert

COUNCIL MEMBER EBERT ABSENT

##### **A.3      Public Comment**

#### **Live Public Comment:**

Beth Macmillan  
Terry Brooks  
Diane McCormack  
Paul Lenart

MAYOR SCHIEVE ABSENT AT 10:36 AM

Omar Nemoga Tovar  
Louis Magriel  
Phoenix Caller

COUNCIL MEMBER MARTINEZ ABSENT AT 10:50 AM

Art Rangel

MAYOR SCHIEVE PRESENT AT 10:52 AM

COUNCIL MEMBER MARTINEZ PRESENT AT 10:53 AM

Holly Brown

COUNCIL MEMBER BREKHUS ABSENT AT 10:54 AM

COUNCIL MEMBER BREKHUS PRESENT AT 10:57 AM

Damien Cole

COUNCIL MEMBER TAYLOR ABSENT AT 10:59 AM

Bill Sims

COUNCIL MEMBER TAYLOR PRESENT AT 11:02 AM

Katie Worrall (not present when called to speak)

For the record we received 3 comments which were general in nature or not directly associated with an agenda item prior to 4:00 p.m. on November 15, 2023. These comments were voicemail and/or written correspondence received via our Reno.gov online public comment form or by email to our office. Copies of these comments have been distributed to the Reno City Council and are available to the public on the Reno.gov meeting portal.

0 in favor, 0 in opposition, 3 concerned from the following individual(s):

Emilia

Anonymous

Anonymous

#### **A.4 Approval of the Agenda (For Possible Action) – 15 November 2023**

It was moved by Devon Reese, seconded by Naomi Duerr, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

#### **A.5 Approval of the Minutes**

**A.5.1 Reno City Council - Regular - 25 October 2023 10:00 AM (For Possible Action)**

It was moved by Devon Reese, seconded by Kathleen Taylor, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Kathleen Taylor, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

**B Consent Agenda (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually.)**

- B.1 *SUPPLEMENTAL SUPPORTING MATERIALS* - Staff Report (For Possible Action):** Approval of Consulting Agreement for Professional Engineering Services with Stantec Consulting Services Inc. for Sanitary Sewer Collection System Modeling and Support Services 2024 – 2025 in an amount not to exceed \$678,554. (Sewer Fund)

It was moved by Devon Reese, seconded by Naomi Duerr, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

- B.2 *SUPPLEMENTAL SUPPORTING MATERIALS* - Staff Report (For Possible Action):** Approval of (1) Pipeline Crossing Agreement between Union Pacific Railroad Company, UVRP, LLC and City of Reno and (2) Indemnity Agreement between UVRP, LLC and City of Reno for the installation and maintenance of a drainage pipe. The existing drainage pipeline crossing is located west of the intersection of Comstock Drive and the Union Pacific Railroad crossing. [Ward 4]

It was moved by Devon Reese, seconded by Naomi Duerr, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

- 
- B.3**    ***SUPPLEMENTAL SUPPORTING MATERIALS*** - Staff Report (For Possible Action): Approval of (1) Reimbursement Agreement with UVRP, LLC, for \$555,003, and (2) At Grade Crossing Agreement with Union Pacific Railroad for improvements to the existing crossing at Comstock Drive. [Ward 4]

It was moved by Devon Reese, seconded by Naomi Duerr, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

- B.4**    Staff Report (For Possible Action): Approval to purchase four prefabricated restroom buildings from Public Restroom Company for Idlewild Park Kiddieland, Idlewild Park Snowflake Shelter, Huffaker Park, and Manzanita Park using the Sourcewell Contract #081721-PRM in an amount not to exceed \$808,280. (Community Project Funding Initiative) [Ward 1, 2]

It was moved by Devon Reese, seconded by Naomi Duerr, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

No Consent Agenda items were pulled for discussion.

- C**        **Public Hearings - 10:00 AM (Items scheduled to be heard at a specific time will be heard no earlier than the stated time, but may be heard later.)**

- D**        **Department Items**

**Development Services**

- D.1**    ***SUPPLEMENTAL SUPPORTING MATERIALS*** - Staff Report (For Possible Action): Approval of Grant of Easement for Water Facilities and Access Road and Grant of Temporary Access and Construction License to Truckee Meadows Water Authority for water facilities over City owned parcels including Assessor Parcel Numbers (APNs) 204-600-04 and 208-471-24, located north of Avenida De Landa and west of

Mahogany Ridge Drive. [Ward 5]

It was moved by Kathleen Taylor, seconded by Devon Reese, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Kathleen Taylor, Councilmember
<b>SECONDER:</b>	Devon Reese, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

This item was heard after Agenda Item D.4.

The motion was made with no staff presentation given.

**D.2 *SUPPLEMENTAL SUPPORTING MATERIALS* -** Presentation of the status report regarding the Neon Line District Development Agreement. [Ward 5, 1]

City Manager Doug Thornley explained for Mayor Schieve the reason for this presentation. There is a development agreement in place and we are statutorily required to examine this development progress every two years.

MEETING IN RECESS AT 11:35 AM DUE TO TECHNICAL ISSUES  
MEETING COMMENCED AT 12:27 PM WITH COUNCIL MEMBER  
EBERT ABSENT

Garrett Gordon, Jacobs Engineering, gave the presentation and answered questions from Council regarding development plans, terms of the development agreement, and actions they have taken to address concerns expressed by the public.

Council Member Brekhus asked staff if the condition on the workforce housing to come in one year is embedded in the development agreement.

City Manager Thornley explained that the requirement that they show up within a year to review the progress on the project is embedded in the agreement. The affordable aspect of it is a commitment made by the developer and is not included in the agreement.

Council Member Brekhus stated under statute they are supposed to come in two years and she asked if they will come back next year also then.

City Manger Thornley stated the statute requires a review, it does not require necessarily an in person presentation. The form that typically takes is a

prepared statement that goes through compliance.

Council Member Brekhus stated she has a question because the exhibits were not attached when Council did the approval and that was part of her objections to the agreement at the time. She referenced the 2.3 million dollars they put into pedestrian amenities listed in Exhibit E and noted the bulk of those go back to the years of 2018, 2019 and 2020. She asked why he is getting credits for things that occurred before the packaging of the development agreement.

City Manager Thornley stated that is the structure of the agreement. They made those investments and wanted to preserve them so to make sure they got credit for it they were memorialized and valued out in Exhibit E of the agreement.

Council Member Brekhus stated the reference in the exhibit says it is subject to the RMC and the RMC does not say you can front load these things. She stated she has a strenuous objection to how that is being administered.

City Manager Thornley stated the rationale for crediting back those types of investments is that you end up with a more comprehensive and a more significant investment in those pedestrian amenities rather than piecemealing them.

Council Member Brekhus stated she disagrees because in a way those are not even attached to anything. They are sitting out there in front of some vacant land.

Council Member Duerr stated that Mr. Gordon said the start of the agreement was when it was recorded and her understand was we were giving a five year extension to the termination of the sewer credits that were normally to take place. If it didn't begin until a year and a half later there would have been a gap. She would like to get that clarified so it isn't confusing later.

Mayor Schieve asked City Manager Thornley if she was correct in stating that he owns those credits.

City Manager Thornley stated that to the extent that anyone can own a sewer credit, yes.

Mayor Schieve stated people tend to think those are city credits but they are his credits and she wants people to understand that it is not a subsidy.

Council Member Brekhus stated she will make a comment on the presentation slide that says there wasn't any city money given to Jacobs. There were tremendous special privileges and rights that are not granted to others. Usually a public policy, Urban Development, if you are going to grant special privileges and rights, buying a city parking lot without going for bid, extension of sewer credits, some of these other things like the pedestrian amenities, you're going to

get something in return not a promise for something and that is where we seem to have found ourselves. I didn't support it and I don't support it now. I want to get into more of the meat of the details because a lot of the details were not hashed out when we had the approval. I think the tracking at this point one year post is very inadequate and I am going to make an objection on that. Residential construction tax on page 9 of 21 on the agreement, "The City and Master Developer agree that the residential construction tax that is collected for the construction of any residential unit on the Property should be expended for the establishment or expansion of neighborhood parks, improvements, and facilities within the District. Within the first five years following the Effective Date of this Development Agreement, the Master Developer may propose expenditures and improvements for Residential Construction Tax to be located on Property to be provided by the Master Developer or alternative property owner." I think a running tally of every residential construction tax collected upstairs in our permit office should show whether or not the developer exercised their right in these first five years of wanting to build a park on their own property. And then if they do, how that's going to be a park because parks are open to all. She asked City Manager Thornley how much residential construction tax has been collected, and if he has asked to put any of those on his private property.

City Manager Thornley stated they have not asked to put any sort of residential construction tax (RCT) investment onto their private property or as the agreement says property provided to the city for the purposes of establishing a park. He does not know how much RCT has been applied to date. That comes in with the permitting and is usually done on a per unit basis.

Council Member Brekhus stated Mr. Gordon said they may want to acquire the Bonanza at a bid auction. They did acquire the Desert Rose. Those are demolished. Do those get a load into the sewer credits?

City Manager Thornley stated he would have to look at the specific nature of the provisions related to the sewer credits. He suspects, if there is not a provision that talks about the automatic add of properties acquired at the Jacobs organization in the agreement, there would have to be an amendment.

Council Member Reese stated many of the comments made by Council Member Brekhus are suggestive of a willful disregard for reality. We as a city sit as a Redevelopment Agency. We are a body tasked with figuring out the direction of the city. We now have a developer who has come to the city over the course of the last eight or nine years and has acquired an enormous amount of property. That property was not acquired through any assistant of the City of Reno. We did not participate in any of the land sale transactions. I don't want us to continue to relitigate the past. What was there is not there anymore. My interest is really in what will be there in the future. We are talking about an area of Reno that had a tremendous amount of blight and issues we inherited. This Council has the obligation to engage thoughtfully and proactively in how that area will be developed. The narrative that we have somehow given away special privileges is not true. When people come and ask us for redevelopment,

we have tools in the toolbox that we are able to contribute to that redevelopment. Disregarding reality is not really where this body wants to be.

Council Member Brekhus stated the most problematic to her is there was never any discussion to allow that investment in 2018, 2019, and 2020 to be backed in for these pedestrian amenities. That is a retroactive application that I think is against the statute.

Council Member Taylor stated she is grateful for what she sees happening downtown. She is not privy to what happened before with the senior members on Council but she is excited about what is coming online and is excited to be part of living downtown and seeing these things.

Council Member Duerr stated this was a great presentation opportunity and she is sorry for the technical difficulties. We have the powerpoint presentation but It would be good to document the record with a written report. She requested a legal assessment on whether the previous sewer credits ended and new ones began or if they run together. That would be good to document.

Mayor Schieve stated she wants to push back on the special treatment and sensationalized rhetoric that goes along around this whole thing especially on the Ward 1 side. She reminded everyone that whether it was the parking lot or other stipulations that were coming before Council, they came before this Council and were noticed and transparent. The public can come to the City of Reno with any proposals. We work really well with our community, you can come forward and work with the City of Reno. We have an open door. The rhetoric is popular and is very anti Jacobs. Where was the outcry from the public when all those people were being taken advantage of. There were horrific conditions for 30 years. It was not okay to let people live in those conditions. Where is the outcry for the people that took advantage of those people that charged 300 dollars a week. That is 1,200 dollars a month. That is not affordable housing. It was not okay to let people live like that.

## **Parks and Recreation**

- D.3 Approval of Interlocal Agreement with Truckee Meadows Water Authority (TMWA), for the use of a portion of City Plaza, located at 10 North Virginia Street, for the purpose of promoting public health and safety, and improving water quality in the Truckee River by providing a sanitary restroom facility. [Ward 5]

Nathan Ulliyot, City of Reno Director of Parks and Recreation, gave a presentation and answered questions from Council regarding the maintenance of the facility.



MAYOR SCHIEVE ABSENT AT 1:20 PM

Iris Jehle-Peppard, One Truckee River, answered questions from Council and clarified information regarding maintenance and when the facility will be installed.

MAYOR SCHIEVE PRESENT AT 1:22 PM

It was moved by Kathleen Taylor, seconded by Devon Reese, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Kathleen Taylor, Councilmember
<b>SECONDER:</b>	Devon Reese, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

### City Manager's Office

- D.4 ***SUPPLEMENTAL SUPPORTING MATERIALS -*** Northern Nevada Public Health presentation on its name change that occurred on August 31, 2023.

This item was heard immediately following Agenda Item B Consent Agenda.

Kevin Dick, District Health Officer for Northern Nevada Public Health (NNPH), gave the presentation.

- D.5 ***SUPPLEMENTAL SUPPORTING MATERIALS -*** Staff Report (For Possible Action): Presentation, discussion and potential direction to staff regarding the disposition of property located at 1510 West Fourth Street (APN 010-610-12), Reno, Nevada in response to a Letter of Interest by Truckee River LLC. [Ward 1, At-large]

The Redevelopment Agency Board Meeting was opened at this time.

Redevelopment Agency Board Meeting Agenda Item C.1 was opened and heard with this item.

COUNCIL MEMBER BREKHUS ABSENT AT 1:25 PM

COUNCIL MEMBER BREKHUS PRESENT AT 1:28 PM

Bryan McCardle, City of Reno Revitalization Manager, gave a presentation and

answered questions from Council.

One letter of support was received for Agenda Items D.5 and D.6.

It was moved by Devon Reese, seconded by Hillary Schieve, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Hillary Schieve, Mayor
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

- D.6 ***SUPPLEMENTAL SUPPORTING MATERIALS -*** Staff Report (For Possible Action): Presentation, discussion and potential direction to staff regarding the disposition of property located at 1220 and 1250 West Fourth Street (APN 010-610-18), Reno, Nevada in response to a Letter of Interest by Flyers Energy, LLC. [Ward 1]

It was moved by Devon Reese, seconded by Kathleen Taylor, to approve.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Kathleen Taylor, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

Redevelopment Agency Board Meeting Agenda Item C.2 was opened and heard with this item.

There were no questions and no presentation given for this item.

**E Ordinances - Introduction (Other Ordinance, Introduction items may be found under the following agenda sections: Public Hearings, and/or Standard Department Items.)**

- E.1 ***SUPPLEMENTAL SUPPORTING MATERIALS -*** Staff Report (For Possible Action): Ordinance Introduction Bill No. \_\_\_\_\_ Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits and Franchises," by repealing Chapter 5.15 entitled "Sidewalk Vendors," and to amend Title 4 entitled "Business License Code," by creating Chapter 4.08 entitled "Sidewalk Vendors," together with matters which pertain to or are necessarily connected therewith.

Lance Ferrato, City of Reno Director of Business Licensing, gave a presentation and answered questions from Council regarding the ordinance.

COUNCIL MEMBER TAYLOR ABSENT AT 1:52 PM  
COUNCIL MEMBER TAYLOR PRESENT AT 1:56 PM

Council Member Brekhus stated that staff has been diligent on this but she expressed concern that it is, in her view, an example of Southern Nevada having an issue they want to fix and it doesn't work for Reno. She does not understand how the vendors are getting redlined out of downtown where there is the greatest density of foot traffic. It is misaligned and she is not supporting it.

Mayor Schieve stated that is State law and has nothing to do with City Council.

Mr. Ferrato confirmed for Mayor Schieve it is a requirement in State law.

Council Member Duerr stated she brought up the same issue and previously asked why they didn't do one for Southern Nevada and a different one for smaller towns. She was told there is a working group and they are going to potentially bring this back if there are changes that are desired. We should be directing our representative down there to talk about changing the distance requirements.

There was discussion regarding the potential to use special event permits to allow sidewalk vendors.

Bill No. 7251, Ordinance to amend Title 5 of the Reno Municipal Code, was referred for a second reading and adoption.

Bill No. 7252, Ordinance to amend Title 4 of the Reno Municipal Code, was referred for a second reading and adoption.

It was moved by Devon Reese, seconded by Kathleen Taylor, to approve.

<b>RESULT:</b>	<b>Pass [5 TO 1]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Kathleen Taylor, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Taylor, Martinez
<b>NAYS:</b>	Jenny Brekhus
<b>ABSENT:</b>	Meghan Ebert

It was moved by Hillary Schieve, seconded by Devon Reese, to approve.

<b>RESULT:</b>	<b>Pass [5 TO 1]</b>
<b>MOVER:</b>	Hillary Schieve, Mayor
<b>SECONDER:</b>	Devon Reese, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Taylor, Martinez

<b>NAYS:</b>	Jenny Brekhus
<b>ABSENT:</b>	Meghan Ebert

## **F Ordinances - Adoption**

## **G City Clerk**

- G.1 Staff Report (For Possible Action): Discussion and potential appointment of up to three individuals to the Reno Arts and Culture Commission from the following pool of applicants, listed in alphabetical order: Kristin Hough, Matthew Kaempfe, Megan Miller, Kendall Nolan, Sierra Scott and/or Iain Watson.

It was moved by Jenny Brekhus, seconded by Devon Reese, to appoint Megan Miller, Sierra Scott, and Iain Watson to the Reno Arts and Culture Commission.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Jenny Brekhus, Councilmember
<b>SECONDER:</b>	Devon Reese, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

- G.2 Staff Report (For Possible Action): Discussion and potential appointment of up to three individuals to the Recreation and Parks Commission from the following pool of applicants, listed in alphabetical order: Ian Anderson, Mike Escobar, Cheryl Guinan, Matthew Kaempfe, Michelle Krieg, Marie Krueger, Julius Lorentzen, Gabriel Maya, James Milligan, Gitte Russo, Christopher Tabarez and/or Tara Webster.

It was moved by Miguel Martinez, seconded by Devon Reese, to appoint Ian Anderson, Marie Krueger, and Tara Webster to the Recreation and Parks Commission.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Miguel Martinez, Councilmember
<b>SECONDER:</b>	Devon Reese, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

## **H Mayor and Council**

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

Council Member Taylor reported on positive feedback she has received regarding the Fire Department response to a fire at the Ballpark Apartments.

**I      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.)**

**J      Public Comment (This item is for either public comment on any action item or for any general public comment.)**

For the record we received one letter of opposition after 4:00 p.m. on November 14, 2023. Copies have been distributed to the Reno City Council and are available to the public on the Reno.gov meeting portal.

**K      Adjournment (For Possible Action)**

It was moved by Devon Reese, seconded by Kathleen Taylor, to adjourn.

<b>RESULT:</b>	<b>Pass [6 TO 0]</b>
<b>MOVER:</b>	Devon Reese, Councilmember
<b>SECONDER:</b>	Kathleen Taylor, Councilmember
<b>AYES:</b>	Schieve, Reese, Duerr, Brekhus, Taylor, Martinez
<b>NAYS:</b>	
<b>ABSENT:</b>	Meghan Ebert

Meeting adjourned at 1:36 PM.