



**MINUTES**  
**Regular Meeting**  
**Reno City Council**

**Wednesday, October 11, 2017 • 9:00 AM**

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

**Hillary Schieve, Mayor**

**Council Members:**

<b>Ward 1 – Jenny Brekhus</b>	<b>Ward 4 – Paul McKenzie</b>
<b>Ward 2 – Naomi Duerr</b>	<b>Ward 5 – Neoma Jardon</b>
<b>Ward 3 – Oscar Delgado</b>	<b>At-Large – David Bobzien</b>

**A Introductory Items**

- A.1 Pledge of Allegiance**
- A.2 Observance of a Moment of Silence**
- A.3 Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Hillary Schieve	Mayor	Absent	11:16 AM
Jenny Brekhus	Councilmember	Present	
Naomi Duerr	Councilmember	Present	
Oscar Delgado	Councilmember	Present	
Paul McKenzie	Councilmember	Present	
Neoma Jardon	Councilmember	Present	
David Bobzien	Councilmember	Absent	9:04 AM
Sabra Newby	City Manager	Present	

*The meeting was called to order at 9:01 AM.*

**A.4 Public Comment**

Daniel R. Viveiros, 10740 Cordero Drive, provided an update on the Senior Auxiliary Volunteer Effort (SAVE) officers' activities.

Dominic Martinelli, P.O. Box 1286, Minden, discussed free speech issues.

An anonymous speaker discussed concerns about the retention and destruction of child abuse records.

Steven White, Silver Springs resident, discussed artists' rights and free speech issues.

David Tscheekar, 3100 Mill Street #114, discussed artists' rights issues.

Tammy Holt-Still, 11493 Tupelo Street, discussed flooding in the North Valleys.

William Fisher, 590 Lake Street #1007, discussed the Holiday Outreach Thanksgiving dinner to be held on November 20, 2017.

Tracy Hall, shayleensnana@gmail.com, discussed flooding in Lemmon Valley.

Juan Martinez and Dora Uzhel, no address provided, discussed support for affordable public housing.

Chad Sweet, 501 Thoma Street, discussed support for the upcoming Reno Mural Expo.

Eric Brooks, 415 Wilkerson Street, discussed the Reno Mural Expo.

Heidi Adkins, 31 Mary Street, discussed the Reno Mural Expo.

Cavour Claypool, 800 Quincy Street, submitted a Public Comment Form in opposition to the conveyance of the property at 1035 East Eighth Street to the Reno Housing Authority.

Lieutenant General Richard Zilmer and Vice Admiral Lee Gunn, discussed clean energy and national security issues.

Gerry Mifsud discussed issues related to homelessness.

Sam Dehne presented his views on several subjects.

**A.5 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.6 Approval of the Agenda (For Possible Action) - October 11, 2017.**

THE AGENDA WAS APPROVED WITH ITEMS B.3 AND J.1 WITHDRAWN.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Delgado, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve

**A.7 Approval of Minutes (For Possible Action)**

A.7.1 Reno City Council - Regular - Sep 13, 2017 12:00 PM (For Possible Action)

Council Member Brekhus requested that the motion on Item B.9 be amended to more accurately reflect her motion to accept the grant award with the understanding that the scope is a little broader than it is defined, as the party cars are to go city-wide.

The minutes of the September 13, 2017, regular meeting were continued to the next regular meeting agenda.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Jenny Brekhus, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve

## **B Consent Agenda**

ITEMS B.1 THROUGH B.10 WERE APPROVED WITH ITEMS B.1.A.1, B.1.B.1, B.2, B.5 AND B.7 PULLED FOR DISCUSSION.

### **B.1 Approval of Privileged Business Licenses**

#### **B.1.a New - Alcohol**

1. Plaza Resort Club, LLC, Max Haynes, 121 West Street - Bar and Packaged Beer and Wine (For Possible Action) [**Ward 5**]

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Brekhus discussed the cap on package liquor licenses with lodging facilities in the downtown area and noted that we are not below the cap.

Michael Chaump, Business Relations Manager, explained that in 2008 when RMC 5.07.125 was adopted there was a call out in the staff report that the maximum number of package alcohol sale licenses allowed within the redevelopment district did not include package beer and wine sales. Staff has moved forward with allowing package beer and wine sales as long as they meet the land use requirements.

Council Member Brekhus discussed the need to advance our downtown vision and expressed concern regarding the use of a past staff report that states beer and wine sales are except from the alcohol license cap. The ordinance should specify that alcohol in this case is defined as not beer and wine. She suggested moving this item to a future meeting so there can be more analysis on this issue and feedback from legal counsel.

Vice Mayor Jardon asked to hear from the applicant.

John Wolf, Plaza Resort Club, discussed their plans for the liquor license.

Vice Mayor Jardon requested input from City Manager Newby on the continuation of this item to get more clarity.

City Manager Newby stated that the item can be moved to the October 25, 2017, meeting if needed.

Julie Towler, Deputy City Attorney, agreed with Mr. Chaump's assessment and stated that the referenced staff report does specify the distinction that beer and wine sales are not included in the cap.

Council Member McKenzie expressed concern regarding the use of a staff report for an exception to an ordinance that is not clarified in that ordinance. The ordinance should stand by itself and we should not go back to a staff report from ten years ago to say what was intended by the ordinance.

Vice Mayor Jardon asked if the City Attorney would be able to provide any further clarification than what has already been stated if this item is continued.

Ms. Towler stated that staff could further examine the legal issue but they would probably still be citing the referenced staff report.

Council Member Bobzien noted that other businesses have benefited from the standing interpretation heard by staff and stated that he would be uncomfortable putting a hurdle in front of another business that is looking to move forward.

Assistant City Manager Bill Thomas stated that it would be of value to bring back a conversation to this Council so we can better understand the policy direction on how to handle downtown alcohol licenses.

City Manager Newby supported a future discussion on the issue but stated there is a business right now that is looking to open.

Council Member McKenzie did not want to hold up this license request but agreed that a future discussion on the issue is needed.

A motion was made by Vice Mayor Jardon, seconded by Council Member McKenzie, to approve Item B.1.a.1.

Council Member Brekhus stated that she does not think the analysis provided by staff is accurate. That staff report language pertained to the exemption that was being written and should not be relied upon for legislative history. She mentioned issues that came up during the Downtown

Action Plan process and the economic boost that package liquor stores give to motels that are not doing well.

The motion carried with Council Member Brekhus voting nay and Mayor Schieve absent.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Neoma Jardon, Councilmember
<b>SECONDER:</b>	Paul McKenzie, Councilmember
<b>AYES:</b>	Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>NAYS:</b>	Jenny Brekhus
<b>ABSENT:</b>	Hillary Schieve

**Motion: Second Motion**

Later in the meeting (6:04 p.m.) a motion was made by Council Member Brekhus, seconded by Council Member Duerr, to reconsider the motion to approve Item B.1.a.1. The motion to reconsider carried with Council Members Bobzien and Jardon absent.

Deputy City Attorney Jonathan Shipman discussed the two types of alcohol licenses and clarified that beer and wine licenses are excluded from the alcoholic beverage license cap.

It was moved by Council Member McKenzie, seconded by Council Member Duerr to approve Item B.1.a.1.

Motion carried with Council Members Bobzien and Jardon absent.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul McKenzie, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie
<b>ABSENT:</b>	Neoma Jardon, David Bobzien

2. Escape Lounge, Michael Boland, 2001 East Plumb Lane - Bar (For Possible Action) [**Ward 3**]

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

3. Mendoza's Bar and Grill, Juan Mendoza, 551 East Moana Lane - Dining Wine and Beer (For Possible Action) [**Ward 2**]

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

4. Maverik, Inc. #564, Danielle Mattiussi, 480 South Meadows Parkway - Packaged Liquor (For Possible Action) **[Ward 2]**

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

5. Piezzetta, Christopher M. Ilardo, 500 North Sierra Street - Dining Wine and Beer (For Possible Action) **[Ward 5]**

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

#### **B.1.b New - Cabaret**

1. The Library, West Alen Muller, 134 West Second Street - Cabaret (For Possible Action) **[Ward 5]**

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Brekhus discussed a conflict in the staff report. The description of the business is that it is a bar, but the conditions of approval characterize this bar as having nightclub activities. A nightclub is a different use than a bar.

Michael Chaump said it was his understanding that the nightclub activity is incidental to the bar use, and the nightclub activities they do have were grandfathered in from the previous license.

Claudia Hanson, Community Development Planning Manager, discussed the loose definition of a nightclub that is used by the public based on the frequency of live entertainment. If there is bar activity and they have a couple of musicians a couple of times a month, we do not view that as a principle use. That is, however, not specified in Code.

Ms. Hanson confirmed for Council Member Brekhus that a Special Use Permit (SUP) is required for a nightclub in this zoning district.

Council Member Brekhus discussed the hours of operation and asked how they can have

nightclub activities if it is not a nightclub.

Ms. Hanson agreed that it is not worded correctly in the staff report. She stated there should not be any nightclub activities without an SUP.

Council Member Brekhus discussed the need to be focused on potential conflicts as we start getting more activity in downtown Reno, particularly with the residential component. Since there is ambiguity in the conditions of approval, she recommended continuing this item for two weeks.

Council Member Duerr expressed concern regarding having staff determine what constitutes a nightclub or a cabaret use based on the frequency of music performances at the facility.

Ms. Hanson agreed to clarify with staff that a certain number of live music performances in a month is not an official way to distinguish whether a cabaret permit or nightclub classification is required.

Council Member Duerr discussed the importance of clarifying these points of uncertainty in Code.

Vice Mayor Jardon stated that she would be willing to continue this item.

Ms. Hanson confirmed that she would like to see clarification that there would be no nightclub activities allowed without an SUP.

It was moved by Vice Mayor Jardon, seconded by Council Member Bobzien, to continue this item.

Council Member Brekhus stated that allowing the business to operate to 3:00 a.m. might be a little too late for this area.

Motion carried with Mayor Schieve absent.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neoma Jardon, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve

**Motion:** Section Motion

The applicant, West Muller, discussed how the business is operated and stated that he does not want it to be a nightclub. He requested that this item not be continued for two weeks.

It was moved by Vice Mayor Jardon, seconded by Council Member Bobzien, to reconsider the earlier motion to continue this item.

Motion carried with Mayor Schieve absent.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neoma Jardon, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve

**Motion:** Third Motion

Vice Mayor Jardon asked if this request can be approved today if the nightclub activities are removed from the conditions of approval.

Council Member Duerr suggested moving this item to later in this meeting to allow staff time to meet with the applicant and write revised conditions.

Council Member McKenzie reiterated the need to consider whether the hours of operation should go through 3:00 a.m...

THIS ITEM WAS CONTINUED TO LATER IN THE MEETING.

At 12:24 p.m., Item B.1.b.1 was heard again. Upon further discussion with the applicant, staff presented the following restrictions on the hours of operation that would satisfy the desired business operations without triggering the requirement for an SUP. Any expansion of the entertainment component would trigger the need for approval of an SUP. Special occasions (crawls and holidays): Sunday through Thursday - 12:00 Midnight; Friday & Saturday - 2:00 a.m. Comedy: Sundays - end by 11:00 p.m.

It was moved by Vice Mayor Jardon, seconded to Council Member McKenzie, to approve the license as amended to include the wording presented by staff regarding the hours of operation.

Motion carried.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neoma Jardon, Councilmember
<b>SECONDER:</b>	Paul McKenzie, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

### **B.1.c Change of Ownership - Alcohol**

1. La Famiglia Ristorante Italiano, Nicki L. Shea, 170 South Virginia Street, Suite 101 - Dining Room Alcohol (For Possible Action) [**Ward 3**]



<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

#### **B.1.d Supplemental - Alcohol**

1. The Drive In, Nicole B. Antone, 205 South Sierra Street, Suite 201 - Existing Dining Wine and Beer changing to Dining Room Alcohol (For Possible Action) [**Ward 5**]

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

- B.2 Staff Report (For Possible Action): Approval of Investment Advisory Services Agreement with Government Portfolio Advisors, LLC for Investment Advisory services for an estimated annual amount of \$64,000. (General Fund) 10:49 AM

**Recommendation:** Staff recommends approval of the Advisory Services Agreement with Government Portfolio Advisors, LLC and authorization for the City Manager to sign the agreement.

**Proposed Motion:** I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

COUNCIL MEMBER MCKENZIE ABSENT AT 10:50 A.M.

Council Member Brekhus discussed concerns regarding a professional service contract that goes on forever and that a governing body does not get to see, particularly one so critical in advising our staff on how to invest our money. She suggested an amendment to the contract for a ten-year time frame.

Jill Olsen, Interim Finance Director, confirmed that the vendor is in agreement with a ten-year contract.

The Council upheld the staff recommendation with a modification to include a ten-year term.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jenny Brekhus, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

- B.3 Staff Report (For Possible Action): Approval of Waiver and Release Agreement between the City of Reno, Washoe County and High Sierra Industries-Washoe Ability Resource Center, which will terminate the Interlocal Agreement for purchase of real property located at Ninth and Sutro Streets dated December 22, 1980.

**Recommendation:** Staff recommends Council approval of Waiver and Release Agreement between the City of Reno, Washoe County and High Sierra Industries-Washoe Ability Resource Center (HSI-Washoe ARC), terminating the Interlocal Agreement for Purchase of Real Property Located at Ninth and Sutro Streets dated December 22, 1980.

**Proposed Motion:** I move to approve staff recommendation.

<b>RESULT:</b>	<b>WITHDRAWN</b>
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- B.4 Staff Report (For Possible Action): Approval of Consultant Agreement for Professional Engineering Design Services with Farr West Engineering for the Central and South Reno Sewer System #5 and #6 Kietzke Lane/Terminal Way area Interceptor Capacity Project in an amount not to exceed \$239,680. (Capital Improvement Plan - Sewer Fund)

**Recommendation:** Staff recommends Council approve the consultant agreement with Farr West Engineering in an amount not to exceed \$239,680 and authorize the Mayor to sign the agreement.

**Proposed Motion:** I move to approve staff recommendation.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

- B.5 Staff Report (For Possible Action): Award of Contract to Dianda Construction, Inc. for improvements to the sixth floor of Reno City Hall in an amount not to exceed \$1,475,350. (Building Permit Fund) 10:33 AM

**Recommendation:** Staff recommends Council award the contract to Dianda Construction Inc. for the City Hall, Sixth Floor Improvements in an amount not to exceed \$1,475,350 and authorize the Mayor to sign the contract.

**Proposed Motion:** I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Duerr stated that contract awards of \$1,000,000 deserve some discussion by the City Council.

Kerrie Koski, Public Works Engineering Manager, presented an overview of the staff report.

Council Member McKenzie expressed concerns about awarding the contract to Dianda Construction and recommended awarding it to another contractor. A subcontractor that is not licensed is listed and the estimated cost for outside access to the building may not be sufficient.

Ms. Koski explained that staff examines all of the required licensing as part of the bid valuation process and they ensure that they are qualified before a contractor begins work. There are provisions in law that allow us to tell them they need to use another subcontractor if they are not licensed.

Council Member McKenzie said that having them replace a subcontractor could result in additional costs to the City.

Scott Higgins, representing Dianda Construction, stated that the subcontractor in question has a City of Reno business license, and explained their base bid assumptions regarding the sizes of materials that would have to be brought in.

The Council upheld the staff recommendation with Council Member McKenzie voting nay and Mayor Schieve absent.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>NAYS:</b>	Paul McKenzie
<b>ABSENT:</b>	Hillary Schieve

- B.6 Staff Report (For Possible Action): Approval to utilize the America Saves Program, Oakland County, MI contract number 003557 with Office Depot for copy, print and design services in accordance with the joinder provision in NRS 332.195 in an amount not to exceed \$100,000. (General Fund)

**Recommendation:** Staff recommends Council authorize the use of the copy, print and design contract with Office Depot, utilizing the joinder provision of the Oakland County, Michigan (America Saves Program) contract number 003557, as allowed under NRS 332.195, and authorize the OCCE Director to sign any required documents.

**Proposed Motion:** I move to approve staff recommendation.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

- B.7 Staff Report (For Possible Action): Acceptance of Grant Award from the Department of Veterans Affairs for the Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces Program to continue to provide the Fit but not Forgotten (FBNF) and Military to the Mountains (M2M) Veteran Fitness Classes at the Evelyn Mount Northeast Community Center in the amount of \$29,228. 10:45 AM

**Recommendation:** Staff recommends the City Council accept the grant award from the Department of Veterans Affairs for the Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces Program in the amount of \$29,228 to continue to provide the Fit but not Forgotten (FBNF) and Military to the Mountains (M2M) Veteran Fitness Classes at the Evelyn Mount Northeast Community Center, and authorize the Mayor to sign the grant agreement.

**Proposed Motion:** I move to approve the staff recommendations.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Duerr requested a staff report.

April Wolfe, Parks, Recreation and Community Services Therapeutic Recreation Specialist, presented an overview of the staff report.

The Council upheld the staff recommendation.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve

B.8 Staff Report (For Possible Action): Acceptance of Grant Award from the Craig H. Neilsen Foundation for expansion of the adaptive equipment rental program for individuals living with spinal cord injuries in the amount of \$25,000.

**Recommendation:** Staff recommends the City Council accept the grant from the Craig H. Neilsen Foundation for expansion of the adaptive equipment rental program for individuals living with spinal cord injuries in the amount of \$25,000, and authorize the Mayor to sign the grant agreement.

**Proposed Motion:** I move to approve the staff recommendations.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

B.9 Staff Report (For Possible Action): Approval to accept parcels, known as APN 001-375-08 (portion of undeveloped Gulling Road/West Wash Dam), 088-201-46 (located at E. Golden Valley Road and Beckwourth Drive), 025-241-21, 025-241-22, (two vacant lots on Model Way); 002-292-13 (1860 Keystone Avenue), 020-022-05, 020-022-06, 020-022-07, 020-022-08, (239, 241, 245 & 247 Linden Street) 049-360-17 and 049-360-18 (13105 S. Virginia Street) from the Washoe County Treasurer Delinquent 2017 Tax Roll for various City uses.

**Recommendation:** Staff recommends Council approval of the transfer and acceptance of parcels APN 001-375-08, portion of undeveloped Gulling Road/West Wash Dam and would be used for open space and future upgrade design of the dam; APN 088-201-46, E. Golden Valley Road and Beckwourth Drive is a large drainage detention basin; APN 025-241-21 & 025-241-22, two vacant lots on Model Way that would be used for a satellite maintenance yard for public works. There are seven parcels that will be used to rehabilitate abandoned

residential property for affordable housing projects; APN 002-292-13 (1860 Keystone Avenue), APN 020-022-05 through 020-022-08 (239, 241, 245 & 247 Linden Street), and 049-360-17 & 049-360-18 (13105 S. Virginia Street) should they become available and would be beneficial for public purposes.

**Proposed Motion:** I move to approve staff recommendation.

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

- B.10 Staff Report (For Possible Action): Approval of endorsement to excess liability insurance policy for coverage of newly acquired vehicles with authorization for the City Manager or designee to execute all documents required and accept the endorsement for insurance coverage on the newly acquired vehicles in the amount of \$1,299. (Risk Management Fund)

**Recommendation:** Staff recommends Council approve the endorsement to the City's excess liability insurance policy for coverage of newly acquired vehicles with authorization for the City Manager or designee to execute all documents required to accept the endorsement and to authorize payment in the amount of \$1,299 for the additional insurance coverage.

**Proposed Motion:** I move to approve the staff recommendation.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

## C Cash Disbursements

- C.1 Staff Report (For Possible Action): Acceptance of Cash Disbursement Reports for Sept 10 through Sept 23, 2017. 10:51 AM

**Recommendation:** Staff recommends to accept the attached Cash Disbursements Reports.

**Proposed Motion:** I move to approve staff recommendation.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Delgado, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Brekhus, Duerr, Delgado, Jardon, Bobzien
<b>ABSENT:</b>	Hillary Schieve, Paul McKenzie

## **D Proclamations**

D.1 Proclamation recognizing October 2017 as Fire Prevention Month to ensure the year round safety and security of Reno residents and visitors - David Cochran, Fire Chief, City of Reno. 10:51 AM

COUNCIL MEMBER MCKENZIE PRESENT AT 10:51 A.M.

The proclamation was read.

## **E Presentations**

E.1 Presentation of the Reno Police Department's Medal of Valor to Officer Marshall Eason and the Medal of Meritorious Service to Officer Bryan Schuster for their efforts during an officer involved shooting event; the Medal of Meritorious Service to Officer Ty Trail for efforts during a water rescue; the Lifesaving Medal to Officer Travis Orange for efforts during a fire/CPR event; and the Lifesaving Medal to Officer Ben Lancaster for efforts during a CPR event – Jason Soto, Chief, Reno Police Department. 9:52 AM

Reno Police Chief Jason Soto, presented the medals to Officer Marshall Eason, Officer Bryan Schuster, Officer Ty Trail, and Officer Ben Lancaster.

E.2 Tiny Homes Village Concept - Sharon Chamberlain, CEO, Northern Nevada HOPES and Pat Cashell, Regional Director, Volunteers of America Northern Nevada. [1:00PM Time Certain] 1:13 PM

Pat Cashell, Regional Director of Volunteers of America - Northern Nevada, and Sharon Chamberlain, Chief Executive Officer of Northern Nevada HOPES, made the presentation.

Vice Mayor Jardon called for public comment.

Stephen Popovich, 33 South Park Street #223; Jerry R. Jackson, Jr., 655 West Fourth Street #235; and Diane Campbell submitted public comment forms in favor of tiny homes, but did not wish to speak.

The following individuals spoke in support of tiny homes: 1) Alexis Motarey, 5400 Mill Street, representing the Nevada Chapter of Associated General Contractors; 2) Kate

Lambertson, online public comment; 3) Sam Dehne, Reno resident; and 4) Lisa Lee, 290 Rue de la Jaune, Sparks.

Craig Parish, 445 South Virginia Street, Pastor of Living Stones Church, discussed the services provided by the Church to the community, and said that the Church will be providing \$15,000 towards the building of tiny homes.

Donald Pattalock, 9210 Prototype Drive, Suite 100, Managing Member of the Stonegate Master Planned Community, discussed housing issues and stated that he is willing to commit a minimum of \$50,000 to see the project through the first phase and any of the dirt work, engineering, and design work that is going to go into getting it set up.

It was moved by Council Member Jardon, seconded by Council Member Brekhus, to direct staff to move forward as quickly as possible with pursuing all opportunities related to tiny homes and facilitate with all necessary entities and agencies to make it happen.

Motion carried.

**F Public Hearings - 1:00 PM (Items scheduled to be heard at a specific time will be heard no earlier than the stated time, but may be heard later.)**

F.1 **Resolution No.** : Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Case No. LDC18-00002 (Firecreek Crossing Master Plan Amendment) Request for a Master Plan amendment within the Special Planning Area/Convention Regional Center from General Mixed Use to Tourist Commercial. The ±12.2 acre site is located between Redfield Parkway/Kumle Lane and Kietzke Lane, ±450 west of South Virginia Street. The site is within the Mixed Use/Convention Regional Center (MU/CRC) zone. **[Ward 2]** 1:07 PM

**Recommendation:** The Planning Commission recommends Council adopt the requested Master Plan amendment by resolution.

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

**Master Plan Amendment**

I move to adopt Resolution No. \_\_\_\_\_.

A RECESS WAS CALLED AT 12:45 P.M. AND UPON RECONVENING AT 1:07 P.M. ALL WERE PRESENT.



The Mayor asked if proper notice was given.

Chief Deputy City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

Mayor Schieve opened the public hearing and asked if anyone wished to speak. No one spoke, and the Mayor closed the public comment portion of the hearing.

It was moved by Council Member Duerr, seconded by Council Member Brekhus, to continue this item to 1:00 p.m. on October 25, 2017.

Motion carried.

THIS ITEM WAS CONTINUED TO 1:00 P.M. ON OCTOBER 25, 2017.

<b>RESULT:</b> <b>CONTINUED</b>
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## **G    Ordinances - Adoption**

G.1    Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7008 Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits and Franchises", by amending Chapter 5.13 entitled "Special Events and Activities"; by amending Section 5.13.040 entitled "Exceptions to permit requirement" to exempt groups that are picketing, assembling and marching on City streets from special event permit requirements and clarifying that notification should be provided to the City to allow the City's closure of streets; and by amending Section 5.13.090 entitled "Application for permit" to delete section (f), to remove the permit requirement for gatherings or marches on city streets, parks or other public property organized as expressive activity related to events occasioned by recently occurring news or affairs; together with other matters properly relating thereto. 12:31 PM

**Recommendation:** Staff recommends Council adoption of Ordinance No. \_\_\_\_\_.

**Proposed Motion:** I move to adopt Ordinance No. \_\_\_\_\_.

Bill No. 7008, Ordinance No. 6439 was passed and adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	David Bobzien, Councilmember
<b>SECONDER:</b>	Paul McKenzie, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

## H Resolutions

H.1 **Resolution No. 8441:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution approving Major Fund Designations for Fiscal Year (FY) 16/17. 12:32 PM

**Staff Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_.

**Proposed Motion:** I move to approve the staff recommendation.

Resolution No. 8441 was adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Delgado, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

H.2 **Resolution No. 8442:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution donating Reno Access Advisory Committee Funds to the Sierra Challenge Athletic Association for the Silver State Highrollers Wheelchair Basketball team to defray expenses associated with the yearly tournament and provide limited scholarships in the amount of \$4,300. (General Fund) 12:33 PM

**Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_ donating Reno Access Advisory Committee funds to the Sierra Challenge Athletic Association for the Silver State Highrollers Wheelchair Basketball team to defray expenses associated with the yearly tournament, and provide limited scholarships in the amount of \$4,300 (General Fund).

**Proposed Motion:** I move to approve the staff recommendation.

Resolution No. 8442 was adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul McKenzie, Councilmember
<b>SECONDER:</b>	Oscar Delgado, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

H.3 **Resolution No. 8443:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution donating Reno Access Advisory Committee funds to Shakespeare Animal Fund to provide scholarships for disabled persons with sick or injured pets needing veterinary care in the amount of \$2,000. (General Fund) 9:34 PM

**Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_ donating Reno Access Advisory Committee funds to Shakespeare Animal Fund to provide scholarships for disabled persons with sick or injured pets needing veterinary care in the amount of \$2,000. (General Fund).

**Proposed Motion:** I move to approve the staff recommendation.

Resolution No. 8443 was adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul McKenzie, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

H.4 **Resolution No. 8444:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution of the City Council of the City of Reno, Nevada, to be provided to the Director of the Nevada Department of Business and Industry, supporting the construction of an affordable housing complex identified as “Sky Mountain by Vintage” (approximately 288 units to be located at the intersection of Summit Ridge Drive and Sky Mountain Drive) and providing other details in connection therewith. **[Ward 1]** 12:35 PM

**Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_.

**Proposed Motion:** I move to adopt Resolution No. \_\_\_\_\_.

Resolution No. 8444 was adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul McKenzie, Councilmember
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

## I Ordinances - Introduction

**J Standard Department Items****Community Development**

J.1 Staff Report (For Possible Action): Presentation, discussion and opportunity to offer comments on a proposed amendment to the Truckee Meadows Regional Plan to remove six parcels totaling ±83.06 acres from the City of Reno's Sphere of Influence (SOI)/Truckee Meadows Service Area (TMSA) boundary. The subject site is located on the east side of South Virginia Street between Towne Drive and Rhodes Road.

**Recommendation:** Staff recommends the City Council offer comments to the TMRPA.

**Proposed Motion:** I move to support the proposed amendment to the Truckee Meadows Regional Plan to remove the six subject parcels from the City's portion of the Truckee Meadows Service Area/Sphere of Influence for the following reasons: (list the reasons why).

I do not support the proposed amendment to the Truckee Meadows Regional Plan to remove the six subject parcels from the City's portion of the Truckee Meadows Service Area/Sphere of Influence for the following reasons: (list the reasons why).

<b>RESULT:</b> <b>WITHDRAWN</b>
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**City Manager's Office**

J.2 Presentation and update regarding creation of a Downtown Management Organization and Downtown Reno Business Improvement District (BID), including Draft BID Management Plan, BID map and assessment methodology and approval process timeline - Brad Segal, President, Progressive Urban Management Associates (PUMA). 11:10 AM

A RECESS WAS CALLED AT 11:00 A.M. AND UPON RECONVENING AT 11:09 A.M. MAYOR SCHIEVE WAS ABSENT.

Vice Mayor Jardon called for public comment.

The following individuals spoke in support of the Business Improvement District (BID) proposal: 1) Rick Murdock, 4565 Lakewood Court, representing Eldorado Resorts; 2) Jonathan Boulware, 444 Vine Street, representing Jacobs Entertainment; 3) Chris King, 422 West Sixth Street, representing Saint Mary's; 4) Britton Griffith-Douglass, 2348 Watt Street, Vice President of Reno

Engineering Corp; 5) Vincent Griffith, One East First Street, Chief Executive Officer of Reno Engineering Corp; 6) Tim Carter, 50 South Virginia Street; and 6) Sam Dehne, Reno resident.

Craig Parish, 445 South Virginia Street, representing Living Stones Church, submitted a Public Comment Form in support of the BID, but did not wish to speak.

Brad Segal, President of Progressive Urban Management Associates (PUMA), made the presentation.

MAYOR SCHIEVE PRESENT AT 11:16 A.M.

It was moved by Council Member Jardon, seconded by Council Member Bobzien, to accept the report.

Motion carried.

### **J.3 1035 East Eighth Street Property**

J.3.1 Staff Report (For Possible Action): Public Hearing on the approval of an Interlocal Agreement between the City of Reno and the Reno Housing Authority to convey, without charge, the city-owned property located at 1035 East Eighth Street, Reno, Nevada to provide affordable housing; adopt City Council Resolution approving the Interlocal Agreement to convey, without charge, the city-owned property located at 1035 East Eighth Street, Reno, Nevada to the Reno Housing Authority of the City of Reno to provide affordable housing pursuant to NRS 277.050 – 277.053; together with other matters properly relating thereto. 1:12 PM

**Recommendation:** Staff recommends Council the Interlocal Agreement and Adopt Resolution No. \_\_\_\_\_, approving to convey, without charge, the city-owned property located at 1035 East Eighth Street to the Reno Housing Authority of the City of Reno, and authorization for the Mayor to execute all documents pertaining to the transfer of the property.

**Proposed Motion:** I move to approve staff recommendation.

ITEMS J.3.1 AND J.3.2 WERE CONSIDERED TOGETHER.

Mayor Schieve asked if proper notice was given.

Chief Deputy City Clerk Beaty-Benadom stated that proper notice was given and a letter of support was received from Monica DuPea, Executive Director of Nevada Youth Empowerment Project.

The Mayor opened the public hearing and asked if anyone wished to speak.

Online public comment in support of the agreement were received from: 1) Kim Mazeres, 2) Monica DuPea; 3) Jeanine Moreland; 4) Liliana Ledezma; 5) Cindy Allen; and 6) Candy Greene.

Online public comment in opposition to the agreement was received from Victoria Choi.

Mayor Schieve closed the public comment portion of the hearing.

THIS ITEM WAS CONTINUED TO 1:00 P.M. ON OCTOBER 25, 2017.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	Jenny Brekhus, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon, Bobzien

J.3.2 **Resolution No.** : Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution approving the Interlocal Agreement to convey, without charge, the city-owned property located at 1035 East Eighth Street, Reno, Nevada to the Reno Housing Authority of the City of Reno to provide affordable housing pursuant to NRS 277.050 – 277.053; together with other matters properly relating thereto. 1:12 PM

**Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_.

**Proposed Motion:** I move to adopt Resolution No. \_\_\_\_\_.

ITEMS J.3.1 AND J.3.2 WERE CONSIDERED TOGETHER.

THIS ITEM WAS CONTINUED TO 1:00 P.M. ON OCTOBER 25, 2017.

<b>RESULT:</b>	<b>CONTINUED</b>
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## K.1 Citizen Appointments to Boards and Commissions

K.1.1 Staff Report (For Possible Action): Discussion and potential appointment of two individuals to the Recreation and Parks Commission from the following pool of applicants, listed in alphabetical order: Susan Burkhamer, Michael Ginsburg, Eric Highley, Erik Jimenez, Margot Murray or Rebecca Pairis. 12:36 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 Recreation and Parks Commission.

Susan Burkhamer and Michael Ginsburg were appointed to the Recreation and Parks Commission.

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

K.1.2 Staff Report (For Possible Action): Discussion and potential appointment of five individuals to the Ward 3 Neighborhood Advisory Board from the following pool of applicants, listed in alphabetical order: Edgar Gonzalez, Clint Koble, Don McHenry, Gerry Mifsud and/or Joseph Rodriguez. 12:37 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 Ward 3 NAB.

Edgar Gonzalez, Don McHenry and Gerry Mifsud were appointed to the Ward 3 Neighborhood Advisory Board (NAB).

Gerry Mifsud discussed his appointment to the Ward 3 NAB.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>SECONDER:</b>	David Bobzien, Councilmember
<b>AYES:</b>	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) 12:38 PM

Council Member Duerr made several announcements.

- L.2 **Resolution No. 8445:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution donating Council Donation Funds to the Northern Nevada Literacy Council to support their mission to provide classes and programs to improve educational and occupational skills for residents in the amount of \$500. (General Fund) **[Delgado]** 12:44 PM

**Recommendation:** Staff recommends Council adopt Resolution No. \_\_\_\_\_ and approve the request to allocate a Council Donation to the Northern Nevada Literacy Council in the total amount of \$500.

**Proposed Motion:** I move to adopt Resolution No. \_\_\_\_\_.

COUNCIL MEMBER BOBZIEN ABSENT AT 12:40 P.M.

Resolution No. 8445 was adopted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Delgado, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon
<b>ABSENT:</b>	David Bobzien

- L.3 **Resolution No. 8446:** Staff Report (For Possible Action): Resolution No. \_\_\_\_\_ Resolution donating Council Donation Funds to the Holland Project to support its educational workshops and community projects for youth and young adults in the amount of \$500. (General Fund) **[Delgado]** 12:44 PM

**Recommendations:** Staff recommends Council adopt Resolution No. \_\_\_\_\_ and approve the request to allocate a Council Donation to the Holland Project in the total amount of \$500.

**Proposed Motion:** I move to adopt Resolution No. \_\_\_\_\_

Resolution No. 8446 was adopted.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Oscar Delgado, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon
<b>ABSENT:</b>	David 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.)**

M.1 Staff Report (For Possible Action): Case No. LDC18-00001 (High Desert Truss & Lumber) Appeal of the Planning Commission's approval of a special use permit to: 1) allow for an outdoor manufacturing, processing, assembly, or fabrication facility within the Industrial (I) zone; and 2) allow for a nonresidential facility on a site exceeding one acre within 300 feet of residentially zoned property. The ±9.13 acre site is located ±165 feet south of Parr Boulevard, ±200 feet east of its intersection with Parr Circle (500 East Parr Boulevard). The site has a Master Plan Use designation of Industrial. The appeal was brought by Councilmember Paul McKenzie, and possible action by the Council could be to either affirm, modify, or reverse the approval and if approval is reversed the Council may directly deny the special use permit or remand back to the Planning Commission. [Ward 4] 6:15 PM

**Recommendation:** Staff recommends that the Council review the letter of appeal and Planning Commission action, and affirm, modify, or reverse the Planning Commission's decision. If the approval is reversed, the Council may directly deny the special use permit or remand back to the Planning Commission.

**Proposed Motion:** Below are proposed motions with the findings for affirmation, modification, or reversal of the Planning Commission decision.

**Motion to Affirm Planning Commission Decision**  
(denying the appeal and approving the special use permit)

In regards to appeal of LDC18-00001 (High Desert Truss & Lumber), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing for this appeal, I move to make all the required findings as listed in the staff report and AFFIRM the approval of the special use permit by the Planning Commission, subject to the conditions stated in the staff report. The City Clerk is instructed to prepare and file an order.

**Motion to Modify Planning Commission Decision**  
(upholding the appeal and amending the special use permit)

In regards to appeal of LDC18-00001 (High Desert Truss & Lumber), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to MODIFY the decision of the Planning Commission which was to APPROVE the special use permit subject to conditions stated in the Staff Report. The City Clerk is instructed to prepare and file an order.

Modifications to the decision by the Planning Commission are: [List modifications]

**Motion to Reverse Planning Commission Decision**  
(denying the special use permit or remanding back to the Planning Commission)

In regards to appeal of LDC18-00001 (High Desert Truss & Lumber), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to REVERSE the approval of the special use permit by the Planning Commission and to directly DENY the special use permit, based on the inability to make findings \_\_\_\_\_\* as listed in the Staff Report. The City Clerk is instructed to prepare and file an order.

OR

In regards to appeal of LDC18-00001 (High Desert Truss & Lumber), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to REVERSE the decision of the Planning Commission, REMAND the matter back to the Planning Commission and direct the Planning Commission to seek further factual and technical information regarding findings \_\_\_\_\_\* as listed in the Staff Report. I am presently without adequate information to make decision regarding these findings.

Mayor Schieve asked if proper notice was given.

Chief Deputy City Clerk Beaty-Benadom stated that proper notice was given and no correspondence was received.

The Mayor opened the public hearing and asked if anyone wished to speak.

Aaron West, 2835 Ethelinda Way, representing the Nevada Builders Alliance, spoke in support of the Special Use Permit (SUP).

Council Member Brekhus said that in June of 2016 the Council directed staff to prepare

an amendment to Title 18 that would allow any member of the Council to bring up for review and reconsideration an SUP that had been approved by the Reno Planning Commission. The Council should have directed staff to give that direction priority status. The ward representative for this site location is now forced to deprive the constituency of his ward of his participation in this matter. When a Council Member feels aggrieved by a decision of the Planning Commission they should be able to pull it up for reconsideration by the Council and be a participant in the deliberations.

Mike Joseph, no address provided, discussed concerns related to the potential for excessive noise levels and asked the Council to consider noise mitigation measures.

Mayor Schieve closed the public comment portion of the hearing.

COUNCIL MEMBER MCKENZIE ABSENT AND ABSTAINING AT 6:24 P.M.

It was moved by Council Member Duerr, seconded by Council Member Delgado, to determine that the appellant has standing.

Motion carried with Council Members Bobzien and Jardon absent and Council Member McKenzie absent and abstaining.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	Hillary Schieve, Mayor
<b>AYES:</b>	Hillary Schieve, Jenny Brekhus, Naomi Duerr, Oscar Delgado
<b>ABSTAIN:</b>	Paul McKenzie
<b>ABSENT:</b>	Neoma Jardon, David Bobzien

**Motion:** Second Motion

Kyle Chisholm, Community Development Assistant Planner, presented an overview of the staff report and answered questions from the Council regarding Council Member McKenzie's appeal.

Gabe Whittler, representing Odyssey Engineering, discussed the project operations and answered questions regarding the sound study.

It was noted that a sound study is not required by Code but was recommended by staff.

Reed Graham, representing Erickson Construction, responded to questions from Council Member Duerr stating that he would prefer to be held to the same standards as surrounding sites with the same zoning with regard to hours of operation.

Council Member Duerr explained that this site is not like the other nearby sites with the same zoning because they are one of the closest to residential property.

COUNCIL MEMBER JARDON PRESENT VIA REMOTE AT 7:00 P.M.

Council Member McKenzie, appellant, presented the appeal. He discussed the need to restrict the hours of operation for outdoor manufacturing and the need to protect the interests of the residents that live there now and those that may live there in the future. Currently there is no lighting on this site but there is nothing in the Special Use Permit (SUP) that prevents them from putting in temporary lighting, which then adds the sound of generators. Council Member McKenzie requested modification of Condition No. 5 for the hours of operation to be from 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday with no operations allowed on Sunday. Nobody in the neighborhood was notified that the applicant came in for a site plan review for this installation so they did not have an opportunity to comment on the effects of this operation in their neighborhood.

Claudia Hanson, Community Development Planning Manager, explained that there are no construction hours in Code and that is typically conditioned.

Council Member Duerr expressed concern that the condition only speaks to outdoor manufacturing and would like clarifying language identifying what operations are limited such as trucks backing up, generators for temporary lighting, etc.

There was discussion regarding the process and timing of the site plan review and the request for an SUP.

Mr. Graham confirmed that the SUP for outdoor manufacturing was an expansion of services in addition to the original plan submitted for a site plan review.

The Council upheld the recommendation of the Planning Commission with the following additional conditions:

New Condition No. 8: Hours of operation for all loading, unloading, and delivery activities associated with the business shall be restricted to 6:00 a.m. to 8:00 p.m., Monday through Friday; and 8:00 a.m. to 5:00 p.m. on Saturday. No loading, unloading, or delivery activities shall occur on Sunday.

New Condition No. 9: No outdoor lighting, including any temporary lighting, shall be allowed on the site. Reno Municipal Code (RMC) compliant security lighting shall be allowed.

<b>RESULT:</b>	<b>APPROVED [5 TO 0]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	Hillary Schieve, Mayor
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, Jardon
<b>ABSTAIN:</b>	Paul McKenzie
<b>ABSENT:</b>	David Bobzien

M.2 Staff Report (For Possible Action): Case No. LDC17-00070 (CVS – 1250 West Seventh Street) Appeal of the Planning Commission’s approval of a special use permit to: 1) construct a ±9,516 square foot drug store with a drive-thru pharmacy and a temporary pharmacy trailer within 300 feet of a residentially zoned property; and 2) allow hours of operation between 11:00 p.m. and 6:00 a.m. The ±2.79 acre site is located on the southeast corner of Elgin Avenue and West Seventh Street within the Community Commercial (CC) zone. The site has a Master Plan land use designation of Urban Residential/Commercial. The appeal was brought by Kaempfer Crowell, and possible action by the Council could be to either affirm, modify, or reverse the Planning Commission decision and if the decision is to reverse the Council may directly approve or deny the special use permit or remand back to the Planning Commission. **[Ward 5] 6:10 PM**

**Recommendation:** Staff recommends that the Council review the letter of appeal and the Planning Commission action, and affirm, modify, or reverse the Planning Commission’s decision. If the decision is reversed, the Council may directly approve or deny the special use permit, or remand back to the Planning Commission.

**Proposed Motion:** Below are proposed motions with the findings for affirmation, modification, or reversal of the Planning Commission decision.

**Motion to Affirm Planning Commission Decision**  
(denying the appeal and approving the special use permit)

In regards to appeal of LDC17-00070 (CVS - 1250 West Seventh Street), based on this Council’s review of the staff report, the record on appeal, and information presented at the public hearing for this appeal, I move to make all the required findings as listed in the staff report and AFFIRM the approval of the special use permit by the Planning Commission, subject to the conditions stated in the staff report. The City Clerk is instructed to prepare and file an order.

**Motion to Modify Planning Commission Decision**  
(upholding the appeal and amending the special use permit)

In regards to appeal of LDC17-00070 (CVS - 1250 West Seventh Street), based

on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to MODIFY the decision of the Planning Commission and APPROVE the special use permit subject to conditions stated in the Staff Report with modifications. The City Clerk is instructed to prepare and file \_\_\_\_\_ an \_\_\_\_\_ order.

Modifications to the decision by the Planning Commission are: [List modifications]

**Motion to Reverse Planning Commission Decision**  
(denying the special use permit or remanding back to the Planning Commission)

In regards to appeal of LDC17-00070 (CVS - 1250 West Seventh Street), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to REVERSE the approval of the special use permit by the Planning Commission and to directly DENY the special use permit, based on the inability to make findings \_\_\_\_\_\* as listed in the Staff Report. The City Clerk is instructed to prepare and file an order.

OR

In regards to appeal of LDC17-00070 (CVS - 1250 West Seventh Street), based on this Council's review of the staff report, the record on appeal, and information presented at the public hearing, I move to REVERSE the decision of the Planning Commission, REMAND the matter back to the Planning Commission and direct the Planning Commission to seek further factual and technical information regarding findings \_\_\_\_\_\* as listed in the Staff Report. I am presently without adequate information to make decision regarding these findings.

A RECESS WAS CALLED AT 2:23 P.M. AND UPON RECONVENING AT 6:04 P.M. COUNCIL MEMBERS BOBZIEN AND JARDON WERE ABSENT.

Mayor Schieve asked if proper notice was given.

Chief Deputy City Clerk Beaty-Benadom stated that proper notice was given and a letter of support for the project was received from Stephen Buck, owner of the nearby Pizza Hut and Purple Bean Coffee Shop.

The Mayor opened the public hearing and asked if anyone wished to speak. No one spoke and the Mayor closed the public comment portion of the hearing.

ITEM M.2 WAS CONTINUED TO 1:00 P.M. ON OCTOBER 25, 2017.

<b>RESULT:</b>	<b>CONTINUED [4 TO 1]</b>
<b>MOVER:</b>	Naomi Duerr, Councilmember
<b>SECONDER:</b>	Paul McKenzie, Councilmember
<b>AYES:</b>	Hillary Schieve, Naomi Duerr, Oscar Delgado, Paul McKenzie
<b>NAYS:</b>	Jenny Brekhus
<b>ABSENT:</b>	Neoma Jardon, David Bobzien

**N Public Comment**

COUNCIL MEMBER MCKENZIE PRESENT AT 7:47 P.M.

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

**O Adjournment (For Possible Action)**

THE MEETING WAS ADJOURNED AT 7:51 P.M.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul McKenzie, Councilmember
<b>SECONDER:</b>	Naomi Duerr, Councilmember
<b>AYES:</b>	Schieve, Brekhus, Duerr, Delgado, McKenzie, Jardon
<b>ABSENT:</b>	David Bobzien