

STAFF REPORT

Date: February 12, 2020

To: Mayor and City Council

Thru: Sabra Newby, City Manager

Subject: **C.4.3. Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance creating the City of Reno, Nevada 2020 Special Assessment District No. 1; ordering the acquisition and improvement of four street projects consisting of 16 street segments within the City of Reno, Nevada; providing for the levy and collection of special assessments therefore; ratifying, approving and confirming all action previously taken by the City Council of the City of Reno and the officers of said city directed toward the acquisition and improvements of said projects in the district; prescribing details in connection therewith; together with matters which pertains to or are necessarily connected thereto.**

From: Jon Simpson, Senior Civil Engineer

Summary: See attached Ordinance.

Recommendation: Staff recommends Council refer Bill No. _____ for a second reading and adoption.

Proposed Motion: I move to refer Bill No. _____ for a second reading and adoption.

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO.

ORDINANCE NO.

ORDINANCE CREATING THE CITY OF RENO, NEVADA 2020 SPECIAL ASSESSMENT DISTRICT NO. 1; ORDERING THE ACQUISITION AND IMPROVEMENT OF FOUR STREET PROJECTS CONSISTING OF 16 STREET SEGMENTS WITHIN THE CITY OF RENO, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFORE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE CITY COUNCIL OF THE CITY OF RENO AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE ACQUISITION AND IMPROVEMENTS OF SAID PROJECTS IN THE DISTRICT; PRESCRIBING DETAILS IN CONNECTION THEREWITH; TOGETHER WITH MATTERS WHICH PERTAINS TO OR ARE NECESSARILY CONNECTED THERETO.

WHEREAS, the City Council of the City of Reno, in the State of Nevada (the “Council”, “City” and “State”, respectively), deems it necessary to create City of Reno, Nevada 2020 Special Assessment District No. 1, for the purpose of acquiring and improving the following projects to wit:

Four street projects consisting of 16 street segments, including without limitation, grading, graveling, oiling, paving, sealing, sidewalks, driveway approaches, alley approaches, saw cuts, curbs, gutters, valley gutters, handicapped pedestrian ramps, culverts, drains, sewers, manholes, inlets, outlets, retaining walls, off-site adjustments, and all appurtenances and incidentals (or any combination thereof), including all real and other property therefore, with intersections (said Street Projects being hereafter sometimes referred to as “Assessment Unit No. 1”); and

WHEREAS, by Resolution No. 8751 passed and approved the 11th day of December 2019, (the “Provisional Order Resolution”), the Council made its provisional order with respect to said improvements and the District to be assessed for the purpose of acquiring and improving said Street Projects, stating therein the improvements, what portion of the entire expense thereof shall be paid by special assessment, and the basis for apportioning the assessments, by apt

description designating the District, including the lands to be so assessed, and definitely locating the improvements to be acquired; and

WHEREAS, pursuant to the Provisional Order Resolution, the Council gave notice (in the manner specified by the laws of the State of Nevada) of the filing of the preliminary plans, assessment plat, typical sections and special details of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, and of the time and place of hearing thereon; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District, which might directly and adversely affect their legally protected interests; and

WHEREAS, the Council and Officers of the said City have done all things necessary and preliminary to the creation of the District, including but not necessarily limited to the filing with the City Clerk and the presentation to the Council of an accurate estimate of cost, full and detailed plans and specifications, assessment plat and map by the City Engineer of the City of Reno, Nevada (the “Engineers”), all of which the Council has found to be satisfactory, and said Council desires now to authorize and order the acquisition and improvement of said Street Projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. That said Council has heretofore determined and does hereby determine, that each and every protest and objection made in connection with the District be, and the same hereby is, overruled, and finally passed on by said Council.

SECTION 2. That there shall be, and hereby is, created an assessment district for the purpose of acquiring and improving four street projects consisting of 16 street segments, including without limitation, grading, graveling, oiling, paving, sealing, sidewalks, driveway approaches, alley approaches, saw cuts, curbs, gutters, valley gutters, handicapped pedestrian ramps, culverts, drains, sewers, manholes, inlets, outlets, retaining walls, off-site adjustments, and all appurtenances and incidentals (said Street Projects being hereafter sometimes referred to as “Assessment Unit No. 1”); all in the City, to be called and designated City of Reno, Nevada 2020 Special Assessment District No. 1; that “Assessment Unit No. 1” shall constitute one separate assessment unit for purposes of remonstrance and assessment as heretofore designated in the Provisional Order Resolution, and that said improvements be, and hereby is, ordered and authorized.

SECTION 3. That the character and location of the improvements, and the boundaries of the District and of the respective assessment units shall be in all respects as set forth in the Provisional Order Resolution (except to the extent inconsistent herewith), as more particularly shown in the full and detailed plans and specifications, assessment plat and map, and accurate estimate of cost as filed in the City Clerk’s Office on the 10th day of December 2019, that the boundaries of Assessment Unit No. 1 shall be located wholly within the boundaries of the City of Reno, and that the District shall consist of four street projects consisting of 16 street segments, i.e., Assessment Unit No. 1, which will improve the following streets within the City Right of Way. When the below FROM and TO limits are used with streets, the limits shall extend to the centerline of these streets. To wit:

Assessment District No.1

Reno Neighborhood Street District Unit A, Ambassador Dr. Area

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Ambassador Drive	Walnut Creek	Mae Anne Avenue
Stone Valley Drive	Asbury Lane	Mae Anne Avenue
Ashbury Lane	Stone Valley Drive	Fieldstone Place
Fieldstone Place	Ashbury Lane	Stone Valley Drive
Ridgegate Circle	Fieldstone Place	
Villa Verde Drive	Sierra Highlands Drive	Escalera Way

Reno Neighborhood Street District Unit B, Royal Dr. Area

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Crown Drive	Kings Row	Royal Drive
Windsor Way	Crown Drive	McDonald Drive
Royal Drive	Crown Drive	Cinderella Drive
Majestic Drive	McDonald Drive	Kings Row
Majestic Court	Kings Row	

Reno Neighborhood Street District Unit C, 11 TH Street Area

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Gear Street	Keystone Avenue	Washington Street
Washington Street	Gear Street	W. 11 th Street
W. 11 th Street	Washington	Seminary Way / Oak Street
Vine Street	Kimbal Drive	University Terrace

RTC Street District Unit D, Golden Valley Rd.

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Golden Valley	Virginia Street	Yorkshire Drive

Except as may be shown specifically on the preliminary plans filed in the Office of the City Clerk, the character of such improvements shall be more particularly as follows:

For Assessment Unit No. 1, in the above described streets, except as shown on the preliminary plans filed with the City Clerk, the pavement shall be centered in the street; and

Except as shown on the preliminary plans filed with the City Clerk, street construction shall include paving to generally consist of the spreading and compacting of standard base course, the construction on such base of a standard plant mix bituminous surface, the construction on such surface of a standard seal coat, standard valley gutter, standard curb and gutter, standard sidewalk, standard driveway approach, together with all necessary excavation, filling, grading, shaping, draining, manhole adjustments, alley approaches, saw cuts, inlets, outlets, retaining walls, off-site adjustments, appurtenances, and incidentals necessary to such construction.

Such work will more particularly be shown in the plans on file in the office of the City Clerk, all of which are deemed by the City Engineer of the City of Reno to be essential to the construction of said street projects.

SECTION 4. That it is estimated that the total cost of the Special Assessment District shall be \$460,916.17.

The basis for apportioning the assessments, which assessments shall be in proportion to the special benefits derived by each of the several tracts or parcels comprising the assessable property, shall be as follows:

In Assessment Unit No. 1, on a front foot basis, i.e., upon all real estate in said Assessment Unit, is to the frontage of all real estate in said Assessment Unit. That the portion of costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each piece or parcel of property, shall be as stated in the schedule of estimated maximum special benefits on file in the Office of the City Clerk.

That regardless of the basis used for apportioning assessments, in cases of a wedge or V or any other irregular shaped tracts, any amount apportioned thereto shall be in proportion to the special benefits thereby derived.

SECTION 5. That said Council shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, including the Consolidated Local Improvements Law, and said Council shall provide that the assessments

may be payable without interest or demand within 30 days after the effective date of the Assessment Ordinance or, at the election of the owner, in 20 substantially equal semi-annual installments of principal with interest. The Council shall also provide the time and terms of payment of such assessments and the rate of interest upon deferred payments thereof, which annual rate shall not exceed by more than one percent the effective interest rate on the bond or medium term obligation, which effective interest rate shall not exceed by more than three percent the Index of Twenty Bonds most recently published in Muniweek before the bids are received, and shall fix penalties to be collected upon delinquent payments. The Council authorizes the Deputy City Treasurer to reduce or waive for good cause the collection of any penalties assessed pursuant to subsection 4 of NRS 271.415 and any interest incurred pursuant to NRS 271.581. The Council may also make such other provisions as are permitted by, and in accordance with the laws of the State, including said Consolidated Local Improvements Law.

SECTION 6. That all actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of the Ordinance), concerning the District, including but not limited to the performing of all prerequisites to the creation of said District, the acquisition of the improvements, the specially benefited property therein, the sale and issuance of debt or of its public improvements bonds, and levy of assessments for that purpose, be and the same hereby are, ratified, approved and confirmed.

SECTION 7. That the officers of the City be, and they hereby are, authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the debt or bonds therefore.

SECTION 8. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

SECTION 9. That if any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way affect any remaining provisions of this Ordinance.

SECTION 10. That this Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 11. That the City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno Gazette-Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, 2020, by the following vote of the Council:

AYES: _____

NAYS: _____

ABSTAIN: _____ ABSENT: _____

APPROVED this ____ day of _____, 2020.

HILLARY L. SCHIEVE
MAYOR OF THE CITY OF RENO

ATTEST:

ASHLEY D. TURNEY
CITY CLERK AND
CLERK OF THE CITY COUNCIL
OF THE CITY OF RENO,
NEVADA

EFFECTIVE DATE: