



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Devon Reese**, Member, City Council,
City of Reno, State of Nevada,

Ethics Complaint
Case No. 22-104C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint ("Complaint") from a member of the public on September 12, 2022, regarding the alleged conduct of Subject Devon Reese ("Reese"). On October 27, 2022, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(2), (3) and (9) and NRS 281A.420(1) and (3).

Reese is a public officer as defined in NRS 281A.160, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Reese's conduct as a public officer and have associated implications under the Ethics Law.

On March 15, 2023, a Review Panel consisting of Commissioner Teresa Lowry, Esq. (Presiding Officer), Vice-Chair Brian Duffrin and Commissioner Amanda Yen, Esq.,¹ considered the following: (1) Ethics Complaint (2) Order on Jurisdiction and Investigation; (3) Reese's Response to the Complaint; and (4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings and Relevant Evidentiary Exhibits.²

The Review Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(2), (3) and (9). However, the Review Panel unanimously finds and concludes that the facts do establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.420(1) and (3). Nevertheless, pursuant to NRS 281A.730, the Review Panel reasonably believes that Reese's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring these allegations to the Commission for further

¹ After consultation with Commission Counsel, Commissioner Amanda Yen disclosed that the Subject of this complaint and the City of Reno are clients of McDonald Carano ("Firm"). Commissioner Yen is a partner with the Firm and has both a pecuniary interest in her employment and a private commitment to the Firm, as her employer, and its clients under NRS 281A.065. Consequently, the independence of judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon matters related to this case. In order to avoid any appearance of impropriety and to comply with Nevada's Ethics in Government Law set forth in NRS Chapter 281A and Rule 2.11 of the Code of Judicial Conduct, Commissioner Yen disclosed her private interests and abstained from participation in this case.

² All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.755.

proceedings at this time. The deferral agreement must confirm Reese's acknowledgement of the following:

- Comply with the Ethics Law for a specified period of two years from the Panel's approval of the deferral agreement without being the subject of another complaint arising from an alleged violation of the Ethics Law and for which a review panel determines there is just and sufficient cause for the Commission to render an opinion in the matter;
- Receive training approved by the Executive Director within 60 days of approval of the deferral agreement;
- Develop a disclosure and abstention check process that complies with the requirements of NRS 281A.420 to be used when any issues or clients involving Hutchison & Steffan come before the Reno City Council; and
- Submit minutes from all Reno City Council Meetings referencing issues or clients involving Hutchison & Steffan to the Executive Director for the first year of the term of the deferral agreement.

Unless an extension of time is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed deferral agreement to the Review Panel through its Commission Counsel on or before May 15, 2023, which deadline may be extended by the Commission Counsel for good cause. If the Review Panel does not approve the deferral agreement or if the Subject declines to enter into a deferral agreement, the Review Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 15th day of March, 2023.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Teresa Lowry
Teresa Lowry
Commissioner/Presiding Officer

By: ABSTAINED
Amanda Yen, Esq.
Commissioner

By: /s/ Brian Duffrin
Brian Duffrin
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail through the Nevada State Mailroom and electronic mail addressed as follows:

Ross E. Armstrong, Esq.
Executive Director
Elizabeth J. Bassett, Esq.
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, NV 89703

Email: rarmstrong@ethics.nv.gov

Email: ebassett@ethics.nv.gov

Devon Reese
c/o Jonathan Shipman
Assistant City Attorney
City of Reno
1 E. First Street, Suite 300
Reno, NV 89501

Email: dreese@hutchlegal.com

Email: shipmanj@reno.gov

Certified Mail No.: 9171 9690 0935 0037 6407 26

Dated: 3/20/23



Employee, Nevada Commission on Ethics



RECEIVED
SEP 12 2022
COMMISSION
ON ETHICS

NEVADA COMMISSION ON ETHICS
ETHICS COMPLAINT

[NRS 281A.700 to 281A.790](#)

1. **SUBJECT OF THE COMPLAINT** (person you allege violated provisions of NRS Chapter 281A, the Nevada Ethics in Government Law. *(Please use a separate form for each individual.)*)

Subject NAME:	Devon Reese		TITLE OF PUBLIC OFFICE: (Position)	Council Member
PUBLIC ENTITY: (Name of the entity employing this position)	City of Reno			
ADDRESS:	1 East First St.	CITY, STATE, ZIP CODE	Reno, NV 89501	
TELEPHONE:	Work: 775.334.2014	Other: (Home, cell)	EMAIL:	reese@reno.gov

2. Describe the alleged conduct of the public officer or employee (subject) that you believe violated NRS Chapter 281A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)*

Check here ☒ if additional pages are attached.

See attached ([Exhibit A - Attached Pages to Box 2 & Box 4](#))

3. Is the alleged conduct currently pending before another administrative, law enforcement or judicial body? If yes, describe:

Not known.

4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

	Statute	Statutory Summary:
<input type="checkbox"/>	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/>	NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/>	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/>	NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input type="checkbox"/>	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests or the interests of any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or pecuniary interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input checked="" type="checkbox"/>	NRS 281A.400(9)	Attempting to benefit his personal or pecuniary interest or the interests of any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/>	NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/>	NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input type="checkbox"/>	NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceeding year that is reasonably affected by an official matter.
<input checked="" type="checkbox"/>	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/>	NRS 281A.430	Bidding on or entering into a government contract in which he has a significant pecuniary interest. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgment of Ethical Standards for Public Officers form.
<input type="checkbox"/>	NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/>	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/>	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving service of the agency. (Failing to honor the one-year "cooling off" period after leaving public service, exceptions).

*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons/entities:

1. Spouse; domestic partner.
2. Household member.
3. Family member within 3rd degree of consanguinity/affinity.
4. Employer or spouse/domestic partner/household member's employer.
5. Substantial and continuing business relationships, i.e. partner, associate, or business entity.
6. Substantially similar relationships to those listed above, including close, personal relationships akin to family and fiduciary relationships to business entities.

5. **YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.** (NRS 281A.710 through 281A.715.)
Attach all documents or items you believe support your allegations, including witness statements, public or private records, audio or visual recordings, documents, exhibits, concrete objects, or other forms of proof.

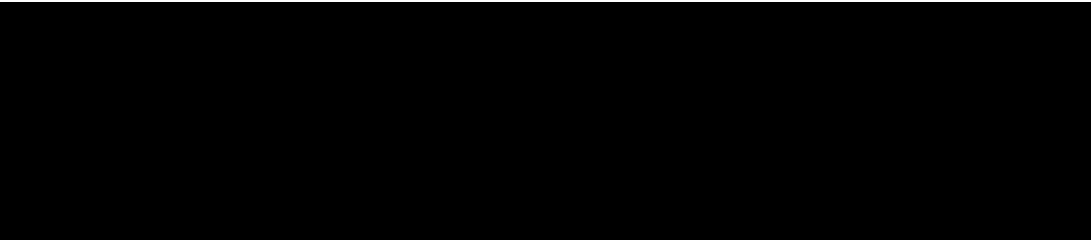
65

State the total number of additional pages attached (including evidence) _____.

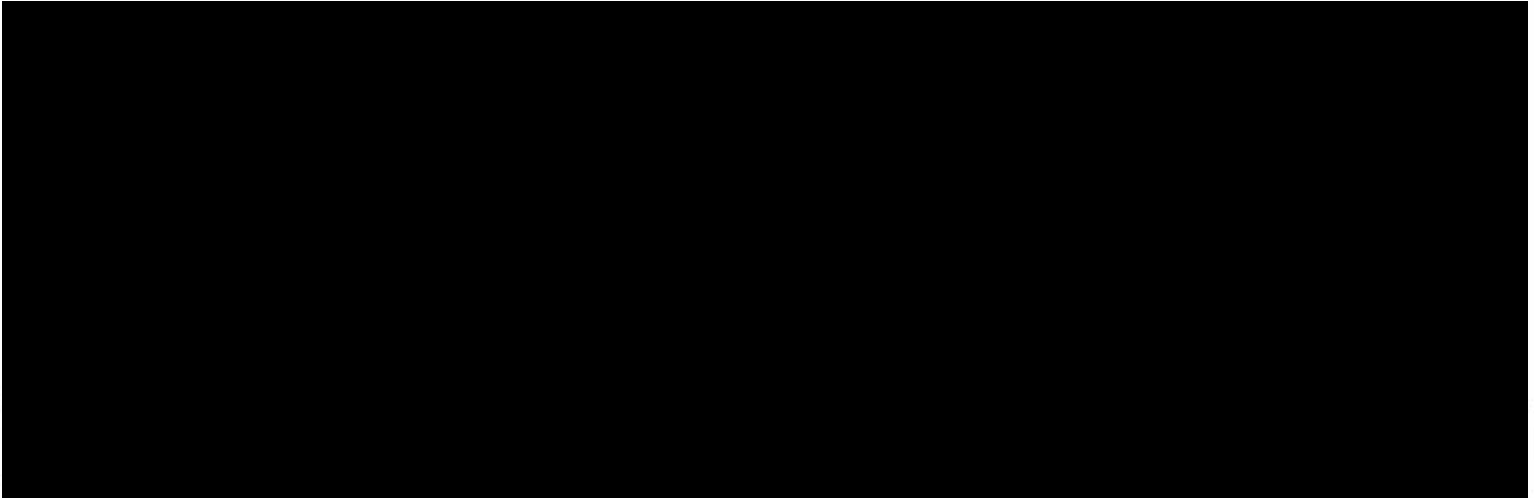
6. Witnesses: Identify persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide. Check here ☒ if additional pages are attached.

NAME and TITLE: (Person #1)	Karl Hall, City Attorney		
ADDRESS:	1 East First St.	CITY, STATE, ZIP	Reno, NV 89501
TELEPHONE:	Work: 775.334.2054	Other: (Home, cell)	E-MAIL: hallk@reno.gov
NATURE OF TESTIMONY:	Mr. Hall is the elected city attorney for Reno. He and his office represented the City in the bargaining process with units. He and or members of his office observed Council Member Reese participate in deliberations and votes on the collective bargaining units. He was aware that Mr. Velto is Council Member Reese's law partner. Mr. Hall was also cognizant of Council Member Reese's awareness of the bargaining groups Council Member Reese's office represented.		
NAME and TITLE: (Person #2)	Chris Waddle		
ADDRESS:	1 East First St.	CITY, STATE, ZIP	Reno, NV 89501
TELEPHONE:	Work:	Other: (Home, cell) 775.772.7880	E-MAIL: waddlec@reno.gov
NATURE OF TESTIMONY:	Mr. Waddle, as RPPA President, retained Council Member Reese's law firm. While I do not know if any evidence exists that Council Member Reese approached representatives of the RPAA group about representing this bargaining group, it is a material question. The RPAA was previously represented for many years by a different entity. As Council Member Reese stated that he did not know what bargaining units his law firm represented, Mr. Waddle should be asked if he and Council Member Reese had any conversations about RPPA's client relationship with the firm.		

7. REQUESTER INFORMATION:

YOUR NAME:		
YOUR ADDRESS:		
YOUR TELEPHONE:		

Your identity as the Requester will be provided to the Subject if the Commission accepts jurisdiction of this matter, unless:



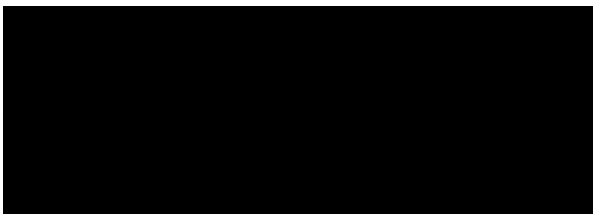
A copy of this Complaint will be provided to the Subject. If your request for confidentiality is approved by the Commission, the Complaint will be redacted to protect your identity as the Requester. The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bona fide threat of physical force or violence.

If the Commission declines to maintain my confidentiality, I wish to:

☐ Withdraw my Complaint OR

☒ Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's investigation are confidential unless and until the Commission's Review Panel renders a determination. Certain Commission proceedings and materials, including the Investigatory File remain confidential pursuant to NRS 281A.750 through 281A.760.



September 8, 2022

Date:

Print Name:

You may file a Complaint using the Commission's **online form** submission at ethics.nv.gov (Preferred) or
You must submit this form bearing your signature to the Executive Director via:
delivery/mail to Nevada Commission on Ethics, 704 W. Nye Lane,
Suite 204, Carson City, Nevada, 89703,
email to NCOE@ethics.nv.gov, or **fax** to (775) 687-1279

Exhibit A - Attached Pages to Box 2 & Box 4

Council Member Reese participated in, without disclosure, on matters related to the City of Reno's collective bargaining agreements with various bargaining units. Three of these groups were represented by his law firm, Hutchison and Steffen. The agreements were ultimately adopted on June 8, 2022 and are with the Reno Protective Police Association, both Supervisory and Non-Supervisory groups, and the Reno Professional Administrative Group (Supervisory group).

Council Member Reese participated without disclosing his law firm represented these groups on a vote for the City to obtain outside legal representation to assist in the bargaining process. This was the vote taken on March 9, 2022. The relevant agenda item is identified as B2 in the minutes for the March 9th meeting, attached as Exhibit B to this filing. The Reno Charter requires that 6 of the 7 members vote affirmatively to hire outside legal counsel. With one member in opposition, his voter was material to the outcome.

Council Member Reese also participated in closed door Council deliberations and advocated for the interests of his firm's clients, both specifically to the three contracts and generally as related to all contracts. From the City's strategic perspective, it is necessary to treat the various bargaining groups consistently and equitably. With so many groups in negotiations with the City in the first half of 2022, this was particularly true. Thus, any participation by Council Member Reese in discussions or deliberations on open contracts (even if not the ones Council Member Reese's firm represents) was germane to the interests of his firm's clients.

When Council Member Reese did make a disclosure, on June 8, 2022, concerning the agreements, (see attached minutes Item C2 through C7 & C8, Exhibit C to this filing) he stated he did not know which bargaining units his law firm represented. This is false because this information was presented in closed attorney-client session. [REDACTED]

Below is elaboration upon possible violations by Council Member Reese that are checked in Box 4 of this filing. Upon investigation, the Commission may find others were likewise violated:

- *NRS 281A.400(2) Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.*

While it is not known, it is worthy of inquiry to determine if Council Member Reese in his capacity as a Council member approached representatives of the bargaining groups to employ his firm or if he suggested others to do so. He

participated in all aspects of negotiations to the same degree as other Council members in closed session deliberations about the City's bargaining positions. He had a pecuniary interest in the outcome of the negotiations as his firm represented three of the bargaining groups.

- *NRS 281A.400(3) Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.*

Council Member Reese deliberated in closed door sessions during which the public was not able to view his role, nor were meeting minutes adopted, so it is difficult to gauge the input he provided to the City's staff negotiating team, but he was present and gave input both on general City positions related to all agreements and to specific terms related to the groups his firm represented. In this setting he was an agent of the government in the negotiation of a contract in which he had a pecuniary interest.

- *NRS 281A.400(9) Attempting to benefit his personal or interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.*

As a Council Member, Mr. Reese participated in all Council discussions and provided his input, input that at times materially influenced Council decisions due to his contract law experience. The Council's direction was communicated to the City's negotiating team, including Human Resources Director Norma Santoyo and City Manager Doug Thornley. Both should be asked if at any time during other than Council sessions, including private conversations, Council Member Reese spoke with either about the contract negotiations and, if so, the content of those conversations.

- *NRS 281A.420(3) Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.*

Council Member Reese should have abstained from the March 9, 2022 vote concerning the hiring of outside legal counsel to assist the City in negotiations with bargaining groups. He voted on, but with an inaccurate disclosure, to approve three contracts on June 8, 2022. Instead, he should have abstained entirely. Council Member Reese participated in all closed-door sessions and should have abstained from participating in those as well.



DEVON T. REESE

DREESE@HUTCHLEGAL.COM

HUTCHISON & STEFFEN

ATTORNEYS

AREAS OF PRACTICE

Administrative &
Regulatory Law
Alternative Dispute
Resolution
Appellate Litigation
Business Law &
Commercial Litigation
Employment & Labor Law
Family Law
Human Resources Support
Insurance Litigation

775.853.8746
HUTCHLEGAL.COM

Devon T. Reese is a partner with the Firm practicing primarily in the area of civil litigation. Devon has significant experience litigating and guiding clients through complex matters involving commercial disputes, employment harassment claims, discrimination and wrongful discharge disputes, business disputes, and family law matters before federal and state courts and administrative agencies.

Devon is proud to represent labor unions on the entire range of labor law matters before federal and state courts, arbitrators, and the National Labor Relations Board (NLRB). Devon has a long history of successfully representing labor unions in a broad range of claims on behalf of the union's members through grievance arbitration and litigation, as well as resolving cases involving dues collection, internal disputes, labor contracts, and representation proceedings.

Devon was previously a partner with Reese Kintz, LLC, where he represented a diverse set of similar interests. Devon previously served as the Vice President and General Counsel for a large, regional builder-developer. He was also the former managing attorney of the Reno law firm, Curiale Dellaverson Hirshfeld & Kraemer.

Devon graduated in 1996 from the University of Missouri at Kansas City with a Bachelor of Arts degree. He received his law degree in 2000 from the University of Kansas School of Law. Devon is admitted to practice in the state courts of Nevada and is also admitted to practice in the U.S. District Court of Nevada, as well as the U.S. Court of Appeals, Ninth Circuit. He was privileged to clerk for the Honorable Justice Cliff Young at the Nevada Supreme Court.

Devon was born and raised in the Reno, Nevada, area. He is an avid outdoorsperson and enjoys competitive tennis and the arts. Devon is married and is a proud father of three amazing children. He enjoys volunteering his time with the Domestic Violence Resource Center.

Devon is also honored to serve as the At-Large Member of the Reno City Council having been appointed in February 2019. He is passionate about improving Reno's quality of life and making it a place that everyone is proud to call home.

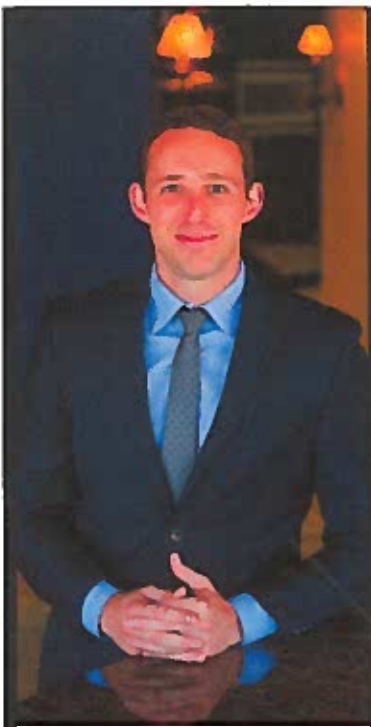
Representative Engagements

Provides outside general counsel to five fire districts, a General Improvement District, and a Visitor's Bureau.

ALEX VELTO

AVELTO@HUTCHLEGAL.COM

HUTCHISON & STEFFEN
ATTORNEYS



AREAS OF PRACTICE

Administrative &
Regulatory Law

Appellate Litigation

Business Litigation

Labor &
Employment Law

Alex Velto is an associate with Hutchison & Steffen, practicing primarily in the Firm's litigation and labor & employment practice groups. He joins the Firm after completing a clerkship with the Honorable James W. Hardesty at the Nevada Supreme Court. Alex obtained his Juris Doctorate from the William S. Boyd School of Law at UNLV where he graduated Magna Cum Laude with highest pro bono honors, received a Dean's Award, and was one of five students named to the National Order of the Scribes by the American Society of Legal Writers.

As a law student, Alex interned with U.S. District Judge James C. Mahan, worked as a Legislative Policy Extern to Governor Brian Sandoval, and was a summer associate for a prominent California Law Firm. On campus, he was a member of the Nevada Law Journal, Society of Advocates, and a student attorney in the Appellate Clinic where he worked on appeals before the U.S. Ninth Circuit Court of Appeals and the Nevada Supreme Court. Alex also served as president of the Public Interest Law Association where he helped organize a student-run auction that raised over \$20,000 for public interest scholarships.

Prior to law school, Alex was an All-American college debater and four-time qualifier to the National Debate Tournament, holding the record for most wins in UNLV Debate history. He was active in student government and organized Vegas GiveCamp, a non-profit event helping build websites and providing consulting seminars for non-profits in Las Vegas.

In his spare time, Alex enjoys basketball, trying new restaurants, and traveling.

775.853.8746

HUTCHLEGAL.COM



MINUTES

Regular Meeting

Exhibit B

Reno City Council

Wednesday, March 9, 2022 • 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 – Bonnie Weber

Ward 2 – Naomi Duerr

Ward 5 – Neoma Jardon

Ward 3 – Oscar Delgado

At-Large – Devon Reese

A Introductory Items

A.1 Pledge of Allegiance

A.2 Roll Call

Attendee Name	Title	Status	Arrived
Bonnie Weber	Councilmember	Present	12:47 PM
Devon Reese	Councilmember	Present	
Hillary Schieve	Mayor	Present	
Jenny Brekhus	Councilmember	Present	12:46 PM
Naomi Duerr	Councilmember	Present	11:38 AM
Oscar Delgado	Councilmember	Present	11:57 AM
Neoma Jardon	Councilmember	Present	12:46 PM

The meeting was called to order at 10:11 AM.

A.3 Public Comment

COUNCIL MEMBER DUERR PRESENT AT 10:13 AM

For the record we received 11 comments which were general in nature or not directly associated with an agenda item prior to 4:00 p.m. on March 8, 2022. These comments were 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.

3 in favor, 0 in opposition, 8 concerned from the following individual(s):

Alan Bima
Asa Barton
Edwin Jordan
Nina Elms
Jackie Clay

Paul Malikowski
Emily Arias
Deonne E. Contine
Terrance Bott
Brittany McCoy
Lorraine Riley

The following voicemail transcript was included in the permanent record, however, due to vulgar or inappropriate language it was not played during the Reno City Council meeting:

No Name

The following voicemail(s) were played during the Reno City Council meeting:

No Name 17756360469
No Name 17759728478
Gerard 17758428216
Terry Wooden 17757417418

Mark Markel 10:13 AM

Elizabeth Kern 10:16 AM

Terry Brooks 10:20 AM

Asa Barton 10:24 AM

Donna Keats 10:27 AM

COUNCIL MEMBER JARDON ABSENT AT 10:27 AM
COUNCIL MEMBER JARDON PRESENT AT 10:28 AM

Bruce Gamino 10:31 AM

A.3.1 A.3 Public Comment

A.4 Approval of the Agenda (For Possible Action) - March 9, 2022.

THE AGENDA WAS APPROVED WITH ITEM B.1.C.1 CONTINUED TO A FUTURE MEETING.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

A.5 Approval of Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Jenny Brekhus, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

A.5.1 Reno City Council - Regular - Feb 9, 2022 10:00 AM (For Possible Action) 10:45 AM

RESULT:	ACCEPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Jenny Brekhus, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

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.)

ITEMS B.1 THROUGH B.5 WERE APPROVED WITH ITEM B.1.C.1 CONTINUED TO A FUTURE MEETING AND ITEMS B.1.A.3 AND B.2 PULLED FOR DISCUSSION.

For the record we received 16 comments which were directly associated with the consent agenda items prior to 4:00 p.m. on March 8, 2022. These comments were 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, 16 in opposition, 0 concerned from the following individual(s):

Kristine Lock
Robert Goldberg
Robert Fagan
Richad W Heroux
Penny Edwards Rangel
S McLeod
Stephanie Lerude
Inge Costa
Eric Lerude
Ethan Goldman

Sherron Elledge
C Ying
Brandi Smith
Han Peng
Katy Hansen
Richard and Barbara Wilson

The following voicemail(s) were played during the Reno City Council meeting:

Gary Cecil 7754205185
Art Wrangle 2133005171
Stephanie Lerude 7752322420
Eric Lerude 7753368528
Penny Edwards Rangel 3235782919

COUNCIL MEMBER WEBER ABSENT AT 11:00 AM

COUNCIL MEMBER WEBER PRESENT AT 11:02 AM

MAYOR SCHIEVE ABSENT AT 11:03 AM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1 Approval of Privileged Business Licenses

B.1.a New - Alcohol

1. Party America, Kathleen Coombs, 5925 South Virginia Street, Package Alcohol (For Possible Action) [Ward 2]

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

2. Music N Mimosas, Allan D. Martinez-Torres, 800 West 2nd Street, Dining Room Wine and Beer (For Possible Action) [Ward 1]

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

3. The Wolf Den Bar & Grill, Bhupinderjit Singh, 501 Ralston Street, Dining Room Alcohol (For Possible Action) [Ward 5]

ITEM PULLED BY COUNCIL MEMBER JARDON FOR DISCUSSION

Council Member Jardon requested a staff presentation including information regarding past issues with this location.

Lance Ferrato, Business Relations Program Manager, presented the staff report and provided the requested information regarding the history of the location.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1.b Change of Ownership - Alcohol

1. Mari Chuy's Mexican Kitchen, Jesus Gutierrez, 2001 East Plumb Lane, Dining Room Alcohol (For Possible Action) [Ward 3]

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

2. La Condesa Eatery, Cesar Perez, 1642 South Wells Avenue, Dining Room Alcohol (For Possible Action) [Ward 3]

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

3. El Amigo Market, Gabriel Padron, 2490 Wrondel Way, Suite 1, Dining Room Wine and Beer, Packaged Wine and Beer (For Possible Action) [Ward 1]

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

4. Carmelitas Restaurant and Bar, Jorge Zepeda Martinez, 6148 Mae Anne Avenue, Dining Room Alcohol (For Possible Action) [Ward 5]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Naomi Duerr, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

5. Red Rock Food Mart, Yogesh Verma, 8790 Red Rock Road, Suite 105,
Package Alcohol (For Possible Action) [Ward 4]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Naomi Duerr, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1.c Annual Review of Cabaret License

1. Staff Report (For Possible Action): Annual review of the privileged alcohol license issued to Fusion Lounge LLC, dba Fusion Lounge located at 219 West Second Street. [Ward 5]

RESULT: WITHDRAWN BY CONSENT VOTE

- B.2 Staff Report (For Possible Action): Approval of engagement agreement with Holland & Hart, LLP for legal work related to labor negotiations with the City's collective bargaining units in an amount not to exceed \$100,000. (General Fund) (Sixth-sevenths vote requirement.) 10:49 AM

Recommendation: Staff recommends approval of engagement agreement with Holland & Hart, LLP for legal work related to labor negotiations with the City's collective bargaining units, and authorize the City Manager to sign.

Proposed Motion: I move to approve staff recommendation.

ITEM PULLED BY COUNCIL MEMBER BREKHUS FOR DISCUSSION

Mayor Schieve requested a staff presentation.

Norma Santoyo, Director of Human Resources, presented the staff report and answered questions from Council.

Council Member Brekhus stated she is not comfortable with this approach and would have preferred proposals.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RESULT:	APPROVED BY CONSENT VOTE [6 TO 1]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

- B.3 Staff Report (For Possible Action): Approval of Consultant Agreement with Lumos & Associates for construction services for the 2022 Humboldt Lander North Sewer and Street Rehabilitation Projects in an amount not to exceed \$476,025. (Sewer and Street Fund) [Ward 1] 10:46 AM

Recommendation: Staff recommends Council approval of the consultant agreement with Lumos & Associates for construction services for the 2022 Humboldt Lander North Sewer and Street Rehabilitation Projects in an amount not to exceed \$476,025 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.4 Staff Report (For Possible Action): Approval of Consultant Agreement with Lumos & Associates for construction services for the 2022 Humboldt Lander South Sewer and Street Rehabilitation Projects in an amount not to exceed \$484,175. (Sewer and Street Fund) [Ward 1] 10:46 AM

Recommendation: Staff recommends Council approval of the consultant agreement with Lumos & Associates for construction services for the 2022 Humboldt Lander South Sewer and Street Rehabilitation Projects in an amount not to exceed \$484,175 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.5 Staff Report (For Possible Action): Approval of the reallocation of Council Travel and Training Funds to the City of Reno Parks Maintenance fund in the Parks and Recreation Department to support and maintain the Virginia Lake Dog Park with new equipment in the amount of \$2,638.75. (General Fund) [Brekhus] 10:46 AM

Recommendation: Staff recommends Council approve the reallocation of Council Travel and Training Funds to the City of Reno Park Maintenance Fund for maintenance at the Virginia Lake Dog Park.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

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.)

- C.1 Staff Report (For Possible Action): Review, discussion and potential approval of request for an affordable housing fee reduction in accordance with Reno Municipal Code Chapter 1.08, consisting of \$837,168.75 in sewer connection fees for the Vintage at Washington Station Senior Apartments located on a ±2.24 acre site situated east of Vine Street, west of Washington Street and north of Winter Street. [Ward 1] 11:30 AM

Recommendation: Staff recommends Council approve the request for a subsidization of \$837,168.75 in sewer connection fees for the Vintage at Washington Station Senior Apartments, in accordance with RMC Chapter 1.08; and, make the determination the criteria are met and reducing or subsidizing such fees will not adversely impair the ability of the City to pay, when due, all interest and principal on any outstanding bonds or any other obligations for which revenue from such enterprise fees was pledged nor affect the economic viability of the general fund and the affected enterprise fund.

Proposed Motion: I move to approve staff recommendation.

Mayor Schieve asked if proper notice was given and any correspondence received.

City Clerk Huntsman stated that proper notice was given and no correspondence was received.

COUNCIL MEMBER JARDON ABSENT AT 11:31 AM

Monica Cochran, Housing and Neighborhood Development Manager, presented the staff report and answered questions from Council.

COUNCIL MEMBER JARDON PRESENT AT 11:34 AM

Dane Hillard, Greenstreet Properties, answered questions from Council.

Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Breklus, Duerr, Delgado, Jardon

C.2 Staff Report (For Possible Action): Review, discussion and potential approval of request for an affordable housing fee reduction in accordance with Reno Municipal Code Chapter 1.08, consisting of \$22,316 in building permit fees and \$217,800 in sewer connection fees for the Orovada Street Senior Apartments located on a ±1.75 acre site situated on the southeast corner of the Silverada Boulevard/Orovada Street intersection. **[Ward 3] 11:52 AM**

Recommendation: Staff recommends Council approve the request for a subsidization of \$22,316 in building permit fees and \$217,800 in sewer connection fees for the Orovada Street Senior Apartments, in accordance with Reno Municipal Code (RMC) Chapter 1.08; and, make the determination the criteria are met and reducing or subsidizing such fees will not adversely impair the ability of the City to pay, when due, all interest and principal on any outstanding bonds or any other obligations for which revenue from such enterprise fees was pledged nor affect the economic viability of the general fund and the affected enterprise fund.

Proposed Motion: I move to approve staff recommendation.

Mayor Schieve asked if proper notice was given and any correspondence received.

City Clerk Huntsman stated that proper notice was given and no correspondence was received.

Monica Cochran, Housing and Neighborhood Development Manager, presented the staff report.

Chip Hobbs, Silver Sage Manor Executive Director, answered questions from Council.

Council upheld the staff recommendation.

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

D Department Items

Finance

D.1 Staff Report (For Possible Action): Presentation, discussion, potential acceptance and potential direction to staff regarding the Downtown Management Company, LLC, Marketing Plan, Annual Operating Budget and Capital Improvement Plan for the Ballroom Facility for the Fiscal Year ending December 31, 2022. 11:08 AM

Recommendation: Staff recommends Council accept the Marketing Plan, Annual Operating Budget and Capital Improvement Plan for Fiscal Year 2022 for the Ballroom Facility.

Proposed Motion: I move to approve staff recommendation.

COUNCIL MEMBER DUERR ABSENT AT 11:08 AM

COUNCIL MEMBER DUERR PRESENT AT 11:10 AM

MAYOR SCHIEVE PRESENT AT 11:10 AM

The presentation was made.

Council upheld the staff recommendation.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

Parks and Recreation

D.2 Staff Report (For Possible Action): Presentation, discussion and potential direction to staff regarding the allocation of \$3,000,000 of the American Rescue Plan Act (ARPA) State and Local Fiscal Relief Funds to Parks and Recreation Department projects. Projects may also be supplemented with funding from Residential Construction Tax as needed to address rising construction costs. 2:56 PM

Recommendation: Staff recommends Council approval of proposed Parks and Recreation projects under the allocation plan.

Proposed Motion: I move to approve staff recommendation.

Jaime Schroeder, Parks and Recreation Director, presented the staff report and answered questions from Council.

Council Member Duerr provided the following feedback on the proposed projects: include the Virginia Ranch Trail in the open space and trails planning; consider adding carpet tiles in the California Building to help with the echo in the building; and look into playground equipment with improved safety features.

Council Member Brekhus suggested researching the historic design of the Idlewild Park and ponds and consider if the best approach might be a naturalized diversion off the river. She noted the staff recommendation includes using residential construction tax as needed to address rising construction costs and suggested a future agenda item providing an update on the status of the residential construction tax.

Mayor Schieve suggested adding lighting around Virginia Lake to help improve safety.

Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Schieve, Brekhus, Duerr, Delgado, Jardon
ABSENT:	Devon Reese

- D.3 Staff Report (For Possible Action): Presentation, discussion and potential direction to staff regarding agreements with Avalon Geothermal to drill one and at most two wells on City of Reno property, located at 240 West Moana Lane. In return the City of Reno would receive revenues related to a lease agreement for land use, royalties, and franchise fees, in addition to becoming a customer to use geothermal resources to heat the new Moana Springs Community Aquatics and Fitness Center facilities and associated ordinance changes. [Ward 2] 2:27 PM

Recommendation: Staff recommends Council approve the term sheet and direct the City Manager to return with agreements and associated ordinance changes for Council approval.

Proposed Motion: I move to approve staff recommendation.

Jaime Schroeder, Parks and Recreation Director, presented the staff report and requested feedback on the draft term sheet.

Council Member Duerr recommend retaining our minerals; leave the term of the franchise agreement open until other details are refined; include a liability waiver; define the area of the franchise; include reversionary rights; and require that they provide budgets so we know the project is on schedule. It is for the benefit of both parties to have more clarity in the term sheet.

Council Member Brekhus stated she has a lot of the same concerns stated by Council Member Duerr. She discussed the need to clarify the issues and get answers before marking up a term agreement. She stated that she wants to understand the cost analysis for us running and operating our own well there. She expressed concerns about the exclusivity of a franchise agreement. We need to contract with someone that has a lot of negotiation experience in the energy field examining both the public policy implications to our residents and if it is a good deal for Reno.

Susan Ball-Rothe, Deputy City Attorney, confirmed for Council Member Duerr that this is a very preliminary draft term sheet and there are outstanding items to discuss.

Ms. Schroeder confirmed for Council Member Duerr that she has gotten quite a bit of direction from Council. If Council approves the motion to continue working through the process, staff will come back in the next couple of months with a more formal term sheet for review.

Ms. Schroeder confirmed for Council Member Duerr that the team helping design the pool has geothermal staff. If Council wants staff to hire a geothermal expert, that direction can be given to the City Manager.

Council Member Duerr stated it is worth exploring to get someone on board to review this kind of lease.

It was moved by Council Member Duerr, seconded by Council Member Jardon, to move forward with a draft term sheet and direct staff to continue vetting all the issues heard here at Council.

Council Member Brekhus stated she will not support the motion. A better motion

in her view would be to take this feedback, understand the questions, and come back with a more thorough staff report and a public process letting people in the area know that they could be dropped into a franchise. Then with that, a determination to go forward with a term sheet.

Motion carried with Council Member Brekhuis opposed and Council Member Reese absent.

RESULT:	APPROVED [5 TO 1]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhuis
ABSENT:	Devon Reese

City Manager's Office

D.4 Staff Report (For Possible Action): Acceptance of the Downtown Reno Partnership's (DRP) FY 22/23 Downtown Reno Business Improvement District (BID) Operating Plan and Budget, submitted by Alex Stettinski, Executive Director of the Downtown Reno Business Improvement District doing business as the DRP. 12:02 PM

Recommendation: Staff recommends Council accept the Downtown Reno Partnership's FY2022/2023 BID Operating Plan and Budget.

Proposed Motion: I move to approve staff recommendation.

For the record we received 1 comment directly associated with the agenda item prior to 4:00 p.m. on March 8, 2022. This comment was written correspondence received via our Reno.gov online public comment form or by email to our office. Copies of the comment have been distributed to the Reno City Council and are available to the public on the Reno.gov meeting portal.

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

Eric Lerude

COUNCIL MEMBER BREKHUIS ABSENT AT 12:03 PM
COUNCIL MEMBER BREKHUIS PRESENT AT 12:12 PM

Alex Stettinski, Downtown Reno Partnership Executive Director, gave the presentation and answered questions from Council.

Council upheld the staff recommendation.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

D.5 Staff Report (For Possible Action): Presentation, discussion and potential direction to staff on the use of State and Local Fiscal Relief Funds from the American Rescue Plan Act of 2021 allocated to affordable housing projects by Council on January 26, 2022 to Reno Housing Authority projects including Dick Scott Manor and purchase and rehabilitation of the Bonanza Inn. 12:40 PM

Recommendation: Staff recommends Council allocate \$9 million of the City of Reno's American Rescue Plan Act funds to the Reno Housing Authority to be used for affordable housing projects, including, but not limited to, the Dick Scott Manor and/or the Bonanza Inn, in accordance with the State and Local Relief Funds Treasury guidance

Proposed Motion: I move to approve staff recommendation to allocate \$9 million of the City of Reno's American Rescue Plan Act funds to the Reno Housing Authority to be used for affordable housing projects, including, but not limited to, the Dick Scott Manor and/or the Bonanza Inn, in accordance with the State and Local Relief Funds Treasury guidance.

COUNCIL MEMBER WEBER ABSENT AT 12:40 PM

COUNCIL MEMBER JARDON ABSENT AT 12:40 PM

COUNCIL MEMBER JARDON PRESENT AT 12:42 PM

COUNCIL MEMBER WEBER PRESENT AT 12:45 PM

Monica Cochran, Housing and Neighborhood Development Manager, presented the staff report and answered questions from Council.

It was moved by Council Member Jardon, seconded by Council Member Delgado, to approve the allocation of six million dollars of the City of Reno's American Rescue Plan Act funds to the Reno Housing Authority (RHA) to be used for projects that will be used to improve the housing affordability in Reno. This is specific to the Bonanza Inn, in accordance with the State and Local Relief Funds Treasury guidance. With respect to the Bonanza Inn, the RHA may not pay more than 105% of the appraised value, and any project must serve residents at 60 to 120 percent AMI as to provide much needed workforce housing in our community.

Council Member Brekhus stated she will not support the motion. She discussed her lack of confidence that this is a good project for the RHA to take on.

Motion carried with Council Member Brekhus opposed.

AT 2:06 PM A MOTION WAS MADE AND CARRIED TO RECONSIDER THIS ITEM. COUNCIL MEMBER REESE WAS ABSENT.

There was discussion regarding clarification of a new motion by Council Member Jardon that was unclear due to technical issues.

RECESS AT 2:10 PM DUE TO TECHNICAL ISSUES
RECONVENE AT 2:21 PM - COUNCIL MEMBER REESE ABSENT

It was moved by Council Member Jardon, seconded by Council Member Delgado, to approve the allocation of six million dollars to the Reno Housing Authority (RHA) to purchase and/or rehab the Bonanza Inn with AMI for affordable workforce housing between 60 and 120 AMI.

Council Member Brekhus stated she understood that the previous motion included a cap so they wouldn't pay more than 105% of the appraised value.

Council Member Jardon stated this motion includes the potential for rehab as well.

Council Member Brekhus asked if the RHA is able to buy above appraised value.

Mayor Schieve stated she believes they can.

Council Member Brekhus stated for her the details need to get packaged a little more before sending six million dollars over to the RHA. She stated she hopes to be able to support it when the sub-recipient documents come forward.

Motion carried with Council Member Brekhus opposed and Council Member Reese absent.

RESULT:	APPROVED [6 TO 1]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

Motion: \$3M for Dick Scott Manor 1:00 PM

It was moved by Council Member Jardon, seconded by Council Member Delgado, to approve staff recommendation as it relates to the Dick Scott project.

Motion carried.

ITEM G.1.1 WAS HEARD AFTER THIS ITEM.

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

E Ordinances - Introduction

F Ordinances - Adoption

F.1 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7202 Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits and Franchises," by consolidating Chapter 5.21 entitled "Medical Marijuana Establishments," and Chapter 5.22 entitled "Marijuana Establishments," into Chapter 5.22 to be entitled "Medical and Adult-use Cannabis Establishments," with amended provisions allowing for two additional adult-use cannabis retail stores to be licensed; modified language to reflect Nevada Revised Statutes and Nevada Cannabis Compliance Regulations; and the removal of unnecessary language to avoid duplicity with state regulation; together with matters which pertain to or are necessarily connected therewith. 3:13 PM

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

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

Public Comment:

Sev Carlson

Bill No. 7202, Ordinance No. 6622 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Weber, Schieve, Brekhus, Duerr, Delgado, Jardon
ABSENT:	Devon Reese

G City Clerk

G.1 Citizen Appointments to Boards and Commissions

G.1.1 Staff Report (For Possible Action): Discussion and potential appointment of up to three individuals to the Financial Advisory Board from the following pool of applicants, listed in alphabetical order: Harris Armstrong, Natalia Cerasoli, Elisa Davis, Chris Guenther, Lindsay Sessions and/or Brian Wadsworth. 1:11 PM

Recommendation: Staff recommends Council make the necessary appointment as noted in the staff report.

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

Harris Armstrong, Lindsay Sessions, and Brian Wadsworth were appointed to the FAB.

RECESS AT 1:12 PM

RECONVENE AT 2:06 PM - COUNCIL MEMBER REESE ABSENT AT RECONVENE

At this time there was discussion to reconsider Item D.5 to allow Council Member Jardon to clarify her motion under that item.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Jenny Brekhus, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

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) 3:15 PM

Council Member Duerr reported that the Western Nevada Development District

Executive Director is retiring and they are looking to fill that position.

Council Member Brekhus reported that the Historic Resources Commission has asked that City Council include on a future agenda an item to formalize the renaming process. She also requested a briefing on the sale of the CAC before it comes to Council.

Mayor Schieve reported that the RSCVA voted to give the facilities contract to the RSCVA.

Council Member Jardon reported there will be a formal memorial recognition for Michael Moreno at the RTC meeting on Friday 18. She also requested a future agenda item for a presentation on the progress that has been made at the Nevada CARES Campus.

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

For the record we received 2 comments which were general in nature or not directly associated with an agenda item after 4:00 p.m. on March 8, 2022. These comments were 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, 2 concerned from the following individual(s)

The following voicemail(s) were played during the Reno City Council meeting:

Larry Green

J.1 J. Public Comment

K Adjournment (For Possible Action)



MINUTES

Joint Regular Meeting

Exhibit C

Reno City Council & Redevelopment Agency Board

Wednesday, June 8, 2022 • 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 – Bonnie Weber

Ward 2 – Naomi Duerr

Ward 5 – Neoma Jardon

Ward 3 – Oscar Delgado

At-Large – Devon Reese

A Introductory Items

A.1 Pledge of Allegiance

A.2 Roll Call

Attendee Name	Title	Status	Arrived
Bonnie Weber	Councilmember	Present	
Devon Reese	Councilmember	Present	
Hillary Schieve	Mayor	Present	
Jenny Brekhus	Councilmember	Present	
Naomi Duerr	Councilmember	Present	
Oscar Delgado	Councilmember	Present	
Neoma Jardon	Councilmember	Present	

The meeting was called to order at 10:08 AM.

A.3 Public Comment

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 June 7, 2022. These comments were 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.

1 in favor, 0 in opposition, 2 concerned from the following individual(s):

Rachel Palacio

Stacie McQueen

Alex Cherup

The following voicemail(s) were played during the Reno City Council meeting:

Anonymous

Gerry Misfud - Unable to play

Terry Brooks 10:18 AM

Alex Cherup 10:21 AM

Brian Colonna 10:29 AM

MAYOR SCHIEVE ABSENT AT 10:33 AM

Lavon Reid (Pastor Love)

Mark Markel

Jess Trujillo 10:33 AM

MAYOR SCHIEVE PRESENT AT 10:36 AM

A.3.1 A.3 Public Comment

A.4 Approval of the Agenda (For Possible Action) - June 8, 2022.

City Manager Thornley withdrew Agenda Item C.8.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

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.)

Public Comment:

Will Truce

THE CONSENT AGENDA WAS APPROVED WITH ITEMS B.2, B.10, B.14, B.15, B.16, B.17, B.19, AND B.25 PULLED FOR DISCUSSION.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1 Approval of Privileged Business Licenses

B.1.a New - Alcohol

1. The Wheyfarer, Amy Lemon, 24 California Avenue, Suite B, Dining Room
Wine and Beer (For Possible Action) [Ward 1]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

2. Dolce Caffe, Claudio Iturriaga, 3882 Mayberry Drive, Suite C, Dining Room Wine and Beer (For Possible Action) [Ward 1]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

3. Double Barrel Draft Wagon, Eldred Griggs, Home-Based, Alcohol Catering (For Possible Action) [Ward 2]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

4. Super Swirl Inc, Peter Orr, Not-In-City, Alcohol Catering (For Possible Action) [Not in City]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1.b New - Privileged

1. Her Birthday, Suzie Jenkins, 13925 South Virginia Street, Suite 238, Secondhand Dealer (For Possible Action) [Ward 2]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.1.c Change of Ownership - Alcohol

1. Mariscos Las Islitas, Alfredo Delgado, 1700 South Wells Avenue, On-Premises Alcohol (For Possible Action) [Ward 3]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

2. Abby's Highway 40, Piper Stremmel, 424 East Fourth Street, On-Premises Alcohol, Cabaret (For Possible Action) [Ward 3]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

3. Subway, Rajnish Rai, 2001 East Plumb Lane, Dining Room Wine and Beer
(For Possible Action) [Ward 3]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

4. Local Beer Works, Richard Silva, 955 South Virginia Street, On-Premises
Wine and Beer, Package Wine and Beer (For Possible Action) [Ward 1]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

5. Aramark Sports and Entertainment Services LLC, Andrew Atwell, 300
North Center Street, On-Premises Alcohol, Alcohol Catering (For Possible
Action) [Ward 5]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

6. Aramark Sports and Entertainment Services LLC, Andrew Atwell, 400
North Center Street, On-Premises Alcohol, Alcohol Catering (For Possible
Action) [Ward 5]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

7. Aramark Sports and Entertainment Services LLC, Andrew Atwell, 1350
North Wells Avenue, On-Premises Alcohol, Alcohol Catering (For
Possible Action) [Ward 3]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

8. Aramark Sports and Entertainment Services LLC, Andrew Atwell, 4590 South Virginia Street, On-Premises Alcohol, Alcohol Catering (For Possible Action) [Ward 3]

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Neoma Jardon, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.2 Staff Report (For Possible Action): Approval of renewal of contract with Anthem for Stop Loss Insurance for the City of Reno's self-funded health plans for a one-year term in the amount of \$1,607,693. (Self-Funded Medical Funds) 11:25 AM

Recommendation: Staff recommends approving the renewal of the stop loss coverage for the City's self-funded health plan with Anthem.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

MAYOR SCHIEVE PRESENT AT 11:28 AM

Norma Santoyo, Director of Human Resources, presented the staff report and answered questions from Council Member Brekhus.

Council upheld the staff recommendation.

RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER: Jenny Brekhus, Councilmember
SECONDER: Devon Reese, Councilmember
AYES: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.3 **Resolution No. 9045:** Staff Report (For Possible Action): Resolution to augment the budget of the City of Reno, Nevada for FY 21/22; and approval of budget revisions for the period of April 1, 2022 through June 30, 2022. 10:38 AM

Recommendation: Staff recommends Council adopt the Resolution approving the budget augmentations herein, direct staff to forward the approved resolution and attachments to the Department of Taxation as required by NRS 354.598005, approve revisions on the attached list, and record these changes in the minutes.

Proposed Motion: I move to approve staff recommendation.

Resolution No. 9045 was passed and adopted.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.4 Staff Report (For Possible Action): Approval of binding of the City's property insurance program from July 1, 2022 through June 30, 2023 in a total amount not to exceed \$1,750,000 and authorization to negotiate an expiration date of October 1, 2023 for a pro-rata premium. (Risk Management Fund) 10:38 AM

Recommendation: Staff recommends Council approve the binding of the City's property insurance program from July 1, 2022 through June 30, 2023 in a total amount not to exceed \$1,750,000, authorize negotiation of an expiration date of October 1, 2023 for a pro-rata premium and authorize the City Manager, or designee, to sign all required documents to bind coverage.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.5 Staff Report (For Possible Action): Approval of Amendment No. 2 to The One Nevada Agreement on Allocation of Opioid Recoveries. 10:38 AM

Recommendation: Staff recommends Council approve Amendment No. 2, and authorize the Mayor to execute on behalf of the City.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.6 Resolution No. 9046:** Staff Report (For Possible Action): Resolution granting 36 Arts and Culture National Endowment for the Arts (NEA) American Rescue Plan (ARP) Grants for 2022: \$15,360 to A.V.A. Ballet Theater; \$9,590.50 to Artech; \$16,704 to Artown; \$15,994 to Arts For All Nevada; \$14,780 to Bruka Theatre; \$5,000 to Classical Tahoe; \$9,164.50 to Collateral & Co.; \$14,784 to David J. Drakulich Foundation; \$14,976 to Double Scoop Inc.; \$5,000 to The Generator Inc.; \$15,744 to Good Luck Macbeth Theatre Company; \$14,400 to High Desert Harmony; \$17,088 to Holland Project; \$15,360 to Latino Arte & Culture; \$5,000 to Lake Tahoe Shakespeare Festival; \$4,045.50 to Nevada Artists' Co-op Gallery; \$9,860 to Nevada Gay Men's Chorus; \$16,704 to Nevada Humanities; \$16,128 to Nevada Museum of Art; \$5,000 to Nevada Music Educators Association Inc.; \$17,280 to Note-Able Music Therapy Services; \$15,168 to Our Center; \$4,606.50 to Our Story, Inc.; \$16,512 to Pioneer Center for the Performing Arts; \$9,874.50 to ReNEW Music; \$15,552 to Reno Art Works; \$16,512 to Reno Jazz Orchestra; \$17,280 to Reno Little Theater; \$16,542 to Reno Philharmonic Association; \$13,824 to Reno Pops Orchestra; \$15,936 to Sierra Arts Foundation; \$16,320 to Sierra Nevada Ballet; \$5,000 to Sierra School of Performing Arts; \$8,738.50 to Space Cadet Nonprofit; \$5,000 to Terry Lee Wells Nevada Discovery Museum; \$15,168 TheatreWorks of Northern Nevada; all to provide operations support in Reno in the amount of \$450,000. (Grant Funded) 10:38 AM

Recommendation: Staff recommends Council adopt the Resolution.

Proposed Motion: I move to adopt the Resolution.

Resolution No. 9046 was passed and adopted.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.7 Staff Report (For Possible Action):** Acceptance of Donation from the Truckee-Tahoe Lumber Company of oriented strand board (OSB) to be used as training material in the Fire Department Recruit Academy with an approximate value of \$4,000. 10:38 AM

Recommendation: Staff recommends Council accept the donation of oriented strand board (OSB) from the Truckee-Tahoe Lumber Company for Reno Fire

Department academy training material.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.8 Staff Report (For Possible Action): Acceptance of Grant Award from Christopher & Dana Reeve Foundation for the Renown Alumni Recreation Therapy Program in the amount of \$24,899. 10:38 AM

Recommendation: Staff recommends Council accept the grant from the Christopher & Dana Reeve Foundation for the Renown Alumni Recreation Therapy Program in the amount of \$24,899.

Proposed Motion: I move to approve the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.9 Staff Report (For Possible Action): Approval of Administrative Updates to Interlocal Agreement between the Washoe County School District and City of Reno for the Reciprocal Use and Maintenance of Facilities. 10:38 AM

Recommendation: Staff recommends Council approve the agreement.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.10 Staff Report (For Possible Action): Approval of procurement of new hardware from AHEAD Inc. and one-time professional services from Central Square Technologies related to Computer Aided Dispatch system rehost in an amount not to exceed \$255,000. (General Fund) 11:31 AM

Recommendation: Staff recommends approval of procurement of hardware from AHEAD Inc. and one-time professional services from Central Square Technologies related to Computer Aided Dispatch system rehost and authorize the Director of the Department of Information Technology to pay to execute purchase

orders in an amount not to exceed \$255,000 (General Fund).

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

Kannaiah Vadlakunta, Director of Information Technology, answered questions from Council Member Brekhus and explained we are in a vendor selection phase.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.11 Staff Report (For Possible Action): Approval of Maintenance Contract for one year of continued maintenance services with CentralSquare Technologies for the Tiburon Public Safety Computer Software Package (CAD and RMS) in an amount not to exceed \$522,000. (General Fund) 10:38 AM

Recommendation: Staff recommends Council approve renewing the Central Square annual maintenance services package for the Tiburon public safety computer software and authorize the Director of the Department of Information Technology to pay an amount not to exceed \$522,000 to execute purchase orders.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.12 Staff Report (For Possible Action): Approval of Interlocal Agreement with the Regional Transportation Commission for reimbursement to the City for staff time spent on the Traffic Signal Timing 6 - Phase 3 Improvement Project in an amount not to exceed \$50,000. 10:38 AM

Recommendation: Staff recommends Council approval of the Interlocal Agreement with the Regional Transportation Commission for reimbursement for time spent on the Traffic Signal Timing 6 - Phase 3 Improvement Project in an amount not to exceed \$50,000 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.13 Staff Report (For Possible Action): Approval of Agreement for professional engineering services with Keller Associates for the Reno-Stead Water Reclamation Facility Maintenance/Storage Building and Administration Building Project in an amount not to exceed \$202,967. (Sewer Fund) **[Ward 4]** 10:38 AM

Recommendation: Staff recommends Council approve this agreement with Keller Associates for professional engineering services for the Reno-Stead Water Reclamation Facility Maintenance/Storage Building and Administration Building Project in an amount not to exceed \$202,967 (Sewer Fund).

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.14 Staff Report (For Possible Action): Approval of Consultant Agreement with Eastern Sierra Engineering for design services for the 2023 Akard and Van Ness Neighborhood Street Rehabilitation Project, Fire Stations #2 and #10 Parking Lot Reconstruction Project, and Dickerson Road Shared Use Path Project in an amount not to exceed \$595,250. (Street Fund, Community Development Block Grant Fund and General Capital Projects Fund) **[Ward 1, Ward 3, Ward 4, Ward 5]** 11:35 AM

Recommendation: Staff recommends Council approval of the consultant agreement with Eastern Sierra Engineering for design services for the 2023 Akard & Van Ness Neighborhood Street Rehabilitation Project, Fire Stations #2 and #10 Parking Lot Reconstruction Project, and Dickerson Road Shared Use Path Project in an amount not to exceed \$595,250 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

Jon Simpson, Senior Civil Engineer, answered questions from Council Member Brekhus regarding the Dickerson Road Shared Use Path project design.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.15 Staff Report (For Possible Action): Approval of Change Order #1 with Sierra Nevada Construction for the 2022 Humboldt Street Neighborhood (Area 2) Project (Contract #F100114) to include improvements on Damonte Ranch Parkway between South Virginia Street and Double R Boulevard, extending the contract for an additional 25 working days and increasing the contract by \$1,278,850, for a revised total project cost of \$7,775,857. (Street Fund) **[Ward 2]**
11:37 AM

Recommendation: Staff recommends Council approve Change Order #1 to amend the contract for SNC to perform additional work in an amount not to exceed \$1,278,850, and authorize the Mayor to sign the Contract.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Duerr for discussion.

COUNCIL MEMBER DELGADO ABSENT AT 11:38 AM

Jon Simpson, Senior Civil Engineer, reviewed information regarding this item as requested by Council Member Duerr. He answered questions and received feedback from Council Member Duerr.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

- B.16 Staff Report (For Possible Action): Approval of Change Order #1 with Sierra Nevada Construction Inc. for the 2021 Sewer Maintenance and Repair Contract (Contract #I400113), extending the contract for an additional 365 working days and increasing the contract by \$938,675, for a revised total project cost of \$1,794,682. (Sewer Fund) **[Ward 1, Ward 4, Ward 5]** 11:40 AM

Recommendation: Staff recommends Council approval of Change Order #1 to the contract agreement with Sierra Nevada Construction, Inc. and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

Jon Simpson, Senior Civil Engineer, answered questions from Council Member Brekhus regarding the project.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

B.17 Staff Report (For Possible Action): Award of Contract to Sierra Nevada Construction, Inc. for the Stead Boulevard Sewer Capacity Project in the amount of \$7,793,007. (Sewer Fund) [Ward 4] 11:42 AM

Recommendation: Staff recommends Council award the contract to Sierra Nevada Construction, Inc. for Stead Boulevard Sewer Capacity Project in the amount of \$7,793,007 and authorize the Mayor to sign the contract.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

Jon Simpson, Senior Civil Engineer, answered questions from Council Member Brekhus regarding how this is being funded.

COUNCIL MEMBER DUERR ABSENT AT 11:43 AM

COUNCIL MEMBER DUERR PRESENT AT 11:44 AM

COUNCIL MEMBER DELGADO PRESENT AT 11:45 AM

John Flansberg, Director of Public Works, confirmed for Council Member Brekhus that connection fee rates were last increased in 2014.

Council Member Brekhus stated she will not be able to support this because growth has to be priced in today's dollars, particularly when you are on a growth fund.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RESULT:	APPROVED BY CONSENT VOTE [6 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

- B.18 Staff Report (For Possible Action): Approval of Consultant Agreement with Atkins for construction services for the Stead Boulevard Sewer Capacity Project in an amount not to exceed \$528,755. (Sewer Fund) [Ward 4] 10:38 AM

Recommendation: Staff recommends Council approval of the consultant agreement with Atkins for construction services for the Stead Boulevard Sewer Capacity Project in an amount not to exceed \$528,755 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.19 Staff Report (For Possible Action): Award of Contract to Bruce Purves Construction, Inc. for the renovation of the Plumas Gym men's and women's restrooms to conform to ADA standards in an amount not to exceed \$540,000. (CDBG Fund and General Capital Project Fund) [Ward 1] 11:47 AM

Recommendation: Staff recommends Council award a contract to Bruce Purves Construction, Inc. for the renovation of the Plumas Gym men's and women's restrooms to conform to ADA standards in an amount not to exceed \$540,000 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Brekhus for discussion.

COUNCIL MEMBER REESE ABSENT AT 11:48 AM

Kyle West, Associate Civil Engineer, explained the bid result and answered questions from Council Member Brekhus.

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jenny Brekhus, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Weber, Schieve, Brekhus, Duerr, Delgado, Jardon
ABSENT:	Devon Reese

- B.20 Staff Report (For Possible Action): Award of Contract to Martin Harris Construction Company, Inc. for the City Hall Seismic Upgrade Project in an amount not to exceed \$10,113,758. (General Capital Fund) [Ward 5] 10:38 AM

Recommendation: Staff recommends Council award the City Hall Seismic Upgrade Project to Martin Harris Construction Company in an amount not to exceed \$10,113,758 and authorize the Mayor to sign the Contract.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.21 Staff Report (For Possible Action): Approval of Consultant Agreement with BJB Architecture and Engineering for engineering support and construction services for the City Hall Seismic Upgrade Project in an amount not to exceed \$503,800. (General Fund) [Ward 5] 10:38 AM

Recommendation: Staff recommends Council approval of the consultant agreement with BJB Architecture and Engineering for construction services for the City Hall Seismic Upgrade Project in an amount not to exceed \$503,800 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- B.22 Staff Report (For Possible Action): Approval of Consultant Agreement with Wise Consulting for abatement project monitoring and reporting for the City Hall Seismic Upgrade Project in an amount not to exceed \$150,700. (General Fund) [Ward 5] 10:38 AM

Recommendation: Staff recommends Council approval of the consultant agreement with Wise Consulting and Training for abatement monitoring and

reporting for the City Hall Seismic Upgrade Project in an amount not to exceed \$150,700 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.23 Resolution No. 9047: Staff Report (For Possible Action): Resolution to reapportion the assessments for the City of Reno, Nevada 2002 Special Assessment District No. 5 (Downtown Events Center) Reapportionment No. 5. 10:38 AM

Recommendation: Staff recommends Council adopt the Resolution to reapportion the remaining installments in the 2002 Special Assessment District No. 5 (Downtown Events Center) upon the newly created parcels for the assessment collection.

Proposed Motion: I move to approve staff recommendation.

Resolution No. 9047 was passed and adopted.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.24 Resolution No. 9048: Staff Report (For Possible Action): Resolution to reapportion the assessments for the City of Reno, Nevada 1999 Special Assessment District No. 2 (ReTRAC) Reapportionment No. 21 10:38 AM

Recommendation: Staff recommends Council adopt the Resolution to reapportion the remaining installments in the 1999 Special Assessment District No. 2 (ReTRAC) upon the newly created parcels for the assessment collection.

Proposed Motion: I move to approve staff recommendation.

Resolution No. 9048 was passed and adopted.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.25 Staff Report (For Possible Action): Approval of the reallocation of general funds to offset costs associated with developing improved public health communication initiatives, system and clinic navigation, behavioral health services, and housing support through South Baptist Community Development Corporation in the amount of \$25,000. (General Fund) **[Delgado]** 11:19 AM

Recommendation: Staff recommends Council approve the reallocation.

Proposed Motion: I move to approve staff recommendation.

Item pulled by Council Member Delgado for discussion.

Council Member Delgado stated he wanted to highlight this item and discussed this opportunity for 2nd Baptist.

Rev DeSean Horne thanked Council Member Delgado and discussed activities of 2nd Baptist.

MAYOR SCHIEVE ABSENT AT 11:24 AM

Council upheld the staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Oscar Delgado, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Brekhus, Duerr, Delgado, Jardon
ABSENT:	Hillary Schieve

B.26 Staff Report (For Possible Action): Approval of the reallocation of American Rescue Plan Act State and Local Fiscal Recovery Fund ward specific allocated funds to the City of Reno's Business License Division to offset costs associated with the creation of the Biggest Little Business Partnership in the amount of \$65,000. (General Fund) **[Reese]** 10:38 AM

Recommendation: Staff recommends Council approve the reallocation.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

B.27 Staff Report (For Possible Action): Approval of the reallocation of American Rescue Plan Act State and Local Fiscal Recovery Fund ward specific allocated funds to The Reno Brewery District Coalition to offset the costs associated with stimulating recovery and economic growth for the businesses in the Brewery District (East Fourth Street) affected by COVID-19 by printing and hanging of lamp post banners in the amount of \$6,500. (General Fund) [Jardon] 10:38 AM

Recommendation: Staff recommends Council approve the reallocation.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

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.)

C.1 Staff Report (For Possible Action): Public Hearing regarding the 2022-23 HUD Annual Action Plan for allocating grants from the federal Community Development Block Grant Program (CDBG) in the amount of \$2,070,240, HOME Investment Partnerships Program in the amount of \$1,582,214, and Emergency Solutions Grant Program (ESG) in the amount of \$179,367. 11:49 AM

Recommendation: Staff recommends approval of the 2022/2023 Annual Action Plan and related materials as submitted.

Proposed Motion: I move to approve staff recommendation.

Mayor Schieve asked if proper notice was given and any correspondence received.

City Clerk stated that proper notice was given and no correspondence was received.

COUNCIL MEMBER REESE RETURNED AT 11:50 AM

Monica Cochran, Housing and Neighborhood Development Manager, presented the staff report and answered questions from Council.

Council Member Brekhus requested that her following comments be recorded. I want to explain my questions and inquiry concerns about the boost in the qualified census tracks. I don't think that program is so well designed for a suburban non-built out city like us. I think it is more applicable in a built out urban metro environment. It drives you to census tracks that perhaps are in environmentally sensitive lands, are far from transit service, and are outlying infrastructure.

Council Member Delgado discussed the need to find a way to support the Housing and Neighborhood Development department outside of using only grant and administrative funds. We need some general funds as we see the importance of that department.

Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

C.2 Staff Report (For Possible Action): Discussion and potential approval of the Collective Bargaining Agreement between the City of Reno and the Reno Police Protective Association (RPPA) for the period of July 1, 2022 through June 30, 2024 to cost \$3,211,549 for FY 22/23 and \$6,179,309 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

COUNCIL MEMBER BREKHUS ABSENT AT 12:09 PM

Council Member Reese disclosed that one of the attorneys in his office represents a number of collective bargaining units in the city. He receives no benefit to it and has not been a part of those discussions.

ONE PRESENTATION WAS MADE FOR ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9 WITH ONE MOTION AND VOTE TAKEN ON ALL THOSE ITEMS.

COUNCIL MEMBER BREKHUS PRESENT AT 12:19 PM

Norma Santoyo, Director of Human Resources, gave the presentation and answered questions from Council.

Dan Tapia, President of International Association of Firefighters (IAFF), expressed appreciation for the process.

Chris Waddle, Reno Police Protective Association (RPPA), also expressed appreciation for the process.

Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

C.3 Staff Report (For Possible Action): Discussion and potential approval of Collective Bargaining Agreement between the City of Reno and Reno Police Supervisory/Administrative Employees, Deputy Chief Unit, for the period July 1, 2022 through June 30, 2024 to cost \$65,216 for FY 22/23 and \$111,925 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

C.4 Staff Report (For Possible Action): Discussion and potential approval of Collective Bargaining Agreement between the City of Reno and Reno Police Supervisory/Administrative Employees, Lieutenant Unit for the period July 1, 2022 through June 30, 2024 to cost \$304,939 for FY 22/23 and \$510,359 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- C.5 Staff Report (For Possible Action): Discussion and potential approval of Collective Bargaining Agreement between the City of Reno and Reno Police Supervisory/Administrative Employees, Sergeant Unit for the period July 1, 2022 through June 30, 2024 to cost \$899,892 for FY 22/23 and \$1,511,259 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- C.6 Staff Report (For Possible Action): Discussion and potential approval of Collective Bargaining Agreement between the City of Reno and Reno Administrative Professional Group, Administrative Unit, for the period July 1, 2022 through June 30, 2024 to cost \$321,200 for FY 22/23 and \$686,936 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

- C.7 Staff Report (For Possible Action): Discussion and potential approval of the Collective Bargaining Agreement between the City of Reno and the Reno Administrative/Professional Group, Professional Unit for the period of July 1, 2022 through June 30, 2024, to cost \$718,223 for FY 22/23 and \$1,394,605 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

C.8 Staff Report (For Possible Action): Discussion and potential approval of the Collective Bargaining Agreement between the City of Reno and the Reno Fire Department Administrators' Association, for the period of July 1, 2022 through June 30, 2022 to cost \$318,171 for FY 22/23 and \$417,051 for FY 23/24. 10:39 AM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

Withdrawn by City Manager Thornley during Agenda Approval A.4.

RESULT:	WITHDRAWN
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C.9 Staff Report (For Possible Action): Discussion and potential approval of the Collective Bargaining Agreement between the City of Reno and the Reno Firefighters Local 731 International Association of Firefighters for the period of July 1, 2022 through June 30, 2024 to cost \$3,155,129 for FY 22/23 and \$6,556,463 for FY 23/24. 12:08 PM

Recommendation: Staff recommends Council approve the tentative agreement.

Proposed Motion: I move to approve staff recommendation.

ONE VOTE WAS TAKEN ON AGENDA ITEMS C.2, C.3, C.4, C.5, C.6, C.7, AND C.9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon

D Department Items

Development Services

- D.1 Staff Report (For Possible Action): Presentation, discussion, and potential direction to staff regarding initiation of a series of Council prioritized text amendments (affordable housing, appeals, sustainability, historic preservation, smoke free business, flood hazard, short term rentals, signs, residential compatibility, major draingeways, wildland/urban interface, and communication facility and equipment) to Reno Municipal Code (RMC) Title 18 Annexation and Land Development, together with matters which pertain to or are necessarily connected therewith. 1:00 PM

Recommendation: Staff recommends Council direct staff to implement the Code amendment work program by utilizing consultants to assist, as outlined in this staff report.

Proposed Motion: I move to approve staff recommendation.

COUNCIL MEMBER REESE ABSENT AT 1:00 PM

Angela Fuss, Assistant Director of Development Services, presented the staff report.

COUNCIL MEMBER REESE PRESENT AT 1:10 PM

COUNCIL MEMBER WEBER ABSENT AT 1:16 PM

Ms. Fuss answered questions from Council Members.

Council Member Brekhus stated she will not support the motion and thinks Council needs to give staff more definite direction.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RESULT:	APPROVED [5 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus
ABSENT:	Bonnie Weber

D.2 Staff Report (For Possible Action): Presentation, discussion, and potential direction to staff regarding initiation of a text amendment to Reno Municipal Code (RMC) Title 18 Annexation and Land Development to address clean-up refinements including grammatical errors, inconsistencies with regulations and unintended deletions or insertions, together with matters which pertain to or are necessarily connected therewith. 1:30 PM

Recommendation: Staff recommends Council initiate the requested text amendment.

Proposed Motion: I move to initiate an amendment to the Reno Municipal Code Title 18 Annexation and Land Development, as specified in this staff report.

COUNCIL MEMBER DUERR ABSENT AT 1:30 PM

MAYOR SCHIEVE ABSENT AT 1:30 PM

Angela Fuss, Assistant Director of Development Services, presented the staff report.

COUNCIL MEMBER DUERR PRESENT AT 1:33 PM

Public Comment:

Will Adler

For the record we received 6 comments which were directly associated with the agenda item prior to 4:00 p.m. on June 7, 2022. These comments were 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.

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

Lorenzo Barracco on behalf of Jade Cannabis

Michael Livak on behalf of Sierra Well
Brandon Wiegand on behalf of The Source +
Clint R. Cates on behalf of The Dispensary & Mynt Cannabis
Ryan Breeden on behalf of Deep Roots Harvest
Kevin Siegel on behalf of Green Thumb Industries & Rise Dispensaries

Ms. Fuss answered questions from Council regarding the process for the cleanup changes that will be made by the technical working group and the public hearings that will be held.

Council Member Brekhus expressed concerns that the bucket of cleanup items will also include creating new code. She also expressed concerns regarding the technical working group and discussed the need for a bigger representation of participants. She encouraged the Council to include in a motion that the Council makes an appointment of who is on that committee.

MAYOR SCHIEVE PRESENT AT 1:43 PM

COUNCIL MEMBER WEBER PRESENT AT 1:44 PM

Council Member Jardon stated the proposed process with five public meetings is sufficient and she does not think the technical working group needs to be changed.

Council Member Brekhus stated she still believes the technical committee should be appointed by this body. She also stated that in her view some of the changes listed are not cleanup but are more substantive issues that need more daylighting than just the technical committee.

COUNCIL MEMBER DELGADO ABSENT AT 1:52 PM

Council Member Duerr discussed the need to allow public participation in the technical working group meetings.

Ms. Fuss responded to questions from Council Member Duerr and confirmed that they can include the technical working group meeting dates and topics that will be discussed on the city website.

COUNCIL MEMBER DELGADO PRESENT AT 1:54 PM

Council Member Brekhus stated she will not support the motion because she does not think Council is giving staff enough detailed direction to proceed in a methodical way.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RECESS AT 1:57 PM

RESULT:	APPROVED [6 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

D.3 Staff Report (For Possible Action): Authorization and direction to staff pursuant to NRS 278.0282 to object to and subsequently appeal, as necessary, the Regional Planning Commission's (RPC) determination of nonconformance with the adopted 2019 Truckee Meadows Regional Plan in Case No. CR22-002 (Peavine Employment Center) [See, RPC Meeting, May 26, 2022; Agenda Item 6.A]. The proposed amendment to the City of Reno Master Plan and Project of Regional Significance changes the land use designation on a ±210.52 acre site from ±207.35 acres of Large Lot Neighborhood (LL) and ±3.17 acres of Public Quasi Public (PQP) to ±169.11 acres of Mixed Employment (ME) and ±41.41 acres of Parks, Greenways, and Open Space (PGOS). The subject site is generally located to the southeast of the intersections of Red Rock Road and Trail Drive. On March 23, 2022, the City Council approved the proposed amendment, subject to the approval of the conformance review by Truckee Meadows Regional Planning. 12:45 PM

Recommendation: Staff recommends Council authorize and direct staff pursuant to NRS 278.0282 to object to and subsequently appeal, as necessary, the Regional Planning Commission's (RPC) determination of nonconformance with the adopted 2019 Truckee Meadows Regional Plan in Case No. CR22-002 (Peavine Employment Center).

Proposed Motion: I move to approve staff recommendation.

Brook Oswald, Development Services Associate Planner, presented the staff report.

COUNCIL MEMBER BREKHUS ABSENT AT 12:48 PM

COUNCIL MEMBER BREKHUS PRESENT AT 12:49 PM

Mr. Oswald answered questions from Council Member Duerr regarding what the concerns were for the Regional Planning Commissioners that were opposed.

Council Member Brekhus will not support the motion. Within the framework of our master plan this is in the foothill neighborhood typology and this sort of use is not anything that was ever in any way contemplated in the foothill neighborhood typology. The existing zoning is appropriate there. It will wake up a lot of eyes when they see a side flank of Peavine up against the forest land be flattened for a mega warehouse.

Council Member Duerr stated that for purposes of today to sponsor a consideration by the RPGB, she is willing to support the motion but she does have an open mind and wants to hear what the RPGB has to say.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RESULT:	APPROVED [6 TO 1]
MOVER:	Bonnie Weber, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

Finance

D.4 Staff Report (For Possible Action): Discussion, direction to staff and potential approval of Fourth Amendment to that original Agreement dated June 13, 2022 by and between the Reno-Sparks Convention and Visitors Authority (RSCVA), the City of Reno, Nevada (Reno) and United States Bowling Congress (USBC) to conduct certain national bowling tournaments within the City of Reno until 2032. [Ward 5] 10:51 AM

Recommendation: Staff recommends Council approve the Fourth Amendment to Agreement.

Proposed Motion: I move to approve staff recommendation.

COUNCIL MEMBER REESE ABSENT AT 10:51 AM

Vicki VanBuren, Interim Finance Director, presented the staff report.

COUNCIL MEMBER REESE PRESENT AT 10:53 AM

City Manager Thornley responded to questions from Council Member Brekhus and stated that the deliverables in the previous iterations of this agreement have been met. There is a separate operating agreement where the RSCVA operates

the facility on our behalf and that is the agreement we would be looking to if we wanted to use the facility with more frequency. This is specifically an agreement that governs the bowling conventions and bowling tournaments that come on an annual basis.

COUNCIL MEMBER DUERR ABSENT AT 10:54 AM

Council Member Brekhus stated she would have expected a staff analysis to show how the trackable room night metric was met as a basis for understanding whether or not we should go forward.

COUNCIL MEMBER DUERR PRESENT AT 10:56 AM

Council Member Jardon stated that while the room night information would be valuable, it needs to take into consideration the COVID impacts.

Mayor Schieve stated that losing this revenue for the city would be extremely damaging. She also discussed the need for a marketing director specifically for this venue.

Rick Murdock, Representing Cesars Entertainment, presented information on the negotiation and history of this extension and the economic impact of the bowlers in the city.

Council Member Brekhus stated she will be voting against this. A ten year agreement for our second most valuable asset downtown coming here already inked out and signed by a counterparty is not the way to advance downtown policy and place making. It needs to be a conversation here and not for another body because it is the City of Reno general fund that is on the hook for the debt service and it is our responsibility for downtown.

Council upheld the staff recommendation with Council Member Brekhus opposed.

RESULT:	APPROVED [6 TO 1]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Delgado, Jardon
NAYS:	Jenny Brekhus

E Ordinances - Introduction

F Ordinances - Adoption

- F.1 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7210 Case No. LDC22-00045 (Meridian 120 South Open Space) Ordinance to amend Title 18, Chapter 18.02 of the Reno Municipal Code, entitled "Zoning," rezoning an ±8.3 acres portion of an ± 80.64 acre parcel generally located 0.21 miles southwest of the intersection of Boomtown-Garson Road and Old Town Road from Industrial Commercial (IC) to Parks, Greenways, and Open Space (PGOS); together with matters which pertain to or are necessarily connected therewith. [Ward 5] 3:14 PM

Summary: The ±8.3 acre subject site is located on an ±8.3 acre portion of an ±80.64 acre parcel generally located 0.21 miles southwest of the intersection of Boomtown-Garson Road and Old Town Road within the Mortensen-Garson Neighborhood Plan and Mortensen-Garson Overlay District (MGOD) zone. Staff recommends adoption of the attached ordinance.

Previous	Council	Action:
May 25, 2022	Council	approved the first reading
Ayes:	Delgado, Duerr, Jardon, Reese, Schieve, Weber	
Nays:	Brekhus	
Abstain:	None	
Absent:	None	

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

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

Ordinance No. 6630 was passed and adopted with Council Member Brekhus opposed.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Neoma Jardon, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado

F.2 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7211 Case No. ANX22-00002 (Gateway at Galena Annexation) Ordinance annexing to and making part of the City of Reno certain specifically described territory of three parcels being ±33.71 acres of property located east of Wedge Parkway ±515 feet south of its intersection of Mount Rose Highway, within the City of Reno Sphere of Influence (SOI) and the Truckee Meadows Service Area (TMSA), Washoe County, Nevada, together with other matters which pertain to or are necessarily connected therewith. **[Ward 2] 3:18 PM**

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

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

Ordinance No. 6631 was passed and adopted with Council Member Brekhus opposed.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Naomi Duerr, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado

G City Clerk

G.1 Citizen Appointments to Boards and Commissions

G.1.1 Staff Report (For Possible Action): Discussion and potential appointment of one individual to the Building Enterprise Fund Advisory Committee from the following pool of applicants, listed in alphabetical order: Douglas Hunter or Judith Rought. 3:19 PM

Recommendation: Staff recommends Council make the necessary appointment as noted in the staff report.

Proposed Motion: I move to appoint _____ or _____ to the Building Enterprise Fund Advisory Committee.

Douglas Hunter was appointed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bonnie Weber, Councilmember
SECONDER:	Devon Reese, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

- G.2 **Resolution No. 9049:** Staff Report (For Possible Action): Resolution establishing the Community Development Block Grant (CDBG) Sub-Committee of the Reno City Council, and establishing terms for and rules concerning the committee. 3:20 PM

Recommendation: Staff recommends Council adopt the Resolution.

Proposed Motion: I move to approve staff recommendation.

Council Member Brekhus stated she would like the CDBG Sub-Committee to convene before we do our appointments in November to talk about whether or not there is a need to continue having the Sub-Committee.

Council Member Reese suggested that at a future meeting Council Member Weber be appointed as the alternate.

Resolution No. 9049 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

- G.3 **Staff Report (For Possible Action):** Acceptance of the updated Human Rights Commission Bylaws in accordance with Resolution No. 8780. 3:23 PM

Recommendation: Staff recommends Council accept the Human Rights Commission bylaws.

Proposed Motion: I move to approve staff recommendation.

Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

G.4 Staff Report (For Possible Action): Performance evaluation for the City Clerk, including discussion of goals, objectives, annual compensation, and accomplishments. 2:10 PM

Recommendation: Staff recommends Council complete the annual performance evaluation of the City Clerk for the past year of employment and provide direction to the City Clerk on performance goals for the upcoming fiscal year, and implement changes to annual compensation as determined by Council.

Proposed Motion: I move to uphold the staff recommendation.

COUNCIL RESUMED AT 2:09 PM

COUNCIL MEMBER DUERR PRESENT 2:10 PM

Norma Santoyo, Director of Human Resources, presented the staff report.

Mikki Huntsman, City Clerk, gave a presentation.

COUNCIL MEMBER DELGADO ABSENT AT 2:36 PM

Ms. Santoyo answered questions from Council regarding the evaluation process.

Ms. Huntsman received feedback and comments from Council Members.

It was moved by Council Member Reese, seconded by Council Member Weber, to approve a 15% increase from the entry step of the director pay range.

Council Member Reese responded to questions from Council Member Brekhus regarding the information he gathered on the director pay range. He clarified that the directors have a pay range band from \$142,612 to \$186,822 and Ms. Huntsman is outside of that range currently and the motion will move her within the range.

City Manager Thornley explained for Council Member Brekhus that the clerk position is included in the director pay range band.

Council Member Brekhus discussed the 7% increase that was budgeted for everyone and expressed concern regarding potential repercussions when managers have big increases.

City Manager Thornley explained more about the 7% cost of living adjustment compared to a merit increase. He stated that the 7% included in the budget raises the bottom and top of the range 7% and anything that exists within that range theoretically should be provided for in the budget.

Council Member Brekhus stated she can't accept anything more than a 7% increase.

Motion carried with Council Member Brekhus opposed.

RESULT:	APPROVED [5 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado

H Mayor and Council

H.1 Staff Report (For Possible Action): Annual City Manager's performance evaluation, including discussion of impressions, accomplishments, and goals; discussion regarding amending the City Manager's employment contract. 3:45 PM

Recommendation: Staff recommends Council retain City Manager Thornley for an additional term as identified in the employment contract in accordance with his performance.

Proposed Motion: I move to approve staff recommendation.

RECESS AT 3:27 PM

COUNCIL RESUMED AT 3:45 PM WITH COUNCIL MEMBER DELGADO ABSENT

COUNCIL MEMBER WEBER ABSENT AT 3:46 PM
COUNCIL MEMBER WEBER PRESENT AT 3:48 PM

Norma Santoyo, Director of Human Resources, presented the staff report.

City Manager Thornley gave a presentation and received feedback and comments from Council Members.

Ms. Santoyo answered questions from Mayor Schieve regarding ways to help with longevity. One idea is to explore the possibility of PERS credit purchase. The City Manager position is currently in the management employee group and the recommendation would be to explore legally whether that position should be put into a different employee class to provide a different benefit structure that responds to the unique needs of that position.

Council Member Reese discussed the suggested PERS option as an incentive for the City Manager not to be run off by the hostile work environment and defamation that has been created by a member. He asked legal counsel what can be done when one of our members is behaving badly and what the conditions are where we can censure a member. He stated that his advice to Mr. Thornley has been to make sure he has legal counsel with him when he meets with and interacts with Council Member Brekhus.

John Shipman, Deputy City Attorney, stated we are not prepared to opine on that at this point but we can get back to the body.

Mayor Schieve stated she does worry about the liability piece. We are setting ourselves up if Mr. Thornley wanted to sue us one day.

It was moved by Council Member Reese, seconded by Council Member Weber, to direct legal to negotiate Mr. Thornley's contract to include potentially two concepts. The first is the purchase of PERS compensable time (he recommends 6 months per year effective June 30). That would be a longevity piece. Second is that the City might consider setting up a budget line item for the City to reimburse Mr. Thornley for legal fees to represent himself against claims by Council that are false, defamatory, malicious, and the like.

Mr. Shipman asked for clarification that the motion is to research amending of the contract and that it would come back to the Council.

Council Member Reese responded yes and stated he is directing the City Attorney to negotiate the contract, which would not include a pay raise but that might include this concept of PERS compensable time, and whether or not it is appropriate or necessary to create a fund from which Mr. Thornley can hire outside legal counsel in order to respond to the allegations being made against him that are false, defamatory, and salacious.

Mayor Schieve stated the reason liability is important is that could potentially cost the City hundreds of thousands or millions of dollars.

Council Member Duerr asked the City Attorney to look into two things. One is to see if we already have in the contract a legal provision. Number two is the timing of this. She would love to see Council shift focus going forward to doing this after all the budgets are done.

Motion carried with Council Member Brekhus opposed.

RESULT:	APPROVED [5 TO 1]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Duerr, Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado

H.2 City Council Comments, including announcements regarding City boards and commissions, activities of local charitable organizations and upcoming local community events. (Non-Action Item) 5:06 PM

City Manager Thornley asked the Fire Chief to report on the recent actions of Station 12.

Mayor Schieve expressed appreciation for all the work Fire and Police did over the weekend.

Council Member Brekhus stated it is unfortunate that members of the body turned Mr. Thornley's evaluation into an attack on her or ways to censure her. The spotlight is on the City Manager and the law requires this to be done publicly. The discounting of the reporting of a serious violation is problematic.

Council Member Jardon made a motion to adjourn.

Council Member Reese reported on the US Conference of Mayors.

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

Council Member Reese asked for a point of order and stated the Council Member Brekhus is not a member of the public and there is a specific portion of the agenda that is for Council comments.

Karl Hall, City Attorney, confirmed that Council Member Brekhus can offer public comment.

Council Member Brekhus noted that she was cut off during Council comments. She stated that she thinks the evaluation turned on her, who reported a very serious violation of policy, and on top of that retaliation. She stated there may be reasons why this board doesn't take this as serious and she played an audio recording of Mayor Schieve where beer pong on Friday afternoons was mentioned.

For the record we received 1 comment that was general in nature or not directly associated with an agenda item after 4:00 p.m. on June 7, 2022. This was received via our Reno.gov online public comment form or by email to our office. Copies of this comment have been distributed to the Reno City Council and are available to the public on the Reno.gov meeting portal.

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

No name

One voicemail was received but, in accordance with Council rules, we will be unable to play it. A transcript of the call has been distributed to the Council and will be uploaded to Reno.gov.

J.1 J. Public Comment

K Adjournment (For Possible Action)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

L REDEVELOPMENT AGENCY BOARD

L.1 Roll Call

DELGADO ABSENT

L.2 Public Comment

None

L.3 Approval of the Agenda (For Possible Action) - June 8, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

L.4 Approval of Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

L.4.1 Reno City Council & Redevelopment Agency Board - Joint Special - May 3, 2022 10:00 AM (For Possible Action) 3:24 PM

RESULT:	ACCEPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

- L.5 **Resolution No. 258:** Staff Report (For Possible Action): Resolution to augment the budget of the Redevelopment Agency of the City of Reno, Nevada for the 2021/2022 Fiscal Year; and approval of budget revisions for the period of July 1, 2021 through June 30, 2022. 3:25 PM

Recommendation: Staff recommends Agency Board adopt the Resolution adopting the budget augmentations herein and direct staff to forward the approved resolution and attachment to the Department of Taxation as required by NRS 354.598005, and approve revisions on the attached list and record these changes in the minutes.

Proposed Motion: I move to adopt the Resolution and direct staff to forward said resolution and attachments to the Department of Taxation; and approve revisions on the attached list and record these changes in the minutes.

RDA Resolution No. 258 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

- L.6 **Resolution No. 259:** Staff Report (For Possible Action): Resolution to augment the budget of the Redevelopment Agency of the City of Reno, Nevada for the 2021/2022 Fiscal Year; and approval of budget revisions for the period of July 1, 2021 through June 30, 2022. 3:25 PM

Recommendation: Staff recommends Agency Board adopt the Resolution adopting the budget augmentations herein and direct staff to forward the approved

resolution and attachment to the Department of Taxation as required by NRS 354.598005, and approve revisions on the attached list and record these changes in the minutes.

Proposed Motion: I move to adopt the Resolution and direct staff to forward said resolution and attachments to the Department of Taxation; and approve revisions on the attached list and record these changes in the minutes.

RDA Resolution No. 259 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

L.7 Public Comment

None

L.8 Adjournment (For Possible Action)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Councilmember
SECONDER:	Bonnie Weber, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr, Jardon
ABSENT:	Oscar Delgado

Exhibit D
Redacted pursuant to NRS
281A.750

Exhibit E – Attached Page to Box 6

Zac Haffner, Reno Administrative Professional Group Representative (RAPG Supervisory)

haffnerz@reno.gov

(775) 657-4608

Mr. Haffner, as RAPG Representative, retained Council Member Reese's law office. While it is not known if Council Member Reese approached the bargaining group representatives to hire his firm, it is a relevant question. The bargaining group was previously represented for many years by a different firm. As Council Member Reese stated that he did not know what bargaining units his law firm represented, Mr. Haffner should be asked if he and Council Member Reese had any conversations about RAPG Supervisory's client relationship with the firm.

Phil Tousignant, Reno Administrative Professional Group (Non-Supervisory)

rapgpres@gmail.com

Mr. Tousignant, as RAPG Representative, did not retain Council Member Reese's law firm and used the group's long-time firm to assist in negotiations. He should be asked if he was approached by Council Member Reese, or others, to hire Council Member Reese's firm.

Norma Santoyo, Human Resources Director

santoyon@reno.gov

775.334.2285

Ms. Santoyo was the City's lead negotiator for the collective bargaining agreements with RPPA and RAPG Supervisory. She prepared materials for closed door sessions that identified the bargaining groups Council Member Reese's law firm represented. She witnessed Council Member Reese's participation in the Council's closed-door discussions and negotiations. The Council gave direction to Ms. Santoyo specific to the groups represented by Council Member Reese's firm and general direction applicable to all negotiations.

Naomi Duerr, Ward 2 Reno City Council Member

duerrn@reno.gov

775.334.2017

Council Member Duerr inquired at a closed-door session if Council Member Reese had a conflict of interest because his law firm represented bargaining groups. She also was present for the discussion about the groups Council Member Reese's firm represents. She witnessed Council Member Reese's participation in the City Council's provision of direction to City staff about contract negotiation terms pertaining to the groups represented by Council Member Reese's firm and general direction applicable to all negotiations.



**STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS**

In re **Devon Reese**, Member, City Council,
City of Reno, State of Nevada,

Ethics Complaint
Case No. 22-104C
Confidential

Subject. /

ORDER ON JURISDICTION AND INVESTIGATION
Pursuant to NRS 281A.715

The Nevada Commission on Ethics ("Commission") received an Ethics Complaint on September 12, 2022, regarding Devon Reese ("Subject"). On October 27, 2022, pursuant to the requirements of the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law") and NAC 281A.405, the Commission conducted its jurisdictional and evidentiary review of the record, including the Ethics Complaint, supporting evidence, and the recommendation of the Executive Director.¹

IT IS HEREBY ORDERED:

The Commission directs that the identity of the Requester be maintained as confidential under NRS 281A.750. With regard to the allegations referenced in the Ethics Complaint, the Commission accepts jurisdiction over Subject's alleged conduct associated with the Reno City Council meeting dated June 8, 2022, and Subject's attendance at labor negotiations or updates on the collective bargaining agreements, and any related directions to City staff. Accordingly, the Executive Director is directed to investigate and serve a *Notice of Complaint and Investigation* regarding the Subject's alleged violations of the following provisions of the Ethics Law:

NRS 281A.400(2) Using position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.

NRS 281A.400(3) Participating as an agent of government in the negotiation or execution of a contract between the government and himself, any business entity in which he has a significant pecuniary interest or any person to whom, he has a commitment in a private capacity.

¹ The following Commissioners participated in this jurisdictional review: Chair Wallin, Vice-Chair Duffrin and Commissioners Gruenewald, Lowry, Oscarson, and Towler.

After consultation with Commission Counsel, Commissioner Amanda Yen disclosed that the Subject of this complaint and the City of Reno ("City") are clients of the law firm of McDonald Carano ("Firm"). Commissioner Yen is a partner with the Firm and has both a pecuniary interest in her employment and a private commitment to the Firm, as her employer, and its clients under NRS 281A.065. Consequently, the independence of judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon matters related to this case. In order to avoid any appearance of impropriety and comply with Nevada's Ethics in Government Law set forth in NRS Chapter 281A and Rule 2.11 of the Code of Judicial Conduct, Commissioner Yen is disclosing her private interests and is abstaining from participation in this case.

NRS 281A.400(9) Attempting to benefit a personal or pecuniary interest of any person to whom he has a commitment in a private capacity through the influence of a subordinate.

NRS 281A.420(3) Failing to abstain from acting on an official matter which is materially affected by the acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.

Separately, pursuant to NAC 281A.415, the Executive Director is directed to include and serve a *Notice of Additional Issues and Facts* as part of the *Notice of Complaint and Investigation* regarding the following violation for Subject's conduct associated with considering and participating on the various collective bargaining agreements at the June 8, 2022, Reno City Council meeting and alleged attendance at labor negotiations or updates on the collective bargaining agreements, and any related directions to City staff:

NRS 281A.420(1) Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, commitment in a private capacity to the interest of another person or the nature of any representation or counseling provided to a private person for compensation before another agency in the preceding year that is reasonably affected by an official matter.

DATED this 27th day of October 2022.

NEVADA COMMISSION ON ETHICS

/s/ Kim Wallin

Kim Wallin, CPA, CMA, CFM
Commission Chair

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, through the State of Nevada mailroom, a true and correct copy of the foregoing **Order on Jurisdiction and Investigation**, addressed as follows:

Devon Reese, Member
City of Reno City Council
1 E 1st Street
P.O. Box 1900
Reno, NV 89505

Cert. Mail No.: 9171 9690 0935 0037 6404 67

Dated: 10/27/21



Employee, Nevada Commission on Ethics