

June 1, 2018

Dear Ms. Towler,

Having just viewed the Reno City Attorney Memorandum, subject Evans Historical Park Project Deed Restriction, dated May 30, 2018, I would, as a representative of the project and the Truckee Meadows Heritage Trust, respectfully like to request a meeting to discuss this memo.

The memorandum unfortunately misrepresents the nature of our proposal for Evans Historic Park in several ways that we believe have influenced the legal decision as written, and we would appreciate the opportunity to discuss those discrepancies with you at your earliest convenience.

The legal decision uses as its attachment, and possibly as its sole source, the PowerPoint presentation that was used to present an abbreviated version of the proposal to City Council in the meeting on May 23, 2018. This is unfortunate as this presentation by necessity did not fully explicate the details of the proposal, as we were granted only 15-20 minutes to present it to City Council.

The attached document, which was provided to all City Council members and the Mayor during that meeting, contains details of the proposal which address in greater detail many of the concerns raised in the legal decision. That packet is attached, and we would like to have the opportunity to go over it with you in person, as many of these issues are better explicated in open discussion.

Among the discrepancies in the decision as written are the following:

1. This project does not propose to "lease Evans Park to the Truckee Meadows Heritage Trust," as stated on p. 2 of this memo. Rather, as our proposal states, "Evans Park will remain a city park, and the structures will be on a land lease from the City of Reno."
2. The memo states that "the Trust, not the City, will operate and maintain the property." This is not an accurate representation of our proposal. The Trust will never operate the property; it is a mechanism to transfer ownership of the historic houses from the University of Nevada, Reno to the individual house buyers and to help oversee the creation of regulations to govern the operations of those houses on City park property.
3. The memo states that the project is "failing to identify specific tenants, or even the mix of tenants" and that therefore "the City can only speculate as to how the Trust will strike an appropriate balance between its commercial interests, and the City's interests in preserving Evans Park as a park." This assumption is mistaken on two fronts: first, our project has already identified several potential tenants including Bibb Coffee, Dropout Bikes, and Textbook Brokers, all of which currently cater to the University community, and several of whose buildings are slated to be demolished. We are seeking additional tenants who are also interested in catering to this built-in community of surrounding students and area residents. Secondly, the City will be integrally involved in the formulation of regulations governing the commercial operations in the park.

4. Our proposed project stipulates the creation of a Property Owners Association, which would be formed by the owners of the houses in close collaboration with the City of Reno, on whose land the houses will continue to sit. As a result, the City will have a controlling interest in the determination of what types of businesses may operate in the park, and other issues regarding their operation.

5. The fact that the spaces other than the land housing historic structures will remain a public City of Reno park should also reassure the City that any public programming will remain under its control. As a result, the memo is inaccurate in stating that "Special events and community activities...will be aimed at financially supporting and preserving the historic homes by promoting the commercial interests of the Project's small business tenants." This is not the intent of our project at all and appears to be simply an unfortunate assumption. The park will remain a City park, and any programming will be under the control of the City.

6. Although the memo takes into consideration the language of the original deed restriction accompanying the creation of the park in 1926, it does not include acknowledgement or interpretation of the implications of the 1966 sale of Evans Park to the State of Nevada, as documented in the attached deed from the Washoe County Recorder's office. We believe this deed contains information that is relevant to our proposal to move several structures to the park while allowing the property to remain in compliance with the 1926 deed restriction and would like to see it acknowledged and interpreted.

7. We would like to discuss the existence of other City of Reno parks with less acreage of open space than Evans Park will retain under our plan. There are also other city parks that house buildings and/or areas which are not entirely open or accessible to the public, and city parks that lease land for commercial operation or other activities, and we would like to discuss those with you, as well, to ascertain City policy.

There are several other issues we are very eager to discuss with you, and we hope that the attached document as well as perusal of our project's website at <http://evanspark.org/> may offer further clarification.

Thank you so much,

Alicia

Alicia Barber, Ph.D.