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## City Council Regular Meeting

**DEPARTMENT:** Development Services

**FROM:** Tony D. McIlwain, Development Services Director

**MEETING:** March 4, 2024

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**SUBJECT:**

Receive a report, hold a discussion and provide staff feedback regarding easement and right-of-use agreements. *(Staff contact: Tony D. McIlwain, AICP, CFM, Development Services Director)*

**SUMMARY:**

The purpose of this discussion item is to provide the City Council a report of the Policy and Valuation Committee's work efforts regarding changes to the City's easement and right-of-way use agreement process. The Council Policy and Valuation Committee has conducted two meetings to discuss changes to the City's easement and right-of-use agreements. Specifically, the Committee provided comments and recommendations on the following:

- Revised review and approval process
- Revised form agreement
- Criteria for plan submittals
- Future renewal process
- Fees
- Policy vs ordinance

Additionally, the Committee has discussed incorporating the Old Town Design Standards Review Committee (OTDSRC) into the review and recommendation process for right-of-way use agreements located within Old Town. As part of this process, staff sought feedback from the OTDSRC regarding criteria for plan submittals and expanding to add design professionals to its membership.

**RECOMMENDATION:**

Staff recommends the City Council consider the first reading on an ordinance incorporating the Committee's proposed changes at the regular meeting of March 18<sup>th</sup>.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

11/20/23: The Council Policy and valuation Committee received a report regarding right-of-use agreements and provided staff direction for proposed changes.

1/24/24: The Council Policy and Valuation Committee received a 2<sup>nd</sup> report regarding right-of-use agreements and directed staff to solicit input from the OTDSRC.

2/14/24: The OTDSRC received a briefing on the proposed changes to the right-of-way use agreement process.

**REFERENCE:**

Insert CSO# if applicable  
Insert resolution or ordinance change

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

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