



MAYOR  
Geno Martini

CITY COUNCIL  
Julia Ratti, Ward I  
Ed Lawson, Ward II  
Ron Smith, Ward III  
Mike Carrigan, Ward IV  
Ron Schmitt, Ward V

CITY ATTORNEY  
Chet Adams

**REGULAR CITY COUNCIL MEETING MINUTES  
2:00 P.M., Monday, June 23, 2014**

**City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada**

**1. Call to Order** (Time: 2:00 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:00 p.m.

**2. Roll Call** (Time: 2:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

Staff Present: Tracy Domingues, Brian Allen, John Martini, George Graham, Dan Hamlin, John Ericson, Wayne Webber, Casey Bond, Chris Maples, Jim Rundle, Jill Valdez, Mindy Falk, Chris Syverson, Neil Krutz, Adam Mayberry, Rich Brown

**Invocation Speaker** (Time: 2:01 p.m.)

The invocation was led by Pastor Pete Vossler, Crosswinds Assembly of God

**Pledge of Allegiance** (Time: 2:02 p.m.)

The Pledge of Allegiance was led by Assistant City Attorney Doug Thornley.

**Comments from the Public** (Time: 2:02 p.m.) - None

**Approval of the Agenda** (Time: 2:02 p.m.)

**Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.**

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the agenda as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**3. Recommendation to Approve Minutes** (Time: 2:03 p.m.)

**3.1 Consideration and possible approval of the minutes of the Council Workshop of May 27, 2014 and the regular Sparks City Council Meeting for June 9, 2014**

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve the minutes of the Council Workshop of May 27, 2014 and the regular Sparks City Council Meeting for June 9, 2014, as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest**  
(Time: 2:04 p.m.)

**4.1 Proclamation: "Parks and Recreation Month"** (Time: 2:04 p.m.)

The Proclamation was read by Council Member Ratti and presented to Parks and Recreation Director Tracy Domingues.

Public Comment was received by Nathan Daniel, who commended Parks and Recreation staff for their efforts for the City of Sparks, especially in times of recession. He also spoke on the "Walks in the Park" program.

**5. Consent Items** (Time: 2:09 p.m.)

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the consent items as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period May 29, 2014 through June 4, 2014 (FOR POSSIBLE ACTION)**

An agenda item from Finance Manager Jeff Cronk recommending the City Council approve the report of claims and bills as presented in the staff report.

**5.2 Consideration and possible approval of a Master Professional Services On Call List for Civil Engineering Design, Surveying, and Materials / Testing and Inspection Services, RFP 13/14-021**

An agenda item from Assistant Community Services Director John Martini recommending Council approve an on-call list for professional services. The city has a routine need for consultants in support of capital improvement or maintenance projects and this list will establish on-call professionals to perform these services on an as-needed basis. There is no financial impact to the approval of the master on-call list. Funds will be available and budgeted directly for the individual civil engineering, survey, or materials / testing and inspection projects.

**5.3 Consideration and possible approval of a Final Map for Galleria Station II**

An agenda item from City Engineer John Martini recommending Council approve the Galleria Station II Final map, which will create 74 residential lots within the Galleria Station New Urban Development. This is a continuation of the Galleria Station NUD and will have access from Costa Azul Drive. The Developer is Lewis Operating Corporation. The final map and civil

improvement drawings have been reviewed by the Community Services Department and have been found to be acceptable.

**5.4 Consideration and possible approval to make appropriate Mid-Management Resolution changes that have been previously approved in Fiscal Year 15 Budget**

An agenda item from Employee and Customer Relations Manager Chris Syverson, recommending Council amend the Mid-Management Resolution as follows: eliminate the titles of IT Operations Administrator and IT Systems Administrator, add Information Technology Manager, Civil Engineer, and reclassify the salary range for the Senior Systems Analyst and the Recreation Supervisor. The financial impact of these changes has been approved in the FY15 budget.

**5.5 Consideration and possible approval of a Memorandum of Understanding (MOU) between the City of Sparks and Operating Engineers Local Union No. 3 to add two titles and one job family in the Operating Engineers Local Union No. 3 Non-Supervisory Contract, Appendix A**

An agenda item from Employee and Customer Relations Manager Chris Syverson, recommending Council approve an MOU to change the Operating Engineers Local No. 3 Non-Supervisory Contract as follows: add one job family and two position classifications of Recreation Specialist I/II, Senior Permit Technician and Systems Specialist. The financial impact of these changes has been approved in the FY15 budget.

**5.6 Consideration and possible approval of a Memorandum of Understanding (MOU) between the City of Sparks and Operating Engineers Local Union No. 3 Supervisory to make changes to annual and sick leave increments and to add language mistakenly omitted in the last contract in the Emergency Communication Dispatcher/Specialist Overtime**

An agenda item from Employee and Customer Relations Manager Chris Syverson, recommending Council approve an MOU to change the Operating Engineers Local No. 3 Supervisory Contract to include the new time keeping system, which has the ability to account for time increments smaller than half an hour. The current contract only allows employees in this group to take annual and sick leave time in half-hour increments, which is no longer an effective way to account for time. Also, in the last contract the sign-up for overtime in Emergency Communication Dispatcher / Specialist Overtime was mistakenly omitted from the contract and this MOU will reinstate the appropriate language. There is no financial impact to the general fund.

**5.7 Consideration and possible approval of an Outdoor Dining And Encroachment Permit to Role Model, LLC dba "B Street Café" located at 916 Victorian Avenue**

An agenda item from Deputy City Manager Neil Krutz, recommending Council approve an Outdoor Dining and Encroachment Permit for the "B" Street Café, which has been operating successfully since 2012. They now wish to expand their operations by 750 square feet via a permit. The permit has been revised to include annual approval by the City Council, an annual

rent payment consistent with the city's fiscal year, presentation of a Certificate of Insurance and Workman's Compensation at the time of the annual Permit application, and the elimination of seasonal closures. There is no financial impact the general fund for this permit.

**6. General Business**

**6.1 Consideration and possible approval of the amended extension to the Agreement for Golden Eagle Regional Park Concession Services between the City of Sparks and SBAL (Time: 2:09 p.m.)**

An agenda item from Parks and Recreation Director Tracy Domingues recommending Council approve amendments to the agreement for Golden Eagle Regional Park concession services and extend the contract for an additional five years. The current agreement expires July 12, 2014 and allows for two (2) option periods of five (5) year extensions. SBAL, LLC has requested financial changes to the agreement as we consider the first five year extension to begin July 13, 2014. Financial impact includes an initial decrease of \$52,000.00 in annual rental revenue to the City of Sparks.

Council Member Lawson suggested the contract be extended to January 2015 so the contract end is not during the main season at the park and the contract go out to bid at that time. Council Member Smith asked Jack Sterling how much SBAL had invested in the facility and Mr. Sterling said it was over a million dollars. Council Member Carrigan asked if there was a provision in the contract to allow a review after one year. Parks and Recreation Director Tracy Domingues said it is a five-year term with two options to extend for five years each; it is a 15-year agreement and we are currently at the end of the first five-year term.

Mayor Martini asked Mr. Sterling how he felt about extending the agreement six months and then re-bidding the job. Mr. Sterling said SBAL is fully committed to honoring the current agreement. Council Member Schmitt thanked Mr. Sterling for the investment they made to the community five years ago and asked what the Council should expect to see in the next five years. Mr. Sterling talked about the revenue stream, marketing, relationships, increase use for private party events, and continued growth. Council Member Schmitt said he is concerned the restaurant is not marketed to local residents and asked about the business forecast.

Council Member Ratti asked Mr. Sterling to review the changes to the financial structure and asked how and when Mr. Sterling would see SBAL reaching the levels to bring the city back to the current financials. Mr. Sterling said he expects sales to increase and to bring the city back to the current level in 3 ½ - 4 years. Council Member Ratti confirmed the agreement provides a \$4,000 per month lease for the next five years plus 8% on anything over \$600,000. In addition, Ms. Ratti said she wanted to be sure the review could be exercised by either party at the end of the next five years and would like to amend the agreement to allow both parties that option.

Council Member Lawson said he is concerned with the public/private partnership, the city contributing funds, and the lease being under market value. Council Member Ratti said she supported the public/private partnership and believed it is an amenity important to the special events effort. Ms. Domingues said it is the department's intent to continue this partnership. Council Member Schmitt said he also believed July is the wrong time to be reviewing this

contract and suggested the extension be reviewed in 2 ½ years. Council Member Carrigan said he saw this contract extension being income for the city for the next few years and this facility as an important amenity. Mayor Martini said he supported the contract extension.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to approve the extension to the agreement for Golden Eagle Regional Park Concession Services with an addition of eliminating the automatic option to renew and adding a review in five years. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, NO. Motion carried 4-1.

**6.2 Consideration and possible approval of an Agreement between WestCare Nevada Inc. and the City of Sparks relating to the provision of funds for the Community Triage Center (Time: 2:38 p.m.)**

An agenda item from Housing Specialist George Graham recommending Council approve an agreement to supplement operation of the Community Triage Center located on the campus for the homeless in downtown Reno (the Community Assistance Center). The City of Sparks would provide \$87,000 during FY 2014/15. Other entities agreeing to provide funding and/or in-kind service assistance are Washoe County and the City of Reno, as well as a coalition of hospitals serving Northern Nevada. Total cash funding to be provided by the parties is \$707,000 and \$384,674 in-kind service assistance, which will leverage an additional \$500,000 in State of Nevada funding.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the funding agreement between the City of Sparks and WestCare Nevada Inc., for operation of the Community Triage Center (CTC). Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.3 Consideration and possible approval of an Interlocal Cooperative Agreement between the City of Reno, Washoe County and the City of Sparks for operation of the Community Assistance Center (CAC) (Time: 2:45 p.m.)**

An agenda item from Housing Specialist George Graham recommending Council approve an interlocal agreement for the operation of the Community Assistance Center (CAC). Upon approval by all parties, this agreement will be effective July 1, 2014 to June 30, 2015. Additionally, the agreement specifies the funding that each of the local governments will provide for CAC operations during fiscal year 2014/15 contingent on HUD's approval of FY 2014/15 Annual Action Plan. Financial Impact is \$100,168 (\$94,756 from the City's FY 2014/15 CDBG allocation and \$5,412 from the General Fund).

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the Interlocal Cooperative Agreement between the City of Reno, Washoe County and the City of Sparks for operation of the Community Assistance Center. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.4 Consideration and possible award of the 2014 Street Rehabilitation – Unit 3, Bid No. 13/14-025, PWP-WA-2014-197 to Q&D Construction, in the amount of \$339,200 (Time: 2:49 p.m.)**

An agenda item from Transportation Manager Jon Ericson recommending Council approve the bid award for the 2014 Street Rehabilitation Unit 3 Project as part of the City's Transportation System – Pavement Management Program and as outlined in the 5-year Program of Projects. Reconstruction will include installation of new storm drain and new asphalt on Kim Way from Richards Way to Arndell Way and Arndell Way from Kim Way to Probasco Way. This project will combine a budget of \$339,200 from two different funds in three different CIP projects.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to award the 2014 Street Rehabilitation Unit 3 project to Q&D Construction, in the amount of \$339,200. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.5 Consideration and possible approval of the Mayor's recommendation for appointment to the Sparks Parks and Recreation Commission and the Sparks Civil Service Commission (Time: 2:51 p.m.)**

An agenda item from City Manager Steve Driscoll recommending Council confirm Mayor Geno Martini's appointments to boards and commissions as follows:

Sparks Parks and Recreation Commission (3-year terms):

Pam Bear – reappointment  
David Sexton – reappointment  
Gina Odegard – appointment

Sparks Civil Service Commission (3-year terms):

Michael Rainey – reappointment  
Louis-Robert Denis – reappointment

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to confirm Mayor Martini's appointments to the Sparks Parks and Recreation and the Civil Service Commissions. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.6 Presentation, discussion, and possible approval of an Interlocal Cooperative Agreement establishing the Regional Business License and Permits Program between the City of Sparks, the City of Reno, Washoe County, and the Washoe County Health District, in an amount not to exceed \$448,542.52 for the initial system investment, including a 5.5% funding for project changes; authorize the initial annual operational licensing fee of \$37,030.87; and direction to staff to return prior to the go-live date with a regional technology fee to recover portions of the project costs (Time: 2:53 p.m.)**

An agenda item from City Manager Steve Driscoll recommending Council approve an interlocal agreement establishing a regional business license and permits program that includes: the program creation, fiscal management, term, functions, administration, responsibilities, annual

operations and budgeting process, initial and on-going contributions, personnel participation, payments and financing, a process to add new jurisdictions, rights and obligations, and terminations.

Washoe County will be the fiscal manager of the program, with leadership and administrative support coming from the Manager's Office, Technology Services and Comptroller. An oversight committee consisting of the County Manger, the Reno City Manager, the Sparks City Manager and the District Health Officer (or their designees) shall administer the business affairs of the program. Funding for this agreement will come from the Business Enterprise and General funds.

Council Members Ratti and Schmitt thanked staff and their efforts to bring this system to fruition.

Tray Abney of The Chamber spoke in support of the process and for all the work the various entities contributed to establishing the process.

City Manager Steve Driscoll broached the idea of coming back to council about a possible tech fee related to the process.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the City of Sparks' participation in an Interlocal Cooperative Agreement Establishing the Regional Business License and Permits Program the City of Sparks, the City of Reno, Washoe County, and the Washoe County Health District, in an amount not to exceed \$448,542.52 for the initial system investment including a 5.5% funding for project changes; authorize the initial annual operational licensing fee of \$37,030.87; and direct staff to return prior to the go-live date with a regional technology fee to recover portions of the project costs as presented by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.7 Consideration and possible approval of \$440,000 for contract laborers for parks and street maintenance, special events support, park rental clean up during FY14/15 (Time: 3:04 p.m.)**

An agenda item from Maintenance and Operations Manager Dan Hamlin recommending Council approve a contract using a joinder bid for temporary employees issued by the State of Nevada to Manpower for laborers to help maintain parks, park rentals, special events and street maintenance for FY 2014/2015. Funds for the contract labor were included in the approved FY 15 budget.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the use of contract laborers in the amount of \$440,000 during FY14/15. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.8 FIRST READING of Bill No. 2677 amending the Sparks Municipal Code to align the code with changes made by the RSCVA and with changes made in the Nevada Revised Statutes; and providing other matters properly related thereto (Time: 3:08 p.m.)**

City Clerk Teresa Gardner read Bill No. 2677 by title. The second reading and public hearing will be held at the next regular City Council meeting on Monday, July 14, 2014.

**7. Public Hearing and Action Items Unrelated to Planning and Zoning**

**7.1 Public Hearing, Second Reading, discussion and possible action on Bill No.2674, an ordinance amending Chapter 13 of the Sparks Municipal Code to allow the collection of sewer connection fees to be deferred from building permit issuance to prior to issuance of a certificate of occupancy and providing for other matters properly related thereto (Time: 3:09 p.m.)**

An agenda item from Assistant Community Services Director John Martini recommending Council approve an amendment to the Sparks Municipal Code to allow for the deferral of the payment of sewer connection fees until the certificate of occupancy is ready to be issued.

The Builders Association of Northern Nevada has requested that the local jurisdictions responsible for issuing building permits consider the deferral of building permit fees from the time of building permit issuance to prior to certificate of occupancy. At the December 9, 2013, City Council meeting, Councilman Lawson formerly requested that city staff investigate the issues related to allowing for fees to be deferred.

On March 10, 2014, Community Services staff presented the results of the investigation and the City Council directed to the City Manager to initiate an amendment to Title 13 of the Sparks Municipal Code to allow for the deferral of sewer connection fees. Adoption of the proposed bill will amend, by ordinance, Title 13 of the Sparks Municipal Code and allow for the payment of sewer connection fees to be deferred until time of certificate of occupancy.

No comments were received at the Public Hearing.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve Bill No. 2674, an ordinance amending Chapter 13 of the Sparks Municipal Code to allow the collection of sewer connection fees to be deferred from building permit issuance to prior to issuance of a certificate of occupancy and providing for other matters properly related thereto. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**7.2 Public Hearing, Second Reading, discussion and possible action on Bill No.2675, an ordinance amending Chapter 15 of the Sparks Municipal Code to allow the collection of residential construction tax to be deferred from building permit issuance to prior to issuance of a certificate of occupancy and providing for other matters properly related thereto (Time: 3:13 p.m.)**

An agenda item from Assistant Community Services Director John Martini recommending Council approve an amendment to the Sparks Municipal Code to allow for the deferral of the payment of residential construction tax until the certificate of occupancy is ready to be issued.

The Builders Association of Northern Nevada has requested that the local jurisdictions responsible for issuing building permits consider the deferral of building permit fees from the time of building permit issuance to prior to certificate of occupancy. At the December 9, 2013,



City Council meeting, Councilman Lawson formerly requested that city staff investigate the issues related to allowing for fees to be deferred.

On March 10, 2014, Community Services staff presented the results of the investigation and the City Council directed the City Manager to initiate an amendment to Title 15 of the Sparks Municipal Code to allow for the deferral of residential construction tax. Adoption of the proposed bill will amend, by ordinance, Title 15 of the Sparks Municipal Code and allow for the payment of residential construction tax fees to be deferred until time of certificate of occupancy.

No comments were received at the Public Hearing.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to adopt Bill No. 2675, an ordinance amending Chapter 15 of the Sparks Municipal Code to allow the collection of residential construction tax to be deferred from building permit issuance to prior to issuance of a certificate of occupancy and providing for other matters properly related thereto. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**7.3 Public Hearing, Second Reading, discussion and possible action on Bill No. 2676, an ordinance amending Title 9 Section 9.34.083 and Title 5 Section 5.08.020 of the Sparks Municipal Code to provide a vendor permitting process for vendors participating in special events in Sparks; and providing other matters properly related thereto - (Time: 3:15 p.m.)**

An agenda item from Parks and Recreation Director Tracy Domingues recommending Council approve an amendment to the Sparks Municipal Code to allow for the establishment of a vendor permitting process for vendors participating in special events in Sparks. The current code requires any person intending to do business in Sparks to obtain a business license. However, there is no provision within the code, as there are in many other cities, for a temporary business license specifically for special events in our city. The proposed temporary license would only be in effect during the specific special event and only for those events occurring on public property. These permits will allow the vendors to do business as part of a special event and allow the city to efficiently and reasonably collect a fee from the vendors.

Special Events Supervisor Francine Burge confirmed that the city has no provision at this time requiring licensing for events occurring on private property in Sparks. Ms. Dominguez said Sparks Parks and Recreation Department will be responsible for code enforcement for events on Sparks' public property.

No comments were received at the Public Hearing.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to adopt Bill No. 2676, amending Title 9 Section 9.34.083 and Title 5 Section 5.08.020 of the Sparks Municipal Code to provide a vendor permitting process for vendors participating in special events on public property in Sparks; and providing other matters properly related thereto. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

8. **Planning and Zoning Public Hearings and Action Items** - None

9. **Closed Door Sessions** - None

10. **Comments**

**10.1 Comments from the Public** (Time: 3:21 p.m.) - None

**10.2 Comments from City Council and City Manager** (Time: 3:21 p.m.)

City Manager Steve Driscoll announced the July 28, 2014 Council meeting would be cancelled. City Manager Steve Driscoll also announced the upcoming Smarter Regions visioning focus groups for the elected officials and will coordinate the groups to not establish a quorum.

Mr. Lawson thanked the fire department for their professionalism and job well done.

Mayor Martini asked staff to bring back to the City Council for discussion and possible direction to Re-Master Plan and Rezone the area generally east of Probasco, north of Prater and west of I Street within the TOD to a Commercial designation. This will be discussion to see if the Council wants to go forward.

11. **Adjournment** (Time: 3:24 p.m.)

Council was adjourned at 3:24 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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