



MAYOR
Geno Martini

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

CITY ATTORNEY
Chet Adams

CITY MANAGER
Steve Driscoll

**REGULAR CITY COUNCIL MEETING MINUTES
2:00 P.M., Monday, May 9, 2016**

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 (phone), Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

3. Opening Ceremonies

3.1 Invocation Speaker (Time: 2:00 p.m.)

The invocation was provided by Pastor Omar Palmer, Sparks Seventh Day Adventist Church.

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

The Pledge of Allegiance was led by Council Member Lawson.

4. Public Comment (Time: 2:03 p.m.)

- Ron Breaux spoke of traffic concerns on Los Altos Parkway between Vista Blvd. and Orinda.
- Katie Colling spoke in support of treating the homeless people humanely and offering them protection and services.
- Jay Kolbet-Clausell spoke in support of the homeless people, for funding for an overflow shelter, alternate solutions and neighborhood meetings.
- Jennifer Cassady requested resources be offered to those living along the river rather than simply telling them to move.
- Jay Dee Skinner provided a written comment requesting the city keep their hands off the homeless, provide services and housing at no cost before eviction is attempted, have city employees pick up rubbish and provide restrooms.

5. Agenda (Time: 2:16 p.m.)

5.1 Approval of the Agenda (FOR POSSIBLE ACTION)

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 Schmitt, to approve the agenda as submitted. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

6. Minutes (Time: 2:16 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of April 25, 2016. (FOR POSSIBLE ACTION)

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the minutes of the regular Sparks City Council meeting on April 25, 2016. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

7. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:17 p.m.)

7.1 Proclamation: "Older American's Month" (Time: 2:18 p.m.)

Mayor Martini proclaimed May 2016 as "Older American's Month" and urged every resident to take time this month to acknowledge older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community. The proclamation was presented to Senior Law Project representative Jennifer Richards who talked about the Blaze of Trails program and legal services for older Americans.

7.2 Proclamation: "National Bike Month," "Bicycle Safety Month" and "Bike Week" (Time: 2:21 p.m.)

Mayor Martini proclaimed May 2016 as "National Bike Month" and "Bicycle Safety Month" and the week of May 16-20, 2016 as "Bike Week" and encouraged all citizens to enjoy the benefits of bicycling, recognize the importance of bicycle safety, and be more aware of cyclists on our streets. The proclamation was presented to Safe Routes to School Coordinator MJ Cloud who talked about different events and invited all to participate in the Mayoral Challenge Ride being held on May 19.

7.3 Commendation: "Laurie Squartsoff" (Time: 2:26 p.m.)

Council Member Ron Schmitt commended Laurie Squartsoff for her dedicated service on the Sparks Charter Committee from 2001 – 2016 and thanked her for her dedication and service to our community. Ms. Squartsoff thanked the Mayor and Council for the privilege and opportunity to serve and thanked city staff for their work on the Charter Committee.

7.4 Presentation: Northern Nevada Disability Access (Time: 2:29 p.m.)

Ms. Amy Auerback presented information on the Northern Nevada Disability Access which provides a network of resources connecting individuals with disabilities and health conditions to services within Northern Nevada. Ms. Auerback hopes to find funding to expand and move their home based business into a resource center.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:38 p.m.)

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

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period April 7, 2016 through April 20, 2016. (FOR POSSIBLE ACTION)

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

8.2 Consideration and possible approval of the destruction/disposal of original building plans and associated documents that have been microfilmed (City Clerk's Office). (FOR POSSIBLE ACTION)

An agenda item from Records Technician Carrie Brooks recommending Council approve the destruction/disposal of original building plans and associated documents that have been microfilmed. NRS 239.051 allows for the destruction/disposal of original building plans and associated documents once they have been scanned and microfilmed in a manner that complies with the standards of quality approved by the American National Standards Institute, and that a copy of the film is stored in a manner that protects it reasonably from loss. Once the standards have been met, a reproduction of the film is considered an original. A list of those items proposed for destruction/disposal is attached to the staff report. There is no impact to the general fund.

8.3 Consideration and possible approval to purchase a custom SWAT trailer from LDV Inc. for the Police Department in the amount of \$197,900. (FOR POSSIBLE ACTION)

An agenda item from Public Works Manager Ron Korman recommending Council approve the purchase of a purpose built trailer for the Police Department Special Weapons And Tactics (SWAT) team. The Police Department has requested that this equipment meet the expanded needs of the SWAT team, and be equipped to not only transport their equipment but to also be an incident command post. During the last year Fleet Services and Police Department staff have worked together closely to precisely determine the needs for the replacement. This trailer will replace #236B; a 1991 GMC panel van which has reached the end of its life cycle and is in need of replacement. Funds are budgeted in the motor vehicle fund; there is no impact to the general fund.

9. General Business

9.1 Discussion and possible action on Resolution No. 3293 supporting closing the online sales tax loopholes in conjunction with the National City Council Meeting. (FOR POSSIBLE ACTION) (Time: 2:39 p.m.)

An agenda item from Community Relations Manager Adam Mayberry recommending Council approve the Resolution. The Nevada League of Cities and Municipalities, through the City of Henderson, has conceived and is coordinating a National City Council Meeting which includes some city council and town hall meetings simultaneously taking place in cities, towns and communities across the state and in neighboring states. The purpose of the event is to engage in a national or broader conversation at the local level about issues of interest or concern to all communities. This National City Council Meeting addresses the topic of closing the online sales tax loopholes. Due to limited resources, Mayor Martini declined to host a separate City Council meeting, however, he did agree to bring forth the topic and resolution.

Resolution No. 3293 addresses the concept of closing the online sales tax loophole that has been a priority of the City of Sparks, the Nevada League of Cities and Municipalities and the National League of Cities. The Legislature of the State of Nevada has adopted resolutions urging Congress to enact legislation closing the online sales tax loophole and leveling the playing field for brick and mortar businesses in Nevada. There is no impact to the general fund.

Public comment was received by Retail Association of Nevada representative Lea Tauchen in support of the Resolution.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve Resolution No. 3293 to support closing the online sales tax loopholes. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.2 Consideration and possible approval of Resolution No. 3294 adopting Amendment No. 1 to the 5th Edition of the General Administrative Manual of the Regional Transportation Commission Regional Road Impact Fee System. (FOR POSSIBLE ACTION) (Time: 2:45 p.m.)

An agenda item from Community Services Director John Martini recommending Council approve the Resolution. On January 26, 2015 the Sparks City Council granted approval to Bill No. 2689, an ordinance amending Chapter 12 of the Sparks Municipal Code to adopt the 5th Edition of the General Administrative Manual of the Regional Transportation Commission Regional Road Impact Fee System.

On April 15, 2016 the Regional Transportation Commission Board approved Amendment No.1 to the 5th Edition of the General Administrative Manual of the Regional Transportation Commission Regional Road Impact Fee System. Amendment No.1 to the General Administrative Manual added language, method and procedures to extend the expiration date of existing Capital Contribution Front Ending Agreement (CCFEA) Credits by 10 years beyond current expiration dates. Sparks Municipal Code 12.44.030 allows for subsequent amendment to the General Administrative Manual by resolution of the City of Sparks City Council.

Approval of this resolution will adopt Amendment No.1 to the 5th Edition of the General Administrative Manual of the Regional Transportation Commission Regional Road Impact Fee System. There is no impact to the general fund.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve Resolution No. 3294 adopting Amendment No. 1 to the 5th Edition of the General Administrative Manual of the Regional Transportation Commission Regional Road Impact Fee System. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.3 Review and possible approval for staff to submit a grant application(s) to various Foundations in the estimated amount of \$15,000,000 for the completion of the Larry D. Johnson Community Center. (FOR POSSIBLE ACTION) (Time: 2:48 p.m.)

An agenda item from Parks & Recreation Director Tracy Domingues recommending Council approve staff to submit a grant. Staff would like to complete the Larry D. Johnson Community Center construction plan. Phase One of the Larry D. Johnson Community Center was completed in 2007 with its grand opening on May 1, 2007. This initial phase was a \$4.5 million dollar project

featuring 11,000 square feet, including two multi-purpose rooms, a fitness center, a dance/aerobic room, administrative offices and a public art component located in the lobby. The facility also houses a teen drop-in center called The Club operated through a partnership with the Boys and Girls Club of Truckee Meadows.

Two additional phases were planned pending funding. Phase Two was to include a new lobby, classroom/meeting room space for a total of 6,000 square feet estimated to cost \$4,000,000 today. The third and final phase includes an additional 17,000 square feet to include an aerobics room, gymnasium and locker rooms for an estimated cost of \$11,000,000 in today's economy. Currently, only one phase of three is complete and the William N. Pennington Foundation has shown interest and support in funding this endeavor. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve staff to submit a grant application to the William N. Pennington Foundation as outlined by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.4 Consideration and possible award of a contract (AC-5241) for the 2016 Street Preventative Maintenance Program, Bid No. 15/16-011, PWP-WA-2016-124 to Sierra Nevada Construction, in the amount of \$394,007. (FOR POSSIBLE ACTION) (Time: 2:54 p.m.)

An agenda item from City Engineer Jon Ericson recommending Council award the contract to Sierra Nevada Construction. The Preventative Maintenance, Slurry Seal Program is a yearly program that provides preventative maintenance treatments on candidate pavements included in the City's Transportation maintenance plan. This program will be treating over 2.1 million square feet of roadway surface with a Type II Rapid Setting Slurry Seal. Funds are budgeted in the Pavement Management Program; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the 2016 Street Preventative Maintenance contract (AC-5241) to Sierra Nevada Construction, in the amount of \$394,007. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.5 Consideration and possible approval of an Interlocal Cooperative Agreement (AC-5239) with the Regional Transportation Commission of Washoe County for the FY 2017 Program of Projects (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)

An agenda item from City Engineer Jon Ericson recommending Council approve the Interlocal Cooperative Agreement and the FY 2017 Program of Projects (POP) which identifies the proposed uses of the net fuel tax revenues for the RTC's upcoming FY 2017 budget. The POP also describes planned projects, delivery phases and funding from all available funding sources including RTC-5 fuel taxes and bonds, sales taxes, Regional Road Impact Fees (RRIF), and federal sources. This program has been developed and prioritized in accordance with priorities established as part of the Unified Planning Work Program, Regional Transportation Plan and the Regional Road Pavement Preservation Program. The specific projects scheduled for Sparks, Reno, and Washoe County are included in the staff report. The RTC approved the POP included with the ICA on April 15, 2016. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the Interlocal Cooperative Agreement (AC-5239) with the Regional Transportation Commission of Washoe County for the FY 2017 Program of Projects. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.6 Consideration and possible approval of an Interlocal Agreement (AC-5240) between the City of Sparks, the City of Reno, Washoe County and the State of Nevada to establish a Regional Repeat Offender Program. (FOR POSSIBLE ACTION) (Time: 2:57 p.m.)

An agenda item from Police Chief Brian Allen recommending Council approve the updated Interlocal Agreement to include Washoe County and the State of Nevada thus creating a Regional Repeat Offender Program. The Repeat Offender Program is a long standing and established program between the City of Reno and Sparks' Police Departments targeting career criminals. The Washoe County Sheriff's Office and Nevada Department of Public Safety, Parole and Probation are joining the program, creating a Regional Repeat Offender Program. This Interlocal will supersede the previous agreement (A3726) last updated in April of 2009. There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve the Interlocal Agreement (AC-5240) between the City of Sparks, the City of Reno, Washoe County and the State of Nevada to establish a Regional Repeat Offender Program. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.7 Consideration and possible approval of the appointment of Sparks City Council Members Charlene Bybee and Julia Ratti to the Capital Funding Protection Committee as set forth in the adopted Washoe County School Board of Trustees Board Policy 9405 Capital Funding / Bond Oversight Committee. (FOR POSSIBLE ACTION) (Time: 3:01 p.m.)

An agenda item from Chief Assistant City Attorney Shirle Eiting. The Washoe County School Board of Trustees formed the Oversight Panel for School Facilities in compliance with NRS Chapter 393. On April 5, 2016, the School Board of Trustees adopted Policy 9405 creating the Capital Funding Protection Committee. Policy 9405 sets forth that the same voting members sitting on the Oversight Panel for School Facilities shall be appointed to the Capital Funding Protection Committee. Currently Council Members Julia Ratti and Charlene Bybee are appointed by Sparks City Council to serve on the Oversight Panel for School Facilities. It is recommended that Ms. Ratti and Ms. Bybee be appointed to the Capital Funding Protection Committee. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to appoint Council Members Julia Ratti and Charlene Bybee to the Capital Funding Protection Committee. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

10. Public Hearing and Action Items Unrelated to Planning and Zoning

10.1 Public Hearing, consideration and possible approval of a request from Triple D Properties, LLC to the City of Sparks for the abandonment of a portion of the right-of-way of South 21st Street. (FOR POSSIBLE ACTION). (Time: 3:03 p.m.)

An agenda item from Triple D Properties, LLC and Community Services Director John Martini recommending Council approve the request for the right-of-way abandonments. Triple D Properties, LLC has made a request for consideration of the abandonment of a portion of the right-of-way of South 21st Street abutting 555 South 21st (the site plan is attached to the staff report). Triple D Properties intends to reconstruct site fencing and access driveways along South 21st Street and will utilize the property included in the request for abandonment for parking. Staff researched the request and was of the opinion that the public will not be materially injured by the proposed abandonment. There is no impact to the general fund.

The Public Hearing was opened at 3:05, no comments were received, the Public Hearing was closed.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve the request from Triple D Properties, LLC to the City of Sparks for the abandonment of a portion of the right-of-way of South 21st Street. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

10.2 Public hearing, consideration and possible approval of the FY 2016/17 Community Development Block Grant (CDBG) and HOME Consortium Annual Action Plan. (FOR POSSIBLE ACTION) (Time: 3:06 p.m.)

An agenda item from Housing Specialist George Graham recommending Council approve the 2016/17 Annual Action Plan and proposed project funding allocations. The City of Sparks is an Entitlement Community under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program. As an Entitlement Community, the City receives a direct allocation of CDBG funding each program year. In addition to the CDBG program, the City of Sparks partners with the City of Reno and Washoe County in the Washoe County HOME Consortium (WCHC). Through the WCHC, the three jurisdictions also receive an annual allocation of HOME Investment Partnerships (HOME) funding. The guidelines for these formula grant programs outline three basic goals of decent housing, a suitable living environment and expanded economic opportunities.

As part of the annual application process for CDBG funds, an Action Plan is prepared by the City of Sparks, with information provided by the City of Reno for the WCHC, describing the proposed activities to be funded with CDBG and HOME dollars (City of Reno is the lead agency of WCHC). The Annual Action Plan also identifies the process through which the jurisdictions, along with Washoe County, allocate and distribute funding, along with information regarding other funding resources available for those programs. HUD has informed the City of Sparks that for federal fiscal year 2016/17 the City has been allocated \$624,852 in new CDBG funding. In addition, this Action Plan provides for carry-over or reprogramming of approximately \$495,107 in unspent funds from the current and previous program years. There is no impact to the general fund.

The Public Hearing was opened at 3:10, no comments were received, the Public Hearing was closed.

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the proposed project funding allocations and to submit the Program Year 2, Fiscal Year 2016/17 Annual Action Plan to the U.S. Department of Housing and Urban Development. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

11. Planning and Zoning Public Hearings and Action Items

11.1 None

12. Closed Door Sessions

12.1 None

13. Comments

13.1 Comments from the Public (Time: 3:11 p.m.) - None

13.2 Comments from City Council and City Manager (Time: 3:11 p.m.)

City Manager Driscoll announced the following available Committee appointments:

- Sparks Parks & Recreation Commission, 2 members, 3 year terms
- Sparks Civil Service Commission, 1 member, 3 year term
 - Applications accepted until close of business on Friday, May 13, 2016.
- Enterprise Fund Advisory Committee, 1 member of the construction industry, 4 year term
 - Applications accepted until close of business on Friday, June 17, 2016.

Those interested should complete a Community Service Application available from the Clerk's office or on the city's website.

Council Member Lawson requested the attorney's office work with staff to look at creating an ordinance to allow code enforcement to write parking tickets for abandoned cars. There is a big problem with vehicles in Wards 1 and 2. City Attorney Adams requested clarification of the goal and Mr. Lawson confirmed he wants abandoned vehicles off the streets and does not feel using Police Officers to do so is the best use of their time.

Council Member Schmitt extended greetings from Sparks' sister city Longford, Ireland. Mr. Schmitt was proud to represent the City of Sparks at Longford's 100th anniversary of the Eastern Uprising.

14. Adjournment

Council was adjourned at 3:16 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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