



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**  
**2:00 P.M., Monday, February 10, 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, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Member Ron Smith

Staff Present: Michael Drinkwater, Ron Korman, Dan Hamlin, Chris Syverson, Brian Allen, Dan Marran, John Martini, Andy Hummel, Francine Burge, Steve Driscoll, Tracy Domingues, Karen Melby, Jon Ericson, Tom Garrison, Chris Cobb, Brian Cason, Jim Rundle, Todd Saxberg, Kim Laber, Bill Lutsch, George Graham, Neil Krutz, Armando Ornelas, Curtis Cho, Perla Tavera, Chere' Jigour, Donna DiCarlo.

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

The invocation was provided by Rajan Zed, President of Universal Society of Hinduism.

**Pledge of Allegiance** (Time: 2:03 p.m.)

The Pledge of Allegiance was led by Council Member Julia Ratti.

**Comments from the Public** (Time: 2:04 p.m.)

Sparks resident Christopher Black spoke regarding the fire access road that runs between Sky Ridge 1 and Sky Ridge 2.

**Approval of the Agenda** (Time: 2:07 p.m.)

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

Mayor Martini pulled item 6.8 regarding the appointment of a City Manager and requested this item be placed on the February 24, 2014 agenda. A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve the agenda with the elimination of item 6.8. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**3. Recommendation to Approve Minutes of January 27, 2014** (Time: 2:09 p.m.)

**3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for January 27, 2014.**

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve the minutes of the Regular Meeting of January 27, 2014 as outlined by staff. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest**

Council Member Lawson introduced Jacob Bond from Boy Scout Troup #14 who is working on his Citizenship in the Community badge. Jacob said he is especially interested in the day's meeting and the issue on medical marijuana.

**4.1 Presentation on the redesign and planned remodel of John Ascuaga's Nugget Casino Resort** (Time: 2:09 p.m.)

A slide show presentation depicting the proposed new casino floor plan for John Ascuaga's Nugget was presented by John Ascuaga Nugget's President and COO Carlton Geer, Lauren Garber and Lisa Jansen.

Mayor Martini asked if there have been discussions with NDOT regarding the double towers. He was told the discussion initiated last Friday.

Council Member Ratti about the future of Last Chance Joe. Mr. Geer said anyone interested in giving Last Chance Joe a new home should contact him. Mr. Geer said it is likely J.A. Nugget room renovations will be in November 2014.

**4.2 "Dog Bite Prevention" Educational Coloring book presentation** (Time: 2:26 p.m.)

"Pet Nanny" Peggy Rew introduced the educational materials she has made available to the public, often at no charge. Ms. Rew said Sparks and Reno are known as one of the most pet friendly areas in the U.S.

**5. Consent Items** (Time: 2:36 p.m.)

Mayor Martini pulled consent item 5.2 to allow staff to make a presentation. A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve consent items 5.1 and 5.3 as submitted. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period January 9, 2014 through January 22, 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 award of the 2014 CDBG 4th Street Curb, Gutter and Pedestrian Improvements - Federally Funded Project, Bid No. 13/14-012, PWP-WA-2014-060 to Sierra Nevada Construction Inc., in the amount of \$312,007.00. (FOR POSSIBLE ACTION) (Time: 2:38 p.m.)**

An agenda item from Capital Projects Manager Christopher Cobb recommending Council award the contract to Sierra Nevada Construction Inc. This project will replace the existing curb, gutter, sidewalks, driveways and street trees. This work will occur on 4th Street from Prater Way to Victorian Way. There is no impact to the general fund.

Council Member Schmitt stated he would be abstaining from the vote on this item because one of his clients owns multiple properties on this street and while it has been determined that he does not have a conflict of interest, he would rather err on the side of caution.

Council Member Ratti disclosed ownership of property in the area, but she would vote on the item.

A motion was made by Council Member Lawson, seconded by Council Member Carrigan, to award Bid #13/14-012, for of the 2014 CDBG 4th Street Curb, Gutter and Pedestrian Improvements to Sierra Nevada Construction Inc. Council Members Ratti, Lawson, Carrigan, YES. Council Member Schmitt, ABSTAIN. Council Member Smith, ABSENT. Motion carried 3-0.

**5.3 Consideration and possible approval of a Gas Main Extension Agreement with NV Energy in the amount of \$50,318 for Phase 1 of the North Truckee Drain Relocation Project. (FOR POSSIBLE ACTION)**

An agenda item from Utility Manager Andrew Hummel recommending Council approve the agreement for Phase 1 of the North Truckee Drain Relocation Project with NV Energy. The North Truckee Drain Relocation Phase 1 Project will require various utility relocations to accommodate the new drainage infrastructure. NV Energy (NVE) has identified gas service facilities requiring relocation; they were included in the Plans and Specifications for the Project. An eight inch (8") gas main located in the easement adjacent to Greg Street is one of the affected facilities. As it is within easement of the relocation, costs are the responsibility of the City of Sparks. A Gas Main Extension Agreement has been prepared for payment of these costs by the city of Sparks to NV Energy, and is presented for consideration. There is no impact to the general fund.

**6. General Business**

**6.1 Consideration and possible approval of Bid # 13/14-014, for an initial one (1) year contract with the possibility of four (4), one (1) year extensions to Sierra Chemical Company for the amount of \$585 per dry/ton to supply Sodium Bisulfate to the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION) (Time: 2:41 p.m.)**

An agenda item from TMWRF Operations Manager Todd Saxberg recommending Council approve a contract for Sierra Chemical Company to provide Sodium Bisulfate to TMWRF

beginning on March 01, 2014 and expiring on February 28, 2015. Sodium Bisulfate is used to dechlorinate, or neutralize, any residual chlorine in the final effluent that is discharged into Steamboat Creek. The TMWRF discharge permit requirement is zero milligrams per liter (mg/l) chlorine residual. The use of Sodium Bisulfate is necessary to meet this standard. Funding from TMWRF fund; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to award Bid # 13/14-014, for Sodium Bisulfate, to Sierra Chemical Company. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.2 Consideration and possible approval of the Victorian Square Amphitheater Remodel Project, to Houston Smith Construction, Inc., in the total amount of \$268,900. (FOR POSSIBLE ACTION) (Time: 2:45 p.m.)**

An agenda item from Senior Civil Engineer Brian Cason recommending Council approve the contract with Houston Smith Construction, Inc. The Victorian Square Amphitheater has been unusable over the past few years because of birds roosting in the roof structure, making it impossible to keep the building clean. This project will enclose the roof and ceiling, replace the main lighting with LED lights, remove the roosting locations for birds, and allow the structure to be programmed for use as originally intended. Staff recommends approval. Funding comes from FY14 CIP Funds. There is no impact to the general fund.

Council Member Schmitt said this would be a prime project for redevelopment funds and that the initial funding discussion should have included redevelopment funds rather than proposing using the most restricted fund. Deputy City Manager for Community Services Neil Krutz said he will decline this item to study alternate funding sources.

City Manager Shaun Carey said capital funds were not budgeted for this project. Council Member Ratti said she would like to see this project completed before summer and asked about the use of room tax dollars. Council Member Lawson questioned the soundness of the project with the city moving its center to Victorian Square. Mr. Krutz said leveling the space was an option. Parks and Recreation Director Tracy Domingues said there is a waiting list for use of the pavilion when it is again rentable. Ms. Ratti said it makes sense to keep the structure we currently have.

Special Events Supervisor Francine Burge said currently there are 41 events downtown and about half would use the amphitheater if it was available. Ms. Ratti said the stage needs to be useful and that the amphitheater is necessary to keep the events the city currently enjoys. Currently there is no rental fee in place for use of the amphitheater, only the revenue from permits to use the amphitheater. Mr. Schmitt said he was stunned that no fees are charged for use of the amphitheater when fees are assessed for all other amenities including parks. He said he agrees with Ms. Ratti that something needs to be done with the amphitheater. Ms. Domingues said staff would soon be in front of the council for a possible funding source.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to approve the Victorian Square Amphitheater Remodel Project, to Houston Smith Construction, Inc., in the total amount of \$268,900, with direction to staff to look for an alternate funding

source to repay the CIP. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.3 Discussion and possible direction to initiate amendments to Title 20 to allow medical marijuana establishments in appropriate non-residential zoning districts in compliance with Nevada Senate Bill 374 (2013) and the State of Nevada's forthcoming regulations for medical marijuana establishments. (FOR POSSIBLE ACTION) (Time: 3:08 p.m.)**

An agenda item from City Planner Armando Ornelas recommending Council direct City staff to prepare and bring forward for City Council consideration amendments to Title 20 to allow medical cannabis (marijuana) establishments in appropriate non-residential zoning districts. In the year 2000, voters in Nevada passed Question 9, amending the state constitution to sanction medical cannabis (i.e., marijuana) and, specifically, to allow physicians to authorize qualified patients to consume and grow cannabis. However, no provision was made for facilities where patients may obtain medicinal marijuana. In 2013, the Nevada legislature passed and Governor Sandoval signed into law SB 374, which directs the Nevada Department of Health and Human Services to develop regulations for, and oversee the creation of, licensed establishments to produce, test and dispense cannabis and cannabis-infused products to authorized patients. There is no impact to the general fund.

Council Member Schmitt asked if the state has produced their guidelines? Mr. Ornelas said draft regulations are being reviewed; the city's obligation is to assure establishments comply with local zoning ordinances. Mr. Ornelas said medical marijuana pharmacies could be operating as early as fall 2014.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to direct staff to prepare and bring forward for City Council consideration amendments to Title 20 to allow medical marijuana establishments to locate in non-residential zoning districts. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.4 Consideration and possible approval of professional consulting services contract for the North Truckee Drain Channel Improvements at Lillard Drive Project, to Stantec Consulting, Inc., in the amount of \$120,800. (FOR POSSIBLE ACTION) (Time: 3:15 p.m.)**

An agenda item from Utility Manager Andrew Hummel recommending Council approve the contract with Stantec Consulting, Inc. The North Truckee Drain Realignment Phase 1 Project, an integral component of the Truckee River Flood Project to the City of Sparks, was awarded on December 9, 2013. Beginning on the west side of Greg Street and ending within Larkin Circle just east of Madison Avenue, it will install 1,609 linear feet of double 10' tall by 14' wide reinforced concrete box culvert. The improvements to be constructed with the North Truckee Drain Channel Improvements at Lillard Drive Project consist of construction of a new concrete lined channel between Lillard Drive and the existing concrete lined channel 140-feet west of Lillard Drive, including a new water quality floating trash collection system, a new driveway and access road to the concrete lined channel, along with new fencing. Funding comes from the Storm Drains Capital Fund; there is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve the professional consulting services contract for the North Truckee Drain Channel Improvements at Lillard Drive Project to Stantec Consulting, Inc., in the amount of \$120,800. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.5 First Reading and possible discussion of CA-1-14 Bill No. 2666, an ordinance amending Title 20 of the Sparks Municipal Code providing standards for the erection of any new school or the alteration of an existing school and other matters properly relating thereto pursuant to Nevada Assembly Bill 87 (2013). (Time: 3:18 p.m.)**

City Clerk Teresa Gardner read Bill No. 2666 by title. The second reading and public hearing will be on Monday, February 24, 2014.

**6.6 PCN13014, Discussion and Possible Action on a Tentative Map request for a 617-lot residential subdivision on a site approximately 222.0 acres in size, in the NUD (New Urban District-Stonebrook Planned Development) zoning district, located approximately 1,890 lineal feet east of Pyramid Way and La Posada Way intersection. (FOR POSSIBLE ACTION) (Time: 3:18 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve a tentative map for 617 single family residential lots located in Phase 1 of Stonebrook Planned Development generally located southeast of La Posada and Pyramid Highway intersection. The original approved Tentative Map has expired. A new tentative map went to Planning Commission on August 1, 2013. The applicant's representative noted concerns with the condition regarding the fire sprinklers and requested continuance of the item until the issues could be worked out with the Fire Department. Commissioner Voelz expressed concerns with Conditions 13, 22, 23 and 24 regarding the requirements of the regional trail and pathway construction and asked that it be completed before issuance of the final building permit. During the Planning Commission hearing, the applicant waived their time lines. Planning Commission tabled the item to allow the applicant to work on issues with the Fire Department and propose a change to the conditions regarding timing of trail improvements. On January 16, 2014, the Planning Commission removed the tentative map from the table and held a hearing. Planning Commission recommends approval of the tentative map. There is no impact to the general fund.

A motion was made by Council Member Schmitt, seconded by Council Member Carrigan, to approve the Tentative Map associated with PCN13014, adopting Findings T1 through T12 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 24 as listed in the staff report. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.7 Consideration and possible approval of the City of Sparks extending an official invitation to the City of Longford, Ireland to visit Sparks in March 2014. (FOR POSSIBLE ACTION) (Time: 3:21 p.m.)**

An agenda item from City Manager Shaun Carey recommending Council approve the City of Sparks extending an official invitation to the City of Longford, Ireland to visit Sparks in March 2014. The City of Sparks, Nevada and the County Longford, Ireland have shared a history that dates back to 1956 when Father Vincent Cunningham of Ely, Nevada sought assistance to

provide additional Catholic education for local children. He petitioned the Covenant of Mercy in Longford who was willing to assist, and they helped establish both the Sacred Heart School in Ely and school/convent in Sparks, Nevada that still stands today. With that evolving connection, the Town Council from Longford was received in Sparks and in 1976 action was taken between the two cities to officially form the "Twin." At that time Longford Park in Sparks was dedicated and recognized as the first twinning of a city in America with one in Ireland. As a gift to Longford in 2005, the City of Sparks commissioned a watercolor piece of Longford Park that was presented to the Longford Town Council by Mayor Martini during a goodwill visit to Ireland.

The local government in Ireland is being restructured and the Longford Town Council will be abolished and replaced with a different entity. There is a small group of remaining Councillors who desire to visit Sparks before they retire. There is no impact to the general fund.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the City of Sparks extending an official invitation to the City of Longford, Ireland to visit Sparks in March 2014. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**6.8 Consideration, discussion and possible action on the Mayor's appointment of a City Manager, with City Council confirmation, including presentations and interviews of qualified candidates. (FOR POSSIBLE ACTION)**

This item was pulled by Mayor Martini and will be on the February 24, 2014 agenda.

**7. Public Hearing and Action Items Unrelated to Planning and Zoning - None**

**8. Planning and Zoning Public Hearings and Action Items**

**8.1 PCN12014 - Consideration of and possible action to amend the master plan and an amendment to a final planned development handbook, on a site approximately 12 acres in size in NUD (New Urban District) zoning district located on the northeast corner of Kiley Parkway and David Allen Parkway, Sparks, NV: To change the land use designation from PI (Public Institutional) to MUR (Mixed Use Residential) and to amend a final planned development handbook (Kiley Ranch North Phase 2) found not in conformance with the tentative handbook to add a new land use designation of Mixed Use Residential and to revise development standards and other matters properly relating thereto. (FOR POSSIBLE ACTION) (Time: 3:26 p.m.)**

Council Member Carrigan disclosed that Carlos Vasquez holds a principle position and interest in Zozac Land Company and he and Mr. Vasquez were involved in a high profile litigation concerning whether the State Ethics Commission's ban on political volunteerism violates the First Amendment guarantee of free association. As a result of the litigation, Mr. Vasquez has not participated on any of his campaigns, as a volunteer or otherwise, for nearly eight years. The State of Nevada has completely extinguished their protected political relationship. As a result, Council Member Carrigan said he did not believe the Nevada Ethics in Government Law required him to abstain from voting on this matter.

An agenda item from Senior Planner Karen Melby recommending Council certify the master plan amendment and approve the final handbook amendment for PCN12014. The applicant is requesting to amend the Phase 2 Handbook for Kiley Ranch North. The recorded Phase 2 Handbook was for Village 35 which consists of 12.0 acres. The request is to amend the land use designations from 12.0 acres of Public/Institutional (PI) to a new land use of Mixed Use Residential (MUR). Mixed Use Residential (MUR) provides for single family and multi-family uses, as well as, group residential care facilities which includes assisted care and senior housing communities. Other permitted uses are limited gaming (less than 15 slots) and offices (limited to the existing Welcome Center building).

The property is no longer owned by the master developer of the Kiley Ranch North Planned Development. The new property owner has requested the current mixed use residential land use designation for the flexibility to adjust to current and future market conditions. The permitted number of units in the MUR area will be 288 units. This will bring the maximum number of housing units within the entire Kiley Ranch North Planned Development to 3,901. This is a reduction from the total number of units permitted by the Kiley Ranch North Tentative Handbook which is 4,463. There is no impact to the general fund.

Wood Rodgers' representative Melissa Lindell said they worked with Ms. Melby and surrounding homeowners on any concerns they had and was available for questions on behalf of the applicant.

The Public Hearing was opened; no comments were received, the public hearing was closed.

Council Member Lawson disclosed that he has done business with Mr. Vasquez in the past but has no monetary gain in the approval of this project so he will vote.

Mayor Martini disclosed that Mr. Vasquez has been his campaign manager for several years.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to certify the master plan amendment, for PCN12014, based on Findings MP 1 through MP4 and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the final handbook amendment associated with PCN12014 based on the facts supporting the Findings PD1 through PD21 as set forth in the staff report. Council Members Ratti, Lawson, Carrigan, Schmitt, YES. Council Member Smith, ABSENT. Passed unanimously with those present.

**9. Closed Door Sessions - None**

**10. Comments**

**10.1 Comments from the Public (Time: 3:36 p.m.) - None**



**10.2 Comments from City Council and City Manager** (Time: 3:36 p.m.) - None

**11. Adjournment** (Time: 3:36 p.m.)  
Council was adjourned at 3:36 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk