



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, August 8, 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, Ron Smith, Charlene Bybee, City Manager Steve Driscoll, Chief Assistant City Attorney Shirle Eiting and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Members Ed Lawson and Ron Schmitt

**3. Opening Ceremonies**

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

Sparks Seventh Day Adventists Church Pastor Omar Palmer introduced Pastor Shian O'Connor, President for the Cayman Islands Conference of Seventh Day Adventists who provided the invocation.

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

The Pledge of Allegiance was led by Council Member Bybee.

**4. Public Comment** (Time: 2:02 p.m.)

Donald Dixon spoke of concern of the safety of the electric grid and left information for the Council. An anonymous speaker concerned with retaliation to domestic violence survivors, spoke of the lack of training of Sparks Police with regards to NRS199 regarding crimes of public justice, an unproductive meeting with city staff, the city's excess liability policy and destruction of court case files.

**5. Agenda** (Time: 2:10 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 Ratti, to remove item 9.3 and approve the agenda as amended. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**6. Minutes (Time: 2:11 p.m.)**

**6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of July 11, 2016. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve the minutes of the regular Sparks City Council meeting on July 11, 2016. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:12 p.m.)**

**7.1 Presentation on Pathways to Aviation (Time: 2:12 p.m.)**

Reno Air Racing Foundation Chairman Eric Henry and Executive Director Pete Parker presented information on how Pathways to Aviation is working to provide solutions to the aviation industry's growing workforce needs by informing, inspiring, and engaging its future labor force. They are establishing corporate partnerships and there will be aviation learning space at the upcoming Reno Air Races. Challenger Learning Center has moved from Sparks High School to the National Auto Museum.

**8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:16 p.m.)**

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the consent items 8.1 thru 8.7. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period June 23, 2016 through July 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 acceptance of a State of Nevada Attorney General's Victim of Crime Act grant (AC-5273) in the amount of \$64,459 to fund the existing Victim Advocate position. (FOR POSSIBLE ACTION)**

An agenda item from Police Chief Brian Allen recommending Council accept the grant. Adam Laxalt, the Attorney General of the State of Nevada, initiated a victim services pilot project grant program in Washoe County. The Sparks Police Department was invited to participate in the previous year and was awarded \$46,369.00 to fund 75% of the salary for a second victim advocate at the Sparks Police Department. If accepted, this award will fund 75% of the additional victim advocates salary this year. \$21,486 will be paid from existing budget in the general fund.

**8.3 Consideration and possible approval of a reimbursement to the City of Reno for Sparks' share of a contract (AC-5274) with KG Walters Construction for the 2016 Clarifier Rehabilitation Project at the Truckee Meadows Water**

**Reclamation Facility (TMWRF) not to exceed \$123,974.24. (FOR POSSIBLE ACTION)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve Sparks' share of the contract. TMWRF utilizes 14 primary and secondary clarifiers in the wastewater treatment process. These clarifiers are concrete tanks with steel mechanical rotating mechanisms and they range from 16 to 50 years old. Over years of continuous operation, the concrete tank structures and mechanical equipment require repairs and rehabilitation. Annual repair and rehabilitation of the clarifier basins is included in the Joint Coordinating Committee approved TMWRF Capital Improvement Program. For the 2016 clarifier rehabilitation project the Primary and Secondary 1C Clarifier Basins were selected.

The rehabilitation activities consist of repair of expansion joints, replacement of the steel roller wear ring, providing minor repairs to the grout beds, concrete walls and some portions of the steel hardware. This work is considered necessary to prevent further deterioration of aging concrete structural components, which if not addressed could result in the need to replace the structure. There is no impact to the general fund.

**8.4 Consideration and possible approval to purchase PC's, Networking Equipment, Printers and Storage not to exceed the Approved IT CIP hardware budget of \$418,090 with Summit Partners LLC. or other vendors as needed from the NASPO ValuePoint Contract (formerly known as the Western States Contracting Alliance or WSCA) per the IT CIP as approved in the FY 2017 Budget. (FOR POSSIBLE ACTION)**

An agenda item from IT Manager Steve Davidek recommending Council approve purchasing IT related hardware and software. In the fall of 2013, Council requested that the Finance Director work with staff to inventory the city's technology equipment and devise a plan to keep that equipment current. In February 2014 a report on the "IT WIG" was presented to Council with a recommended plan on "catching up" and funding for the future. In 2015, IT completed part two of the "IT WIG" to inventory major software systems. A rolling 20-year plan was created to keep Major Systems enhanced, upgraded and updated. IT has a number of large projects approved in the FY2017 budget including replacing a 6-year-old storage system with newer technology and double the storage space allowing IT to keep the city's storage local and secure. Funds are budgeted in the CIP budget, there is no impact to the general fund.

**8.5 Consideration and possible approval of the 2016 Cooperative Agreement (AC 5275) and the 2016 Annual Operating Plan (AC 5276) between the City of Sparks and Truckee Meadows Fire Protection District. (FOR POSSIBLE ACTION)**

An agenda item from Fire Division Chief Jim Reid recommending Council to approve the proposed 2016 Cooperative Agreement and the 2016 Annual Operating Plan. The current Cooperative Agreement and Annual Operating Plan between the Sparks Fire Department and Truckee Meadows Fire Protection District is expiring. This new agreement will be effective upon approval by the Sparks City Council and has already been approved by TMFPD. The annual operating plan is an addendum to the agreement and details updated pay scales, contact information, and communication information. This annual operating plan is renewed each year. There is no impact to the general fund.

**8.6 Consideration and possible approval of an Interlocal Contract (AC-5277) for \$10,000 between the Sparks Fire Department and the Nevada Department of Conservation and Natural Resources/Nevada Division of Forestry. (FOR POSSIBLE ACTION)**

An agenda item from Fire Division Chief Jim Reid recommending Council to approve the Interlocal Contract. The Cooperative Agreement between the Sparks Fire Department and the Nevada Division of Forestry expired in 2013. The agreement was not renewed in 2013 because the new statewide Wildland Fire Protection Program was created in 2012 and the Sparks Fire Department chose not to participate. At the time, budgetary concerns and the lack of significant history of wildland fires within the Sparks city limits were the deciding factors not to participate in the program. Based on an increased wildland threat to our community this season and some improvement in the City's budget situation, it is in the best interests of the City to participate in the WFPP as it will add financial protection to the City from the costs to suppress a major wildland fire.

The benefits for the City of Sparks would be to control the suppression costs of wildland fires in and around the City. The current process to determine responsibility for suppression expenses is to divide the total suppression costs by each agency's percentage of "black acres." This means that whether a fire starts in Sparks or travels into Sparks, the City will be financially responsible for the percentage of land that burns within the City limits. With participation in the WFPP, all suppression costs would be covered by the program including aircraft, hand crews, engines, and back-fill personnel for the City. The State could also become our third party billing agent for all Federal and State fires. If a fire starts in our jurisdiction, like the S Fire on July 6, 2016, the State would also host all the billing and paying responsibilities for the fire. The program will also give the City of Sparks access to use of State inmate crews for all natural disasters and possibly contract work around the city to reduce the wildland threat to the community.

If approved, this agreement would be valid until June 30, 2017. Each subsequent contract would be on a two (2) year cycle that would match the State's budget cycle. There is a \$10,000 impact to the general fund.

**8.7 Consideration and possible approval of Change Order No. 1 of a contract with RFI Communications & Security Systems for Safety Upgrades to the Methanol Facility at Truckee Meadows Water Reclamation Facility (TMWRF) in the amount of \$9,646 with a total project cost of up to \$55,261. (FOR POSSIBLE ACTION)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve Change Order No. 1. During the 2015 safety audit conducted at TMWRF, a deficiency was found with the methanol system and building. Methanol is a highly flammable and explosive chemical used at the plant in the denitrification process. It was highly recommended that the methanol building be secured with locks and monitored by closed-circuit video cameras. Installation of the security locks to the methanol building would restrict access of the building only to authorized TMWRF personnel. The camera will provide 24/7 monitoring and recording of the building. Overall, the safety of staff, on site contractors and the facility is enhanced with these additions to the methanol building.

A project that included several security deficient buildings was funded from the TMWRF Operational Budget in Fiscal Year 2015-2016. A proposal, number 450-1600828 was received

and accepted from RFI Communications & Security Systems for \$43,615 on March 9, 2016. Purchase Order 100013718, with a Formal Contract included a \$2,000 force account was secured in April 2016 for Safety Upgrades for the Methanol Facility. During work on this project it was discovered that the building's hazard classification was incorrect and the proposed work did not meet the National Fire Protection Association (NFPA) Code. The work was halted pending an analysis to identify needed changes to the project. After the necessary changes were identified, Change Order No. 1 was received July 12, 2016. This change order addresses the needs of the facility, but the project cost increased to \$55,261. Funds are budgeted in TMWRF's operations fund, there is no impact to the general fund.

## **9. General Business**

### **9.1 Discussion and possible action on selection of a topic for the City of Sparks' bill draft request (BDR) for the 79th Session of the Nevada Legislature. (FOR POSSIBLE ACTION) (Time: 2:17 p.m.)**

An agenda item from Community Relations Manager Adam Mayberry recommending Council not select a topic for a BDR for the 2017 NV Legislative Session. The Mayor and City Council were given an opportunity to publicly discuss any concepts or opportunities for the City's bill draft request (BDR) which would be due to the Legislative Council Bureau by September 1, 2016. The Charter Committee will solicit a legislator to carry their BDR recommending a change to Ward only voting. Legislators' deadlines to submit BDRs are much later. There was no desire to use the city's BDR at this time.

### **9.2 Discussion and possible approval of the 2016-17 dues for the Nevada League of Cities & Municipalities (NLCM) in the amount of \$20,402.78. (FOR POSSIBLE ACTION) (Time: 2:21 p.m.)**

An agenda item from Community Relations Manager Adam Mayberry recommending Council approve the 2016-17 dues for the NLCM. The Sparks Legislative Team recommends approval of 2016-17 membership dues for the NLCM. Membership to the NLCM supports the City in fulfilling its adopted state legislative platform. The advocacy on behalf of the League, along with sharing of information, is a benefit and important component in monitoring and advocating for or against applicable legislation. By speaking in a unified voice, Nevada Cities are more effective in achieving a positive legislative outcome. Additionally, The NLCM offers a number of learning opportunities to interact with other elected officials throughout the state. Wes Henderson and the NLCM organization has been a strong partner with the City of Sparks on legislative affairs. Sparks Mayor Geno Martini currently serves on the Executive Board of the NLCM as the Vice President and is expected to become the President of the League in 2017. There is \$20,402 budgeted in the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve the 2016-17 dues for the Nevada League of Cities & Municipalities in the amount of \$20,402.78. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

### **9.3 Consideration and possible approval to implement a Paramedic level emergency medical service program in the Sparks Fire Department. (FOR POSSIBLE ACTION)**

Agenda Item was removed from the agenda during approval of the agenda.

**9.4 Consideration of and possible action on a request for final approval of an amendment to the Spanish Springs Town Centre Handbook, a Planned Development, to revise the development standards to allow for a mini-warehouse use on a site approximately 41.65 acres in size in the NUD (New Urban District) zoning district located at 4988 Galleria Parkway, Sparks, NV. (PCN15066) (FOR POSSIBLE ACTION) (Time: 2:25 p.m.)**

An agenda item from Development Services Manager Karen Melby on behalf of E. Bryant Ventures, Inc. recommending Council approve the final handbook. Planning Commission reviewed the tentative handbook on April 21, 2016 and recommended that the City Council approve the planned development handbook with modifications. The modifications are to set back the mini-warehouse wall on the south property line 20 feet and reduce the height of the south wall to 10 feet. The 20 feet will be fully landscaped and gated off to prevent access except by mini-warehouse maintenance people. City Council approved the tentative handbook on May 23, 2016 with the modifications. The Planning Commission reviewed the final handbook on June 16, 2016 and finds the handbook in substantial compliance with the tentative handbook. There is no impact to the general fund.

Council Member Ratti confirmed the remaining parcel would not be orphaned and without access and Ms. Melby said easements would be maintained and the parcel is accessible. Wood Rodgers representative Melissa Lindell was available on behalf of the applicant to answer any questions; there were no questions.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve the final handbook of the Spanish Springs Town Centre Planned Development Handbook associated with PCN15066, and the facts supporting those Findings as set forth in the staff report. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**9.5 Consideration of and possible action on a request to amend a final planned development handbook for Kiley Ranch North Phase 6 to add approximately 38 acres, revise the development standards and other matters properly relating thereto in conformance with the Tentative Planned Development Handbook for Kiley Ranch North, on a site totaling approximately 146.68 acres in size in the NUD (New Urban District – Kiley Ranch North) zoning district located northeast of Kiley Parkway and Henry Orr Parkway, Sparks, NV.(PCN14037) (FOR POSSIBLE ACTION) (Time: 2:32 p.m.)**

An agenda item from Development Services Manager Karen Melby on behalf of Rising Tides LLC recommending Council approve the handbook. Kiley Ranch North is being reviewed and approved in incremental phases with final handbooks for each phase. The final handbook for Phase 6 of Kiley Ranch North was originally approved by City Council on May 12, 2014. The Tentative Planned Development Handbook for Kiley Ranch North was approved by City Council on July 11, 2016. The Planning Commission reviewed the final handbook for Kiley Ranch Phase 6 on July 7, 2016 and recommends the City Council approve the handbook. There is no impact to the general fund.

Council Member Bybee asked how many residential units are approved in Phase 6. On behalf of the applicant, Rubicon representative Mike Railey said the maximum permitted units is 1,348

broken down as 623 low-medium residential (LMR), 446 medium residential (MR) and 279 medium/high residential (MHR).

A motion was made by Council Member Smith, seconded by Council Member Ratti, to approve the final handbook for Kiley Ranch North Phase 6 Planned Development Handbook (PCN14037) and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**9.6 Consideration of and possible action on a request for final approval of the Golden Triangle Handbook, a Planned Development, on a site 43.83 acres in size in the NUD (New Urban District) zoning district located at 6000 Vista Boulevard, Sparks, NV. Applicant: Golden Triangle, LLC (PCN15058) (FOR POSSIBLE ACTION) (Time: 2:38 p.m.)**

An agenda item from Senior Planner Ian Crittenden on behalf of Golden Triangle, LLC recommending approval of the handbook. In 2003, this property, which is 43.83 acres in size, was part of an annexation, master plan amendment, and a rezoning that created the Kiley Ranch Northeast Golf Community Planned Development. At the time the handbook for the project was created, this site was left with an Open Space (OS) land use designation and zoned A-40 (Agriculture). In 2014, the master plan land use designation was changed from OS to Mixed Use (MX) and the zoning was changed from A-40 to NUD (New Urban District). Subsequently, in 2015, the handbook for the Kiley Ranch Northeast Golf Community was rescinded. At the June 16, 2016 Planning Commission Meeting, the Planning Commission made a recommendation for final approval of the Golden Triangle Planned Development Handbook. When the project is developed, a stop light will be added to Vista. There is no impact to the general fund.

Wood Rodgers representative Melissa Lindell was available on behalf of the applicant to answer any questions; there were no questions.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve the Final Handbook for the Golden Triangle Planned Development associated with PCN15058, and the facts supporting those Findings as set forth in the staff report. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**9.7 Consideration, discussion and possible action on the Offer of Judgment in Carlsson v. Cragg, Connelly, Gallop, Johnson and Tracy. (FOR POSSIBLE ACTION) (Time: 2:43 p.m.)**

An agenda item from Assistant City Attorney Alyson McCormick reporting that Plaintiff Jeramie Carlsson is an inmate in the custody of the Nevada Department of Corrections. In 2012, he was arrested for various offenses that occurred in Sparks and Reno. Plaintiff alleges that employees of the Sparks Police Department and Reno Police Department used excessive force during the course of his arrest. The Court denied Defendants' motions for summary judgment. Plaintiff previously rejected the City's Offer of Judgment for \$251,000. Plaintiff has served an Offer of Judgment on all Defendants for \$50,000.00. A settlement conference is scheduled for Tuesday, August 9, 2016. There is no impact to the general fund.

Based on the advice of the City Attorney's office, a motion was made by Council Member Bybee, seconded by Council Member Smith, to reject Plaintiff Jeramie Carlsson's Offer of Judgment in the amount of \$50,000.00. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

**9.8 FIRST READING. Bill No. 2708, an ordinance amending Chapter 5 of the Sparks Municipal Code to provide for the Regional Technology Fee. (Time: 2:46 p.m.)**

City Clerk Teresa Gardner read the bill by title. The second reading and public hearing will be held at the regular meeting on Monday, August 22, 2016.

**9.9 FIRST READING, of Bill No. 2709 amending Title 5 of the Sparks Municipal Code relating to the City Attorney's authority to seek injunctive relief for the enforcement of Title 5. (Time: 2:46 p.m.)**

City Clerk Teresa Gardner read the bill by title. The second reading and public hearing will be held at the regular meeting on Monday, August 22, 2016.

**9.10 FIRST READING, of Bill No. 2710 amending Title 2 of the Sparks Municipal Code relating to the City Attorney's authority to seek injunctive relief for the enforcement of Title 5 without the prior express permission of the City Council. (Time: 2:46p.m.)**

City Clerk Teresa Gardner read the bill by title. The second reading and public hearing will be held at the regular meeting on Monday, August 22, 2016.

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

**10.1 Public hearing, consideration of and possible action on Resolution No. 3300, adding a fee of 0% for Regional Technology Fee. (FOR POSSIBLE ACTION) (Time: 2:46 p.m.)**

An agenda item from Customer Service Manager Jessica Easler recommending Council adopt Resolution No. 3300. On June 23, 2014, Council approved the Interlocal Cooperative Agreement establishing the Regional Business License and Permits program for the City of Sparks, the City of Reno, Washoe County and 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, authorized 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 cost. On February 22, 2016, Council approved a change order to extend the contract with Accela through the new go-live date of August 22, 2016.

The Interlocal Cooperative Agreement includes a provision related to the regional technology fee (entities refer to the City of Sparks, the City of Reno, the Washoe County Health District, and Washoe County): Section 12.2 says a "regional technology fee" may be imposed by the initial ENTITIES upon their customers utilizing the PLATFORM for a minimum of one year, commencing upon go live of the PLATFORM. The "regional technology fee" shall be consistent among the ENTITIES and shall include the following: business permits – 4%; annual business license - \$4; quarterly business license - \$2. The Business Enterprise Fund was able to absorb its allocation of the capital outlay and annual subscription fee. Staff recommends 0% technology fee for permits at this time. There is no impact to the general fund.



Public Hearing was opened at 2:47; no comments were received.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to adopt Resolution No. 3300 for the Regional Technology Fee for the Regional License and Permit Platform. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, ABSENT. Passed unanimously with those present.

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

**11.1 None**

**12. Comments**

**12.1 Comments from the Public** (Time: 2:48 p.m.) – None

**12.2 Comments from City Council and City Manager** (Time: 2:49 p.m.)

City Manager Driscoll announced an opening on the Sparks Planning Commission to complete the remainder of a term that runs through 12/31/2018. All persons interested should complete a Community Service Application available from the City Clerk's office or on the website at [www.cityofsparks.us](http://www.cityofsparks.us), click on "city services" then "volunteering get involved" then "fill out a City of Sparks volunteer application." Applications will be accepted until the close of business on September 6, 2016.

Council Member Bybee commented on Sparks' resident Jake Dalton who is competing with USA men's gymnastics at the Olympics.

Mayor Martini thanked all for a great Hot August Nights event.

**13. Adjournment**

Council was adjourned at 2:50 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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