



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, November 25, 2013**

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

1. Call to Order (Time: 2:01 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:01 p.m.

2. Roll Call (Time: 2:01 p.m.)

Mayor Geno Martini, Council Members Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, Acting City Manager Steve Driscoll, City Attorney Chet Adams (arrived at 2:18 p.m.) and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Member Julia Ratti

Staff Present: Mark Miranda, Jeff Cronk, Brian Allen, Tony Pehle, Jon Ericson, Tom Garrison, John Martini, Neil Krutz, Armando Ornelas, Karen Melby, Dan Marran, Mike Drinkwater, Donna DiCarlo.

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

The invocation was provided by Pastor Tom Anderson, Horizon Christian Church.

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

The Pledge of Allegiance was led by Council Member Ron Schmitt.

Comments from the Public (Time: 2:03 p.m.)

Local business owner John Howitt commended the work of Adam Mayberry as Chairman and Trustee for the Airport Authority.

Approval of the Agenda (Time: 2:06 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 Larson, seconded by Council Member Smith, to approve the agenda as submitted. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

3. Recommendation to Approve Minutes of November 12, 2013 (Time: 2:06 p.m.)

3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for November 12, 2013 (FOR POSSIBLE ACTION)

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the minutes of the Regular Meeting of November 12, 2013 as outlined by staff. Council

Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

4. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:07 p.m.)

Mayor Geno Martini invited visiting students from Reno High School to introduce themselves to the Council. Mayor Martini thanked the students for their interest in local government.

5. Consent Items (Time: 2:07 p.m.)

Council Member Schmitt asked if it was appropriate to have the reversion to acreage map under the consent items, rather than general business items. City Engineer John Martini responded that this reversion is to clean-up property lines shown on the assessor's map and similar items have been submitted under consent items.

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

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period October 24, 2013 through November 06, 2013. (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 Reversion to Acreage Map for Lennar Reno, LLC (Asti Subdivision). (FOR POSSIBLE ACTION)

An agenda item from City Engineer John Martini recommending Council approve the reversion to acreage map as submitted. Lennar Reno, LLC has submitted a reversion to acreage map for Asti Subdivision located in the D'Andrea Planned Unit Development. The reversion to acreage map has been reviewed by the Community Services Department and has been found to be acceptable. There is no impact to the general fund.

5.3 Consideration and possible approval of a Final Map for Como @ D'Andrea. (FOR POSSIBLE ACTION)

An agenda item from City Engineer John Martini recommending Council approve the Final Map as submitted. The Como @ D'Andrea Final Map will create 31 residential lots within the D'Andrea Planned Development. The final map and civil improvement drawings have been reviewed by the Community Services Department and have been found to be acceptable. There is no impact to the general fund.

5.4 Consideration and possible approval of a Consultant Agreement to HDR Engineering, Inc. (HDR) and reimbursement to the City of Reno in the amount of \$136,930.05 for Sparks' share for engineering services associated with the Nitrification System Control Valve Replacements and Vault Construction Project at the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve Sparks' share of the contract between the City of Reno and HDR for engineering

services associated with the nitrification system control valve replacements and Vault Construction Project at TMWRF. There is no impact to the general fund. Sparks' share of expenses will come from TMWRF Construction in the Sanitary Sewer Capital Project Fund.

6. General Business

6.1 Consideration and possible award of an informal bid to Gerhardt and Berry Construction Inc., in the amount of \$56,824.80 for the off-haul and backfill of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project. (FOR POSSIBLE ACTION) (Time: 2:10 p.m.)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council award the informal bid to Gerhardt and Berry Construction Inc. in the amount of \$56,824.80. The City of Sparks has secured contractor bids for the off-haul of the impacted soil/solid waste that is currently stockpiled onsite (approximately 1,700 cubic yards) and the activities proposed in the remedial action plan (excavation/disposal of approximately 1,100 cubic yards of impacted soil/waste and import and placement of backfill material.) There is no impact to the general fund. The City of Sparks will manage the excavation and disposal of the impacted and solid waste material project using existing TMWRF Operating Budget. Sparks is expecting reimbursement from the City of Reno based on actual flow splits provided by ADS Environmental as outlined in the interlocal agreement for the operations of the facility, for the actual cost of this contract.

TMWRF Plant Manager Michael Drinkwater said Kiewit Construction discovered contamination at the Southeast Connector work site while excavating in March of 2013. Items 6.1, 6.2 and 6.3 deal with waste removal, environmental testing and other costs associated with clean-up of the subject area.

Council Member Lawson asked who will end up paying for the clean-up. Mr. Drinkwater said the costs will come from the treatment plant's budget and be shared by Reno and Sparks, with Reno paying for 2/3 of the cost and Sparks paying for 1/3 per the current Interlocal agreement. The RTC will not share in the clean-up as this has been determined to be historic waste and likely came from the treatment plant.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to award the informal bid to Gerhardt and Berry Construction Inc., in the amount of \$56,824.80 for the off-haul of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project." Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

6.2 Consideration and possible authorization to allow the Treatment Plant Manager to enter into an Industrial Waste and Disposal Agreement with Waste Management, in the amount of \$35,000, to dispose of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project. (FOR POSSIBLE ACTION) (Time: 2:15 p.m.)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council authorize the Treatment Plant Manager to enter into an Industrial Waste and Disposal Agreement with Waste Management, in the amount of \$35,000. The City of Sparks will enter into an

industrial waste and disposal services agreement with Waste Management to minimize disposal cost of the impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project. Sparks is expecting reimbursement from the City of Reno based on actual flow splits provided by ADS Environmental as outlined in the interlocal agreement for the operations of the facility, for the actual cost of this contract. There is no impact to the general fund. The City of Sparks will manage the excavation and disposal of the impacted and solid waste material project using existing TMWRF Operating Budget.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to authorize Treatment Plant Manager to enter into an Industrial Waste and Disposal Agreement with Waste Management, in the amount of \$35,000, to dispose of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project.” Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

6.3 Consideration and possible approval of an additional environmental consulting services contract with McGinley & Associates, in the amount of \$27,225, to perform remediation coordination of the off-haul and backfill of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project. (FOR POSSIBLE ACTION) (Time: 2:15 p.m.)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council award the additional environmental consulting services contract to McGinley & Associates, in the amount of \$27,225. McGinley and Associates will provide consulting services to oversee the remediation of the impacted soil and solid waste that is currently stockpiled onsite (approximately 1,700 cubic yards) and the activities proposed in the remedial action plan (excavation/disposal of approximately 1,100 cubic yards of impacted soil/waste and import and placement of backfill.) There is no impact to the general fund. Sparks is expecting reimbursement from the City of Reno for the actual cost of this contract based on actual flow splits provided by ADS Environmental as outlined in the interlocal agreement for the operations of the facility.

Council Member Ed Lawson confirmed that Mr. Drinkwater’s reference to “we” did not refer to the City of Sparks, but rather to TMWRF. Mr. Drinkwater confirmed this is a TMWRF issue. Council Member Ron Smith confirmed that Sparks’ portion of the total clean-up costs, as presented in items 6.1, 6.2 and 6.3, will be 1/3 of the total, or approximately \$30,000 - \$40,000, with Reno being responsible for 2/3 of the costs.. Mr. Drinkwater confirmed this to be correct.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the additional environmental consulting services contract with McGinley & Associates, in the amount of \$27,225, to perform remediation coordination of the off-haul and backfill of impacted and solid waste material encountered during excavation activities on the Regional Transportation Commission Southeast Connector, Phase I Project. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

6.4 Presentation, discussion, and possible action directing the City Manager, through the Regional Business License and Permit Program team, in conjunction with the City of Reno, City of Sparks, Washoe County and the Washoe County Health District, to engage in vendor contract negotiations and financing; to develop an inter-local agreement; and to research a regional technology fee mechanism. (FOR POSSIBLE ACTION) (Time: 2:17 p.m.)

An agenda item from Assistant City Manager Steve Driscoll recommending Council provide direction to the City Manager to engage in all the necessary actions in support of the Regional Business License and Building Permit team in the negotiation of a vendor contract including financial options; the development of an inter-local user agreement; and researching technology fee mechanism alternatives.

Through the combined efforts of a regional project team over the past year, the cities of Reno and Sparks, Washoe County, and the Washoe County Health District have collaboratively determined a regional path forward for a more on-line, citizen-centric, and automated/modern solution for business licensing and building permits. This report is to update the Sparks City Council on status and progress as well as seek possible direction to the City Manager to continue with vendor contract negotiation and financing; development of an inter-local user agreement; and further research on regional technology fee mechanism alternatives.

Acting City Manager Steve Driscoll said the system would likely not be implemented until the 2014 / 2015 fiscal year. Mr. Driscoll gave a slide presentation.

Regional License / Permit Program

- City of Reno
- City of Sparks
- Washoe County
- Washoe County Health District

AAA Customer Service

- Any license or permit
- Anytime
- Anywhere

What have we heard?

- On-line services
 - Applications and renewals
 - Payment
 - Find information and results
 - Plans submittal
- Regional licensing and permitting
- Shared and consistent information among jurisdictions
 - Transparency

Benefits

- On-line, 24 hours/day and 7 days/week
- Customer centric practices
- Integrated regional database and platform
- Reduced duplication between jurisdictions
- Future anticipated cost savings
- Leverages current technology
- Industry best practices

What happens if we stay on legacy system

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- No on-line customer service
- No regional integration of information
- No sharing of common customer information
- No electronic document submittals
- Non-supported legacy software system

Investment

- Initial capital outlay - \$1.67 million
 - Proportionally shared among jurisdictions
 - Includes first year's subscription cost
 - Cost recovery over 5 years
- Annual funding – \$479,000
 - Proportionally shared among jurisdictions
 - Annual user-based subscription model
 - Includes future upgrades, additional user seats, and technology needs

Potential program funding sources

- Regional technology fee
 - Customers benefiting from the program pay the fee
 - Scalable – more customers means expansion of program, but also brings more fee revenue
 - Reduces impact to general fund tax payers
- General fund
 - Limited funds available
 - Direct competition with other programs for those limited general funds
- Vendor financing – lease purchase
 - Through Government Capital Corporation
 - 1.99% effective lease rate (subject to underwriting approval and mutually accepted documentation)
 - Payments (with contract in place for Fiscal year 2013-14):
 - Annual payments beginning on July 1, 2014
 - Five (5) annual payments in total
 - Covers first year of implementation and maintenance and four (4) subsequent years of maintenance
- Enterprise funds
 - Restricted to enterprise funded agencies

Proposed regional technology fee

- Based on the cost of a permit or license
 - 5 year investment recovery
 - Sustains annual funding (subscription)
 - Periodic evaluation
- Collected when license or permit is purchased
 - Each customer who uses system (on-line or at public counter)
 - Initial application, first year, renewal
 - Non-refundable

Next Steps

- City and County management direction to proceed
- City Council, BCC and District Health direction:
 - Conclude vendor negotiations
 - Develop interlocal agreement
 - Cost recovery
 - Outreach to customers for feedback on proposed regional technology fee
- Staff returns with contract, funding information, agreement and possible cost recovery plan

Council Member Ron Schmitt said he supports this effort. Mr. Schmitt asked if it could be estimated how much personnel costs would be saved with this effort. Mr. Driscoll said that was difficult to calculate; and that the greatest benefit might be found with staff being able to spend more time on issues such as renewals and obtaining timely payments. Staff would be utilized differently and hopefully more efficiently. Council Member Schmitt suggested researching the technology fee. Mr. Schmitt said he doesn't necessarily support the fee and believes the fee could be a hard sell to the business community.

Council Member Ed Lawson asked what types of permits would be included with this system. Mr. Driscoll said the system would include the entire building permit process, all inspections, all licensing requirements, various health department permits from air quality to food, sheriff's office conceal permits and more. Mr. Driscoll said each entity could have their own permit(s) on the system and each entity can maintain its own governance over the system. Mr. Lawson is in favor of a technology fee. He asked if the team has discovered any potential security issues with information in the cloud. Mr. Driscoll said there is no particular security threat.

Public Comment was provided by Tray Abney representing The Chamber in support of the Regional Business License effort. He said The Chamber has not yet taken a position on the technology fee.

Mayor Geno Martini stated he is in favor of a technology fee.

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to direct the City Manager to engage in all the necessary actions to support the Regional Business License and Building Permit team in the negotiation of a vendor contract including financial options; the development of an inter-local agreement; and researching a technology fee mechanism. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

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

8. Planning and Zoning Public Hearings and Action Items

8.1 SECOND READING and possible discussion of CA-2-13 - A request for an ordinance amending Title 20 of the Sparks Municipal Code to revise criteria associated with minor deviations (20.07.020) and to add a major deviation, including the process, application requirements and findings to allow, in certain circumstances, deviations up to fifty percent (50%) from a quantitative standard and other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)

An agenda item from Senior Planner Karen Melby recommending approval of C-2-13. The City hired a consultant to analyze the Zoning Code to remove barriers to development. Staff was given direction by City Council to proceed with a Major Deviations code amendment. The code amendment recommends changes to minor deviation section of Title 20 and a new process called major deviation. The Planning Commission unanimously forwarded a recommendation of approval at the October 3, 2013 public hearing. There is no impact to the general fund.

Council Member Mike Carrigan asked if the person who has a problem with a minor deviation could then go the route of the major deviation. City Planner Armando Ornelas said the distinction under the current code if someone applies for a minor deviation he/she must have the written approval of his/her neighbor.

Public Hearing was opened; no comments were received.

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve CA-2-13 to amend Chapter 20 of the Sparks Municipal Code to revise criteria associated

with minor deviations and to add a major deviation process. Council Members Lawson, Smith, Carrigan, YES. Council Member Ratti, Schmitt ABSENT. Passed unanimously with those present.

8.2 Public hearing, consideration of and possible action on Resolution No. 3249, revising fees for development services provided by the City of Sparks and specifically considering fees for Minor Deviation and Major Deviation applications. (FOR POSSIBLE ACTION) (Time: 3:02 p.m.)

An agenda item from Senior Planner Karen Melby recommending Council adopt Resolution No. 3249 adding fees for Minor Deviation and Major Deviation applications associated with development services provided by the City of Sparks. To facilitate development and growth in the City of Sparks, the City is considering broadening the applicability of the minor deviation provision in the Zoning Code and adding a “major deviation” process. This resolution is a companion agenda item to establish fees. The proposed fee for a Minor Deviation is \$120. The proposed fee for Major Deviation is a deposit of \$1,250; staff time will be charged at \$120 per hour. There is no impact to the general fund.

Council Member Mike Carrigan asked if this item was reviewed by the Advisory Committee. Ms. Melby confirmed it went through the Advisory Committee, the Enterprise and a technical advisor.

Public Hearing was opened; no comments were received.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to adopt Resolution No. 3249 revising fees related to development services provided by the City of Sparks for Minor and Major Deviations. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

9. Closed Door Sessions - None

10. Comments

10.1 Comments from the Public (Time: 3:04 p.m.) - None

10.2 Comments from City Council and City Manager (Time: 3:04 p.m.) - None

11. Adjournment (Time: 3:04 p.m.)

Council was adjourned at 3:04 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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