



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, March 24, 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 (2:07), Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, Acting City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

Staff Present: Dan Marran, Todd Saxberg, Kim Laber, Bill Lutsch, Shaun Carey, Brian Allen, Chris Syverson, John Martini, Chris Maples, Michael Drinkwater, Jeff Cronk, Tracy Domingues, Brian Cason, Cyndi Boggan, Adam Mayberry, Andy Hummel, Jim Rundle, George Graham, Neil Krutz, Armando Ornelas, Ron Korman, Ross Soderstrom, Rich Brown

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

The invocation was provided by Brad Dyrness of the Sparks Nazarene Church.

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

The Pledge of Allegiance was led by John Ascuaga.

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

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

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

A motion was made by Council Member Smith, seconded by Council Member Schmitt, 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 March 10, 2014** (Time: 2:03 p.m.)

**3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for March 10, 2014 (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 March 10, 2014 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: 2:03 p.m.)

**4.1 Proclamation of "John Ascuaga & Family Day"** (Time: 2:03 p.m.)

Mayor Martini proclaimed March 24, 2014 as John Ascuaga & Family Day. Mr. John Ascuaga, his son Stephen and daughter Michonne accepted the honors for their family. John Ascuaga thanked and commended the Nugget's employees for their decades of service.

**4.2 Proclamation of "National Service Recognition Day"** (Time: 2:18 p.m.; taken after item 4.3)

Mayor Martini proclaimed April 1, 2014 as National Service Recognition Day and encouraged residents to recognize the positive impact of volunteerism and national service in our city, to thank those who serve, and to find ways to give back to the communities. The Governor's Commission on Service spokesperson Amber Martin accepted the proclamation.

**4.3 Proclamation: "Brain Injury Awareness Month"** (Time: 2:11 p.m.; taken before item 4.2)

Mayor Martini proclaimed March 2014 as Brain Injury Awareness Month and encouraged all citizens to give recognition and appreciation to the Head Injury Association Nevada (HIANN) for their mission to help brain injury survivors put their lives together piece by piece through support, empowerment, resources, public awareness, education and youth prevention programs. Head Injury Association President Teresa Morros And Mayor Martini's friend Denny

**4.4 Tribute to City Manager Shaun Carey** (Time: 2:22 p.m.)

Mayor Martini proclaimed April 4, 2014 as Shaun D Carey Day and a video tribute was played. City Manager Shaun Carey thanked the Mayor, Council and employees for the opportunity to serve the City of Sparks.

**5. Consent Items** (Time: 2:39 p.m.)

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

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period February 20, 2014 through March 5, 2014 (FOR POSSIBLE ACTION)**

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

**5.2 Consideration and possible approval of a contract with RFI Communications & Security Systems to replace the access security system in the amount of \$57,302.00 at Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve a contract with RFI Communications to replace the existing access security system with the SoftwareHouse C-Cure 9000 system in the amount of \$57,302.00. This contract will remove the existing ProWatch system and replace it with the SoftwareHouse C-Cure 9000. Costs include installation and programming of the SoftwareHouse C-Cure 9000, testing and validating the function of all installed devices. The existing security system, Honeywell ProWatch Access Control System (ACS), was installed approximately 10 years ago. In 2012 the system entered into an "end of life" cycle. Hardware and software for the Pro Watch security system has now become obsolete. Replacement parts for repairs are difficult to find and must be purchased refurbished. Funding will be provided through the TMWRF operating budget for capital improvements. There is no impact to the general fund.

**5.3 Consideration and possible approval to award Farr West Engineers a contract in an amount up to \$199,900.00 to provide support to the Electronic Operations and Maintenance Manual (EOMM) project for the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)**

An agenda item from TMWRF Operations Manager Todd Saxberg recommending Council approve a contract with Farr West Engineering in an amount not to exceed \$199,900.00 to perform comprehensive support services for the Electronic Operations and Maintenance Manual. All wastewater treatment plants in Nevada are required to have operations and maintenance (O&M) manuals approved by the Division of Environmental Protection. Since the last professional engineering contractor (Kennedy-Jenks) provided an O&M manual in 1985 the treatment plant has undergone significant upgrades and changes. Consequently, the manual is now insufficient for adequate operations. Support work was specifically split out from a previous RFP for the server based work which was awarded to Carollo Engineers, Walnut Creek, CA. This support work can be accomplished by the local firm selected at lower cost than Carollo Engineers can offer. Funding will be provided through the TMWRF operating budget for capital improvements. There is no impact to the general fund.

**6. General Business**

**6.1 Consideration, 1st reading and possible discussion of Bill No. 2668, an Ordinance providing for the Conducting and Holding of the 2014 Municipal Elections. (FOR POSSIBLE ACTION) (Time: 2:39 p.m.)**

The City Clerk read Bill No. 2668 by title. The public hearing and second reading of this bill will be conducted at the regular City Council meeting on Monday April 14, 2014.

**6.2 Consideration and possible approval of an Interlocal Agreement (AC-5019) between the City of Sparks and Washoe County to allow for the Conducting and Holding of the 2014 Primary and General Elections. (FOR POSSIBLE ACTION) (Time: 2:39 p.m.)**

An agenda item from Assistant City Clerk/Records Coordinator Donna DiCarlo, presented by City Clerk Teresa Gardner, recommending Council approve the Interlocal Agreement to allow Washoe County Registrar of Voters to conduct and hold the 2014 Primary and General Elections for the City of Sparks' citizens. In 2001 the Charter Committee presented the Nevada Legislature with a Bill Draft Request to amend the City's Charter to conduct all Sparks' Municipal Elections concurrent with the Federal and State Primary and General Elections in the even numbered years. Washoe County has been conducting Elections on behalf of the City of

Sparks since 2002. The City shall pay to the County \$.15 per registered city voter. In addition, the city shall be responsible for payment of actual costs for conduct of the city's portion of the election, incurred by the county in the performance of the agreement, which would not otherwise have been incurred by county, not to exceed \$35,000. Council Member Schmitt confirmed with the City Attorney that this agreement could be approved prior to the adoption of Bill No. 2668 in the previous item.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the Interlocal Agreement AC-5019 to provide for the conducting and holding of the Primary and General Elections for 2014. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.3 Consideration and possible approval of appointment of: (A) One member of the City Council to represent the City of Sparks on the Board of Trustees of the Western Regional Water Commission, for a two-year term ending March 31, 2016; and, (B) Recommendation to the City of Reno for a joint appointment of one elected official to represent the owners of the Truckee Meadows Water Reclamation Facility on the Board of Trustees on the Western Regional Water Commission, for a two-year term ending March 31, 2016. (FOR POSSIBLE ACTION) (Time: 2:42 p.m.)**

An agenda item from Acting City Manager Steve Driscoll recommending Council confirm Ron Smith as the City's representative and Geno Martini as the Truckee Meadows Water Reclamation Facility representative to the Western Regional Water Commission. The current WRWC Commissioners representing Sparks are Councilman Ron Smith; Mayor Geno Martini representing the Joint Reno/Sparks appointment for the Truckee Meadows Water Reclamation Facility (TMWRF); and Council Mike Carrigan as appointed and approved by the TMWA Board. The terms of two representatives will expire on March 31, 2014. There is no impact to the general fund.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to confirm the reappointment of Ron Smith as the city's representative and Geno Martini as the Truckee Meadows Water Reclamation Facility representative to the Western Regional Water Commission. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.4 Consideration and possible approval of the Financial Grade Operational Audit for the Truckee Meadows Water Reclamation Facility by Ameresco, Inc. (FOR POSSIBLE ACTION) (Time: 2:43 p.m.)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council accept the Financial Grade Operational Audit performed for the Truckee Meadows Water Reclamation Facility by Ameresco, Inc. The investment grade operation audit analysis developed and provided by Ameresco has been deemed thorough and sufficient for TMWRF's purposes of accuracy and feasibility with regard to the overall project implementation." The retrofits and upgrades proposed for TMWRF will not only help maintain the plant but also ensure quality production, accompanied with savings in both energy and money. By making these upgrades, TMWRF advances its goals towards net zero energy and improves the treatment process of wastewater and the final product. There is no impact to the general fund.

Truckee Meadows Water Reclamation Facility (TMWRF) Plant Manager Michael Drinkwater presented the details of the audit, the deliverable of a contract approved by the City Council approximately sixteen months ago and requested the City Council accept the audit and its recommendations as presented.

Public comment was received by the Governor's Office of Energy Director Paul Thomsen, who commended the City of Sparks on their commitment to save money and reduce energy consumption and the potential to create jobs in Sparks.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to accept the Financial Grade Operational Audit for the Truckee Meadows Water Reclamation Facility. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.5 Consideration and possible approval of the Performance Contract for Energy Cost Savings with Ameresco, Inc, for the Truckee Meadows Water Reclamation Facility, in an amount not to exceed \$24,911,589.00, with the City of Sparks' share in the amount of \$7,814,765.47. (FOR POSSIBLE ACTION) (Time: 3:00 p.m.)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve the Performance Contract for Energy Cost Savings with Ameresco, Inc. for the Truckee Meadows Water Reclamation Facility, in the amount of \$24,911,589, with the City of Sparks' share of \$7,814,765.47. Appropriations will be provided by Sanitary Sewer Capital Project Fund. The City of Reno will administer the contract and will be reimbursed for a portion of the costs by the City of Sparks through the Sparks – Reno cost sharing agreement for TMWRF. The City of Reno and the City of Sparks share the cost for this project based upon their pro-rata ownership of TMWRF, which is 68.63% for Reno and 31.37% for Sparks. There is no impact to the general fund.

In response to Council Member Carrigan's question, City of Reno Environmental Services Administrator Jason Geddes confirmed that Reno has utilized Ameresco in a \$19M project. Mr. Geddes said the City of Reno has saved \$1.7M savings each of the past two years, above the \$1.2M/year savings initially estimated by Ameresco.

Council Member Schmitt confirmed the RFP process and the contractor selection to write the plan, which cost \$140,000 and which is now owned by the City of Sparks. There is no public bid for this \$125M cost estimate. Mr. Schmitt said he is concerned with the absence of bidding companies and thus, the assurance that the pricing is competitive. Mr. Geddes said the City of Reno reviews the contracts utilized under the agreement to evaluate the project and validate that the pricing brought forward is reasonable.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the Performance Contract for Energy Cost Savings with Ameresco, Inc. for the Truckee Meadows Water Reclamation Facility. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.6 Consideration and possible approval of the 15 Year On-going Services agreement with Ameresco, Inc., in the amount of \$39,585.00 for Year 1 with**

**an annual inflation rate of 2.38% thereafter. (FOR POSSIBLE ACTION)**  
(Time: 3:08 p.m.)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve the On-going Services Agreement for operating cost-savings measures with Ameresco, Inc. for the Truckee Meadows Water Reclamation Facility (TMWRF.) The On-Going Services Agreement defines the relationship between Ameresco, Inc. and the Cities for the 15-year performance period of the energy services project. Ameresco, Inc. has provided a guaranteed minimum savings to TMWRF for each of the Energy Conservation Measures recommended in the Financial Grade Audit. Each year Ameresco must measure and verify those savings. This agreement defines how that measurement and verification will occur in order to allow for an objective assessment of the realized savings. There is no impact to the general fund. The fiscal impact is expected to commence with Fiscal Year 16-17 and will be administered by the City of Reno. Appropriations for Sparks' share will be requested each year for the life of the Agreement.

Council Member Ratti asked if the fees, approximately \$40,000 are considered to be similar to project management fees. City of Reno Environmental Services Administrator Jason Geddes said Reno's annual fees verification that the project is on track for the estimated energy savings. Among other services, Reno staff has been provided data and recommendations to make additional, necessary changes for cost savings.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the On-going Services Agreement for operating cost-savings measures with Ameresco, Inc. for the Truckee Meadows Water Reclamation Facility. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.7 Consideration and possible approval of the By-Product Removal Agreement with Ostara USA, LLC for an initial 15-Year period, based from the Ameresco Agreement, resulting in new revenue to Truckee Meadows Water Reclamation Facility (TMWRF) of \$140,000.00 annually. (FOR POSSIBLE ACTION)** (Time: 3:16 p.m.)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve the By-Product Removal Agreement with Ostara USA, LLC. The Financial Grade Operational Audit identified the Ostara Centrate Nutrient Recovery System as a viable process to reduce chemical costs at TMWRF. The system will harvest phosphorous from the centrate produced from the plant's dewatering process. This phosphorus will be sold as fertilizer to Ostara USA, LLC for the guaranteed price of \$250/ton. Based upon the current centrate chemical composition and volume, Ameresco projected that TMWRF will produce approximately 560 tons per year of fertilizer. This results in a positive cash flow to the treatment plant of approximately \$140,000. Other operational savings from the Ostara process, including chemical savings and biosolids disposal costs, are guaranteed under the agreement with Ameresco. There is no impact to the general fund. Process changes will provide an output product, fertilizer, which will be sold for \$250.00 per ton. An annual estimated tons produced and sold are 560 giving TMWRF a new revenue stream of approximately \$140,000 annually.

Mr. Drinkwater said the largest savings will be recognized through reduced chemical fees and that the business model did not address profiting through the sale of the product, fertilizer.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the By-Product Removal Agreement with Ostara USA, LLC. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, NO. Motion carried 4-1.

**6.8 Consideration and possible direction to initiate amendments to Title 13 regarding environmental control, pretreatment, storm water management, septage receiving, effluent, and other sections as necessary. (FOR POSSIBLE ACTION) (Time: 3:23 p.m.)**

An agenda item from Utility Manager Andrew Hummel recommending Council direct staff to prepare and bring forward amendments to Title 13 regarding environmental control, pretreatment, storm water management, septage receiving, effluent and other sections as necessary. Conveyance, treatment, and discharge of sanitary sewage, storm drainage and reclaimed effluent within the City of Sparks is controlled by a myriad of permits as well as local, State and Federal regulations. Title 13 (City of Sparks Water and Sewage Code) provides guidance and requirements to citizens and businesses in meeting these regulations and permits. Overtime, regulations and permit requirements change. To maintain compliance, a review and possible update of Title 13 is needed. There is no impact to the general fund.

Council Member Carrigan asked Mr. Hummel to research if reduced effluent costs can be reflected by reduced citizen billing.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to direct staff to prepare and bring forward amendments to Title 13 regarding environmental control, pretreatment, storm water management, septage receiving, effluent and other sections as necessary. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.9 Consideration and possible approval of the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-098 to Frank Lepori Construction, Inc., in the amount of \$721,544.00. (FOR POSSIBLE ACTION) (Time:3:26 p.m.)**

An agenda item from Capital Projects Manager Christopher Cobb recommending Council approve the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-098 to Frank Lepori Construction, Inc., in the amount of \$721,544.00. Alf Sorensen Community Center was originally constructed in 1981. Since its inception the Natatorium (room containing the swimming pool) area has consistently had humidity and ventilation issues causing deterioration of this facility. The original building plans followed design standards common at the time of construction. However, experience nationwide has shown that temperature control and ventilation for a natatorium requires more robust construction and ventilation systems than originally provided. By making improvements allowing for better temperature control and ventilation of this indoor space, it will extend the life of this facility and provide a more comfortable climate in the pool area. This project also includes the installation of energy efficient LED lighting within the natatorium. This project will combine budget of \$721,544 from two different funds in three different CIP projects. There is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Schmitt, to approve the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-

098 to Frank Lepori Construction, Inc., in the amount of \$721,544.00. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.10 Consideration, discussion and possible action on the approval of an Employment Agreement between the City of Sparks and Stephen W. Driscoll for the position of City Manager. (FOR POSSIBLE ACTION) (Time: 3:28 p.m.)**

An agenda item from Employee & Customer Relations Manager Chris Syverson recommending Council approve the employment agreement between the City of Sparks and Stephen W. Driscoll for the position of City Manager. City Manager Shaun Carey will be retiring from the City of Sparks on April 4, 2014. On February 24, 2014, Mayor Geno Martini appointed, and the City Council ratified, the appointment of Stephen W. Driscoll to the position of City Manager, following the departure of Mr. Carey. This appointment is predicated on the approval of an employment agreement for Mr. Driscoll. Mayor Martini has met with Mr. Driscoll to review the terms and conditions of employment, as stated in the employment agreement.

The employment contract is initially for the 15-month period of April 4, 2015 to June 30, 2015.

The Council discussed the proposed salary, longevity, termination, deferred compensation, performance evaluation, salary review and contract extension. Termination of the City Manager is governed by the City Charter and requires a vote of the Mayor and 3/5 of the majority or 4/5 of the majority.

Deferred compensation should be adjusted to the dollar amount rather than the maximum contribution as limited by federal law. In addition, the performance evaluation and salary review/agreement renewal should be changed from an automatic renewal on July 1 if Council does not take action between May 15 and July 1 to have the current agreement stay in place until the agreement is renewed by Council. However, every effort should be made to have the performance evaluation and agreement renewal presented to Council by May 15 of each year. The performance evaluation may be conducted separate from the contract renewal if necessary. A short-term successor clause will be added to the contract.

City Attorney Chet Adams said the discussions and subsequent agreement by Mr. Driscoll resulted in Mr. Driscoll's acceptance of the Council's counter-offer of employment.

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve the employment agreement between Stephen W. Driscoll and the City of Sparks for the position of City Manager, and authorized the Mayor to sign the agreement contingent upon changes presented related to the deferred compensation limit and agreement renewal. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, NO. Motion carried 4-1.

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

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

**9. Closed Door Sessions - None**

**10. Comments**



**10.1 Comments from the Public** (Time: 4:16 p.m.) - None

**10.2 Comments from City Council and City Manager** (Time: 4:16 p.m.)

- Council Member Schmitt asked if there was any interest in bringing the city manager hiring agreement discussion back to the attention of the Council for changes to the City Charter.
- Acting City Manager Steve Driscoll distributed a preliminary itinerary for visits to medical marijuana establishments in San Francisco and Oakland, CA on March 28. He asked for any Council members interested in attending, to let him know as soon as possible.

**11. Adjournment** (Time: 4:19 p.m.)

Council was adjourned at 4:19 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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