



MAYOR
Geno Martini

CITY COUNCIL
Donald Abbott, Ward I
Ed Lawson, Ward II
Ron Smith, Ward III
Charlene Bybee, Ward IV
Kristopher Dahir, Ward V

CITY ATTORNEY
Chet Adams

CITY MANAGER
Steve Driscoll

REGULAR CITY COUNCIL MEETING MINUTES
2:00 P.M., Monday, June 26, 2017
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 Donald Abbott, Ed Lawson, Ron Smith, Charlene Bybee, Kristopher Dahir, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

3. Opening Ceremonies

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

The invocation was provided by Pastor Kristopher Dahir, Freedom Fellowship.

3.2 Pledge of Allegiance (Time: 2:01 p.m.)

The Pledge of Allegiance was led by Council Member Lawson.

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

Charles Albright spoke about decommissioning the dams and letting the Truckee River run naturally. Alicia Reban Executive Director of Nevada Land Trust, joined by Executive Director Christie Cakiroglu of Keep Truckee Meadows Beautiful (KTMB), gave an update on KTMB and One Truckee River's (OTR) recent accomplishments and activities. Ms. Reban spoke of past and upcoming events.

5. Agenda (Time: 2:09 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 Lawson, to approve the agenda as submitted. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

6. Minutes (Time: 2:09 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of June 12, 2017. (FOR POSSIBLE ACTION)

A motion was made by Council Member Dahir, seconded by Council Member Bybee, to approve the minutes of the regular Sparks City Council meeting on June 12, 2017. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:10 p.m.)

7.1 Presentation of the upcoming "Last Chance Joe" DMV license plates by Dick Dreiling of the Sparks Heritage Museum. (Time: 2:10 p.m.)

Sparks Heritage Foundation Secretary Dick Dreiling presented the license plate design and information on the background leading up to production of the plate. The Museum will receive \$20 dollars per plate issued. Donations can be made for completing the restoration of Last Chance Joe by sending a check to the Museum. Mr. Dreiling also presented a new book published about Sparks that will be available July 20, 2017.

7.2 Presentation on the summary and conclusion of the 79th Regular Session of the 2017 Nevada Legislature. (Time: 2:23 p.m.)

Sr. Administrative Analyst Kathy Clewett and Rocky Finseth of Carrara Nevada introduced the Carrara Nevada staff and summarized the results of the 2017 Legislative Session.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:54 p.m.)

A motion was made by Council Member Smith, seconded by Council Member Abbott, to approve consent items 8.1 through 8.5 as submitted. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period May 25, 2017 through June 7, 2017. (FOR POSSIBLE ACTION)

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

8.2 Consideration and possible approval of an agreement (AC-5381) to continue phone service from Jive Communications at the rates defined in their proposal dated 5/31/2017 for an estimated annual cost of \$87,902.40. (FOR POSSIBLE ACTION)

An agenda item from IT Manager Steve Davidek recommending Council approve the agreement with Jive communications for continuing phone service in the estimated annual amount of \$87,902.40. In April 2014, the city entered into a contract with Jive Communications for three years to provide telephone service using VoIP (Voice Over Internet Protocol) technology. Jive has worked with the city to lower the cost of the initial three-year contract by creating two levels of phone use and lowering the per device connected charge by 75 cents each for a two-year continuation of service. These changes will save the city approximately \$3000 a month in phone costs, and will give Information Technology (IT) time to search for either a replacement system or upgrades after CIP resources are available for major IT Projects in future budget years. There is an estimated annual cost of \$87,902.40 spread across numerous programs and funds and represents an approximate annual savings of \$36,000 compared to the previous contract.

8.3 Consideration and possible approval of a construction contract (AC-5376) for the Community Services Wing Restroom Renovation and ADA Upgrade Project in the amount of \$53,333 to Truckee Meadows Construction. (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve the contract. The restroom renovation will reconfigure the restrooms to improve the plumbing, replace deteriorating flooring, upgrade fixtures, replace non-compliant drinking fountain, and improve ADA accessibility to the Community Service Wing Restrooms at City Hall. Funding is from the capital projects fund; there is no impact to the general fund.

8.4 Consideration and possible approval of a construction contract (AC-5377) for the Truckee River Bike Path Rehabilitation Project in the amount of \$73,995 to Apex Grading and Paving Inc. (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve the contract. This project will consist of grinding 2,700 lineal feet of existing asphalt concrete pathway and replacing it with 3" of new asphalt concrete from the western edge of Cottonwood Park to the McCarran bridge. Funding is from the parks and recreation project fund; there is no impact to the general fund.

8.5 Consideration and possible approval of a refund of building permit fees to Silverado Village 8, LLC for issued permits #A1601281 and A1601631 in the amount of \$11,356.14 (FOR POSSIBLE ACTION)

An agenda item from Development Services Manager Karen Melby recommending Council approve the refund. Silverado Homes applied for permits A1601281 and A1601631 to construct new single-family residences at 4127 Passage Dr. and 7044 Draco Dr. respectively. They were assessed the standard sewer connection fees. After issuance of the new permits, it was determined that the sewer connections had been established and paid for with the issuance of construction trailer permits at both locations. Funding is from development services fund; there is no impact to the general fund.

9. General Business

9.1 Consideration, discussion and possible approval of the Mayor's recommendation of appointments to the Civil Service Commission (from the following pool of applicants listed in alphabetical order: Candie, Alexis; Greggio, Rita; Rainey, Michael). (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)

An agenda item from City Manager Stephen Driscoll recommending Council confirm the Mayor's appointments to the Civil Service Commission. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to confirm the Mayor's appointments of Rita Greggio and Michael Rainey to the Civil Service Commission to terms that expire on June 30, 2020. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.2 Consideration, discussion and possible approval of the Mayor's recommendation of appointments to the Parks and Recreation Commission (from the following pool of applicants listed in alphabetical order: Bayer, Laura; Cromeenes, Katie Jo; Furno, Elise; Johnson, Devyn; Lauzardo,

**Richard; Lean, Thomas; Mullen, Marisa; Palmer, Omar; Sexton, David).
(FOR POSSIBLE ACTION) (Time: 2:56 p.m.)**

An agenda item from City Manager Stephen Driscoll recommending Council confirm the Mayor's appointments to the Parks and Recreation Commission. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Dahir, to confirm the Mayor's appointments of Laura Bayer, Thomas Lean, and David Sexton to the Parks and Recreation Commission to terms that expire on June 30, 2020. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.3 Consideration of and possible approval of the Mayor's recommendation of the appointment of James Fewins to the Truckee Meadows Regional Planning Commission from the following potential appointees: Mary Brock, Scott Carey, James Fewins and James Gaba. (FOR POSSIBLE ACTION) (Time: 2:57 p.m.)

An agenda item from City Manager Stephen Driscoll recommending Council confirm the Mayor's appointments to the Regional Planning Commission. There is no impact to the general fund.

A motion was made by Council Member Dahir, seconded by Council Member Abbott, to confirm the Mayor's recommendation to appoint James Fewins to the Truckee Meadows Regional Planning Commission to a term that expires on June 30, 2020. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.4 Consideration, discussion and possible appointments to the Regional Planning Governing Board for the remainder of two three-year terms (from the following pool of applicants listed in alphabetical order: Donald Abbott; Kristopher Dahir and Ron Smith.) (FOR POSSIBLE ACTION) (Time: 2:58 p.m.)

An agenda item from City Manager Stephen Driscoll recommending Council appoint one member for the remainder of a three-year term. There is no impact to the general fund.

Council discussed the other appointment which is for a partial term. The agenda item for the partial term will be heard at the next City Council meeting.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to appoint Council Member Donald Abbott to the Regional Planning Governing Board for the remainder of a three-year term to June 30, 2018. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.5 Consideration and possible adoption of Resolution No. 3313 to augment the Fiscal Year 2016/2017 (FY17) budget in the Parks and Recreation Fund and the Motor Vehicle Maintenance Fund. (FOR POSSIBLE ACTION) (Time: 3:02 p.m.)

An agenda item from Financial Services Director Jeff Cronk recommending Council adopt the Resolution to augment the FY17 budget in the following funds:

- Parks and Recreation Fund (1221) - \$315,000
- Motor Vehicle Maintenance Fund (1702) - \$600,000

The procedures and requirements for budget augmentations are outlined in NRS 354.598005(1) and NAC 354.410. This augmentation request meets those requirements.

A motion was made by Council Member Dahir, seconded by Council Member Bybee, to adopt Resolution No. 3313 to augment the FY17 budgets of the Parks and Recreation, and Motor Vehicle Maintenance Funds. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.6 Consideration and possible acceptance of a 2016 Department of Homeland Security Assistance to Firefighters Grant (AFG) (AC-5378) in the amount of \$117,148 to purchase four 12-lead defibrillators to support the fire department's Paramedic program. (FOR POSSIBLE ACTION) (Time: 3:06 p.m.)

An agenda item from Fire Chief Chris Maples accompanied by REMSA's EMS Coordinator Captain Ed McDonald, recommending Council accept the 2016 Department of Homeland Security Assistance to Firefighters Grant (AFG) for the purchase of four (4) defibrillators and related equipment. On November 17, 2016, the Sparks Fire Department applied for a AFG to purchase four (4) 12-lead defibrillators to support the department's Paramedic program. These units will replace four (4) aging defibrillators that do not have the capabilities needed to provide the advanced cardiac monitoring necessary under the department's paramedic protocols. The amount requested under the grant was \$117,148.

On May 26, 2017, the Fire Department was notified the grant request had been approved. Under the terms of the grant, the federal government will provide \$106,499 and the department will contribute matching funds in the amount of \$10,649 for a total of \$117,148. All funds must be expended by May 18, 2018. There is a \$10,649 impact to the general fund.

A motion was made by Council Member Dahir, seconded by Council Member Lawson, to accept the 2016 Assistance to Firefighters Grant in the amount of \$117,148, which includes \$106,499 in federal funds and \$10,649 in city funds. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.7 Consideration and possible approval of \$470,000 for contracted laborers for Parks and Street Maintenance, Community Service crew during FY18. (FOR POSSIBLE ACTION) (Time: 3:08 p.m.)

An agenda item from Public Works Manager Ron Korman recommending Council approve the expenditure for contracted laborers to support city services. FY18 will be the fifth full season that Public Works will utilize contracted workers from temporary agencies to support Parks Maintenance and Street Maintenance with the following tasks: trash pick-up, restroom cleaning, mowing, weed control, community service crew, crack sealing, street patching, filling pot holes and cleaning alleys. There an impact of up to \$470,000 to the general fund.

A motion was made by Council Member Abbott, seconded by Council Member Smith, to approve the use of contracted laborers in the amount of \$470,000 during FY18. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.8 Consideration and possible approval of an Interlocal Cooperative Agreement (AC-5379) with Washoe County for the construction of an additional parking

lot at Golden Eagle Regional Park Little League fields in the amount of \$300,000. (FOR POSSIBLE ACTION) (Time: 3:11 p.m.)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve the agreement. Since the completion of two additional Little League fields at Golden Eagle Regional Park (GERP), parking has been limited. This agreement provides approximately eighty-eight additional parking spaces.

In the November 2000 election, voters approved the sale of bonds for acquiring, improving and equipping parks, trails and open space. This funding is for new items within or related to parks and not for maintenance of existing parks. The Washoe County Board of Commissioners approved a specific project list on April 25, 2000, which included the Spanish Springs Canyon Regional Park, (now known as the Golden Eagle Park & Sports Complex or Golden Eagle Regional Park). This agreement funds the construction of one parking lot with approximately eighty-eight spaces, pole lights, curb, drainage, and striping improvements on the north side of the existing Golden Eagle Little League fields. There is no impact to the general fund.

Council Member Dahir asked if it was possible to acquire money for field replacement. Rosemarie Entsminger, the Washoe County Fiscal Compliance officer, stated the money has been used but if there were any monies found as projects were completed, Washoe County would reach out to the City of Sparks.

A motion was made by Council Member Bybee, seconded by Council Member Dahir, to approve the interlocal cooperative agreement with Washoe County for the construction of an additional parking lot at Golden Eagle Regional Park Little League fields in the amount of \$300,000. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

9.9 Consideration and possible approval of an Interlocal Cooperative Agreement (AC-5380) between the City of Reno, Washoe County and the City of Sparks for the operation of the Community Assistance Center (CAC) and other homeless services for fiscal year 2018 with Sparks' share being \$277,410. (FOR POSSIBLE ACTION) (Time: 3:15 p.m.)

An agenda item from Housing Specialist George Graham recommending approval of the agreement which is effective upon approval of all parties and is for the period from July 1, 2017 to June 30, 2018 (FY 2018). The agreement specifies the funding that each of the local governments will provide for CAC operations during FY 2018. Sparks' contribution of CDBG funds is contingent on HUD's approval of the City's Annual Action Plan for 2017/18. For the City of Sparks, the amount of this commitment is calculated by multiplying the assessed value of property within the City of Sparks (excluding Redevelopment Areas) by .0001 (i. e., one penny of property tax). For FY 2018, Sparks' assessed value equals \$2,774,101,639. This amount is divided by 100 and multiplied by .01, which equals \$277,410. The FY 2018 contributions of the City of Reno and Washoe County are \$773,762 and \$2,418,189, respectively. Combined, the three jurisdictions will contribute \$3,469,361.

Council expressed their concerns about the increased costs. Council Member Dahir asked if Council could tour the facilities being funded and if the funding could be delayed until after the tour. Community Services Director John Martini stated the money has already been budgeted, the city agreed to partner with the other entities, and urged Council to approve. Acting City Manager Neil Krutz said staff will provide financial reports of how the money was spent last year.

A motion was made by Council Member Dahir, seconded by Council Member Bybee, to approve the Interlocal Cooperative Agreement between the City of Reno, Washoe County and the City of Sparks for the operation of the Community Assistance Center (CAC) and other homeless services for fiscal year 2018 with Sparks' share being \$277,410. Council Members Abbott, Lawson, Bybee, Dahir, YES. Council Member Smith, NO. Motion carried 4-1.

9.10 Consideration, discussion and possible adoption of a Business Impact Statement regarding proposed amendments to Title 5 of the Sparks Municipal Code entitled Business Licenses, Taxes and Regulations pertaining to licensing requirements and establishment of fees for medical marijuana establishments to operate “at retail” and marijuana distributors. (FOR POSSIBLE ACTION)
(Time: 3:35 p.m.)

An agenda item from Development Services Manager Karen Melby recommending Council adopt the Business Impact Statement related to the proposed amendment to SMC Chapter 5.80 concerning the licensing and operation of existing medical marijuana establishments and distributors as ‘at retail’ marijuana establishments.

The medical marijuana industry has been operating for less than two years in Nevada. The operating history of Medical Marijuana Establishments (MMEs) in Sparks is limited. This makes it difficult to project City revenues and costs (for regulating and providing public services) resulting from the potential expansion of existing Sparks MMEs into “at retail” (a.k.a. non-medical or recreational) marijuana cultivation, production and sales. The proposed ordinance also provides for the licensing of distributors to transport retail marijuana. The proposed business licensing fees will, however, at least partially offset the City’s costs.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to adopt the Business Impact Statement related to the proposed amendment to SMC Chapter 5.80 concerning the licensing and operation of existing medical marijuana establishments and distributors as ‘at retail’ marijuana establishments. Council Members Abbott, Lawson, Smith, Dahir, YES. Council Member Bybee, NO. Motion carried 4-1.

9.11 FIRST READING of Bill No. 2719, an ordinance amending Title 5 of the Sparks Municipal Code (Sections 5.80.010 to 5.80.200 and adding 5.80.35, 5.80.55 and 5.80.195) to: license medical marijuana dispensaries to sell or dispense marijuana and marijuana-infused products at retail; license medical marijuana cultivation and production facilities to cultivate and produce marijuana and marijuana-infused products at retail; license independent testing laboratories to test marijuana and marijuana-infused products at retail; license distributors to transport marijuana and marijuana-infused products at retail; and other matters properly related thereto. (Time: 3:53 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, July 10, 2017.

9.12 FIRST READING OF Bill No. 2720, an ordinance amending Title 20 of the Sparks Municipal Code (Sections 20.03.25, 20.03.26 and 20.08.002) to: permit licensed medical marijuana dispensaries to sell or dispense marijuana, edible marijuana products and marijuana-infused products at retail; permit licensed

independent testing laboratories and medical marijuana production and cultivation facilities to test, produce and cultivate marijuana, edible marijuana products and marijuana-infused products at retail; and other matters properly related thereto. (CA-2-17) (Time: 3:54 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, July 10, 2017.

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

10.1 SECOND READING, Public Hearing, discussion and possible adoption of Bill No. 2718, an ordinance amending Chapter 13 of Sparks Municipal Code modifying environmental control and pretreatment standards; and providing for other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:55 p.m.)

An agenda item from Utility Manager Andrew Hummel recommending Council approve Bill No. 2718. On September 8, 2014 City Council approved amendments to Title 13 of the Sparks Municipal Code regarding environmental control and pretreatment standards, among others. The United States Environmental Protection Agency has reviewed these amendments and requested additional changes. First Reading of Bill No. 2718 occurred on June 12, 2017. Adoption of the proposed bill will amend, by ordinance, Title 13 of the Sparks Municipal Code. There is no impact to the general fund.

The Public Hearing was opened at 4:08 p.m. No comments were received.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve Bill No. 2718. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

11. Planning and Zoning Public Hearings and Action Items

11.1 SECOND READING, Public Hearing, consideration and possible adoption of Bill No 2717 to rezone a site approximately 4.09 acres in size from PO (Professional Office) to C2 (General Commercial) located at 4950 Vista Boulevard, Sparks, NV. (FOR POSSIBLE ACTION) (Time: 3:58 p.m.)

An agenda item from Development Services Manager Karen Melby recommending Council approve Bill No. 2717. Rock Community Church requested to rezone a site approximately 4.09 acres in size from PO (Professional Office) to C2 (General Commercial). This rezoning request is in conformance with the Comprehensive Plan and is appropriate for the site location. The site is adjacent to other C2 zoned properties and single family residential properties. Staff believes that all the findings can be made and recommended approval to the Sparks Planning Commission. On May 4, 2017, the Sparks Planning Commission voted to forward a recommendation of approval to the Sparks City Council. There is no impact to the general fund.

The Public Hearing was opened at 4:08 p.m. No comments were received.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to adopt Bill No. 2717 and approve the rezoning request associated with PCN17-0015 based on Findings Z1 through Z3 and the facts supporting these findings as set forth in the staff report. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

12. Comments

12.1 Comments from the Public (Time: 4:09 p.m.)

12.2 Comments from City Council and City Manager (Time: 4:09 p.m.)

Acting City Manager Neil Krutz said the City of Sparks received a Certificate of Senatorial Recognition from Senator Dean Heller for Deer Park Pool. Mr. Krutz also announced that due to a resignation there is an opening on the Planning Commission Board for 1 member, the term is for the remainder of the vacancy to December 31, 2018.

Council Member Dahir said the 39-North Downtown has events happening downtown Sparks and there are a lot of great activities to check out.

13. Adjournment

Council was adjourned at 4:11 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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