



MAYOR
Geno Martini

CITY COUNCIL
Vacant, 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, October 24, 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 Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, 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.)

Mayor Martini called for a moment of silence for all those who have lost their life while fighting for our country.

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.)

Anonymous spoke regarding children of abuse who will be suing the Council Members individually because of the destruction of court case files.

Terry Rondulait of Restless Artists' Theatre Company extended an invitation to the Council to attend a complimentary performance of "November" on the 3rd, 4th, 5th or 6th of November.

Ardena Perry spoke regarding homeless cats in the Victorian RV Park and Marina Apartments areas. She stated that the city implies it cannot do anything and she is asking that the city reconsider.

5. Agenda (Time: 2:16 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.

City Manager Driscoll requested that item 9.1 be pulled. The item is for annual dues to EDawn and it has come to his attention that the state's economic development is requesting EDawn pass through money to the state for a consultant regarding an effluent pipe to go through the canyon to Storey County and the Tri-center. Mr. Driscoll would like to get additional information from EDawn prior to approving this payment.

Council Member Lawson requested that item 8.3 be pulled off the consent agenda for discussion.

A motion was made by Council Member Lawson seconded by Council Member Bybee to approve the agenda as modified. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

6. Minutes (Time: 2:19 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of October 10, 2016. (FOR POSSIBLE ACTION)

A motion was made by Council Member Smith, seconded by Council Member Bybee to approve the minutes of the regular Sparks City Council meeting on October 10, 2016. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

Mayor Martini announced this was Council Member Schmitt's last regular meeting after fifteen plus years of service and stated how much his service was appreciated. Mayor Martini also wished Council Member Schmitt a happy birthday.

7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:20 p.m.)

7.1 Proclamation: Food Day (Time: 2:20 p.m.)

Mayor Martini proclaimed October 24, 2016 as Food Day in Sparks and encouraged support for healthy food access and a sustainable regional food system. The proclamation was presented to Senior Director of Government Affairs for Grocery and General Merchandise of the Retail Association of Nevada and the Chair of Washoe County Food Policy Council Lea Tauchen.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:25 p.m.)

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the consent items 8.1, 8.2, 8.4, 8.5, and 8.6. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period September 22, 2016 through October 5, 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 approval of the destruction/disposal of original building plans and associated documents that have been microfilmed (City Clerk's Office). (FOR POSSIBLE ACTION)

An agenda item from Records Technician Carrie Brooks recommending Council approve the destruction/disposal of original building plans, as requested. NRS 239.051 allows for the

destruction/disposal of original building plans and associated documents once they have been scanned and microfilmed in a manner that complies with the standards of quality approved by the American National Standards Institute, and that a copy of the film is stored in a manner that protects it reasonably from loss. Once the standards have been met, a reproduction of the film is considered an original. There is no impact to the general fund.

8.3 Consideration and possible approval to purchase Council Chambers Digital Computer Control System from EVOTEK LLC for \$94,396.50 per the Major Systems IT CIP as approved in the FY2017 Budget. (FOR POSSIBLE ACTION) (Time 2:27 p.m.)

An agenda item from IT Manager Steve Davidek recommending Council approve the purchase of new control computers and related parts for an update to the computer control system for the City Council Chambers. The current system was installed in 2003. A partial upgrade was done in 2012, but the main system was not replaced. Technology over the past 13 years has surpassed the capabilities of the current system. Replacement parts are getting harder and harder to find. Spending money on old technology is not in the best interest of the city. Funding is from the IT CIP; there is no impact to the general fund.

Council Member Lawson asked for verification that the new system would have an on/off switch for the microphones. IT Manager Steve Davidek said he verified with the vendor that the new system included a mute switch for all the microphones.

A motion was made by Council Member Lawson seconded by Council Member Bybee to approve item 8.3 as presented. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

8.4 Consideration and possible acceptance of funding a Geographic Technology Specialist I/II- GIS for Police and Fire Services from the 911 Emergency Response Advisory Committee. (FOR POSSIBLE ACTION)

An agenda item from Police Chief Brian Allen recommending Council accept the funding from the 911 Emergency Response Advisory Committee. The Sparks Police Department requested and received funding from the 911 Emergency Response Advisory Committee for a Geographic Technology Specialist specifically to address City of Sparks GIS needs with the implementation of the Tri-Tech CAD/RMS system and upgrades for police and fire. The GIS Information is primarily utilized for the accurate dispatching of Police, Fire and EMS services within the City of Sparks. The complexity involved in creating this data requires significant training and skill sets that are beyond the current staff of the Police Department. This position would support the regional E911 dispatch system, provide for direct assistance with the Sparks Communications Center and support the Fire Department's mapping capabilities. Initially, this position was filled in October 2015, and so far, the E911 Emergency Response Advisory Committee has funded it through July 2017. There is no impact to the general fund.

8.5 Consideration and possible approval of an inter-local agreement (AC-5311) for reimbursement from TMWA to the City in the amount of \$67,700 for additional work to be added to the "A" Street Alley Sewer Rehabilitation Project (Bid#15-16-016, PWP #WA-2016-167). (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andy Hummel recommending Council approve an inter-local agreement for reimbursement from TMWA to the city for additional work to be added to

the city's "A" Street Alley Sewer Rehabilitation Project. The agreement with TMWA stipulates TMWA as responsible for actual cost of the change order when completed. TMWA needs to replace an aging water main within the limits of our project currently under construction. Spanish Springs Construction has quoted the additional work requested by TMWA at \$67,700. TMWA has agreed to that price. Additional work includes construction of a 6" water main and tie ins. Per the agreement, TMWA would be responsible for reimbursing the City for the actual work amount. Changes can be made per TMWA's discretion with them paying for such changes. The \$67,700 will be reimbursed to the city; there is no impact to the general fund.

8.6 Consideration and possible approval of a change order to the contract with Spanish Springs Construction for additional work on the "A" Street Alley Sewer Rehabilitation Project (Bid#15-16-016, PWP #WA-2016-167 AC-5260). Change order in the amount of \$67,700. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andy Hummel recommending Council approve a change order to the contract with Spanish Springs Construction in the amount of \$67,700. Truckee Meadows Water Authority (TMWA) is requesting to replace an aging water main within the limits of our project. The work includes construction of a 6" water main and tie ins. TMWA and the City have an inter-local cooperative agreement with TMWA to reimburse the City for this additional work. There is no impact to the general fund.

9. General Business

9.1 Discussion and possible approval for payment of the annual support from the City of Sparks to the Economic Development Authority of Western Nevada (EDAWN) for Fiscal Year 2016-2017 in the amount of \$100,000. (FOR POSSIBLE ACTION)

This item was pulled by City Manager Driscoll.

9.2 Consideration, discussion and possible approval of the Mayor's recommendation of one, 2-year term appointment to the Arts and Culture Advisory Committee for the City of Sparks (from the following pool of applicants listed in alphabetical order: Ciesynski, Kim; Handler, Angela; Heitzenrader, Ken; Havelka, Shari; Lampson, Jacqueline; Martinez, Carlos; Somey, Hans Kelly; Tavener, Andrea; Toney, Sara; Zyberty, David Michael). (FOR POSSIBLE ACTION) (Time: 2:27 p.m.)

An agenda item from Special Events Supervisor Francine Burge recommending that Council confirm the Mayor's appointment to the Sparks Arts and Culture Advisory Committee (ACAC). The Committee was established on June 13, 2016 by way of Resolution No. 3296 to offer advice to the Sparks City Council on art and cultural activities in Sparks. The primary objective of the ACAC is to provide a plan and guidance for all arts and culturally-related activities on public property or projects utilizing city resources. Other objectives may include: create mission statement; identify funding; develop plan; identify partners; develop temporary public art program; and seek out small manageable self-funded projects. An important element of this program will be to differentiate the City of Sparks from other cities and their art programs. The program should identify and celebrate the uniqueness of Sparks by blending our historical and industrial sides with our love of family and community-oriented events. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to confirm the Mayor's recommendation of Sarah Toney to the Arts and Culture Advisory Committee. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.3 Consideration and possible approval of the Mayor's recommendation of appointment to the Enterprise Fund Advisory Committee (EFAC) from the following pool of applicants, listed in alphabetical order: Jeff Bean. (FOR POSSIBLE ACTION) (Time: 2:28 p.m.)

An agenda item from Community Services Director John Martini recommending that Council confirm the Mayor's appointment to the Enterprise Fund Advisory Committee. The Enterprise Fund Advisory Committee reviews the operations, policies, procedures and financial status of the Development Services Enterprise Fund and can provide recommendations to the Sparks City Council with respect to proposed code amendments, fees for development services and impact fee rates associated with Impact Fee Service Area #1. The term is a 4-year term. There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to confirm the appointment of Jeff Bean to the Enterprise Fund Advisory Committee as recommended by Mayor Martini. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

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

10.1 Public Hearing, consideration and possible approval of a request from Triple L, LLC to the City of Sparks to vacate a portion of 20th and 21st Streets north of C St and south of Prater Way and a portion of C Street between 20th and 21st Streets. (FOR POSSIBLE ACTION) (Time: 2:28 p.m.)

An agenda item from City Engineer Jon Ericson recommending Council approve the order to vacate right-of-way with reservation of easements. Mr. Ericson clarified the address is 2001 Prater Way; the Lucey abandonment map attached to the staff report incorrectly referenced 2100 Prater Way. Triple L, LLC is requesting the City of Sparks vacate a portion of 20th and 21st Streets north of C St and south of Prater Way and a portion of C Street between 20th and 21st Streets. Triple L, LLC is the owner of property adjacent to the vacation of right-of-way. Triple L, LLC would utilize the additional property for landscaping enhancements to the existing parcel and potentially installing security fencing. There is no impact to the general fund.

Public hearing was opened at 2:31, no comments were received.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the request from Triple L, LLC to the City of Sparks to vacate right-of-way as outlined by staff. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

11. Planning and Zoning Public Hearings and Action Items

11.1 Consideration and possible adoption of Resolution No. 3303 certifying the amendments to the Sparks Master Plan (now referred to as the Sparks Comprehensive Plan) including changing the land use designations, adopting new goals and policies, and removing the Northern Sparks Sphere of Influence Plan, the Transit Oriented Development Master Plan and the West

**Pyramid Plan and other matters properly relating thereto. (PCN16039)
(FOR POSSIBLE ACTION) (Time: 2:32 p.m.)**

An agenda item from Development Services Manager Karen Melby recommending Council certify the Comprehensive Plan associated with PCN16039. The city's current Master Plan is comprised of individual master plan elements adopted over the years, with most adopted in the 1990s. Amendments and elements have been added, but the plan has never been fully updated. The proposed plan revises and replaces existing elements of the Master Plan. The Comprehensive Plan changes the land use designations, adopts new goals and policies and removes three area plans. The Comprehensive Plan will guide the city until 2030. There is no impact to the general fund.

Council Member Schmitt asked if the plan would conflict with the Transit Oriented Development (TOD). Ms. Melby said no; the zoning for the TOD transferred into the plan. Council Member Bybee said she appreciated all the work that went into getting input from all the stakeholders and the outreach that was done.

Public hearing was opened at 2:45, no comments were received.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to adopt Resolution No. 3303 to certify the Comprehensive Plan associated with PCN16039, allowing staff to make administrative corrections, as necessary, when preparing the final Comprehensive Plan. Council Members Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

City Manager Driscoll said he appreciated the professionalism of staff and support of the Council.

11.2 SECOND READING, Public Hearing, discussion and possible action on Bill No. 2713 (Ordinance No. 2531) an ordinance for a voluntary annexation request by American Recess, LLC, for two parcels totaling approximately 67.4 acres in size generally located along the southwest corner of the intersection of Pyramid Lake Highway and Highland Ranch Parkway. Upon annexation, the parcels would convert from the Washoe County zoning designation of GR (General Rural) to a City of Sparks zoning designation of A40 (Agriculture) (PCN16037). (FOR POSSIBLE ACTION) (Time: 2:47 p.m.)

An agenda item from Planning Manager Jim Rundle recommending Council deny the annexation request. The request from American Recess, LLC is to annex two parcels totaling 67.40 acres in size into the City of Sparks. These parcels are generally located southwest of the intersection of Pyramid Lake Highway and Highland Ranch Parkway. The City just voted to certify the update of the master plan, and sewer analysis is yet to be completed. An annexation program would be premature. Once the sewer study has been adopted by City Council, staff can begin moving forward with a new Annexation Program. At the September Planning Commission meeting, the Sparks Planning Commission voted to forward a recommendation of denial to the Sparks City Council of the annexation request. The request for denial is because of a lack of evidence to support the findings. The annexation would have an impact to the general fund.

Council Member Schmitt asked what staff's objection was? Mr. Schmitt pointed out that the property is well within the city's sphere of influence. Mr. Schmitt said if the sewer study comes

back that we do not have sewer capacity for this annexation, then the city has a much bigger problem. Mr. Schmitt pointed out that we were already responsible for half of the road maintenance already.

Community Services Director John Martini stated the sewer study should be done first to assure there is capacity and the city does not end up with stranded land. Council Member Lawson asked Mr. Martini what we are out if we annex today? Mr. Martini said we would be out one million dollars over the next 20 years. Mr. Lawson stated that was fifty thousand a year. Mr. Lawson agreed with Mr. Schmitt that if we can't handle this annexation we are in big trouble. He said he felt the risk to the city is minimal.

Council Member Smith said we already provide services to that area, just not this parcel.

Council Member Bybee said the study will give a complete picture of the city's sewer capacity on all properties, even those approved but not yet built. She said she cannot support the annexation until the city has all the facts on whether the current sewer pipeline can support the land.

Mr. Gordon, the representative for the developer, noted the property was already in the sphere of influence and fourteen acres were already designated commercial. Mr. Gordon stated that because the annexation would be voluntary the findings are not actually findings, but are considered factors. He stated that service requirements do not kick in at annexation but at the time of the project. They are aware the developer will be responsible for their pro-rata share of any sewer upgrades.

Council Member Lawson stated that he agreed with Council Member Schmitt, if the city is that close to capacity in sewer we have a much larger problem. He thinks the city should approve the annexation and when the developer starts the building approval process, the city will have the report and information it needs to make an informed decision.

City Attorney Adams stated he does not see a legal argument for denying this request.

Public hearing was opened at 4:15. Ardena Perry spoke in favor of waiting to annex until after the sewer study is complete.

A motion was made by Council Member Bybee to continue this item until the second meeting in January. Motion died for lack of a second.

A motion was made by Council Member Schmitt seconded by Council Member Smith, to accept the annexation. Council Members Lawson, Smith, Schmitt, YES. Bybee, NO. Motion carried 3-1.

Mayor Martini gave notice that he has ten days to consider a veto and will be speaking with Community Development and the Attorney on this issue.

12. Comments

12.1 Comments from the Public (Time: 4:26 p.m.)

None.

12.2 Comments from City Council and City Manager (Time: 26 p.m.)

City Manager Driscoll announced there was an opening for the Sparks Parks and Recreation Commission, one member for a partial term ending June 30, 2017. Persons interested in serving on this committee should complete a community service application, available from the City Clerk's office, or on the city's website 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 Monday, October 31, 2016.

Mr. Driscoll announced the cancelation of the December 27, 2016 City Council and Redevelopment meetings due to the holidays. The Redevelopment meeting can be held the first meeting date in December or January.

Council Member Bybee thanked Tracy and Francine for their work on the PumpkinPalooza and said she thought it was a great event. Ms. Bybee also thanked all the volunteers for their work at making the event such a success.

Mayor Martini also said the PumpkinPalooza was a great event.

13. Adjournment

Council was adjourned at 4:29 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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