



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

**CITY COUNCIL WORKSHOP MINUTES**  
**12:00 p.m., Monday, November 18, 2013**  
**Larry D. Johnson, 12<sup>th</sup> Street, Sparks, NV**

**1. Call to Order** (Time: 12:00 p.m.)

The workshop of the Sparks City Council was called to order by Mayor Geno Martini at 12:00 p.m.

**2. Roll Call** (Time: 12:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

STAFF PRESENT: Doug Thornley, Armando Ornelas, John Martini, Neil Krutz, Jeff Cronk, Brian Allen, Adam Mayberry, Tracy Dominguez, Tom Garrison, Cyndi Boggan, Donna DiCarlo, Kathy Clewett, Kathie Roberts, Brian Miller, Heidi Shaw, Andre Stigall, Bob King, Joe Rodriguez, Francine Burge, Shirle Eiting, Steve Driscoll.

**Comments from the Public** (Time: 12:01 p.m.) - none

**3. Presentation, discussion and possible approval to adopt the Comprehensive Parks and Recreation Plan (FOR POSSIBLE ACTION)**

An agenda item from Parks & Recreation Director Tracy Domingues, along with MIG Project Manager Cindy Mendoza and MIG Principal Lauren Schmitt, recommending approval of the plan as presented by staff. Since the beginning of the planning process, the Parks and Recreation Commission and various city staff members have provided guidance in the development of the Comprehensive Parks and Recreation Plan.

Ms. Domingues introduced MIG Project Manager Cindy Mendoza, who provided additional detail about the plan.

The Comprehensive Parks and Recreation Plan (CPRP) has been in process since 2009 with a focus on needs assessments that included events, programs, facilities, playgrounds, swimming pools, gymnasiums. There have been dramatic changes since 2009, led by a 35% cut to the Parks and Maintenance budget and cuts to maintenance which affected Parks by over \$1M annually. There has also been a 30% cut in staff. These cuts took a toll on the services provided.

In addition to planning for the future, the CPRP process focuses on what is sustainable for Sparks. The CPRP is in line with all five of the city's strategic goals.

- Parks and Recreation plays a role in community safety, with programs and events that keep kids busy.
- Events support the area's economic development.
- The CPRP supports the infrastructure investment and how to continue to care for resources effectively.
- The Parks and Recreation Department supports quality of life in a variety of ways.

The Parks and Recreation Department cannot continue doing more with less indefinitely. To determine priorities, council members, the public, focus groups and online questionnaires were utilized to develop the master plan. The five key points are:

1. New park development, especially specialty parks, increase revenue and recover costs. Trend is moving toward providing fewer, larger parks, consolidating efficiency and a variety of recreation facilities at one site. Developer handbooks may be revised to allow for modifications to smaller neighborhood parks.
2. Existing park reinvestment: taking care of the assets we now have. The CPRP addresses setting aside funds to deal with aging, yet community valued facilities. A business plan should be developed for the Alf Sorenson Center. The Larry D. Johnson Community Center may be better utilized by serving as the offices for the Parks and Recreation Department, rather than continuing to fund the existing, aging building as a parks facility. Today's walk-through of Victorian Square confirmed reinvestment will be needed there to keep that site as its best, especially since Victorian Square is considered to be Sparks' showpiece.
3. Recreation Services, including those that don't generate money, like facilities for the disabled and identified as "essential" or "important" or "value added" are needed by the community, although they may not generate the desired revenues. Important programs that serve at-risk populations and families and special needs groups also support fitness and health. Washoe County provides better services for seniors, but Sparks still needs to be in the game. Volunteers, an amazing asset, still require city investment by providing background checks to work with youth groups, hosting community clean-ups and recruiting. Volunteer investment is worthwhile because of the overall benefit the community receives.
4. Special events: The buzz created by Sparks "It's Happening Here" branding is recognized across the country with the Golden Eagle Regional Park. This facility promotes revenues and supports economic development. Among Sparks most recognized events are those which include holiday festivals, fishing day events and those which create community pride and involvement, but don't necessarily create revenue. We need to move in the direction to target audiences that provide the right mix to create regional economic impact, stimulate civic pride; enhance local economy, promote tourism; and target national, regional and local audiences.

Sparks can be recognized as the facilitator, rather than the producer of special events. This will bring revenue dollars by utilizing the facilities we now have. The Plan suggests

expending Tourmark money into NEW events, rather than established legacy events to bring more people to the area.

The CPRP indicates the need to improve how we track costs and events' success. In most cases the city does not charge asset preservation fees and will need to consider those fees in order to sustain keeping current assets in good condition. There is not enough maintenance funding to preserve the quality of what the city now has. A primary example is the turf fields at GERP, a facility which produces a large economic impact for the community. The City needs a plan to maintain the quality turf GERP now enjoys.

5. Maintenance. Maintenance funding at its current levels is insufficient to take care of what the city has. Maintenance tiers focus on providing the highest maintenance frequencies and tasks around those sites that generate money and experience the highest visitation. The plan suggests the need to reduce funding of beautification maintenance (like street medians) in favor of maintaining programs capable of generating revenue. Focus on those parks that have a community-wide benefit.

There are options for some of the under-utilized or specially utilized sights.

- The group using the Andolfo Rodeo Arena has agreed to take over operations, meaning that cost is no longer born by the city.
- Wildcreek by the reservoir has minimum recreation value; it's time to let go of that site.
- A rose garden by the golf course that has no recreation value. The roses are maintained by a gardening club. There are options for the rose garden which will remove the city from maintenance responsibilities.
- Some civic spaces downtown should be looked at more as beautification sights, rather than recreation value and should not be treated as maintenance priorities.

The CPRP includes a wide variety of recommendations in six core areas, including funding and resource development, partnerships and working with volunteers.

There needs to be an investment now in upgrading some of the neighborhood parks, but looking toward the future, it's moving away from the neighborhood-based parks system and focusing on those parks and services that have a community-wide benefit.

Council Member Lawson asked for a definition of revenue-generating programs. Parks & Recreation Director Tracy Domingues said revenues can be developed through a permit system for using our parks. She said if parks are set up to support more types of recreation programming options, the ensuing recreation programming options generate the revenue. Mr. Lawson suggested development of specifically defined revenue generating programs.

Council Member Ratti said she understands the maintenance savings and cost effectiveness, especially in terms of labor, in moving from park to park to park as opposed to tending to fewer larger parks, with less moving around.

Mayor Martini asked what else could be done with space remaining in the GERP complex. Ms. Domingues said the revised master plan calls for more multi-use fields to accommodate soccer and other fields on the north end of the park, without lights.

Council Member Smith asked the total maintenance bill of all Sparks parks. Finance Services Director Jeff Cronk said about \$2.5M and comes from the general fund.

Council Member Schmitt asked how the \$2.5M in current maintenance fees can be reduced to allow for bond funding of new parks and facilities. He said the LDJ is an example of investment in capital improvement which was to be little or no cost to the city because it would be leased out to someone else. The cost of ongoing maintenance was to be very little. Mr. Schmitt said he doesn't necessarily oppose a new plan, but the financial details here are lacking on how the new plan can be accomplished.

Council Member Carrigan said he would like to look at handing the parks over to the HOAs. When a new park is built we should sell the HOA on maintaining the park after it's built. We build it; the HOA maintains it.

Council Member Schmitt asked if there is currently the ability to assess fees for park use. Deputy City Manager for Community Services Neil Krutz said most fees are based on park permit activity, usually generated by private citizens. Mr. Schmitt asked if there is a taxing mechanism that can be used. He pointed to a private HOA paying for their own park through HOA fees and also paying for city parks in areas without homeowner associations. Assistant City Attorney Doug Thornley said his office can explore different ways to generate revenue for parks, but it won't be a park district model. Mr. Carrigan said he would like to see legislative measures to allow the city to build a park and other entities to maintain the park.

Council Member Ratti said she would like to pursue whether or not the park district concept is really working and will it work in the long run. She asked if it can't be undone, how else can we fund maintenance moving forward?

Mayor Martini said the fees are one-time fees and as long as building continues, the fees will always be there. The only way to generate maintenance funding is to create a permanent fee that will be generated every year. Mr. Thornley said the park districts were never to be used for maintenance.

Parks and Recreation Commissioner Jack Byrom said he appreciated the overall issues raised and commended the well-organized approach. He said his group shared similar issues, being that it's a good plan, but does not include a budget revenue process. It balances the needs the community raises, but does not solve the staffing problem.

Council Member Schmitt suggested getting with the Builders Association before the next legislative session because if they're not on board, this effort will not happen. Council Member Ratti said we would also need to ascertain what's going on in southern Nevada to ensure they have a similar concern.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to accept the Comprehensive Parks and Recreation Plan as presented and to have staff come back to Council with funding and private partnership proposals. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

#### 4. Presentation, discussion and possible action on the Police Utilization Study (FOR POSSIBLE ACTION)

An agenda item from Police Chief Brian Allen. Chief Allen provided led the discussion.

##### Sparks Police Department and the Personnel Utilization Study by PERF

###### Major Themes in Report

- Major declines in UCR Part 1 crimes during a four year period.
- Citizen generated Calls for Service (CFS) occupy 34% of Patrol time.
- In large, staffing levels at the PD are adequate.
- Developed 29 recommendations on how to improve police service department-wide.

###### PERF Executive Summary

"Overall the Sparks Police Department is a very good police agency operating efficiently and effectively.

###### Part 1 – UCR Crimes

- Violent Crime (Homicide, Rape, Aggravated Assault, Robbery) decreased 43.5% between CY08-CY12
- Property Crime (Burglary, Larceny, Auto Theft Arson) decreased 26.7% between CY08-CY12
- Current crime efforts are being effective utilizing the ComStat and Community Oriented Policing Philosophies.

###### Key Recommendations by Division

###### *Patrol Division*

Recommendation 1: The department should consider an alternative patrol schedule to the current weekday 4-10 and weekend 3-12 that would improve communications, enhance officer work experience throughout all patrol shifts and eliminate isolation.

Recommendation 3: The department should enhance traffic related enforcement through accident and violation analysis.

###### *Investigations Division*

Recommendation 6: The department should consider having both detective squads work a four day ten hour schedule with weekend coverage.

Recommendation 7: The Detective Division should develop and codify the assignment of investigations based on established criteria of solvability factors.

Recommendation 12: The department would benefit from staffing the Detective Division with one civilian Police Investigative Aide in each section.

Recommendation 13: The Crime Suppression Unit should identify and develop meaningful indicators to measure the effectiveness of the Unit.

Recommendation 14: After developing measurements to evaluate the effectiveness of the CSU, the department should monitor the activity of the Unit to determine if a second team should be added.

Recommendation 15: The Department should provide funding to maintain the services of the Victim Advocate if state funds are depleted.

###### *Administration Division*

Recommendation 23: The department should implement alternatives to the Dictaphone system in the report writing process.

Recommendation 24: The department should re-implement the use of an automated reporting system (ARS) to eliminate the redundancy of data entry.

Recommendation 25: The department should hire two additional communication supervisors in the next budget year to provide 24-hour coverage in the communications center.

###### *Office of the Chief*

Recommendation 29: The department should be reorganized at the highest level so that the Patrol Division Commander, the Investigation Division Commander and the Administration Division Manager all report directly to the Deputy Chief

Where do we go from here?

"Local policy preferences influence the number of people needed and how they are organized."

###### Recommendations – What do we do with them

- Recommendations are like opinions – some are good, some may not work

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- Systematic review of all recommendations and report to CM / Council status of all 29 recommendations: on-going and in-progress

**Use of Technology**

- Tiburon upgrade (the beginning)
  - Automated reports
  - Paperless tickets (Brazos)
- Continual review of technology to increase effectiveness and efficiencies

**Patrol Staffing**

- What are we doing with the 65%
  - 5% administrative tasks (briefing, email, equipment check-out, etc.)
  - 10% contractual breaks (1/2 hour lunch, two 15-minute breaks)
  - 10-15% report writing based on CFS and self-initiated activity
  - 35-40% self-initiated field activities

**Self-Initiated Field Activities**

<b>Self Initiated Activity Type</b>	
<b>Call Type</b>	<b>Call Type Count</b>
Traffic Stop	11,696
Premises Check	8,853
Follow Up	2,860
Warrant	1,826
Parking Violation	1,673
Suspicious Person	1,548
Suspicious Vehicle	1,192
Motorist Assist	466
Citizen Assist	457
Outside Assist	396

**Self-Initiated Field Activities**

- Balance between CFS, self-initiated field activity and availability
- Increased supervisor directed field activity
- Re-invigorate the COPS part of the ComStat model: engaging with our community groups
- Enhance traffic strategy using HALF methodology

**Department Growth – Where do we start?**

Emergency Communications Dispatchers / Supervisors (20)

**Department Growth – Next Steps**

- Systematic Approach to continue the reduction of crime and the need for CFS
  - Additional Crime Suppression Unit
  - Community Response Unit (focus on neighborhood enhancement and the reduction of fear of crime)
- Increase participation in regional unit(s)
  - Including supervisory roles

**Comments / Questions?**

A discussion about premium shifts was addressed by the Council and Chief Allen, who explained the current shifts, proposed shifts, the working of supervisory staff on a 5-day / 40 hour / Monday-Friday shift basis. The shifts are supported by the contract and are often recommended by the police officers themselves. Currently the shifts are not causing problems. Senior sergeants have been placed on the shifts with junior sergeants. The assignment of officers is bid by seniority.

Council Member Lawson reminded that the PERF report recommends a bidding process. Council Member Smith said he supports the seniority concept, but is concerned with coverage on the weekends with the current shift alignment for senior officers.

City Manager Shaun Carey asked about accident investigation coordination. Chief Allen said the Nevada Highway Patrol basically does that; Sparks Police reviews the data and acts upon the investigation report.

Mr. Carey asked why is it that four 10-hour shifts would be able to do a better job than putting staff on hand seven days a week; where do we lose the efficiency. Chief Allen said the difference is in supervision. He said the nature and types of calls are better served with stand-by / on-call response.

Mr. Carey asked if there are statistically valid performance measures that would apply to the field of police services. Chief Allen said they track clearance rates, which are the number of cases assigned versus the number of cases cleared. There are tracking measures built into the current system. The Tiburon system will also provide tracking and performance measures.

Chief Allen said all 29 recommendations will be reviewed and he will provide a written report to the City Manager and the Council at the conclusion of the report.

Chief Allen demonstrated how the police officers' time is used. Any day the department is between 10-15% short on staff due to administrative leaves and light duties.

Regarding positions needed, Fire Chief Tom Garrison said the dispatchers are overworked and the everyday incidents suffer: delays in communications to fire and police; forgetting the status of the call; lack of communication in critical events; inaccuracy of the time stamping on the calls; EMS delayed calls for fire personnel responding to the EMS calls, or sending fire units on calls that don't require a fire response. Chief Garrison said two dispatchers are needed at minimum.

Council Member Lawson requested to learn the total overtime dollars spent over the year for dispatch and said that is where the additional funding for the dispatchers may be found.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to accept the PERF report as presented. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

## **5. Presentation, discussion and possible action on Neighborhood Preservation and Enhancement (FOR POSSIBLE ACTION)**

An agenda item from City Planner Armando Ornelas discussing a range of possible tools and initiatives to enhance the city's ability to preserve and enhance neighborhoods and address neglected property.

City Planner Armando Ornelas provided a PowerPoint presentation.

### **Neighborhood Preservation & Enhancement Workshop**

#### **~ Workshop Overview~**

Discuss a range of possible tools and initiatives to enhance City's ability to preserve and enhance neighborhoods and address neglected property.

Today's main topics:

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- Adding property maintenance/conservation provisions to S.M.C.
- Strengthening the code enforcement process
- Ability to address problems in backyards
- Vacant property registration

**~ Other Possible Options & Initiatives ~**

- Coordinated multi-departmental and geographically targeted code enforcement initiatives.
- Targeted CIP Investments
- More resources directed to housing rehabilitation, including more of City's CDBG funds.
- Enhanced right-of-way and public property maintenance.
- Vehicles in the public right-of-way.
- Additional use of volunteers – e.g., for weeds
- Greater enforcement of building code violations.
- Greater fire code enforcement (e.g., defensible space, storage of flammable materials)

**~ Property Maintenance Code ~**

The City's code enforcement staff work primarily with:

- Title 20 (Zoning and Land Use);
- Title 7.16 (Health and Welfare – Nuisances);
- To a limited degree, with Title 5 (Business Licenses, Taxes and Regulations) and Title 12.16 (Sidewalk Construction and Repair)

The City receives many complaints about the condition of properties that do not constitute violations of City codes. Common "un-actionable" complaints include:

- Landscaping
- Vehicle storage
- Condition and appearance of structures

Many jurisdictions have adopted "property conservation" or "property maintenance" codes that obligate property owners to meet certain maintenance standards. Options are varied and range from:

- Wholesale adoption of the model International Property Maintenance code (e.g., Henderson, San Jose)
- Custom property maintenance code (e.g., Sacramento & Redding, CA)
- Adding selected property maintenance requirements to the S.M.C. to address the most common concerns and complaints.

**~ Property Maintenance Code: Things to Consider ~**

- City code enforcement officers would gain ability to address additional complaints and problems .
- Adding property maintenance requirements means that conditions that are not currently a code violation would become code violations.
- Need community buy-in.
- Allowance for hardship cases (i.e., lack of financial capacity to correct violations)?
- Differentiate between owner-occupied, vacant and rental properties?
- More "actionable" code complaints and violations would necessitate more code enforcement resources to respond effectively

**~ Strengthening the Code Enforcement Process ~**

The code enforcement process:

- Complaint investigated to determine if a violation exists.
- Identify and contact property owner (phone, in person, by letter) to explain violations and provide timeframe to correct. Second and third letters may follow.
- Violation notices are sometimes posted at the property.
- A high percentage of property owners respond by correcting the code violations.
- Certain cases absorb disproportionate staff resources. Last few years many such cases involve vacant homes or those in foreclosure process.

Options when owner fails to correct violation:

- File a criminal complaint.
- Directly abate the problem and lien the property for the associated costs. This applies only in those instances where the violation poses a threat to the public (e.g., a vacant and dangerous unsecured building).

Permitting code enforcement officers to issue citations:

- To increase property owner compliance and code enforcement officers' efficiency.



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- Criminal versus civil citations
- Need an appeal mechanism such as a hearing officer or hearing board before judicial review
- Impacts City prosecutors and Municipal Court.

**~ Backyards ~**

- Currently, City's code enforcement officers do not address complaints regarding out-of public view conditions (e.g., trash and debris) in the backyards of properties.
- Fourth Amendment considerations
- Doing more to address backyard concerns likely requires cooperation of other agencies such as District Health and more aggressive enforcement of building and fire codes.

**~ Vacant Property Registration ~**

- Intent of these programs is to address problems with properties, primarily single family homes, caught up in loan defaults and foreclosure processes.
- Neighborhoods suffer from the extended presence of neglected, increasingly unattractive properties that detract from their neighbors or are outright nuisances.

Some communities, including Las Vegas, have adopted ordinances that:

- Require mortgagees – upon issuance of a notice of default – to register the property with local government.
- Require the mortgagee to pay a registration fee.
- Makes the mortgagee responsible for regularly inspecting and maintaining the property until it is no longer vacant.

Considerations

- Program design and ordinance adoption
- Self-administer or contract administration out
- Pending court challenges
- Mortgagee techniques to avoid responsibility for vacant properties

Items of concern not specifically addressed include:

- Paint programs
- Dumpsters
- Capital improvements
- Targeted CIP improvements
- Housing rehabilitation including CDBG funds
- Public property maintenance
- Vehicles in public right of way
- Additional use of volunteers for issues like weed abatement
- Greater enforcement of building code violations
- Business license taxes and regulations enforcement

The aforementioned issues do not constitute violations of existing city code. The International Property Maintenance Code (IMPC) has been adopted by some jurisdictions and some jurisdictions write their own version of the IMPC. Provisions can be added to our code per Council direction, especially in the nuisance section. Many complaints that are not currently violations would then become violations.

Discussion throughout the presentation included:

Council Member Lawson called for the ability to distinguish from the elderly lady who can't keep up with property maintenance versus a bank that chooses to allow the house to fall into disrepair. He said the city needs the ability to differentiate between owner-occupied, vacant and rental properties.

City Manager Shaun Carey asked if the IPMC enforcements have been effective. Mr. Ornelas said it is likely that larger communities have seen improvement. Mr. Carey said he believes residential sense of community would be greatly improved with more broadened regulations. Mr. Ornelas said if we “sell” the community on improving, and then don’t have the staff to enforce an enhanced code, that would be a problem too.

Council Member Schmitt asked if the city would consider concentrating on vacant homes. Would the city concentrate on owner-occupied homes? He said there is a problem when we assume an empty residence is a non-owner occupied home.

Mr. Ornelas said currently the code enforcement officers determine if a violation exists, identifies the owner, and posts the orange violation notice on the property. 80-90% of violations get corrected with no further action. The other 20% take up most of the code enforcement person’s time. To strengthen the code enforcement process we can file a criminal complaint, directly abate the problem and lien the property for associated costs and only if the violation poses a threat to the public.

Mr. Ornelas said the city may consider adding a civil citation; criminal versus civil citations; and an appeal mechanism. This will impact city prosecutors and the municipal court. He said the city may need to hire a neutral third party and he does not know who would assume the costs for that role. Sr. Assistant City Attorney Doug Thornley said the cost would likely fall to the city.

Regarding back yards, Mr. Ornelas said currently city code enforcement does not address complaints regarding out-of-public view conditions, like trash and debris. Doing more to address backyard concerns requires cooperation of other agencies such as district health and more aggressive enforcement of building and fire codes.

Council Member Schmitt asked where would the city draw the line when it’s difficult to ascertain the responsible party. Mr. Thornley said a non-owner occupied property (income producing) is considered a business and is not treated the same as someone who may lose their shelter.

Council Member Schmitt asked how much it would cost to establish new code enforcement. Mr. Thornley said it would depend on the scenario the council adopts. He said vacant property might lead to diminishing returns and there are different options in different ownership situations. Mr. Ornelas said he has not yet delved into potential costs.

Mayor Martini suggested looking into strengthening the codes as a starting point. Deputy City Manager for Community Services Neil Krutz said they are looking to the Council to provide the guidance and rules.

Council Member Schmitt suggested that possibly PSAs and neighborhood involvement would better serve the city, rather than enhanced code enforcement and “big brother” monitoring.

Council Member Ratti said her ward has two big problems: the absentee landlord and people who know there is nothing we can do about it. She said her ward has people who participate in criminal activity and are regularly rented homes; those properties generally drag down the

neighborhood. She questioned if a certificate of occupancy could be prohibited on such properties. Ms. Ratti said she is also concerned about the low income senior or disabled individual who may be put out of their home to try to keep up with necessary beautification maintenance.

Mr. Thornley said in his view, landscaping is a zoning issue. Certificates of occupancy are health, safety and building code issues and should not be tied to zoning.

Council Member Lawson said he would like to direct toward a code enforcement process and recommended taking at least small steps and see what effect it has. He said he favors strengthening the code enforcement process. Mr. Ornelas said we would need to have elements and provisions that don't currently exist and those provisions would need to be coupled with stronger enforcement.

Mr. Ornelas said we can look at a limited set of potential code amendments to account for code that doesn't currently exist and which the city can enforce. Ms. Ratti agreed with Mr. Lawson's suggestion to identify the top three issues which can be readily enforced. Mr. Krutz requested additional discussion to help ascertain those prominent issues. Ms. Ratti volunteered to part of that discussion.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to perform additional work investigating the potential of adding some additional code and ordinances to be enforced, as guided by the top three regularly experienced issues, investigating the civil penalty piece to strengthen our ability to enforce those codes, and investigating the possibility to do interdepartmental work to target the most challenging areas for the city. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

Council Member Ratti followed with a question about the other ideas in the presentation that were not included in the "big four." Mr. Ornelas said we could address those issues at another workshop. Ms. Ratti asked to keep those issues on the forefront.

## **6. Presentation, discussion and possible action on Boards and Commissions. (FOR POSSIBLE ACTION)**

### **6.1 Review and update of the procedures for alternates on Boards and Commissions.(FOR POSSIBLE ACTION)**

An agenda item from City Clerk Teresa Gardner presenting the procedures for active boards and commissions that Council Members currently sit on. Sr. Assistant City Attorney Doug Thornley added additional explanation on the rules.

City Manager Shaun Carey said state law set in the last legislative session had an effect on alternates as it relates to alternates attending in place of a regular member. This item is not a request to change boards, but rather an opportunity to update the council in the change in state law relative to alternatives.

City Attorney Chet Adams said a vote it may be claimed invalid if the alternate made the vote. He said the problem exists when a board barely has a quorum and an alternate makes a vote. It could constitute a violation of the open meeting law. He said the legislature is clear they do not

like the idea of alternates and said when you use an alternate you run the risk of the attorney general finding the use of the alternate illegal.

Council Member Schmitt said we should list all boards, members, who allows alternates, and those who don't allow alternates. Mr. Schmitt called for two alternates for every board seat when allowed by the particular board.

Mr. Thornley suggested appointing an alternate but warned we do so at our own risk. He suggested going to the legislature. The worst case scenario is people may get fined for willfully violating the open meeting law. Per Ms. Ratti's request, Mr. Thornley will perform further interpretation and identify possible action on AB65.

Council Member Schmitt requested Mr. Thornley develop the list to include possible committees where we may be in violation. He suggested alternates should not attend meetings until those issues are resolved. Mr. Schmitt said eventually we could go to the organizations involved to get legislative action to allow one or two alternates, based on Sparks participation on the particular board or commission.

**6.2 Review current Board and Commission assignments. (FOR POSSIBLE ACTION)**

An agenda item from City Clerk Teresa Gardner presenting the current list of active appointments to boards and commissions. No appointments are expiring, and therefore, no action is necessary. The list is provided for information and the Council may choose to make changes but it is not required.

Mayor Martini asked if everyone is satisfied with the boards and commissions they sit on. Council Member Carrigan said he does not care to be alternate on any board or commission and then clarified he was kidding.

**7. Comments (Time: 3:45 p.m.)**

**7.1 Comments from the Public - none**

**7.2 Comments from City Council and City Manager - none**

**8. Adjournment (Time: 3:46 p.m.)**

Council was adjourned at 3:46 p.m.