



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, August 14, 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 Pro Tempore Ron Smith at 2:00 p.m.

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

Council Members Donald Abbott, Ron Smith, Charlene Bybee, Kristopher Dahir, City Manager Steve Driscoll, City Attorney Chet Adams and Acting City Clerk Donna DiCarlo, PRESENT.

ABSENT: Mayor Geno Martini, Council Member Ed Lawson.

3. Opening Ceremonies

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

The invocation was provided by Bishop Evan Marchant, Church of Jesus Christ of Latter Day Saints.

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

The Pledge of Allegiance was led by City Manager Steve Driscoll.

4. Public Comment (Time: 2:02 p.m.) - None

A woman speaking anonymously talked about statistics of domestic violence court cases involving children. Kathleen Shupp, Mike Brierly, and Wesley Griffin gave public comment in opposition of the proposed school at the Wildcreek Golf Course location. They encouraged the city to try to save Wildcreek. Mr. Griffin used his phone to show a picture from the web of a figure with an albatross around their neck and stated the golf course is not an albatross.

5. Agenda (Time: 2:14 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 Dahir, seconded by Council Member Abbott, to approve the agenda as submitted. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6. Minutes (Time: 2:14 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of July 24, 2017. (FOR POSSIBLE ACTION)

A motion was made by Council Member Bybee, seconded by Council Member Abbott, to approve the minutes of the regular Sparks City Council meeting on July 24, 2017. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

7. **Announcements, Presentations, Recognition Items and Items of Special Interest**
(Time: 2:15 p.m.)

7.1 None.

8. **Consent Items (FOR POSSIBLE ACTION)** (Time: 2:15 p.m.)

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

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period July 6, 2017 through July 19, 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 a contract with ADS Environmental Services (AC-5393) for flow monitoring services for the Truckee Meadows Water Reclamation Facility in the amount of \$52,200. (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve the contract. The sanitary sewer collection system that flows to TMWRF is metered in key locations to measure the contributions from Reno and Sparks in order to proportion the operational costs of the plant. Flow monitoring services had historically been managed by the City of Reno through the capital improvement program, however, staff, with the support of the Directors, chose to move that cost to the operational budget in 2017. The contract is for flow monitoring services for an initial period of 12 months, with multiple 12-month extensions available upon mutual agreement. Funding is from the joint treatment plant fund; there is no impact to the general fund.

8.3 Consideration and possible approval of a contract for design services for El Rancho Sewer Improvements with Axion Engineering (AC-5396), in the amount of \$115,890. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andy Hummel recommending Council approve the contract. The design services will include topographic survey of the project area, groundwater and soils investigation, and improvement plans. This project was identified as a priority in the 2016 Sewer Model Update. Funding is from the sanitary sewer capital project fund; there is no impact to the general fund.

8.4 Consideration and possible approval of a contract for Sewer Pipeline Assessment Project using a Rapid Assessment Tool for the City of Sparks with

Poggemeyer Design Group (AC-5397) in the amount of \$208,477. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andy Hummel recommending Council approve the contract. The city evaluated and purchased a rapid assessment tool which performs a quick assessment of a pipe's level of capacity using acoustic signals and assigns a score from 1 to 10. Pipes with a lower score are indicative of blockages due to roots, line breakage, grease, or debris while a higher score is indicative of clean pipes in good condition. This contract will provide an initial rating of all sewer mains within the city which will assist staff in prioritizing assessment, maintenance and rehabilitation efforts. Funding is from the sanitary sewer operations fund; there is no impact to the general fund.

8.5 Consideration and possible approval of a contract for design services for East Prater Way Storm Drain Improvements with Atkins North America, Inc. (AC-5398) in the amount of \$229,000. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andy Hummel recommending Council approve the contract. The design services will include evaluation of alternatives, hydraulic analysis and reporting, topographic survey of the project area, groundwater and subsurface soils investigation, and improvement plans. The 2011 City of Sparks stormwater basin master plan identified numerous storm drainage system capacity deficiencies. The area of East Prater Way, specifically at the Vista Boulevard intersection, was identified as needing improvements to alleviate drainage impacts during rain events such as those seen in the summer of 2015. Funding is from the storm drains capital project 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 an appointment to the Sierra Arts Foundation Board of Trustees for a one year term (from the following pool of applicants listed in alphabetical order: Francine Burge). (FOR POSSIBLE ACTION) (Time: 2:16 p.m.)

An agenda item from City Manager Steve Driscoll recommending Council approve the Mayor's recommendation. The Sierra Arts Foundation's mission as a local arts agency since 1971 is to be the region's premier arts organization with an emphasis on teaching, nurturing and supporting the arts in our community. Sierra Arts strives to provide educational opportunities for artists of all ages, as well as development and training, financial support and promotional and marketing assistance. Sierra Arts creates and manages spaces and venues throughout our community for artists to perform and display their work. There is no impact to the general fund.

A motion was made by Council Member Abbott, seconded by Council Member Bybee, to confirm the Mayor's appointment of Francine Burge to the Sierra Arts Foundation Board of Trustees. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9.2 Consideration and possible approval of Impact Fee Credit Agreement No. 23 (AC-5395) between the City of Sparks and Pioneer Meadows Development, LLC. (Impact Fee Service Area No. 1) including \$171,906.71 impact fee credits that may be used for any future building permits issued within IFSA No. 1. (FOR POSSIBLE ACTION) (Time: 2:17 p.m.)

An agenda item from Community Services Director John Martini recommending Council approve the agreement. Pioneer Meadows Development, LLC has constructed a portion of the Spanish Springs Regional Trail included in the capital improvements plan for Impact Fee Service Area No. 1 (IFSA No. 1). Per the terms of the general administrative manual for IFSA No. 1, the developer is entitled to impact fee credits that may be used to pay IFSA No. 1 fees for future building permits within IFSA No. 1. Staff has reviewed the actual and estimated cost for the constructed facilities, has inspected the constructed facilities and found the work to be complete and acceptable. There is no impact to the general fund.

A motion was made by Council Member Dahir, seconded by Council Member Abbott, to approve Impact Fee Credit Agreement No. 23 between the City of Sparks and Pioneer Meadows Development, LLC. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9.3 Consideration and possible approval of Change Order #1 to the existing contract with Q&D Construction (AC-5319), to replenish the force account, for the North Truckee Drain Realignment Phase 3 Project in the amount of \$300,000. (FOR POSSIBLE ACTION) (Time: 2:21 p.m.)

An agenda item from Utility Manager Andy Hummel recommending Council approve Change Order #1. The Change Order replenishes the force account used for the removal of non-excavatable material encountered during construction of the North Truckee Drain Realignment Phase 3 Project. Drilling and blasting was required to break up the non-excavatable rock material to allow for removal. The non-excavatable rock formation was confined to a relatively small area in between two sample boring locations performed in conjunction with the design phase geotechnical exploration; therefore, the rock material was not identified until it was encountered during construction. Funding is from the storm drains capital project fund; there is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Dahir, to approve the change order. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9.4 Consideration and possible approval of a claim for reimbursement of moving expenses related to the construction of the North Truckee Drain Realignment Phase 3 project, by Soil Tech, a lessee of 2090 Kleppe Lane, Unit C, in the amount of \$62,631.61. (FOR POSSIBLE ACTION) (Time: 2:28 p.m.)

An agenda item from Utility Manager Andy Hummel recommending Council approve the claim for reimbursement. The claim by Soil Tech covers moving expenses from the existing yard at Kleppe Lane, which is significantly impacted by the North Truckee Drain Phase 3 construction, to a temporary yard at UNR Farms. Funding is from the storm drains capital project fund; there is no impact to the general fund.

A motion was made by Council Member Dahir, seconded by Council Member Abbott, to approve the claim for reimbursement of moving expenses by Soil Tech in the amount of \$62,631.61. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9.5 Consideration and possible approval of an Interlocal Cooperative Agreement (ICA) with Washoe County, City of Reno, City of Sparks, and the Regional Transportation Commission (RTC) of Washoe County (AC-5394) for Projects included in the RTC's FY 2018 Program of Projects (POP)(overall funding for the region-wide RTC and Federally funded categories for the FY 2018 POP is estimated to be \$310,883,583). (FOR POSSIBLE ACTION) (Time: 2:31 p.m.)

An agenda item from Transportation Manager Amber Sosa recommending Council approve the Interlocal Cooperative Agreement (ICA). The ICA approves the fiscal year (FY) 2018 RTC Program of Projects. The City of Sparks pavement quality team and utility division work very closely with the RTC to prioritize regional road projects in the City of Sparks. The anticipated pavement preservation and corridor improvement projects in Sparks include 4th & Prater Bus Rapid Transit Project (Evans to Pyramid), Preventative Maintenance (slurry seals, etc., city wide), Annual Pavement Preservation – Clean Water Way (McCarran Blvd. to Treatment Plant), and Oddie / Wells Corridor Multi-Modal Improvements (Kuenzli St to Pyramid Hwy). The anticipated capacity and congestion relief projects in Sparks include Pyramid Freeway/US-395 Link (to be determined) US-395 to Pyramid Hwy (preliminary design only), McCarran/Pyramid Intersection Project, Traffic Engineering Spot Intersection 6 & 7 (city wide intersection capacity improvements), and Traffic Management 2016, 2017, and 2018 (Design and Pilot Project, Fiber Optic and ITS Equipment). There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Abbott, to approve the Interlocal Cooperative Agreement with Washoe County, City of Reno, City of Sparks and the Regional Transportation Commission of Washoe County for the FY 2018 program of projects. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9.6 Consideration and possible adoption of Resolution No. 3316 authorizing the transfer of the City's 2017 Private Activity Bond Capacity (PABC) of \$4,947,997.41 to be divided between the Nevada Housing Division (NHD) and Nevada Rural Housing Authority (NRHA) to support their respective single family housing programs in Sparks, Nevada. (FOR POSSIBLE ACTION) (Time: 2:37 p.m.)

An agenda item from Housing Specialist George Graham recommending Council adopt the Resolution and authorize the transfer. Under the federal tax reform act enacted in 1986, the State of Nevada receives an annual allocation of tax exempt private activity bond cap (PABC) authority. PABC provides states and local governments' authority to issue federally tax-exempt bonds on behalf of private infrastructure, utility and affordable housing projects and programs. The city's 2017 PABC share (\$4,947,997.41) will be divided between the Nevada Housing Division (NHD) and Nevada Rural Housing Authority (NRHA) to support their respective single family housing programs. City staff recommend that the City Council allocate 75 percent (\$3,710,998.06) to NHD and 25 percent (\$1,236,999.35) to NRHA. There is no impact to the general fund.

A motion was made by Council Member Dahir, seconded by Council Member Abbott, to adopt Resolution No. 3316 authorizing the transfer of the City's 2017 tax exempt bond volume capacity to be divided as follows: 75 percent to the Nevada Housing Division (NHD) and 25 percent to the Nevada Rural Housing Authority (NRHA) to support their respective homeownership and single family housing programs. Council Members Abbott, Smith, Bybee, Dahir, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

- 9.7 FIRST READING, Bill No. 2721, an ordinance amending Chapter 12.48 of the Sparks Municipal Code, "Electrical System Franchise Agreement," to allow the City Council to distribute a portion of natural gas franchise fees between a fund for street maintenance and a fund for park maintenance in such proportions as the City Council directs from time to time; and providing other matters properly related thereto. (Time: 2:44 p.m.)**

Assistant City Clerk Donna DiCarlo Read the Bill by title. The second reading and public hearing will be held at the regular meeting on Monday, August 28, 2017.

- 9.8 FIRST READING, Bill No. 2722, an Ordinance amending Chapter 12.46 of the Sparks Municipal Code, "Natural Gas Franchise Agreement," to allow the City Council to distribute a portion of natural gas franchise fees between a fund for street maintenance and a fund for park maintenance in such proportions as the City Council directs from time to time; and providing other matters properly related thereto. (Time: 2:45 p.m.)**

Assistant City Clerk Donna DiCarlo Read the Bill by title. The second reading and public hearing will be held at the regular meeting on Monday, August 28, 2017.

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

10.1 None

11. Planning and Zoning Public Hearings and Action Items

11.1 None

12. Comments

12.1 Comments from the Public (Time: 2:46 p.m.)

Bill Wagner spoke in opposition of PCN17-0032 which is for a 64 unit apartment. He asked the City Council to respect the Planning Commission's decision to not allow a rezone for the apartments.

12.2 Comments from City Council and City Manager (Time: 2:48 p.m.)

Mayor Pro Tempore Smith asked the City Manager to look into changing the ordinance on operational hours for the recreational marijuana dispensaries. Mr. Smith also requested the City Manager move the September 25th agenda item for PCN17-0032 to the end of the meeting with a time certain. City Manager Driscoll said he will review the rules, discuss them with the attorney's office, and determine what the options are.

13. Adjournment

Council was adjourned at 2:49 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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