



MAYOR  
Geno Martini

CITY COUNCIL  
Julia Ratti, Ward I  
Ed Lawson, Ward II  
Ron Smith, Ward III  
Mike Carrigan, Ward IV  
Ron Schmitt, Ward V

CITY ATTORNEY  
Chet Adams

**REGULAR CITY COUNCIL MEETING MINUTES  
2:00 P.M., Monday, January 27, 2014**

**City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada**

**Call to Order** (Time: 2:00 p.m.)

1. The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:00 p.m.

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

Mayor Geno Martini, Council Members Julia Ratti, 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: Jim Rundle, John Martini, Michael Drinkwater, Andy Hummel, Brian Allen, Neil Krutz, Chris Cobb, Dan Marran, Steve Driscoll, Adam Mayberry, Stacie Hemmerling, Heidi Shaw, Brian Cason, Armando Ornelas, Tom Garrison, Tracy Domingues, Carrie Brooks, Francine Burge, Shawna Nelson, Jeff Cronk, Kim Laber, Todd Saxberg, Chris Syverson, Karen Melby, George Graham, Jessica Easler, Rich Brown

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

The invocation was provided by Pastor Pete Vossler of Crosswinds Assembly of God.

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

The Pledge of Allegiance was led by Council Member Smith.

**Comments from the Public** (Time: 2:02 p.m.)

- Doug Busey spoke on the D'Andrea Golf Course handbook and tax status. Mr. Busey said he seeks the Council's backing to support the handbook, which calls for a golf course (primary) or open space in the D'Andrea community. Deputy City Manager for Community Services Neil Krutz confirmed that the tentative project definition map has expired; there was no extension. Council Member Smith asked about liens against the golf course and confirmed his support for the project to remain a golf course.
- Ronald McGee spoke on the Sparks Police Department and the courts.

**Approval of the Agenda** (Time: 2:13 p.m.)

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

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

**3. Recommendation to Approve Minutes of January 13, 2014** (Time: 2:13 p.m.)

**3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for January 13, 2014**

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of January 13, 2014, as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest** (Time: 2:14 p.m.)

**4.1 Proclamation: "National Radon Action Month"** (Time: 2:14 p.m.)

Mayor Martini proclaimed January 2014 as National Radon Action Month and encouraged Americans to test their homes for radon, mitigate elevated levels of radon and have new homes built with radon-reducing materials and features. University of Nevada Cooperative Extension representative Jamie Roice-Gomes received the Proclamation and thanked the Mayor and Council for their support.

An additional Proclamation was read by Council Member Schmitt proclaiming January 28, 2014 as Christa McAuliffe Day to honor the first teacher in space and the Challenger Crew who were lost in the disaster of January 28, 1986. The proclamation was accepted by Paul McFarlane of the Challenger Learning Center of Northern Nevada, based at Sparks High School.

**5. Consent Items** (Time: 2:23 p.m.)

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

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period December 25, 2013 through January 8, 2014. (FOR POSSIBLE ACTION)**

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

**5.2 Consideration, review and acceptance of the receipt of grant and/or donation money which is individually under \$5,000. (FOR POSSIBLE ACTION)**

An agenda item from Accountant Curtis Cho recommending Council accept the receipt of grant and/or donation money which is individually under \$5,000. Formal policy established for grants and donations directs that Council approve the acceptance of grant awards less than \$5,000 via a staff report which details the receipt of such grants and donations. The following donations were awarded to the City during the period from October 2013 to December 2013:

- Deshaun Lipscomb \$16.61 to Violence Against Women's Police Program & General Donations to Fire Department.
- Leslye Renden \$20.00 to Partners in Parks & Recreation.
- Summit Church \$1,000.00 to Partners in Parks & Recreation.

- Sergey Saakian \$175.00 to Partners in Parks & Recreation.
- Various Donors \$3,279.25 to Fire Dept. (Individual donations for Project SAFE were under \$5,000)
- Project SAFE – Golf Fundraiser Department of Justice \$448.80 Project Safe Neighborhood Grant
- Department of Justice \$565.20 Secret Service Grant

**5.3 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 and associated documents that have been microfilmed. NRS 239.051 allows for the destruction/disposal of these 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.

**5.4 Municipal Court Judge Pro Tempore list for calendar year 2014 (FOR POSSIBLE ACTION)**

An agenda item from Municipal Court Administrator Heidi Shaw recommending Council approve the Judge Pro Tempore list for the calendar year 2014. Pro Tempore Judges are utilized by the Municipal Court in the event that a Judge is unavailable to hear matters due to illness, vacation, mandatory judicial training, and attendance at judicial conferences and/or recusal for a case. Pro Tempore Judges are necessary to fulfill the legal requirement of case processing and timely disposition. This recommendation establishes a list of Pro Tempore Judges for the calendar year 2014 as follows: Dean Heidrich, Esq. Cheryl Field-Lang, Esq. Michael Specchio, Esq. Lewis Taitel, Esq.

**5.5 Consideration and possible approval of a Professional Services Contract, to MMI Engineering, for Mechanical Engineering design services to complete the City Hall HVAC Upgrade Project, in the amount of \$115,260. (FOR POSSIBLE ACTION)**

An agenda item from Sr. Civil Engineer Brian Cason recommending Council approve the Professional Services Contract, to MMI Engineering. The City hall HVAC system is outdated, inefficient, lacks redundancy, is very inconsistent heating and cooling different areas of the building, and takes a tremendous amount of time for maintenance personnel to keep up with maintaining the system. This design will upgrade the existing HVAC system at City Hall and fix the deficiencies of the system. Funds are available in the FY14 CIP budget; there is no impact to the general fund.

**5.6 Consideration and possible approval of an Agreement for the Adjustment of Utility Facilities for Phase 1 of the North Truckee Drain Relocation Project with NV Energy in the amount of \$115,050. (FOR POSSIBLE ACTION)**

An agenda item from Utility Manager Andy Hummel recommending Council approve the Agreement with NV Energy. The North Truckee Drain Relocation Phase 1 Project will require various utility relocations to accommodate the new drainage infrastructure. NV Energy (NVE)

has identified electrical service facilities requiring relocation, which were included in the Plans and Specifications for the Project. As the facilities being relocated are within Public Utility Easements (PUE), the relocation costs are the responsibility of the City of Sparks. An Agreement for the Adjustment of Utility Facilities has been prepared for payment of these costs by the City to NV Energy, and was presented for consideration. Funds are available in the FY14 CIP budget; there is no impact to the general fund.

**5.7 Consideration and possible adoption of Resolution No. 3251 to augment the FY 13/14 Capital Projects, Special Revenue, Enterprise, and Internal Service Funds budgets of the City of Sparks to provide budget for capital projects approved, but not completed in FY 12/13. (FOR POSSIBLE ACTION)**

An agenda item from Budget Administrator Stacie Hemmerling recommending Council adopt Resolution No. 3251. This item will allow for the re-appropriation of prior year budget authority for capital improvement projects that were approved in the FY 12/13 and in two cases the FY11/12 Capital Improvement Plan, but not completed. It will also provide budget authority to cover higher than expected street cut repair costs. The procedures and requirements for budget augmentations are outlined in NRS 354.598005 and NAC 354.410. The augmentation request meets those requirements. The financial impact is a \$2,982,680 increase to FY 13/14 appropriations in various Capital Projects Funds, the Street Cut Special Revenue Fund, the Sewer Enterprise Fund, and the Motor Vehicle Maintenance Internal Service Fund.

**5.8 Consideration and possible approval of reimbursement to the City of Reno in the amount of \$100,245.97 for Sparks' share of a bid award to Petty and Associates, Inc. by the City of Reno for Phase 1 engineering services in support of the #1, #2, and #3 water systems evaluation at the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)**

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve Sparks' share of the contract between the City of Reno and Petty and Associates, Inc. Water system upgrades are required to ensure compliance with the Environmental Protection Agency permit and the health and safety of plant personnel and equipment. There is no impact to the general fund.

**6. General Business**

**6.1 Winners of the Christmas Parade (Time: 2:24 p.m.)**

An agenda item from Special Events Supervisor Francine Burge recognizing the winners of the 2013 Christmas parade as Thompson Garage Doors Community; Reno Rodeo Marching Band; The Mayors' Own Marching Band; KOLO 8; Palomino Valley Pet Rescue; Sparks Heritage Museum; and Young Pioneers. The Sparks Heritage Museum won overall and will have the opportunity to lead the parade in 2014 and be invited to the VIP area.

**6.2 Consideration and possible approval of the Mayor's recommendation of appointment to the Sparks Planning Commission. (FOR POSSIBLE ACTION) (Time: 2:30 p.m.)**

An agenda item from City Manager Shaun Carey recommending Council confirm the Mayor's recommendation for reappointment of Barbara Sanders to the Sparks Planning Commission for a third 4-year term.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to confirm the Mayor's reappointment of Barbara Sanders to the Sparks Planning Commission. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.3 Consideration and possible approval of appointing a member to the Tourism and Marketing Committee. (FOR POSSIBLE ACTION) (Time: 2:31 p.m.)**

An agenda item from City Manager Shaun Carey recommending Council appoint David Zamarin as the member of the Nevada Resort Association who represents a property in the City of Sparks to the Tourism and Marketing Committee. Due to the sale of the J.A. Nugget Hotel and Casino in December of 2013, Stephen Ascuaga, formerly COO for the Nugget, is no longer eligible to serve on the Tourism and Marketing Committee. The secretary to the Tourism and Marketing Committee wrote the Nevada Resort Association to obtain a list of appointees to the committee, and they responded by recommending the appointment of David Zamarin, Executive Vice President of Marketing of the J.A. Nugget Hotel and Casino Resort.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to appoint David Zamarin as the member of the Nevada Resort Association who represents a property in the City of Sparks to the Tourism and Marketing Committee. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.4 Consideration and possible approval of the 2014 Inter-Local Lease Agreement with the Washoe County School District, Transportation Department. (FOR POSSIBLE ACTION) (Time: 2:32 p.m.)**

An agenda item from Recreation Supervisor Shauna Nelson recommending Council adopt the agreement. The Parks and Recreation Department has benefitted from this Annual Inter-Local Lease Agreement with the Washoe County School District for many years. This agreement allows us to use school buses in our continuing effort to provide quality programming during out-of-school programs. The financial impact is \$22,000 to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to adopt the 2014 Inter-Local Lease Agreement with the Washoe County School District, Transportation Department. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.5 Consideration and possible acceptance of a grant from The Nell J. Redfield Foundation in the amount of \$50,000.00 for the Sparks Parks and Recreation Department to continue various programming in 2014. (FOR POSSIBLE ACTION) (Time: 2:34 p.m.)**

An agenda item from Recreation Supervisor Shauna Nelson recommending Council accept the grant from the Nell J. Redfield Foundation. Acceptance of this grant will enable the Parks and Recreation Department to continue The Nell J. Redfield Free Neighborhood Playground Program (\$18,487.00) and a portion of the Leisure without Limits Program (\$31,513.00). Both programs provide for underserved populations in our community. There is no impact to the general fund.

Mayor Martini commented on the worthiness of the programs supported by the grant and that the City of Sparks is fortunate to be the recipient of this grant, which includes the Free Neighborhood Playground and the Leisure Without Limits programs. Council Member Ratti

also thanked the Redfield Foundation and staff for the contribution and implementation of the programs made possible by the grant.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to accept this grant from The Nell J. Redfield Foundation in the amount of \$50,000 to continue programs for underserved residents in our community as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.6 Consideration and possible affirmation of the City of Sparks' intent to participate as a member of the home consortium with the City of Reno and Washoe County as the Washoe County Home Consortium (WCHC). (FOR POSSIBLE ACTION) (Time: 2:36 p.m.)**

An agenda item from Senior Planner Jim Rundle recommending Council confirm the intent to participate as a member of the Washoe County Home Consortium. The City of Reno currently acts as the lead entity for the Washoe County HOME Consortium (WCHC), the regional mechanism for providing state and federal funding to affordable housing projects and programs, through an Inter-Governmental Agreement. The U.S. Department of Housing and Urban Development (HUD) requires that participating jurisdictions renew their Inter-Governmental Agreement every three years. The City of Sparks City Council approved a resolution for an automatic renewal resolution in 2011. This year (2014) the automatic renewal is set to renew, and HUD is requesting that all three jurisdictions affirm their participation.

The funds received by the WCHC consist of federal grants, program income, and State of Nevada HOME and Low-Income Housing Trust Funds. The use of these funds does not impact the general fund budget; however projects receiving HOME funds are authorized a property tax exemption by Nevada law.

Council Member Lawson asked if there was any reason the City shouldn't continue participation in the program. Mr. Rundle said there was no reason not to participate and recommended the City continue participation in the consortium.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to affirm the City of Sparks' intent to participate as a member of the home consortium with the City of Reno and Washoe County as the Washoe County Home Consortium (WCHC). Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.7 Consideration and possible direction to initiate an amendment to Title 20 providing compliance with Assembly Bill 87, relating to public schools, requiring consistency among local governments zoning ordinances with respect to development standards in Washoe County. (FOR POSSIBLE ACTION) (Time: 2:39 p.m.)**

An agenda item from Senior Planner Jim Rundle recommending Council instruct staff to initiate a code amendment to Title 20 to comply with the requirements set forth in Assembly Bill 87 which was passed in 2013 by the state legislature and signed into law by Governor Sandoval requiring the City of Sparks, City of Reno, and Washoe County to provide consistent development standards for the construction of new schools in Washoe County. Mayor Martini requested the City Council consider directing staff to move forward with this code amendment.

Council Member Carrigan requested clarification as to whether Sparks' recommendations were more restrictive or less restrictive than those of the City of Reno or Washoe County. Deputy City Manager for Community Services Neil Krutz said Sparks has less restrictive standards than both the City of Reno and Washoe County and that those entities have been asked by the school district to move their standards closer to Sparks' standards.

Council Member Lawson said the bill was intended to speed construction and get the schools into plan as quickly as possible without rushing to market at the expense of school construction itself. He said Sparks' code has been used as an example by Assemblyman Skip Daly who has suggested the other entities to follow the direction of Sparks.

Council Member Ratti received confirmation from staff that the code amendment conforms to state law and the recommended code will align Reno, Sparks and Washoe County.

Mr. Rundle said the standards are to be implemented by February 28, 2014. He also confirmed the amendment is for public schools.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to direct staff to initiate a code amendment to Title 20 (zoning code) of the Sparks Municipal Code to comply with the requirements set forth in Assembly Bill 87. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.8 Discussion and possible approval of Resolution No. 3252 supporting the Governor's concept to create local Veterans Commissions. (FOR POSSIBLE ACTION) (Time: 2:46 p.m.)**

An agenda item on behalf of Council Member Ron Smith and Director of Military and Veterans Policy with the Office of the Governor, Caleb Cage, recommending Council support and adopt Resolution No. 3252 to support veterans throughout the state.

Mr. Cage said his office has been working with Councilman Smith and other departments throughout the state to establish and improve the delivery of services and benefits to service members, veterans and their families, breaking down barriers between service providers, to include wellness, employment and education. These efforts are in conjunction with those underway by the Nevada League of Cities and the Association of Counties to address veterans' issues throughout the state. There is no impact to the general fund.

Council Member Smith said many veterans are not aware of the available benefits and these programs will help make information more available to them. Mayor Martini commended the value of the commissions and their efforts to serve those who have served our country.

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve Resolution No. 3252 to support the concept of creating local veterans commissions. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**7. Public Hearing and Action Items Unrelated to Planning and Zoning**

**7.1 Public Hearing, Second Reading, discussion and possible action on Bill No.2665, an ordinance amending Chapter 13 of the Sparks Municipal Code to increase sewer user rates 8.25% annually from July 1, 2014 through July**

**1, 2017; and providing for other matters properly related thereto. (FOR POSSIBLE ACTION)** (Time: 2:55 p.m.)

An agenda item from Assistant Community Services Director and City Engineer John Martini and Utility Manager Andy Hummel recommending Council approve Bill No. 2665 as submitted. On December 2, 2013 Community Services Staff hosted a workshop with the Sparks City Council and presented the results of the Sparks Utility Rate Study. The results of the study indicate the need to raise revenues in the sewer utility to fund the capital improvement needs of the Truckee Meadows Water Reclamation Facility (TMWRF) and the sanitary sewer collection system through Fiscal Year 2018. Staff presented the City Council with cash flow models that included scenarios for 0, 5, 8.25, and 15 percent annual increases to sewer user rates. Based upon discussion at the workshop, staff is recommending that the Council approve an 8.25% annual increase to sewer user rates beginning in July 1, 2014 through July 1, 2017. Adoption of the proposed bill will amend, by ordinance, Title 13 of the Sparks Municipal Code and increase sewer user rates 8.25% annually from July 1, 2014 through July 1, 2017. There is no impact to the general fund.

Council Member Carrigan asked about single family residential and the linked rates, noting they do not represent an 8% increase. Mr. Martini explained the differences between single family residential and multi-family residential rates and clarified that multi-family rates will remain at 80% of single family rates.

Council Member Carrigan asked to clarify that only sewer rates are being increased; flood and storm drain will remain at their present rates. Mr. Martini verified this to be correct.

Council Member Lawson asked for comparison between the proposed Sparks rates and the rates for the City of Reno and those of Washoe County. Mr. Martini presented a graph depicting the projected rates to 2018 and the options Staff presented to council under each scenario, demonstrating that Sparks' rates would remain about 15% lower than Reno and approximately 25% lower than Washoe County until 2018.

Council Member Ratti said the challenge is that Sparks has not fully funded the capital needs of TMWRF. Mr. Martini said the Ameresco Project is an energy efficiency upgrade to TMWRF that is an additional \$25M over the next five years. The Ameresco Project is not addressed in the action today; it will be presented again to the City Council at a February meeting.

The public hearing was opened.

- Director of Government Relations for The Chamber, Mr. Tray Abney, spoke in support of the ordinance to fully fund the capital improvement project, supporting the proposed rate increase.

The public hearing was closed.

Council Member Lawson said emergency breakdowns have cost the city over \$7 Million. He said he feels it is necessary to raise sewer rates in order to make the necessary capital improvements to the plant and head off potential additional emergency breakdown situations.

A motion was made by Council Member Lawson, seconded by Council Member Carrigan, to approve Bill No 2665, an ordinance amending Chapter 13 of the Sparks Municipal Code to



increase sewer user rates 8.25% annually from July 1, 2014 through July 1, 2017; and providing for other matters properly related thereto.

Mayor Martini said this is an increase that should happen in order to prepare Sparks' infrastructure for the future.

Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, NO. Motion carried 4-1.

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

**9. Closed Door Sessions - None**

**10. Comments**

**10.1 Comments from the Public – None**

**10.2 Comments from City Council and City Manager (Time: 3:15 p.m.)**

Council Member Carrigan asked when the last day to submit ballot questions was. City Clerk Teresa Gardner said she believed it was the beginning of March and would forward the information to Council.

**11. Adjournment (Time: 3:16 p.m.)**

Council was adjourned at 3:16 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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