



MAYOR  
Geno Martini

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

CITY ATTORNEY  
Chet Adams

**REGULAR CITY COUNCIL MEETING MINUTES**  
**2:00 P.M., Monday, October 26, 2015**  
**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 Julia Ratti (arrived 2:03), Ed Lawson, Ron Smith, Charlene Bybee, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Member Ron Schmitt

**3. Opening Ceremonies**

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

The invocation was provided by Greg Hamilton, 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 Council Member Charlene Bybee.

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

**5. Agenda** (Time: 2:03 p.m.)

**5.1 Approval of the Agenda (FOR POSSIBLE ACTION)**

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

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

**6. Minutes** (Time: 2:03 p.m.)

**6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting on October 12, 2015 (FOR POSSIBLE ACTION)**

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the minutes of the regular Sparks City Council meeting on October 12, 2015. Council Members

Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest. - None.**

**8. Consent Items (FOR POSSIBLE ACTION). (Time: 2:04 p.m.)**

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

**8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period September 24, 2015 through October 7, 2015 (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 purchase of a three-year Foxboro Distribution Control support agreement for the Truckee Meadows Water Reclamation Facility from Invensys Operations Management in the amount of \$148,830. (FOR POSSIBLE ACTION).**

An agenda item from Treatment Plant Manager Michael Drinkwater recommending Council approve the exception to competitive bid and purchase a 3-year support agreement for the Distributed Control System upgrade from Invensys Operations Management for a total of \$148,820. The Distributed Control System (DCS) controls the operations of TMWRF. The current system was originally installed in 1998, after Foxboro was awarded the project in an open bid process. The Foxboro DCS has been very reliable and user friendly. This reliability is based in part by the use of a support agreement. Budget exists in TMWRF funds; there is no impact to the general fund.

**9. General Business**

**9.1 Consideration, discussion and possible approval of the Amended and Restated Garbage and Recycling Exclusive Franchise Agreement between the City of Sparks and Sparks Sanitation. (FOR POSSIBLE ACTION). (Time: 2:04 p.m.)**

An agenda item from Contracts and Risk Manager Dan Marran recommending approval of the Amended and Restated Agreement and a determination of the term of the amended agreement. Past discussions with the City Council as well as continuing input from citizens of Sparks have indicated a desire to enhance the program for the collection of residential recyclable materials, similar in scope to what was adopted by the City of Reno in November of 2012, commonly referred to as "Single-Stream Recycling." Past City Council direction has been for staff to negotiate an expansion of services within the existing franchise agreement to reach that goal. At the City Council Meeting of August 10, 2015, the City Council approved the conceptual items offered by Waste Management and directed staff to negotiate the contractual language that reflect those items. Changes affect operational processes for residential customers only; commercial services from other companies are not affected. The length of the franchise agreement remains in question and the City Council was presented three options for consideration to answer that question. There is no impact to the general fund.

Waste Management Market Area Vice President/General Manager Greg Martinelli was available to answer questions regarding the expiration of Washoe County and Reno agreements, apartments, advertising for free dump days, contaminated recyclables, commodity markets, renegotiation of the franchise, and the possibility of a regional franchise agreement. Mr. Marran confirmed the amendment only affects garbage service for residential customers, it does not change commercial trash service. Commercial garbage rate will be reduced based on the rate structure; however, commercial trash is not affected by this franchise. Council discussed the advantage of adding the 10-year franchise to achieve the lower rate for the citizens.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the "Amended and Restated Garbage and Recycling Exclusive Franchise Agreement" and associated attachments between the City of Sparks and Sparks Sanitation for a base term to expire on June 30, 2028. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**9.2 Consideration and possible direction to the City Manager to initiate an amendment to Title 17 of the Sparks Municipal Code to authorize the Administrator of the Community Services Department to approve Final Subdivision Maps. (FOR POSSIBLE ACTION). (Time: 2:36 p.m.)**

An agenda item from City Engineer John Martini recommending that the Council give direction to the City Manager to initiate an amendment to Title 17 of the Sparks Municipal Code to authorize the Administrator of the Community Services Department to approval Final Subdivision Maps. At the October 12, 2015 City Council Workshop Councilman Ed Lawson requested that consideration be given toward an amendment to Title 17 of Sparks Municipal Code wherein the requirement for Final Subdivision Map to be approved by the Sparks City Council be removed. Title 17.20 of the Spark Municipal Code (SMC) requires that the Spark City Council approve all final maps prior to recordation by the county recorder. NRS 278.378 includes language that allows a final map to be presented to the county recorder for recordation under certificate by the clerk of the governing body or planning commission, or the director of planning or other authorized person or agency authorized to take final action by the governing body stating that the governing body, planning commission, director of planning or other authorized person or agency approved the map. As such, Title 17.20 of the SMC could be amended to authorize the Administrator of the Community Services Department to approve final subdivision map. There is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to direct staff to draft an amendment to Title 17 of the Sparks Municipal Code to authorize the Administrator of the Community Services Department to approve final maps. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**9.3 Consideration and possible approval of a Memorandum of Understanding (MOU) between the City of Sparks and Operating Engineers Local Union No. 3 to change one job title in the Operating Engineers Local Union No. 3 Non-Supervisory Contract, Appendix A (FOR POSSIBLE ACTION). (Time: 2:41 p.m.)**

An agenda item from Human Resources Manager Mindy Falk recommending approval of the MOU to change one job title. The title of Wastewater Systems Analyst is a unique title which is not commonly used in the industry. This makes it difficult to recruit for qualified applicants

because the nomenclature is not widely recognized. Therefore, it is recommended that the title be changed to a more standard job title, Control System Programmer. Community Services and Human Resources feels this better describes the actual work performed and it will be more familiar to potential job applicants with the requisite skills to perform the work. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve Memorandum of Understanding with Operating Engineers Local No. 3. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**9.4 Consideration, discussion and possible approval to make changes to the City of Sparks Group Health Plan Document as recommended by the City of Sparks Group Health Committee. (FOR POSSIBLE ACTION). (Time: 2:42 p.m.)**

An agenda item from Senior Human Resources Analyst and Chairperson of the city's Group Health Committee Jen McCall recommending changes to the City of Sparks Group Health Plan Document as recommended by the City of Sparks Group Health Committee. The purpose of the Group Health Committee is to discuss cost containment measures, plan design changes, and legal requirements for benefits and recommend to the City Council changes to the city's self-insured Group Health and Life insurance plan. The Committee has reviewed the current benefit structure to determine if savings could be realized within the City of Sparks Group Health Plan without significantly impacting employees and retirees. The Committee was also asked to consider the addition of Gender Reassignment Surgery to the Group Health Plan to comply with upcoming federal changes that will be applied under the Affordable Care Act. An estimated net annual savings of \$47,759 is expected within the City of Sparks Group Health Self-Insurance Fund and the changes would be effective January 1, 2016.

Ms. McCall said slight modifications were made to the plan in 2006 with minimal savings. Proposed savings will be created by promoting urgent care usage rather than hospital emergency rooms. If savings are not recognized by usage behavior, the committee said hospital emergency room co-pays may be added. The committee has decided to promote education vs. punitive changes. Council appreciated the proposed changes and encouraged the committee to continue to look for additional savings through innovative changes.

Public comment was received by retirees Lee Leighton and Dan Hamlin expressing concern for increased insurance rates to retirees and asked the City Manager to meet with retirees to discuss alternatives to rising insurance costs.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve the recommended changes to the City of Sparks Group Health Plan for the Plan year beginning January 1, 2016 as outlined in the staff report. Council Members Ratti, Lawson, Bybee, YES. Council Member Smith, NO. Council Member Schmitt, ABSENT. Motion carried 3-1.

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

**10.1 Public Hearing, consideration and possible approval of a request from SWD-Quarry FVS, LLC to the City of Sparks for the abandonment of four parcels**



**of right-of-way abutting the proposed Fountainhouse project. (FOR POSSIBLE ACTION).** (Time: 2:54 p.m.)

An agenda item from City Engineer John Martini recommending Council approve the request for the right-of-way abandonments. SWD-Quarry FVS, LLC is the owner of the Fountainhouse Project and has requested that the City of Sparks City Council consider the abandonment of four (4) parcels of right-of-way abutting the proposed project boundary as indicated in the staff report. Staff has researched the request and is of the opinion that the public will not be materially injured by the proposed abandonments and recommends approval. There is no impact to the general fund.

The Public Hearing was opened at 2:57. No comments were received.

A motion was made by Council Member Bybee, seconded by Council Member Ratti, to approve the abandonment of four parcels of right-of-way abutting the proposed Fountainhouse project as submitted by staff. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**11. Planning and Zoning Public Hearings and Action Items**

**11.1 PCN15017- Consideration of and possible action on a master plan amendment request to change the land use designation from Medium Density Residential (MDR) to Transit Oriented Development – Mixed Residential (TOD-MR) for a site approximately 1.4 acres in size located at 1250 Sullivan Lane, Sparks, NV (FOR POSSIBLE ACTION).** (Time: 2:58 p.m.)

An agenda item presented by City Planner Armando Ornelas recommending Council certify the master plan amendment. The applicant is requesting a master plan amendment to change the land use designation. Currently there are four single family homes and two apartment buildings located on this property. The applicant would like to redevelop portions the property and is requesting to add the property to the TOD District in order to redevelop with higher densities. The redevelopment of the site will have to conform to the TOD standards. The neighborhood meeting for the master plan amendment was held April 29, 2015. Approximately twenty people attended the neighborhood meeting. The master plan amendment was found in conformance with the Regional Plan by the Truckee Meadows Regional Planning Commission on September 23, 2015. There is no impact to the general fund.

The Public Hearing was opened at 3:03. No comments were received.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to certify the master plan amendment, for PCN15017, based on Findings MP1 through MP4, and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**11.2 SECOND READING, Public Hearing, consideration of and possible action on Bill No. 2696, an ordinance by the City of Sparks to rezone a site approximately 1.4 acres in size from SF6 (Single Family Residential) to MUD (Mixed Use District) located at 1250 Sullivan Lane, Sparks, NV (PCN15017) (FOR POSSIBLE ACTION).** (Time: 3:03 p.m.)

An agenda item presented by City Planner Armando Ornelas recommending Council approve PCN15017. Applicant is requesting to rezone the property from SF6 (Single Family Residential) to MUD (Mixed Use District). Currently there are four single family homes and two apartment

buildings located on this property. Applicant would like to redevelop portions of the property and is requesting to add the property to the MU (Mixed Use) District in order to redevelop with the higher densities. The redevelopment of the site will have to conform to the TOD standards. On May 7, 2015, Planning Commission reviewed the associated master plan amendment and this zone change request. The Planning Commission recommends approval of the zone change. There is no impact to the general fund.

The Public Hearing was opened at 3:06. No comments were received.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to adopt Bill No. 2696, an ordinance for a zone change request, for PCN15017, based on Findings Z1 through Z3, and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**11.3 Public hearing, consideration of and possible approval for a request from Greenleaf Wellness, Inc. to move a medical marijuana cultivation and production facility from an approved location at 1825 Freeport Boulevard to a location at 380 S. Rock Boulevard. (FOR POSSIBLE ACTION) (Time: 3:07 p.m.)**

An agenda item from City Planner Armando Ornelas recommending Council approve the request to move a medical marijuana cultivation and production facility. Greenleaf Wellness, Inc. has requested that the Sparks City Council conduct a public hearing and approve a change of location to operate a medical marijuana cultivation and production facility. Greenleaf is requesting to move the cultivation and production facility from a proposed location at 1825 Freeport Boulevard, where this use has been approved but not established, to a location at 380 S. Rock Boulevard. The Freeport Boulevard location was approved through the City's Administrative Review process in September of 2014. Greenleaf Wellness, Inc. submitted a new Administrative Review application for the 380 S. Rock Boulevard location in September of 2015. City staff have concluded the review process and have issued an approval letter that is contingent on City Council approval. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to approve the request from Greenleaf Wellness, Inc. to move a medical marijuana cultivation and production facility from 1825 Freeport Boulevard to a location at 380 S. Rock Boulevard. Council Members Ratti, Smith, Bybee, YES. Council Member Lawson, ABSTAIN. Council Member Schmitt, ABSENT. Motion carried 3-0.

**11.4 Public hearing, consideration of and possible approval for a request from Greenleaf Wellness, Inc. to move a medical marijuana dispensary from an approved location at 1825 Freeport Boulevard to a location at 960 S. McCarran Boulevard. (FOR POSSIBLE ACTION) (Time: 3:12 p.m.)**

An agenda item from City Planner Armando Ornelas recommending Council approve the request to move a medical marijuana dispensary. Greenleaf Wellness, Inc. has requested that the Sparks City Council conduct a public hearing and approve a change of location for Greenleaf Wellness, Inc. to move the dispensary from a proposed location at 1825 Freeport Boulevard, where this use has been approved but not established, to a location at 960 S. McCarran Boulevard. The Freeport Boulevard location was approved through the City's Administrative Review process in September

of 2014. Greenleaf Wellness, Inc. submitted a new Administrative Review application for the 960 S. McCarran Boulevard location in September of 2015. City staff have concluded the review process and have issued an approval letter that is contingent on City Council approval. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Smithy, to approve the request from Greenleaf Wellness, Inc. to move a medical marijuana dispensary from 1825 Freeport Boulevard to a location at 960 S. McCarran Boulevard. Council Members Ratti, Smith, Bybee, YES. Council Member Lawson, ABSTAIN. Council Member Schmitt, ABSENT. Motion carried 3-0.

**12. Closed Door Sessions - None**

**13. Comments**

**13.1 Comments from the Public** (Time: 3:17 p.m.) - None

**13.2 Comments from City Council and City Manager** (Time: 3:17 p.m.)

Council Member Ratti asked the City Manager to keep Council apprised of meetings with the retiree group and their request for support for small group of retirees who do not receive health care subsidies.

City Manager Steve Driscoll announced the Airport Noise Advisory Committee has 2 appointments for 2-year terms. Persons interested in serving on these committees should complete a Community Service Application, available from the City Clerk's office. You may also apply on-line at the city's website – [www.cityofsparks.us](http://www.cityofsparks.us). Click on "city services" on the web page, then click on "volunteering get involved", then click on "City of Sparks volunteer application." Applications will be accepted until the close of business on November 1, 2015.

Council Member Bybee requested the City Manager bring forth a topic to consider community-wide support for Star Spangled Sparks an agenda item for the next concurrent meeting with Reno and Washoe County to discuss making it a regional effort.

Mayor Martini requested the City Manager include an item on the next agenda to allow Council to consider direction to staff to review the Sparks Municipal Code Title 15 requirement for certificates of qualifications for plumbers and electricians working on any project under a Sparks Building Permit and consider removing the language. Mayor Martini has been told the requirement is not currently enforced and staff focus is on the quality of work.

**14. Adjournment**

Council was adjourned at 3:20 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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