



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
2:00 P.M., Monday, July 8, 2013**

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, Ron Smith (via telephone), Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams and Acting City Clerk Donna DiCarlo, PRESENT.

ABSENT: Council Member Ed Lawson

Staff Present: Rich Brown, Jon Ericson, Brian Allen, Steve Driscoll, Adam Mayberry, Jeff Cronk, Jen McCall, Chris Syverson, Tracy Dominguez, Neil Krutz, Curtis Cho, Perla Tavera, Armando Ornelas, John Martini, Jim Rundle, Shauna Nelson, Tim Thompson, Karen Melby, Stacie Hemmerling, Trish Sebastian, Dave Vill, Michael Drinkwater, Tanja Ramociotti

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

The invocation was provided by Rajan Zed, President of the Universal Society of Hinduism.

Pledge of Allegiance (Time: 2:04 p.m.)

The Pledge of Allegiance was led by Council Member Ron Schmitt.

Comments from the Public (Time: 2:05 p.m.) - None

Approval of the Agenda (Time: 2:05 p.m.)

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

Mayor Martini suggested taking General Business Items 6.1 to 6.3 and 6.15 to 6.17 and to hold voting on General Business Items 6.4 to 6.14 until the closed door session is complete and items reviewed.

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

3. Recommendation to Approve Minutes of June 24, 2013 (Time: 2:06 p.m.)

3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for June 24, 2013

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the minutes of the Regular Meeting of June 24, 2013 as outlined by staff. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

4. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:06 p.m.)

4.1 Proclamation- Recreation and Parks Month (Time: 2:06 p.m.)

Mayor Geno Martini proclaimed July, 2013 as Recreation and Parks Month and called upon park and recreation supporters to recognize the importance of parks and recreation facilities and to learn more about how to support the places that bring our community a higher quality of life, safer places to play, and healthy alternatives through recreation programming for everyone.

The proclamation was received by Parks and Recreation Director Tracy Domingues.

5. Consent Items (Time: 2:08 p.m.)

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

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period June 6, 2013 through June 19, 2013 (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 and possible approval of reimbursement to the City of Reno in the amount of \$131,440.30 for Sparks' share of a bid awarded to Anchor Concrete by the City of Reno for upgrades to the concrete infrastructure 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 Anchor Concrete to perform concrete structural improvements at TMWRF. There is no impact to the general fund.

5.3 Consideration and possible approval of an Interlocal Agreement with the Nevada Department of Transportation granting temporary occupancy of City of Sparks right-of-way for maintenance of Intelligent Transportation Systems (ITS) installed specifically with the I-80, Robb Drive to Vista Boulevard - Design Build Project. (FOR POSSIBLE ACTION)

An agenda item from Transportation Manager Jon Ericson recommending Council approve the Interlocal Cooperative Agreement with the Nevada Department of Transportation to permit temporary occupancy of city right-of-way for maintenance of ITS infrastructure. There is no impact to the general fund.

5.4 Consideration and approval to renew the city's stop loss insurance with National Union Fire Insurance Company for the city's self-funded group medical benefits program for 2013/14. (FOR POSSIBLE ACTION)

An agenda item from Human Resource Senior Analyst Jen McCall recommending Council approve the purchase of stop loss insurance for \$338,820. The city self-funds its group medical benefits program. In order to protect the program from individual catastrophic medical claims exceeding \$225,000, the program purchases stop loss insurance which provides significant financial protection to the plan. Funds are available in the Health Insurance Fund.

5.5 Consideration and possible approval of Impact Fee Agreement #21 with C.B. Maddox to allow for participation and use of credits in the Service Area Number 1 Impact fee program. (FOR POSSIBLE ACTION)

An agenda item from Assistant Community Services Director John Martini recommending Council approve the agreement as submitted. Impact Fee Agreement #21 is a master agreement that will allow C.B. Maddox to participate in the impact fee program. This agreement has been reviewed by the Impact Fee administrator and the City Attorney's Office and has been found acceptable. There is no impact to the general fund.

5.6 Consideration and possible approval of a complement change in the Police Department of one Lieutenant to a Deputy Chief of Police. (FOR POSSIBLE ACTION)

An agenda item from Chief of Police Brian Allen recommending Council approve a complement change in the department of one Police Lieutenant to a Deputy Chief of Police. The Police Department currently has six Lieutenants with two assigned as Commanders. The Department is seeking to increase the number of Deputy Chiefs and eliminate the special assignment rank of Commander. Costs associated with this complement change will be covered by salary savings of current vacancies and elimination of special assignment pay.

6. General Business

6.1 Consideration and possible acceptance of a United States Department of Justice, Justice Assistance Grant and interlocal agreement between the City of Reno City of Sparks, and Washoe County, delegating the dispersion of Justice Assistance Grant funds. (FOR POSSIBLE ACTION) (Time: 2:10 p.m.)

An agenda item from Chief of Police Brian Allen recommending Council approve the United States Department of Justice, Justice Assistance Grant in the amount of \$28,951.40 and the interlocal agreement with the City of Reno and Washoe County. This agreement will provide for the distribution of grant funds and designate the City of Reno as the fiscal agent for the grant. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve the United States Department of Justice, Justice Assistance Grant in the amount of \$28,951.40 and the interlocal agreement with the City of Reno and Washoe County. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6.2 Consideration and possible acceptance of a donation from the State of Nevada-Enforcing Underage Drinking Laws Grant in the amount of \$9000.00. (FOR POSSIBLE ACTION) (Time: 2:11 p.m.)

An agenda item from Chief of Police Brian Allen recommending Council accept the Grant donation. The State of Nevada Division of Child and Family Services has made available \$9000 to the Sparks Police Department to reduce underage drinking by conducting alcohol sale compliance checks, controlled juvenile party dispersal and special event control. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve the United States Department of Justice, Justice Assistance Grant in the amount of \$28,951.40 and the interlocal agreement with the City of Reno and Washoe County. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6.3 Review and possible approval of The Children's Cabinet, Inc. Memorandum of Agreement in the amount of \$29,700.00 effective July 1, 2013 to June 30, 2014. (FOR POSSIBLE ACTION) (Time: 2:12 p.m.)

An agenda item from Recreation Supervisor Shauna Nelson recommending Council accept the agreement as outlined by staff. The Children's Cabinet, Inc. awards funding based on applications from various agencies. The MOA is renewed annually. The Parks and Recreation Department qualifies and the MOA is for the performance of Before and After School Programs in compliance with the Department of Human Resources Welfare Division regulations and Children's Cabinet for a total amount not to exceed \$29,700.00. This is the same amount received in FY12/13. There is no impact to the general fund.

Parks and Recreation Supervisor Shauna Nelson introduced Parks and Recreation Specialist Tanja Ramociotti. Council Member Ratti thanked the Children's Cabinet for the work they do in subsidizing child care in the community.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to accept the 2013/2014 Memorandum of Agreement with The Children's Cabinet, Inc. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6.4 Consideration and possible approval of Resolution #3240, designating certain employees as Assistant, Senior Assistant, and Chief Assistant City Attorney; providing salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions related to these employees; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:13 p.m.)

Assistant City Manager Steve Driscoll presented an overview of labor negotiations and subsequent recommendations:

- Mr. Driscoll served as Chief Negotiator throughout the time of negotiations with all bargaining units. He thanked the team including City Manager Shaun Carey, Deputy City Manager for Community Services Neil Krutz, Employee and Customer Relations Manager Chris Syverson, outside labor council Charlie Cockerill, and Financial Services Director Jeff Cronk. Mr. Driscoll also thanked support staff including Assistant City

Attorney Shirle Eiting, Budget Administrator Stacie Hemmerling, Human Resources Senior Analyst Mindy Falk and the entire Human Resources staff.

- Each of the proposed recommendations will be addressed individually to comply with changes in the collective bargaining law.
- Council has been presented 11 agreements representing all pay resolutions and collective bargaining agreements, with the exception of the Sparks Police Protective Association Lieutenants Unit, which has a tentative agreement in place. That agreement will be presented at a future Council meeting.
- Across the board the 11 agreements are prospective, with no retroactive payments recommended. The proposed effective date is July 1, 2013. The goal is to give back to employees the amounts they gave up.
- The PERS rate increase sharing component of 2011 will be eliminated, providing a slight pay table increase.
- Longevity benefit will now be paid no later than the Wednesday before Thanksgiving, instead of the first week of December.
- All employee groups have been provided the opportunity to make recommendations for the health care plan to include changes to spending on individual purchasing decisions.
- Uniform and holiday pay allowances will be restored, replacing what was given up.
- Special assignment pay and market adjustments have been recommended.
- NRS 288.153 in 2009 session states Mr. Driscoll is to point out and clarify any changes in collective bargaining agreements going forward and if there is a financial consequence and he will do so with each of the 11 items before the Council.

Council Member Mike Carrigan asked the duration of the contracts under consideration. Mr. Driscoll said the contract period is July 1, 2012 through June 30, 2015; for two years looking forward.

Council Member Ron Schmitt noted this proposal is before the Council eight days into the budget period, requiring an additional \$1.7M from the general fund and approximately \$800K from all other funds. Mr. Schmitt said the options he sees are to tap into the budget to the state mandated minimums which would put the City into receivership and/or reorganization of the City, up to and including lay-offs. Mr. Schmitt reiterated the City needs to come up with \$1.7M in cost reductions in the next 12 months in order to pay for the proposed return of salary concessions.

Mayor Martini said the \$1.7M could be realized by increases in revenues and not by cuts and layoffs. Mr. Driscoll said Project Innovations and fee programs adopted by the City should increase revenues, while decreasing expenses. No tax increases are proposed to pay for the recommendations.

Council Member Ron Schmitt asked for a definition of the balanced budget requirement. Financial Services Director Jeff Cronk said the statute indicates the general fund cannot be reduced to augment purchases, with several exceptions. One of those exceptions is an agreed upon contractual agreement with employees. Under this term, budget fluctuations are allowed. The City is not required to report this action to the State.

Council Member Julia Ratti asked if a budget change was necessary since the budget has already been submitted, and the proposed salary returns would be line item changes. Mr. Cronk

confirmed the ending 2014 budget would reflect "line item over expenditures" in the salary categories; it would not be a violation because it would be an employee contract.

Council Member Mike Carrigan asked for confirmation of the ending fund balance for the fiscal year now being closed. Mr. Cronk said the ending fund balance is at 6.6% and if it comes in higher, which it looks like it will, the overage will roll over to the next fiscal year.

Agenda item 6.4 from Employee and Customer Relations Manager Chris Syverson recommended Council approve Resolution #3240 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund listed on the fiscal impact statement attached to the staff report is \$12,001; however, the actual impact is \$24,000.

Assistant City Manager Steve Driscoll stated that changes in DUI laws now require City staff to be on hand at the jail on a regular basis to perform mandatory blood draws and there is an additional on-call premium to compensate in the amount of \$24,000.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve Resolution #3240. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.5 Consideration and possible approval of Resolution #3241, designating certain employees as Executive; providing salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions related to these employees; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:36 p.m.)

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council approve Resolution #3241 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$84,605 and \$22,999 to other funds per the fiscal impact statement attached to the staff report.

Assistant city Manager Steve Driscoll said this is a concession for department heads to return 7.5% salary and salary-driven benefits and the elimination of the PERS rate increase split.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve Resolution #3241. A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve Resolution #3240. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.6 Consideration and possible approval of Resolution #3242, designating certain employees as Deputy Police Chief; providing salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions related to these employees; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:38 p.m.)

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council approve Resolution #3242 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$5,016 per the fiscal impact statement attached to the staff report.

City Manager Steve Driscoll said this item relates to one Deputy Policy Chief employee. No salary concessions were given; therefore none will be replenished. The PERS split and a deferred comp match affects the general fund.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve Resolution #3242. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.7 Consideration and possible approval of Resolution #3243, designating certain employees as Management, Professional and Technical; providing salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions related to these employees; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:39 p.m.)

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council approve Resolution #3243 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$267,898 and \$261,909 to other funds per the fiscal impact statement attached to the staff report.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan to approve Resolution #3243. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.8 Consideration and possible approval of Resolution #3244, designating certain employees as Confidential; providing salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions related to these employees; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 3:41 p.m.)

An agenda item from Employee and Customer Relations Manager Chris Syverson recommending Council approve Resolution #3244 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$31,223 and \$7,953 to other funds per the fiscal impact statement attached to the staff report.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve Resolution #3244. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.9 Consideration, discussion, and possible approval of the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit for the period July 1, 2012 through June 30, 2015. (FOR POSSIBLE ACTION) (Time: 3:41 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit. The fiscal impact to the general fund is \$36,510 and \$104,802 to other funds per the fiscal impact statement attached to the staff report.

Assistant City Manager Steve Driscoll presented a recap of the proposed considerations and salary concessions:

- Replace the 6% salary concessions
- Health plan changes
- Change in longevity timing
- PERS increase split
- Annual leave balances
- Sick leave time changes

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit for the period of July 1, 2012 through June 30, 2015. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.10 Consideration, discussion, and possible approval of the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Nonsupervisory Unit for the period July 1, 2012 through June 30, 2015. (FOR POSSIBLE ACTION) (Time: 3:43 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Non-Supervisory Unit for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$294,231 and \$426,939 to other funds per the fiscal impact statement attached to the staff report.

Assistant City Manager Steve Driscoll said this is the largest employee unit in the city. The concessions are similar to those presented in 6.9 and include:

- Return of 6% in salary concessions
- Changes in longevity payment dates
- Allows for potential of medical cost shifts
- Allows for elimination of the 50/50 increases in future PERS contributions

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Non-Supervisory Unit for the period July 1, 2012 through June 30, 2015. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.11 Consideration, discussion and possible approval of a bargaining agreement between the City of Sparks and the Sparks Fire Chief Officers Unit. (FOR POSSIBLE ACTION) (Time: 3:45 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the bargaining agreement between the City of Sparks and the Sparks Fire Chief Officers Unit for the contract period of July 1, 2012 through June 30, 2013. There is no impact to the general fund.

Assistant City Manager Steve Driscoll said this item affects the Fire Department Battalion Chiefs and maintains status quo; this group made no financial concessions. The group would be included in any medical discussions as other groups.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan to approve the bargaining agreement between the City of Sparks and the Sparks Fire Chief Officers unit for the contract period of July 1, 2012 through June 30, 2013. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.12 Consideration, discussion and possible approval of a bargaining agreement between the City of Sparks and the IAFF Local 1265. (FOR POSSIBLE ACTION) (Time: 1:47 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the bargaining agreement between the City of Sparks and the IAFF Local 1265 for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$593,264 and \$7,705 to other funds per the fiscal impact statement attached to the staff report.

Assistant City Manager Steve Driscoll said this item is for the fire fighters and includes:

- Return 6.5% pay concessions
- Change in longevity
- Return the uniform allowance
- Allows group to participate in any health care savings which may become available

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the bargaining agreement between the City of Sparks and the IAFF Local 1265 for the contract period of July 1, 2012 through June 30, 2015. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.13 Consideration, discussion and possible approval of a bargaining agreement between the City of Sparks and the Sparks Police Protective Association, Sergeants Unit. (FOR POSSIBLE ACTION) (Time: 3:48 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the bargaining agreement between the City of Sparks and the Sparks Police Protective Association, Sergeants Unit for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$67,014 per the fiscal impact statement attached to the staff report.

Assistant City Manager Steve Driscoll explained the item for the Sergeants Unit:

- Return of 2.5% pay concessions
- Special pay for narcotics unit
- Change of longevity payment
- Health care benefit
- Return of holiday pay for everyone in the organization
- 1% market comparison for sergeants. This number will be clarified and provided to Council if adjustment is needed.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the bargaining agreement between the City of Sparks and the Sparks Police Protective Association, Sergeants Unit for the contract period of July 1, 2012 through June 30, 2015. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

6.14 Consideration, discussion and possible approval of a bargaining agreement between the City of Sparks and the Sparks Police Protective Association, NonSupervisory Unit. (FOR POSSIBLE ACTION) (Time: 3:51 p.m.)

An agenda item from Assistant City Manager Stephen Driscoll recommending Council approve the bargaining agreement between the City of Sparks and the Sparks Police Protective Association, NonSupervisory Unit for the period of July 1, 2012 through June 30, 2015. The fiscal impact to the general fund is \$321,031 per the fiscal impact statement attached to the staff report.

Assistant City Manager Steve Driscoll said this item is for the largest group in the police department and includes:

- Return of 2.5% pay concession
- Special pay concession for two members assigned to the consolidated gang unit
- Change in longevity date
- Health insurance component
- Holiday pay reinstatement

Council Member Ratti thanked the bargaining units and all who gave up monies and other benefits. Ms. Ratti said she is gratified a path has been found to getting back what was given up and especially so that any retroactive monies were taken off the table. She said the concessions made across the board, and early in the economic downturn helped to keep the City afloat during these economic times. Council Member Carrigan likewise thanked all participants on both sides of the table.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve the bargaining agreement between the City of Sparks and the Sparks Police Protective Association, NonSupervisory Unit for the contract period of July 1, 2012 through June 30, 2015. Council Members Ratti, Smith, Carrigan, YES. Council Member Schmitt, NO. Council Member Lawson, ABSENT. Passed 3 to 1.

Assistant City Manager Steve Driscoll thanked Mayor Martini, the Council, the bargaining units who were professional, timely, respectful, and prepared during the 18 months of negotiations. Mr. Driscoll would be pleased to serve as the chief negotiator in future negotiations.

Mayor Geno Martini thanked Mr. Driscoll and his entire team for their efforts. Mayor Martini thanked the employees for sticking with the City of Sparks and going through the bad times and through the better times he believes are coming. He recognized the difficulties for employees as well as the Council while dealing with the recession.

6.15 Consideration and possible award of the 2014 Street Rehabilitation – Unit 1, Bid No. 13/14-001, PWP-WA-2013-265 to Spanish Springs Construction, in the amount of \$732,444. (FOR POSSIBLE ACTION) (Time: 2:14 p.m.)

An agenda item from Transportation Manager Jon Ericson recommending Council award the 2014 Street Rehabilitation bid to Spanish Springs Construction. The project was prioritized through the city's Pavement Management System and outlined in the 5 year Program of Projects. There is no impact to the general fund.

Transportation Manager John Erickson recommended approval of the low bid to Spanish Springs Construction for the project which includes five segments at Vista Drive, Sageview Drive, Paisley Court, Sell Street and Thornton Street to remove and replace curbs, gutters, sidewalks, driveways and asphalt.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to award the 2014 Street Rehabilitation Unit 1 project to Spanish Springs Construction, in the amount of \$732,444. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6.16 Consideration and possible approval of Payment of \$85,008 to F&M Properties for a Temporary Construction Easement and a Storm Drain Pipeline Easement on Assessor's Parcel Numbers 34-172-08 and 34-172-17 for the North Truckee Drain Phase 1 Project. (FOR POSSIBLE ACTION)
(Time: 2:16 p.m.)

An agenda item from Utility Manager Andrew Hummel recommending Council approve the payment to F&M Properties for a Temporary Construction Easement and a Storm Drain Pipeline Easement. There is no impact to the general fund.

City Engineer John Martini highlighted the properties involved and recommended approval of payment for the temporary easements for the two properties. Mr. Martini confirmed this is money we have in the bank for the river flood fees. Council Member Schmitt asked for an estimate of the city's obligation for all the easements involved in the project. Contract Property Agent David Vill estimated it will be approximately \$1M to obtain all necessary easement rights for the properties involved (about 15 properties) as it will take about five years to complete the project. Mayor Martini asked for clarification if the city is in a partnership with the Corps of Engineers on the project and will the city get credit for the project. John Martini will research and report back.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to approve the payment to F&M Properties for easements for the North Truckee Drain Phase 1 Project. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

6.17 Consideration and possible direction to initiate an amendment to Title 20.43 considering the size of an accessory structure and when a building permit is required. (FOR POSSIBLE ACTION) (Time: 2:21 p.m.)

An agenda item from Senior Planner Jim Rundle recommending Council initiate a code amendment to Title 20 to consider the size of an accessory structure and when a building permit is required. The City of Sparks recently adopted the 2012 International Building Code (IBC). The former building code was consistent with the Zoning code (Title 20) in that both required a building permit for an accessory structure (i.e. sheds) when the roof area exceeded 120 square feet. The "new" IBC does not require a building permit for an accessory structure until the roof area exceeds 200 square feet. It may be appropriate to initiate a code amendment to the Zoning Code (Title 20) to reestablish consistency between the two codes. There is no impact to the general fund.

Senior Planner Jim Rundle asked for approval for staff to move forward with code amendment.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to direct staff to initiate a code amendment to Title 20 (zoning code) of the Sparks Municipal Code to consider the size of an accessory structure and when a building permit is required and providing other matters properly relating thereto. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

7. Public Hearing and Action Items Unrelated to Planning and Zoning – None

8. Planning and Zoning Public Hearings and Action Items

8.1 PCN13009, Consideration of and possible action on a Special Use Permit to allow outdoor storage of hazardous materials on a site 7.3 acres in size in the I (Industrial) zoning district located at 706 E. Glendale Ave., Sparks, NV. (FOR POSSIBLE ACTION) (Time: 2:23 p.m.)

An agenda item from BioSafe Systems, LLC and Senior Planner Karen Melby recommending Council approve the Special Use Permit to allow an outdoor storage of hazardous materials on a site. BioSafe is proposing to install two 9,500 gallon tanks to hold acetic acid and two 9,500 gallon tanks to hold hydrogen peroxide. There is no impact to the general fund.

Senior Planner Karen Melby presented for the Planning Commission, which recommends approval of the permit with nine conditions. Staff has received two letters opposing the project from people concerned about the products to be stored in the tanks. On behalf of the Applicant, Rubicon Design Group's Derrick Wilson provided information about the properties of the materials to be stored in the tanks and said the chemicals are similar in nature to diesel fuel.

Public Hearing opened at 1:29 p.m. - There were no comments from the public.

Public Hearing closed at 1:29 p.m. – Item returned to Council for action.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the Special Use Permit associated with PCN13009, adopting Findings S1 through S6 and the facts supporting these Findings as set forth in this staff report, subject to the conditions of approval 1 through 9 as listed in this staff report. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

8.2 PCN13011, Consideration and possible approval for a request for tentative approval of an amendment to the Galleria Station Planned Development Handbook to allow for detached single family residential dwellings within the undeveloped portion (phase 2), including associated lot and setback requirements, design standards, and other matters properly relating thereto on a site 24.8 acres in size located in the NUD (New Urban District – Galleria Station) zoning district generally located northeast of the intersection of Galleria Parkway and Costa Azul Drive, Sparks, NV. (FOR POSSIBLE ACTION)

An agenda item from Lewis Investment Company of Nevada, LLC and Senior Planner Tim Thompson recommending Council approve the amendment to the Galleria Station Planned Development Handbook to allow for detached single family residential within Phase 2 of the

project. The original development plan called for 270 condominium units. Phase 1 has been partially constructed and will eventually consist of 115 condominium units. Due to economic conditions, development of the project has ceased for a number of years. The owner of the phase 2 property is seeking this amendment to allow for the construction of a product type which they believe is viable given current market conditions. The Planning Commission also recommends approval. There is no impact to the general fund.

Senior Planner Tim Thompson provided additional details on the proposed amendments and recommended granting tentative approval.

Louis Investment Company Vice President Ted Ericson spoke on behalf of the Applicant, and said their January meeting addressing changes to the handbook was well attended and warmly received. All the standards applying to the condos will remain as is. The condo village and the single family residence village will each maintain their own homeowner associations.

Public Hearing opened at 2:37 p.m. - There were no comments from the public.

Public Hearing closed at 2:37 p.m. – Item returned to Council for action.

A motion was made by Council Member Schmitt, seconded by Council Member Carrigan, for tentative approval of an amendment to the Galleria Station Planned Development Handbook associated with PCN13011, adopting Findings PD1 through PD21 and the facts supporting those findings as set forth in the staff report. The tentative approval includes that the applicant shall file for final approval of the planned development within one (1) year from the date of the City Council granting tentative approval of the planned development handbook. Due to the nature of the tentative planned development, the Planning Commission did not recommend that the City Council require a bond at this time as stated in NRS 278A.490. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

9. Closed Door Sessions - (Time: 2:39 p.m.)

9.1 Consideration and possible motion to adjourn to a closed door session as provided in NRS 288.220 to receive information from management representatives. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager Steve Driscoll recommending Council conduct a closed door session so management representatives may provide the City Council with information related to labor negotiations.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to recess to a closed door labor session per NRS 288.220. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, ABSENT. Passed unanimously with those present.

10. Comments

10.1 Comments from the Public (Time: 3:55 p.m.) - None

10.2 Comments from City Council and City Manager (Time: 3:55 p.m.) - None

11. Adjournment (Time: 3:56 p.m.)
Council was adjourned at 3:56 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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