



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, July 13, 2015
City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

1. Call to Order (Time: 2:01 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:01 p.m.

2. Roll Call (Time: 2:01 p.m.)

Mayor Geno Martini, Council Members Julia Ratti (phone), Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and Assistant City Clerk Donna DiCarlo, PRESENT.

ABSENT: None

3. Opening Ceremonies

3.1 Invocation Speaker (Time: 2:02 p.m.)

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

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

The Pledge of Allegiance was led by Council Member Bybee.

4. Public Comment (Time: 2:04 p.m.) - None

5. Approval of the Agenda (Time: 2:04 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, Bybee, Schmitt, YES. Passed unanimously.

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

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of June 22, 2015. (FOR POSSIBLE ACTION)

A motion was made by Council Member Bybee, seconded by Council Member Smith to approve the minutes of the regular Sparks City Council meeting on June 22, 2015. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

7. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:05 p.m.)

7.1 Summary of the 78th Session of the Nevada Legislature (Time: 2:05 p.m.)

City of Sparks' Community Relations Manager Adam Mayberry and President of Carrera Nevada Rocky Finseth gave a wrap-up of the 78th Nevada Legislative session. Adam spoke to the items that will directly affect the City of Sparks.

7.2 Presentation from the Executive Director of the Nevada League of Cities & Municipalities on the 78th Session of the Nevada Legislature and other League business (Time: 2:28 p.m.)

Nevada League of Cities & Municipalities Executive Director Wes Henderson presented information on the 78th session of the Nevada Legislature Mr. Henderson gave an overview of what passed and what did not pass this Legislature. He also discussed highlights of the upcoming Nevada League of Cities and Municipalities Conference coming up in October in West Wendover.

7.3 Commendations for Brandon Miles, Mark Reynolds, David Breese (Time: 2:37 p.m.)

Mayor Martini commended City of Sparks' Park Maintenance employees Brandon Miles, Mark Reynolds and David Breese for their continued service to the City of Sparks and for their vigilance and response during a dire situation when they assisted a bicyclist with a potentially fatal injury.

8. Consent Items (For Possible Action) (Time: 2:40 p.m.)

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve the consent items 8.1 and 8.3 through 8.5. Consent item 8.2 was pulled for discussion. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period June 4, 2015 through June 24, 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 acceptance of a \$7,007.75 donation from LUX Dynamics of electrical light fixtures for park buildings within the City of Sparks. (FOR POSSIBLE ACTION) (Time 2:41 pm)

An agenda item from Assistant Director of Community Services John Martini and presented by Capital Projects Manager Brian Cason recommending Council accept the donation of 13 new "down-shot" light fixtures for use in storage, utility and workshop locations from LUX Dynamics valued at \$7,007.75. John and Danniell McCarty were thanked for their donation and for being so helpful, especially during the Alf Sorensen project.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to accept the \$7007.75 donation from LUX Dynamics. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

8.3 Consideration and possible approval of the Sparks Police Department ID Counter Remodel Project, to J & S Custom Homes, Inc., in the amount of \$64,244.00. (FOR POSSIBLE ACTION)

An agenda item from Assistant Director of Community Services John Martini and presented by Capital Projects Manager Brian Cason recommending Council approve the project which will include select demolition of office space; new wall framing and cabinet work; level 3 bullet resistance at the counter; and modification of electrical systems and lighting to improve safety in the ID Section of the Police Station. Funds are available in the CIP; there is no impact to the general fund.

8.4 Consideration and possible approval of an agreement with Applied Soil Water Technologies for a hydro-geologic investigation for a proposed Rapid Infiltration Basin for the Truckee Meadows Water Reclamation Facility in the amount of \$105,550, with the City of Sparks' share \$33,111.04. (FOR POSSIBLE ACTION)

An agenda item from Deputy City Manager of Community Services Neil Krutz and presented by TMWRF Plant Manager Michael Drinkwater recommending Council approve the agreement. The proposed Rapid Infiltration Basin will serve as an alternative disposal, allowing the treatment plant to divert some of the effluent away from the Truckee with a corresponding reduction in the total amount of nitrogen discharged. Funds are available in the CIP; there is no impact to the general fund.

8.5 Consideration and possible approval of reimbursement to the City of Reno in the amount of \$90,282.86 for Sparks' share of a construction bid award to Farr Construction Corp. by the City of Reno for Truckee Meadows Water Reclamation Facility (TMWRF) Clarifier 1B Basin Concrete and Steel Rehabilitation Project. (FOR POSSIBLE ACTION)

An agenda item from Deputy City Manager of Community Services Neil Krutz, TMWRF Plant Manager Michael Drinkwater and presented by TMWRF Maintenance Manager Kim Laber recommending Council approve Sparks' share of the contract to address the priority need of surface repairs to include grout repair, treatment to coatings on metal surfaces, replacement of sealant system, and replacement of the steel roller wearing plate around the perimeter of the tank wall. Funds are available in the CIP; there is no impact to the general fund.

9. General Business

9.1 Discussion and possible approval of the 2015-16 dues for the Nevada League of Cities & Municipalities (NVLCM) in the amount of \$20,150.78. (FOR POSSIBLE ACTION) (Time: 2:43 p.m.)

An agenda item from City Manager Steve Driscoll and presented by Community Relations Manager Adam Mayberry recommending Council approve the FY2015-16 dues for the NVLC&M. Membership to the NVLC&M supports the city in fulfilling its adopted state legislative platform. The advocacy on behalf of the League, along with sharing of information, is a benefit and important component in monitoring and advocating for or against applicable legislation. By speaking in a unified voice, Nevada Cities are more effective in achieving a positive legislative outcome. Additionally, The NVLC&M offers a number of learning opportunities to interact with other elected officials throughout the state. Sparks Mayor Geno Martini currently serves on the Executive Board of the NVLCM as the Secretary/Treasurer. Funds are budgeted in

the FY15-16 general fund budget. Nevada League of Cities & Municipalities Executive Director Wes Henderson briefly spoke regarding payment of dues by the City of Reno.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the 2015-16 dues for the Nevada League of Cities & Municipalities in the amount of \$20,150.78. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.2 Consideration and possible acceptance of a State of Nevada Attorney General's Victim of Crime Act grant in the amount of \$46,369 to fund a Victim Advocate position. (FOR POSSIBLE ACTION) (Time: 2:45 p.m.)

An agenda item from Police Chief Brian Allen recommending Council approve and accept the Attorney General's Victim of Crime Act grant. Adam Laxalt, the Attorney General of the State of Nevada, has initiated a victim services pilot project grant program in Washoe County. The Sparks Police Department was invited to participate and if accepted will receive matching funding from the program to make available a second Victim Advocate at the Sparks Police Department. Funds are budgeted in the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Schmitt, to approve and accept the State of Nevada Attorney General's Victim of Crime Act grant in the amount of \$46,369 to fund a Victim Advocate position. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.3 Consideration, discussion and possible approval of a complement change to add one Police Sergeant and remove one Police Officer position. (FOR POSSIBLE ACTION) (Time: 2:48 p.m.)

An agenda item from Police Chief Brian Allen and Administrative Services Director Chris Syverson recommending Council approve the complement change. Currently there is a special assignment of Grant Administrator assigned to one Police Officer. The Police Department has a need operationally and for future planning to take the duties in the special assignment of Grant Administrator and combine them with other administrative duties. The new assignment would best be accomplished at the Police Sergeant level. This requires the addition of one Police Sergeant and removal of one Police Officer position from the complement. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve to change the complement at the Police Department to add one Police Sergeant and to remove one Police Officer. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.4 Consideration and possible award of a contract for the 2016 Street Rehabilitation – Unit 1, Bid No. 15/16-001, PWP-WA-2015-182 to Sierra Nevada Construction, in the amount of \$1,080,007. (FOR POSSIBLE ACTION) (Time: 2:53 p.m.)

An agenda item from Assistant Community Services Director John Martini and presented by Transportation Manager Jon Ericson recommending Council award the project to Sierra Nevada Construction. This project is part of the City's Transportation System - Pavement Management Program. The project was prioritized through the City's Pavement Management System and outlined in the 5 year Program of Projects. Funds are budgeted in the CIP.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to award the 2016 Street Rehabilitation – Unit 1, Bid No. 15/16-001, PWP-WA-2015-182 to Sierra Nevada Construction, in the amount of \$1,080,007. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.5 Consideration of and possible approval of Professional Service Contracts with Robert Bell and John L. Marshall to serve, on an on-call basis, as the City's Administrative Hearing Officers. (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)

An agenda item from City Planner Armando Ornelas recommending Council approve the proposed contracts. In January, 2015, the City Council adopted Ordinance 2507 amending Chapter 2 of the Sparks Municipal Code to provide code enforcement officers and other appropriate city officials (e.g., police officers, building official, city manager) the authority to issue and record notices of violation, issue civil citations and fines, and, if the violation is not corrected, lien properties. The ordinance established minimum requirements for administrative enforcement and adjudication procedures and provides for an administrative hearing and appeal process. These professional services contracts for Robert Bell (primary) and John L. Marshall (as back-up) allow for them to serve as administrative hearing officers and conduct administrative hearings for appeals of code enforcement officials' actions. Costs are estimated to be \$19,320 and funds are budgeted in the general fund. Mr. Bell spoke, giving an overview of his experience that he will be bringing to this position.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the professional services contracts with Robert Bell and John Marshall. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.6 Consideration and possible approval of an agreement to cooperate to sale Washoe County Assessor's Parcel Number 514-081-01, an approximately 1.2 acre parcel of city owned property, in conjunction with Washoe County Assessor's Parcel Number 516-281-03, an approximately 3 acre parcel owned by David L. Hurt. (FOR POSSIBLE ACTION) (Time: 3:00 p.m.)

An agenda item from Senior Planner Ian Crittenden recommending enter into the agreement to cooperate in the sale of city owned property with David L. Hurt. This agreement allows a prospective buyer that is currently in negotiations with Hurt to perform their due diligence, pursue land use entitlements, and enter into a Purchase and Sale agreement with the city during the term of this agreement. Hurt and the city agree to only sale their respective properties jointly or not at all during the term of this agreement.

The joint sale of these properties is in the best interest of the city because of the size, layout and location of the properties, primarily because access to the Hurt property is across the city property. Selling the properties jointly to a common buyer will permit greater utilization of both properties and maximize the site's development potential. The sale would produce proceeds for the city. Council Member Schmitt wants the city to prepare to sell the property ourselves if this deal falls through.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve the agreement to cooperate in the sale of city owned property with David Hurt. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.7 Consideration and Possible Approval of a Settlement and Severance Package between the City of Sparks and Ginny Sievert Regarding Disputed Litigation. (FOR POSSIBLE ACTION) (Time: 3:07 p.m.)

An agenda item from Senior Assistant City Attorney Doug Thornley recommending Council authorize the payment of a settlement in the amount of \$194,704 to Mr. Frank Gilmore, Esq. and his client. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Bybee, based on recommendation of attorney, to approve the settlement of the litigation brought by Mr. Frank Gilmore, Esq. on behalf of his client, for up to \$194,074. Council Members Ratti, Smith, Bybee, YES. Council Members Lawson, Schmitt, NO. Passed 3-2.

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

10.1 Public hearing and possible approval Resolution No. 3285 for the sale by the Redevelopment Agency of the City of Sparks of eight parcels totaling approximately 4.083 acres located within the Victorian Square project area and having Assessor's Parcel Numbers 032-341-24, 032-341-25, 032-135-13, 032-135-25, 032-134-14, 032-135-09, 032-341-22 and 032-341-23 to SWD-Quarry FVS, LLC. This agenda item also provides for the consideration of and possible approval by the City Council of a Disposition and Development Agreement (AC #5172) between the Redevelopment Agency, the City and SWD-Quarry FVS, LLC. (FOR POSSIBLE ACTION) (Time: 3:15 p.m.)

An agenda item from City Planner Armando Ornelas recommending Council continue this item to July 27, 2015. Per state law, the Sparks Redevelopment Agency's sale of property requires that notice of the public hearing be published in the Reno Gazette Journal. The published notice included an incorrect digit for one of the parcel numbers. The City Attorney has advised, and the City Manager concurs, that the City Council should open the public hearing for this item on July 13th but not take any action until a corrected notice is published.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to continue this item to the July 27, 2015 City Council meeting. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

11. Planning and Zoning Public Hearings and Action Items

11.1 PCN14039 - Consideration of and possible action on a request for abandonment of the Kiley Ranch Northeast Golf Community Planned Development approved by City Council on October 13, 2003 for a site approximately 279 acres in size in the NUD (New Urban District) zoning district located north of the Spanish Springs Diversion Dam along the eastern and western sides of Vista Boulevard, east of Kiley Ranch North Planned Development and south of the Pioneer Meadows Planned Development, Sparks, NV. (FOR POSSIBLE ACTION) (Time: 3:17 p.m.)

An agenda item from Senior Planner Karen Melby recommending Council approve the abandonment. The Planning Commission reviewed the abandonment request on June 18, 2015

and recommends that the City Council approve of the abandonment of the Kiley Ranch Northeast Golf Communities Planned Development.

The Kiley Northeast Golf Community Planned Development Handbook was approved by City Council on October 13, 2003. The intent of the handbook was to develop the approximately 279 acres of land into 338 residential units, a municipal golf course and open space. The central feature of the planned development was to be a golf course. After approval of the handbook, the City of Sparks determined it would not develop the golf course. As a result, there has been no development or improvements and the parcels remain vacant. The open space (wetlands) is owned by the Kiley Ranch Preservancy Foundation. There is no impact to the general fund.

Public comment was given by Lois Brown in support of this to not be a golf course.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the abandonment request of the Kiley Northeast Golf Communities Planned Development associated with PCN14039, based on the facts as set forth in this staff report. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

12. Closed Door Sessions – 3:30

Administrative Services Director Chris Syverson updated Council on collective bargaining/labor negotiations.

13. Comments

13.1 Comments from the Public (Time: 3:23 p.m.) None

13.2 Comments from City Council and City Manager (Time: 3:24 p.m.)

Council Member Bybee thanked all of the amazing staff that responded to all the flash flooding.

14. Adjournment

Council was adjourned at 3:24 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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