



MAYOR
Geno Martini

CITY COUNCIL
Julia Ratti, Ward 1
Ed Lawson, Ward 2
Ron Smith, Ward 3
Mike Carrigan, Ward 4
Ron Schmitt, Ward 5

CITY ATTORNEY
Chet Adams

REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, July 23, 2012

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 2:01 p.m.

2. Roll Call (Time: 2:02 p.m.)

PRESENT: Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt (via telephone), Assistant City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Linda Patterson

ABSENT: City Manager Shaun Carey

STAFF PRESENT: Kim Laber, Mark Bowman, Bob King, Dave Brandt, Dan Marran, Chris Cobb, Steve Keefer, Heidi Shaw, Jim Rundle, John Martini, Neil Krutz, Jeff Cronk, Adam Mayberry, Dave Vill, Armando Ornelas, Donna Di Carlo, Tim Thompson

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

The invocation was given by Sparks City Clerk, Linda Patterson.

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

The Pledge of Allegiance was led by Steve Driscoll.

Comments from the Public (Time: 2:03 p.m.)

Cathy Brandhorst expressed her concern with criminal activity.

Approval of the Agenda (Time: 2:06 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 Carrigan, seconded by Council Member Smith, to address item 6.3 after the Redevelopment Agency Meeting. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES; passed unanimously.

3. Recommendation to Approve Minutes (Time: 2:08 p.m.)

3.1 Consideration and Possible Approval of the minutes of the regular Sparks City Council meeting of July 9, 2012 (FOR POSSIBLE ACTION)

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve the minutes of the regular meeting of July 9, 2012 as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES; passed unanimously.

4. Announcements, Presentations, Recognition Items and Items of Social Interest (Time: 2:08 p.m.)

None

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

Council Member Smith pulled Item 5.2 for consideration. A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve Consent Items 5.1 and 5.3 through 5.9. 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 June 21, 2012 through July 04, 2012 (FOR POSSIBLE ACTION)

An agenda item by Finance Director Jeff Cronk recommending approval of the Report of Claims and Bills as presented in the staff report.

5.2 Consideration and Possible Approval to award Bid #11/12-041 for Clarifier Rehabilitation to Lindell's Painting Service at a unit cost of \$113,831.00/Clarifier (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Kim Laber recommending approval of a contract with Lindell's Painting Service at a unit price of \$113,831 to perform preventative maintenance and clarifier rehabilitation on primary and secondary clarifier equipment. Previous cost percentage is 68.63% for the City of Reno, anticipated reimbursement of \$78,122.22 per unit. City of Sparks' share is 31.37%, anticipated cost of \$35,708.78 per unit. There is no general fund impact.

Council Member Smith disclosed his daughter works for Lindell's Painting Service, but that neither she nor he will benefit from this bid; therefore, he will be voting on the item. City Attorney Adams reported he previously spoke to Council Member Smith and it was the opinion of the City Attorney's Office that Council Member Smith can vote on this item. A motion was made by Council Member Smith, seconded by Council Member Carrigan, to award Bid #11/12-041 for Clarifier Rehabilitation to Lindell's Painting Service, at a unit cost of \$113,831.00 per Clarifier. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES; passed unanimously.

5.3 Document Destruction. Approval of and 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 EIMS Coordinator Donna DiCarlo recommending approval of and the destruction/disposal of original building plans and associated documents that have been microfilmed. NRS 239.051 allows for the destruction/disposal of original building plans and associated 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 this 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 general fund impact.

5.4 Consideration and Possible Approval of Bid #11/12-039, PWP #WA-2012-294, Municipal Court Courtroom Renovation Project, to Reyman Brothers Construction, Inc. in the total amount of \$364,200 (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Chris Cobb recommending approval of a contract with Reyman Brothers Construction, Inc. in the total amount of \$364,200. The courtrooms at the Sparks Municipal Court are outdated, lack functionality and are not ADA compliant. This project will improve safety, efficiency, lighting, functionality, and provide ADA accessibility for the two courtrooms. There is no general fund impact.

5.5 Consideration and Possible Approval of the purchase of portable radios and associated equipment from Dailey-Wells Communications in the amount of \$379,463.75 (FOR POSSIBLE ACTION)

An agenda item from Deputy Police Chief Brian Allen recommending approval of the purchase of 125 portable radios and associated equipment from Dailey-Wells Communications in the amount of \$379,463.75 for the Police Department. In 1999, the Sparks Police Department joined the Washoe County Regional Communications System and purchased portable radio equipment. Since that time, the portable radios purchased have been discontinued and no longer serviceable by the manufacturer. The purchase of new portable radios will enhance the Department's ability to communicate regionally and the new portable radios are compliant with current Federal regulations regarding interoperability capabilities. Dailey-Wells is the sole providers for the portable radios for the Harris EDACS system utilized by Washoe County. There is no general fund impact.

5.6 Consideration and Possible Approval of the purchase of portable radio batteries from Global Technology Systems, Inc. in the amount of \$38,814.00 (FOR POSSIBLE ACTION)

An agenda item from Deputy Police Chief Brian Allen recommending approval of the purchase of portable radio batteries from Global Technology Systems, Inc. in the amount of \$38,814.00. This agenda item supports the previous agenda item for the purchase of portable radios from Dailey-Wells. Global Technology Systems, Inc. is a subsidiary of Honeywell Batteries and has developed a Lithium Ion Polymer battery specifically for the P7200 series radios purchased in the previous agenda item. The batteries have increased run times, increased cycle life, have no memory effect and are more cost effective than the batteries that could be provided by Dailey-Wells. There is no general fund impact.

5.7 Consideration and Possible Approval of an Outdoor Dining and Encroachment Permit for Inca located at 1440 Victorian Avenue, Sparks, Nevada (FOR POSSIBLE ACTION)

An agenda item from Assistant Community Services Director John Martini recommending approval of an Outdoor Dining and Encroachment Permit for Inca to utilize 403 square feet of city sidewalk adjacent to the front door of the building located at 1440 Victorian Avenue, including the city planter. There is no general fund impact.

5.8 Consideration and Possible Approval of reimbursement to the City of Reno in the amount of \$47,055 for Sparks' share of a bid award to Invensys Operations Management by the City of Reno for the purchase and installation of Distributed Control System Fieldbus Modules and data servers at the Truckee Meadows Water Reclamation Facility (TMWRF) (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Kim Laber recommending approval of a reimbursement to the City of Reno in the amount of \$47,055 for Sparks' share of a bid award to Invensys Operations Management by the City of Reno for the purchase and installation of Distributed Control Systems Fieldbus Modules and data servers at TMWRF. This matter is scheduled to go before the Reno City Council on July 18th for approval in the amount of \$150,000. Under the cost sharing agreement with Reno for TMWRF operation and maintenance, Sparks will reimburse Reno for 31.37% of the total amount (Sparks' share being \$47,055). There is no impact to the general fund.

5.9 Consideration and Possible Approval of reimbursement to the City of Reno in the amount of 4121,227.48 for Sparks' share of a bid awarded to Spanish Springs Construction, Inc. by the City of Reno for pavement reconstruction at Truckee Meadows Water Reclamation Facility (TMWRF) (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Kim Laber recommending approval to reimburse the City of Reno in the amount of \$121,227.48 for its share of a \$386,444 contract administered by the City of Reno with Spanish Springs Construction, Inc. to reconstruct a portion of the roadway at TMWRF. There is no general fund impact.

6. General Business (Time: 2:10 p.m.)

6.1 Presentation and Possible Direction regarding the Sparks zoning code analysis constructed by Clarion Associates and CFA of Reno (FOR POSSIBLE ACTION)

An agenda item from Community Services and Matt Goebel of Clarion Associates to receive direction regarding the draft recommendations from the zoning code analysis. In March 2012, the City Council approved a contract with Clarion Associates to provide an analysis of the Sparks zoning code. Staff initiated a three "track" approach in response to the City Council's direction to remove zoning code barriers to development. Track one was to analyze and propose "quick fix" amendments "in house" and has been completed. Track two is the current zoning code analysis undertaken with the help of outside consulting services. Track three would be a comprehensive overhaul of regulations affecting development. Staff, along with Clarion and

CFA, completed a review of the Code and interviewed stakeholders including the City Council, members of the Planning Commission, and members of the development community. Clarion's report outlines barriers to development and investment as follows:

SPARKS, NEVADA Zoning Code Assessment, July 2012

Recommended code improvements to reduce barriers to development and investment:

- Short-term improvements
- Mid- to long-term improvements (six months +)

Based on:

- Clarion review of Title 20 and other regulations
- Interviews with code users and stakeholders

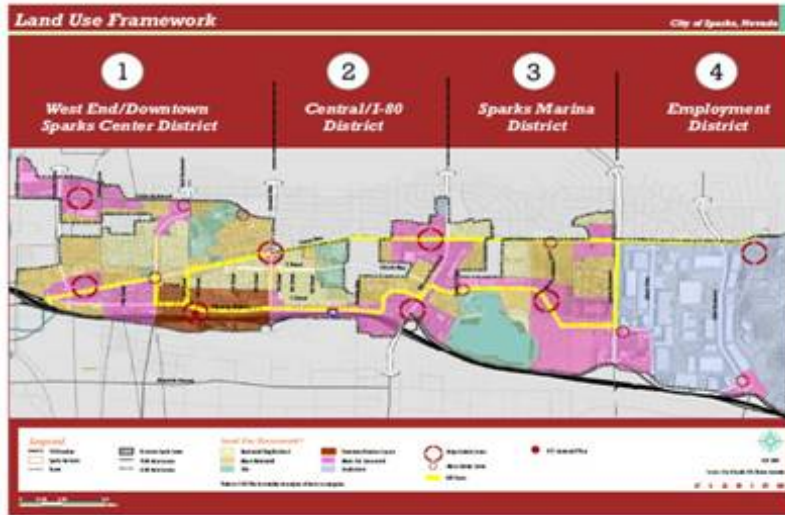
Stakeholder Interviews

- City Council members
- Planning Commission members
- Code users (developers, builders, planners, architects)
- Chamber of Commerce
- Real estate brokers
- Sign industry representatives

Refine the TOD

Issues

- There is a general belief that TOD is inhibiting development in Sparks.
 - District boundaries too broad
 - Standards too ambitious/strict (especially parking location, build-to lines, mix of uses, minimum densities)
- Concerns exist despite:
 - Standards are tailored, with most intense standards reserved for "major activity centers"
 - TOD manual has variety of incentives and optional menus
 - Some anecdotes related to Reno, not Sparks
- Short-Term
 - Remove the area east of Sparks Boulevard from the TOD Overlay District
 - Broaden the use of Minor Deviations for TOD projects
 - Supplement TOD Development Guide with additional materials to emphasize available incentives and flexibility



- Mid- to Long-Term
 - Consider targeted TOD amendments
 - Reduce *minimum densities*(though already below regional minimums)
 - Require minimum *mix of uses* only to larger parcels (or set as ranges)
 - Reduce where *build-to zones* apply
 - Consider additional adjustments to TOD boundary
 - Reevaluate city policy for auto-oriented uses along corridors

New Tools for Flexibility and Creativity

Issues

- Current code allows flexibility through:
 - Minor Deviations (10% adjustment)
 - Planned Development
 - Variances (only if hardship demonstrated)
- However:
 - Little awareness of the Minor Deviation tool
 - General perception that code is a barrier to development: unnecessarily rigid and doesn't allow creativity
- Short-Term
 - Broaden the awareness of and use of the Minor Deviation tool
- Mid- to Long-Term
 - Consider allowing major deviations through a SUP or other tool
 - Bigger than a Minor Deviation (= greater than 10%)
 - Different from a Variance (= no hardship required)
 - Public hearing required
 - Consider authorizing Alternative Equivalent Compliance
 - For creative applications that meet the spirit, but not the strict letter, of the code
 - Public hearing required
 - Best for design-oriented standards (parking, design, landscaping, etc.)
 - Require compensating public benefit (extra open space, etc.)
 - Requires careful drafting to consider acceptable alternatives in advance

Streamline Code Procedures

Issues

- Consider other opportunities to streamline code procedures and administration to improve efficiency and reduce potential barriers to investment in Sparks.
- Look for ways to reduce discretionary review and uncertainty.
- Short-Term
 - Allow administrative approval of minor amendments to approved permits
 - Thresholds set in code (originally administrative approval? no additional dwelling units or square footage, etc.)
 - Clarify appeals procedures and consider shorter appeal times
 - Consider all administrative appeals going to Board of Appeals
 - Require 10 days for appeal filing (versus current 21)
 - Extend permit approval times
 - SUP: Change from one year to two or three years
- Mid- to Long-Term
 - Simplify the amendment process for PD Handbooks
 - Establish a clear process in the code
 - Distinguish major from minor amendments
 - Fewer public hearings
 - No changes recommended to original approval process
 - Reduce the amount of discretionary review
 - Additional uses by right, versus SUP
 - Establish call-up procedure to provide for council oversight of administrative decisions
 - Adjust information submission requirements by application type

Improve the Code's Organization and Format

Issue:

- Look for ways to improve the formatting, organization, and clarity of the code, which will increase predictability and confidence in the system.
- Short-Term
 - Develop a single master table of allowed uses
 - Define all land uses
 - Consider administrative approval for additional SUPs
- Mid- to Long-Term
 - Improve the use classification system
 - Reevaluate uses for each district
 - Reevaluate city policy for industrial uses and the industrial district
- Consolidate multiple documents into a new unified ordinance
 - Title 20 (Zoning)
 - Title 17 (Subdivision)
 - TOD
 - Design Standards Manual
- Establish standard review procedures (public hearing only required for some projects)
- Create a consistent, consolidated definitions list
- Improve document formatting
- Create a separate user's guide

Summary of Recommendations

ISSUE	SHORT-TERM	MID/LONG-TERM
Refine the TOD	<ul style="list-style-type: none"> - Remove employment district 	<ul style="list-style-type: none"> - Make additional targeted amendments to standards and boundaries - Reevaluate policies for auto-oriented uses on corridors
Allow Flexibility and Creativity	<ul style="list-style-type: none"> - Broaden awareness of minor deviations, subject to clear standards 	<ul style="list-style-type: none"> - Consider major deviations - Consider alternative equivalent compliance
Streamline Procedures	<ul style="list-style-type: none"> - Allow admin. approval of minor amendments to approved permits - Shorten appeals timeframe - Extend permit approval times 	<ul style="list-style-type: none"> - Simplify amendment process for PD handbooks - Reduce amount of discretionary review - Adjust submittals by application type
Make Other Substantive Changes	<ul style="list-style-type: none"> - Complete sign updates 	<ul style="list-style-type: none"> - Compare landscaping standards to surrounding jurisdictions and revise if necessary

ISSUE	SHORT-TERM	MID/LONG-TERM
Revamp Use Classification System	<ul style="list-style-type: none"> - Develop single master use table - Define all land uses - Consider admin. approval for more SUPs 	<ul style="list-style-type: none"> - Improve the use classification system - Evaluate use mix in all districts - Reevaluate use policies in industrial district
Improve Overall Organization and Format		<ul style="list-style-type: none"> - Consolidate documents into UDO - Reorganize code - Edit procedures to eliminate redundancies - Consistent, consolidated definitions - Improve formatting - Create User's Guide

Tray Abney from the Chamber of Commerce thanked the team for including the Chamber in this process and believed it was a good process. Mr. Abney urged the City to make the review of codes, fees, etc. a constant process to continue work towards economic vitality and job creation.

Senior Planner Jim Rundle asked Council to provide recommendations and have a discussion on previous policy decisions to include Victorian Avenue in the Tourist Commercial Area and remove auto oriented uses along that corridor. Council may want to direct staff to explore whether that policy should be continued. Council Member Smith suggested developing a pamphlet listing permit costs and fees to give businesses an idea of estimated costs at the time of inquiry. Council Member Ratti suggested a long term strategy be discussed for the Industrial area along the river.

Council Member Carrigan said the intent of the TOD is to make it easier for businesses to start in Sparks. It has been helpful in some situations, but not helpful in others. City Planners are using all available tools, however, additional tools such as Major Deviation may be necessary to assist businesses. Council Member Carrigan suggested a Council Workshop to review the Clarion report and discuss options. Neil Krutz recommended staff present recommendations based on

the report at a workshop. Mayor Martini is looking for flexibility. Council Member Ratti suggested the City of Sparks may have a perception problem rather than a process problem. Council Member Lawson agreed that Sparks has a perception problem and suggested a proactive approach is used to resolve it.

No motion was needed. Council provided direction through discussion.

6.2 Request for consideration and possible approval to authorize the Fire Department to pursue a Fire Prevention & Safety Grant through the Federal 2011 Fire Act Grant Process (FOR POSSIBLE ACTION)

An agenda item from Fire Marshal Robert King recommending approval for the Sparks Fire Department to pursue and accept a Fire Prevention & Safety Grant through the 2011 Fire Act process. The Federal Department of Homeland Security has once again made Congressional funds available for the nation's fire departments to apply for grants. The Fire Prevention & Safety Grant (FP & S) process is a highly competitive, merit-based program that requires no match for municipalities. Sparks Fire Department is requesting funds to expand the existing Project SAFE Residential Smoke Alarm and Home-Safety Education Program.

Fire Marshal Bob King reported 1,637 smoke alarms, 255 carbon monoxide detectors, and 28 hearing impaired devices have been installed in 633 homes. The Sparks Fire Department has also educated over 1,700 citizens with the program. \$17,500 has been raised in 2010 and 2011 through fundraisers..

Council Member Carrigan asked about the criteria to receive a free detector. Fire Marshal King stated residents can call the Fire Prevention Bureau. There are no financial criteria needed. The focus is on installing detectors in older homes.

Cathy Brandhorst expressed her concern with wires causing fires and with emergency response.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to authorize the Sparks Fire Department to accept the Fire Prevention & Safety Grant through the Federal 2011 Fire Act Grant Process. Council Members Ratti, Lawson, Smith, Carrigan, YES. Passed unanimously with those present.

6.3 Possible motion to conduct labor relations proceeding (Closed per NRS 288.220) (FOR POSSIBLE ACTION)

A motion was made by Council Member Carrigan, seconded by Council Member Smith to go into closed door session to address item 6.3 after the Redevelopment Agency Meeting. Council Members Ratti, Lawson, Smith, Carrigan, and Schmitt, YES; passed unanimously.

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

8. Planning and Zoning Public Hearings and Action Items (Time: 3:10 pm.)

8.1 Consideration and Possible Action by the City Council to sponsor an amendment to the 2007 Truckee Meadows Regional Plan to amend policy 1.2.10 and any other policies related thereto (FOR POSSIBLE ACTION)

An agenda item from Senior Planner Jim Rundle recommending the Sparks City Council sponsor a Regional Plan amendment to amend Policy 1.2.10 to enable the changes to the boundaries of the Transit Oriented Development (TOD) corridors. The Sparks City Council recently proposed removal of the Employment District from the Sparks TOD corridor. This requires a Regional Plan amendment. Staff has analyzed and will be proposing amendments to the TOD corridor to the Sparks Planning Commission and City Council. There is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to sponsor an amendment to the 2007 Truckee Meadows Regional Plan to amend policy 1.2.10 and any other policies related thereto. Council Members Ratti, Lawson, Smith, Carrigan, YES; passed by those Council members present.

9. Comments (Time: 3:16 p.m.)

9.1 Comments from City Council and City Manager

None

9.2 Comments from the Public

Cathy Brandhorst commented on various criminal activities.

10. Adjournment (Time: 3:20 p.m.)

Council was adjourned at 3:20 p.m.