



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, November 24, 2014

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 (phone), Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

Staff Present: Brian Allen, Jeff Cronk, Neil Krutz, John Martini, Tracy Domingues, Cyndi Boggan, Andy Koski, Brian Cason, Dan Marran, Adam Mayberry, Chris Syverson, George Graham, Tom Garrison, Armando Ornelas, Doug Thornley, Tim Thompson, Karen Melby, Donna DiCarlo

3. Opening Ceremonies

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

The invocation was provided by Pastor Steve Bond, Summit Christian Church

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

The Pledge of Allegiance was led by Council Member Lawson.

4. Public Comment (Time: 2:02 p.m.)

Lori Wray, Scenic Nevada, said a new study is available related to agenda item 9.6 and she requested Council consider it prior to making a decision. Mayor Martini requested she send the information to the Council; item 9.6 is a first reading only, the second reading and action is scheduled December 8, 2014.

CONSIDERATION, POSSIBLE ACTION AND PUBLIC HEARING OF FORMER COUNCIL MEMBER CARRIGAN'S REQUEST TO REMOVE FROM THE TABLE A REQUEST FOR A MASTER PLAN AMENDMENT AND TENTATIVE APPROVAL OF AN AMENDMENT TO A PLANNED DEVELOPMENT HANDBOOK (WINGFIELD SPRINGS) ASSOCIATED WITH PCN12010 (AGENDA ITEM 11.1) (FOR POSSIBLE ACTION)

5. 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.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the agenda as amended, including item 11.1 and moving item 9.3 to after 11.1. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

6. Approval of the Minutes (Time: 2:06 p.m.)

6.1 Consideration and possible approval of the minutes of the Special and Regular Sparks City Council Meetings for November 10, 2014. (FOR POSSIBLE ACTION)

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the minutes of the Special and Regular Sparks City Council Meetings for November 10, 2014 as outlined by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:07 p.m.)

7.1 Presentation on REMSA's Community Health Programs (Time: 2:07 p.m.)

President and CEO of REMSA Jim Gubbals and Director of Community and Health Programs Brenda Staffan presented information on REMSA's health care innovation awards. These community health programs were funded by the Affordable Care Act. REMSA is now offering options for appropriate level of care by utilizing clinics, the triage center and mental health facilities rather than always transporting patients to the hospital emergency room.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:22 p.m.)

A motion was made by Council Member Lawson, seconded by Council Member Schmitt, to approve the consent items as submitted. 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 October 23, 2014 through November 12, 2014. (FOR POSSIBLE ACTION)

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

8.2 Review and possible approval of the Sparks Youth Sports Foundation Agreement (AC-5103) with the City of Sparks. (FOR POSSIBLE ACTION)

An agenda item from Parks and Recreation Director Tracy Domingues recommending Council approve the Sparks Youth Sports Foundation Agreement as presented by staff. The City of Sparks Parks and Recreation Department has had a long standing, positive relationship with the Sparks Youth Sports Foundation, a non-profit organization. However, there has never been a written agreement between the two entities. There is no impact to the general fund.

9. General Business

9.1 Consideration and possible approval of Amendment No. 1 to Residential Construction Tax Credit Agreement (A-3161), Pioneer Meadows Project. (FOR POSSIBLE ACTION) (Time: 2:23 p.m.)

An agenda item from Assistant Community Services Director John Martini on behalf of Pioneer Meadows Development, LLC recommending Council approve Amendment No.1 to A-3161 as submitted. Pioneer Meadows Development, LLC is the current owner and developer of the Pioneer Meadows Planned Unit Development. The City of Sparks City Council approved a Residential Construction Tax Credit agreement (A-3161) on January 24, 2005. Per the terms of the Agreement, the agreement is set to expire on January 23, 2015 and Pioneer Meadows Development, LLC wishes to extend the terms for an additional 10 year period. NRS 278.4983, NRS 278.4985 and SMC 15.12 allows for amendment of the agreement through mutual consent of the developer and the governing body. There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Schmitt, to approve Amendment No. 1 to Residential Construction Tax Credit Agreement (A-3161), Pioneer Meadows Project. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.2 Consideration and possible approval of the purchase of Scott SCBA equipment from Municipal Emergency Services Inc. in the amount of \$458,091.12 (FOR POSSIBLE ACTION) (Time: 2:26 p.m.)

An agenda item from Division Fire Chief Andy Koski recommending Council approve the purchase of Self Contained Breathing Apparatus (SCBA) and related equipment to replace the current SCBA's. Funding for this purchase is provided through the award of a 2013 U.S. Department of Homeland Security Assistance to Firefighter Grant. The total grant amount was \$515,066, with a 10% (\$51,507) applicant grant match. The purchase amount is \$458,091.12 with the applicant match amount of \$45,809.11.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to purchase of Scott Safety SCBA equipment from Municipal Emergency Services Inc. in the amount of \$458,091.12 Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.3 Consideration, discussion and possible approval of changes to the city's Boards and Commissions appointments. (FOR POSSIBLE ACTION) (Time: 4:16 p.m.)

(Heard after item 11.1)

An agenda item from City Manager Stephen Driscoll recommending Council approve the City Council appointments to 2014 city Boards and Commissions. Mayor Martini led the discussion and the following appointments were made:

Mayor Geno Martini: Regional Planning Governing Board, Tourism Facilities & Revitalization Steering Committee, Truckee Meadows Water Authority Board of Directors, Reno-Sparks Joint Sewer Coordinating Committee, Sewer Appeals Committee, Legislative Team, Truckee River Flood Management Authority Board of Directors, Nevada League of Cities Board of Directors, Regional Transportation Commission Alternate #2, Debt Management Commission, Western Regional Water Commission (TMWRF appointee).

Council Member Julia Ratti: Tourism Facilities & Revitalization Steering Committee, Redevelopment Agency Chair, Washoe County District Board of Health, Legislative Team, Truckee Meadows Water Authority Alternate, Oversight Committee for School Facilities.

Council Member Ed Lawson: Western Nevada Development District, Truckee River Flood Management Authority Board of Directors Alternate, Western Regional Water Commission (Sparks' appointee), Regional Planning Governing Board, EDAWN Board of Directors, Washoe County Senior Services Board of Trustees.

Council Member Ron Smith: Regional Planning Governing Board Alternate, Truckee Meadows Water Authority, Truckee River Flood Management Authority Board of Directors, Western Nevada Development District Alternate, Tourism & Marketing Committee, Regional Transportation Commission, Debt Management Commission Alternate, Mayor Pro Tempore.

Council Member Charlene Bybee: Regional Planning Governing Board, Oversight Committee for School Facilities, Regional Transportation Commission Alternate, Redevelopment Agency Vice Chair, Parks & Recreation Commission.

Council Member Ron Schmitt: Tourism & Marketing Committee, Information Technology Steering Committee.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the City Council appointments to 2014 city Boards and Commissions (omitting Reno Sparks Convention & Visitor's Authority). Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

A motion was made by Council Member Smith to nominate Council Member Schmitt to the Reno Sparks Convention & Visitor's Authority (RSCVA). Motion died due to a lack of a second.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve the appointment of Council Member Lawson to the Reno Sparks Convention & Visitor's Authority (RSCVA). Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.4 Consideration and possible approval to utilize \$205,000 of augmented FY15 CIP budget in Fund 1404 to fund change Order No. 2 (AC-5025) for the Alf Sorensen Natatorium Renovation Project and consideration and possible approval of Change Order No. 2 (AC-5025) for the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-098 to Frank Lepori Construction, Inc., in the amount of \$205,000. (FOR POSSIBLE ACTION)
(Time: 2:29 p.m.)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve to utilize funds reimbursed by TMWA for over-billed amounts for the Alf Sorensen Natatorium Renovation Project, Change Order No. 2; and approve Change Order No. 2 for the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-098 to Frank Lepori Construction, Inc., in the amount of \$205,000. This work includes remediation of water damage, roof framing and repairs, seismic reinforcements, replacement of the roof deck above the tot

pool, and incidental mechanical, electrical, and plumbing modifications and finishes. The change order also adds \$70,908 to the force account in this contract.

The city has received \$411,071 from TMWA for over-billed amounts at the Alf Sorensen Community Center for the last several years. These funds have been transferred to the Capital Projects Fund and are available for this project. A budget augmentation will be required to avoid a budget violation as the funds were received after the fiscal year 2015 budget was filed. An amendment of the fiscal year 2015 CIP would transfer funding to the Alf Sorensen Natatorium Renovation project.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to utilize \$205,000 of Capital Projects Fund 1404 to fund change Order No. 2 (AC-5025) for the Alf Sorensen Natatorium Renovation Project. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve Change Order No. 2 (AC-5025) for the Alf Sorensen Natatorium Renovation Project, Bid No. 13/14-015, PWP-WA-2014-098 to Frank Lepori Construction, Inc., in the amount of \$205,000. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.5 Consideration and possible approval of a Termination Agreement (AC-5104) with Red Hawk Land Company, LLC regarding Residential Construction Tax Credit Agreement (A-2571). (FOR POSSIBLE ACTION) (Time: 2:40 p.m.)

An agenda item from Sr. Assistant City Attorney Doug Thornley recommending Council approve the Termination Agreement (AC-5104) and terminate the Residential Construction Tax Credit Agreement (A-2571) which provided for \$1,450,000 of credit in lieu of collection of the Residential Construction Tax in exchange for the construction and dedication of three more parks in the development. The settlement agreement includes \$200,000 in fees, land, and water rights to the City of Sparks. The City Attorney's Office took no position with respect to the payment schedule proposed by Red Hawk Land Company. Council discussed current and future parks in the area.

Council Member Bybee requested the due date for the \$200,000 reimbursement to the City of Sparks from Red Hawk Land Company be changed from December 31, 2016 to June 30, 2016. Red Hawk Land Company representative Jackie Seeno agreed.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve the Termination Agreement (AC-5104) with Red Hawk Land Company, LLC regarding Residential Construction Tax Credit Agreement (A-2571) with an amended due date of June 30, 2016. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSTAIN. Motion carried 4-0.

9.6 FIRST READING of Bill No. 2678, an Ordinance amending Title 20 of the Sparks Municipal Code, Section 20.56 Signs; to change the method for sign calculations; to add regulations governing digital signs; and providing other matters properly related thereto. (For Possible Action) (Time: 3:08 p.m.)

City Clerk Teresa Gardner read the bill by title; the public hearing will be held on Monday, December 8, 2014.

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

11. Planning and Zoning Public Hearings and Action Items

- 11.1 PCN12010, PUBLIC HEARING, Consideration and possible action on a Master Plan Amendment and Tentative Approval of an amendment to a planned development handbook (Wingfield Springs) on a site approximately 1,645 acres in size within the NUD (Wingfield Springs Planned Development) zoning district generally located north of the Miramonte Planned Development, east of the Pioneer Meadows Planned Development, and west of the Foothills at Wingfield Springs Planned Development, Sparks, NV. A. A Master Plan Amendment request to change the land use designation on 3.7 acres from Open Space (OS) to 4 du/ac and change the land use on approximately 8 acres from 4 du/ac to Open Space (village 27), and change the land use designation on 10.9 acres from Open Space (OS) to 4 du/ac (village 28). B. A request for Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook to include the addition of several new villages; changes to the land use map and table; and changes to the setbacks within the Builder Lot and Patio Home designations. (FOR POSSIBLE ACTION) (Time: 3:10 p.m.)**

An agenda item from Tim Thompson on behalf of Red Hawk Land Company recommending Council grant tentative approval of an amendment to the Wingfield Springs Planned Development Handbook including the creation of several new villages; the modification of existing villages and land uses; and changes to the setback requirements in the Patio Home and Builder Lot designations. The Planning Commission also recommends approval. The item was originally considered by the City Council on April 8, 2013. The City Council voted to table the item at that time.

There was a request for approval of a Master Plan Amendment to accommodate Village 27 Phases 3 and 4 and Village 28 and a request for Tentative Approval of an amendment to the Wingfield Springs Planned Development Handbook to allow the addition of several new villages, Village 17A with 14 single family residential patio homes, Village 27 Phase 4 with 8 single family residential builder lots, and Village 31 with 36 single family residential patio homes; changes to the land use map and table; and changes to the setbacks within the Builder Lot and Patio Home designations. The applicant previously withdrew the request for creation of Village 5A and Village 20A. Village 19C was included in the staff report and staff does not support this change. The Red Hawk Land Company representative Jackie Seeno withdrew the request for Village 19C. There is no impact to the general fund.

Council Member Schmitt asked how many lots are currently approved in the areas requesting amendments, and how many additional lots are being requested. Sr. Planner Thompson said 310 units were previously approved. Ms. Seeno said there is an additional 78 lots proposed. Council Member Bybee asked about the change to lot setbacks with regards to fire codes and Ms. Seeno replied the options have been requested to allow maximum flexibility and Red Hawk Land Company will comply with all building codes and requirements of the City of Sparks.

Public hearing was open and comments were received by:

- Gerald Werner expressed concern with Village 5A and glad it was withdrawn from the project.
- Richard Davis expressed concern with Village 19C and heard today it was withdrawn.
- Marilyn Brainard, a Director for the Wingfield Springs Community Association requested the Council provide clear language in the master plan.
- Brett Meller said Village 5A would create a major impact and would like final resolution on the issue.
- Bob Denis, President of the Wingfield Springs Community Association, said the association previously had to finance uncompleted development and believes development should be done in an organized manner and had submitted a checklist to ensure common areas are completed appropriately. Mr. Denis said parks are important for the youth in the community. In addition, Mr. Denis asked the Council to consider if an additional school is needed.
- Bob Jacobsen is concerned with traffic, asked if a traffic study was completed, and if Lorna Way is affected by these amendments. Mayor Martini requested Sr. Planner Tim Thompson discuss this issue with Mr. Jacobsen after the meeting.
- Lou Dauria, Vice President of the Wingfield Springs Homeowners Association, asked if Village 19C was eliminated or if it may be considered in the future. Mayor Martini said if it is considered later, there will be another Public Hearing. Mr. Dauria also expressed concern with the parks. Mayor Martini suggested Mr. Dauria contact Neil Krutz.
- Mark Lee commented on the proposed number of units in Village 28, a traffic impact study, and the general time frame for construction. Mayor Martini referred Mr. Lee to Mr. Thompson.
- Martin Siudzinski commented on road access and concern with the public hearing being held in the afternoon.

The Public Hearing was closed.

Council Member Smith asked if RTC had an opinion on the traffic and Mr. Thompson said additional traffic analysis was not necessary because they are under the maximum build out and anticipated access to portions of the village will require a u turn. Council Member Smith expressed concern with the access. Council Member Lawson also expressed concern.

Council Member Bybee asked if conditions could be made to include the recommendations of the Homeowners Association. Sr. Planner Tim Thompson said it could be allowed but would not be final until the approval of the final handbook and no construction would start until after that approval.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to certify Master Plan Amendment Resolution No. 3236 associated with PCN12010 to change the land use designation on 3.7 acres from Open Space (OS) to 4 du/ac and change the land use designation on approximately 8 acres from 4 du/ac to Open Space (village 27) based on Findings MP1 through MP4 and the facts supporting those Findings as set forth in the Planning Commission staff report. And also move to certify Master Plan Amendment Resolution No. 3237 associated with PCN12010 to change the land use designation on 10.9 acres from Open Space (OS) to 4 du/ac (village 28) based on Findings MP1 through MP4 and the facts supporting those Findings as set forth in the Planning Commission staff report. Council Members Lawson, Smith, Bybee, YES. Council Members Ratti, Schmitt, ABSTAIN. Motion carried 3-0.

Council Member Schmitt said he abstained because of the connection between this item and item 9.5 and the direction to staff to do certain things at certain times related to financial incentives and development and a commitment to future projects.

Council Member Ratti said she abstained because she was not able to hear all the discussion over the phone.

A motion was made by Council Member Bybee, seconded by Council Member Smith, to grant Tentative Approval of a request for an amendment to the Wingfield Springs Planned Development Handbook associated with PCN12010, to approve the proposed changes to the land use table and map for Villages 17A, 27, 31, and the proposed changes to the setbacks within the Patio Home and Builder Lot designations based on Findings PD1 through PD21. 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 City Council is not requiring a bond at this time as stated in NRS 278A.490. Council Members Lawson, Smith, Bybee, YES. Council Members Ratti, Schmitt, ABSTAIN. Motion carried 3-0.

City Attorney Chet Adams requested a recess to consider the inclusion of conditions in motion. (Time: 4:02 p.m. – 4:13 p.m.)

City Attorney Adams said he would recommend the motion not include the proposed conditions from the homeowners' association because of lack of due process for the applicant and staff has not had the opportunity to review the conditions. The conditions could be considered in the future with proper notice and due process.

12. Closed Door Sessions - None

13. Comments

13.1 Comments from the Public (Time: 4:34 p.m.)

Marilyn Brainard of the Wingfield Springs Community Association thanked Council for consideration regarding the inclusion of the homeowner association's conditions into the handbook and said steps will be taken in order to proceed appropriately.

13.2 Comments from City Council and City Manager (Time: 4:37 p.m.)

City Manager Steve Driscoll announced term expirations on Airport Noise and Washoe County District Health Committees. Applications for volunteers (available on the City of Sparks website) will be accepted thru 11-28-2014. Also, a position on the Parks and Recreation Board is available thru June, 2015, and applications will be accepted thru 12-14-2014.

Manager Driscoll said a team from the city attended a FEMA training. The education was beneficial with the best training exercises; to be used in the future to clarify the Council's responsibility in emergency situations.

Council Member Smith commented on the FEMA training stating the focus was on earthquakes and he was impressed with the Sparks' team response and active participation.

Mayor Martini congratulated Council Member Lawson for being designated as Public Official of the Year by the Builders Association of Northern Nevada. Council Member Lawson talked about the change with upfront construction fees and said he was honored by the award.

14. Adjournment

Council was adjourned at 4:40 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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