



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, February 25, 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 Ed Lawson, Ron Smith, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Members Julia Ratti, Mike Carrigan

Staff Present: Jeff Cronk, Tracy Domingues, Mindy Falk, Steve Keefer, Andy Flock, Chris Syverson, Neil Krutz, Andy Hummel, Armando Ornelas, Chris Cobb, Michelle Harper, Steve Driscoll, Rich Brown, Pam Wadlow, Stacie Hemmerling.

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

The invocation was provided by Pastor Barb West, Sparks Church of the Nazarene

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

The Pledge of Allegiance was led by Council Member Lawson.

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

Mr. Ronald King expressed his concern regarding existing building codes and disability access issues. City Manager Shaun Carey referred this information to Deputy City Manager of Community Services Neil Krutz to have the city engineering staff contact Mr. King and copy the City Council with the response.

Mr. Ronald McGee provided public comment regarding the need for white lines at the circle on Nichols.

Approval of the Agenda (Time: 2:12 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 Smith, seconded by Council Member Lawson, to approve the agenda as submitted. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

3. Recommendation to Approve Minutes of February 11, 2013 (Time: 2:13 p.m.)

3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for February 11, 2013

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

4. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:13 p.m.)

4.1 Proclamation "Passport Day, Focusing on Family Travel" (Time: 2:13 p.m.)

Mayor Martini proclaimed Saturday, March 9, 2013 as "Passport Day – Focusing on Family Travel" and presented the proclamation to City of Sparks Employee and Customer Relations Manager Chris Syverson, and Customer Service Specialists Pam Wadlow and Michelle Harper.

4.2 Presentation on the 2035 Regional Transportation Plan Update from the Regional Transportation Commission. (Time: 2:19 p.m.)

Executive Director Lee Gibson reviewed upcoming outreach events for the RTC and Director of Planning Amy Cummings presented an overview on the RTP as follows:

What we've heard from the community:

- Follow RTP Guiding Principles
 - Safe & healthy communities
 - Economic development & diversification
 - Sustainability
 - Increased travel choices

Plan Development Process

- Monthly Working Groups
 - Stakeholder agencies
 - Community volunteers
- Community Workshops
 - Guiding principles & goals
 - Alternatives development
 - Evaluate alternatives
- Roundtable discussions
 - Senior & ADA issues
 - Youth issues
 - Freight & Logistics
 - Complete Streets
- Stakeholder presentations
- Digital Outreach & Media

Annual Programs

- ADA Accessibility Upgrades
- Bicycle & Pedestrian Improvements
- Preventive Maintenance Program
- ITS/Traffic Signal Upgrades

Transit Vision

- Expand RAPID
 - UNR, Legends, Summit

- Expand RIDE
 - Galleria, Pyramid Hwy, SEC Express, Stead
 - New Service Targeted to Seniors (Dial-A-Ride)

Fiscally Constrained Transit Plan

- Maintain existing service
- 2013 service changes
 - Extend RAPID to UNR
 - Summer weekend service to Lake Tahoe (demonstration project)
 - Service to Galleria under study for 2013

Roadway Improvements

- Livability Projects
- Regional Connectivity Projects

The plan is available at www.YourWashoeRTP.com

Investment in Quality of Life

- Transportation promotes livability & economic development
- Providing regional connections & neighborhood amenities
- Providing transportation options
- Improving safety & aesthetics
- Saving households money through lower insurance & fuel costs

Next Steps

- Additional community feedback
- Public comment period – February 22 – March 15
- Present revised plan to RTC Board
- Submit to FHWA/FTA for approval

The challenge is to balance the needs with available funding.

4.3 Presentation by VizKinect, Inc. - "New Companies - New Jobs: Hear from new businesses that are making this happen." (Presenters - Bailey Hein, Ellen Nesbitt, Norman Smith and Ky Good.) (Time: 2:29p.m.)

Council Member Lawson introduced VizKinect and Lynn Keller of C4Cube. Bailey Hein and Ellen Nesbitt presented the following information to explain what VizKinect, Inc. does:

VizKinect, High Tech Startup in Northern Nevada

What we do:

Increase the effectiveness of advertising and visual media

- Commercials
- Product placements (within movies, videos, TV shows, etc.)
- Websites
- We gather and present valuable insight from our client's target audience
- Our client's use the information for more precise targeting
- Clients see a substantial increase in their marketing and advertising ROI

Review and discuss the product placement in a scene from Ironman 2

HELPING OUR COMMUNITY

- In operation for 18 months
- Hired various interns from the Reno/Sparks area (high school and college)
- Built a Board of Directors and Advisers comprised of local and regional executives

- Local Partnerships
 - Several ad agencies, broadcasting station, gaming development company, multimedia company
 - Projects
 - Antipode Media: Local production company, conducted an A/B testing study to provide a tool for a movie to get funding through product placement
 - The Boogaloo Kid: Goal is to get the movie filmed in the Reno/Sparks area and get businesses involved with product placements
- WANT TO BE OUR NEXT PROJECT?

5. Consent Items (Time: 2:36 p.m.)

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve consent items 5.1 through 5.3. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period January 24, 2013 through February 6, 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 a complement change in the Police Department of one Police Officer to a Police Sergeant. (FOR POSSIBLE ACTION)

An agenda item from Employee and Customer Relations Manager Chris Syverson and Police Chief Steve Keefer recommending approval of the complement change to maintain vital services critical to operations. The Police Department currently has 12 Sergeant Positions that are assigned to their various divisions within the department. The Department is seeking to increase the number Sergeants in order to increase coverage in the Patrol Division.

5.3 Consideration and possible approval of an Interlocal Agreement with the City of Reno for 2013 Sewer Rehabilitation – Phase II, for an amount not to exceed \$446,512. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andrew Hummel recommending Council approve the Interlocal Agreement. The Greg Street Joint Reno/Sparks Sanitary Sewer Interceptor serves the Cities of Reno and Sparks, providing one of two points of connection to the TMWRF Facility. Per the Truckee Meadows Water Reclamation Facility Agreement, Reno and Sparks share the maintenance and operation costs for the facilities covered by the agreement. Reno is pursuing rehabilitation of a portion of the joint interceptor, which falls under this agreement.

6. General Business

6.1 Review and possible approval of a Lease Agreement with the Reno Rodeo Foundation for the Gandolfo Rodeo Arena located in Horseman's Park at 2200 Loop Road. (FOR POSSIBLE ACTION) (Time: 2:37 p.m.)

An agenda item from Parks & Recreation Director Tracy Domingues recommending approval of the lease agreement. The Reno Rodeo Foundation is interested in entering into a lease agreement with the City of Sparks for the maintenance and programming of the Gandolfo Rodeo Arena in Horseman's Park at 2200 Loop Road. The lease is offered at \$1 per year.

Since 1997, the City of Sparks Parks and Recreation Department has managed the use and maintenance of the Gandolfo Rodeo Arena. Activity was more closely monitored during the summers of 2011 and 2012. Staff has determined that the city no longer has the expertise or resources to continue the maintenance and/or programming of this special use facility. In the best interest of efficiency and promotion of the Gandolfo Arena, staff has prepared the attached Lease Agreement with the Reno Rodeo Foundation (RRF). The RRF's non-profit stated purpose is to enhance and enrich the lives of children and families in northern Nevada and to cultivate, foster and promote interest and participation in rodeo activities, entertainment, the proper care and management of domestic animals and western heritage experiences; and to provide and promote competitions, exhibitions, shows and entertainment of any and all descriptions for the general enjoyment and instruction of its members and the public. City staff believes that the RRF's goals are compatible with those of the City and that the RRF would best provide the appropriate management, maintenance and programming of the Gandolfo Arena while enhancing the quality of life in Sparks.

Reno Rodeo members, Past President, Mark Elston; Vice President Bill Bertleson and Marie Baxter were introduced. Mr. Elston thanked Council for this opportunity. Council Member Lawson acknowledged this opportunity for a public/private partnership and hopes it can help promote the sport of rodeo.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the proposed Lease Agreement with the Reno Rodeo Foundation as outlined by staff. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

6.2 Consideration and possible ratification of Resolution No. 3230 declaring Termination of a Local Emergency, effective 12:00 P.M. on Tuesday, December 4, 2012. (FOR POSSIBLE ACTION) (Time: 2.42 p.m.)

An agenda item from Assistant City Manager and Sparks Emergency Manager Steve Driscoll recommending Ratification of Resolution No. 3230, a Resolution of the Sparks City Council declaring Termination of a Local Emergency. On November 30, 2012 the City Council proclaimed a Disaster Area and a State of Emergency, Resolution No. 3228, due to the weather conditions and forecast of increased rain and the potential for flooding. Council ratified said resolution at the December 10, 2012 Council meeting.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to ratify Resolution No. 3230 declaring termination of a local emergency. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

6.3 Presentation, consideration and possible approval of expenditures for the City declared Flood Emergency from November 29 – December 3, 2012. (FOR POSSIBLE ACTION) (Time: 2:43 p.m.)

An agenda item from Capital Projects Manager Chris Cobb recommending approval of emergency expenditures in the amount of \$160,571 for the city's action and expenditures in preparation for the possible Truckee River Flood predicted to occur on Dec 2, 2012. Mr. Cobb reviewed the sequence of events during the potential flood period. Mayor Geno Martini thanked staff on a great job.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the expenditures incurred in the actions and preparation related to the possible flood event in December 2012 as presented by staff. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

6.4 Consideration and possible acceptance of overtime reimbursement funds from the United States Marshal's Service in the amount of \$17,200.00. (FOR POSSIBLE ACTION) (Time: 2:47 p.m.)

An agenda item from Police Chief Steve Keefer recommending acceptance of the funds. This includes overtime incurred by Sparks Police working investigations related to the Joint Fugitive Task Force the Sparks Police Department participates in. Council Member Schmitt confirmed this is reimbursement for overtime that has already occurred.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to accept the \$17,200.00 distributed by the U.S. Marshal's Office for reimbursement of Spark's Police overtime costs. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

6.5 Presentation, discussion, and possible action to discuss the city's desire to maintain its individuality; being responsible for the municipal services and governance of the City of Sparks; and, how the city's desires for non-consolidated services relate to a discussion of participation in the Washoe County Board of County Commissioners convening a Blue Ribbon Committee for the Review and Analysis of Fire Services in the Region. (FOR POSSIBLE ACTION) (Time: 2:49 p.m.)

An agenda item from Assistant City Manager Steve Driscoll recommending the Council provide direction regarding the participation in the Blue Ribbon Committee. Mr. Driscoll reviewed the history and said in January 2002, Resolution 2776 was passed which stated Council was not interested in anything that would change the governance or control mechanisms of the city. However, they would be interested in efficiencies and improvement in service levels. The outcome of the new study could suggest either. The consolidation paper included in the staff report, written in 2008, did not show duplication of service which related to no financial savings. Chief Charlie Moore has done a lot of work on the set up of this committee and is available for questions.

Mayor Martini talked to Commissioner Hartung who was pushing for the City of Sparks to be included, but he was only pushing to give Sparks the opportunity to participate if they desired. Council Member Smith said he believed the Council's stance was not to participate in any consolidation meetings unless it was just as an observer. City Manager Carey suggested Chief Moore discuss the purposes of the committee. Council Member Schmitt said he would like to hear the pros and cons of participating in the committee and asked if there is any upcoming legislation that will force the City of Sparks into consolidation discussions. Mayor Martini said he talked to legislators who may bring forward bills on consolidation but they have no intention of forcing the City of Sparks to participate.

City Manager Shaun Carey said a framework is being developed to allow cities or fire districts to join if they so desired. Council Member Schmitt said he is concerned with long term costs. Council Member Lawson asked where the city would come up with the money to cover the wage

increases associated with a merged fire department and said he does not see it working for the City of Sparks. Council Member Lawson said any changes would have to save money and provide better services.

Truckee Meadows Fire District Fire Chief Moore thanked Chief Flock for his professionalism and courtesies. Chief Moore said the Blue Ribbon Committee is not to force or justify consolidation; it is an opportunity to study any advantages and opportunities for regional services from the customers' perspective.

Council Member Schmitt said it has been 11 years since the Sparks City Council said they would not participate in consolidation because it does not save money. It is a waste of taxpayer money to continue looking at the same thing. Mayor Martini said there are multiple studies saying it would not save money for the City of Sparks and he sees no reason to participate. Council Member Lawson said we should monitor what is going on but there is no reason to participate.

A motion was made by Council Member Lawson, seconded by Council Member Smith, not to participate in the Blue Ribbon Committee. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

6.6 Consideration and possible approval of Settlement of: Randolph v. City of Sparks. (FOR POSSIBLE ACTION) (Time: 3:04 p.m.)

An agenda item from City Manager Shaun Carey recommending the City Council approve the settlement of an age discrimination claim brought by former Sr. Assistant City Attorney Timothy Randolph in the total amount of \$150,000.00. Funding would come from the risk fund and is below the threshold of the insurance carrier.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the final resolution of a lawsuit filed against the City of Sparks by former Sr. Assistant City Attorney Timothy Randolph. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, 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 Public Hearing, Second Reading, discussion and possible approval of Bill No. 2653 to adopt Ordinance 2472 canceling the 2004 Development Agreement (Kiley Ranch North Project) between the City of Sparks and Kiley Ranch Communities and other matters properly relating thereto. (FOR POSSIBLE ACTION) (Time: 3:07 p.m.)

An agenda item from City Planner Armando Ornelas recommending approval of Bill No. 2653. The proposed ordinance provides for cancellation of the Development Agreement for the Kiley Ranch North Project approved in 2004 for development of approximately 808 acres of land. In 2010, Kiley Ranch Communities filed a voluntary petition for reorganization relief under Chapter 11 of the United States Bankruptcy Code. The bankruptcy proceedings involving Kiley Ranch Communities constitute a default under the terms of the Development Agreement, a deficiency that cannot be rectified. In 2012, the City Attorney's office sent written notice to the Kayfam Corporation and Kiley Ranch Communities of the default and of the City's intent to cancel the Development Agreement. Approval and recording of this ordinance will result in its cancellation.

Council Member Schmitt asked what the differences are between the previous agreement and the proposed agreement and Mr. Ornelas replied the original was 880 acres and the current agreement is for 625 acres. In addition, the zoning code will apply rather than frozen handbook codes.

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve Bill No. 2653 to adopt Ordinance 2472 canceling the 2004 Development Agreement (Kiley Ranch North Project) between the City of Sparks and Kiley Ranch Communities. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

8.2 Public Hearing, Second Reading, discussion and possible approval of Bill No. 2654 to adopt Ordinance 2473 to approve a Development Agreement between the City of Sparks and KM2 Development, Inc. (as “Master Developer”) and Rising Tides LLC (as “Owner”) for a portion of the Kiley Ranch North Project and other matters properly relating thereto. (FOR POSSIBLE ACTION) (Time: 3:10 p.m.)

An agenda item from City Planner Armando Ornelas, Rising Tides LLC and KM2 Development recommending approval. A separate agenda item requests that the Sparks City Council cancel the 2004 development agreement between the City and Kiley Ranch Communities, the former owner and master developer for the Kiley Ranch North Project. Kiley Ranch Communities' bankruptcy put them in default of the Development Agreement and their subsequent loss of ownership of the property negated the need for the 2004 agreement. This proposed ordinance provides for approval of a new Development Agreement with KM2 Development, Inc. (as Master Developer) and Rising Tides LLC (as Owner), which acquired and control a portion of the Kiley Ranch North property formerly owned by Kiley Ranch Communities. The proposed Development Agreement applies only to those portions of Kiley Ranch North presently under the legal or equitable control or ownership of Rising Tides LLC. Like its predecessor agreement, the Development Agreement is necessary to allow for the continued phasing of final planned development handbooks for the Kiley Ranch North.

A motion was made by Council Member Lawson, seconded by Council Member Schmitt, to approve Bill No. 2654 to adopt Ordinance 2473. Council Members Lawson, Smith, Schmitt, YES. Council Members Ratti, Carrigan, ABSENT. Passed unanimously with those present.

9. Closed Door Sessions – None

10. Comments

10.1 Comments from City Council and City Manager – None

10.2 Comments from the Public - None

11. Adjournment (Time: 3:11 p.m.)

Council was adjourned at 3:11 p.m.