



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 MINUTES

2:00 P.M., Monday, April 9, 2012

City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

**1. Call to Order** (Time: 2:04:19 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:04 p.m.

**2. Roll Call** (Time: 2:04:22p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams, and City Clerk Linda Patterson, PRESENT.

ABSENT: None

Staff Present: Adam Mayberry, Teresa Gardner, Chris Syverson, Jen McCall, Jill Valdez, Rick Darby, Andy Flock, John Martini, Neil Krutz, Doug Thornley, Ron Korman, Tony Pehle, and Dan Hamlin.

**Invocation Speaker:** (Time: 2:04:30 p.m.)

The invocation was given by Pastor Barb West from the Sparks Nazarene Church.

**Pledge of Allegiance** (Time: 2:05:35 p.m.)

The Pledge of Allegiance was led by Council Member Schmitt.

**Comments from the Public** (Time: 2:06:15 p.m.) - None

**Approval of the Agenda** (Time: 2:07:07p.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Mayor Martini said he was notified by Community Services of a problem with item 7.1 and it has been withdrawn. A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the agenda as amended. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**3. Recommendation to Approve Minutes of March 26, 2012** (Time: 2:07:56 p.m.)

**Consideration and possible approval of the minutes of the Regular Sparks City Council meeting of March 26, 2012**

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of March 26, 2012. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest**

(Time: 2:07:58p.m.)

**4.1 Proclamation - Grant Korgan Day**

Grant Korgan shared a video, his experience with a spinal injury, and his will to recover. Mayor Martini read a proclamation naming April 9, 2012 Grant Korgan Day "I am strong, I am healthy, I am healed" on behalf of native Nevadan Grant Korgan, an avid snowmobiler, skier, kayaker, adventurer, and nanomechanics professional, an inspiration to us all.

**4.2 Proclamation - Mayors and Mommies Month**

Mayor Martini read a proclamation declaring April 2012 "Mayors and Mommies Month" and urged all mothers and healthcare providers in the City of Sparks to support Text4Baby and encouraged moms in our community to sign-up for this free program. The proclamation was presented to Emily Stratton. Moms can sign up for this program by going to [www.immunizenevada.org/text4baby](http://www.immunizenevada.org/text4baby).

**4.3 Learning & Development Fund**

A presentation by Human Resources Analyst Jen McCall regarding the City of Sparks' Learning and Development Fund included the following:

Background

- Due to attrition & reduction in staff, many employees were lacking in the necessary knowledge, skills, & abilities (KSA's), certifications and licensures to ensure staff success and satisfaction.
- The City in turn, was deficient in a workforce that could produce at the highest levels; but was also disadvantaged in preparing a pool of workers for succession planning.
- Fiscal Year 2012 – At the request of the City Manager, the Sparks City Council approved a \$200,000 training budget to be utilized by non-public safety personnel.

The L&D Fund is Born

- Funds, known as the L&D Fund would be managed by Human Resources and utilized for:
  - Training classes to increase the KSA for an employee's current position.
  - Training classes that would increase KSA, thus preparing employees for realistic advancement opportunities.
  - Testing to obtain or update required licensures.
  - Testing to acquire or maintain a required or valued certification.
  - Attendance at seminars and conferences that support the City's Strategic Goals and/or provide Federal, State or Statutory updates.

L&D Administration

- Department Heads, Managers & Supervisors created a training plan for each employee. A copy of each plan was sent to HR and the City Manager.
- Once an Employee had training goals established, they could then search for training opportunities that would support their individual plan.
- When a learning opportunity is found, an L&D request is sent to HR, approved, logged and tracked.

#### L&D Utilization

- As of March 31, 2012
  - 266 Employees have participated in 240 learning opportunities.
  - \$190K has been utilized or earmarked. The funds have paid for:
    - Registration costs, course and material fees; exam fees and preparatory materials; certification & licensure fees; and, travel expenses when necessary.
  - This results is an investment of \$714 per eligible employees per year.
  - To reduce costs, one trainer was brought to the City to facilitate a large class when possible.

#### Training Snapshot:

- Funds, known as the L&D Fund would be managed by Human Resources and utilized for:
  - Training classes to increase the KSA for an employee's current position.
  - Training classes that would increase KSA, thus preparing employees for realistic advancement opportunities.
  - Testing to obtain or update required licensures.
  - Testing to acquire or maintain a required or valued certification.
  - Attendance at seminars and conferences that support the City's Strategic Goals and/or provide Federal, State or Statutory updates.

#### Department L&D Accomplishments Measured Against Training Plans

- Management Services
  - Human Resources
    - Staff has taken courses to obtain or maintain PHR & SPHR Certifications; earned certifications in HR Management & Public Management; and, one employee has the unique opportunity to acquire an Emergenetics Certification to bring back and provide to all City Employees.
  - City Clerk's Office
    - Staff will obtain Certified Municipal Clerk Designation; ICRM Certification; a certificate in Public Management; and, a Certificate in Records Management
  - Customer Service
    - Staff has taken courses to support customer service skills, passport implementation, computer skills, business licensing and communication skills.
  - Contracts & Risk Management
    - The PRIMA & NIGP conferences will provide support that is critical for the Risk and Purchasing functions.
  - Community Relations
    - Attended Media Relations with support staff.
- Community Services
  - Administrative Staff & Management Team
    - Intermediate & Advanced Excel Training has been completed.
    - The management team will attend Emergenetics training.
  - Building
    - Staff has been able to attend the ICC Annual Conference, IAEI Electrical Conference; and, complete grounding & bonding courses.
  - Transportation

- This team has been able to attend the ITE Technical Conference, pavement management training, world of asphalt training and obtain a Field Testing Certification
- Capital Projects, Design, Utilities & Engineering
  - Numerous opportunities have been taken, especially in the field of Project Management, which will allow at least one employee the ability to train City staff in this area.
  - Staff has attended conferences on Flood Warning Systems, Flood Drain Management, National Flood Proofing, Steel Camp, Underground Construction and the NASTTS No Dig Show.
  - One employee received a certification in Floodplain Management and one received certification in Field Testing.
- Fleet & Facilities and Maintenance & Operations
  - This group has done a spectacular job of searching for L&D opportunities. In addition to many leadership classes taken by new Crew Supervisors, 138 employees have achieved individual training goals in the following:
  - Maxicom Hardware & Software, Vac-Con, Playground Safety, Work Zone Traffic Safety, Traffic Control, Introduction to Signals, Pump Systems, Backflow Assembly, Roadway Lighting, Emergency Vehicle Maintenance, Excavation & Trenching, Flexi Sign-Pro, Irrigation Technician, Mechanical Inspector, Arboriculture Training and skills training in Building Maintenance.
- Financial Services
  - Accounting
    - Staff has attended a GASB Conference on Practical Guidance; a Budget Analyst Training Academy, Advanced Excel and Financial Webinars.
  - Information & Technology
    - One employee is working toward their NV Certified Public Manager Certificate; and one staff member is working on SQL Server Reporting & Writing Queries.
- Parks & Recreation
  - Staff has attended Lifeguard Instructor Training which will allow them to train all future lifeguards in the City, saving us money; our Recreation Specialists will attend conferences supporting recreation activities for our youth in the community including the Teams Conference & Expo and the Parks & Recreation Conference in Las Vegas; and one staff member will attend the Junior Giants Conference in San Francisco.

#### New Needs

- We have established a strong foundation for increasing the strength of our human capital and taking advantage of opportunities that support the City's mission, values & goals.
- In order to ensure continued success, an ongoing commitment to Organization Learning & Development must be made.

#### Critical Department Needs

- Management Services will need ongoing support in the following areas:
  - Compliance training for the HR staff as well as HR Management classes and SHRM/PHR Certification maintenance courses

- Public Relations Accreditation, Social Media courses and Legislative Issues training for the Community Relations team
- ARMA Membership Renewal and ICRM Certificates for the City Clerk Staff
- Community Services will need ongoing support in the following areas:
  - Continue to identify and train future staff at all levels and develop a succession plan with the support of ongoing training.
  - Pooled Maintenance staff will require a 2-4 year training commitment to become fully functional and working at peak efficiency. Outside resources will be needed to grow the skill sets of these employees.
  - Continuing education to support PE & other licensures
  - Continued Technical Trainings, Seminars & Conferences
- Financial Services
  - The Finance Team must stay current with laws, rules & regulations that come from such institutions as PERS to the Department of Taxation; IT will need to stay ahead of technological advancements.
  - New needs include but are not limited to: Attending GFOA Trainings & Conferences; Revenue Forecasting training; Budget Documents training; Garnishment Laws; the Budget Cycle & Requirements for NRS; Information Systems Security training, advanced software training; and, Agresso Excelerator training.
- Parks & Recreation
  - While the leadership team will continue to take Supervisory certificate courses through the University of Nevada, many others simply need courses to support their current position.
  - For example, our Aquatics Supervisor needs certifications in CPR, First Aid and Lifeguard Training and to obtain a certification required by the Washoe County Health Department. Our Parks development staff needs to pursue relevant conferences; and, our recreation staff needs ongoing support and training in the areas of youth and adult recreation activities & sports programs.

Ms. McCall estimates the cost of the additional/immediate needs to be approximately \$40,000. Staff hopes to have the FY11-12 budget repeated in FY12-13. Ms. McCall explained tuition reimbursement is separate and used for college and accredited classes and is budgeted by departments. The L&D fund is focused on education and training associated with employees' essential job duties. City Manager Shaun Carey thanked Council for the inclusion of the Learning and Development Fund. Mr. Carey also thanked Jen McCall for the management of this program which benefited many employees.

**5. Consent Items** (Time: 2:37:37p.m.)

Item 5.3 was pulled for discussion. A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve Consent Items 5.1 and 5.2 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period March 8, 2012 through March 21, 2012.**

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 the Miramonte Phase 4B Unit 1 Final Map.**

An agenda item from Assistant Community Services Director John Martini recommending approval of the Miramonte Phase 4B Unit 1 Final Map, a continuation of the Miramonte New Urban District, creating eleven (11) new lots. There is no financial impact to the city.

**5.3 Consideration and possible approval of a contract for seasonal water quality maintenance at the Sparks Marina Canal with Aquatic Environments, Inc. in the amount of \$43,846.00.**

An agenda item from Assistant Community Services Director John Martini recommending approval of a contract with AEI who specializes in the maintenance of man-made water features and has been providing maintenance services to the Marina since 2005. The quotation for the maintenance services has been reviewed by the Community Services Department and has been found acceptable. The funds are budgeted for this expense.

Assistant Community Services Director John Martini said this is an annual contract and paid from the storm drain operating funds in the city operating budget. Council Member Schmitt requested clarification regarding any contribution by the homeowners to maintain the Canal; and without 100% agreement by the homeowners, there is no contribution.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the contract for seasonal water quality maintenance at the Sparks Marina Canal with Aquatic Environments, Inc. in the amount of \$43,846.00. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**6. General Business**

**6.1 Consideration and possible approval to terminate the contract with Contract Sweeping Services for routine street sweeping services (CONTINUED FROM MARCH 26, 2012 CITY COUNCIL MEETING). (Time: 2:43:56p.m.)**

An agenda item from Fleet and Facilities Manager Ron Korman, presented by Deputy City Manager of Community Services Neil Krutz, recommending termination of the contract for routine street sweeping services. On January 23, 2012 the City Council considered this item and instructed staff to give the Contractor another month to demonstrate improvements in service. Since that time staff continues to receive complaints to note substandard performance and have issues with inaccurate and overstated invoices. For these reasons, staff is seeking termination of the contract. There is no direct cost to cancel the contract. City staff would be assigned to routine street sweeping until the service can be re-bid and a new contract awarded.

Performance standards and accountability were discussed. Mr. Krutz believes it is still in the best interest of the city to contract street sweeping services and will be preparing a new bid for FY2012-13. Two full-time employees would be responsible for street sweeping if this contract is terminated which may affect other city services such as storm drain cleaning, sanitary storm, park improvements and park maintenance but should not affect them to the extent that would impact the public. The total annual contract was approximately \$98,000 leaving approximately \$24,000 pending.

Bob Wittekind of Contract Sweeping Services commented that the problem is not service, it is communication. The two parties cannot seem to agree on acceptable billing methods even after

trying various ways. Mr. Wittekind understands the complaint is not with the service, it is with the billing. Mr. Wittekind does not understand why it cannot be resolved, but realizes it isn't working which is why they sent the letter to propose they finish up this year's contract and they will not rebid. They have served over 30 cities and this is the first time they've met an issue that cannot be resolved. There have been times the city was not happy with the service; however, with the amount of street they sweep, it is a small portion that gets missed, and they are willing to rectify the situation when made aware of it.

Maintenance and Operations Manager Dan Hamlin explained there have been three additional performance issues in a two week period in March; however, the issues were resolved once they were notified of the safety hazard. Council Member Schmitt understood one of the original complaints was the numerous issues they would not correct even after being notified; now it appears they correct any concerns. In addition, they have adjusted their billing to include gps per our request and improper billings for January and February have been corrected. Deputy Assistant Manager of Community Services respectfully requested the contract not be cancelled based on information heard today and the year be finished with the current vendor.

Joe Vella, owner of Contract Sweeping, feels they are fighting a battle that cannot be won and they did send the letter stating they would not re-bid the contract; however, they would like to finish out this year. Mr. Vella stated he is here to answer any questions Council may have and apologized if Contract Sweeping is not meeting the city's needs but for some reason there is something keeping the city's public works department from being happy with the service. Contract Sweeping has made many adjustments to try to accommodate their concerns; they are trying to work together but it doesn't seem to be working. They would like to finish out this contract and they will not rebid.

Council Member Ratti believes privatization of services was intended to increase quality and efficiency and this is one of the first contracts to outsource a city service. If it is not achieving the goals for which it was intended, it should be terminated. Council Member Schmitt believes this is a mutual problem and both the city and contractor has responsibility in the issues. Using privatization is new for our city and he suggests we use the next 90 days to figure out how to make it work better.

Council Member Lawson believes Contract Sweeping Services is working with the city and should continue to the end of the current contract. Mayor Martini believes this is an issue of accountability and the contractor should perform to our expectations.

A motion was made by Council Member Lawson, seconded by Council Member Schmitt, to continue with Contract Sweeping Services until the end of the contract. The motion was withdrawn by Council Member Lawson.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to terminate the contract with Contract Sweeping Services. Council Members Ratti, Smith, YES. Council Members Lawson, Carrigan, Schmitt, NO. Motion failed.

**6.2 Consideration and possible approval of FY2012-13 expenditures for city memberships and contributions. (Time: 3:07:26p.m.)**

An agenda item from City Manager Shaun Carey requesting City Council direction regarding memberships in several local, state, and national organizations and contributions to several local agencies.

**Current memberships include:**

Alliance for Innovation	\$1,950
EDAWN	\$32,275 (approved in February 2012)
ICMA CPM	\$5,500
Keep Truckee Meadows Beautiful	\$6,012
Northern Nevada Chamber	\$5,000 (provided by TourMark)

**Previous memberships included:**

Nevada League of Cities	\$17,890
National League of Cities	\$7,816

The Council discussed the value of re-instating the annual memberships in the Nevada and National League of Cities with the Nevada Leagues Executive Director David Fraser and Las Vegas Councilman Steve Ross

Council Member Ratti said the Government Affairs team, along with the city's legislative strategist, would recommend re-joining the League. The membership includes a seat on the board of directors and Council Member Ratti would like a tighter connection between the city's Government Affairs team and the League's Board of Directors, knowing the League is involved with more than just the Legislative session. Mayor Martini agrees that based on the recommendation of the city's legislative strategist, it would be beneficial to participate with the League of Cities. Council Member Carrigan is not sure there is a benefit and believes the money may be better spent increasing lobbying activity.

Las Vegas Councilman and President of the Nevada League of Cities Steve Ross discussed the value of a united effort on important issues that cities agree on. Participation from the City of Sparks has been missed. Mr. Fraser expressed concern with missed opportunities last session; however, he commended the team that was representing Sparks, he believes they did a good job but wished they could have been a part of the League's strategy sessions. Mr. Fraser said the cities are the league, not him. He is there as support and believes all cities may not always agree on a direction, but they usually will reach consensus. Mr. Fraser offered to begin full privileges immediately if the City of Sparks votes to re-join in July 2012 so they can be involved in the legislative committee and crafting the 5 bills for next session.

Councilman Ross said he felt like the cities were constantly repairing from damage from legislative session; however, we work for the same people. The League represents strength between the members to provide input to the Legislators and challenges Sparks' full participation as the league belongs to the cities. The League is offering a 20% membership reduction to re-join the Nevada League of Cities. Council Member Schmitt believes if this council votes to join the League, then they need to commit to being active participants year around. Council Member Schmitt wanted to confirm that the reduced membership rate includes full membership privileges and it does. In addition, Council Member Schmitt asked where the weakest representation was in the state, and Councilman Ross responded the smaller cities are more participatory; the larger cities carry more of the financial burden but have less participation. Mr. Fraser believes the southern cities are strong right now. Council Member Lawson has limited knowledge of what the League does and suggests they do outreach. Councilman Ross says communication changes



are being implemented to strengthen relationships between the cities. Council Member Ratti encouraged Sparks Council to be involved and be a part of ensuring we are getting what we need from the League by actively participating in the decision making. Mr. Fraser said League membership allows Sparks to appoint someone to the Board of Directors as well as appoint someone to the Legislative Committee which will be shaping the bills to be carried by the League.

Council Member Schmitt posed the question of committing funds to EDAWN at a time when the city is considering adding an Economic Development Manager position to the FY12-13 budget for discussion. The EDAWN renewal is funded through calendar year 2012 and would come before the Council for approval in approximately February 2013.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve funding for the following memberships and contributions: Alliance for Innovation, EDAWN, ICMA, Keep Truckee Meadows Beautiful, National League of Cities and the Nevada League of cities as presented by staff. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, NO. Motion carried.

**6.3 Discussion and potential direction to staff and possible approval of the revised First Amendment to the Interlocal Cooperative Agreement (Truckee River Flood Management Project) as it relates to the voting structure of the Board of Directors of the Flood Management Authority, and other matters properly related thereto. (Time: 3:40:31 p.m.)**

An agenda report from City Manager Shaun Carey, presented by Deputy City Manager of Community Services Neil Krutz, recommending approval of the revised First Amendment. The City Council previously approved the First Amendment to the Flood Project Interlocal Agreement. Since Council's approval, the City of Reno and Washoe County are requesting revisions to the First Amendment including expanding things needing a super majority to include not only the living river plan but also capital improvement programs and infrastructure tax plans. In addition, a change would require the flood board to make presentations to each of the local governing bodies before they took any final action on the CIP.

Council Member Ratti confirmed these were the changes discussed at the April 2, 2012 Joint Meeting and that the city's attorney has reviewed and agrees with the changes. Council Member Carrigan asked if this revised amendment will have to be approved by the Flood Board and it was confirmed that it will; however, it was discussed that the approval by the council provides direction for its representatives and hopefully, each governing bodies' representatives will take their recommendation forward for the Flood Board's vote. Council Member Smith agreed. Council Member Schmitt requested clarification of process and remedies that may be associated with members of the Flood Board not voting in line with the governing body on this revised amendment. Senior Assistant City Attorney Doug Thornley explained the Council vote provides direction and should be taken prior to the vote by the Flood Board to allow for any possible remedies to be valid.

Cathy Brandhorst provided public comment.

Acting Executive Director of the Flood Management Authority Jay Aldine assured the Council that FMA would act on any new member or any petition from any sponsor members to follow their guidance on membership.

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve the revised First Amendment to the Interlocal Cooperative Agreement (Truckee River Flood Management Authority). Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, NO. Motion carried.

**6.4 Review and discussion of City of Sparks' participation in upcoming Joint Meetings being held about the formation of a Regional Fire District under a Joint Powers Agreement and provide direction to the City Manager on this and other properly related matter thereto. (Time: 3:52:16 p.m.)**

An agenda item from City Manager Shaun Carey requesting City Council direction regarding participation in exploring the formation of a Regional Fire District using a Joint Powers Agreement. The City Council has adopted Resolution No. 3158 which resolved that the Sparks City Council will join regional efforts to improve the quality and fiscal efficiencies of city services for the citizens of the City of Sparks and fiscal equity for the region, without participating in or supporting any regional government consolidation which would change the form of the government of Sparks. The proposed Regional Fire District would change the form of Sparks Government and create a new sole purpose Board to determine service levels within the City of Sparks. It also would expose the City to past and future decisions of others. The cost of fire service is NOT created equal, nor are the financial burdens equally shared.

City Manager Shaun Carey summarized the intent of the City of Reno and Washoe County to begin discussions regarding a joint powers agreement to form a regional fire district. Staff recommends the City of Sparks not participate in these discussions.

Council Member Schmitt received a request from a businessman who praised the Sparks City Council on their responses to regional issues and discussed the option of Sparks being involved as facilitators to assist the regional process without the intent to participate in the consolidation.

Cathy Brandhorst provided public comment.

Council Member Carrigan said 75% of residents were against consolidation of police or fire. He would request the Sparks Fire Chief be present at the meeting to keep the Council informed as we have an interest because of the mutual aid relationship. Chief Flock will monitor and keep the Council informed through the City Manager. City Manager Shaun Carey said a fire district would also include tax implications to city revenues.

No motion was made.

**6.5 Consideration, 1st Reading and possible discussion of Bill No. 2643, an Ordinance amending Chapter 7 of the Sparks Municipal Code; amending Section 7.16.010 "Definitions," 7.16.050 "Notice of Violation," and 7.16.060 "Time for Abatement," 7.16.070 "Appeal Procedures," 7.16.100 "Abatement Report Hearing Procedure," to reflect the new procedure for each; and providing other matters properly related thereto. (Time: 4:06:45p.m.)**

First Reading by Title by City Clerk Linda Patterson. The public hearing and second reading will be conducted at the regular city council meeting on April 23, 2012.

**7. Public Hearing and Action Items Unrelated to Planning and Zoning**

**7.1 Public Hearing, consideration and possible approval of the abandonment of an approximate 9 foot by 130 foot, portion of the east side of Field Street right of way adjacent to Lot 16 Block 2, of Rosasco Subdivision granted to the City pursuant to Tract Map No. 597, as recorded September 4, 1958.**

This item was withdrawn.

**7.2 Consideration, Second Reading and Public Hearing for Bill No. 2642, an Ordinance providing for the conducting and holding of the 2012 Municipal Elections (CONTINUED FROM THE MARCH 26, 2012 MEETING) (Time: 4:07:28 p.m.)**

City Clerk Linda Patterson stated no elections are necessary for candidates since they were not opposed and are therefore elected. A letter from the Washoe County Registrar of Voters Dan Burke stated July 16th is the deadline for submitting voter questions and the cost would be approximately \$8,979. If no ballot question is submitted, there will not be a charge. This ordinance creates the agreement to conduct our election should it be needed.

Council Member Ratti clarified that no election is necessary for the candidates as she was asked about write-in candidates. City Clerk Patterson said according to NRS our candidates are duly elected, there are no write-ins at the State or local level. There was a time that unopposed candidates had to be on the primary ballot; however, the law has been changed and unopposed candidates at the local level do not have to be on the ballot.

A motion was made by Council Member Schmitt, seconded by Council Member Carrigan, to pass Bill No. 2642 (Ordinance No. 246) providing for the conducting and holding of the 2012 Municipal Elections. Council Members Ratti, Lawson, Schmitt, Carrigan, YES. Council Member Smith, ABSENT. Motion carried.

**8. Planning and Zoning Public Hearings and Action Items (Time: 4:12:12 p.m.)**

**8.1 PCN11029- Consideration of and possible tentative approval of an amendment to the planned development handbook for Crestgate Pyramid to revise the land uses removing the senior housing and adding personal and RV storage as uses, also including but not limited to landscaping, parking, signage and other matters relating thereto located south of North McCarran Boulevard, west of Pyramid Way, east of 11th Street and located on the north and south sides of Roberta Lane.**

An agenda item from Senior Planner Karen Melby requesting tentative approval of amendments to the Crestgate Pyramid Planned Development Handbook. With Areas 1 and 2 built out, the amendments only affect Areas 3 and 4. The applicant is requesting to remove the option of senior housing while proposing personal storage with an office building along Roberta Lane in Area 3 and RV storage in Area 4. The other amendments to the Handbook include changes to signs, landscaping and architecture standards. The applicant is also proposing to install two freestanding signs with sign area for tenants. One sign, along McCarran Boulevard, would be 30 feet tall with six tenant panels. The second sign would be located on the corner of Roberta Lane and Pyramid Highway. The proposed height is 25 feet and would have six tenant spaces. The

other changes to the handbook reflect the proposed new uses and establish standards for landscaping and architecture of the personal and RV Storage development. The applicant does not propose any changes to the standards for the office buildings. The Planned Development findings are below. Staff and the Planning Commission recommend approval.

**Planned Development Findings:**

**PD1 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for housing of all types and design.**

This Planned Development Amendment is removing the senior housing as an option. The amendment makes this planned development entirely office or commercial uses.

**PD2 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for necessary commercial and industrial facilities conveniently located to the housing.**

The combination of an additional office building and personal storage will provide a transition between the intense activity of the adjacent shopping center and the surrounding neighborhood. Maintaining the office buildings along Roberta Lane and the personal storage in the rear will help to maintain the character of Crestgate Pyramid Planned Development.

**PD3 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for the more efficient use of land and public or private services.**

The personal and RV storage will require minimal need for public services and less need than more offices or the senior housing would have required.

**PD4 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for changes in technology of land development so that resulting economies may be available to those in need of homes.**

The proposed removal of the option to build senior housing makes this planned development entirely office and commercial uses.

**PD5 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for flexibility of substantive regulations over land development so that proposals for land development are disposed of without undue delay.**

The applicant is seeking approval of the personal and RV storage because they desire to develop their remaining land now and do not want to wait for recovery of the market. The office building site along Roberta Lane will be developed when there are needs for leasable office space.

**PD6 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for density.**

The amendment to the Development Standards for Crestgate Pyramid does change the density, in that eliminating the senior housing option substantially reduces the proposed density of the site. The development of personal and RV storage is a low intensity land use which has low traffic generation and will only be single story in height.

**PD7 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for bulk.**

Currently, the development within Crestgate Pyramid consists of single story structures. By eliminating the senior housing, which was to be multi-story buildings, the building heights will

generally be one story throughout the property as the personal storage, excepting the caretaker residence, will be one story buildings.

**PD8 The plan does depart from zoning and subdivision regulations otherwise applicable to the property and these departures are in the public interest for use.**

The development standards establish increased setbacks, height and lighting restrictions for the buildings placed adjacent to the single family homes. Placing an office building on Roberta Lane keeps the office – residential character along Roberta Lane. It also puts the personal storage adjacent to the shopping center, buffering the existing residences to the south and west with offices.

**PD9 The ratio of residential to nonresidential use in the planned development is:**

The proposed amendment does not include any residential so there is no ratio of residential to nonresidential use.

**PD10 Common open space in the planned development exists for what purpose, is located where within the project, and comprises how many acres (or what percentage of the development site taken as a whole).**

The only common open space within Crestgate Pyramid is the landscaped areas. The standards within the Planned Development Handbook maintain the streetscape and propose an enhanced landscape area with a water feature along Roberta Lane.

**PD11 The plan does provide for the maintenance and conservation of the common open space by what method.**

The Crestgate Pyramid Development Standards Handbook does address the maintenance and conservation of the common open space through private ownership.

**PD12 Given the plan's proposed density and type of residential development, the amount and/or purpose of the common open space is determined to be adequate.**

The planned development handbook requires a percentage for landscaping consistent with Title 20. The streetscape and the proposed landscape / water feature will provide sufficient landscaping to meet the intent of the common space for commercial and office uses.

**PD13 The plan does provide for public services. If the plan provides for public services, then these provisions are adequate.**

The planned development provides for public services to serve the existing office buildings, proposed offices and personal storage as part of this planned development.

**PD14 The plan does provide control over vehicular traffic.**

The amendment does not change the pedestrian or vehicular circulation. The street design conforms to City of Sparks street standards. Roberta Lane was designed to accommodate fire trucks so RVs should be able maneuver it. Based on the traffic generation numbers provided in the Handbook (7<sup>th</sup> Edition of the ITE Trip Generation Manual), the estimated average daily trips will be 1,330 average weekday trips. The trip generation estimated in the recorded handbook was 2,035 ADT. This is a substantial reduction in the number of average daily trips.

**PD15 The plan does provide for the furtherance of access to light, air, recreation and visual enjoyment.**

Crestgate Pyramid is characterized by tree lined streets. The amendment will maintain the streetscape along Roberta Lane. Both the personal storage and RV area will have perimeter landscaping, maintaining the streetscape on the private section of Roberta Lane.

**PD16 The relationship of the proposed planned development to the neighborhood in which it is proposed to be established is beneficial.**

Crestgate Pyramid has been developing as an office complex with a residential type appearance, providing office space for smaller businesses. The amendments maintain the character of Roberta Lane with the office on the last parcel along the public portion of Roberta Lane. The proposed plan situates the personal storage between the adjacent shopping center and the surrounding neighborhood, providing a good transition between the uses. The RV storage is below the grade of McCarran Boulevard. There are no changes proposed to the access to the surrounding neighborhood.

**PD17 To the extent the plan proposed development over a number of years, the terms and conditions intended to protect the interests of the public, residents and owners of the planned development in the integrity of the plan are sufficient.**

Approvals for development plans of Crestgate Pyramid started in 1995. The original plan was to develop a single family subdivision. Later the plans were changed to a mix of senior housing and offices. The latest amendment is to eliminate any housing component and replace it with personal and RV storage. The standards in the Handbook are written to minimize the impacts on the surrounding area. In past plans, this property has been viewed as a transitional use between the shopping center at the southwest corner of the intersection of Pyramid Highway / McCarran Boulevard and single family residential to the west and south. Maintaining offices along the public portion of Roberta Lane, placing the personal storage behind the office buildings and placing the RV storage below the grade of McCarran Boulevard will sustain the transitional function of the Crestgate Pyramid development.

**PD18 The project, as submitted and conditioned, is consistent with the City of Sparks Master Plan.**

The project is consistent with the Sparks Master Plan as discussed below. The Land Use Plan Goals and Policies in the 1991 Master Plan update that are relevant to this proposal include:

**GOAL LU1:** *To create a growth pattern which assures flexible, feasible and efficient developments and which includes natural and cultural amenities.*

**POLICY**

**LU1a.** *The City will support a preferred growth pattern which applies consistent and uniform standards to areas planned for similar uses.*

**ACTION STRATEGY**

**A.** *Allow only developments which meet the proper land use designation of the City's Master Plan and the Regional Master Plan.*

The Master Plan Amendment to GC allows a wide variety of land uses which promotes flexibility in development. The GC is a logical extension of the existing GC for the shopping center on the corner of Pyramid Way and McCarran Boulevard.

**PD19 The project is consistent with the surrounding existing land uses.**

The Crestgate Pyramid Planned Development is designed to be a transitional land use between the shopping center and traffic on Pyramid Highway and the single family homes to the south and west. Maintaining offices along the public portion of Roberta Lane and placing the personal storage between the office buildings, will help sustain the transitional role of the area.

The subject site and surrounding land uses are described as follows:

**SURROUNDING LAND USES & ZONING**

Direction	Land Use	Zoning
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North	Low Density Residential (LDR) General Commercial (GC) Public Facilities (PF)	PF, R1-40 and R1-6
South	Low Density Residential (LDR)	R1-6
East	Low Density Residential (LDR) General Commercial (GC)	C2 & R1-6
West	Low Density Residential (LDR)	R1-6

At the corner of Pyramid Highway and McCarran Boulevard are commercial land uses. Crestgate Pyramid Planned Development is situated between the commercial shopping center at the intersection of Pyramid and McCarran and the residential land uses to the south and west.

**PD20 Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code.**

Public notice was given. The Planning Commission and City Council meetings function as the public hearing per the requirements of SMC and NRS.

**PD21 Modification of Crestgate Pyramid Planned Development furthers the interest for the City and the residents and preserves the integrity of the plan.**

**When considering rezoning a Planned Development, the City must be able to identify that the "modification" is to "further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan as finally approved," NRS 278A.380 (2).**

The revised plan in the planned development handbook maintains the integrity of the plan by sustaining the office residential character along Roberta Lane. Installing the streetscape in front of the future office pad, the enhanced landscape feature at the roundabout, seeding the future office site and screening the personal storage wall as required by the handbook will soften the appearance of the personal storage from Roberta Lane. The proposed uses will generate less daily traffic than either the all office plan or the senior housing would have generated. The vehicular and pedestrian circulation is maintained with the amendment. Crestgate Pyramid Planned Development will still function as a transitional land use between the shopping center on the corner of Pyramid Way / McCarran Boulevard and the residential to the west and south.

Ken Krater, representing the applicant, supports staff's recommendation and is here to answer any questions.

Cathy Brandhorst provided public comment.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve item 8.1 as outlined by staff. Council Members Ratti, Lawson, Schmitt, Carrigan, YES. Council Member Smith, ABSENT. Motion carried.

**9. Comments (Time: 4:21:21p.m.)**

**9.1 Comments from City Council and City Manager - None**

**9.2 Comments from the Public**

Cathy Brandhorst provided comment.

**10. Adjournment** (Time: 4:24:36p.m.)  
Council was adjourned at 4:24 p.m.

DRAFT