



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

CITY MANAGER
Steve Driscoll

REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, June 13, 2016

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 Pro Tempore Ron Smith at 2:00 p.m.

2. **Roll Call** (Time: 2:00 p.m.)

Council Members Julia Ratti, Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Mayor Geno Martini

3. **Opening Ceremonies**

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

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

3.2 **Pledge of Allegiance** (Time: 2:01 p.m.)

The Pledge of Allegiance was led by Council Member Charlene Bybee.

2:02 p.m. Mayor Pro Tempore Ron Smith asked for a moment of silence for the recent shooting in Orlando Florida that took 49 lives.

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

Diana Black gave public comment regarding the appearance of Sparks, road maintenance that is not being done, noise problems, and safety issues around the theater. Ms. Black also asked about the lighthouse project at the Marina. Mayor Pro Tempore Smith directed the City Manager to contact Ms. Black regarding her concerns.

5. **Agenda** (Time: 2:06 p.m.)

5.1 **Approval of the Agenda (FOR POSSIBLE ACTION)**

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 Ratti, seconded by Council Member Schmitt, to approve the agenda as submitted. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

6. Minutes (Time: 2:07 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of May 23, 2016. (FOR POSSIBLE ACTION)

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the minutes of the regular Sparks City Council meeting on May 23, 2016. 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 Proclamation: "Holly Quick Memorial Day" (Time: 2:07 p.m.)

Mayor Martini proclaimed June 23, 2016 as Holly Quick Memorial Day. Mayor Pro Tempore Ron Smith read the proclamation and presented it to Gigi Sefchick, Victim Advocate for the District Attorney's Office and Amanda Cuevas, Secretary for the Alliance for Victim's Rights.

7.2 Proclamation: "Reno Rodeo Days" (Time: 2:12 p.m.)

Mayor Martini proclaimed June 16-25, 2016 as Reno Rodeo Days. Mayor Pro Tempore Ron Smith read the proclamation and presented it to the following representatives of the Reno Rodeo Association: 2nd VP Bill Summy, Director Troy Gardner, and Bill Johnson and Jim Lindsey of the Executive Committee.

7.3 Proclamation: "High Sierra Industries/Empower" (Time: 2:16 p.m.)

Mayor Martini proclaimed June 13, 2016 as Sparks Empower Day. Mayor Pro Tempore Ron Smith read the proclamation and presented it to LaVonne Brooks, President/CEO and Jimmy Breslin, Community Development Officer for High Sierra Industries.

7.4 Update on regional air service and related airport affairs by Marily Mora, President/CEO of the Reno-Tahoe Airport Authority" (Time: 2:21 p.m.)

Reno-Tahoe Airport Authority President/CEO Ms. Mora and Bill Eck of the Board of Trustees presented status updates including passenger and cargo counts, new air service, the Regional Air Service Corporation, and US customs and border protection.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:40 p.m.)

A motion was made by Council Member Ratti, seconded by Council Member Bybee, 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 May 6, 2016 through May 25, 2016. (FOR POSSIBLE ACTION)

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

8.2 Consideration and possible adoption of Resolution No. 3295 to augment the FY16 budget of various funds. (FOR POSSIBLE ACTION)

An agenda item from Budget Administrator Stacie Hemmerling recommending Council adopt Resolution No. 3295 to augment the FY16 budget in the following funds: Rec & Parks District 2 Fund (1407) - \$213,000; Impact Fee Svc Area 1 Fund (1210) - \$28,000; and Development Services Enterprise Fund (2201) - \$195,000. The procedures and requirements for budget

augmentations are outlined in NRS 354.598005 and NAC 354.410. This augmentation request meets those requirements. There is no impact to the general fund.

8.3 Consideration and possible approval of recommendation for a Master Professional Services On Call List for Civil Engineering Design, Surveying, and Materials/Testing & Inspection Services, RFP 15/16-012. (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve the award of a Master Professional Services On-Call List. The City of Sparks has a routine need to employ consultants in support of capital improvement or maintenance projects throughout the City. Support requirements occur most typically in the area of civil engineering design, surveying, and materials testing. While these services meet the legal definition of a “professional service” and are therefore exempt from the requirement to perform a formal solicitation (per NRS 332.115), the City of Sparks routinely performs a solicitation to establish an “on-call” list of firms to perform these services on an as-needed basis. There is no impact to the general fund.

8.4 Consideration and possible approval of a regional Memorandum of Understanding (MOU) to implement Omega Protocols between the Regional Emergency Medical Services Authority, the City of Reno, the City of Sparks, the Truckee Meadows Fire Protection District and the Sierra Fire Protection District. (FOR POSSIBLE ACTION)

An agenda item from Fire Division Chief Chris Maples recommending Council approve the regional MOU to implement “Omega Protocols” which will allow certain 911 calls for medical assistance to be transferred and handled through the REMSA Nurse Health Line rather than having an ambulance/fire department response. Omega calls are identified as low acuity, non-emergent, medical calls not needing an ALS (Advanced Life Support) response. There is no impact to the general fund.

8.5 Consideration and possible approval of the 2016 Cooperative Fire Protection Agreement and the 2016 Annual Operating Plan between the City of Sparks, Bureau of Land Management (BLM), and US Forest Service (FS). (FOR POSSIBLE ACTION)

An agenda item from Fire Division Chief Jim Reid recommending Council approve the cooperative agreement and operating plan. The new combined contract (Cooperative Fire Protection Agreement) is meant to streamline the contracts the federal agencies must get signed every year. The Annual Operating Plan is an addendum to the agreement and is intended to identify and define the operational aspects of the cooperative agreement. The annual operating plan is renewed each year on or before April 1. There is no impact to the general fund.

8.6 Consideration and possible approval of an Interlocal Cooperative Agreement with the Regional Transportation Commission of Washoe County for Shared Use of Fiber Optic Infrastructure (FOR POSSIBLE ACTION)

An agenda item from City Engineer Jon Ericson recommending Council approve the agreement to allow the Regional Transportation Commission (RTC) to install fiber optic infrastructure for shared traffic management use within City of Sparks Right-of-Way as outlined in the RTC’s Traffic Management 2A and 2B project. The Traffic Management 2A and 2B project was included in the annual RTC Program of Projects approved by City Council on May 9, 2016. The RTC approved the attached Interlocal Cooperative Agreement on May 20, 2016. The

infrastructure will enable staff from Sparks, Reno, Washoe County, RTC and NDOT to better coordinate signal system timing to optimize traffic operations. There is no impact to the general fund.

8.7 Consideration and possible approval of an application for a Gaming license for Winner's Gaming, Inc, DBA: Pyramid Gas & Liquor, located at 800 Prater Way, Sparks, NV, submitted by Mr. Robert Gene King. (FOR POSSIBLE ACTION)

An agenda item from Police Chief Brian Allen recommending Council approve Mr. Robert Gene King's application for a Gaming license contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI/CJIS that do not reflect any disqualifying arrests/convictions. There is a potential annual revenue of \$600.

9. General Business

9.1 Consideration and possible approval of reapportionment of assessments levied under Ordinance No. 2397 Local Improvement District No. 3 (Legends at Sparks Marina) Reapportionment No. 3. (FOR POSSIBLE ACTION)
(Time: 2:40 p.m.)

An agenda item from Assistant City Manager Neil Krutz recommending the City Council approve the draft reapportionment report as submitted by Staff. Local Improvement District No. 3 (LID) was created by the City Council in 2008 to support development of the Legends at Sparks Marina Park. At the time the LID assessments were distributed based on benefit to each parcel. An initial reapportionment was approved by the City Council on November 8, 2010. Since that time, the number of parcels and their configurations has changed, requiring reapportionment of the LID assessments. Staff retained Stantec Incorporated, preparer of the original Engineer's Report for the district, to conduct the reapportionment analysis. There is no impact to the general fund.

A motion was made by Council Member Schmitt, seconded by Council Member Bybee, to approve Reapportionment No. 3 to assessments levied under Ordinance No. 2397 Local Improvement District No. 3 (Legends at Sparks Marina). Council Members Lawson, Smith, Bybee, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

9.2 Consideration and possible approval of Resolution No. 3296 to establish an Arts and Culture Advisory Committee for the City of Sparks. (FOR POSSIBLE ACTION) (Time: 2:43 p.m.)

An agenda item from Special Events Supervisor Francine Burge recommending that the City Council approve Resolution No. 3296. Creation of the Arts and Culture Advisory Committee (ACAC) is necessary to best manage all future arts and culturally related activities on public property or projects utilizing city resources. The ACAC will be tasked with the creation and provision of a plan and guidelines to move the program forward. Funding is from the parks & recreation fund; there is no impact to the general fund. Council Member Ratti said she heard from 39 North, who expressed their support for the formation of the Committee.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve Resolution No. 3296 establishing the Arts and Culture Advisory Committee as presented by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.3 Consideration and possible approval to purchase stop loss insurance for the City's Group Health self-funded plan for Fiscal Year 2017 in the amount of \$383,627 and authorization for the Contracts and Risk Manager to execute agreements for the policy. (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)

An agenda item from Senior Human Resource Analyst Jen McCall recommending Council approve the purchase of stop loss insurance to protect the City's self-funded group medical plan from catastrophic losses. Stop loss insurance is purchased to protect health plans against adverse claims experience. Competitive hospital and physician contracts makes the use of stop loss protection infrequent; however, the plan must be protected from large individual claims, and protect the self-funded health plan from significant losses. Funding is from the group insurance self-insurance fund; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Schmitt to approve the purchase of stop loss insurance as presented by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.4 Consideration and possible approval to purchase various commercial insurance policies to protect the financial interests of the City for the next policy periods in the amount of \$558,168 and authorization for the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION) (Time: 2:57 p.m.)

An agenda item from Contracts & Risk Manager Dan Marran recommending Council approval to purchase commercial insurance policies to protect the financial interests of the City of Sparks for the next policy periods. While most primary layers of risk exposure are self-insured, the City purchases commercial insurance policies to protect its financial interests against unpredictable, catastrophic losses. These policies include: Property & Contents (including boiler & machinery, auto physical damage, flood damage and cyber liability), public agency general liability, employee dishonesty and tenant user's liability. This agenda item authorizes the Contracts and Risk Manager to execute the necessary paperwork associated with these those policies. Funding is from the municipal self-insurance fund; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith to approve the purchase of commercial insurance policies as outlined by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.5 Consideration and possible approval to purchase various commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility for the next policy periods in the amount of \$253,256 and authorization for the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION) (Time: 3:00 p.m.)

An agenda item from Contracts & Risk Manager Dan Marran recommending Council approve the purchase of commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility (TMWRF) for the next policy periods. While most primary layers of risk exposure are self-insured, the City purchases commercial insurance policies to protect its financial interests against unpredictable, catastrophic losses. These policies include: Property & Contents (including boiler & machinery, auto physical damage, flood damage and cyber liability), public agency general liability, employee dishonesty and tenant user's liability. This agenda item authorizes the Contracts and Risk Manager to execute the

necessary paperwork associated with these policies. Funding is from the TMWRF administration fund; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Schmitt, to approve the purchase of various commercial insurance policies for TMWRF as outlined by staff. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.6 Consideration and possible approval to purchase an excess insurance policy for workers' compensation for the policy period 7/1/2016 to 6/30/2017 in the amount of \$88,617 and authorization for the Contracts and Risk Manager to execute agreements for the policy. (FOR POSSIBLE ACTION) (Time: 3:04 p.m.)

An agenda item from Human Resource Analyst Jill Valdez recommending approval to purchase the excess insurance policy for worker's compensation to protect the financial interests of the City of Sparks for the next policy period. While the primary layer of risk exposure in the worker's compensation program is self-insured, the City purchases an excess insurance policy for two reasons. First, it is a requirement under Nevada law to carry excess coverage in order to have a self-funded worker's compensation program. Second, the policy protects the financial interests of the City against unpredictable, catastrophic losses. This agenda item authorizes the Contracts and Risk Manager to execute the necessary paperwork associated with this policy.

Although there is a slight increase in the estimated cost of the policy for fiscal year 2017, it is related to estimated payroll increases, not to an increase in the insurance rate. The insurance rate in the policy quote remains flat from the current policy period of 7/1/2015 to 6/30/2016. Funding is from the worker's comp self-insurance fund; there is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Ratti, to approve the purchase of an excess insurance policy for worker's compensation for the policy period 7/1/2016 to 6/30/2017 in the amount of \$88,617 and authorize the Contracts and Risk Manager to execute agreements for the policy. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.7 First Reading of Bill No. 2706, an ordinance to rezone approximately 10.23 acres from NUD (New Urban District) to MUD (Mixed Use District) located at 675 Marina Gateway Drive, Sparks, NV. (PCN16013) (Time: 3:06 p.m.)

Bill No. 2706 was read by title by City Clerk Teresa Gardner. The second reading and public hearing will be held on Monday, June 27, 2016

9.8 First Reading of Bill No. 2707, an ordinance to rezone a site approximately 4.32 acres in size from TC (Tourist Commercial) to I (Industrial) located at 350 Galletti Way, Sparks, NV. Applicant: Cemex Construction Materials Pacific, LLC (PCN15067) (Time: 3:07 p.m.)

Bill No. 2707 was read by title by City Clerk Teresa Gardner. The second reading and public hearing will be held on Monday, June 27, 2016

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

10.1 Public hearing and possible approval of Resolution No. 3297 to approve the sale by the Redevelopment Agency of the City of Sparks of two parcels

totaling approximately 1.36 acres located within the Victorian Square project area and having Assessor's Parcel Numbers 032-341-21 and 032-341-26 to SWD-Quarry Bridges, LLC. And consideration of and possible approval by the City Council of a Disposition and Development Agreement (AC5251/AC-SRA311) between the Redevelopment Agency, the City of Sparks and SWD-Quarry Bridges, LLC. (FOR POSSIBLE ACTION) (Time: 3:07 p.m.)

An agenda item from Assistant Community Services Director Armando Ornelas recommending Council adopt the resolution and approve the Disposition and Development Agreement (DDA). The first action for this agenda item is requesting Council to adopt a resolution that makes certain findings and approves the sale by the Redevelopment Agency of two Victorian Square parcels totaling approximately 1.36 acres to SWD-Quarry Bridges, LLC (Developer), as set forth in the proposed DDA. The Developer will construct The Bridges project on the property it is to acquire from the Agency. The second requested action is approval, on behalf of the City, of the DDA.

The Redevelopment Agency parcels to be sold to the Developer are the parcel with the APN 32-341-21 (the "Northern Parcel"), which is located directly south of the City parking garage adjacent to the Cinemark movie theater, and the parcel with APN 032-341-26 (the "Southern Parcel"), which is located south of and across Avenue of the Oaks from the Northern Parcel. Collectively the two parcels are referred to in the DDA as the "Agency Parcels."

Some of the main terms of the DDA are that the Redevelopment Agency will sell the Agency Parcels to SWD-Quarry Bridges for the price of \$750,000.00, or \$12.64 per square foot. This price was established by appraisal. The sale price may increase if the boundaries of one or both of the Agency Parcels are modified by abandonment of easements pursuant to Section 3.1.1 of the DDA. The project is not subject to prevailing wage. Construction for the project must start by June 30, 2017 and construction is to be completed by the December 31, 2018. The DDA also calls for a provision that stories would not be added to the parking structure.

As proposed, The Bridges project will include approximately 192 apartments, approximately 19,600 square feet of commercial space, a portion of which will be used to provide private amenities to project residents, and structured parking for the project's tenants. There is a positive impact to the Redevelopment Agency of \$750,000; there is no impact to the general fund.

Council discussed that this project will decrease the amount of available parking while increasing the need for more parking and that the no increase to the parking garage per the agreement devalues the theater property. The decrease in parking will effect public parking for Victorian Square. Council also mentioned that there is a decrease in commercial development and an increase in residential development from the previous jobs/housing balance report and its effect on tax base. Council had discussion regarding the transit station already in place and density is more cost effective to serve than urban sprawl.

City Attorney Adams asked if the city was being compensated for the easements and advised the city could be compensated if the desired. Mr. Adams said the easements are an asset of the city. Mr. Ornelas stated there is not compensation for the easements.

Item was opened for public hearing. No public comment was received.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve Resolution No. 3297 approving the Redevelopment Agency's sale of two Victorian Square parcels to SWD-Quarry Bridges, LLC. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, NO. Motion carried 4-1.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to approve the Disposition and Development Agreement (AC5251/AC-SRA311) with SWD-Quarry Bridges, LLC for execution by the City. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, NO. Passed 4-1.

11. Planning and Zoning Public Hearings and Action Items

11.1 Consideration of and possible action on a request for tentative and final approvals to amend the Marina Landing Planned Development Handbook (a Planned Development) including but not limited to the removal of the Marina Lighthouse portion of the planned development, associated development standards and other matters properly relating thereto, on a site 2.46 acres in size of 19.71 acres in the NUD (New Urban District) zoning district located at the northwest corner of Lincoln Way and Marina Gateway Drive, Sparks, NV. (PCN16013) (FOR POSSIBLE ACTION) (Time: 3:41 p.m.)

An agenda item from Development Services Manager Karen Melby recommending Council approve PCN16013. The applicant is requesting tentative and final approvals to amend the Marina Landing Planned Development Handbook, (a Planned Development) including but not limited to the removal of the Marina Lighthouse portion of the planned development, associated development standards and other matters properly relating thereto, on a site 2.46 acres in size of 19.71 acres in the Planned Development in the NUD (New Urban District) zoning district located on the northwest corner of Lincoln Way and Marina Gateway Drive, Sparks, NV. The parcel, referred to as the Marina Lighthouse area, has not been developed. The applicant is requesting to remove this parcel from the planned development handbook and develop it in combination with the 8 acre parcel to the north. There is no impact to the general fund.

Item was opened for public hearing. No public comment was received.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve the request for tentative and final amendments of the Marina Landing Planned Development Handbook associated with PCN16013, adopting Findings PDa through PDg and the facts supporting those Findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

12. Closed Door Sessions

12.1 None

13. Comments

13.1 Comments from the Public (Time: 3:48 p.m.)

None.

13.2 Comments from City Council and City Manager (Time: 3:48 p.m.)

City Manager Driscoll announced an opening for one member of the construction industry to serve a 4-year term on the Enterprise Fund Advisory Committee. Persons interested should complete a Community Service Application available from the City Clerk's office or on the city's website at www.cityofsparks.us under City Services, Volunteering Get Involved, and City of Sparks Volunteer Application. Applications will be accepted until the close of business on Friday June 17, 2016.

City Manager Driscoll announced that Fire Chief Tom Garrison has given his retirement notification. Chief Garrison will be stepping down as Fire Chief on September 16th at 5 p.m. City Manager Driscoll has been conducting in-house interviews for the past five months and will be bringing his selection, Fire Battalion Chief Chris Maples, to Council for approval.

14. Adjournment

Council was adjourned at 3:51 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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