



MAYOR  
*Geno Martini*

CITY COUNCIL  
*Donald Abbott, Ward I*  
*Ed Lawson, Ward II*  
*Ron Smith, Ward III*  
*Charlene Bybee, Ward IV*  
*Kristopher Dahir, Ward V*

CITY ATTORNEY  
*Chet Adams*

CITY MANAGER  
*Steve Driscoll*

## REGULAR CITY COUNCIL MEETING MINUTES

**2:00 P.M., Monday, May 22, 2017**

**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 Donald Abbott, Ed Lawson, Ron Smith, Charlene Bybee, Kristopher Dahir (left at 3:18 p.m.), 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 Pete Vossler, Crosswinds Assembly of God Church. Mayor Pro Tempore Smith requested a moment of silence in memory of fallen police officer Larry D. Johnson, who lost his life in the line of duty twenty-two years ago, on May 22, 1995.

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

The Pledge of Allegiance was led by boy scout Dillon.

### **4. Public Comment** (Time: 2:03 p.m.)

Anonymous submitted a document regarding the destruction of child abuse documentation. Anonymous spoke of a previous document submitted, stating that she believes the lack of response assumes agreement.

### **5. Agenda** (Time: 2:08 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 Abbott, seconded by Council Member Dahir, to approve the agenda, moving agenda item 10.1 before agenda item 9.1 and to move agenda items 8.4 & 8.5 to general business after agenda item 9.2. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**6. Minutes (Time: 2:08 p.m.)**

**6.1 Consideration and possible approval of the minutes of the Sparks City Council Special Concurrent meeting with the Reno City Council, Washoe County Board of Commissioners, Washoe County School Board of Trustees, and the Reno Sparks Convention and Visitors Authority Board of Directors of May 1, 2017 and the regular Sparks City Council meeting of May 8, 2017. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the minutes of the Sparks City Council Special Concurrent meeting with the Reno City Council, Washoe County Board of Commissioners, Washoe County School Board of Trustees, and the Reno Sparks Convention and Visitors Authority Board of Directors of May 1, 2017 and the regular Sparks City Council meeting of May 8, 2017. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:09 p.m.)**

**7.1 Proclamation: "Emergency Medical Services Week" (Time: 2:09 p.m.)**

Mayor Geno Martini proclaimed May 21-27, 2017 as Emergency Medical Services Week. The proclamation was read by Council Member Dahir and presented to Sparks Fire Chief Chris Maples and REMSA Operations Chief Kevin Romero.

**7.2 Proclamation: "Public Works Week" (Time: 2:13 p.m.)**

Mayor Geno Martini proclaimed May 21-27, 2017 as National Public Works Week and called upon all citizens to recognize the significant contributions which Public Works professionals make every day by always being there and always ready to provide for our health, safety, comfort and quality of life. The proclamation was read by Mayor Pro Tempore Smith and presented to Public Works Manager Ron Korman and Community Services Director John Martini. Mr. Korman acknowledged the Public Works supervisors individually and present staff by having them stand.

**7.3 Presentation: "The Life Change Center" (Time: 2:22 p.m.)**

The Life Change Center's Executive Director John Firestone and Director of Finance Travis Duhn said an American dies of a heroin or pain killer overdose every 15 minutes and thousands of citizens go without the help that they need. Mr. Firestone and Mr. Duhn presented information on the Life Change Center and said its mission is to ensure that help is available. A rendering of the remodeled Sparks Addiction Wellness Campus was shown. The center can be reached by phone at 775-355-7734; the website is [www.tlccreno.org](http://www.tlccreno.org).

**7.4 Presentation: RTC's "Pedestrian Safety" (Time: 2:38 p.m.)**

Regional Transportation Commission's (RTC) Executive Director Lee Gibson and Public Affairs Manager Michael Moreno presented information on pedestrian safety initiatives and RTC's guiding principle. Mr. Gibson also gave an update on on-going programs, projects, corridor improvements, safe routes to school, education and awareness initiatives, and pedestrian safety decals. Mr. Moreno gave an update on RTC's programs centered on pedestrian safety. Mr. Moreno spoke about free transit on holidays. Mr. Moreno said RTC is recruiting members for advisory committees and urged citizens to apply on-line through the website [www.rtcwashoe.com](http://www.rtcwashoe.com).

**7.5 Presentation: Reno-Tahoe Airport Authority - Landing Benefit for our Region**  
(Time: 2.53 p.m.)

Reno-Tahoe Airport Authority President/CEO Marily Mora gave an update on the current Board of Trustees, strategic plan, air service additions, passengers served, upcoming programs, general aviation, the Reno-Stead airport, and concession opportunities.

**7.6 Presentation: Update on Community Assistance Center Operations** (Time: 3:14 p.m.)

No presentation given.

**8. Consent Items (FOR POSSIBLE ACTION)** (Time: 3:14 p.m.)

A motion was made by Council Member Lawson, seconded by Council Member Dahir, to approve consent items 8.1 through 8.3 and 8.6. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period April 20, 2017 through May 3, 2017. (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 approval to purchase a replacement Electronic Document Systems, OnBase, (AC-5368) per the Major Systems IT CIP as approved in the FY2017 Budget. (FOR POSSIBLE ACTION)**

An agenda item from Information Technology Manager Steve Davidek recommending Council approve the purchase of a replacement Electronic Document System from Precision Document Imaging for \$109,520.75 and first year maintenance of \$21,807.50 totaling \$131,328.25. The city purchased the current document management system, ApplicationXtender about 17 years ago. The system was originally purchased to scan and manage building plans submitted to the city but has grown over the years to encompass the City Clerk's office and is also used by the Police Department for their records management needs. The software is no longer being supported or upgraded. Funds were budgeted in FY17 and are available in the major systems IT CIP fund and the development services fund; there is no impact to the general fund.

**8.3 Consideration and possible approval of funding allocation of \$3333 as recommended by the Tourism and Marketing Committee for 2017 "Ride to Events" Campaign. (FOR POSSIBLE ACTION)**

An agenda item from Special Events Supervisor Francine Burge recommending Council approve the funding allocation of \$3,333 for the Ride to Events Campaign of the 2017 special events season as recommended by the Tourism and Marketing Committee. Funds are available from the room tax revenues from the Reno Sparks Convention & Visitors Authority and can only be used for the marketing and promotion of tourism in the City of Sparks and the operation and maintenance of capital improvements within redevelopment areas of the city; there is no impact to the general fund.

**8.4 Consideration and possible approval to apply for National Endowment for the Arts "Our Town" Grant Program. (FOR POSSIBLE ACTION)** (Time 3.33 p.m.) (HEARD AFTER ITEM 9.2)

An agenda item from Special Events Supervisor Francine Burge. Ms. Burge introduced Sarah Toney, Development Director at Note Ables, Developmental Coach, and the Chair of the Arts and Culture Advisory Committee. The agenda item is recommending Council approve submission of an application for grant funding from the National Endowment for the Arts (NEA) to assist with development of downtown arts and/or historic district with the Arts and Culture Advisory Committee to incorporate art and placemaking projects in the downtown area. The grant requires a 50:50 match, which if approved, the match will be available from the allocation designated for art from the Downtown Facilities Revitalization fund, which was allocated in June 2016. The \$150,000 budget from the Sparks Tourism and Revitalization Committee could be matched up to \$150,000 to increase the funds to \$300,000. These funds cannot be used for construction, but could be used for design fees, preparing space for an exhibit, installation or de-installation of art, and community planning. The estimated time to begin on plan, design and development would begin Spring 2018. There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Abbott, to approve applying for funds through The National Endowment for the Arts Out Town Grant Program. Council Members Abbott, Lawson, Smith, Bybee, YES. Council Member Dahir, ABSENT. Passed unanimously with those present.

**8.5 Consideration and possible approval of Memorandum of Understanding (AC-5370) between the Washoe County Sheriff's Office and the City of Sparks to provide full time inmate labor to augment Public Works Maintenance. (FOR POSSIBLE ACTION) (Time 3:37 p.m.) (HEARD AFTER ITEM 8.4)**

An agenda item from Public Works Maintenance Manager Ron Korman recommending Council approve the memorandum of understanding. The City of Sparks Public Works Maintenance Division has utilized inmate labor provided by the Washoe County Sheriff's office on a part-time, seasonal basis to augment maintenance activities for weed control in the city's medians, roadside areas and city parks. Over the last year, Public Works Maintenance staff have been in discussion with the Washoe County Sheriff's office to provide a full-time inmate labor crew such that maintenance activities can be augmented throughout the year. The memorandum of understanding provides the terms and costs associated with securing a full-time inmate labor crew from the Washoe County Sheriff's Office for fiscal year 2018 and provides for annual renewal thereafter. Sparks will reimburse the Washoe County Sheriff's Office the cost of one full-time Inmate Work Program Leader. There is a financial impact of \$62,855.52 for fiscal year 2018 to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the memorandum of understanding between the Washoe County Sheriff's Office and the City of Sparks to provide full-time inmate labor to augment Public Works Maintenance. Council Members Abbott, Lawson, Smith, Bybee, YES. Council Member Dahir, ABSENT. Passed unanimously with those present.

**8.6 Consideration and possible approval of 2017 Operating Plan (AC-5369) between the City of Sparks, Bureau of Land Management (BLM), and US Forest Service (FS). This operating plan enables all entities to assist each other and receive payment for wildland fire suppression. (FOR POSSIBLE ACTION)**

An agenda item from Fire Division Chief Jim Reid recommending Council approve the proposed 2017 Operating Plan between the City of Sparks, BLM, and FS. The current Cooperative Fire

Protection Agreement (AC-5248, 6/13/2016; AI 8.5) and operating plan between the Sparks Fire Department and the BLM/FS is still in effect. This new operating plan will be effective upon approval by the Sparks City Council, the BLM, and the FS. This combined contract is meant to streamline the contracts that the federal agencies must get signed every year. The operating plan is an addendum to the agreement and is intended to identify and define the operational aspects of the cooperative agreement. This operating plan may be renewed each year. There is no impact to the general fund.

## **9. General Business**

### **COUNCIL HEARD AGENDA ITEM 10.1**

#### **9.1 Consideration and possible adoption of the Final budget for the City of Sparks for fiscal year 2017-2018. (FOR POSSIBLE ACTION) (Time: 3:17 p.m.) (HEARD AFTER ITEM 10.1)**

An agenda item from City Manager Stephen Driscoll and Financial Services Director Jeff Cronk recommending Council adopt the final budget for the City of Sparks for fiscal year 2017-2018 as presented. In accordance with NRS 354.598, the Council must adopt a FY18 Final budget for the City of Sparks on or before June 1, 2017. The budget must be filed with the Department of Taxation in accordance with specific instructions for categorizing revenue and expenditures, and must be presented using prescribed filing forms and formats. The Financial Services Department believes the document presented fully complies with those requirements as established by the Department of Taxation; and aligns with the City Manager's recommendations presented to Council on April 24, 2017.

The final budget, is virtually identical to the City Manager's budget recommendations presented to Council on April 24, 2017, except for a few immaterial clean-up items discovered during the preparation of the final document and applicable adjustment to the Funds related to the Capital Improvement Plan (CIP) changes listed below:

1. The Electric and Gas Franchise Fee shift from Road Fund (1401) to Parks and Rec Project Fund (1402) which was originally shown in all five years of the CIP, is now only in year one (FY18). The revenue shift was proposed to fund the replacement of aging artificial field turf at Golden Eagle Regional Park. Council directed staff to make this revenue shift effective for one year only while alternative funding sources for the artificial field turf replacement are explored.
  - a. For purposes of clarification, it is important to note that the amounts of Electric and Gas Franchise fee revenues listed within the proposed budget for each Fund reflect estimated receipts assuming Council approves amending the existing Franchise Fee agreement that distributes the 5% fee assessment. Once Council approves the proposed change to the Franchise Fee agreement, the resulting fee distribution will be 2% to the General Fund, 2% to the Parks and Rec Project Fund, and 1% to the Road Fund. The fiscal effect of the Franchise Fee agreement change (which is reflected in the proposed FY18 Budget) would entail moving 1% fee assessment from the Road Fund to the Parks and Rec Project Fund. The proposed change to the Franchise Fee agreement will be presented to Council at a future date.
2. A \$150K project was added to Victorian Square Room Tax Fund (1415) for Public Art for Victorian Square as recommended by the Sparks Tourism Facility and Revitalization Steering Committee.



A motion was made by Council Member Lawson, seconded by Council Member Bybee, to adopt the final budget for the City of Sparks for fiscal year 2017-2018 as presented. Council Members Abbott, Lawson, Smith, Bybee, YES. Council Member Dahir, ABSENT. Passed unanimously with those present.

**9.2 Consideration of and possible action on a Tentative Map request for 448 townhome lots on a site approximately 165.5 acres in size in the NUD (New Urban District – Miramonte Planned Development) zoning district located at the end of Belmar Drive, Sparks, Nevada. (PCN17-0011) (FOR POSSIBLE ACTION) (Time: 3:22 p.m.)**

An agenda item from Development Services Director Karen Melby recommending Council approve the tentative map for Miramonte Townhomes associated with PCN17-0011. This request by Fort Apache Homes is for a Tentative Map for a 448-lot townhome subdivision in the Miramonte Planned Development. The site is 165.5 acres in size and has a zoning designation of NUD (New Urban District). The Miramonte Planned Development Handbook was approved in 2005 and amended in 2006, 2007, and 2014. The undeveloped area in which this townhome subdivision is proposed has been designated for townhomes/apartments since the original recordation of the handbook in 2005. The 2005 approval designated this site for up to 14 dwelling units per acre and the proposal would develop the site at 12.8 dwelling units per acres. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the Tentative Map for the Miramonte Townhomes associated with PCN17-0011, adopting Findings T1 through T12 and the facts supporting these Findings as set forth in the staff report and subject to the Conditions of Approval 1 through 15 as listed in the staff report. Council Members Abbott, Lawson, Smith, Bybee, YES. Council Member Dahir, ABSENT. Passed unanimously with those present.

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

**10.1 PUBLIC HEARING as required by NRS 354.596 to allow public comment on the Tentative Budget of the City of Sparks for fiscal year 2017-2018. TO BE HEARD BEFORE AGENDA ITEM 9.1 (FOR POSSIBLE ACTION) (Time: 3:15 p.m.)**

An agenda item from Financial Services Director Jeff Cronk recommending Council open a public hearing. NRS 354.596 states that the public hearing on the tentative budget must be held by the governing body not sooner than the third Monday in May and not later than the last day in May. The public notice, posted in the Reno Gazette Journal on May 10, 2017, encourages citizens to review the budget on file in the Clerk's office and to express their views. There is no impact to the general fund.

The Public Hearing was opened at 3:16 p.m.; no comments were received; the Public Hearing was closed.

**10.2 SECOND READING, Public Hearing, discussion and possible action on Bill No. 2715 amending the Sparks Municipal Code Title 5 "Business Licenses, Taxes and Regulations," Chapter 5.24 "Gambling Establishments" to add definitions and create the requirements of bars or bar-restaurants operating**

**slot machines through a restricted gaming license, together with other matters properly related thereto. (FOR POSSIBLE ACTION)** (Time: 3:41 p.m.)

An agenda item from Senior Assistant City Attorney Doug Thornley recommending Council approve and adopt the proposed ordinance. The proposed amendment to SMC Chapter 5.24 will fix the ambiguity of current state and local law related to restricted gaming. It will add definitions and create the requirements of bars or bar-restaurants operating slot machines through a restricted gaming license, together with other matters properly related thereto.

Council Member Bybee said she would abstain from this item because her husband works for a non-restricted gaming licensee that is a member of the Nevada Resort Association. She said she is unsure whether this specifically rises to the level of a disqualifying conflict under the Ethics in Government Law, but believed it is prudent to be cautious with respect to this type of issue. Therefore, as required by state law, she would not vote or advocate for or against the passage of this measure.

Under Nevada law, restricted gaming is required to be “incidental to the primary business of the establishment.” NRS 463.0189. In Sparks, restricted gaming is an “accessory use,” which means that the gaming element of any business so licensed may not occupy more than ten percent of the building footprint associated with the principle use to which the restricted gaming operation is attached. SMC 20.03.002. With respect to restricted gaming, concerns related to the relationship between primary and incidental or accessory uses have surfaced over the past several years, resulting in significant changes to state and local gaming regulations. There is no impact to the general fund.

The Public Hearing was opened at 3:47 p.m. Seth Carlson of Kaempfer Crowell spoke against passage of the Ordinance. Stephen Ascuaga of Peppermill Casinos and Michael Alonzo of Nevada Resorts Association spoke in support of the Ordinance. The Public Hearing was closed at 3:52 p.m.

A motion was made by Council Member Abbott, seconded by Council Member Smith, to approve and adopt Bill No. 2715. Council Members Abbott, Lawson, Smith, YES. Council Member Bybee, ABSTAIN. Council Member Dahir, ABSENT. Motion carried 3-0.

**11. Planning and Zoning Public Hearings and Action Items**

**11.1 SECOND READING, Public Hearing, discussion and possible action on Bill No. 2716 to rezone a site approximately 0.99 acres in size from SF40 (Residential Single Family – minimum lot size 40,000 sq. feet) to SF20 (Residential Single Family – minimum lot size 20,000 sq. feet) located at 3270 Spanish Springs Court, Sparks, NV. (PCN17-0010) (FOR POSSIBLE ACTION)** (Time: 3:55 p.m.)

An agenda item from Development Services Manager Karen Melby recommending Council adopt Bill No. 2716. Mr. Michael Ronning is requesting to rezone a site approximately 0.99 acres in size from SF40 (Residential Single Family – minimum lot size 40,000 square feet) to SF20 (Residential Single Family – minimum lot size 20,000 sq. feet). This rezoning request is in conformance with the Comprehensive Plan and is appropriate for the site location. The site is adjacent to similarly sized parcels zoned both SF20 and SF15. Staff believes that all the findings can be made and recommended approval to the Sparks Planning Commission. On April 6, 2017, the Sparks

Planning Commission voted to forward a recommendation of approval to the Sparks City Council. There is no impact to the general fund.

Mayor Pro Tempore Smith asked the applicant Mr. Ronning if this request was for a business; Mr. Ronning stated no, it was for a hobby. Council Member Lawson asked Ms. Melby if Planning Commission received public comment. Ms. Melby said yes, the public comments were against the project because of noise concerns.

The Public Hearing was opened at 4:01 p.m.; no comments were received; the Public Hearing was closed.

A motion was made by Council Member Bybee, seconded by Council Member Abbott, to adopt Bill No. 2716 and approve the rezoning request associated with PCN17-0010 based on Findings Z1 through Z3 and the facts supporting these findings as set forth in the staff report. Council Members Abbott, Lawson, Smith, Bybee, YES. Council Member Dahir, ABSENT. Passed unanimously with those present.

## **12. Comments**

### **12.1 Comments from the Public (Time: 4:01 p.m.)**

None.

### **12.2 Comments from City Council and City Manager (Time: 4:02 p.m.)**

City Manager Driscoll announced the following committee vacancies available for volunteer opportunities:

- Civil Service Commission, 2 members for 3-year terms
- Parks and Recreation Commission, 3 members for 3-year terms
- Reno-Tahoe Airport Authority, Board of Trustees, 1 member for a 4-year term

Applications will be accepted until close of business Thursday, May 25, 2017 at 5:00 p.m.

City Manager Driscoll introduced intern Kendalynn Mowery. Ms. Mowery has been an intern for the last couple of months in the City Manager's Office. Ms. Mowery thanked the city for the opportunity to learn about local government.

## **13. Adjournment**

Council was adjourned at 4:03 p.m.

---

GENO R. MARTINI, Mayor

ATTEST:

---

Teresa Gardner, City Clerk

>>>