



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, February 8, 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 Geno Martini at 2:00 p.m.

2. Roll Call (Time: 2:01 p.m.)

Mayor Geno Martini, Council Members Julia Ratti (phone), Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt (arrived 2:04 p.m.), City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

3. Opening Ceremonies

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

The invocation was provided by President Rajan Zed, Universal Society of Hinduism.

3.2 Pledge of Allegiance (Time: 2:04 p.m.)

The Pledge of Allegiance was led by Council Member Ed Lawson.

4. Public Comment (Time: 2:04 p.m.)

Public comment was given by Mr. Ron Breau regarding traffic violations on N. Los Altos Pkwy, Santa Barbara area.

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

6. Minutes (Time: 2:09 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of January 25, 2016. (FOR POSSIBLE ACTION)

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve the minutes of the regular Sparks City Council meeting of January 25, 2016. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

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

7.1 Commendation: Dr. John Novak (Time: 2:09 p.m.)

Mayor Martini recognized Dr. John Novak for his election as the Sparks Representative to the National Association of Local Boards of Health, Board of Directors. Council Member Ratti thanked him for being a great addition to the Board.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:12 p.m.)

A motion was made by Council Member Bybee, seconded by Council Member Lawson, 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 January 7, 2016 through January 20, 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, review and acceptance of the receipt of grant and/or donation money which is individually under \$5,000. (FOR POSSIBLE ACTION)

An agenda item from Accountant Rick Parton recommending Council approve the acceptance of grants and/or donations received that are individually under \$5,000.

8.3 Consideration and possible approval of an Interlocal Agreement (AC-5219) between the City of Sparks and Washoe County to allow for the conducting and holding of the 2016 primary and general elections. (FOR POSSIBLE ACTION)

An agenda item from City Clerk Teresa Gardner recommending Council approve the interlocal agreement (AC-5219) with Washoe County to provide for the conducting and holding of the primary and general elections for 2016. The Sparks City Charter was amended in 2001 to conduct all Sparks' Municipal Elections concurrent with the Federal and State primary and general elections in the even numbered years. Washoe County has been conducting elections on behalf of the City of Sparks since 2002. The interlocal agreement is to authorize the Washoe County Registrar of Voters to conduct the 2016 primary and general elections for the City of Sparks. Cost is not to exceed \$35,000.

9. General Business

9.1 Consideration and possible approval of funding allocations recommended by the Tourism and Marketing Committee for 2016 special events. (FOR POSSIBLE ACTION) (Time: 2:13 p.m.)

An agenda item from Community Relations Manager Adam Mayberry recommending that Council approve the following funding requests as approved by the Tourism & Marketing Committee:

Brand Leadership Team	\$66,750
Hot August Nights	\$30,000
Malibu Evolution Pro Series	\$20,000
Sparks Open Streets	\$5,000
Parks and Recreation Department	\$11,200
U.S. Open of Watercross	\$20,000
39 North Downtown (Marketplace)	\$22,500
39 North Downtown (North Pole)	\$7,500
Best in the West Nugget Rib Cook-Off	\$30,000
Star Spangled Sparks	\$20,000
High Desert Steam Convention	\$5,000
Riding on the River Family Festival	\$1,000
Bark for Life Fundraiser	-0-
The Bro-Code 5k Fundraiser	-0-
Pumpkin Palooza	<u>\$15,000</u>
Total Funding Allocations	\$253,950

The City of Sparks receives an annual allocation of room tax revenues from the Reno Sparks Convention & Visitors Authority (RSCVA) which 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. Funding is from the Tourism and Marketing Fund; the balance is paid from the general fund.

Council Member Schmitt thanked city staff members Cyndi Boggan, Francine Burge and Tracy Domingues for their work. Mr. Schmitt said that the City of Sparks receives the first \$200,000 of the 2% room tax generated by the City of Sparks, minus \$4,000 that is paid to the RSCVA, and the rest is distributed to the City of Reno and the RSCVA. Council Members Lawson and Schmitt recommended the city consider using its 2017 legislative bill draft request to adjust the room tax distribution.

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve the funding allocations for the events of the 2016 special events season as recommended by the Tourism and Marketing Committee. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

9.2 Possible direction to the City Manager regarding Municipal elections in light of Public Integrity Alliance v. Tucson. (FOR POSSIBLE ACTION) (Time: 2:24 p.m.)

An agenda item from Senior Assistant City Attorney Doug Thornley seeking direction from the Council as to its preferred path forward for the city's 2016 elections. Primary elections for Council Members are currently ward only. General elections are currently held at large (city-wide). On November 10, 2015, the United States Court of Appeals for the Ninth Circuit determined that this "hybrid" system is unconstitutional. This case is currently in the appeal process of the courts and the decision date is not known. City staff was seeking direction to either continue to utilize the Charter hybrid system or default to the at large system in state law. Impact to the general fund is unknown. Council discussed the lack of a final court decision and the process to change the charter.

No action was taken.

9.3 First Reading of Bill No. 2702, an Ordinance providing for the conducting and holding of the 2016 municipal elections. (Time: 2:44 p.m.)

An agenda item from City Clerk Teresa Gardner for an Ordinance providing for the conducting and holding of the 2016 municipal elections.

Bill No. 2702 was read by title by City Clerk Teresa Gardner. The second reading and public hearing will be held on Monday, February 22, 2016.

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

10.1 Public Hearing, consideration and possible approval of Bill No. 2701, An Ordinance designated by the short title "2016 Medium-Term Flood Control Bond Ordinance"; Providing for the issuance by the City of Sparks General Obligation (Limited Tax) Medium-Term Flood Control Bonds, Series 2016 in the aggregate principal amount not to exceed \$20,000,000 for the purpose of acquiring, constructing, improving and equipping flood control and drainage projects; Declaring that this ordinance pertains to the sale, issuance and payment of the bonds; providing for adoption of the ordinance as if an emergency exist; and providing for the effective date hereof. (FOR POSSIBLE ACTION) (Time: 2:45 p.m.)

An agenda item from Financial Services Director Jeff Cronk recommending Council approve the ordinance authorizing the sale of medium-term debt up to \$20 million to finance Phase 3 of the North Truckee Drain Realignment Project. On December 14, 2015 the Sparks City Council approved Resolution No. 3288 authorizing the issuance of medium-term obligations up to \$20 million to help finance flood control and drainage projects. The Ordinance being considered today authorizes city staff to issue a public offering "General Obligation, Medium-term Flood Control Bonds, series 2016" in the aggregate principal amount not to exceed \$20 million. Even though these bonds will be general obligations of the city, the debt service payments for these bonds will be paid from residential and commercial flood control user fees from within the city's storm drains capital project fund. Residential and commercial flood control user fees generate approximately \$3 million in revenue annually. Debt service payments are estimated not to exceed \$2.2 million annually.

Mr. Cronk stated that transferability was not included at this time. Staff will be seeking an early call provision to be able to redeem this bond not earlier than 5 years. Utility Manager Andy Hummel stated the city is in the process of attaining two additional easements, then bid packages will be sent out in March of 2016. Staff is looking at a timeframe of 18 months for construction.

Opened for Public Hearing at 2:52. No comments received.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve Bill No. 2701, authorizing the issuance of medium-term obligations up to \$20 million to provide for financing of flood control and drainage projects. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

Mayor Martini noted that the City of Sparks is the only entity doing something for the flood control project.

The request was approved by the State Department of Taxation and the letter of approval is included below as required by NRS350.089.



STATE OF NEVADA
DEPARTMENT OF TAXATION
Web Site: <http://tax.nv.gov>
1550 College Parkway Suite 115
Carson City, Nevada 89706-7937
Phone (775) 684-2000 Fax (775) 684-2020

RENO OFFICE
4600 Kietzke Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 687-9999
Fax: (775) 688-1303

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite 1300
555 E. Washington Avenue
Las Vegas, Nevada 89101
Phone: (702) 486-2300 Fax: (702) 486-2373

HENDERSON OFFICE
2550 Paseo Verde Parkway, Suite 100
Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

January 6, 2016

Mr. Jeff Cronk, Finance Director
City of Sparks
P. O. Box 857
Sparks, NV 89432

Re: Medium-term Financing Request

Dear Mr. Cronk:

The Department of Taxation has received the request from the City of Sparks for approval of medium-term obligations in the amount not to exceed \$20,000,000 in order to finance, wholly or in part, the acquisition, construction, improvement and equipment of flood control and drainage projects. This Medium-term obligation is proposed to be repaid from legally available funds of the City, including without limitation, monies deposited into the City's Storm Drain Capital Projects Fund in an estimated amount of \$2,500,000 annually. The interest rate for this medium term financing is estimated to be approximately 4%. This rate will not exceed by more than 3% the "Index of Twenty Bonds" which is most recently published in the Bond Buyer before bids are received or negotiated offer is accepted in accordance with NRS 350.091.


The City held the public hearing for this MTO on December 14, 2015 where this was approved unanimously by the City Council of the City of Sparks.

The request has been reviewed as required by NRS 350.089 and is approved.

Pursuant to NRS 350.089, the approval must be recorded in the minutes of the governing body, and the financing must be secured within eighteen months of the receipt of this approval.

If you have any questions regarding this matter, please do not hesitate to call Kelly Langley in the Local Government Finance Section at (775) 684-2073.

Sincerely,


Deonne E. Contine
Executive Director

DEC:kl
cc: Martin R. Johnson, JNA Consulting Group, LLC
Wayne Webber, City of Sparks
Jennifer Stern, Sherman & Howard LLC
Wade Beavers, Sherman & Howard LLC

11. Planning and Zoning Public Hearings and Action Items

11.1 None

12. Closed Door Sessions

12.1 None

13. Comments

13.1 Comments from the Public - None

13.2 Comments from City Council and City Manager (Time: 2:53 p.m.)

Council Member Schmitt requested an agenda item be brought forward on reconfirming the City Councils' vote on consolidation. Mr. Schmitt also requested policy or guidance on what is to be expected when a question is asked of the Attorney, when an issue is private or to be distributed to the Council. City Attorney Chet Adams stated the attorney's office determines attorney privilege. When an issue is not confidential, the attorney will pass the opinion out to Council and post the opinion on the attorney's website. If the issue is confidential, the attorney will still pass the opinion out to Council but it will not be posted on the attorney's website. If the question asked is specific to a Council Member, the attorney will give the opinion to the Council Member and consider the opinion to be under attorney/client privilege.

14. Adjournment

Council was adjourned at 2:53 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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