



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., Tuesday, June 11, 2012

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

1. **Call to Order** (Time: 2:01 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:02 p.m.

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

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, Assistant City Manager Steve Driscoll, Assistant City Attorney Shirle Eiting and City Clerk Linda Patterson, PRESENT.

ABSENT: City Attorney Chet Adams, City Manager Shaun Carey

Staff Present: Andy Flock, Andy Koski, Chris Cobb, Steve Keefer, Kim Labor, Adam Mayberry, Mark Meranda, Jen McCall, Tracy Domingues, John Martini, Todd Saxberg, Jeff Cronk, Neil Krutz, Chris Syverson, Dan Marran, Andy Hummel, Armando Ornelas, Teresa Gardner and Rich Brown.

Invocation Speaker (Time: 2:02 p.m.)

The invocation was given by Pastor Kyle Bateson, Living Stones Church.

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

The Pledge of Allegiance was led by Assistant City Attorney Shirle Eiting

Comments from the Public (Time: 2:04 p.m.)

William Puchert who is the President of the Sons & Daughters of Erin spoke regarding the annual picnic at Longford Park and the re-adoption of the park. They plan to raise money to improve the park. Mr. Puchert also spoke about the wonderful Celtic exhibit at the Sparks Heritage Museum.

Marsy Kupfersmith, who volunteers at the Senior Law Project, talked about the benefits provided to seniors and supports a ballot initiative to provide additional funding for senior services.

Reno Senior Citizens Advisory Committee member Donna Clontz discussed the volunteer efforts to support the senior programs in our area and supports a regional effort to serve an increasing senior sector by asking constituents if they agree to increase funding with an additional 2 cent tax.

Reno Senior Citizens Advisory Committee Chairman and SHIP Counselor Stephen Jacobs sees the number of senior citizens needing assistance growing daily, and believes something needs to be done to plan ahead and funding needs to be increased.

Approval of the Agenda (Time: 2:12 p.m.)

Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve the agenda as presented. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

3. Recommendation to Approve Minutes of May 29, 2012 (Time: 2:13 p.m.)

3.1 Consideration and possible approval of the minutes of the Regular Sparks City Council meeting of May 29, 2012.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve the minutes of the Regular Meeting of May 29, 2012 as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

4. Announcements, Presentations, Recognition Items and Items of Special Interest
(Time: 2:14 p.m.)

4.1 Proclamation - United States Army Week (2:14 pm)

Mayor Martini proclaimed June 11-16, 2012 "United States Army Week" and urged all citizens to join in this salute to express gratitude to those who have served and those who are now serving to protect our nation and its freedoms.

4.2 Proclamation - "Reno Rodeo Days" (2:16 pm)

Mayor Martini proclaimed June 12-23, 2012 "Reno Rodeo Days" and recognized the 93rd year of the Reno Rodeo and all they do for the community. The proclamation was presented to the 2012 Reno Rodeo President Clint Thiesse, Second Vice President John Tipton, Second Vice President Elect Bill Bertelson and Director Dick Gammick.

4.3 Proclamation - "Think Local" (2:19 pm)

Mayor Martini proclaimed June 11, 2012 "Think Local Day" and proclaimed the City of Sparks a part of the Think Local coalition to create jobs and stimulate our local economy. The proclamation was presented to President and CEO of EDawn Mike Kazmierski who explained this is the first step in broad based initiative to support contracting, purchasing, hiring, and eating locally; as well as serving on local boards and commissions and supporting local non-profits. Mr. Kazmierski thanked the City of Sparks for being the first government entity to sign on with support and said just a 10% shift in local purchasing can provide a 2000 jobs and \$50 million in economic impact. This effort is all about putting people back to work. Council Member Ratti asked if they have worked with the grass roots organization Conscious Community Network who has been working on this effort for 10 years. Mr. Kazmierski will reach out to them. Council Member Schmitt stated he hoped changes can be made to State Laws that sometimes prohibit local purchasing.

5. Consent Items (Time: 2:27 p.m.)

A motion was made by Council Member Smith, seconded by Council Member Ratti, to approve Consent Items 5.1, 5.3 through 5.7, and 5.9 through 5.11 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period May 10, 2012 through May 23, 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 recommendation for Master Professional Services On Call List for Civil Engineering Design, Surveying, and Materials/Testing & Inspection Services, RFP 11/12-027. (FOR POSSIBLE ACTION) (Time: 2:28 p.m.)

An agenda item from Capital Projects Manager Chris Cobb recommending approval of the award of a Master Professional Services On-Call List. There will not be an impact to the general fund. Funds will be available and budgeted directly for the individual Civil engineering design, Survey, or Materials/Testing & Inspection projects. Individual contracts requiring Council review will be brought for Council approval at the time work is required.

Council Member Schmitt requested an explanation of how the On-Call List is utilized. Capital Projects Manager Chris Cobb explained the selection process and said Purchasing Manager Dan Marran provides review. A report will be provided listing all consultants used for the last three years and Mr. Cobb will meet with Council Member Schmitt to review any concerns.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve item 5.2 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

5.3 Consideration and approval of a contract to renew the City's stop loss insurance with National Union Fire Insurance Company for the City's self-funded group medical benefits program for 2012/13. (FOR POSSIBLE ACTION)

An agenda item from Human Resources Analyst Jen McCall recommending approval of the renewal of stop loss insurance in the amount of \$353,310. The city self-funds its group medical benefits program. In order to protect the program from individual catastrophic medical claims, the program purchases stop loss insurance which provides significant financial protection to the plan. There is no impact to the general fund.

5.4 Consideration and possible approval of a purchase in the amount of \$37,655.46 from Ferguson Enterprises, Inc. to supply stainless steel pipe and installation tools for the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)

An agenda item from Maintenance Manager Kim Laber recommending approval of a purchase to supply stainless steel pipe and installation tools for repairs to the piping in the Post Aeration tanks at the Truckee Meadows Water Reclamation Facility from Ferguson Enterprises Inc. in the amount of \$37,655.46, with the City of Sparks share being \$11,812.52. There is no general fund impact.

5.5 Consideration and possible approval to award Bid #11/12-032 for Digester Cleaning to Clean Harbors Environmental Services at a unit cost of \$79,557.00/digester. (FOR POSSIBLE ACTION)

An agenda item from Maintenance Manager Kim Laber recommending approval of a contract with Clean Harbors Environmental Services to remove unusable lime as staff has determined the lime contained in the silo located at the contact outfall poses a threat to the health and safety of plant personnel. In addition, the lime contained in the silo is no longer in a useable state as it has become solidified. Staff has determined that the best solution is to have the chemical removed from the facility and properly disposed of by a licensed contractor. There is no impact to the general fund.

5.6 Consideration and possible approval for a five (5) year contract in the amount of \$74,865 to Siemens Energy, Inc. to perform yearly preventative maintenance on the four (4) Turblex blowers located at the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)

An agenda item from Maintenance Manager Kim Laber recommending approval to purchase five (5) years of yearly maintenance on blowers from Siemens Energy, Inc. The City of Sparks' share is \$22,459.50. This is no impact to the general fund.

5.7 Consideration and possible approval of Final Subdivision Map for Pioneer Meadows Village 6, Phase 1A. (FOR POSSIBLE ACTION)

An agenda item from Assistant Director of Community Services John Martini recommending approval of the final subdivision map which will create 30 residential lots within the Pioneer Meadows Planned Development. The final map and civil improvement drawings have been reviewed by the Community Services Department and have been found to be acceptable. The general fund budget will not be impacted.

5.8 Consideration and possible approval of the cooperative agreement between the Sparks Fire Department and the consolidated fire department of the Truckee Meadows Fire Protection District and the Sierra Fire Protection District – Hereinafter referred to as the Truckee Meadows Fire Protection District. (FOR POSSIBLE ACTION) (Time: 2:34 p.m.)

An agenda item from Fire Chief Andy Flock recommending approval of the proposed cooperative agreement between the Sparks Fire Department and the Truckee Meadows Fire Protection District. The financial impact varies. If an incident exceeds the mutual aid period of 12 hours, all resources will be reimbursed at the rates as outlined in the "Annual Operating Plan".

Council Member Carrigan asked if this agenda item addresses the same issue Reno and Washoe County are having a hard time resolving and Fire Chief Andy Flock said there are on-going negotiations between the City of Reno and Truckee Meadows Fire Protection District which now incorporates Sierra Fire Protection District. Chief Flock also said we do have an agreement with Trucee Meadows Fire Protection District but it is in need of an update in light of the recent changes. Chief Flock feels this agreement is fair and equitable.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to approve item 5.8 as submitted by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

5.9 Consideration and acceptance of \$1,994.84 grant by the State of Nevada Attorney General's Office to attend GTEAP - Technical Assistance Training "2012 Domestic Violence Dangers & Risk Assessment" in San Antonio, Texas. (FOR POSSIBLE ACTION)

An agenda item from City Attorney Chet Adams recommending acceptance of funds in the amount of \$1,994.84 from the State of Nevada for the Victim Advocate and one Prosecutor to attend the domestic violence training in San Antonio, Texas. These funds will reimburse the city attorney's training and travel budget.

5.10 Consideration and possible approval for a contract in the amount of \$66,770 to Carollo to update a modeling program and provide engineering services to Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)

An agenda item from Plant Manager David Bruketta recommending approval of a contract with Carollo to update a modeling program they initially performed in 2003. This assessment provided critical information on how much wastewater the treatment plant could effectively treat. With changes in the plant operations and influent flow and loadings, it is time to update the model. In addition, they will provide engineering services to ensure the model sampling program is appropriate and provide operational consulting services. Sparks is expecting reimbursement from the City of Reno based on actual flow splits provided by ADS Environmental as outlined in the interlocal agreement.

5.11 Consideration and possible award of the federally funded Deer Park Restroom Replacement Project, Bid No. 11/12-034, PWP-WA-2012-270 to Anchor Concrete, in the amount of \$132,506. (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Chris Cobb recommending award of Bid No. 11/12-034, PWP-WA-2012-270 to Anchor Concrete. This project will remove the existing wood structure bathroom and replace it with a prefabricated CMU/cement bathroom. This project will be funded 100% by the HUD EDI grant.

5.12 Consideration and possible approval of proposal to provide appraisals of properties affected by right-of-way acquisition for the North Truckee Drain Project by Warren & Schiffmacher LLC in the amount of \$75,000. (FOR POSSIBLE ACTION) (Time: 2:36 p.m.)

An agenda item from Utility Manager Andrew Hummel recommending approval of a proposal to provide appraisals related to the Construction of the North Truckee Drain realignment project which will require substantial acquisition of easements and right-of-way for both construction access and permanent facilities. A total of 18 parcels are affected. It is anticipated this work will require 180 days to complete. Funds are budgeted.

Utility Manager Andrew Hummel said the proposal was prepared with the assistance of our Property Agent Consultant David Vill and a consultant was selected from the RTC right-of-way list. Deputy City Manager for Community Services Neil Krutz discussed the current Joint Powers Agreement (JPA) which requires the City of Sparks to get the project ready to bid and

then turn it over to the Flood Management Authority (FMA) to construct. There is risk that the current project's shelf life could expire prior to the FMA's decision to construct. Citizens have been paying a fee for five years and the Sparks City Council would like to see it completed and are committed to providing flood protection for our community. After right-of-way and acquisitions, we will need to complete permitting with the core of engineers by obtaining a letter of permission, permitting with the State of Nevada, and financing. The area under the freeway is already prepped for the project. A more complete project schedule will be brought back to Council. Flood fees generate \$3-4 million; the estimated cost for the project is \$48-50 million. Once the FMA begins collecting regional flood fees, the City of Sparks will stop and turn any remaining funds over to the FMA.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve item 5.12 with all future flood control items being placed on the General Business section of the City Council agendas. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6. General Business

6.1 Discussion and possible approval of a Bill Draft Request for the 77th Session of the Nevada Legislature (FOR POSSIBLE ACTION) (Time 2:54 p.m.)

An agenda item from Community Relations Manager Adam Mayberry presenting eight (8) options for consideration for the city's opportunity to sponsor one (1) Bill Draft Request (BDR) for 2013. Seven of the eight options are statewide issues that may be carried by the Nevada League of Cities. The other option is related to the Sparks Charter Committee. The Council would like to see what BDRs are submitted by the Nevada League of Cities prior to deciding what should be done with the city's BDR.

No action was taken.

6.2 Presentation, discussion, and possible action on a policy statement defining supported funding options to be forwarded to the Washoe County Commission related to the Washoe County Senior Services Department [POSSIBLE ACTION] (FOR POSSIBLE ACTION) (Time: 3:01 p.m.)

An agenda item from City Manager Shaun Carey, presented by Assistant City Manager Steve Driscoll, regarding senior services. The June 4, 2012 Joint Meeting of the City Of Sparks Council, City of Reno Council, the Washoe County Commission, and the Washoe County School District Board of Trustees was cancelled due to a lack of a quorum. Agenda Item 8, per the Executive Summary, was intended to be a discussion of the need to provide more senior services for both the projected increase in baby boomers entering the system and the care needs of the entire senior population. Agenda Item 9 was intended to generate a discussion from Agenda Item 8 on the potential funding needs and options to providing an increased funding source(s) for the community's senior population.

Five funding options were discussed:

- Utilizing the current property tax allotment
- Increasing the property tax allotment at the county level
- Increasing the property tax allotment at the city and county level
- Changing the property tax allotment between the cities and the county—reduction in city property tax with an offsetting increase in the county property tax level.

- Utilizing other tax revenue sources—C-Tax, Licenses and Fees, etc.

It is believed that the City of Reno just raised their taxes to the limit so they would not have additional capacity to allow them to participate.

This Council could request the County consider an advisory ballot question to determine if the citizens would agree to a tax increase for senior services. It would not be possible to go above the cap without Legislative approval. Assistant City Manager Steve Driscoll is only aware of two instances where the legislators allowed a tax above the cap. An additional two cents was given to Washoe County when the state required counties to be responsible for social services. At one point the state took over White Pine County's fiscal operations and an increase was necessary to honor previous fiscal commitments.

Council Member Lawson asked if there would be any reasons for the Legislature to deny a tax increase if the people wanted it. Council Member Carrigan believes it may be impacted because of the "no new tax pledge". Council Member Ratti confirmed Sparks is the first governmental body to address funding for senior services. Council Member Ratti supports a countywide effort. The City of Sparks alone would not be able to provide the funding necessary. Providing assistance with daily living would be beneficial because if not provided, more expensive solutions are used that may not be an additional cost for the city or county, but a greater additional cost for another governmental agency.

Council Member Carrigan asked if there is an option for a tax override. Assistant City Manager Steve Driscoll explained the current tax cap would include any tax overrides and would need to be discussed at the legislative level. Council Member Carrigan would not support the option of a one cent increase for the city and the county because it would mean Sparks' citizens would be paying twice. Council Member Carrigan suggested moving one cent from animal services to senior services. Three cents are designated to animal control and one cent is designated to senior services. Assistant City Manager Steve Driscoll said although a previous analysis showed fiscal stability, including surplus funds, for animal control, a revised analysis shows future funding challenges.

Council Member Schmitt asked if any funds outside of the designated one cent are being used by Washoe County to operate senior services. Director of Washoe County Senior Services Grady Tarbutton said Washoe County does contribute general funds towards Senior Services and has been doing so since 1998. The current contribution is \$230,000. Previous contributions have been \$330,000. Council Member Schmitt is concerned that a previous report showing surplus funds initiated discussion to transfer the funds. After legal review, it was suggested the funds may not be able to be transferred. And then another analysis is presented stating there is not a surplus. Council Member Schmitt will support a transfer from one fund to another rather than an increase in the tax cap.

Council Member Ratti said it was her understanding that a legal opinion said the three cents approved for animal control could not be moved to another fund. Assistant Attorney Shirle Eiting confirmed that to be correct. Further legal review would be necessary to consider the Joint Power Agreement and the Nevada Revised Statutes.

Council Member Schmitt asked if Washoe County has the authority to approve a one cent tax increase. Assistant City Manager Steve Driscoll said the county mentioned that based on the rules of ad valorem and increases, they have a certain amount of authority which is more than one cent. That authority is subject to overlapping tax rates. If Reno is at the maximum, it would prevent the county from authorizing the increases.

Council Member Ratti said she believes a one cent property tax increase to support senior services may be supported by the community. Council Member Carrigan suggested a binding question to the people for approval to move one cent from animal control to senior services.

Council Member Lawson suggested the Council support a two cent property tax for senior services and how it is obtained can be determined. If the issue is not addressed now, it will be a larger problem later. Council Member Ratti is concerned that moving one cent from animal services to senior services will not provide enough funding. A minimum of two cents would be necessary. Council Member Carrigan is concerned with obtaining the Legislative changes to add the two cents even if the voters approve it. Council Member Schmitt is concerned with the risk associated with the ballot initiative and would prefer a more concrete solution.

Director of Washoe County Senior Services Grady Tarbutton thanked the Sparks City Council for hearing this item.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to support a ballot initiative asking voters if they want to raise property taxes by two cents countywide to be dedicated to support senior services. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.3 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 and authorization for the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION) (Time: 3:45 p.m.)

An agenda report presented by Contracts and Risk Manager Dan Marran recommending approval to purchase commercial insurance and authorization to the Contracts and Risk Manager to execute the necessary paperwork associated with those policies. This is the annual renewal of insurance policies purchased for TMWRF to protect its financial interest relating to potential accidental losses.

A motion was made by Council Member Smith seconded by Council Member Carrigan, to approve the purchase of various commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility for the next policy periods and authorization for the Contracts and Risk Manager to execute agreements for those policies. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.4 Consideration and possible approval to purchase various commercial insurance policies to protect the financial interests of the City for the next policy periods and authorization for the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION) (Time 3:47 p.m.)

An agenda report presented by Contracts and Risk Manager Dan Marran recommending approval to purchase various commercial insurance policies and authorization to the Contracts and Risk Manager to execute the necessary paperwork associated with those policies. Most primary layers of risk exposure are self-insured, however, the City purchases commercial insurance policies to protect its financial interests against unpredictable, catastrophic losses. These policies include: Property & Contents (including boiler & machinery), general liability, automobile liability, auto physical damage, employee crime and tenant users liability.

A motion was made by Council Member Smith seconded by Council Member Carrigan, to approve the purchase of various commercial insurance policies to protect the financial interests of the City for the next policy periods and authorization for the Contracts and Risk Manager to execute agreements for those policies. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.5 PCN11029 – Consideration of and possible action on a request for final approval of Crestgate Pyramid final planned development handbook (FOR POSSIBLE ACTION) (Time 3:52 p.m.)

An agenda item from Senior Planner Karen Melby recommending approval of PCN11029.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve PCN11029 as the final draft is in substantial compliance with the City Council action on the Tentative Approval of the Amendment to Crestgate Pyramid Planned Development on April 4, 2012 and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.6 Consideration, 1st Reading and possible discussion of Bill No. 2644, an Ordinance amending Chapter 15 of the Sparks Municipal Code; amending Section 15.05.100 "Adoption" and Section 15.05.108.3.9 "Energy Efficiency Inspections," to reflect the adoption of codes and local amendments; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time 2:24 p.m.)

Read by title by the City Clerk on June 11, 2012, The Second Reading and public hearing of this Bill for its possible approval and adoption will be on June 25, 2012.

6.7 Possible motion to conduct labor relations proceeding. (Closed per NRS 288.220) (FOR POSSIBLE ACTION) (Time 3:54 p.m. and 3:59)

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to conduct labor relations proceedings at the conclusion of the meeting. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

7. Public Hearing and Action Items Unrelated to Planning and Zoning - None

8. Planning and Zoning Public Hearings and Action Items - None

9. Comments

9.1 Comments from City Council and City Manager (Time: 3:55 p.m.)

Council Member Ratti commended the Parks and Recreation Department for the successful Mark Wellman Adventure Day event as well as the positive feedback on Farmer's Market.

Council Member Lawson discussed the success of the Kid's Free Fishing Day event, which included a special needs day on Saturday, and 1800 kids on Sunday, sponsored by the Rotary Club, and thanked Tracy, Tonya and Shawna and their support. Council Members Ratti and Schmitt congratulated the Sparks Rotary Club for the event.

Council Member Schmitt requested a copy of the Joint Powers Agreement for animal services and an outline of our responsibilities. Assistant City Attorney Shirle Eiting said the city's responsibility was to revoke all laws regarding animals in the City of Sparks to Washoe County and to turn over one cent property tax for that function. There is not a specific termination or review date. Ms. Eiting will provide Council with a copy of the Animal Control Joint Powers Agreement. Mayor Martini requested it be put on a future Council meeting or workshop agenda for discussion.

Assistant City Manager Steve Driscoll read an announcement for 2 openings on the Civil Service Commission and 2 openings on the Parks & Recreation Committee.

9.2 Comments from the Public – None

10. Adjournment (Time: 4:00 p.m.)

There being no further business, the Council meeting was adjourned to a closed door session at 4:00 p.m.