



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
2:00 P.M., Monday, October 27, 2014
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: 2:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and Acting City Clerk Chris Syverson, PRESENT.

ABSENT: Council Member Mike Carrigan

Staff Present: John Martini, George Graham, Neil Krutz, Jeff Cronk, Tracy Domingues, Adam Mayberry, Armando Ornelas, Jon Ericson, Karen Melby, Desiree Vance, Nancy Munson, Joanna Bellamy, Pat Dyer, Karl Nieberlein, Dan Marran, Brian Miller, Jennifer Olsen, Jim Rundle, Tim Thompson, Tom Garrison.

3. Opening Ceremonies

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

The invocation was provided by Elder Tom White of the Church of Latter Day Saints.

3.2 Pledge of Allegiance (Time: 2:03 p.m.)

The Pledge of Allegiance was led by Council Member Julia Ratti.

4. Public Comment (Time: 2:03 p.m.) - None

5. Approval of the Agenda (Time: 2:04 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 Ratti, seconded by Council Member Schmitt, to approve the agenda as submitted. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan ABSENT. Passed unanimously with those present.

6. Approval of the Minutes (Time: 2:04 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for October 13, 2014 (For Possible Action)

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of October 13, 2014, as outlined by staff. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan ABSENT. Passed unanimously with those present.

7. Announcements, Presentations, Recognition Items and Items of Special Interest

7.1 AAA of Northern California, Nevada and Utah Rescuer of the Year Award and donation for Michael Landsberry (Time: 2:05 p.m.)

Sparks Deputy Police Chief Brian Miller presented the AAA (American Automobile Association) California, Nevada, and Utah Rescuer of the Year Award to fallen educator and National Guardsman, Michael Landsberry, in honor of his heroism during the Sparks school shooting tragedy in October 2013. Sharon Landsberry accepted the donation and then presented the \$10,000 award from AAA to the Sparks Police Department's victims' advocate fund. Paulette Stracuzzi of AAA also presented Sharon Landsberry a \$3,000 gift of AAA travel, plus a 3-year premiere AAA membership. Sparks Victims Advocate Jennifer Olsen was recognized and thanked by Chief Miller for her work for victims.

7.2 Proclamation: "Keep Truckee Meadows Beautiful - 25th Anniversary" (Time: 2:09 p.m.)

On the occasion of its 25th Anniversary, Mayor Geno Martini read a proclamation celebrating *Keep Truckee Meadows Beautiful* and thanked KMTB's renowned alliance of some 3,000 volunteers for the service they provide throughout our community. Jamie Souza of KTMB received the proclamation and announced their next big event is Christmas Tree Recycling, which will begin the day after Christmas.

7.3 Proclamation: "Family Caregivers Month" (Time: 2:12 p.m.)

Mayor Martini proclaimed November 2014 as *Family Caregivers Month* and recognized the half-million caregivers in Nevada for their service to family, friends, and the aging community. The proclamation was received by NV AARP President and NV Coalition of Caregivers President Mary Liveratti.

7.4 Presentation: Regional Road Impact Fee Update (Time: 2:15 p.m.)

Assistant Community Services Director John Martini introduced RTC Sr. Engineer and Regional Road Impact Fee Administrator Julie Masterpool. Ms. Masterpool provided information requested by Council Member Ed Lawson at a previous meeting. Ms. Masterpool said:

- The Regional Road Impact Fee Program has been in place since 1996. The Regional Transportation System (RTC) recently hired a national impact fee consultant to review compliance with NV statutes, case law, and best practices for issuance of impact fee credits. The RTC sought improvements to the impact fee program in general.
- With approval from the related jurisdictions, the new (5th edition) issuance of impact fee waivers will have a limitation issued to the developer of record and will not earn more waivers than can be used in the project. Additionally, waivers will not expire.
- With approval from the related jurisdictions, an amendment to the General Administrative Manual will provide extensions to developers, with a 10-year extension cap so the credits can be used before they expire.

7.5 Presentation and discussion on Kiley Ranch North Planned Development
(Time: 2:25 p.m.)

Senior Planner Karen Melby presented. Rising Tides LLC Manager Scott Cristy said they intend to present a tentative map for Phase 6 in December. He said Renown Hospital plans to build there and developers are optimistic for multi-family units and job producing business entities. Carlos Vasquez of Zozak Land Company said they plan to start building on Village 38 in about two months. The new handbook is proposed for mixed development, housing and commercial.

8. Consent Items (Time: 2:49 p.m.)

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the consent items as submitted. Council Members Ratti, Lawson, Smith, and Schmitt, YES. Council Member Carrigan ABSENT. Passed unanimously with those present.

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period September 25, 2014 through October 8, 2014 (FOR POSSIBLE ACTION)

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.

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 Financial Services Director Jeff Cronk recommending Council accept the following donations awarded to the City during the period from July 2014 through September 2014:

<u>Donator:</u>	<u>Amount:</u>	<u>Purpose of donation</u>
Various Donors*	\$11,146.00	Donations to Project SAFE.
Various Donors*	\$1,139.00	Donations to Partners in Parks & Recreation
Jeffrey Turner	\$50.00	Donation to Police Department

*Various people donated to the Project SAFE and Partners in Parks & Recreation Program. Each donation was individually less than \$5,000. These donations do not have an impact on the general fund.

8.3 Consideration and possible approval of a professional services contract with Resource Direct Consulting for prevailing wage review services related to construction of the Walmart at the Legends at the Sparks Marina Project in the amount of \$84,530.00 (FOR POSSIBLE ACTION)

An agenda item from Deputy City Manager Neil Krutz recommending Council approve a contract for prevailing wage review services for the proposed Walmart being built at the Legends at Sparks Marina. Construction of the Walmart is anticipated to begin in November of 2014. The duration of this project is expected to be approximately 18 months. Because the Legends Project is in a STAR bond district, prevailing wages must be paid on all construction. The City of Sparks is obligated to review certified payroll documentation, perform field verifications, and correspond with contractors, subcontractors and the State of Nevada Labor Commission. Resource Direct has provided professional services on previous Legends projects. Staff recommends approval. Resources for this expenditure will come from Fund 3601, Redevelopment Area #2-Administration.

8.4 Consideration and possible award of the informal quote contract for the Sparks Victorian Square Concrete Repair to Valley Concrete Inc. in the amount of \$60,773.00 (FOR POSSIBLE ACTION)

An agenda item from Capital Projects Manager Brian Cason recommending Council approve a quote to replace the existing walkway on Victorian Square that has deteriorated and caused possible hazards for pedestrians. The existing infrastructure was installed in the mid 80s and has performed well over the years for all events and pedestrians. Areas have heaved and in some locations settled, causing hazards for pedestrians. Trees within the square have caused some of the problems and root mitigation will be needed for these areas. Surface spalling and broken concrete is also a problem within some of the repair area. Funding is available and budgeted in the Parks and Recreation Projects Fund.

9. General Business

9.1 Consideration and Possible Acceptance of a Justice Assistance Grant in the amount of \$100,058.31 (For Possible Action) - (Time: 2:49 p.m.)

An agenda item from Police Chief Brian Allen recommending Council accept a grant from the State of Nevada Department of Public Safety, Office of Criminal Justice Assistance, to assist with the implementation of the requirements set forth by the Adam Walsh Act. The funds will purchase necessary equipment to register sex offenders and to fund sweeps to locate out of compliance sex offenders.

The Justice Assistance Grant will help to solve the problems associated with the implementation of the Adam Walsh Act by providing funding for two separate needs. The grant will provide \$53,058.31 to fund the purchase and installation of two LiveScan units at SPD. These units allow the rapid collection of the finger and palm prints the Act requires. They electronically upload the information to the SPD records management system and to the required repository at the State of Nevada.

The second part of the funding to be provided by the grant, \$47,000, will pay officer overtime so that the RSONU can conduct sweep operations to locate out of compliance offenders on a quarterly basis. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to accept the Justice Assistance Grant in the amount of \$100,058.31 from the State of Nevada Department of Public Safety, Office of Criminal Justice Assistance. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan ABSENT. Passed unanimously with those present.

9.2 Consideration and discussion on the Sign Code Alternatives for the separation distance between special freestanding signs (For Possible Action) (Time: 2:52 p.m.)

An agenda item from Senior Planners Karen Melby and Tim Thompson recommending Council consider the presented alternatives regarding the separation distance between special freestanding signs in the industrial area and provide direction to staff on which is the preferred City Council alternative.

The six options presented are:

Alternative 1: Current code, which calls for 1500 feet between all free-standing signs

Alternative 2: 1500 feet between existing free-standing static signs and 3000 feet between digital signs

Alternative 3: 1500 feet between existing static or digital signs and 3000 feet between new free-standing static or new digital signs.

Alternative 4: Only nonconforming signs in the industrial district can be upgraded to digital.

Alternative 5: Only nonconforming signs in the industrial district can convert to digital or static. Separation will be 3000 feet across the board. Potential is there for existing free-standing signs to become nonconforming.

Alternative 6: Change distance measuring between signs from lineal feet to radial feet.

Public comment:

- Mark Courting of Saunders Outdoor Advertising spoke in support of Option 1, Option 2 or Option 4, with preference to Option 2.
- Lori Wray spoke further to her letter to Mayor and Council, which includes opposition to digital billboards, lower light standard, industrial standards being adopted throughout the country.

Council Member Ron Smith, seconded by Council Member Ron Schmitt, to allow all existing signs in the industrial center to be grandfathered in and called special free-standing signs that can convert to digital signs; new digital signs to be allowed at 3000 feet.

Council Member Julia Ratti commented she is still concerned with the amount of light emanating from digital signs and that affect the lives of residents who live within close proximity of digital signs.

Council Member Lawson asked for clarification of what other jurisdictions require for signs in residential areas. Ms. Melby said signs within 300 feet of residential cannot be illuminated.

Council Members Smith and Schmitt, YES; Council Member Ratti, NO; Council Member Lawson, ABSTAIN; Council Member Carrigan, ABSENT. Motion failed.

A motion was made by Council member Smith, seconded by Council Member Schmitt to allow all existing signs in the industrial center to be called special free-standing signs that can convert to digital signs; new digital signs to be allowed at 3000 feet; with the caveat that staff reviews and brings back possible separation of residential sign distancing of illuminated or digital signs. Council Members Ratti, Smith, Schmitt, YES; Council Member Lawson, ABSTAIN; Council Member Carrigan, ABSENT. Passed unanimously with those voting.

9.3 FIRST READING. PCN14036 Bill No. 2687, an ordinance to rezone from A-40 (Agriculture) to NUD (New Urban Development), on a site totaling approximately 5.1 acres located at 6300 David Allen Parkway, Sparks, NV; and other matters properly relating thereto. (For Possible Action) (Time: 4:00 p.m.)

Acting City Clerk Chris Syverson read Bill No. 2687 by title. The second reading and public hearing will be held at the next regular City Council meeting on Monday November 10, 2014.

9.4 Consideration and possible approval of Resolution No. 3266 pursuant to NRS 268.061(1)(e)(1) declaring that it is in the best interest of the City to convey a portion of a remnant piece of certain City owned real property located at 0 Clean Water Way, also known as APN 021-030-03, to Regional Transportation Commission of Washoe County for roadway purposes on the Southeast Connector project. (For Possible Action) (Time: 4:01 p.m.)

An agenda item from Transportation Manager Jon Ericson recommending Council approve a resolution which allows the City to convey a portion of a remnant property to the RTC. The City of Sparks and the City of Reno jointly own a small strip of land from Clean Water Way to Pembroke Drive that has been used as a secondary access and maintenance road for the Truckee Meadows Reclamation Facility and a sewer line running to the plant. RTC desires to purchase a portion of the land to complete a segment of the Southeast Connector from Clean Water Way to Pembroke Drive. The completed roadway improvements are located solely in Washoe County jurisdiction and as such will be turned over to Washoe County once completed. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to adopt Resolution No. 3266 as outlined by staff. Council Members Ratti, Lawson, Smith, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

9.5 Consideration and possible approval an Agreement between the City of Sparks and ZOZAK Land Company, LLC to extend the time to submit a Final Map (For Possible Action) (Time: 4:02 p.m.)

An agenda item from City Engineer John Martini recommending Council allow a one year extension of a Tentative Subdivision Map expiration date. On November 22, 2010, the Sparks City Council conditionally approved a request from CAV Investments, LLC for a Tentative Subdivision Map for Village 38 of the Kiley Ranch North New Urban District. Per the conditions of approval and NRS 278.630 the developer has four years from the date of Tentative Subdivision Map approval to submit a final map. ZOZAC Land Development Company, LLC (ZOZAC) is the current owner of the property entitled by the Village 38 Tentative Subdivision Map. On July 10, 2014 ZOZAC submitted an application for approval of a final map for Kiley Ranch North Village 38, Phase 1. Community Services Staff have reviewed and approved the final map application and is waiting delivery of final documentation including a Subdivision Improvements Bond prior to requesting approval from the City Council. ZOZAC is concerned that the tentative map will expire (November 22, 2014) prior to securing the signatures on the final map as well as a Subdivision Improvement Bond and has formally requested a one-year extension of the Tentative Subdivision Map expiration date. Staff has reviewed the attached agreement to extend time and recommends approval. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve an agreement between the City of Sparks and ZOZAC Land Company, LLC to extend the time one year to submit a final map. Council Member Lawson disclosed he has done business with ZOZAK in the past, but it does not affect the issue before Council today. Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

9.6 Consideration and possible approval of an Employment Agreement for Christine Syverson, Administrative Services Director (Time: 4:04 p.m.)

An agenda item from City Manager Steve Driscoll recommending Council approve an employment contract to promote current Employee and Customer Relations Manager Christine Syverson to fill the newly created Administrative Services Manager position. The City Manager is proposing under the recently amended Executive Resolution, to offer Ms. Syverson a 9% (rounded up to the nearest \$1,000) promotional salary increase, from which point she would be eligible to progress annually through the salary bands set forth in that resolution.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the Employment Agreement for Christine Syverson, Administrative Services Director, as presented by staff. Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

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

10.1 Second reading and possible adoption of Bill No. 2685, an ordinance amending chapter 5.48 of the Sparks Municipal Code; repealing the requirement that taxicab drivers obtain a chauffer's work permit from the Sparks Police Department; deferring to the Nevada Transportation Authority to issue taxicab driver's permits pursuant to NRS 706.462 to 706.4624, inclusive; and providing other matters properly related thereto (For Possible Action) (Time: 4:06 p.m.)

An agenda item from Assistant City Attorney Tom Riley recommending Council approve the repeal of a requirement that taxicab drivers obtain a chauffer's work permit from the Sparks Police Department. Sparks Police have been regulating taxicab drivers for decades, requiring that such drivers undergo an investigation and obtain a chauffer's work permit.

The 2013 Nevada Legislature passed SB210, which was signed into law by Governor Sandoval, and which placed the licensing of taxicab drivers under the regulatory authority of the Nevada Transportation Authority (NTA). The new law requires taxicab drivers in Washoe County obtain a driver's permit from the NTA, rendering the City's requirement for a chauffer's work permit redundant. Due to the NTA's broad authority, there is no longer any reason for the City to regulate taxicab drivers and staff is recommending approval of the ordinance which would eliminate this administrative duty and free staff to provide other services to the community.

Public hearing opened and closed, with no comments received.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve Bill No. 2685 (Ordinance No. 2504). Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

11. Planning and Zoning Public Hearings and Action Items

11.1 PCN14034- Resolution 3267, Consideration of and possible action on a master plan amendment to change the land use designation Neighborhood Park (NP), Public Institution (PI), 5 DU/Acre, and Open Space (OS) to Mixed Use Residential (MUR), Low Medium Residential (LMR), Medium Residential (MR) and Neighborhood Park (NP) on 5 properties totaling approximately 43.2 acres located east of Sparks Boulevard and north of the Kiley Detention Dam, Sparks, NV (For Possible Action) (Time: 4:08 p.m.)

An agenda item from Senior Planner Karen Melby recommending Council approve a Master Plan amendment consisting of three areas within the vicinity of the Kiley Ranch North Planned Development. The Parks Master Plan adopted by the City in November 2013 recommends a move away from neighborhood parks (because of the expense of maintaining lots of little parks) to the development of community parks. City staff asked the developers of Kiley Ranch North to eliminate the two proposed neighborhood parks, combining them into a community park. This is the first component of this request. The applicant includes two other areas to process the mixture of Master Plan amendments under one application.

Another component of this application is to amend the Master Plan to include 33.2 acres currently located within the Kiley Ranch Northeast Golf Community Planned Development. This includes 8.14 acres located adjacent to the Kiley Ranch North Planned Development Phase 2. The last area is to change the land use designation for 1.7 acres located in a future phase of Kiley Ranch North Planned Development. The total area is 43.2 acres. The breakdown is as follows:

Location	Acreage	Existing Master Plan Designation	Proposed Master Plan Designation
1 - Future phase (Located in Kiley Ranch North)	1.7 acres	Neighborhood Park	Low Medium Residential
2 – North of Phase 2 (Located in Kiley Ranch North)	5.7 acres	Neighborhood Park	Mixed Use Residential
3 – North of Phase 2 (Located in Kiley Ranch North)	2.6 acres	Public Institution	Mixed Use Residential
4 – South of Phase 6 (Located in Kiley NE Golf Community)	3.2 acres	5 DU/Acre	Medium Residential
5 – South of Phase 6 (Located in Kiley NE Golf Community)	2.0 acres	5 DU/Acre	Low Medium Residential
6 – East of Phase 2 (Located in Kiley NE Golf Community)	18.6 acres	Open Space	Low Medium Residential
7 – Southeast of Phase 2 (Located in Kiley NE Golf Community)	9.4 acres	Open Space	Neighborhood Park
Total	43.2 acres		

There is no impact to the general fund.

Ms. Melby confirmed that 18.6 acres will be converted from open space.

Public Comment:

- Applicant Representative Lois Brown confirmed that no preserve land is being affected.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve Resolution 3267, adopting a change in the Master Plan amendment for PCN14034, based on Findings MP 1 through MP4, and the facts supporting these findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

11.2 PCN14035 – A Master Plan Amendment and rezoning by the City of Sparks for property within the Transit Oriented Development Corridor boundary.

These lands are generally located north of Prater Way and west and south of E. I Street. The requests are for:

- **Consideration of and possible action on a Master Plan Amendment to change the boundary of the Transit Oriented Development Corridor, including changing the land use designation of approximately 6.66 acres from Transit Oriented Development - Mixed Use Commercial designation to approximately 0.32 acres of Low Density Residential, 3.41 acres of Public Facility and 2.93 acres of General Commercial. (For Possible Action)**

- **SECOND READING, Bill No. 2686, consideration of and possible action on an ordinance to change the zoning on 6 parcels totaling approximately 6.66 acres from TOD-Mixed Use Commercial to 0.32 acres of R1-6 (Single Family Residential), 3.41 acres of PF (Public Facility) and 2.93 acres of C2 (General Commercial) (For Possible Action) (Time: 4:04 p.m.)**

An agenda item from Senior Planner Tim Thompson recommending Council approve a Master Plan Amendment and rezoning to change the boundary of the Transit Oriented Development Corridor as well as changing the land use designation of approximately 6.66 acres. Staff has analyzed each parcel and is proposing a land use and zoning designation most appropriate for the current use of the property and potential future use of the property.

The maps in the TOD Design Manuals will also be amended to show the updated boundary and removal of these parcels from the TOD Corridor.

The associated Master Plan Amendment and subsequent rezoning, furthers the goals, policies, and objectives and the Regional Plan and the Sparks Master Plan as discussed in the Findings in the staff report. The requested changes would also be consistent with the existing surrounding land uses. For these reasons, staff recommends that the Planning Commission approve the Master Plan Amendment and forward a request for certification to the City Council as well as forward a recommendation for approval to the City Council of the requested zone changes. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to certify the Master Plan Amendment Resolution 3268 associated with PCN14035, adopting Findings MP1 through MP and the facts supporting these Findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

A motion was made by Council Member Ratti, seconded by Council Member Lawson to approve Bill No. 2686 (Ordinance No. 2505), an ordinance changing the zoning on six (6) parcels totaling approximately 6.66 acres from TOD-Mixed Use Commercial to 0.32 acres of R1-6 (Single Family Residential), 3.41 acres of PF (Public Facility) and 2.93 acres of C2 (General Commercial) associated with PCN14035, adopting Findings Z1 through Z3 and the facts supporting these Findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Schmitt, YES; Council Member Carrigan, ABSENT. Passed unanimously with those present.

12. Closed Door Sessions - None

13. Comments

13.1 Comments from the Public (Time: 4:23p.m.) - None

13.2 Comments from City Council and City Manager (Time: 4:24 p.m.)

City Manager Steve Driscoll announced that terms will expire for the following Committees in December 2014. The first is the Airport Noise Advisory Committee, 1 member for a 2 year term. The second is the Washoe District Board of Health, one member for a 4-year term. Applications can be obtained at the City Clerk's office, or online at www.cityofsparks.us.

Mr. Driscoll said the City of Sparks does not generally conduct the last meeting in December and if the Council sees fit, the next meeting of the Sparks Redevelopment Agency will be adjusted to the first meeting of the month.

14. Adjournment

Council was adjourned at 4:26 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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