



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, April 25, 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: 2:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti (on phone 2:06 p.m.), Ed Lawson, Ron Smith, Charlene Bybee, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: Council Member Ron Schmitt

Mayor Martini asked for a moment of silence for city employee Sherri Fansler and former Post Master and head of the Chamber Don Johnston who passed away this past week.

3. Opening Ceremonies

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

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

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

The Pledge of Allegiance was led by Council Member Smith

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

Nevada Youth Legislature Emily Espinosa representing Senate District 14 spoke about a Town Hall meeting that was held at Reed High School. She encouraged everyone to reach out to the Nevada Youth Legislature with any questions or comments they may have.

5. Agenda (Time: 2:05 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 Bybee, seconded by Council Member Smith, to approve the agenda as submitted. Council Members Lawson, Smith, Bybee, YES. Council Members Ratti, Schmitt, ABSENT. Passed unanimously with those present.

6. Minutes (Time: 2:06 p.m.)

6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting on April 11, 2016

A motion was made by Council Member Bybee, seconded by Council Member Smith, to approve the minutes of the regular Sparks City Council meeting on April 11, 2016. Council Members Lawson, Smith, Bybee, YES. Ratti, Schmitt, ABSENT. Passed unanimously with those present.

7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:06 p.m.)

7.1 Presentation: Sparks Middle School 50th Anniversary Invitation (Time: 2:06 p.m.)

Mayor Martini read a flyer from Family and Community Liaison for Sparks Middle School Theresa Shirley and invited all to attend the 50th anniversary open house celebrations to be held at the Sparks Middle School campus on May 19, 2016 from 4:00-6:00 p.m.

7.2 Proclamation: Pay it Forward – Tristin Hurley Day (Time: 2:08 p.m.)

Mayor Martini proclaimed Thursday, April 28, 2016 as Pay It Forward Day in Honor of Tristin Hurley, a 15-year old Sparks resident who was born with the genetic disorder Osteogenesis Imperfecta (brittle bone disease). Pay it Forward promotes community spirit through intentional acts of kindness. Despite his disability, Tristin brought great joy to all who knew him; he brought positive change to our community and beyond. The proclamation was read by Council Member Bybee and presented to Tristin's family in attendance. Assembly Person Jill Dickman also spoke and presented a Certificate of Recognition to Tristin's family.

7.3 Proclamation: Longford, Ireland Day (Time: 2:17 p.m.)

Mayor Martini proclaimed April 24, 2016 as Longford, Ireland Day and encouraged all citizens in the City of Sparks to join in remembrance of our friends in the City of Longford, Ireland and in the unique and enduring relationships our two cities have forged. The proclamation was read by Mayor Martini and presented to William Boucher and Lisa Ortega from the Sons of Erin.

7.4 Proclamation: Fair Housing Month (Time: 2:21 p.m.)

Mayor Martini proclaimed April, 2016 as Fair Housing Month to commemorate the 48th anniversary of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Act, which provides equal opportunity for all Americans in the sale, rental, and financing of housing and prohibits discrimination. Silver State Fair Housing Council actively works to ensure equal housing opportunity for people in Nevada to choose freely where they want and can afford to live. The City of Sparks supports the efforts of Silver State Fair Housing Council and all other agencies pursuing fair housing. The proclamation was read by Mayor Martini and presented to Roberto Keyes, Program Director of the Silver State Fair Housing Council.

7.5 Proclamation: Medical Laboratory Week (Time: 2:25 p.m.)

Mayor Martini proclaimed April 24-30, 2016 as Medical Laboratory Week in Sparks Nevada and urged our citizens to honor our health care professions by acknowledging their special services to our community. The proclamation was read by Mayor Martini and presented to a Director from Northern Nevada Medical Center.

7.6 Proclamation: Arbor Day (Time: 2:28 p.m.)

Mayor Martini proclaimed April 29, 2016 as Arbor Day, urging all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands. The proclamation was read by Mayor Martini and presented to Parks and Recreation Director Tracy Domingues. Ms. Domingues said the tree planting on Arbor Day will be held at Lena Juniper School.

7.7 Commendation: The Faith Forum Celebrates Five Years in Print (Time: 2:42 p.m.)

Mayor Martini commended the Reno Gazette Journal's (RGJ) column, Faith Forum, for completing five years in print. Religious Statesman Rajan Zed leads a panel of local leaders of various denominations to produce this weekly discussion forum in the Sunday RGJ on important religious issues affecting the local, national and international regions. The commendation was read by Mayor Martini and presented to Religious Statesman Rajan Zed.

7.8 Sparks Fire Department Project SAFE - Remembering When, A Fire and Fall Prevention Program for Older Adults (Time: 2:47 p.m.)

A presentation by Fire Marshal Robert King and Harry Urman from The American Red Cross on Project Safe which is a fire and life safety program for older adults. They gave the dates of upcoming group presentation.

8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:57 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, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period March 24, 2016 through April 6, 2016. (FOR POSSIBLE ACTION)

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

8.2 Consideration and possible approval of an application for a Gaming license for Nugget Sparks, LLC, dba Nugget Casino Resort, located at 1100 Nugget Ave., Sparks, NV, 89431, submitted by Mr. Anthony A. Marnell III. (FOR POSSIBLE ACTION)

An agenda item from Police Chief Brian Allen recommending Council approve Mr. Marnell's application for a Gaming license for Nugget Sparks, LLC, dba Nugget Casino Resort, located at 1100 Nugget Ave., Sparks, NV, contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI that do not reflect any disqualifying arrests/convictions. There is an estimated increase of \$16,815 per quarter to the general fund.

8.3 2016 State Emergency Response Commission Hazardous Materials Emergency Preparedness Grant acceptance for Continuing Challenge Hazardous Materials Conference for an amount of up to \$15,885. (FOR POSSIBLE ACTION)

An agenda item from Fire Battalion Chief Jim Reid recommending Council approve the sub-grant agreement as presented. The grant will be used to attend the Continuing Challenge Hazardous

Materials Emergency Response Workshop which is the premiere educational and hands on workshop that occurs on the West Coast. The attendees learn new and innovative ways to respond to and mitigate hazardous materials incidents while refreshing basic skills. The information that is obtained from this workshop is brought back to Washoe County and taught to those members that were unable to attend. With the ever changing Hazardous Materials environment, continuing education is imperative for the Regional Haz Mat Team members to stay proficient on skills, knowledge and to stay current on regulatory changes. No funds pass through the city, there is no impact to the general fund.

8.4 Consideration and possible approval to purchase the equipment and labor to up-fit seven police vehicles and three fire vehicles from Lehr Auto Electric in the amount of \$100,989.09. (FOR POSSIBLE ACTION)

An agenda item from Public Works Manager Ron Korman recommending Council approve the purchase as submitted. The City would be using the joinder provision allowed under NRS 332.195, and purchasing this equipment and labor utilizing the State of Nevada vehicle bid. Utilizing existing bids have historically been the most competitive. Utilizing the joinder provision allows the City to precisely define the equipment needed while foregoing the need to formally bid the item. Funding is available in the motor vehicle fund, there is no impact to the general fund.

8.5 Consideration and possible approval of Change Order 1 to the Headworks Improvements Project construction contract at the Truckee Meadows Water Reclamation Facility with K.G. Walters Construction Co., Inc. for an amount not to exceed \$300,000.00, with the City of Sparks' portion being \$94,110. (FOR POSSIBLE ACTION)

An agenda item from TMWRF Plant Manager Michael Drinkwater recommending Council approve Change Order 1 as submitted. The Sparks City Council approved the Headworks Improvement Project contract with to K.G. Walters Construction Co., Inc. in the amount of \$5,341,600.00 on January 12, 2015. The City of Reno is administering the agreement and will be reimbursed for a portion of the costs by the City of Sparks pro rata based on plant ownership. This project is included in the Capital Improvement Plan that was approved by the Joint Coordinating Committee. Funding is available in the sanitary sewer capital project fund, there is no impact to the general fund.

9. General Business

9.1 Presentation and discussion on the Comprehensive Plan including an update on the preliminary Phase 2 Public Outreach survey results and review of the project schedule. (FOR POSSIBLE ACTION) (Time: 2:58 p.m.)

Sr Planner Karen Melby and Karen Craig of Creative Cities gave a presentation and update on Ignite Sparks. Ms. Melby and Ms. Craig gave the results for the preliminary phase 2 survey responses to date, strategies for future smart growth for the City of Sparks and what the next steps will be for the Comprehensive Plan and Ignite Sparks. There is no impact to the general fund.

9.2 Presentation, discussion, direction to staff, and potential approval of the new Smarter Region economic development brand vision statement. TIME CERTAIN AT 2:30 p.m. (FOR POSSIBLE ACTION) (Time: 2:30 p.m.)

A presentation by Sparks Council Member Ed Lawson, Assistant City Manager for the City of Reno Maureen McKissick, University Regent Jason Geddes and Stephanie Kruse of KPS3 on the

new regional economic development brand vision statement. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to accept the report and to continue in the direction you are going. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.3 Consideration and Possible Approval of Resolution No. 3292 in Support of Comprehensive Federal Public Lands Legislation; and Providing Other Matters Properly Related Thereto. (FOR POSSIBLE ACTION) (Time: 3:27 p.m.)

An agenda item from Assistant City Manager Neil Krutz recommending Council approve the resolution as part of the effort to consider expanding the Sparks Corporate Boundary east of the current edge and north of Interstate 80.

Staff began considering an expansion of the city limits to include the area east of D'Andrea and Copper Canyon and north of Interstate 80 to align with Tahoe-Reno Industrial Center for job generating land uses. Much of the land under consideration is owned by the federal government and managed by the Bureau of Land Management (BLM). There is no impact to the general fund.

Staff shared the proposed resolution with the city's congressional partners who requested a change in the language. The proposed change in the language is:

Old text:

Section 3 The Sparks City Council respectfully requests Senators Reid and Heller and Congressman Amodei aim to secure the enactment of comprehensive public lands legislation for Washoe County by the end of 2016.

New text:

Section 3 The Sparks City Council respectfully requests that the congressional delegation aim to secure the enactment of comprehensive public lands legislation for Washoe County.

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve Resolution No. 3292 in Support of Comprehensive Federal Public Lands Legislation with language changes presented. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.4 Consideration and possible award of the 2016 Street Rehabilitation – Unit 3 contract AC-5233, Bid No. 15/16-009, PWP-WA-2016-113 to Sierra Nevada Construction, in the amount of \$1,657,007. (FOR POSSIBLE ACTION) (Time: 3:39 p.m.)

An agenda item from City Engineer Jon Ericson recommending Council award the 2016 Street Rehabilitation– Unit 3 contract to Sierra Nevada Construction. This project is part of the City's Transportation System - Pavement Management Program. The project was prioritized through the City's Pavement Management System and outlined in the 5-year Program of Projects. Funds are available in the capital improvements project budget; there is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to award the 2016 Street Rehabilitation– Unit 3 Rehabilitation Project contract AC-5233, to Sierra Nevada

Construction, in the amount of \$1,657,007. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.5 Consideration and possible award of the 2016 Permanent Patch contract AC-5234, Bid No. 15/16-010, PWP No. WA-2016-116, to Sierra Nevada Construction, Inc. in the amount of \$298,007. (FOR POSSIBLE ACTION)
(Time: 3:41 p.m.)

An agenda item from City Engineer Jon Ericson recommending Council award the 2016 Permanent Patch contract to Sierra Nevada Construction, Inc. The permanent patch program requires a contractor to permanently patch city owned streets and alleys that have been cut by permit holders. The permanent patch program is self-funded and all costs are paid through permit fees; there is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to award the 2016 Permanent Patch contract AC-5234, Bid No. 15/16-010, PWP No. WA-2016-116, to Sierra Nevada Construction, Inc. in the amount of \$298,007. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.6 Consideration and possible approval to purchase seventy traffic signal controllers, and eighty traffic signal cabinet modifications from Intermountain Traffic in the amount of \$279,400. (FOR POSSIBLE ACTION)
(Time: 3:42 p.m.)

An agenda item from Public Works Manager Ron Korman recommending Council approve the purchase of controllers and cabinet modifications. NRS Chapter 332.115(g) exempts computer items from competitive bid. Intermountain Traffic is the supplier for the controllers that have been specified for our system, and are utilized by all neighboring agencies. Funding is available in the road fund; there is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Smith, to approve the purchase of seventy traffic signal controllers and modifications to eighty traffic signal cabinets from Intermountain Traffic in the amount of \$279,400. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.7 Consideration and approval of an Interlocal Cooperative Agreement number AC-5235 (NM124-16-016) with the Nevada Department of Transportation (NDOT) to provide installation of 35 NDOT furnished traffic signal controllers. (FOR POSSIBLE ACTION) (Time: 3:44 p.m.)

An agenda item from Public Works Manager Ron Korman recommending Council approve the interlocal agreement. NDOT has agreed to purchase thirty-five new controllers to upgrade the NDOT part of our traffic control system with the understanding that we will install them at our cost as part of the ongoing traffic signal maintenance agreement that we have with them. NDOT is providing these controllers to Sparks to enhance operational readiness, increase security, improve monitoring, increase safety, and enhance motorist progression throughout the City. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the Interlocal Cooperative Agreement AC-5235 with NDOT to provide installation of thirty-five

controllers at NDOT signal locations. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.8 Consideration and approval of Interlocal Cooperative Agreement AC-5236 (NM077-16-015), with the Nevada Department of Transportation (NDOT) to provide maintenance for 41 NDOT signalized intersections within the City of Sparks. (FOR POSSIBLE ACTION) (Time: 3:45 p.m.)

An agenda item from Public Works Manager Ron Korman recommending Council approve the interlocal agreement with NDOT. This agreement replaces agreement NM088-81-012 (A-0792) and other agreements to include some minor changes to the language and to include the improvements at the McCarran Boulevard and Pyramid Highway intersection. The City of Sparks has historically maintained the State's traffic signals in the City of Sparks as part of our traffic signal system to provide continuity in the system and to provide timely response in the event of a failure. There is no impact to the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve Interlocal Cooperative Agreement AC-5236 (NM77-16-015) with NDOT to provide maintenance at forty-one NDOT signal locations located within the City of Sparks. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.9 Consideration and possible approval of an Interlocal Cooperative Agreement AC-5237 with Nevada Department of Transportation (NDOT) to provide maintenance on landscaping improvements in the area of the McCarran Boulevard and Pyramid interchange (NM781-15-015). (FOR POSSIBLE ACTION) (Time: 3:48 p.m.)

An agenda item from Public Works Manager Ron Korman recommending Council approve the interlocal agreement with NDOT. NDOT and the Regional Transportation Commission (RTC) are constructing improvements at the intersection of McCarran Boulevard and Pyramid Highway. Incorporated in these improvements are landscape features, trash receptacles and sidewalks.

Historically the City has been responsible for landscape maintenance in this area. The City will benefit from the enhancement of the landscaping in this area by enjoying an aesthetically pleasing area in that corridor. NDOT operations does not have the equipment or personnel to maintain this type of infrastructure.

The City will be responsible for trash collection, landscape plantings, and pathway lighting. The City will also be responsible for keeping the pathways clear of debris, snow and ice. The City will operate, maintain and provide utility services and perform graffiti removal and restoration on the wall not facing McCarran Boulevard or Pyramid Highway. There is no impact to the general fund.

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the Interlocal Cooperative Agreement AC-5237 (NM781-15-015) with NDOT to provide maintenance on landscaping improvements in the area of the McCarran Boulevard, and Pyramid interchange. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

9.10 Consideration, discussion, and possible approval of fiscal year 2016-2017 budget recommendations and fiscal items including 1) the City Manager's

recommendations for the City of Sparks final budget; and 2) the proposed five-year Capital Improvement Plan. (FOR POSSIBLE ACTION) (Time: 3:53 p.m.)

An agenda item from City Manager Steve Driscoll and Financial Services Director Jeff Cronk recommending Council approve the City Manager's budget recommendations. This agenda item provides the City Council with the City Manager's recommendations for the fiscal year 2016-2017 budget and fiscal impacts for the City of Sparks as well as the proposed five-year Capital Improvements Plan (CIP).

City staff will file the tentative budget for FY '17, and the City Council will hold a public hearing to receive public comment on the FY '17 tentative budget at its regularly scheduled Council meeting on May 23, 2016. Immediately following the public hearing on the FY '17 tentative budget, the City Manager and Financial Services Director will present the FY '17 final budget document which will be prepared based upon direction received today. The final budget must be filed with the Nevada Department of Taxation by June 1 annually.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the City Manager's final budget recommendations for fiscal year 2016-2017. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the proposed five-year Capital Improvements Plan for fiscal years 2016-2017 through 2020-2021. Council Members Ratti, Lawson, Smith Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

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

10.1 Second reading, Public hearing, discussion, and possible adoption of Bill No. 2705 amending Chapter 5.52 of the Sparks Municipal Code: an Ordinance amending the Sparks Municipal Code relating to hotels, motels and other rented short-term lodging; revising provisions pertaining to police inspection of hotel, motel and other lodging registers and registration systems; broadening the definition of registration systems to include modern electronic systems; allowing the owner or operator of hotels, motels and other rented properties to seek pre-compliance judicial review of police demands for inspection of registers and registration systems; and providing other matters properly related thereto. (FOR POSSIBLE ACTION) (Time: 4:10 p.m.)

An agenda item presented by City Attorney Chet Adams recommending Council approve and adopt the proposed ordinance. This ordinance adds additional businesses to current businesses that must maintain a system of registering persons who rent temporary lodging, provides for pre-compliance judicial review of police demands to inspect registration records and eliminates outdated and obsolete provisions. A 2015 U.S. Supreme Court decision mandates that the City allow pre-compliance judicial review of police demands to inspect a guest registration system maintained by hotels, motels and other short-term rental businesses. Accordingly, the ordinance started out to address that legal issue.

During review of the current ordinance by the City Attorney's Office and the Sparks Police Department, several provisions were found to be obsolete, outdated or undesired. The review also disclosed that newer forms of temporary housing had developed in the rental market place,

including hotels and motels (such as the old Nugget Courtyard) which had been sold and the rooms therein converted into "apartments". Law enforcement expressed concerns that, under the current ordinance, such buildings were not required by law to maintain a registry of their occupants - many of whom were in rented units making weekly payments.

The proposed ordinance updates the Sparks Municipal Code to comply with the new U.S. Supreme Court decision. It also eliminates outdated and obsolete provisions and updates Chapter 5.52 to include electronic guest registration. Further, it applies the guest registration requirement to additional types of short-term rental properties that pose law enforcement concerns due to transient individuals renting rooms and small apartments. There is no impact to the general fund.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to adopt Bill No 2705. Council Members Ratti, Lawson, Smith, Bybee, YES. Schmitt, ABSENT. Passed unanimously with those present.

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 (Time: 4:16 p.m.)

None.

Comments from City Council and City Manager (Time: 4:16 p.m.)

City Manager Driscoll announced Committee vacancies and application periods as follows:

- Sparks Parks & Recreation, 2 members, 3-year term, open until close of business Friday, May 13, 2016
- Sparks Civil Service Commission, 1 member, 3-year term, open until close of business Friday, May 13, 2016
- Enterprise Fund Advisory Committee, 1 member from the construction industry, 4-year term, open until close of business April 29, 2016

14. Adjournment

Council was adjourned at 4:17 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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